

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

### Italy-Albania deal - the second attempt fails

The Italian government's first attempt to bring migrants to Albania for an externalized fast-track procedure in border centers had already failed in October 2024 (more details [here](#)). Nevertheless, on November 8, the government under Meloni again sent [eight people](#) to Shëngjin in Albania on the military ship LIBRA. One of the eight was deported to Italy on the same day due to his state of health. The other seven, again people from Bangladesh and Egypt, were taken to the remote detention center in Gjadër, according to the government's plan. There, the asylum applications of five people were immediately rejected in the accelerated border procedure. However, this time too, the judges responsible for the detention review in Rome refused to detain all those affected, so they were transferred to Italy and placed in a CARA (more on the centers below), where they can appeal against the asylum decision.

However, the [justification for the transfer](#) of the migrants is different this time: while the first time it was the question of the effective safety of so-called safe countries of origin, this time the court asked whether EU or national law took precedence. After the first unsuccessful transfer to Albania, the Italian government had passed a decree amending the list of so-called safe countries of origin, hoping to have created a nationally applicable template. Still, the Rome court did not agree. Since the decision will take a long time, the detention of the affected individuals was not extended. Nevertheless, Prime Minister [Meloni is not outraged by this development](#) - on the contrary: she seems to be aiming to take decisions on the detention of refugees in border centers away from the "unpleasant" and "politically influenced" Italian judges and have them regulated at European level instead. Such a decision would not only focus on the protection of human rights, but could also be influenced by pragmatic considerations: Should a complete halt to returns actually occur, this would paralyze the EU's entire

migration policy - a scenario that is almost unimaginable. So if Meloni is right, the ECJ's decision could serve as a free pass for the establishment of border centers in both Italy and Albania - depending on how the ECJ decides.



*photo: Libra at the port of Shëngjin*

Despite the Italian government's determination, the [network against the detention of migrants](#) in Albania is mobilizing against the deal. On the first and second of December, they are inviting people to demonstrate in Tirana and in the Shëngjin and Gjadër centers.

Incidentally, the discussion about the Italian centers for fast-track procedures in Albania, but also in Sicily, is by no means a purely Italian initiative: border centers are a central component of the reform of the Common European Asylum System (CEAS), which came into force on 11 June 2024 and must be implemented nationally by June 2026. Border centers in this form are therefore soon to be established at all European external borders. The ECJ's ruling could hence have an impact on pan-European migration policy.

### Musk demands, Meloni orders

At the same time, the Italian government is already trying to intervene in the judicial system and take away the responsibility of the specialized immigration departments of the civil courts to examine migrants in border centers. To this end, a law (the so-called "decreto flussi") is to be amended. In future, the task is to be taken over by appeal courts. However, these courts have neither the necessary specialization nor the capacity to deal with these complex cases, as the detention of

migrants must be confirmed by a court within 48 hours. After Trump's victory in the USA, his right-hand man, billionaire [Elon Musk](#), also spoke out: the Italian judges must be replaced at all costs! This led to loud objections from Italian President Sergio Mattarella, who forbade any interference in Italian state politics. The law also aims to shorten the appeal period for rejected asylum applications [from 15 to seven days](#), enable the deportation of asylum seekers while an appeal is pending and [introduce a secrecy clause](#) to conceal arms supplies and resources for migration control in third countries. It is expected to be adopted on November 25. Critics warn that this attack on judicial independence and the fundamental rights of migrants could be unconstitutional.

### Pressure on the judiciary is growing

Until the ECJ in Luxembourg rules on which law takes precedence, it is still up to Italian judges to decide on the detention of migrants in border centers. So far, they have remained steadfast: both the courts in Catania and Palermo have repeatedly [overturned the detentions](#).

The Italian judges - and, by extension, the rule of law - consequently represent an obstacle for the government in implementing its arguably unconstitutional plans. However, criticism of the judiciary's decisions is not limited to factual disputes, but is increasingly taking the form of agitation and defamation. [Salvini](#) attacked the judges: "It seems clear to me that there is a minority of judges who are harming Italy and the Italians, who are dismantling at night what we are trying to build in the name of security." He also added: "You can't play politics in court, the judge must apply the law, not interpret it."

The pressure that the government is exerting on the judiciary is enormous. One frightening example is Silvia Albano, a judge who decided not to recognize the detention of migrants in Albania. After Salvini's statements, she received death threats and is now under [personal protection](#). Such attacks and intimidation by leading members of the government not only pose a threat to the independence of the judiciary, but also undermine the cornerstones of the rule of law by permanently weakening trust in its neutrality and protective mechanisms.



photo: demonstration in Cutro, March 2023

### New developments in the Cutro case

At least 94 people lost their lives, including 35 children, in the [tragic shipwreck](#) off the coast of Cutro on February 26, 2023. Ten more are missing. The boat had set off from Turkey with migrants on board who were hoping for a better life in Italy. Now three people who have been identified as "smugglers" have been charged. Although they are not "real" smugglers, as [prosecutor Festa](#) claims, they played an active role in the crossing of the passengers. The prosecution is therefore [demanding prison sentences](#) of 11 to 18 years and fines in the millions for multiple manslaughter and aiding and abetting illegal entry.

However, the defendants reject these accusations. [Arslan, 26 years old](#), explained: "I didn't drive this boat, I didn't run away like the real smugglers. (...) I threw myself into the water to save people." He had merely acted as an interpreter when the situation on board escalated. Arslan continued to ask: "Just so I understand this correctly: Is helping vulnerable people considered aiding and abetting a crime?"

Nevertheless, the trial also focuses on the responsibility of other actors: [six officers](#) - four from the financial police and two from the coast guard - are on trial. The public prosecutor's office is accusing them of negligent shipwreck and multiple manslaughter. The charges are based on investigations that showed that the officers passed responsibility to each other in the hours when information about the ship's plight became known. Instead of taking action, they did not initiate rescue measures for over five hours. The coastguard



delegated the task to the financial police, even though they were not adequately equipped for the difficult weather conditions and swell at the time. It was far too late before the Coast Guard finally initiated the rescue.

Still, the defendants received [backing from the government](#). Matteo Salvini further intimidated the judiciary by declaring: "Certain judges should think a thousand times before accusing women and men who risk their lives every day to save the lives of others." This also highlights the imbalance in the treatment of civil servants compared to the accused migrants.

### **Cooperation between Libya and Italy**

On the margins of the [economic forum in Tripoli](#), Prime Minister Giorgia Meloni met Abdulhameed Mohamed Dabaiba, the Prime Minister of the Libyan Government of National Unity, to deepen bilateral cooperation between Italy and Libya. The focus was on jointly tackling "migration challenges". Meloni emphasized the need to step up the fight against human trafficking and to intensify cooperation with countries of origin and transit, as has already been done within the framework of the Rome Process and the Trans-Mediterranean Migration Forum in Tripoli.

The renewed intensification of cooperation between Italy and Libya raises significant human rights concerns, particularly with regard to the impact on migrants in Libya. The rhetoric of "fighting human traffickers" conceals far-reaching consequences. As numerous international organizations have documented for years, through this cooperation, the Italian government is financing a system in which migrants are systematically exploited, extorted, tortured and detained for profit. Instead of fulfilling its responsibility to receive and protect refugees, Italy continues to refuse to do so, helping to perpetuate and legitimize a system in which crimes against humanity are committed against migrants.

## **Situation of refugees**

### **Tunisia abandons refugees in the desert**



*photo: desert at the border between Libya and Tunisia*

In so-called "desert dumps", Tunisian security forces financed by the EU repeatedly abduct migrants by force and abandon them in the desert on the border between Libya and Tunisia. Documents, money, telephones and clothing are often stolen. Even if they are rescued, their future is uncertain, as people from sub-Saharan Africa in particular have few opportunities to obtain protection in North African countries. In addition to countries such as Tunisia, which we have also reported on several times here, other countries such as Morocco and Mauritania are also said to be involved in similar procedures - all countries are funded by the EU in migration agreements. More information can be found in the [podcast](#) and in the [ARD documentary](#).

### **Protests for better conditions in CARA centers**

CARA (Centres for Asylum Seekers) are state-organized (initial) reception facilities for people who wish to apply for asylum in Italy. Ever since they were founded, these collective centers have lacked adequate medical and psychological care. The desolate conditions in Italian reception centers have long been known, but substantial improvements have so far failed to materialize (more on the reception system in Italy [here](#)). This month, these abuses led to new escalations at the CARA center in Bari.

A 33-year-old migrant from the center died in a hospital after attempting suicide. According to residents of the center, the man had received inadequate medical care. Local organizations also speak of the "mistreatment, inhumane living conditions and overcrowded dormitories" that

characterize life in such facilities. The [man's death sparked protests](#) when friends of the deceased were refused permission to see his body.

The [protesters demanded](#) better hygienic conditions, the issuing of documents, more dignified accommodation and, above all, a more efficient organization of the CARA center. They marched towards the prefecture of Bari, where a delegation was finally received by them. According to [reports](#), some protesters entered the military base of Bari-Palese and blocked the access roads to the airbase. The events highlight the urgency of comprehensive reforms in Italy's asylum system.

### **Protests in Siena: An end to the systematic neglect of migrants**

[Protests](#) are also taking place on the streets of Siena: after the police evicted around 30 people - mainly from Pakistan and Afghanistan - from a parking lot in the historic center, resistance flared up. Around 200 people, including representatives of the Democratic Party, the CGIL trade union and local initiatives, gathered in Piazza Duomo to draw attention to the precarious situation. The criticism is directed at the inadequate support for migrants, who often have to wait months to apply for asylum. Despite the availability of places in reception centers, those affected are forced to survive in the open air in freezing temperatures - usually with nothing but a blanket and a few belongings. The local authorities are failing to provide humanitarian aid and are instead treating the problem as a public order issue. But the demonstrators sum it up well: "Being welcomed and sheltered is a right, not a privilege." They are calling for an end to the systematic neglect and a humane solution for those affected.

### **Arci Porco Rosso and borderline-europe monitoring project: Invisible victims - gender-specific violence against refugee women**

The authorities are often not sufficiently sensitized, the anti-violence contact points for help are not known, women who have experienced violence are not taken seriously. Our monitoring partner Arci Porco Rosso writes about the [multiple forms of discrimination experienced by migrant women in Palermo](#).

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Further information on the situation in Italy can be found under "Projects" on our [homepage](#), in previous issues of [Scirocco](#) and in our [spotlight "Cosmos Palermo" \(only in german\)](#).



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[borderline-europe](#)

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<https://www.borderline-europe.de/>  
[italia@borderline-europe.de](mailto:italia@borderline-europe.de)

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