

borderline-europe, Sicily

# SCIROCCO

*News from Italy*



Scirocco [ʃiˈrɔkko-Schirokko] is a hot, strong south-easterly wind that carries dust and sand across the Mediterranean to Sicily and northern Italy, often lasting for just a few hours. This briefing note has been published regularly since March 2021 and is currently issued on a monthly basis.

## Political and social Situation

### The first round – the disaster of the Italian policy of externalization to Albania

The Italian government carried through its plan and **moved the first 16 people to Albania**. A highly symbolic step by the Meloni government, which has received strong criticism. After four people - two minors and two people with special needs - who should not have been brought to Albania at



Photo: Piergiuliano Chesi, CC BY 3.0

all, had to be returned to Italy by the Italian coast guard, **the detention was not extended for the remaining 12 people either**.

The government's expensive and politically controversial plan raises many questions, including its legality and

effectiveness. Our article on the current developments and [all the details can be found here](#).

### Border centers in Italy

The legality of the border centers established by the Italian government under the Cutro Decree remains unresolved. [According to the decree](#), migrants who have arrived in Italy irregularly, come from so-called "safe countries of origin" and are "non-vulnerable" to undergo a fast-track procedure, are to be transferred to these centres. This means that primarily young men will be affected. They are to be detained for the duration of the asylum procedure so that they can be deported immediately, according to the Italian government. This process shows once again the Meloni government's persistent policy of criminalizing flight and migration.

After the **first attempt to establish a border center in Pozzallo-Modica was blocked by judges in Catania**, a new border center was set up in Porto Empedocle in mid-August, where jurisdiction falls to

the court in Palermo. However, **the court in Palermo also rejects 90% of applications** for the detention of migrants. The apparent automatism desired by the government - safe country of origin equals border centers - is unlawful. Each case must be examined and confirmed individually by the competent court, and most judges in Palermo declared the detention of migrants to be unjustified. The detention of refugees in border centers should only be ordered as a last resort, which is not necessary in most cases. In addition, [the court in Catania has decided](#) that both Egypt and Tunisia cannot automatically be classified as safe countries of origin for all people (more on this in the Albania section).

Another unclear element in the decree of the border centers is a deposit of almost 5,000 euros, which asylum seekers are supposed to pay if they do not want to undergo the asylum procedure in a border center. Following a complaint, the legality of this deposit was to be reviewed the Italian court. However, the government avoided the examination by withdrawing the law, presumably fearing that the court might rule the Cutro Decree unlawful, which could jeopardize the government's plans in Albania. So instead of undergoing a legal review, a new law was passed that allows the competent judges an 'individual' determination of the amount of bail, now ranging between 2,500 and 5,000 euros, instead of the previous 5,000 euros. Nonetheless, it remains questionable whether this will resolve the issue of detention in such centers, as **the recent ruling by the ECJ** – see our editorial on the center in Albania – regarding so-called safe countries of origin could challenge the entire system of accelerated border procedures.

Nevertheless, the government is not giving up: After the border center in Porto Empedocle was set up at high speed in July 2024, the government is now planning to [open two more Sicilian centers](#) in **Augusta and Trapani**. Although the legal basis for these centers remains unclear, a budget of 16 million euros has already been approved for both centers, which are due to open at the end of 2024.

## Open Arms against Salvini – the last round

In 2019, the Open Arms rescued 163 people from distress at sea in three missions, but the then Interior Minister Matteo Salvini refused to grant permission to enter a safe harbour for 21 days. It was only after 12 desperate individuals had jumped into the sea that the ship was finally allowed to come ashore. Open Arms then filed a lawsuit for deprivation of liberty and abuse of authority. From the point of view of the public prosecutor's office in Palermo, [Salvini bears full responsibility](#). Deputy public prosecutor Marzia Sabella and her colleagues Gery Ferrara and Giorgia Righi are **demanding a six-years prison sentence** for the former Interior Minister, who is now Minister for Infrastructure and leader of the right-wing Lega party.



Photo: Open Arms

The Salvini Open Arms trial goes beyond party-political controversies and mutual accusations of interference between politics and the judiciary. Above all, it raises the **important ethical and political question** of the contradiction between the defence of national borders and the obligation to provide humanitarian assistance. The verdict is scheduled for 20<sup>th</sup> of December 2024. More on the Open Arms trial against Matteo Salvini [can be found here](#).

## DDL Sicurezza – the new safetydecree

In September, the government **issued a new 'security' decree**, the so-called DDL Sicurezza. The decree, which was confirmed by parliament on 18<sup>th</sup> of September and is now to be reviewed by the Senate, **targets migrants and the opposition by criminalising civil resistance**. Specifically, **SIM cards**

may only be sold to people with a residence permit. This is clearly discriminatory. High penalties are also to be imposed on those who pass them on illegally and on those who sell them legally but have not checked them sufficiently.

However, the most alarming aspect is the penalties introduced **for protest actions**. The new decree therefore not only affects already marginalized groups, such as migrants, but the society. In addition, protest actions, both active and passive resistance, in CPRs (Centri di permanenza per i rimpatri – deportation detention centres) are punishable by up to 20 years in prison. This is particularly critical as there are repeated protests in the CPRs due to the inhumane conditions (more on this in our last issue). The **criminalization of protest** also applies to 'revolts' in prisons and road blockades. In addition, similarly high prison sentences are being introduced for occupying buildings. In summary, the government is attempting to further criminalize the opposition, marginalized groups and, above all, migrants. At the same time, the police forces are to be better funded but without introducing basic mechanisms that could protect against potential abuse of the monopoly on the use of force.

The **'security decree' has also been criticized**. According to lawyer Patrizio Gonnella, the new law is **'the biggest and most dangerous attack on freedom of protest in the history of the Italian Republic'**. There are loud protests against the new law on the streets of the country's metropolises. The draft has been examined by the various [Senate committees](#) and they have now until 7<sup>th</sup> of November to demand amendments, which the opposition is expected to do.

## Presidential elections in Tunisia

In Tunisia, long-standing autocratic **President Kais Saïed** was re-elected, securing an impressive **89.2% of the vote**. Yet, Saïed had virtually no real competition, as members of the opposition have been persecuted on a massive scale for some time. For example, [Abir Moussi](#), prominent opponent of Saïed, was recently arrested. The undermining of Tunisia's democracy, the 'only democracy of North Africa', basically began when Saïed dissolved parliament by decree in July 2021

and imposed a constitution with a stronger presidential focus. Under the guise of democratic elections, the president merely tries to legitimize his power, just like many other autocracies. Nevertheless, Tunisia remains an important partner for the EU and Italy as a gatekeeper to the EU.

### Situation of refugees

The government reforms aimed at further restrict the rights of refugees and migrants will have a drastic impact on their already precarious living conditions. Within a reception system that allows very little humane inclusion in our society, leading to daily exploitation and criminalization, the situation of refugees in Italy presents a bleak picture. Nevertheless, we also want to highlight hopeful events that remind us all that the fight for human rights is far from lost.

### Compensation claims against doctor after death of refugee

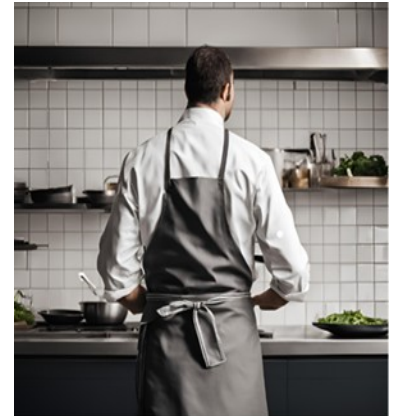
Fatoumata Bamba, a 26-year-old Ivorian woman and mother of two children, arrived in Lampedusa via the Mediterranean Sea on February 18, 2023, and died of a pulmonary embolism just a few hours after her arrival. [Her death could have been avoided](#). This is the verdict of the public prosecutor's office, which has filed a complaint against Carlo Lotà, the doctor treating Fatoumata. Lotà is said not to have carried out any examination, not even the most essential measurement of vital signs, while Fatoumata was already showing alarming respiratory symptoms that could have indicated an impending pulmonary embolism. Instead of fulfilling his medical duty, Lotà decided to wait and see - a fatal mistake. The lawyers of Fatoumata's husband are now claiming damages of almost 400,000 euros. An important and significant step towards justice, especially for those whose fates are so often forgotten.

### Precedent Rashid

Like many other migrants, [Rashid](#) crossed the Mediterranean to Italy in 2017. He had previously fled from Bangladesh to Libya, where he hoped to work as an electrician to support his family, who remained in Bangladesh. But the inhumane

conditions in Libya eventually forced him to flee to Italy.

Rashid initially lived in precarious conditions in Sicily and was unable to build a stable life despite working hard. Family reunification seemed impossible, but he fought for it. After obtaining a residence permit, he



moved to Bologna and found work as an assistant cook. When his residence permit expired in 2023, new restrictions under the so-called Cutro Decree made it difficult to renew it and he was at risk of becoming irregular or even being deported. However, thanks to the support of the CGIL trade union and the work of lawyers, Rashid was able to assert his right **to convert the special protection permit into a work permit in court**. This is now only possible with very good legal assistance and affects many refugees.

He has not only been able to create a future for himself, but also set an important precedent for many other refugees and migrants who are at risk from the repressive regulations of the Italian government.

### Initiative of the Human Safety Net and Generali

The initiative of the [Humanity Safety Net und Generali](#) is addressing what the government is failing to do: a new program aims to support 300 refugees and migrants in Italy to enter the health and social care sector through training and job placements. The goal is to meet the increasing demand for nursing staff due to demographic change and to promote the integration of migrants.

Even if this project is admirable, it is important to critically question the significance of such initiatives in the current political context: why are refugees and migrants dependent on such projects at all? The answer is clear: **the deliberate criminalization and lawlessness leaves many migrants without perspectives**. If the government were to focus less

on populist and ineffective projects such as the Albania deal, funds could be invested more sensibly in better reception structures. There would be no need for projects like these, which ultimately only reach a few people. Human dignity should not be a game of chance, but the fundamental right of every person.

### **Arci Porco Rosso and borderline-europe monitoring project: The harvest workers return to Campobello**

Our monitoring partner [Arci Porco Rosso](#) writes about new and old problems of an unsustainable life in seasonal work. The camps in Campobello di Mazara, located on the western coast of Sicily and known every year for **the unbearable conditions of the olive harvest**, are once again an issue this year. People come from far and wide to earn a sparse living here, but this year's drought is ruining the harvest.

Further information on the situation in Italy can be found under „projects“ on our [Homepage](#), in previous issues of [Scirocco](#) and in our [Spotlight „Kosmos Palermo“](#).



[Here](#) you can listen to our podcast from Italy!

Contact

---

[borderline-europe](#)  
**Menschenrechte ohne Grenzen e.V.**  
<https://www.borderline-europe.de/>  
[italia@borderline-europe.de](mailto: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 to English: Fanny David