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ITALY

The New Government's Migration Policy

The formation of the new [government](#), under the former president of the ECB (European Central Bank) Mario Draghi, advances barely a month after the government crisis in Italy. On February 12th, ministers and state secretaries were nominated and five days later the vote of confidence in Draghi – already held in the senate – was repeated in parliament to secure the support of the partially contrasting parties within the new government. It is a mixed technocratic-political government. [Technocratic governments](#) are usually called non-political due to the prime minister as well as the majority of ministers being chosen for their technical competencies and not political reasons. They can come about when there is no political majority but a will to prevent new elections.



Crossroads in Italian Politics? Picture: Sophie Dale

Minister of the Exterior Luigi di Maio (Five Stars Movement) and Minister of the Interior Luciana Lamorgese (no party affiliation) remain in office. It looks like [more of the same](#) in migration policy – the nomination of Nicola Molteni (Lega) as state secretary in the interior ministry in any case does not promise a change for the better. On the contrary, he advocates [closed harbors](#), as he already did as state secretary under Salvini. He is sadly not the only rightwing state secretary, as two others (both Lega) have already made [racist](#) remarks and actions.

Due to the sharply diverging party positions on migration, Draghi entrusted the management of rescues, landings, and

admissions to the ministries of transport and interior. In the meantime, he himself wants to take care of the political decisions and in this way prevent the parties from interfering.

So what migration politics does the new prime minister have? With the help of his existing contacts he wants to further European collaboration or rather the support of the EU. Already, he is calling the EU migration pact of September 2020 one of the most important political instruments and asks of the EU, supported by other Mediterranean states, a [compulsory redistribution mechanism](#) for migrants. Institutions are supposed to be taking over complete responsibility so that it may no longer rest (solely) on Italian shoulders. The requested solidarity however not only concerns the admission of recognized refugees but reinforces collaboration with [deportations](#) as well.

The New Immigration Act

The law for the implementation of the new [Immigration Decree](#) was passed together with the vote of confidence at the end of December last year. Thus, the so-called Security Decrees enacted under Matteo Salvini as interior minister are repealed – but not changed entirely on the level of content. We already reported on this in our September-October [Newsletter](#). You can observe the enactment or rather the day-to-day praxis of the new Immigration Act in the reports of our sister organization, [Borderline Sicilia](#).

The New Wave of Criminalization against Solidarity and Rescue in Italy

The cases of criminalization against NGOs and solidary escape aid in Italy have risen again in the last two months. [borderline-europe shows](#), in an article published on March 10th, a few of these cases that are currently under review at the district attorneys offices north and south.

‚Pushbacks‘ on the French Border

According to infomigrants.net, many refugees report that, after crossing the border from Italy to France, they were not able to apply for asylum with the French border police. Instead, they were immediately deported back to Italy. The Society Tous Migrants, which supports refugees, reports: ‚Refusals are very common here [...] What usually happens is that the police arrests migrants in the mountains of France, brings them to the office of the border police in Montgenèvre and hands them an official order to leave France. Then they call the Italian police which comes to bring the migrants back to Italy [...] All this happens in less than five hours.‘ Although the border police is within their rights to control and check papers, when a person applies for asylum the application would have to be accepted. Out of fear of deportation the persons concerned now seek out more dangerous routes in the mountains and thereby endanger themselves even more. According to Tous Migrants it would be wrong to think that deportations would actually demotivate refugees. Having already made terrible experiences on their escape, especially in Croatia and Bosnia, they would absolutely try to go on. The prefecture of the region Hautes-Alpes denied Infomigrants an interview, but did give out numbers: in 2020, 80 persons were given a departure order, 1.576 persons were denied immigration – many of whom might have called ‚asylum‘, like Paul, a young Cameroonian, who was deported back to Italy in a long, cold night in the Alps.

Médecines sans frontières (MSF) also reported on the dangerous treks of refugees across the snowy Alps. ‚If they are on their way with temperatures being -15°C and their feet get wet, they risk their lives,‘ says Piero Gorza, an anthropologist and representative of Doctors for Human Rights (MEDU) in the Piedmont. Two MSF teams traveled in mid-December to the most important transit points in Ventimiglia, Oulx, Bolzano, and Trentino and gave [an account of their](#)

[experiences](#). They talked to refugees as well as those trying to help them.



French and Italian Protesters on the Border. Credit: RAM

Meanwhile, the Italian authorities were notably absent. And the [mayors](#) of Ventimiglia, Vallecrosia, and Camporosso, towns in Liguria close to the French border, expressed their refusal of the opening of a new transit center for migrants within their mayoralties – a proposal supported by the Italian interior ministry.

Slovenia: 1.300 Deported Refugees Need to be Able to Come Back to Italy

The [rejections](#) – ordered by the Italian interior ministry and enforced since spring 2020 with growing intensity – on the Slovenian border appear to be ‚illegitimate.‘ They seem to contradict constitutional obligations and international law, and moreover expose migrants in transit on the ‚balcan route‘, among them asylum seekers, knowingly to ‚inhuman and denigrating treatment‘ as well as ‚actual torture by the Croatian Police.‘ Anna Brambilla, the lawyer who submitted and won the appeal for a Pakistani asylum seeker [deported illegally to Slovenia](#) together with her colleague Caterina Bove, explains: ‚Retransfers in Slovenia violate article 3 of the European Human Rights Convention: to not be exposed to torture and denigrating treatment. This happens, and everyone knows it, in the case of readmissions of migrants. Retransfers of migrants to Italy however would require an appeal for every single person. But their documents that would enable us to get a mandate from here were destroyed by the Croatian police.

Meanwhile, our client is still waiting on his entrance visa and remains in an occupied house in Sarajevo'.

The Invisibles of Sicily

Our sister organization [Borderline Sicilia](#) (BS) reports that with the outbreak of the Covid-19-pandemic many migrants on Sicily currently find themselves in a state of invisibility. This already starts at sea. In mid-February there were no reports of a shipwreck with at least four missing persons. BS became aware of it due to relatives' calls asking for help searching for their family members. But there was no answer.



Drawing by Francesco Piobbichi

Many of the dangerous crossing survivors have to spend a mandated time in quarantine on so-called quarantine ships. Those ships however are not adequate for the isolation of often traumatized people. Escape attempts of persons on board as well as protests escalating to the point of swallowing razor blades are not heard (borderline-europe reported on this). Neither do the violations of human rights in the [centers](#) stop. Currently there is no monitoring, no control of what happens there. Some cooperatives are taking advantage and leave these people and their traumata to themselves. Often this means alcohol and violence become the order of the day. One person was almost killed in a fist fight in a center in Sicily which also houses families with minors. There is no help, no support, no mediation or possibilities of working through what they had to experience.

And what about those who, until the beginning of the pandemic, worked for a pittance without any contracts in [farming](#)? Many of them lost their work as well as the roof over their heads (fearing infections in the cramped provisional accommodations). Without an oftentimes not existing residency permit they can't count on any support. However, the problem is not the pandemic but rather our indifference and the political unwillingness to respect the rights of refugees.

RESCUE AT SEA

Pro domo: The Central Mediterranean Info 2.0

Since January 2021 we publish a summary of our data on the Central Mediterranean. This research contains all data accessible to us concerning arrivals, rescues, as well as push- & pullbacks in the Central Mediterranean (Central Med). With this, we counter the numbers of the Italian interior ministry and the UN with a civic observation. We gather and process all the info available to us via various channels and networks in various statistics and tables. The numbers are based on our investigations and are therefore to be read without guarantee. Once a month we [publish a short survey of our research work](#) on our website as well as our social media channels.

Processes against Salvini

We already reported on the two processes concerning unlawful detention running against the ex-Minister of the Interior Salvini (Lega) in our last Newsletter. A reminder: two ships with people rescued in maritime distress were denied safe ports for several days in 2019. Due to the detention on board the freedom of those people was curtailed. Currently, the pre-trial concerning the application for arraignment of Matteo Salvini in the case of the Gregoretti (an Italian Coastguard boat) is still running, wherein on

February 19th interior minister Lamorgese and exterior minister Di Maio gave testimony.

Already at the end of January the former prime minister Conte testified that albeit he had set the government's policy guidelines, 'it was Salvini who decided on the landing'. Now that the Italian envoy to the EU testified at the beginning of March, another hearing will be held on April 10th and maybe also on the 23rd; the [decision](#) whether or not the process against Salvini will be carried on is expected on May 14th. Salvini must also appear in front of the municipal court of Palermo, on March 20th, concerning the application for arraignment in the case of the civil rescue boat Open Arms.



'Process against hate,' Hearing on Salvini, January 9th, 2021 in Palermo

October 11th, 2013 – Letting Them Die Deliberately

On January 27th, the UN Council of Human rights ruled in a [23-page decision](#) that Italy neglected to protect the right to life of over 400 women, men, and children. Those were onboard a ship that sank in the Mediterranean 2013. The published decision argues that Italy had not immediately reacted to the sinking ships' various emergency calls. Moreover, the dispatch of the marine ship ITS Libra, docking merely an hour away, had been massively delayed. Therefore, Italy's belated actions are held to have a direct causal relation to the loss of several hundred lives. A few survivors had filed a lawsuit against the state of Italy.

In an interview with the UN Refugee Relief, Captain Klaus Vogel, founder of SOS Méditerranée, spoke at the beginning of February 2021 on the ongoing [thousandfold failure to render assistance](#) in the Mediterranean.

LIBYA

Libya's New Government, the Cooperation with Italy and the Work of the NGOs

On February 5th, the UN sponsored Libyan Political Forum for Dialogue [elected a new interim government](#) to guide Libya to new elections in December. Designated prime minister Abdul Hamid Dbeibah welcomed Mario Draghi as the new Italian premier in the hope of expanding relations with Italy, especially concerning migration control and the economy. 'We strive to develop our privileged relationship with our neighbor Italy, with whom we share many challenges, especially control and organization of migration', he wrote on Twitter. But what do we actually know about the current situation in Libya and the work of NGOs on the ground? Paolo Cuttitta, Marie Skłodowska-Curie Research Fellow with the IDPS, Université Sorbonne Paris Nord, addresses the work of humanitarian NGOs in Libya in [these field notes](#) for the project '[Liborg](#).' In what relation do aid agencies and EU externalization stand? What role does the Libyan civil society play?

Tomorrow You Will Wake Up ... in Tripoli: Lawsuit Against Deportation to Libya

Sariti Fratini, activist and blogger with the collective 'Josi and Loni Project', reconstructed stories of repudiations at sea through dozens of witness testimonies. The story was published in the daily paper '[Il Fatto Quotidiano](#)' on February 10th and concerns a case from July 1st, 2018. 'The Italian ship took us onboard on the evening of July 1st, 2018. The captain told us: „Sleep now. Tomorrow you will wake up in Italy.“ And after torture, hunger, thirst, and near death on board a rubber boat unfit for sea, they finally slept.

But on the morning of July 2nd, there appeared the port of Tripoli, Libya. And they, 276 persons on the ship, were put in two different internment camps for migrants'.

The Project 'Josi and Loni' carries the name of two children. Josi was on board the Italian ship that brought him back to Libya and there he died of tuberculosis in the prison of Zintan. Loni on the other hand was born in the camp and survived.



Title picture landing page [Josi and Loni Project](#), report 'Adesso dormite' – Sleep Now

'Sleep Now' is the name of Fratini's dossier. The result of her investigations: five Eritrean citizens who were on board the Italian ship filed a civic lawsuit, supported by the Association for Legal Studies on Immigration (Asgi) and Amnesty International Italy, to demonstrate the illegality of the deportation to Libya on July 2nd, 2018 by the ship Asso Ventinove, of the Neapolitan fleet Augusta Offshore and sailing under Italian colors. Mission control lay with the Italian authorities and was led by the Italian Navy's ships Caprera and Duilio stationed in Tripoli. Those requested the Asso Ventinove to take on the shipwrecked people. The ship then did not bring the persons to Italy, but to Tripoli and [handed them over to local authorities there](#). It was however not allowed to do just that: the so-called non-refoulement commandment forbids repudiations to states in which life and limb are in danger. Neither allowed are collective repudiations, according to the EU convention of human rights as well as Italy's own migration law. The first groundbreaking verdict on this was given in the so-called [Hirsi-case](#) in 2012 (on the case of a collective repudiation in 2009). Italy was sentenced to a financial penalty by the EU, the persons concerned were allowed to enter the country

– only some of the deported had at this point already died in Libyan prisons.

You can also read our [Scirocco – news in brief](#) on our homepage!

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