

Beyond the law – human rights violations in Sicilian detention centers

Palermo, 14. January 2025 - Detaining someone who is not even accused of having committed a crime represents one of the most serious violations of civil liberties. Yet this is the reality of migrant detention centers, places where people are forcibly held simply because they are accused of being in national territory without the required documents.

Sicily has two deportation centers (CPR). In Caltanissetta and Trapani, foreigners without the prospect of a right to remain – most of them from Tunisia, which is considered a safe country of origin – are detained until a decision is made on their asylum application in a fast-track procedure or until their deportation is carried out.



We have already reported in detail on the practice of administrative detention but the issue has become more urgent in recent months. There are new, alarming reports of human rights violations in the institutions run by private organizations, which are reminiscent of psychiatric hospitals of the previous century: psychoactive drugs are said to be administered to inmates in a medically unjustified manner, with the sole purpose of keeping them quiet.¹ The people live in degrading conditions, crammed into a confined space: in Trapani, for example, there were at times up to 140 people in an area designed for 40. Detainees are so isolated on site that it is impossible for them to apply for asylum unless they have already been in contact with a lawyer before being admitted and communication with the outside world in general is extremely hindered, as detainees are not allowed to use their own phone. The European Committee for the Prevention of Torture and Inhuman Treatment recently identified cases of physical abuse and excessive use of force against detainees in four Italian CPRs outside of Sicily, criticizing a total lack of independent monitoring and recording of such violations.² These findings correspond to statements made by detainees in Sicily we have spoken with. People can be detained for up to 18 months under these conditions according to new legislation.³

It is no wonder, then, that detainees rise up against these terrible conditions, attacking the facility premises, as happened in Trapani in January 2024.⁴ But instead of examining the violations of human rights, the Italian government has responded by tightening criminal law. A recent bill, approved by the Italian Chamber of Deputies in September 2024⁵, provides for sentences of up to 20 years for people who instigate and carry out protests against deportation centers or prisons. Even though it is likely that the law will eventually be rejected by the Constitutional Court on many points for violating fundamental rights, foreign detainees may well be criminalized in the meantime.

¹ Lorenzo Figoni & Luca Rondi, Gorgo CPR, p. 71.

² <https://www.coe.int/en/web/cpt/-/anti-torture-committee-publishes-report-on-ad-hoc-visit-to-italy>

³ <https://www.gazzettaufficiale.it/eli/id/2023/09/19/23G00137/sg>

⁴ <https://ilmanifesto.it/inferno-cpr-a-trapani-rivolte-e-trasferimenti>

⁵ <https://www.senato.it/leg/19/BGT/Schede/Ddliter/57875.htm#:~:text=Dati%20generali.%20Testi%20ed%20emendamenti.%20Trattazione%20in%20Commissione.>



And there's more: the Italian government is now trying to raise its international profile by exporting the illegal practice of CPR detention to the non-EU country of Albania as a pilot project. Previously, courts in Palermo and Catania had ordered the release of detainees of the Sicilian CPRs and hotspots and submitted it to the European Court of Justice (ECJ) for review, criticising Italy's application of the European concept of 'safe countries of origin'. This has now been repeated in the case of Albania: courts in Rome have ordered the release of the first asylum seekers taken to the detention center in Albania. The ECJ has since interpreted the concept of safe countries of origin in an unexpectedly restrictive manner in a landmark ruling, according to

which a country can only be classified as a safe country of origin if security is guaranteed throughout its entire territory.⁶ As a result, only a few countries can be classified as safe at all. This new definition also means that the practice of detaining people in CPRs has become still more surreal, as even the apparent legal justification for detention – i.e. for the purpose of an accelerated asylum procedure – has been removed.

This case study of Sicily's detention centers highlights the urgent need for a broader overhaul of European immigration policies, prioritizing human rights and dignity.

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⁶ <https://rsw.beck.de/aktuell/daily/meldung/detail/eugh-C40622-gesamtes-hoheitsgebiet-drittstaat-bestimmung-sicheres-herkunftsland>.