



Humanitarian Corridors: Solidarity, Security, and Legality in Handling the Refugee Crisis¹

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‘Meet the thirsty, bring them water; [...] greet the fugitives with bread. They flee from the sword, from the whetted sword; From the taut bow, from the fury of battle.’

Isaiah 21:14–15²

Abstract. Our contemporary world is marked by global disorder, similar to a ‘Third World War fought piecemeal’. The number of armed conflicts is on the rise and so is the number of refugees. Fleeing violence and misery, they are abused by human traffickers and tens of thousands lose their lives in the Mediterranean or the Sahara. The EU, UN, and governments have been struggling to find an institutional answer. There is room for innovative ideas. This study presents the ‘humanitarian corridors’, designed by the Community of Sant’Egidio and implemented by flexible coalitions of public and private subjects, including religious communities, NGOs, and families. The purpose of the corridors is to save lives and establish a ‘best practice’ combining solidarity, legality, and security for migrants and host country alike. The corridors operate in a clear division of labour between state authorities and civil society. Sant’Egidio and other proposing organizations receive quotas from governments, which they fill with asylum seekers, selected from the most vulnerable among them in refugee camps in Lebanon, Libya, Ethiopia, etc. The consular authorities issue the necessary entry visas, after appropriate security checks. Once in the host country, the authorities decide on their asylum claims. Their travel costs and essential needs during an initial period in the host country are covered by the sponsoring entities. Ghettoization is avoided. The state budget is not involved. Nor do humanitarian corridors require new legislation: they

- 1 The present study owes a great deal to Roberto Morozzo della Rocca’s book ‘Corridoi umanitari’, Edizioni San Paolo, Milano, 2023. I would like to express my gratitude also to Daniela Pompeji, Maria Quinto, Jan De Volder, and other friends in the Community of Sant’Egidio, whose generous and tireless work for the humanitarian corridors inspired me to write this.
- 2 The New American Bible.

make use of existing national and EU laws. At present, Italy, France, and Belgium have humanitarian corridors in place, based on memoranda of understanding signed by the respective governments, Sant'Egidio, and other partner organizations. This study presents some of the MoUs.

Keywords: humanitarian corridor, asylum, refugee, Sant'Egidio, social integration, migration

1. A World in Disarray

‘Nothing but peace can stop refugees’: I read this slogan on social media sometime during the refugee crisis in the summer of 2015. Then, nearly half a million refugees had passed through Hungary in a matter of a couple of days. Most of them had arrived from war-torn Syria via Turkey. As we know, civil unrest broke out in Syria during the ‘Arab Spring’ in March 2011. By mid-2012, it had degenerated into a chaotic civil war, a *bellum omnium contra omnes* in which each warring faction had its own foreign sponsor on which to rely for arms and money. Yet it was not until a few years later that a large segment of the population began to lose faith in the future of their once flourishing country and chose to leave. They were looking for a future, a new start for their children – like three-year old Alan Kurdi, whose lifeless body washed ashore near Bodrum, Turkey in September 2015. The photo of the little boy, lying face down on the sandy beach, as if only asleep, made the front page of leading newspapers around the world and led to a wave of solidarity from the public and governments alike. The most notable example was the decision of the German government to receive up to 1 million refugees from Syria. Although the wave hit high, the wavelength proved short: the tide of the humanitarian enthusiasm soon receded, giving way to ‘refugee fatigue’ and the by now customary security concerns.³

With the proliferation of wars throughout the 2010s and 2020s, the global situation went from bad to worse. The number of refugees kept rising. According to statistics published by the UNHCR, by the end of 2022, 108.4 million people had been forcibly displaced as a result of persecution, conflict, violence, human rights violations, and events seriously disturbing public order – 1 in every 74 habitants of our planet. In the decade between 2012 and 2022, the figures more than doubled.⁴ ‘Forcibly displaced’ is a heterogeneous category: only a minority of those who are forcibly displaced have access to a regular asylum procedure, whereas the majority consists of internally displaced persons, many of whom populate vast, open-air refugee camps, especially in countries like the Democratic Republic of the Congo and Ethiopia. Migratory pressure is mounting in Europe,

3 Decety, 2024, 52.

4 United Nations High Commissioner for Refugees, 2023.

but the overwhelming majority of refugees and displaced persons still struggle to survive in places near their homes. At the same time, the number of more or less open armed conflicts has surpassed 100.⁵ This made Pope Francis claim that the Third World War is already ongoing, albeit in a piecemeal fashion.⁶

Entire regions are turning into theatres of war. From the Sahel Belt, a series of military takeovers have spread towards the Horn of Africa, giving rise to a new geopolitical term, the 'Coup Belt', which stretches from Ivory Coast to Sudan. The regional chaos intensified after a popular uprising, and Western military intervention put an end to Colonel Gaddafi's regime (and life) in Libya in 2011. Since then, the country has virtually split into its two ancient provinces, Tripolitania and Cyrenaica, with two competing 'governments', warlords, and militias. In Libya, enormous detention centres host migrants, *en route* to Europe, trapped between the Sahara Desert and the Mediterranean Sea. These facilities are often run by armed militias or criminal gangs that thrive on trafficking in human beings and extortion. Many describe these facilities as concentration camps where torture, rape, and murder are commonplace.⁷ A fact-finding mission of the UN reported widespread 'terrible violations and abuse'.⁸ The migrants, most of them sub-Saharan Africans, including families with children as well as unaccompanied minors, have to choose between a perilous voyage across the Mediterranean or staying in Libya.

Since 2011, the Mediterranean route has seen a dramatic increase in crossings. The number of landings on Italian shores was 4,406 in 2010. In 2011, the figure rose abruptly to 62,261 only to stabilize at a lower rate until 2014, 2015, and 2016, which saw record numbers: 170,100, 153,842, and 181,436 respectively. The wave of migrants then ebbed significantly, to 11,471 by 2019⁹ only to rise again in the 2020s. Statistics of the Ministry of Interior show 105,131 and 157,651 landings for the years 2022 and 2023 respectively.

Another crisis broke out in Afghanistan when the Taliban retook control over most of the country, reconquering Kabul on 15 August 2021, taking advantage of the clumsy evacuation of American, British, and other Western troops. In a matter of 2 weeks, as many as 100,000 people had to be airlifted to Europe and the US: Afghani whose lives were in danger because they were regarded as collaborators of Western powers. In the following months, many more would try to escape via Pakistan and Iran. The pressure has not subsided much since but the willingness on the part of Europe to take them in has. The Taliban are apparently not willing to guarantee even the most basic human rights. Those who had believed that the

5 Armstrong, 2023.

6 Pope Francis, 2023.

7 Mannocchi, 2019; Latza Nadeau, 2021.

8 UN News, 2022,

9 Morozzo della Rocca, 2023, p. 19; Openpolis, 2023.

20 years of massive Western intervention would lead to a new, democratic and free Afghanistan were bitterly disappointed.¹⁰

In a world already in disarray, Russia invaded Ukraine on 24 February 2022, triggering a new refugee crisis on an enormous scale. This time, Europe's attitude has been welcoming towards the millions of Ukrainians fleeing the war.

2. The Genesis of a Response

We face a paradox. Europe has the world's most developed legal system, with a highly elaborate *acquis* in the field of asylum. At the same time, the high level of protection is of use only for those who manage to arrive in the EU. However, it is difficult for a refugee to arrive in the EU alive and next to impossible to arrive legally. This is because the EU has been raising a sophisticated material and immaterial fence to keep them out. It includes a *quid pro quo* approach to development cooperation towards third countries. Aid, visa facilitation, and other benefits are often conditioned on the willingness to check emigration and to take back their own nationals if expelled from one of the Member States. This is well illustrated by the replacement of operation 'Mare Nostrum' with 'Tritone'. After the first tragedy off Lampedusa in 2013, in which 313 migrants lost their lives,¹¹ the Italian government launched and funded 'Mare Nostrum' with the mission to intercept ships carrying migrants and to rescue them if in danger. By cautious estimates, Mare Nostrum, by means of the Italian Navy, might have saved as many as 100,000 lives. Some Member States, however, were not impressed: they were afraid that the reduced mortality of the Mediterranean route might be perceived as a pull factor. After 12 months, Mare Nostrum was abandoned and replaced by 'Triton', an operation funded and carried out by the EU, with the focus shifting from saving lives to protecting the external maritime borders.¹²

The humanitarian corridors in their present form originate from the initiative of the Community of Sant'Egidio. This community was founded in 1968 by a then 18-year old Catholic student, Andrea Riccardi in Rome. Riccardi asked a simple question: how does one live the Gospel in a post-modern urban society which has produced progress and wealth but preserved, and occasionally even enhanced, injustice and solitude? He invited his friends to read the Bible together and make friends with the poor. The movement, whose membership is composed almost exclusively of lay people, started to spread across four continents in the late 1980s and distinguished itself in humanitarian missions, ecumenical and interfaith dialogue, as well peace initiatives, like the one that in 1992 put an end to the

10 Morozzo della Rocca, 2023, pp. 176–177.

11 UN News, 2013.

12 Morozzo della Rocca, 2023, p. 36.

civil war in Mozambique. Pope Francis summed up the work and spirituality of Sant'Egidio in three 'p' letters: *prayer*, friendship with the *poor*, and *peace*.¹³

The presence of numerous communities of Sant'Egidio on the African continent implies a close contact with social strata that are the main sources of emigration. The typical African migrant is a child or young adult person and belongs to the middle or lower-middle classes. In fact, the poorest cannot save thousands of dollars for the journey, which may take as long as 2 years. Sant'Egidio does not promote emigration. On the contrary, the members of the community in Africa are encouraged not to abandon their countries but to rediscover a new kind of patriotism, a new faith in the future of Africa.

Sant'Egidio is a witness to the tragedy of forced migration, especially in Italy. Italy is at the receiving end of the deadly Mediterranean route. According to international agencies, the number of dead and missing between 2014 and March 2024 was close to 30,000.¹⁴ Credible estimates put the combined death toll at circa 41,000 during the 30-year period from 1991 to 2021.¹⁵

As early as 1984, a humanitarian corridor *ante litteram* was established to bring 33 Christian refugees from Lebanon – elderly people, unable to move on their own, who had lost their homes in the civil war. The mission seemed impossible. By virtue of a geographic reservation to the 1951 Geneva Convention, Italy was not obliged to grant asylum to refugees if they were not from Eastern Europe, but the government made an exception in the end. A similar but even more dramatic scenario emerged in 1986 in the context of the war between Iran and Iraq. A group of 150 Chaldean Christians, most of them families with small children, had fled the war and conscription for men. They were roaming helplessly about the mountainous region between Iraq and Turkey, pushed back several times by the Turkish authorities. Intensive and complex negotiations between Sant'Egidio, the UNHCR, and the Turkish and Italian governments at first led nowhere. The deadlock was caused by the non-conformity of the names and identities of the refugees with the data Ankara had. The activists of Sant'Egidio searched for the refugees in the mountains of Iraqi Kurdistan and managed to compile a new, updated list. An important lesson for future humanitarian corridors was learned: in times of war and humanitarian crises, every list, if kept with precision, can prove to be Schindler's list, saving lives. The 150 refugees were granted asylum in Italy. Eventually almost all of them resettled in Canada, welcomed by relatives and members of the Chaldean diaspora there. Sant'Egidio prepared and accompanied the process and thus became familiar with the Canadian sponsorship system, emphasising the engagement of civil society in receiving and integrating migrants and refugees. The Canadian model provides for board and lodging, clothing,

13 Sant'Egidio, 2014.

14 International Organization for Migration (IOM), 2024.

15 Morozzo della Rocca, 2023, p. 31.

and healthcare for a year. Elements of the Canadian know-how were adopted as building blocks for the humanitarian corridors 30 years later.¹⁶ Perhaps the most important gain was the partnership with governments, international organizations, NGOs, churches, religious leaders, communities, and civil society. In fact, the humanitarian corridors require a complex, multidisciplinary approach.

3. The Resurrection of Article 25

By the mid-2010s, it had become clear that the paradigm in Europe was unlikely to change any time soon; the main policy thrust would continue to be the tightening of border controls and the lack of meaningful opportunities for legal immigration. The Community of Sant'Egidio began to understand that the only way to respond to the immense humanitarian need was to explore avenues or at least niches in the existing European and national legal frameworks.

The first legal norm that looked promising was Council Directive 2001/55/EC.¹⁷ This directive offers temporary protection to displaced persons in the event of a sudden, mass influx of refugees and aims to balance the efforts between Member States in tackling the emergency. The directive was originally adopted in response to the Kosovo crisis. Not all Albanian Kosovar refugees were eligible for asylum under the Geneva Convention, but through EU legislation it became possible for them to obtain short-term, renewable visas on humanitarian grounds.

Directive 2001/55/EC lay dormant for about 20 years, even though emergencies on the external borders of the EU proliferated. Only in 2022, with Russian aggression against Ukraine, was it dusted off and applied. Nonetheless, for the purposes of the establishment of humanitarian corridors, this directive proved, after all, unworkable.¹⁸

At this juncture, the attention of Sant'Egidio turned to another EU norm, namely Article 25 of the Schengen Visa Code.¹⁹ This provision makes it possible for member states 'exceptionally' to issue visas with limited territorial validity (LTV) on humanitarian grounds, for reasons of national interest or because of international obligations. LTV visas do not entitle their holders to travel freely in the Schengen area until they are granted asylum. Article 25 hinges on the interpretation of the term 'exceptionally'. Hitherto, member states rarely availed themselves of Article 25. When they did, it was for the medical treatment of patients in serious health conditions from third countries, deemed incurable

16 The Global Compact on Migration, adopted by the General Assembly of the UN, cites 'private and community sponsorship programmes' among the possible durable solutions. Global Refugee Sponsorship Initiative, no date.

17 Council of the European Union, 2001.

18 Morozzo della Rocca, 2023, p. 78.

19 Visa Code, 2009.

there. However, a more generous interpretation of the provision seemed quite possible.²⁰ Article 25 was to become the cornerstone of the humanitarian corridors.

The first memorandum of understanding (MoU) on a humanitarian corridor between the Italian government and a ‘coalition’ of Christian entities, including Sant’Egidio, was signed on 15 December 2015. This MoU allowed for the reception of up to 1,000 refugees from refugee camps in Lebanon.

Other agreements between the Italian and other governments were to follow the same pattern. For Italy, the MoU on Lebanon was renewed in 2017 and in 2021, and further MoUs were added: two on Ethiopia (2017, 2019); one on Greece, concerning the refugee camp on Lesbos (2020); one on Libya (2021); and one on Afghanistan (2021), after the rash evacuation of Western military and civil personnel. Thereafter, four other European governments joined this ‘coalition of the willing’: France, Belgium, Andorra, and San Marino.

It is worth highlighting the continuity in how well-founded the humanitarian corridors are. Although they are inspired by an ideal that one may call Christian humanism, its creators have always kept it off the ideological battleground. They rather took a pragmatic approach, which eventually resulted in multi-partisan support by successive Italian governments of different political affiliations. The project has managed so far to navigate with impressive safety through the rough waters of Italian politics from the centre-left cabinet of Matteo Renzi in 2015 all the way up to Georgia Meloni’s right-wing government.²¹

4. Synergies

From the very beginning, it was clear that the realization of the humanitarian corridors would be possible only through collaboration among a wide range of stakeholders: countries of origin and host countries, international organizations, municipalities, NGOs, and churches and religious communities.

Among the partners, the UNHCR stands out for obvious, operational reasons. With respect to the EU, the UNHCR is not a partner for the time being in the realization of the project, although a more active role in the future cannot be excluded either. EU law, however, provides a vast legislative background, including soft law, which lends legal security to the initiative. Speaking of these two major players leads me to clarify the relationship between humanitarian corridors and two related instruments: resettlement and relocation.

Recommendation 2015/914 of the European Commission, released in the wake of the 2015 European Agenda on Migration, laid out resettlement as a means by which persons, in need of international protection, upon request of the UNHCR,

20 Morozzo della Rocca, 2023, pp. 78–79.

21 Government of Italy, no date.

can be granted entry into a member state which has committed itself voluntarily to a resettlement programme and a refugee quota. The overall quota was set at 20,000 at the EU level for all Member States.²² Resettlement is one of the few legal channels for migration currently.

If resettlement is an expression of solidarity with refugees, relocation programmes are meant to express solidarity among Member States. The first such programme was to benefit Italy and Greece in 2015. Relocation means the transfer of persons in need of international protection from the Member State of first arrival or of first application to another Member State with a view to distributing the responsibility. Unlike the resettlement scheme, the first relocation programme was adopted not through soft but through binding EU law, which foresaw the relocation of 120,000 third-country nationals.²³ Both the resettlement and the relocation programmes were aimed at persons in need of international protection under Article 2 of the Qualification Directive, that is, refugee status or subsidiary protection.²⁴

The humanitarian corridor, as we have seen, overlaps with resettlement to some extent – yet with notable differences, as we shall see.

The basic idea of the humanitarian corridors is that while they could not provide a global solution to the refugee and migration crisis, they would save a selected number of vulnerable subjects. However, who would choose the beneficiaries, and what would be the criteria? In the gestational phase, it was almost taken for granted that it should be the UNHCR, the agency already present in the regions concerned, in possession of expertise and lists of refugees who might qualify for resettlement to the EU. However, the initiators of the humanitarian corridors took a different approach. Their aim was to create a new scheme in addition to the existing ones. In fact, those eligible for resettlement are already under international protection and have the prospect of resettlement, even if not immediately. The humanitarian corridors were to address the most desperate cases in the shortest possible time. Furthermore, unlike the refugees selected for resettlement by the UNHCR, the beneficiaries of the humanitarian corridors would be identified among those not yet recognized as refugees under the Geneva Convention. Their application for asylum would be decided on by the authorities of the host country after, and not before, their arrival. Again, the chief criterion was vulnerability.²⁵ There was another argument against the automatic use of the registers of the UNHCR: the fact that they were often outdated. The most evident example is Lebanon, which, overwhelmed with refugees after the outbreak of the war in Syria, suspended the registration of asylum seekers by the UNHCR in 2015.²⁶

22 European Commission, 2015.

23 European Council, 2015.

24 *Id.* Article 2.

25 Morozzo della Rocca, 2023, pp. 90–91.

26 United Nations High Commissioner for Refugees, no date.

The humanitarian corridor, as we shall see, is a complex process that starts with the selection of beneficiaries but does not end with their arrival or the decision on their legal status in the host country. The ultimate end is social integration. It takes a constant dialogue with all the stakeholders, a precise mapping of the itinerary of the refugees all the way through this process. For this reason, looking at the process from the end, the initiators could not let the choice of candidates out of their hands.

The role of schools cannot be overstated. Experience shows that young children from all cultural backgrounds find it easy to learn the language and the basics of the host country's culture. In 2015, the Italian House of Representatives, the lower chamber of Parliament, passed an amendment to the law on citizenship. The Italian citizenship law is based on the *ius sanguinis* as opposed to the *ius soli* principle. The draft amendment would complement this with the *ius culturae*, a new way of acquiring citizenship, unprecedented for the Italian legal system. The envisaged beneficiaries are foreign minors who were born in Italy or entered Italy by the age of 12 years if they had attended school regularly and successfully for at least 5 years in the country.²⁷

Civil society is the protagonist of the humanitarian corridors, but the authorities of the host country play an essential part. The consular network of the host country issues the entry visa after a thorough screening of the applicant: security and safety are the hallmark of the humanitarian corridors not only for the refugees but also for the host country, whose elementary right remains to decide to whom it should grant entry. Once in the country, the competent authorities – typically under the supervision of the Ministry of Interior – decide on the asylum application.

In Italy, the proponent of the humanitarian corridor was, as mentioned earlier, a 'consortium' of Christian entities: besides the Community of Sant'Egidio, it included the Tavola Valdese²⁸ and the Federation of the Lutheran Churches in Italy. Thus, an important feature of the initiative emerged: ecumenism.

5. Memoranda of Understanding with Italy

I now turn to some of the texts implementing the idea of the humanitarian corridors in three Member States of the EU: Italy, France, and Belgium. I possess only a limited selection of the MoUs in copy. Thus, the scope of my analysis is limited and does not consider the humanitarian corridors from Greece or the

27 Servizio Studi del Senato, 2015, p. 11.

28 Tavola Valdese (Waldensian Table) is the governing body of the Waldensian Evangelical Church. Its foundation as a proto-Protestant community by Peter Waldo dates back to 12th-century France. The Waldensians later joined the Calvinist branch of the Reformation. Chiesa Evangelica Valdese, no date.

arrangements involving Andorra, Luxemburg, and San Marino. However, I hope that the following discussion sufficiently highlights the main features of the initiative.

Italy takes credit for the most successful and extensive realization of the project. The best way to understand the legal concept is to read the MoUs with which the successive Italian governments committed themselves to the cause of the humanitarian corridors. The MoU signed in 2019 (MoU-2019) is a good example. It is an eight-page document, signed by the Ministry of Foreign Affairs and the Ministry of the Interior for the government, and the Italian Bishops' Conference and the Community of Sant'Egidio as proponents of the corridor.²⁹

The Preamble (*Premesse*) recognizes the 'need to find alternative legal channels for people in need of protection, experimenting with innovative forms of reception'.³⁰ It also evaluates the experiences of the previous MoU, signed on 12 January 2017 (MoU-2017) recalling that in the time frame from November 2017 to January 2019, 500 people arrived in Italy under the MoU-2017 whose social integration on the whole could be regarded as well achieved. This was because of the willingness of the beneficiaries to learn Italian and seek employment. The document underlines a particular indicator of success: the low number of 'secondary movements'. This technical term refers to refugees or migrants who are granted legal status in one Member State but eventually travel on to another third Member State of their own choice, hoping for a better opportunity or attracted by relatives living there. One of the objectives of the common European asylum policy is, in fact, the prevention of secondary movements. The MoU-2019 acknowledges the positive role of church organizations (Caritas, Sant'Egidio, and Fondazione Migrantes) that have offered assistance free of charge to the beneficiaries.³¹ Article 2 defines the purpose of the project, which 'is to facilitate the arrival in Italy legally and under conditions of safety of potential beneficiaries of international protection, especially the most vulnerable'. What is meant by 'vulnerability' can be understood from the following provisions.

Article 3 sets forth the criteria for identifying the beneficiaries:

Beneficiaries shall be identified from among potential recipients of international protection, in accordance with relevant national and European Union legislation. The personal and family conditions of applicants shall be screened with reference to a plurality of preferential criteria. The text lists the criteria further in a non-exhaustive manner.

Eligible should be

29 MoU-2019. All MoUs quoted or referred to in this study are, in copy, on file with the author.

30 Id. 1.

31 Id. 6.

persons recognized by the UNHCR as qualifying, at least *prima facie*, for refugee status under the 1951 Geneva Convention and its 1967 Protocol or those who are forced to leave their country in well-founded fear of suffering serious personal harm.

So far, there is nothing. However, the next sub-paragraph goes further and gives a rather strong mandate to entities that are neither state authorities nor international institutions to ascertain a condition of vulnerability in an applicant. The MoU-2019 gives this power to the Italian Bishops' Conference (*Conferenza episcopale italiana*, CEI) through Caritas Italiana and Migrants Foundation as well as to the Community of Sant'Egidio. The text expressly provides for the possibility of choosing candidates from outside the 'pool' of those previously registered by the UNHCR. Thus, the aforementioned Catholic organizations assume a decisive role in the screening process. CEI and Sant'Egidio can ascertain vulnerability after hearing the opinion of the

UNHCR for the purpose of acquiring any further cognitive elements that should be received in a term compatible with the conduct of the planned operations, based on the personal situation, age and health conditions, and in any case in accordance with the criteria expressed in Article 17 of Legislative Decree No. 142 of August 18, 2015, adopted in implementation of Directive 2013/33/EU on laying down standards for the reception of applicants for international protection and Directive 2013/32/EU on common procedures for granting and withdrawing international protection.³²

The provision that the MoU-2019 refers to is about persons with special needs:

minors, especially if unaccompanied; the disabled; the elderly; pregnant women; single parents with minor children; victims of human trafficking; persons with serious illnesses or mental disorders; persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence or violence related to sexual orientation or gender identity, and victims of genital mutilation.

The next passage in Article 3 of the MoU-2019 adds what one may call a 'teleological consideration'. Vulnerability usually stems from the past, from the personal history of the applicant. The refugee has suffered: this should give him or her the right to protection, therapy and a chance for a new life. These people deserve a new start. Therefore, the project of the humanitarian corridors tries

32 D.Lgs. 142/2015.

to foresee the future and sets up certain ‘factors that shall be taken into account in admission to the project, which are useful in facilitating the identification of integration paths’. Heart-breaking as it may sound, the supply does not match the demand. The number of refugees and their suffering are all but limitless, whereas the capacity of the humanitarian corridor is not. The operators have the ongoing task of choosing from among the many who meet the criteria. Here, the complementary factor comes into play. Persons who may count on support in Italy because of the declared willingness of individuals, churches, or associations to initially provide for their hospitality and sustenance have a better chance of being admitted to the programme. The same applies to refugees with stable family or social connections in Italy.

It bears repeating that a distinctive feature of the humanitarian corridor is that it does not require public funding. It puts zero burden on the state budget. Whose money is involved then? The answer lies in the sponsorship system – the private donors, associations, municipalities, and church groups, among others, who help concentrate the necessary funds.

The MoU-2019 clearly states that

CEI and Sant’Egidio shall engage with their own professional and economic resources, in the activities of identification and in-depth assessment of potential recipients of the project, up to the preparation of individual and family dossiers [...] carried out in the countries of transit by the proposing organizations, in collaboration with the UNHCR with regard to the persons under its jurisdiction.

The objective of the assessment is to identify potential beneficiaries. This means nothing less than the personal contribution of volunteers, the operators of the proponent organizations on the ground: in refugee camps in Lebanon, Ethiopia, Libya, Pakistan... It takes a lot of personal engagement, interviewing, paperwork, the touching of wounds with one’s own hands in both the figurative and the physical sense.

In addition, these organizations ‘shall take charge of the transfer to the national territory of those who hold entry visas issued by the competent consular authorities pursuant’ to Article 25 of the Visa Code, referred to above. We can safely say that the bulk of the burden is shouldered by the organizations, together with a heavy responsibility. However, the role of the consular authorities remains essential: issuing visas is an act of sovereignty. Every state has the right to know who is entering its territory and to ensure that they are doing so legally. Personal safety of the refugees is ensured by the airline ticket, provided by the organizers and sponsors, as an alternative to the rubber boats of the human traffickers.

The proposing associations ‘shall also ensure the reception, for an appropriate period of time, and support in the process of socio-cultural integration of the beneficiaries, with legal assistance in the phase of the application for international protection to the competent national authorities’. The acquisition of language skills is nominated together with social skills.

The humanitarian corridor does not end with the arrival at Fiumicino Airport. There is a long way yet to go until a win-win situation is reached.³³ The idea is that the host societies should benefit, too. Ghettoization can and must be avoided. The best way to achieve this is if the institutionalization of migrants is avoided. Experience shows that willingness to receive and integrate refugees can be found across the country. Communities rather than institutions can successfully integrate people.

The Ministry of the Interior performs a coordinating function throughout the project. The Department of Public Security (*Dipartimento della Pubblica Sicurezza*) of the same ministry, upon the outcome of verifications in the relevant databases, including against fingerprint samples, ‘shall authorize the issuance of visas against the list of beneficiaries drawn up by the Proposing Associations’. The ultimate decision lies with state authorities. Only if and when any risk to public security has been eliminated and the proposed list approved ‘shall the Ministry of Foreign Affairs and International Cooperation [...] issue entry visas through its diplomatic-consular Representations, in accordance with art. 25’ of the Visa Code, and therefore ‘with Limited Territorial Validity, with the exclusive purpose of allowing one entry into Italy in a legal manner and under conditions of personal safety’ (Article 4).

The MoU-2019 was signed for corridors connecting Ethiopia, Niger, Jordan, and possibly other transit countries, to be agreed upon by the parties, for a period of 24 months from the first entry, extendable upon authorization of the relevant ministries for another 12 months. One of the core issues that the MoUs deal with is the number of beneficiaries. The MoU-2019 set the quota at 600.

The final Article 6 provides for a monitoring mechanism, albeit without going into organizational detail: ‘The parties shall establish a nucleus for coordinating, monitoring and evaluating the project to examine the results achieved, the effectiveness of the operational methods adopted, and the critical issues encountered, in order to make any necessary additions or changes [...]’. The main purpose is ‘to evaluate and define individual situations for which the compliance with the criteria [...] is in doubt’. The intention is clear: the entire

33 There is a vast body of literature, often sponsored by international organizations, such as the UN, OSCE, and the IOM, about how to turn migration from an emergency into a mutual opportunity. These works typically conclude that the skills and ambitions of the migrants, if properly developed and integrated into the labour market, can contribute significantly to the economy and help restore the balance sheet of social security, among other benefits. See e.g.: OECD, 2023; Frattini, 2017, pp. 105–134; Agunias, 2006.

process depends on how and to whom the operators apply the category of ‘vulnerable’. Furthermore, ‘The project shall be assessed with an initial report after the first semester and a final evaluation report, also in order to consider the possibility of any further development of the project’.

A much awaited MoU on Libya was signed on 27 April 2021 by the Ministry of Foreign Affairs and International Cooperation, the Ministry of the Interior, the Community of Sant’Egidio, the Federation of Evangelical Churches (*Federazione delle Chiese evangeliche*),³⁴ and the Waldensian Table as well as the UNHCR (MoU-Libya).³⁵ Unlike the MoU-2019, this document starts from a premise that is less technical. Instead of emphasizing the need to establish more channels of legal immigration, it cites the ‘well established commitment’ of the European Union to prevent the loss of life in the Mediterranean, quoting in particular the statement adopted during the Special Meeting of the European Council on 23 April 2015.³⁶ The preamble cites a number of relevant documents adopted recently by the UN (the Global Compact in particular), the UNHCR, and the European Commission. Commission Recommendation 2020/1364 of September 2020 stands out: in fact, that document explicitly mentions the humanitarian corridor among

Other forms of community sponsorship beyond resettlement, which can serve as a model, include what some Member States and private organisations refer to as ‘humanitarian corridors’, namely the community sponsorship model currently implemented by faith-based organisations in Italy, France and Belgium in cooperation with the respective national governments. [...] (Recital (28)).³⁷

MoU-Libya acknowledged the ‘expertise’ developed by the three non-governmental signatories through the implementation of previous accords, such as in opening and managing the corridor from Lebanon. The ambition of the initiators of the humanitarian corridors is reflected in the text: it is to ‘consolidate an Italian best practice with a view to its extension to the European level’ (Article 2). A new element in the MoU-Libya is the obligation of the proposing organizations to provide, prior to departure, extensive information to the selected beneficiaries not only about the operation of the corridor and their rights and duties in the host country but also about the ‘cultural differences between the

34 The term ‘evangelical’ is misleading. The majority of the membership consists of historic Protestant churches of the Lutheran or Calvinist confession. *Federazione delle Chiese Evangeliche* in Italia, no date.

35 MoU-Lybia, 2021.

36 ‘The situation in the Mediterranean is a tragedy. The European Union will mobilise all efforts at its disposal to prevent further loss of life at sea...’ Statement of the Special meeting of the Council of the European Union, 2015; MoU-Lebanon-2021, 1.

37 Commission Recommendation (EU) 2020/1364.

country of origin/first asylum and Italy' (Article 4). The MoU-Libya is more complex than the previous MoUs, partly because of the role of the UNHCR as party to the agreement. The other reason is the situation on the ground, which is even more volatile than that in Lebanon.

The Libya

project shares with the previous humanitarian corridors [...] the purpose of allowing regular entry to potential beneficiaries of international protection, but differs from them in a more accelerated activation procedure made necessary both by the urgency of intervening in a situation of extreme suffering [...] and by the difficulties of operating in a context torn by the protracted armed conflict³⁸ (Recital 15).

The idea that the humanitarian corridors are a means by which to contrast human trafficking is also featured (Recital 16).

In laying down the criteria for admission, the MoU-Libya by and large follows the previous pattern, although more elaborately. Beneficiaries have to meet certain cumulative conditions. They have to be recognized under the UNHCR mandate or at least registered with UNHCR Libya, and in clear need of international protection; the proposing organizations themselves may signal potential beneficiaries to the UNHCR. Stay predating 1 January 2021 on Libyan territory is also a requirement. Current or previously suffered detention in Libya can be taken into account (Article 3). The decision also has to consider whether a woman has suffered violence that falls within the scope of the Istanbul Convention (Article 3).³⁹

The commitments of the proposing associations are mostly the same as in the MoU-2019. The difference is the inclusion of the UNHCR as a signatory. The selection process should be carried out in constant dialogue and exchange of information between the proposing associations and the UNHCR. The latter will share with the former names from its own list, which may also include cases the organizations themselves had signalled to the UNHCR in the first place. The role of the UNHCR is indispensable in the risky environment of the country, where the movement of the volunteers of the proposing associations is strongly limited. Personal interviews with the refugees are essential to the programme and the UNHCR is committed by the MoU-Libya to facilitate these encounters online or, to the extent possible, offline. If beneficiaries are detained in one of the detention centres, the UNHCR will negotiate for their release, liaise with Italian and Libyan

38 Unfortunately, this writer is not in possession of any MoU on the Horn of Africa. Nonetheless, the methodology applied should be very similar. The point of departure of the corridor is in Ethiopia, where the proposing associations perform the selection process in refugee camps.

39 Council of Europe, 2011.

authorities to prepare and acquire the necessary travel documentation and authorizations, and conduct the necessary pre-departure medical examinations. The MoU-Libya covers up to 500 beneficiaries divided into two quotas: the proposing associations are in charge of 200, while the national (public) reception system are in charge of 300. For the latter group, the selection process and the entire pre-departure phase will be entrusted to the UNHCR, except for the editing of the lists, where the proposing associations will have an input (Article 4).

An MoU on Lebanon was signed on 29 July 2021 (MoU-Lebanon).⁴⁰ It elaborates further on the criteria of vulnerability, making a specific reference to a ‘proven situation of personal vulnerability, which cannot be adequately addressed in the country of first asylum [...] and which [...] can be properly addressed in Italy’. In fact, there are illnesses easily curable except in times of war. However, this need has to be matched with the financial and organizational capacity of the proposing associations to arrange for the treatment in Italy (Article 3.b).

Remarkably, the humanitarian corridors were not suspended even during the COVID-19 pandemic. However, the MoU-Lebanon committed the proposing associations to equip the beneficiaries with certificates on the absence of infectious diseases. The geographic scope of the document is Lebanon, as its title suggests. The main, but not exclusive, target group is constituted of ‘people fleeing regional conflicts, mainly Syrian households and vulnerable individuals’. The limit is set at 1,000 persons over a period of 24 months, renewable by a maximum of another 12 months if approved by the competent (interior and foreign) ministries. MoU-Lebanon allows for some flexibility with regard to the target group, authorizing the proposing associations to select a reduced number of beneficiaries ‘in transit countries other than Lebanon, if affected by humanitarian emergency situations, subject to preliminary investigation by the competent authorities’ (Article 5).

On our list, the last Italian MoU, signed on 11 November 2021, is about Afghanistan (MoU-Afghanistan).⁴¹ It provides for a somewhat more complex arrangement. The method remained the same albeit with some organizational changes. The number of signatories grew further still. The CEI re-joined the project. The new signatories are ACRI⁴² and the INMP.⁴³ Besides the UNHCR, the IOM was a signatory for the first time. The preamble of the document cites the ‘worsening humanitarian crisis [...] that followed the withdrawal of NATO troops

40 MoU-Lebanon, 2021.

41 MoU-Afghanistan, 2021.

42 Associazione Culturale e Ricreativa Italiana is the biggest Italian non-profit organization not linked to the Catholic Church. It has links to some trade unions of anti-fascist traditions. Associazione Ricreativa Culturale Italiana – ARCI APS, no date.

43 Istituto Nazionale per la promozione della salute delle popolazioni Migranti e per il contrasto delle malattie della Povertà is a public entity for social and healthcare issues related to migrant populations and poverty, as well as a national centre for cross-cultural mediation in healthcare. Istituto Nazionale per la promozione della salute delle popolazioni Migranti e per il contrasto delle malattie della Povertà – INMP, no date.

and the Taliban's seizure of power', which 'saw Italy immediately committed to the evacuation of thousands of Afghan citizens and to a solution [...] that protects human rights, in particular those of women and children' (Recital 1).

The MoU-Afghanistan is backed by a variety of international commitments like the Statement on the Situation in Afghanistan agreed upon by the Justice and Home Affairs Council on 31 August 2021,⁴⁴ which

calls for a determined and concerted response [...], including the need to continue evacuations of [...] people at risk and the need to provide support to neighboring third countries in the form of resettlement on a voluntary basis, giving priority to vulnerable people such as women and children (Recital 2).

Among the additional criteria, concerning the chances of their integration into Italian society, existing family ties are mentioned with a wording that goes beyond the scope of family members eligible for reunification under European legislation. (In the Orient, the immediate family includes uncles, aunts, and cousins.) For specific reasons, certain categories are explicitly mentioned as potential beneficiaries: 'individuals who, because of their activities in Afghanistan, their professional role, or their past public positions, are particularly exposed to risk to life, [...] personal safety, or personal freedom' as well as 'people who have worked with the Italian contingent or with organizations related to Italian international cooperation in Afghanistan'. A special category of potential beneficiaries is constituted by those who should have been airlifted after the Taliban took over but were left behind (Article 3. a, b, c, d). The proposing associations may identify up to 800 candidates for the humanitarian corridor over the period of 2 years, extendable for 1 more year.

If it is not possible for them to independently identify profiles [...] in order to reach the planned quota of 800 [...], they may also identify potential beneficiaries [...] by drawing on the lists provided by UNCHR. Under this MoU, the total number of 800 is broken down among the associations.⁴⁵

The MoU-Afghanistan attaches a distinct role to the UNHCR with regard to those refugees who are already under its jurisdiction and as such already enjoy some degree of international protection (Article 2(2)(a)). They make up the remaining 400 beneficiaries, not dealt with by the proposing associations. The MoU-Afghanistan commits the UNHCR to identify and select an appropriate

44 Statement on the situation in Afghanistan, 2021.

45 CEI: 300, Sant'Egidio: 200, Federation of Evangelical Churches and Waldensians combined: 200, ARCI: 100.

number of persons among those registered with the UNHCR field office, according to the criteria adopted in its own resettlement procedures. The IOM, meanwhile, was entrusted with performing pre-departure medical examinations and swabs for SARS-CoV-2 infection and with the organization of transportation ‘in dignity and safety’ of beneficiaries. The MoU-Afghanistan mandates the IOM to facilitate on-line meetings with the beneficiaries, to liaise with the local authorities to issue the necessary permits and with the Italian embassies for entry visas, and to provide information – practical, legal, cultural, etc. – to this group of beneficiaries. In this context, the IOM has similar responsibilities to the proposing associations *vis-à-vis* the beneficiaries they have chosen.

In summary, under the MoU-Afghanistan, like in the Libyan case, the total quota is divided between the proposing organizations and the UNHCR. Both can select beneficiaries. However, after the selection phase, both quotas are integrated into the same framework: they receive the same visa in the same procedure and received in a similar manner by their sponsor communities in the host country. There is, however, a difference regarding the costs. Under the MoU-Afghanistan, the Ministry of Interior covers the travel costs between the transit country and Italy for both groups. After arrival, the reception and the integration path will be funded by the same ministry for the 400-unit strong UNHCR quota, whereas the other 800 beneficiaries will fall under the already ‘classical’ civil sponsorship schemes of the humanitarian corridors (Article 5. b, c).

The geographic scope of this MoU poses a serious challenge. It is clearly not feasible to rescue people out of Afghanistan under Taliban rule. The project can only be addressed to those who have already fled the country and now reside in Pakistan, Iran, or any other country of first asylum/transit, with the aim of involving 1,200 beneficiaries over 2 years, with the possibility of extending the term to a total of 36 months. Running the projects in countries like Iran and Pakistan is far from easy. Their governments often barely tolerate the presence of refugees.

6. Outside Italy: MoUs in France and Belgium

An MoU was signed with the French government on 14 March 2017 (MoU-FR).⁴⁶ It follows the same pattern as the MoU-2019, which, in turn, was a renewed version of the first and simplest formula proposed by Sant’Egidio in 2015 for Syrian refugees in Lebanon. It institutes the same division of labour between the promoter organizations, the government, and the UNHCR, the latter not being a signatory in the French case. There is a minor but significant difference from the equivalent Italian MoUs. The French Ministry of the Interior commits itself to issue not an LTV visa under Article 25 but a ‘D’ visa in Annex VII para. 7

⁴⁶ MoU-FR, 2017.

of the Visa Code, within 2 months of the application at the consulate. The ‘D’ visa is a long-stay visa, issued for those who are entitled to take up residence in a particular Member State. There is also a self-imposed deadline of 3 months from application within which the Ministry of Interior grants the refugee status to those eligible. (Recall that the beneficiaries are selected among those whom the UNHCR have found, *prima facie*, to be eligible for asylum or subsidiary protection.) The MoU-FR opened a humanitarian corridor for 500 beneficiaries from Lebanon to France within 18 months of signature, a period which, after evaluation, may be extended (Article 5).

Belgium has also set up a humanitarian corridor with Sant’Egidio. The first agreement with the Belgian government was signed in November 2017. It was renewed on 23 December 2021 in the form of a Letter of Intent (LoI) with only two signatures: the Secretary of State for Asylum and Migration, representing the federal government without the Ministry of Foreign Affairs, and the president of the local Sant’Egidio organization as ‘executor’, ‘in partnership with Belgium’s recognized worship services’.⁴⁷ The latter grouping is an umbrella organization encompassing the Anglican, Muslim, Jewish, Orthodox, Protestant Evangelical, and Roman Catholic denominations and communities. The structure and language of the Belgian LoI is less statutory than that of the Italian MoUs. It simply describes the commitments of the parties and the procedures they have to follow. As to its content, however, it implements the idea of the humanitarian corridor just as the other documents do. The quota allowed by the LoI is 250. The distribution of the beneficiaries should be as follows: between 50 and 150 Syrians from Lebanon who could not be registered by the UNHCR because of their arrival after 2015 and have special vulnerability or belong to a minority; between 1 and 25 Syrians directly from Syria; between 20 and 100 refugees from Libya; and the same quota of Afghans with special risk profiles from Afghanistan. The text then elaborates on vulnerability: families with children, single women, advanced age, medical condition, and belonging to an endangered ethnic, cultural, or religious minority. The existence of ‘ties with Belgium’ is also listed among the criteria. On-site identification is also foreseen in this case, although it is not clear how it can be achieved in Libya or with regard to the Afghans. As to the former, the text says that a separate agreement with the UNHCR will be made. The geographic scope of this document is less clear-cut, as the inclusion of Afghans and refugees via Libya shows. Each individual file is submitted to the Office of the Commissioner General for Refugees and Stateless Persons (CGRS). The CGRS may schedule an additional interview if necessary and possible. This can be done by videoconference or in person (again, how this may be achieved is unclear). The application for the humanitarian visa and travel should also be organized by the executor in the same way as under the Italian and French MoUs.

47 LoI-BE, 2021.

Like in the other cases, the executor provides quality care, guidance, and initial integration of beneficiaries. Upon arrival in Belgium, the executor is responsible for the rapid referral of the persons concerned to the asylum procedure. Public funds are not involved, but the medical expenses during the asylum process are borne by Fedasil (*Agence fédérale pour l'accueil des demandeurs d'asile*). The assistance from the sponsoring communities should run for a minimum of 1 year.

However, there is a clause which is unique to the Belgian case. In the unlikely event of international protection being denied, the executor guarantees accompaniment to voluntary return, possibly with Fedasil assistance.

7. Conclusions

From February 2016 and up to the date of the submission of the manuscript of this study (2024), 6,470 people have arrived in Europe through the humanitarian corridors.⁴⁸ Is this a significant number? If compared to the tens of millions of displaced persons across Africa and the Middle East, we may be tempted to answer 'no'. However, as the great Hungarian-born American historian, the late John Lukacs, would repeat: 'History is not written in numbers.' Why? Because, according to ancient Talmudic wisdom, also taken up in the Quran: 'Whoever saves a life, it is as if he saved an entire world.'⁴⁹ Words and gestures – and why not numbers, too? – may give rise to a new culture, in which solidarity and security are no longer regarded as antithetical but rather as mutually reinforcing. As Pope Francis said: the humanitarian corridors 'combine solidarity and security'⁵⁰ – and legality, I should add, presuming that Francis would not mind.

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48 Comunità di Sant'Egidio, no date.

49 Mishnah Sanhedrin 4:9; Babylonian Talmud Tractate Sanhedrin 37a; Al-Ma'idah (5:32).

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