

The Criminalization of Migrant Boat Drivers in Italy in 2025

Annual report 2026

1. Data

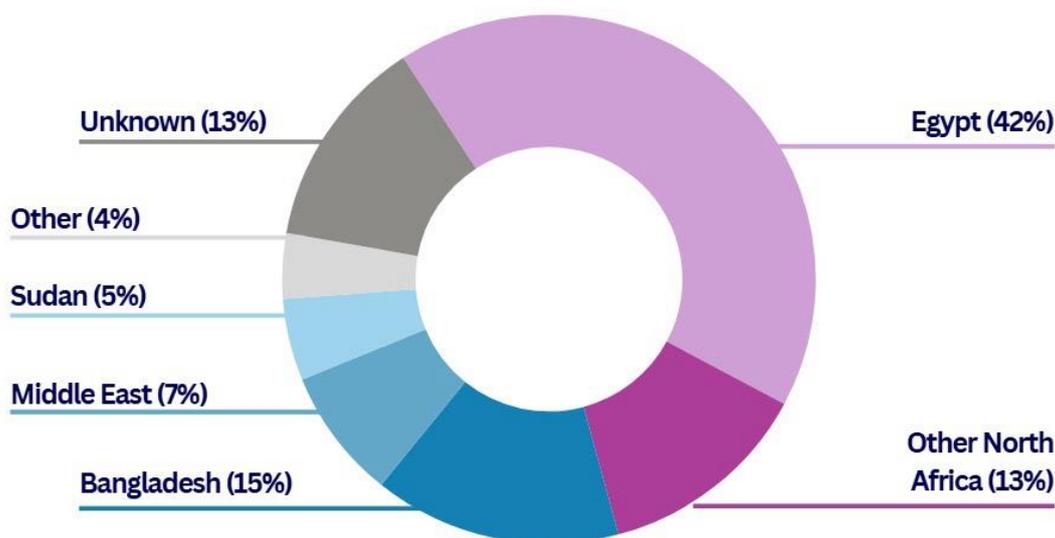
Over 2025, we found more than 250 articles reporting a **total of 467 arrests** for the crime of 'facilitating irregular immigration', in violation of Article 12 of the Italian Immigration Act.* Even though this number is not representative of how many people are effectively imprisoned, focusing on this data gives us a good idea of **the changes taking place in the criminalization of people smuggling**.

[donut 1]

According to UN data, **69,000 people** arrived in Italy in 2025 by sea; according to our own data, **97 of them were arrested as soon as they landed**. This frequency corresponds to one arrest for every 700 people, a slightly lower rate compared to 2024 (one in every 600 people). The most criminalized nationality is still **Egyptian**, as in previous years, who make up nearly half of all arrests (41). Following this, the highest numbers were among **Bangladeshis** (15 people), **Tunisians** (7), **Algerians** (5) and **Sudanese** (5). The other people arrested were from Eritrea, Iran, Iraq, Libya, Syria, Turkey and Ukraine. We do not have information on the nationality of 13 of the arrested people.

Nationality of arrested persons, 2025

% of 97 reported arrests after sea crossing



We also counted **76 arrests at the land borders**, almost all of them on the Italian-Slovenian border (68 people). The nationalities of these arrestees were very varied,

coming largely from **Eastern Europe** but also **Turkey** and **China**, among other countries. As detailed in research by [Migreurop](#), border controls introduced in 2023 have generated a sharp increase in the criminalization of people arriving from the Serbian route, particularly targeting precarious **car and truck drivers**, and directly increasing the risks and violence of these journeys.

Arrests for Article 12 of the Immigration Act, 2025

% of 467 of reported arrests, by context



Around **300 arrests** for facilitation of irregular immigration were, on the other hand, carried out in relation to cases that do not relate to either boat drivers nor car drivers. Around half of these took place through investigations in the use of **false documentation to obtain a work visa** through Italy's annual quota system (the 'Decreto Flussi'). Although the Meloni government [boasts about having opened up channels for regular entry to Italy](#) – while combining this with criminalizing rhetoric on the fight against boat drivers and smugglers – in May 2024, the *Ero Straniero* campaign published data demonstrating the **structural failures of the work quota system**. This data showed that, in reality, very few people managed to effectively arrive in Italy through the "flussi" system, and even fewer managed to obtain a permit to stay.

We certainly cannot deny that the dynamics enabled by the quota system have resulted in the exploitation of some people's labour and bodies – knowing full well that an important part of the Italian economy is based on the precarious labour of people who have been marginalized and deprived of documents. At the same time, we feel it is important to underline that **every time someone manages to break through the racist border regime it represents a victory for everyone**; criminalizing people who facilitate their movement – including through the quota system – is primarily a method of reinforcing **Fortress Europe**. If the Italian state had truly wanted to protect the

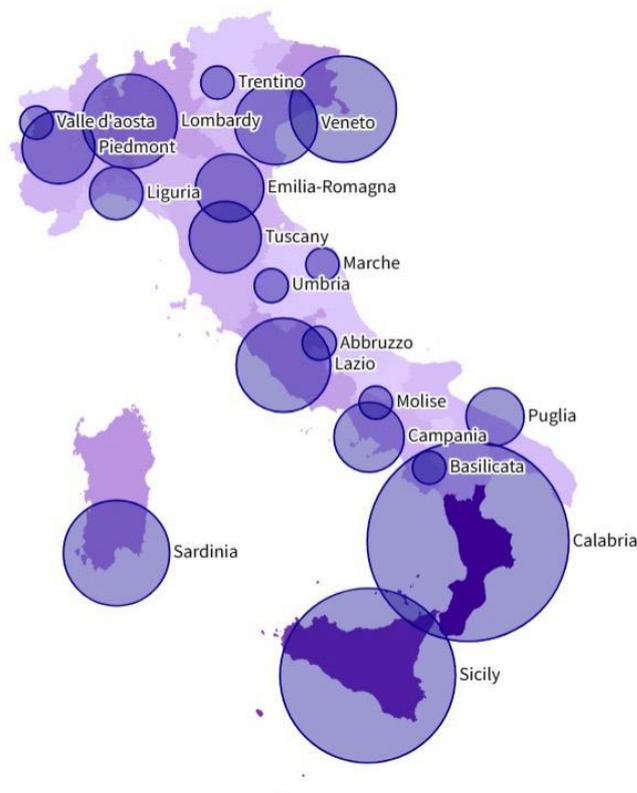
people arriving in Italy through the quota system, it would have established real safeguards to guarantee people's rights and respond to cases of labour exploitation. Instead, once again, it chose to criminalize those who facilitated their entry – in a [spectacularized and punitive manner](#). For this reason, the government's new trend in criminalizing the 'abuses' of the quota system raises serious concerns.

We also recorded a large number of arrests – 57 over the whole year – in relation to [Anti-Mafia operations](#) against smuggling networks, above all the [Medusa](#) police operation in Reggio Calabria and the *El Rais* operation in Catania. These complex policing operations represent the outcome of years of **wire tapping**, interrogations, and the gradual establishment of increasingly broad **surveillance strategies**, which now include a systematic collaboration between police in Italy and other countries. This is facilitated by transnational police forces, such as **Europol**, **Interpol** and **Frontex** (the EU border enforcement authority, corresponding to ICE in the US). This dynamic reflects a wider trend towards **data-sharing** and the use of surveillance technologies to counter smuggling – [with disastrous results, as we have seen in the past](#), as well as with negative effects on freedom of movement and civic space more generally.

Another group of arrests was connected to investigations into labour exploitation and gangmastering (16). The final 70 cases were of a very varied character, including arrests for sex work, fake marriages, and for **hosting people without documents** (Article 12, comma 5) – in which we noted two cases, both targeting non-Italians

Locations of prisoners under Art. 12, 2025

Source: Arci Porco Rosso and borderline-europe, 'From Sea to Prison' project



This year we have supplemented our media monitoring through submitting Freedom of Information requests on the number of people in Italian prisons for people smuggling.** These revealed that **nearly half of the 1,167 prisoners are in penitentiaries in Calabria and Sicily** (27.5% in Calabria and 21% in Sicily). Seven percent are in Friuli, a surprising number that we attribute to the increase in criminalization along the Italo-Slovenian border mentioned above. The map above provides a clear image of how widespread imprisonment for smuggling is, and underscores once again the importance of a solidarity network that supports people in prison across Italy. Even if this is a process that is more prevalent in the Italian South, it is worth noting that there **isn't a prison in Italy without at least one person imprisoned for facilitating freedom of movement.**

2. Political framework: New Italian laws and European directives on the horizon

In Italy, as in Europe, the criminalization of people on the move is being advanced in a range of ways: from the general attack on the facilitation of freedom of movement, to the criminal persecution of people demonstrating solidarity with migrants and of spaces that – directly or otherwise – are being targeted by the **Italian government's [wave of repression](#).**

It is in this context that we need to understand the government's campaign against irregular migration. It seems that the emergency approach never ends, and that in 2026 the time is ripe to introduce **[yet another Security Package](#)** that, as well as a series of measures against people demonstrating their dissent towards increasingly oppressive policies, includes an entire section on immigration. As well as proposing **[a stop to the rescue ships](#)**, the proposed measures include the **expansion of migrant detention centers** through quicker tendering procedures and more funds, centers that also play an essential element in the persecution of migrant boat drivers.

These connections are not incidental, but form a continuum with the future activation, in June 2026, of the **[EU Pact on Migration and Asylum](#)**, which aims to expand administrative detention. The new Pact, made up of a directive and new regulations, establishes greater cooperation between member states, the application of **accelerated asylum procedures** to families and children, and – crucially – the new expanded uses of administrative detention, which is destined to have ever greater centrality. At the same time, a series of agreements with **["safe" non-EU countries](#)** are being laid out, aiming to expand regimes of forced deportation and activating **detention "hubs" in non-EU countries.**

Contextually, discussions are also underway in the European Parliament on the Commission's proposal for **[a new Facilitation Directive](#)**, which would introduce a **series of new measures to further criminalize smuggling**. Among the most relevant of these is the increased financing for **Europol**, through the consolidation of the European Centre Against Migrant Smuggling, and a consequent expansion of the ability to share databases and hold biometric data. The Facilitation Directive was proposed hurriedly at the end of 2023, **[without a real impact evaluation](#)** – an unusual practice, especially given that it proposes new tools of a penal nature. The **[discussion in the European Parliament](#)**, which has taken place under pressure from civil society organisations, has concentrated on defining the basic elements of the crime of smuggling that all member states are obliged to prosecute. **Parliament, which will**

probably vote on a final text in July this year, has not wholly welcomed the Commission's proposal to remove the criteria of profit, nor to limit the exception for humanitarian activity. While this attempts to make the Directive match up with the **UN Protocol on Smuggling of Migrants**, this would still nevertheless leave the way open for an extensive and expanded wave of criminalization.

3. Captains and Detention Centres

By now, the detention and deportation centres seem to be the **inevitable continuation** of boat drivers' carcerary experience when they arrived at the end of their sentences, even when they have asked for asylum. The administrative label of being a '**societal danger**', automatically attributed to boat drivers as a consequence of their criminal conviction, brings with it **the possibility of indefinite detention**. We have been told that this perspective is actually communicated to people by staff at the detention center in Caltanissetta, in order to put pressure on detainees to renege on their asylum request and accept deportation.

Detention centers are abominable non-places, the very existence of which is a mark on the conscience of the current government and those preceding it. **Over the last 12 months, we supported eleven boat drivers in detention centers through their struggle for freedom.** Three of them, who we've talked about in previous reports, were deported to Egypt. Mahammed Ezet was finally released at the beginning of September, despite having already had the right to documents for months before that; he's currently working in Northern Italy while waiting for the results of his asylum request and we are happily still in touch. The Egyptian man we were supporting in the detention center in Bari was also released in October, and is now trying to reconstruct his own life.

For most foreign citizens in Italy the detention center never entirely exits from view. **We are currently supporting four people** – D, A, M and L – who have been detained in the detention centers in Caltanissetta, Milo and Ponte Galeria for months now, although all of them have requested asylum. For two of them – one **Russian**, the other from **Chad** – deportation is effectively impossible, given their countries of origin.

4. Winds of Freedom: Exonerations

We are currently following the cases of 147 people accused of or sentenced as 'people smugglers', **half of whom are in prison.** Thanks to the tireless work of lawyers, activists, artists, groups and networks that have fought over the years to challenge the routine criminalization of people on the move, in the second half of 2025 we witnessed some **important victories in the courts.**

This was the case for the four people arrested in **Naples** in July 2024 – three from Sudan and one from Chad – who were found innocent at the prosecutor's request in December. This was thanks to the work of a pool of lawyers that successfully invoked the [state of necessity](#), and showed that the protection of human life – through the search for protection on Europe's shores – is more important than border control.

In December, the Prosecutor General requested the acquittal of H., currently on trial at the Court of Appeals in **Palermo** – a case that we hope marks the final stage of a **10-year legal battle**. The request was based primarily on the argument (proposed by the defense) that H. did not commit the crime and, alternatively, on the application of the state of necessity. The prosecution acknowledged that the identification of H. as the boat driver rests on the testimony of a single unreliable witness and further argued that, even if he had driven the boat, H. would have done so to escape a dangerous situation and systematic rights violations in Libya. **We await the court's decision later this month.**

Another positive development was the exoneration, in **Agrigento** in December 2025, of three people from **Gambia, Sudan and Nigeria**, accused of [Article 12 bis – the crime introduced through the Cutro Law in 2023](#). Yet again, the defense exposed serious flaws in the evidence and challenged the legal foundation of both Article 12 bis and Article 12 more broadly. One of the accused had already been released from prison at the beginning of the pre-trial hearings due to lack of strong evidence, while the other 2 were freed following the not-guilty verdict, **after two years of pre-trial detention**. One of them, however – despite his innocence having been recognized – was then **detained in the detention center in Milo**. His asylum request was considered specious because he had not made the claim while in prison, without consideration for the obstacles that a prisoner faces in trying to claim international protection from behind bars. After over a month of detention, **he finally regained his freedom**, thanks to his tenacity, and to the relentless support from his lawyer and friends.

5. Crosswinds: Guilty verdicts

Yet these acquittals, unfortunately, remain exceptions. There are still many situations in which the stigma of a conviction under Article 12 opens up the possibility of seemingly indefinite detention – even when someone has served their full sentence.

This has been the case for **D. and E., from Russia**, a married couple of **conscientious objectors** sentenced in 2022 to three years and six months in **prison** for boat driving. Both requested international protection as soon as they arrived in Italy. In 2025, having served their sentences, they were transferred to **detention centers** due to being labelled as 'socially dangerous' – E. to Rome and D. to Trapani. Despite having identical sentences, E. was granted 'special protection', and was freed from the detention center after one month. **Her husband, however, has faced a different situation:** in 2022 he had also been granted 'special protection' while in prison; two years later, this document had expired, and D. submitted **a new asylum request**, explaining the dangers of returning to Russia. He even produced his **conscription order**, but the Commission in Trapani held that the documentation was fake and the request specious, prolonging his detention on the basis of being 'societal danger'. His attempts to have this label removed by the parole court also failed to secure his freedom: in fact, the parole court has delayed the decision till the outcome of his appeal for asylum. Through all of this, **E. is waiting for him in Palermo**, two lives connected and suspended by war and criminalization. Europe always seems willing to invest in weapons, but not in protection for those **fleeing war**.

This year we also continued to follow the case of Mouad, a young man from Guinea who has always claimed that he entered as a minor; despite the **evidence provided from his country certifying his age**, neither the Court of Appeals nor the Cassation Court considered this relevant. Mouad was sentenced to three years and four months in prison. Fortunately, thanks to the support of **the church of Santa Lucia in Palermo**, Mouad was granted house arrest. We followed his case very closely, providing him support in appealing his asylum claim, and helping him obtain temporary documents from the police station. Mouad was just starting a new chapter when everything was abruptly interrupted: on what should have been his last day of house arrest, **Mouad was taken back to prison** in order to serve the final two months of his sentence. The parole court had rejected his request for time off for good behaviour, and because he was now serving a definitive sentence rather than awaiting trial, house arrest was revoked.

The past year also saw trials against **three people from Iran** that received significant attention from the media and civil society. Even while expressing solidarity for protests in Iran and criticising the repressive reaction of the Iranian government, Italy saw no contradiction in arresting people who had arrived in Europe **fleeing from that very same regime**: the Kurdish activist and filmmaker [Maysoon Majidi](#); [Marjan Jamali](#); and **Babai Amir**, Marjan's co-defendant. This year both Maysoon and Marjan were found not guilty, following important solidarity campaigns spearheaded by local and national networks. Maysoon has now returned to her activism in Italy and beyond, integrating her struggle against criminalization into her actions for the **freedom of the Kurds and women in Iran**:

“As I said in the trial, and have continued to say all these months, if there had been food and water on that boat, I would have handed it out, in a humanitarian spirit. Why should it be a crime to give food and water to people fleeing war and dictatorships, or other problems? I think Article 12 is simply there to take 2 to 23 people from every boat that arrives in Italy, and accuse them of being the drivers. It almost makes you laugh really, and leaves you speechless.”

In July 2025, **the public prosecutor decided to appeal Maysoon's acquittal** – the court date has been set for February 2027. Unfortunately, Babai Amir – far from the media spotlight – has already been sentenced to **6 years in prison**, following which he attempted suicide. Since then, a local network and the group [Oltre i confini: scafiste tutte](#), in collaboration with Babai's lawyer, have worked together to request house arrest for him, and for his freedom. We join with them in demanding **freedom for Babai Amir!**

Finally, the struggle continues against the long and arduous injustice relating to the **eight young men accused of having driven a boat on 15 August 2015**, and sentenced to [20 and 30 years in prison](#). In recent months, the question returned to the center of public debate thanks to the publication of the *Perché ero ragazzo* (Because I Was Just a Boy) by **Alaa Faraj**, one of the young Libyan footballers among them. The Cassation Court decided that his request for retrial, like that of two of his co-defendants, was inadmissible, but advised Alaa to ask for a presidential pardon. In December, [the Italian President Mattarella decided to concede only a partial pardon to Alaa](#), in accordance with the President's general timidity in using the legal tool of pardons.*** In other words, it took the intervention of the Head of State to affirm, once more, that Alaa would remain in prison – even though he should be able to

access **parole** later this year thanks to the reduction in his sentence. Despite having an identical story, **his co-defendants will remain in prison, not being impacted juridically by this development.** Freedom for Alaa, freedom for Tarek, Mohamed, Ayoub, Abdelrahman, Mustafa, Mohammed and Beddat!

6. Network

This year we saw the continuing development of a **national and transnational network** that critically reports on the criminalization of boat drivers, and organises important campaigns for the freedom of prisoners. Central examples have been the campaigns for **Maysoon Majidi** and **Alaa Faraj**, who we mentioned above, both characterized by significant victories. Maysoon joined us online for the panels that we organized at the [Sabir Festival in September](#) (as pictured in the photo below) along with [Ragazzi Bayefall](#), [Maldusa](#), the Gambian Association in Palermo, [De:Criminalize](#), [Refugee Platform in Egypt](#), [Mataris](#), [50 Out of Many](#), [Migreurop](#) e [Projecto Patrones](#).

[photo]

In view of the imminent application of the EU Pact on Asylum, the [European MP Ilaria Salis](#) made an extraordinary **intervention in parliament in November**, underlining the semantic confusion between the terms ‘trafficking’ and ‘smuggling’ – a confusion that has been weaponized by the EU to justify deaths at its borders in the name of security. For having reminded everyone that helping people to flee war and persecution should never be punished, **Salis was attacked by the Italian and European right-wing press.** That a politician remains coherent with their political vision in this moment is increasingly rare, and we express our solidarity with her against these continuing attacks.

In the climate of war and racist hatred that surrounds us, it can be easy to give in to pessimism and feel like everything is lost. And yet, the clear and powerful words of Maysoon, Alaa and so many others remind us that giving up is not an option, and that fighting for what is right is a collective responsibility. In Ragusa, **the trial against the crew of [Mediterranea](#)** is continuing, accused of the same crime that for 25 years has been used to repress and incarcerate thousands of people. In Crotona, on the other hand, the appeal trial is also continuing against those accused of having driven the boat that sank at Cutro in 2023, in parallel with **the trial beginning against the [police officers accused of having abandoned more than 100 people to die at sea](#).** On land and sea, therefore, we will keep on fighting through 2026 against fascism, racism and white supremacy, and for a world in which our common humanity prevails over the politics of borders, and over those who continue to create walls and divisions.

From Sea to Prison

From Sea to Prison is a militant project by Arci Porco Rosso and borderline-europe. Since 2021, we monitor the criminalization of boat drivers in Italy and offer socio-legal support to those criminalized. We thank the Guerilla Foundation, the Fund for Global Human Rights, Sea-Watch, Safe Passage Foundation, and United4Rescue for choosing to support this cause and our activism.

* In news reporting, the term “arrest” is often not used in its technical sense: in many cases it refers to court orders imposing pre-trial detention that may have been challenged by defense lawyers; in others, it refers to criminal proceedings initiated against individuals who are not in custody and whose whereabouts are unknown.

** Our thanks to Giulia Serio – researcher at the University of Palermo and an activist of Porco Rosso – for her contribution to this section.

*** During his mandate, Mattarella has accepted only 27 requests for pardons and rejected 1,020 – among the lowest rates in recent history, along with those of Napolitano.

Arci Porco Rosso, February 2026