



PRESS STATEMENT

JUGEND RETTET appeals the seizure of the IUVENTA at the Rome Court of Cassation

12.10.2017, Rome, Italy – Last Monday JUGEND RETTET appealed the preventive seizure of its Search and Rescue vessel at the Court of Cassation. A rejection of the appeal would mark a crucial legal precedent for Italian claims to jurisdiction in international waters, and for the criminalization of rescue operations at sea.

The seizure of the IUVENTA in August 2017 came at an opportune moment. Increases in migrants braving the crossing to Italy, allied with the country's continuous deployment as an EU buffer zone, have placed migration at the forefront of multiple campaign agendas for upcoming elections in Italy.

A punitive measure against the NGO following its refusal to sign the Interior Ministry's Code of Conduct, which would have drastically reduced its capacities to rescue migrants in distress, the judicial proceedings against JUGEND RETTET are the first juridical manifestation of a year-long moral panic, nurtured by parties of the political right. Over the past year, humanitarian organizations operating in the Mediterranean have repeatedly stood accused of aiding, abetting, or profiting from migration to Europe.

The investigation against the IUVENTA rests on accounts provided by security staff and undercover agents on board another SAR-vessel, reporting to the Italian intelligence services and to Matteo Salvini, leader of the far-right Northern League and one of the architects of the smear campaign against NGOs. These witness accounts are consistently contradictory and are not corroborated by the crews of other assets present at the events under investigation, or by the communication with the IMRCC.

"While the IUVENTA was seized as part of an ongoing investigation against persons unknown, no charges have been formally brought against any crew or board members: further evidence that the case does not hold water." – Sascha Girke, SAR Coordinator

The case against the IUVENTA rests on legal acrobatics, combining Italian criminal law and select articles of the Palermo Convention. By integrating traffickers and rescuers into a single crime – the illegal entry into Italian territory – the prosecution not only aims to give legal form to an association that has long been the subject of the right-wing's political scare-mongering and propaganda, but also to stake a claim to Italian jurisdiction in international waters that will override international law and flag state jurisdiction.

"If successful, the case will provide Italian authorities with a crucial precedent for Italian claims to jurisdiction in the international waters of the Mediterranean." – Julian Koeberer, Legal Coordination Team



While a number of lawyers and legal scholars have already contested the legality of these proceedings, it remains unlikely that such a politically valuable case will be dismissed at a national level. The IUVENTA precedent, once set, is likely to be reapplied to other rescue assets in an effort to neutralize them as potential threats to the proper functioning of the Italy – Libya Memorandum of Understanding (MoU), whose recent achievements have afforded Italian politicians such as Marco Minniti vital support and popularity.

“The EU’s new policy of migration control relies on outsourcing the protection of its borders to a network of mercenary states. The establishment of a Libyan SAR Zone is only one element of that scheme, together with the equipping of militias and former smuggling cartels known for human rights violations, for the purpose of containment. Italy’s latest involvement in the area of Sabratah has already ignited armed conflicts between different groups.” – Sophie Tadeus, Administration Team

The so-called Libyan Coast Guard is likely to be given implied free rein to advance further into international waters for the purpose of illegally intercepting, and returning, migrants to detention in Libya’s “concentration camp-type” business model. For their part, European assets are likely to retreat further from the Libyan coast, in an effort to avoid sighting migrant boats and, by extension, the duty to rescue them and to bring them to safe ports.

Parallel to its efforts to appeal the seizure of the IUVENTA, Jugend Rettet will fulfil its role of an eyewitness at the European Borders.

“We, as young Europeans, demand the immediate release of our ship, the decriminalization of people fleeing in search of a safe life in Europe, and of those who rescue them at sea. We demand safe passage and the respect of human rights. We stand in solidarity with those in need and demand an end to the tragedy created by the European border regime, both at sea and on land.” – Lea Reisner, Press Officer