

borderline-europe, Sicily

# SCIROCCO

*News from Italy*



Scirocco [ʃiˈrɔkko-Schirokko] is a southeastern, hot strong wind that carries dust and sand across the Mediterranean to Sicily and up to Italy's north often for a few hours only. This newsflash has been published on an approximately bi-weekly basis since March 2021.

## Political and social situation

### Memorandum between Italy and Albania

Italian Prime Minister Giorgia Meloni has signed a [bilateral agreement](#) (Memorandum of Understanding, MoU) with Albanian Prime Minister Edi Rama (we reported [here](#)). The MoU envisages that Italy will bring asylum seekers rescued in the Mediterranean to Albania for their asylum procedure. Further details have now become public: Italy commits to pay 16.5 million euros a year to accommodate refugees in facilities in north-western Albania. The agreement will have a duration of five years, with the possibility of automatic renewal for another five years. In addition, a 'guarantee fund' of 100 million euros will be set up to cover all Albanian expenses for the centres, including security, health, and transport costs. Italy will also pay for the construction and management of the centres, as well as for staff and transport between the Mediterranean, Albania and Italy. Security outside the centres will be provided by the Albanian police, while the staff inside the centres will be provided by the Italian authorities. The protection seekers will stay in Albania for a maximum of 28 days, after which they will either be returned to their country of origin or transferred to Italy. The MoU also stipulates that migrants will not be allowed to set foot on Albanian soil during or after their stay in the reception centres. Extracts from the agreement can be found [here](#).

Moreover, [Giovanbattista Fazzolari](#), Undersecretary of State for the Presidency of the Council, has announced that protection seekers could be detained in Albania for up to 18 months. This corresponds to the length of detention in the Italian CPR (Centro di permanenza per i rimpatri, deportation detention centres).

The main points of contention in the debate over the MoU between Italy and Albania, which has now involved numerous individuals and institutions, are

whether the deal is compatible with EU law and how it will affect the protection of refugees' human rights.



Photo: Hansjörg Keller on [Unsplash](#)

The [Italian opposition](#), in particular the Partito Democratico (PD), criticised the agreement as illegitimate on the national and international level and called for a parliamentary vote. There are concerns about the legality and financial feasibility of the agreement. Others share the former point of criticism – see for example the commentary by Fulvio Vassallo Paleologo in the Italian daily newspaper [Il manifesto](#), his [position paper](#) "A Memorandum of Understanding with Italy - opaque, inhumane and without legal basis" or the joint [appeal](#) of numerous non-governmental organisations in Italy. They are calling on Parliament not to ratify the agreement, stating it violates the rights of refugees.

According to EU Commissioner for Home Affairs [Ylva Johansson](#), the agreement would not violate EU law if it was applied in cases of rescues on the high seas, outside EU territorial waters. EU asylum law and the Dublin-III-Regulation only apply to rescues in European waters. This contrasts with the rescue practice of the Italian Coast Guard and the Guardia di Finanza, which operate almost exclusively in Italian territorial waters. Since the Italian rescue operation Mare Nostrum, rescues on the high seas have not been carried out by the Italian authorities.

However, the Council of Europe Commissioner for Human Rights, [Dunja Mijatovic](#), expressed concern about the impact on search and rescue operations,

fair processing of asylum requests, identification of persons in need of protection, possible automatic detention without adequate judicial control, as well as detention conditions and access to legal support. The MoU reinforces the worrying European tendency to externalise asylum responsibilities and raises important questions regarding the human rights of refugees, asylum seekers and migrants, Mijatovic stressed.

The idea of externalising facilities for asylum and reception procedures to Albania is not new. The EU considered similar plans [in 2018](#), but they were stopped by the [EU Commission](#) at the time. The new MoU is also similar to the [UK's](#) plan to fly asylum seekers to Rwanda during the process, and even to accommodate them there rather than in the UK if they are granted asylum. This plan was also recently [found unlawful](#) by the High Court in London. It becomes clear that European states are not shying away from illegal arrangements in order to seal themselves off from migratory movements.



Photo: Hédi Benyounes on [Unsplash](#)

## European Politics

After Italy and the UK presented their plans to externalise asylum procedures to so-called third countries (countries not belonging to the European Union), [Germany](#) is also planning to evaluate the possibility of such centres. This was decided at the last migration summit and follows the German government's approval of the Common European Asylum System (CEAS) and the 'Migration Package 2'. German Chancellor [Olaf Scholz](#) declared the MoU between Italy and Albania to be "the basis for similar agreements between other countries" in order to reduce "irregular migration". In this context, he also [referred](#) to the EU-Turkey deal negotiated by then-Chancellor Angela Merkel in 2016, which has

since led to repeated disputes between states and threats to refugees and migrants. The deal has [been heavily criticised](#) for years for its impact on the rights of refugees. [Austria](#) is also trying to reach an agreement based on the 'Rwanda model' for the deportation of asylum seekers to third countries. To this end, Austrian Interior Minister [Gerhard Karner](#) signed a 'migration and security agreement' for closer cooperation with his British counterpart Suella Braverman.

## Decreto Cutro

The Piantadosi Decree ("Decreto Cutro") is to be confirmed as Law No. 50 on 24 November by a [forced vote of confidence](#). Among other things, it increases prison sentences for people convicted of smuggling.

## Profit from the suffering of people seeking protection

Multinational companies make millions from the detention of migrants. In six of the ten Italian CPRs, where hundreds of migrants are detained without having committed a crime, a total profit of 53 million euros was made between 2018 and 2021. The privatisation of detention is one of the phenomena that is discussed in the ["Trattenuti" report](#), published by the NGO Actionaid after a year and a half of studies and research in collaboration with the Department of Political Science at the University of Bari. According to the report, CPRs are profitable for companies because they "reduce costs and maximise profits through 'savings' on health checks, training, food and quality of housing". This perfidious finding once again sheds light on the many dark sides of the European migration and asylum system.

## Situation of Migrants

### Unaccompanied minors

In this [short essay](#), Mariano Turigliatto, as Muha's legal guardian, recounts his difficult journey to Italy and his failure in the face of Italian bureaucracy. Muha arrived on Lampedusa in early 2021, physically and psychologically scarred by a long and traumatic journey from Ethiopia, where he had fled the war in the Tigray region. On Lampedusa, he was mistakenly registered as an adult and sent to a CAS (Centro di Accoglienza Straordinaria, engl.: emergency reception centre) in the Cuneo area,



where he lived for almost a year with adults of many nationalities. The prefecture later recognised that he was a minor and referred him to the juvenile court in Turin, which assigned him a legal guardian. He went to school, participated in social activities, and was granted refugee status and a residence permit that will allow him to live in Italy for the next few years. Muha speaks very good English, so it is not difficult to communicate with him. "It is his silence with the ghostly eyes that makes communication difficult," says Muha's [legal guardian](#). To increase his protection and support him on his journey, the guardian and the social services decided to apply for his administrative continuation under the Zampa Law, which allows minors to remain in the care of the social services until the age of 21 to complete their education and integrate into the labour market and society. This request was accepted, but now Muha has disappeared, "the bureaucracy has defeated him too," says Turigliatto.

The [CAS Coordination Council](#) in Turin has called for a solution to be found for the accommodation of unaccompanied minors. According to official data, around 1,000 refugees arrive in the Piedmont region every week and face "unreasonable and long waiting times" for their registration at the Migration Office. The CAS itself lacks staff, structures, and logistics, which means that there are still too few places for minors, who are therefore accommodated in centres for adults. In other regions, the situation is no better, with the result that unaccompanied minor refugees are sometimes placed on a waiting list for accommodation or are not accepted at all; around 23% have to be accommodated in private housing.

The number of minors accommodated in first reception centres is only one in five. "The reality of the accommodation of minors in centres," said the coordinator of the Immigration Commission, [Nunzia Albano](#), during a hearing of the Parliamentary Control Committee, "is not based on a single system, but on a poorly coordinated series of different types of reception centres".

On 30 September 2023, there were 23,531 unaccompanied refugee minors registered in Italy, including a particularly high number from Ukraine,

Egypt, Tunisia, Guinea, and Gambia. Sicily is the region that has received the largest number of refugees this year, with a significant increase compared to 2022. "In terms of age," said a [representative of the Sicily region](#), "41.3% are 17 years old, 24.9% are 16 years old, 11.1% are 15 years old and 22.7% are under 15 years old."

### **Accommodation of migrants**

After a long delay, accommodation for 250 seasonal olive harvest workers has finally been reopened in Campobello di Mazara. The reopening of the temporary camp in [the former Fontane d'Oro oil mill](#) had been delayed due to difficulties in raising funds. The Italian Red Cross (Castelvetrano Committee) has taken over the management of the camp and responsibility for the medical care of the seasonal workers. In recent years, Campobello's poor infrastructure has led to the construction of makeshift settlements and poor hygiene standards (see the [2022 issues](#) of this newsletter).



*Photo: Levi Meir Clancy on [Unsplash](#)*

Refugees in [Trieste](#) are still waiting for accommodation (we report regularly [in this newsletter](#)). The average waiting time for international protection and a place in a reception centre is 2 months, which usually means living homeless in makeshift camps during this period. Pakistanis, Afghans and Bengalis are particularly affected by this intolerable situation.

## Consequences of inner-European borders

Our organisation's work usually focuses on the EU's external borders. But even after crossing the central Mediterranean, many migrants continue to make dangerous border crossings within the EU.



Photo: Florian Cario on [Unsplash](#)

The many border closures within the Schengen area (see issue [20/2023](#) of this newsletter) make this dangerous journey even more difficult. To get from Italy to France, for example, people seeking protection are repeatedly forced to cross the Alps. Low temperatures and snowfall make this route extremely dangerous, especially in autumn and winter. As recently as mid-November, [8 migrants](#) were rescued in the Alps while trying to cross. This [is not an isolated incident](#). Due to the lack of legal entry routes, [rescues like this](#) are needed regularly. Legal routes into the European Union would prevent such dramatic and often deadly situations. The European policy of sealing off and criminalising people seeking protection and solidarity networks, increases the dangers of flight and subsequent precariousness.

For more information on the situation in Italy, see „Projects“ on our [homepage](#) and previous issues of [Scirocco](#).

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