



Scirocco
borderline-europe, Sicily –
Part 07/2023
Palermo, 12.04.2023



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

Political and social situation

ECtHR sentenced Italy

The European Court of Human Rights ordered [Italian authorities](#) on the 30th of March 2023 to pay compensation to four Tunisian migrants. In October 2017 the Tunisians were expelled from Italy and returned to Tunisia after staying for ten days in the Lampedusa hotspot.



Lampedusa Hotspot

The ECtHR considers the plaintiffs rights being violated under three articles of the European Convention on Human Rights: first of all **Article 3 "inhuman and degrading treatment"** at the Lampedusa hotspot due to the disastrous hygiene conditions and lack of space.

Article 4 "Prohibition of collective expulsion of foreigners" in particular had been violated as there was

no case-by-case examination by individual interrogations and the migrants were also deported together which [corresponds to a collective expulsion](#). The people which were affected by this did not receive any information and were forced to sign documents (the expulsion order) they did not understand.

Article 5 concerning the **"right to liberty and security"** is not guaranteed by the fenced-in establishment as the migrants could not leave the hotspot to communicate with authorities. This judgment is paramount for upcoming similar lawsuits regarding the rights of refugees and migrants, especially since the Italian authorities have not denied the contested problems of the hotspot. Besides this, the established deprivation of liberty and the contested lack of legal basis for the de facto arrest of ten days are an important step against the discriminatory treatment of refugees in Lampedusa. Borderline Sicilia described the repatriation of Tunisians from Italy as a ["perfect machinery"](#). The joint agreement declares Tunisia as a "safe" third country which makes it easier to deport Tunisians.

Bilateral relations Italy Tunisia

After already having reported on Italy's bilateral relations with Tunisia and Libya in [Scirocco 1, 2, 3 and 5](#), the so-called [nine-point plan](#) of the Italian government envisaged now a stronger dialogue with these countries. [The purpose of the plan](#), which has been discussed at the latest Council of Ministers meeting on migration on the 4th of April with Prime Minister Meloni, Infrastructure Minister Salvini as well as Interior and Foreign Ministers Piantedosi and Tajani and other

stakeholders, is to reduce immigration towards Italy. In order to achieve this goal, beyond the already mentioned intensification of dialogues, the strengthening of existing agreements with Balkan states and the support of African countries are planned. Therefore the "priority" is to help the "befriended" nation Tunisia in this difficult situation. The Italian Interior Ministry also confirmed that a [phone call](#) had taken place between Interior Minister Piantedosi and his Tunisian counterpart Kamel el-Fekih. In which both assured each other support and increased cooperation to reduce the number of people leaving Tunisia and to facilitate "readmission" due to the rising numbers of irregular migrants. Within the first three months of this year Tunisia was the [main country of departure](#) (15.537 people) reaching Italy by sea.

Lampedusa transfer strategy

The situation in the hotspot remains alarming. According to the former mayor of Lampedusa Salvatore [Martello](#) it has even become worse because the Italian government fails to "regularly bring the migrants to Sicily and from there distribute them among the Italian regions". In order to change this the Ministry of the Interior plans to call in ships and aircraft from the Ministry of Defence in the "[most critical moments](#)" - namely when the number of people in the hotspot increases. In addition, the number of CPRs (custody pending deportation) is to be increased. The goal is at least one CPR [per region](#). The Ministry of the Interior does not envisage tent camps or the use of private property for the reception of refugees and migrants.



Alexander Grey, unplash

EU asylum reform - chaos caused by Italy

On the 28th of March the European Parliament voted on some parts of the [new pact on migration and asylum](#). Within this the main topic was to [update the rules for asylum procedures](#) in particular the reception, registration, distribution and deportation of migrants and border controls. The [newly adopted screening procedure](#) shall ensure the complete registration of all people entering the country without permission. Additionally, they should pass through a security check. The law's aim is to make the states at the external borders, also [Italy](#), to take more responsibility. This includes for example tasks such as detaining people in camps in order to ensure an accelerated asylum procedure by quick deportation at the border. However due to these additional demanded obligations the Italian

government insists on the help of other EU states to welcome more refugees.



Daniel Schludi, unplash

In an interview with the local Italian newspaper *Messaggero Veneto* [Giorgia Meloni](#) claimed that Italy's migration policy guided a new direction in Europe. She claimed that Brussels agreed with her on controlling the Mediterranean routes and to stop unauthorized entry. The leader of the Italian Democratic Party PD [Elly Schlein](#) however disagreed on this: she made clear that the European Council has so far [not implemented any concrete measures](#) from [the draft submitted by Italy](#) to the EU summit. Meloni had not even submitted the draft on the migration issue at the Council meeting in Brussels. Instead the issue was initially [postponed](#).

The declaration of "migrant emergency"

The Italian Council of Ministers decided to [declare the "migration emergency"](#) on the 11th of April. The reason for this was the increased number of refugees arriving to Italy over sea. Initially five million euros are made available to help during the next six months. A state of emergency allows the government to take quicker actions without following the required legal process. On one hand this can provide quick solutions in situations of crisis such as in Lampedusa but on the other it opens

the door to arbitrary regulations that could affect the situation of refugees and migrants negatively.

Situation of the refugees

Cutro

The number of victims of the shipwreck in Cutro has increased to [93 people](#). While the rescue forces continued their search on water and land, Germany welcomed [32 of the surviving migrants](#). They landed in Hamburg in the morning of the 31th March 2023 on a charter flight from Crotona, which was organized by the IOM (International Organisation of Migration). The people who arrived in Hamburg applied for international protection and can from now on proceed with their asylum procedure in Germany. Besides this, the taking of evidence of the testimonies of [20 survivors of the shipwreck in front of the court of Crotona](#) has already begun. The testimonies are there to help to clarify the responsibility of two people who are accused of smuggling. During this trial however the attention is not being focused on the most important issue: How far are the Italian authorities, including Italian customs and the Italian Coast Guard, responsible for not providing immediate rescue? We already reported on this case in our [February CMI issue](#).

The Bologna Convention

An [agreement](#) was signed in Bologna to expedite the process and renewal of residence permits. The new agreement allows to simplify the administrative procedures for the admission of migrants. A new project was also launched by UNICEF and the EU Commission's Directorate-General for Migration and Home Affairs (HOME). The project "[PROTECT](#)" aims to strengthen the

protection and integration of more than 20.000 minor refugees and migrants in Italy. Therefore, the Plan is to increase the capacity of the admission system and to strengthen family- and community-based institutions. If this concept will actually be implemented is yet to be seen.

On our own account:

The mirage of special protection

"We are sorry, at the moment there is nothing we can do for you" - these are the words migrants have to hear increasingly since the massive restriction of the "protezione speciale". The elimination of big parts of this title of special protection is blocking mainly the lives of those who already started to build one in Italy. "The mirage of special protection" is the title of the [new article](#) of our monitoring project with the organization Porco Rosso.

Tunisian Diary Part 2

The [second part](#) of our Tunisian diary reports the serious consequences of the racist speeches of the Tunisian president for migrants and refugees. The German version of the diary will follow in a few days.

Find more information on the situation in Italy and previous issues of the [Scirocco](#) under "Projects" on our [homepage](#).

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