

borderline-europe, Sicily

SCIROCCO

News from Italy



Scirocco [ʃiˈrɒkko-Sherocco] is a south-easterly, hot strong wind that carries dust and sand across the Mediterranean to Sicily and Italy's north for often only a few hours. is newflash has been published on an approximately bi-weekly basis since March 2021.

Political and social situation

Open letter against the EU migration pact

While the [Cutro ship disaster](#) a year ago was commemorated last week, **a letter to the EU Council and the EU Parliament** was published in which the signatories speak out **against the reforms to the Common European Asylum System (CEAS)**. The letter was signed by 250 academics from various European universities, including some [signatories](#) from Italy.

The authors call for the new reforms to the EU migration pact not to be approved **in the final vote this spring**, as the introduction of mandatory border procedures is **"dangerous, inhumane, unworkable and inefficient"**.

We already reported on the reforms to the CEAS in [Scirocco Issue 1, 2024](#). A **joint statement** by various stakeholders **on the dangers of the reforms** can be found [here](#).

The [open letter](#) explains that the reform will neither relieve the burden on states where refugees are increasingly arriving nor lead to a more efficient organisation and distribution of responsibilities between states. Furthermore, regardless of the inefficiency of the planned changes, the letter to the EU Council and EU Parliament **very clearly points out that the reform will exacerbate human rights violations at the EU's external borders**.

According to the [initiator of the letter](#), Gaia Romeo, a researcher at the Research Centre for Migration and Minorities (BIRMM) at the Vrije Universiteit Brussel, there are "many good reasons to reject the pact, the first being that the introduction of mandatory border procedures will certainly lead to a significant violation of the rights of asylum seekers".

However, as the process of voting on and implementing the CEAS reform is already at an advanced stage and the EU Parliament, Council and Commission have already reached an agreement, it is questionable whether this open letter will change anything at this stage.



Photo by Markus Spiske via [Unsplash](#)

Funding for "voluntary" returns suspended for the time being

The government's plan under Meloni is to **incentivise** migrants in Tunisia to **return "voluntarily" to their home countries**. The government has made **three million euros** available for this purpose. However, this [funding](#) has now been **temporarily suspended**, as ASGI (Association for Legal Studies on Immigration) has criticised the fact that these supposedly voluntary returns, carried out by the International Organisation for Migration, actually conceal deportations. Meloni's government may thus be **violating the non-refoulement principle** applicable in Europe, which prohibits migrants from being sent back to a country where they are at risk of human rights violations. Following **ASGI's complaint**, it is now up to a regional administrative court to decide to what extent the financing of such returns is legal.

At the same time, a **new agreement has been in place between Italy and Tunisia** since last week, in which Italy pledges to issue **12,000 work permits for Tunisians**. The aim is to promote legal migration between Italy and [Tunisia](#) and offer people the opportunity to work in Italy for longer periods of time, apart from seasonal work.

Italy-Albania deal

Albania's parliament also approved the Italy-Albania deal at the end of February, clearing the way for Meloni's government to bring around 3,000 people a year to closed centers in Albania.

Further information on the agreement can be found in the latest issues of our [Scirocco](#).

The Italy-Albania deal is being discussed **throughout Europe**. While some countries want to follow its example, there is also a lot of criticism of the Italian government's approach. There are fears of a lack of compliance with human rights standards and a lack of control mechanisms.

Some **NGOs (Arci, ActionAid, Euro Med Rights and Profundo) generally criticize the lack of transparency and investigations regarding violations of migrants' human rights** at the European external borders and therefore accuse the EU of being complicit in [these human rights violations](#). While the agreements with Albania or Tunisia might lead to a decrease in migration to Europe, they do not ensure that the rights of migrants are respected. The EU's financial support for the so-called Libyan and Tunisian coastguards has also been criticized. For example, Italy has donated several boats to the so-called Libyan coastguard, thereby encouraging the interception of migrants making their way to Europe. The above-mentioned **NGOs are therefore calling** on the European member states to create **safe migration routes to Europe** and to vote against the EU's migration pact in April.

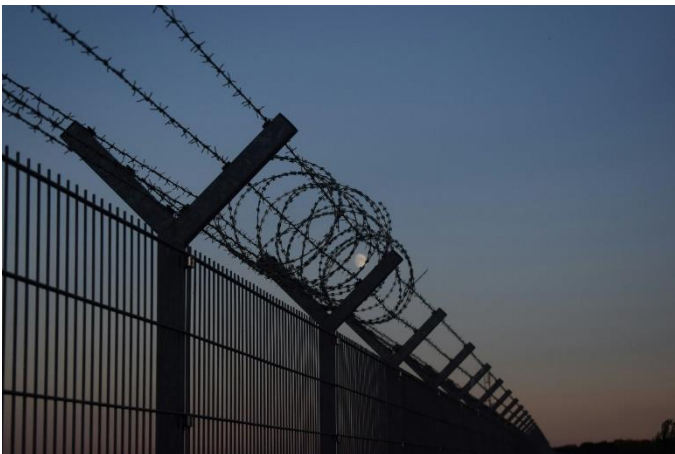


Photo by Jannik via [Unsplash](#)

Meeting of EU Ministers of Justice: the Italian Minister of Justice calls for "joint combat" against irregular migration

On 5 March 2024, the Ministers of Justice of the EU member states met in Brussels. In an **interview** on this meeting, the **Italian Minister of Justice**, Carlo Nordio (Fratelli d'Italia), emphasized the ["necessity and importance of combating migrant smuggling"](#).

According to Nordio, the smuggling of migrants is not only a violation of international law, but also an attack on human dignity.

He reports that [the "criminal offences committed by smugglers"](#) were discussed in particular and that there was broad agreement that financial benefits do not necessarily have to be a structural element of this offence (smuggling), but that the benefits could be of a "different nature". Nordio does not explain what he means by "other nature" and is generally very vague and unclear in his statements.

The Italian Minister of Justice repeatedly mixes things up in his statements on the EU meeting (more on this below). Later in his interview, for example, he explains that the EU wants to combat "human trafficking".

Unfortunately, however, it can be assumed that he is not talking about human trafficking, but simply about irregular migration across the Mediterranean. Hundreds of migrants who are identified as alleged smugglers fall [victim](#) to this generalizing policy every year.

Nordio also explained that Italy is at the forefront of "this phenomenon" both geographically and geopolitically. In this context, the Minister of Justice **also justified and endorsed** the ["rigorous measures"](#) following the Cutro shipwreck a year ago. The association "[Arci](#)" has reported extensively on these measures, **the Cutro decree/law**, and its consequences. **Nordio is therefore calling for international cooperation** in the investigations to hold those responsible to account (this raises the question of who Nordio sees as "responsible" for the shipwreck).

[Nordio also demands further tightening of legislation at European level](#) to effectively "combat" these phenomena - in the past it would have been drugs, today it is people smuggling.

Instead of criminalizing refugees and focusing on irregular migration as the only "problem", the ministers of the EU member states should concentrate on creating legal entry ways and addressing the causes of migration across the Mediterranean at the next meeting.

Situation of refugees

Effects of the Piantadosi Decree for migrants in Italy

The "rigorous measures" Nordio refers to are **Law No. 50**, which was passed in response to the **Cutro disaster**. Our partner "**Arci Porco Rosso**" reports on its "paradoxical - though probably intended - effect of penalizing the people it claims to protect" in its latest [article](#).

With the law, the so-called '**special protection**' was **largely restricted**. This title was above all an opportunity for people who could not meet the strict requirements for refugee status and those who had already been in Italy for years without the possibility of legalizing their stay. The restriction of the title means **further marginalization of tens of thousands of migrants in Italy**, as Arci Porco Rosso has [previously reported](#).

Nevertheless, migrants are fighting back against this injustice. This is confirmed by the Regional Administrative Court of Tuscany in its [report](#) on the new judicial year. Complaints against the Cutro decree law have increased over the past year. This means that the courts have the important task of putting a stop to the injustices of the Meloni government.



Photo by [Sai Abhinivesh Burla](#) via Unsplash

Italy offers too little protection to survivors of human trafficking

When people are forced to leave their home countries, their risk of becoming victims of human trafficking increases. Human smuggling is not to be confused with smuggling. Smuggling, on the one

hand, means the illegalized crossing of borders to seek protection in another country. Human trafficking, on the other hand, constitutes a serious human rights violation. Despite huge differences, politicians, such as Nordio, and the media often deliberately mix up the terms. [Human trafficking](#) means the **exploitation of a person's vulnerable situation for the purpose of exploitation**, e.g. forced labor or forced prostitution.

Migrants are often promised a job or a legal stay in another country. Once they arrive in this country, they then realize that they have been deceived and are exploited. This is also how many migrants end up in Italy. Since 2018, [between 2,100 and 3,800 survivors of human trafficking have been identified each year](#). **The majority of those affected are female**, although the number of male and transgender survivors is increasing. The **number of unreported cases** is likely to be many times higher.

In its [latest report](#), the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA) criticizes **Italy for doing too little to end and punish human trafficking and support survivors**. It calls on Italy to proactively inform survivors of their rights and ensure access to free legal aid and compensation. Furthermore, investigations and criminal proceedings should be expanded, especially in the area of forced labor of migrants (including seasonal work in agriculture on which we regularly report in our [Scirocco](#)). In its report, GRETA also calls for the memorandum of understanding with Libya to be [suspended](#). The agreement leads to migrants being returned to Libya, where they are at risk of slavery and sexual exploitation. **The experts also criticize the fact that the Italian government's restrictive migration legislation leads to a general climate of criminalization of migrants**. As a result, survivors may be afraid to report human trafficking for fear of being criminalized and deported.

The report shows that the fight against human traffickers invoked by the Italian government is a cover for the further restriction of migration and the arbitrary criminalization of migrants. Support for actual victims of human trafficking takes a back seat to this.



Protest against human trafficking, Photo by Hermes Rivera [via Unsplash](#)

the hotspot the impression of a "dignified structure", doubts remain about its human rights compliance.

The deprivation of liberty is a serious infringement of human rights and may only be used as a last resort after individual assessment. De facto detention of all asylum seekers for the purpose of identification does not fulfil this requirement. It is also questionable whether the structures are suitable for people who deserve appropriate accommodation, medical and psychological care after potentially traumatizing migration routes.

Further information on the situation in Italy can be found under "Projects" on our [homepage](#), in previous issues of [Scirocco](#) and in our [spotlight "Zones of lawlessness"](#).

New hotspot opened in Porto Empedocle

The aim of the planned reform of the Common European Asylum System (CEAS) is to identify migrants as quickly as possible after their arrival in the EU. People seeking protection are to be registered immediately and their chances of receiving international protection are to be predicted before they have the individual opportunity to present their reasons for fleeing in their asylum procedure. In Sicily, this identification takes place in so-called hotspots under de facto **detention conditions**. Since last summer, when thousands of migrants reached the shores of the Sicilian Island every day, the images of the overcrowded Lampedusa hotspot have been used time and again to conjure up an alleged migration crisis. At the end of February, **another hotspot** was [opened in Porto Empedocle](#), Sicily, to relieve the pressure on Lampedusa. There is space for up to 280 people, and construction work has already been authorized to increase capacity. Although it is claimed that it is not a detention center, the entrance is guarded by Italian soldiers.

Police units and Frontex, the EU border protection agency, are also present on the site. Three-meter-high fences are in place to prevent "arbitrary removals". **Although plants, a children's playground and a planned football pitch are intended to give**

Contact

[borderline-europe](#)
Menschenrechte ohne Grenzen e.V.
<https://www.borderline-europe.de/>
italia@borderline-europe.de

The Scirocco is published in 2024 with the kind support of the Evangelical Church in the Rhineland (EKIR).

Coverphoto: Wolfgang Hasselmann, unsplash

Translation: Lilly Ott