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EU Court Ruling Deals Blow to Italy's Albania Migration Plan

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A ruling from the European Union's top court has cast serious doubt on Italy's strategy to process migrants offshore in Albania, delivering a significant legal setback to Prime Minister Giorgia Meloni's flagship immigration policy. The European Court of Justice (ECJ) determined that Italy's current method of designating "safe countries" for rejected asylum seekers fails to comply with EU legal standards.

The offshore processing agreement, signed in 2023 between Italy and Albania, aimed to fast-track asylum claims for migrants intercepted in the Mediterranean and to promptly deport those from so-called “safe countries” within a week if their claims were rejected. However, the ECJ ruled that a country can only be considered “safe” if it guarantees general and consistent protection for all individuals, without exception. This legal threshold is far stricter than the criteria currently used by the Italian government, which includes nations such as Egypt and Bangladesh on its safe country list despite acknowledging that certain groups in those countries face risks of persecution.

The court also said that governments must disclose the evidence and sources they rely on when declaring a country safe, permitting challenges to those classifications under court review. This move further complicates Italy’s ability to conduct swift offshore processing and deportations under the existing framework.

Rome responded with strong criticism, accusing the European court of interfering with national sovereignty and undermining efforts to secure borders. Italian officials have argued that the court’s decision limits their ability to manage migration effectively and enforce returns.

Despite the ruling, the ECJ did not reject the idea of fast-tracking asylum claims for individuals from safe countries. However, it noted that any such process must strictly adhere to EU standards. Amnesty International and other campaign groups have opposed the Albania arrangement more broadly, claiming it involves automatic detention, which critics argue may breach EU procedures.

Italy’s offshore processing centres in Albania have already faced practical hurdles, including legal interventions that led to the return of transferred migrants to Italy and construction costs that have spiralled far beyond initial estimates. The facilities remain largely unused.

The court’s decision may also influence the implementation of the European Union’s forthcoming migration pact, which includes a common list of safe countries for returns. While it is not yet clear how today’s ruling will impact that agreement, the judgment makes clear that the legal authority over such classifications rests with the judiciary, not national governments.

Other European nations, including the United Kingdom, have been monitoring Italy's Albania initiative closely as they seek similar measures to reduce irregular migration. With this latest ruling, Italy's plan now faces not only political scrutiny but deep legal uncertainty at its core.