

borderline-europe

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ITALY AND MALTA

The Refugee's Situation on Malta

The Council of Europe's anti-torture-board has been prompting Malta to adopt a reform on the treatment with refugees, without success, since 2004. The island state's ubiquitous racism seems to be reflected in their reception system for refugees. Groups like Malta-tal-Maltin or Defend Malta are actively working on a steady growth of hate and disapproval towards refugees. Thus, Maltese police has had to register an [uptick in hate crimes](#) compared to last year.



Refugee Camp on Malta

Reception centres in Malta moreover seem to resemble deportation prisons more than anything else. 'The conditions under which migrants are being held custody in the reception and detention centres seem to verge on inhuman and degrading treatment due to negligence of authorities', says the Council of Europe's [anti-torture-board](#). Instead of a few days, persons have to stay there for several months; sometimes, 22 people are penned together on 30 square meters. Recently, again, Malta showed itself anything but hospitable when it refused the rescue ship SEA-EYE 4, of the NGO Sea-Eye, to put into harbour at Valletta.

Process on the deadly Easter Monday

13 months after the shipwreck in which 22 people died within the Maltese rescue area and another 53 survivors were brought back to Libya, shipowners have testified to having been [contracted and paid by the Maltese](#)

[government](#) to illegally bring refugees back to Libya. Among them is Carmelo Grech who owns a few motor boats and performed these illegal 'push-backs' at least four times. And yet Malta and Libya have had a treaty that requires Libya to take back refugees while Malta pays – i.e., with food shipments – for their stay in Libyan camps for three years now. There can be no talk of the preservation of human rights. Asylum seekers have sued the Maltese state and declared that their rights had been violated when they were forced back towards Libya by a private fishing boat registered in Libya in April of 2020. 'If the state employs private ships to act on its behalf, this action must be viewed as an official act,' says Journalist Maneul Delia. Allegedly, Frontex, the European border control agency, reported the boats in distress to the relevant sea rescue control centres, but no one came to help. Everyone knew of the boats in distress, but no one reacted.

'Dead People are Tourists too'

On the central Mediterranean ever more people are dying. The pictures of the [corpses of two babies](#) and small children, washed ashore on Libyan beaches, should shock and lead to a re-thinking of the European policy of closure. No one will ever be able to reconstruct what happened to these children, who they were or who died with them. Mario Draghi, Prime Minister of Italy, stated that such pictures were absolutely unacceptable. Italy however keeps negotiating with Libya to stop all ship departures. Meanwhile, the children were buried on the cemetery of Abu Qamash by the Libyan military. They won't be the last. Many European politicians don't seem to care either way; like Matteo Salvini, boss of the right-wing Lega. In a show on the state-owned TV-station RAI 3, he bluntly stated: 'We need tourists bringing beauty and wealth, not those who come here and bring problems'. According to the [online newspaper Fanpage](#), he said that less than two minutes after seeing pictures of the corpses washed ashore in Libya.

Cooperation between Libya and Italy tightens

All these dead lay at the hands of the EU, Italy and the so-called Libyan coast guard, financed for years by Italy and supported through trainings and material. As [border-line-europe](#) reported several times already, the [so-called Libyan coast guard](#) brings many people back to prison camps in Libya.



Police and customs-police in the port of Porto Empedocle

Additionally to official [state visits](#), Italy also supports Libya by taking care of the maintenance of two [Libyan patrol boats in Catania](#), Sicily. Italy must've been clear on the fact that with the help of these ships human rights are violated, or why else ask for a 'discrete shelter' for 'large ships,' to 'hide them from the eyes of outsiders.' Italy points to the international organizations [UNHCR and IOM in Libya](#) who are active on site. The Department of the Interior commended the 'valuable work of the UNHCR and the IOM concerning the adherence towards human rights of the centres established in that North-African country'. But the organizations won't leave it at that misleading statement. 'Our intervention is, as we have been saying for a long time, merely a practical help', as more wouldn't be allowed. International organizations can't interfere with the system of prison camps in which the people 'rescued' by the so-called Libyan coast guard are brought and abused. It therefore seems all the more absurd that Italy has invited the new [Libyan Prime Minister Abdulhamid Dbeibah](#) to Rome, together with 30 Italian conglomerates (among them the

defense contractor Leonardo as well as oil and energy company Eni). The meeting's topic was migration and the North-African state's economic rebuilding. Italian Prime Minister Mario Draghi emphasized once again that Italy wants to encourage more 'voluntary returns' [sic!] and added: this should also already take place in Libya itself.

Draghi's urging within the EU

The increased landings in Lampedusa which came with the beginning of summer reminded [Mario Draghi](#) to reiterate his demands of refugee redistribution on the EU. Migration wasn't on the agenda at the end of March's two-day EU summit. Still, Draghi approached the subject, but with lukewarm results: his [demands](#) of deporting more people without acknowledged protection status as well as voluntary redistribution within other EU member states are hardly likely to gain traction. Admittedly, the next Council of Europe meeting in June is supposed to structurally discuss the topic and especially the EU-pact on migration and asylum. However, any [agreement](#) between member states seems far off. Although: there was one thing the Italian and French Prime Ministers agreed upon. They separately met at the summit and announced that they wanted to influence the EU together to pass measures for stabilizing Libya and central Africa. And yet, until the next summit (and surely afterwards still) the increasing number of landings through summer will keep being an issue that [Italy will have to deal with alone](#). As always, those suffering the EU's incapability to act are the migrants and refugees waiting on a transfer in overcrowded hotspots.

[Ylva Johansson](#), EU Commissioner of the Interior, has also reacted to the landings. She said there should be a 'special solidarity mechanism' for Italy within the framework of the above mentioned pact. Her proposal seeks to organize distribution of the refugees towards the EU member-states directly following rescue operations. This is no real solution however, since we know the consequences: exhausting stand-offs (waiting for the allocation of a safe haven), because no member state

agrees to take the people in and Italy won't let them land beforehand.

Contracts with Tunesia – Algeria deports into the Desert

Ylva Johansson and Luciana Lamorgese, EU Commissioner of the Interior and Italian Minister of the Interior respectively, visited Tunisia on May 20th and met the republic's President Kais Saied as well as the Prime Minister [Hichem Mechichi](#), who is also interim-wise in charge of the Department of the Interior. The bilateral relations are to be strengthened with support of the EU, ideally before summer, to further cement the externalization of European borders. With them they have Italian and European aid packages for Tunisia, to re-start an economy weakened by the pandemic. 'In concert with Commissioner Johansson and together with the Tunisian authorities we have sketched the political guidelines in which the strategic partnership between the European Union and the Republic of Tunisia must develop' said [Lamorgese](#). The Tunisian 'present' on the other hand is supposed to be more flexible repatriations and stricter coast controls. According to these measures of deporting refugees to Tunisia, two flights with altogether 80 persons – just like before the pandemic – are planned for each week. Other mutual defence mechanisms are in planning.



Road from Tunis to Tripoli

In [Algeria](#) we can see what happens when refugees are pushed back and have to often spend months in deportation centres. It is common police practice there to transport refugees on trucks or buses into the desert

and drop them about 15 km from the border with Niger. Witnesses testified that some of them get lost and die in the desert while others remain missing. The NGO Doctors without Borders counted only 23.175 persons arriving in the village Assamaka in Niger for 30.000 deportations in Algeria. Despite the signed treaty of the [Malta-summit](#), people are being abused, arbitrarily arrested, and sent to countries where even more violence or persecution awaits them.

What results did the abolition of the Security Decree have?

When a [new migration law](#) finally took the place of the 'Salvini decrees', the network [Europasilo](#) took stock of the change. 'Despite the proclamations these last few months not much has changed since the era Salvini. What has been done by the central administration up until now is in complete contradiction to what has been promised, and therefore the preference of the large centres continues unabated,' says Gianfranco Schiavone of the Italian Solidarity Consortium (ICS) in Triest. There is actually supposed to be just one system with identical services for asylum seekers and recognized refugees, 'but instead each asylum seeker will be treated differently according to the facility that takes him in' he adds. Large centres with bad services continue to be financed instead of allocating resources towards smaller centres.

A [monitoring project](#) on the allocation of protection status in 15 Italian cities does not come to a better conclusion, either. 'Sadly, it turns out that the new law has not been enacted, which led to serious procedural problems. Concretely, hundreds of people who have already suffered under the consequences of the 'Security Decrees' continue to be in a dangerous juridical limbo, namely in Italy.' The Swiss refugee relief and borderline-europe will publish a report on this topic shortly.

CRIMINALIZATION ON LAND AND SEA

The Criminalization continues

As already reported in our [last Sciocco](#), the criminalization of people helping refugees continues on land and sea. Mimmo Lucano, former mayor of Riace (Calabria), and his [inclusion project Riace](#) were a thorn in the politician's side. Now, the state prosecution for Locri wants him to serve [eleven years and seven months](#) in prison. For his partner, the prosecutor demanded four years and four months. They are accused of abuse of administrative authority, establishment of a criminal association, aid towards illegal immigration and more. Lucano's replies that sentences are 'so high because it is one more proof that Riace and the model we have built are frightening. It was a political ideal that they want to destroy. It is no coincidence that it began in 2016, when [...] the doors for criminalization of solidarity were opened in Italy and Europa. Salvini came afterwards and finished the job.' Napoli's mayor, Luigi Di Maio, is shocked: 'I respect the autonomy of the judges, but I am speechless. The humanity of a just man will not be stopped. We are proud to stand on the side of Mimmo, a symbol of Calabria against Mafia and violence.' The last word, says Lucano, has not yet been spoken.



An investigation by authors of [The Intercept](#) shows very clearly how the former anti-mafia

pool is now being used to fight so called illegal migration. Not only NGOs for sea rescue, rather the migrants themselves are being criminalized. According to the authors, five days after the start of Mare Nostrum in 2013, Franco Roberti, then boss of the anti-mafia pool, began a plan: a string of high-level coordination meetings between the highest levels of the Italian police, Navy, Coast Guard and Department of Justice took place. Under the leadership of Roberti these meetings continued for four years and eventually encompassed representatives of Frontex, Europol, an EU-military operation and even Libya. It became more and more obvious that the NGOs disrupted the plan to identify so called people smugglers due to them not giving any information to the police. For the first time, they discussed how they could rein in the NGOs for sea rescue, and several state prosecutors began their own investigations.

Good news however come from the Italian-French border. Already in mid-March activists [Sara Hamssaoui and Marcel Horstmann](#) were acquitted of aiding illegal immigration. The issue dates back to June 26th, 2017, when the municipality Ventimiglia ordered the evacuation of camps in the region of Gianchette where about 400 migrants were living in the wild creek of Roja. Consequently, they began trekking to the French border. Hamssaoui and Horstmann had provided material and medical aid and were accused of having also led refugees across the border. The pre-examination judge disagreed and denied the application to open trial.

THE REFUGEE'S SITUATION

Racist assaults pile up

Sadly, refugee's lives aren't only made miserable by the authorities. Racist rampages and protests by right-wing groups and individuals too are again becoming noticeable more frequently.

Rescued persons weren't greeted with open arms at the last landings of the Ocean Viking on May 1st and the SEA-EYE 4 on May 21st. Instead, those rescued on the SEA-EYE 4 were

confronted with [racist comments](#) by local authorities during debarkation and medical checks. And the Ocean Viking, sailing under Norwegian colours, was challenged with a large banner by the [right-wing CasaPound](#), on the pier, to continue on to Norway.

But it can be worse, as the death of 23-year-old Guinean [Musa Baide](#) in northern Italian Turin shows. Musa asked three people for alms. Instead of simply giving him a few coins, they beat him so bad that he had to be brought to the hospital with numerous injuries and a facial trauma. When they realized that he didn't have official documentation, he was brought to a [repatriation centre](#) to be deported to Guinea. Conditions in the centre, which could also be called a prison, are unconscionable. Musa had neither access to an open area where he could see the sky nor to a phone. He couldn't stand it and took his own life. After he became the victim of a violent racist attack on the street, he should have been given medical care and brought to some centre. But instead, he was treated as if he was the guilty offender.



Former pre-deportation detention Serraino Vulpitta, Trapani

Truly guilty on the other hand and now actually sentenced to twelve years in prison by the Supreme Court is Luca [Traini](#), who, in Macerata (Region of Marche), began shooting at any dark-skinned people indiscriminately out of his car in 2018. Unconscionable however is the defense's plea: 'Traini's behavior does not show racist hatred. [...] It could have been yellow people or red-skins just as well and it would have been the same. There was no massacre, because the crime demands the indeterminacy of the victims.' The court

however recognized racism as an aggravating fact.



Foto: ying-ge-wr0R2mhgoRs-unsplash

[Custody pending deportation not effective](#)

Criticism of the Italian repatriation centres (CPR) is growing. It was validated again when several centres in Italy were observed over the course of a year. [Mauro Palma](#), President of the National Guarantor of People's Rights, established a 'lacking efficiency' of the system. According to Palma, sanitary conditions as well as the primitive architecture needed to be regularly controlled and improved. Furthermore, social areas and the possibilities for respective religious practice were lacking. On top of this, in most centres cell phones aren't allowed, just as in the case of Musa Baide (above). This violates the detainee's right to [freedom of communication](#). How problematic this ban is can be seen in the case of one asylum seeker, who couldn't contact his lawyer before the hearing and thus had no chance to use his services. The report concludes that freedom of communication to at least certain persons, like lawyers and family, has to be provided and has to mean the possibility of having a cell phone. A helpful judgment, certainly, but of course it doesn't address the more fundamental problem of the deportation prisons. Here is the [report](#).

[Euromed Rights publishes report on repatriation-mania](#)

EuroMed Rights – a local NGO with the goal of supporting human rights and democracy on both shores of the Mediterranean – has

published an investigation into what they call the ‚[repatriation mania](#)‘ of several countries. The report gives an overview of current repatriation policies and practices in the Euro-Mediterranean region and highlights the human rights violations committed in the course of this ‚repatriation-mania‘ in member states, EU institutions and third countries. The report focuses on repatriations from Turkey and Lebanon to Syria as well as repatriation treaties between Italy and Tunisia, Spain and Morocco, and France and Morocco. Moreover, it addresses repatriations from Germany and Italy to Egypt.’ Chapter 4 covers [repatriations from Italy to Tunisia](#).

You can also read our [Corona-Updates](#) and our [Central Med Info](#) on our homepage!

Translation by Christian Lamp

Contact

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