

Echoes #13 - Hold tight – July 2024

Summertime 2024: the frequency of civil fleet rescue cooperations in the Central Mediterranean is increasing again to almost a daily level. A Tunisian Search and Rescue Region is established to extend the EU push-back regime. After the Tories were voted out of office, the UK-Rwanda agreement is finally dead. The Meloni government counts on the Albania deal to deter people on the move from reaching Italian coasts. Repeatedly the administrative seizure of rescue ships by the Piantadosi decree is stopped by court decisions. Louise Michel is detained for another 20 days in Lampedusa. NGOs announce to get operative with two more rescue ships within next months... Still and again: contested spaces. Still and again: the movements of migration and the struggles for safe passages will continue!

29, 553 people have arrived to Italy and Malta by sea (UNHCR figures as of July 14)

4,903 people were rescued by the civil fleet by more than 85 boats in distress (CMRCC figures until June 30)

798 people are reported dead or missing on the Central Mediterranean Route (UNHCR figures as of July 14)

10, 463 people were intercepted and returned to Libya by the EU-supported so-called Libyan Coast Guard (IOM figures as of July 13)

Latest political developments

At sea, on land, in the political context: it is time for new challenges!

One year ago exactly, we wrote that "everything (and everyone) was in motion." While this is certainly true today for all the actors involved in the central Mediterranean route, it is no less necessary to try to put a few things straight. In order not to repeat what has already been said and widely agreed upon, it is perhaps better to insist here on the new challenges that add to, modify and/or complement those that people on the move and the civil fleet face every day at sea and on land.

If we can summarize, three are the main challenges we face in this Summer of 2024:

1. The new (?) European political context

In the light of the results of the elections for the new European parliament (think in particular of the outcome of the vote in Germany, not to mention the confirmations in Italy) or of the legislative elections in France, there is alarm at the growth of support for extreme right-wing political forces - explicitly racist and xenophobic and which seem to base their success precisely on anti-immigration political objectives - and at their being in some cases already forces of national government or which may just as legitimately aspire to be so. This is certainly true and we have seen in Italy how the coming to power of Giorgia Meloni's post-fascist party has corresponded to a further brutalization of the border regime.

But it is also true, without contradiction, that the arrival of extreme right-wingers at the threshold of power has been prepared by the very 'big centre' that has led the European institutions, and the governments of the most influential member states, in recent years. And the way has been paved precisely by their migration policies. Is it Orban and Meloni, Wilders, and Le Pen who first invented and practiced the strategy of externalizing borders? Who first - precisely in the name of a 'closure policy that should leave no room for right-wingers' - signed agreements with Erdogan's Turkey, with Libyan militias, with the Moroccan regime along the main migration routes? And who first opened administrative detention facilities and organized chartered deportation flights to 'safe countries of origin'? It is sufficient, and quite instructive, to read the two letters sent by Ursula von Der Leyen a little over a year apart to understand what the approach is and what the objectives are of those who call us to stop, in the name of democracy, the danger of the extreme right

(March 20th, 2023 internal to the EU Commission members:

<https://www.statewatch.org/media/3785/eu-com-von-der-leyen-letter-migration-borders-progress-20-3-23.pdf>;

and June 25th, 2024 to the Heads of government of the EU Council: <https://www.eunews.it/wp-content/uploads/2024/06/Letter-from-President-von-der-Leyen-to-EU-leaders-on-migration-EUCO-June-2024.pdf>).

This, mind you, in no way means that the electoral victories of extreme right-wingers change nothing for the real condition of people on the move along the routes and of citizens of non-European origin in our metropolises.

Everything is not the same. Indeed. Even if, formally, the majority governing the main institutions of the European Union has not changed since the vote in June, it is clear that the extreme right will contribute more to what political scientists call "agenda-setting." Let us therefore expect a tightening on the very points indicated by von der Leyen in her letters: *"effective protection of the EU external borders, working with partners to prevent irregular departures*

and break the business model of the smuggling networks, [...] and returning those with no right to stay.” What these words actually mean we unfortunately know well. And it is precisely on their practical translation that the two additional new challenges of these coming months will be played out on the ground.

2. The new Tunisian SAR region

Hunting black people in city streets, police round-ups, and forced deportations first in the countryside, then people left to die of thirst and hunger in the desert, violent interceptions to the point of shipwrecks and drownings at sea. On the other side, but in the same vein, intimidation and arrests against lawyers, journalists, NGO activists, and opposition politicians. These are the brilliant results of a year's work in Tunisia by the fabulous 'Team Europe' (Meloni, von Der Leyen and the liberal Rutte) in collaboration with the authoritarian regime of Kais Saied: long prepared, 11th June 2023 was the date of the first agreement between European statesmen and the autocrat of Tunis.

If the business model is the one tried and tested over the past seven years in Libya, its maritime development could not be missing either: donation of Italian patrol boats, the commitment of the German cooperation agency (GIZ) to the infrastructure and, most recently (as in the tragic Libyan farce in 2018), the proclamation of a Tunisian SRR (Search and Rescue region). Decades of disputes with Italy and Malta over the boundaries of territorial waters and maritime jurisdiction have been magically resolved by the convergence on a single target: to strengthen and try to legalize a more effective interception, capture and pull-back device at sea, to make life more difficult for those trying to flee precisely from Tunisia. It is enough to look at the map drawn for the IMO (International Maritime Organisation of the UN) and notice that wedge that covers precisely the corridor of international waters between the Kerkennah islands and Lampedusa, where the support, assistance, and rescue activities of the civil fleet have been carried out with some difficulty and where it has been possible, in recent months, to often solicit the intervention of the Italian authorities, to understand what the Tunisian SRR is there for. And it certainly does not detract from a more functional development to safeguard human life at sea.

How will the ships of the Tunisian Garde National move in that area? How will the Italian authorities behave from now on? In particular how will they react towards the European civil society assets operating around Lampedusa? We will begin to see in the coming weeks. What is certain from the outset is that, in no way, Tunisia - for the many legal reasons of the past and the dramatic situations of today - can be considered a safe port of disembarkation. Resisting all attempts that will be made in this direction, and demanding a pronouncement to this effect by international organizations out of all shyness and ambiguity, is one of the new challenges of the summer.

3. The new implementation of the Italy-Albania agreements

On the other side of the Adriatic, another new challenge looms. For several months we have been wavering in our analysis as to whether to consider the agreement between the Italian and Albanian governments as pure propaganda (for Meloni as an opportunity to show herself as a 'champion of the fight against immigration' in the election campaign for the European Parliament, for Edi Rama as a 'reliable partner' towards the ever-promised accession to the European Union) or something more serious. The propaganda was all there, but since August 2023 they want to do it. And it is not just an Italian-Albanian issue. Many 'democratic' governments throughout Europe, starting with the usual von Der Leyen, have shown their interest in the 'experiment'. The question for them is whether it is possible and practicable to take a further qualitative leap in the policy of externalization, and whether it is possible and practicable to take a further step backward in dismantling the legal scaffolding of asylum and international protection. What fools the British Conservatives were with the Rwanda tantrum! When every EU member country, if the Albanian experiment works, will be able to have its own little Rwanda on its doorstep. The Italian government is serious. First with the new list of “safe countries” where people can be deported, it is no coincidence that the list traces carbon copies of the main nationalities of the current arrivals in Italy. Then with the acceleration of the construction works to set up the two camps (including a small extra-territorial prison for those who will rebel); the trade union agreements with the police forces to cover with money those who will offer to travel overseas; the tender for a specific naval vessel dedicated to the transfer. And finally, the legal corrections of the last “Cutro” Decree to try to make the Albania operation compatible with the judgment that the Italian law will have to pass before the European Courts. There will be no need to obtain large numbers immediately, such as the three thousand a month to 36,000 a year announced by Meloni. The important thing is instead to create a new “fait accompli” against international law, to prove to the whole of Europe that "the experiment can work."

4. It is not a quiet life.

These new challenges add up and recombine with “old” ones. Beginning with the countless and continuous attempts to hinder civil rescue at sea and criminalize freedom of movement and solidarity, on land, and reinforce the process of “borderisation” of the sea.

Processes that are also not without contradictions: the Italian government can claim a 60 percent reduction, in the first six months of 2024, of landings in Italy compared to the record year 2023, but we know how this figure is also due to the particularly uncertain weather conditions (this is also how the climate crisis affects migratory routes!), as well as the strengthening of the prevention/interception capacity of departures in Libya and Tunisia. While, despite everything, the capacity of civil rescue has grown compared to 2023: over 15 percent of total arrivals, compared to around 8 percent the previous year (source: Viminale).

The Piantadosi Decree-Law continues to be a permanent threat to civil ships - and the very recent case of the LOUISE MICHEL stopped in Lampedusa proves it -, but on several occasions - among all, for example, the very important decision of the Civil Court of Crotone in the HUMANITY 1 case - the Italian justice system has ruled recognizing its illegitimacy and, for three months from April to July, it was no longer applied.

The so-called Libyan coast guard certainly continues to be hyperactive in catching and pulling back, but - after months of violent escalation culminating in the MARE JONIO case on 4th April - it has kept its distance from the operations of civil ships and no cases of interference have been reported for a long time.

The General Aviation Administrative body (ENAC) was once again used by politicians to try to intimidate the observation and monitoring of civil aircraft, with the ordinance of 3rd May, but SEA-WATCH Airborne and PILOTES VOLONTAIRES continue to operate with extraordinary effectiveness, contributing to the saving of the lives of hundreds of people and documented denunciation of the repelling devices.

As on land, attempts to criminalize people on the move are repeated (“every landing at least boatman to be arrested” seems the mantra), but at the same time public awareness is growing and solidarity campaigns are multiplying. Or the construction of new administrative detention centers - there should have been “one in every Italian region” according to the government's plans - to facilitate repatriations and deportations slows down, while rebellions multiply in the existing ones.

And the list could go on.

In the new European political context, as well as in the face of developments in Tunisia and Albania, it will be a matter for all of us to take up the challenge to the full and to experiment, from our side together with the people on the move, with new possible forms of resistance. Legally as well as operationally. Together with many others who understand what is at stake. At sea as well as on land. After all, if we wanted a quiet life, we would have done something else entirely. ;-)

10th July 2024

By Mediterraneo Saving Humans

Diary of cooperation

May 1	Geo Barents (GB) rescues 52 people from a wooden boat alerted by AlarmPhone (AP). Among the rescued are a dozen unaccompanied teenagers. https://x.com/msf_sea/status/1785703250361999849?s=46
May 3	Life Support rescues a group of 87 people alerted by and Pilotes Volontaires’ (PV) Hummingbird2. https://x.com/emergency_ngo/status/1786760223660687539
May 4	Nadir finds a metal boat with 40 people, including 4 infants. Water was leaking into the boat and the engine was broken. The boat is stabilized then brought to LMP by ITCG later in the evening. https://x.com/resqship_int/status/1787038104257282429
May 5	With support by PV, Nadir locates and helps to stabilize an overcrowded metal boat with 44 people, including 4 infants. https://x.com/resqship_int/status/1787122985586806951
May 6	Alerted by AP, Nadir conducts a difficult operation in the night involving 50 people. Unfortunately, one body is recovered during the operation. https://x.com/resqship_int/status/1787746358729884094

May 13	<p>Alerted by AP and supported by Seabird 2, Aurora assists 2 boats in distress with 51 people, later brought safely to shore by ITCG.</p> <p>https://x.com/seawatch_intl/status/1790333054755406230</p>
	<p>GB rescues 43 people in distress from a wooden boat. The distant port of Civitavecchia is assigned as POS.</p> <p>https://x.com/msf_sea/status/1789963231798104557?s=46</p>
May 14	<p>In the night, Nadir stabilizes a fiberglass boat with 22 people on board, including 3 children. The case was initially alerted by AP.</p> <p>https://x.com/resqship_int/status/1790700838517641556</p>
May 16	<p>In the afternoon, the crew of Humanity 1 (HUM1) rescues an overcrowded, unseaworthy wooden boat with 28 people alerted by AP. Marina di Carra, a distant port 1150km away is assigned POS.</p> <p>https://x.com/soshumanity_en/status/1791129071616688193/photo/1</p>
	<p>Later in the night, AP alerts another case with 42 people, half of whom are minors. HUM1 responds, conducting the rescue in the middle of the night, to the boat with a broken engine and no lifesaving equipment on board.</p>
May 20	<p>Ocean Viking (OV) finds a fiberglass boat with 35 people on board. Alerted by AP, they had already spent 3 nights of sea and were suffering from hypothermia and dehydration.</p> <p>https://x.com/SOSMedIntl/status/1792469354128294267</p>
May 23	<p>Supported by AP, Nadir finds a wooden boat with 42 people who had spent 3 days at sea. They are brought on board and later disembarked in Lampedusa.</p> <p>https://x.com/resqship_int/status/1793937350097043553</p>
May 27	<p>HUM1 rescues 100 people from two boats, one rubber and the other fiberglass. The distant POS of Livorno is assigned, requiring 1170km and 3 days of travel.</p>
May 28	<p>AP alerts two distress cases and HUM1 is able to locate the first 45 people and an additional 40 people from both boats. Unfortunately, an infant did not survive. Despite the necessity to disembark the now 185 survivors from HUM1 as soon as possible, authorities refuse to assign a closer POS than Livorno.</p>
May 28	<p>41 people are rescued from wooden boat by OV in Libyan SAR. A Maltese helicopter was on scene, but did not communicate with the NGO ship.</p>
May 29	<p>After an alert by AP, OV locates a drifting fiberglass boat with 26 people in the Maltese SAR. Distant POS Ancona is assigned, requiring 3 more days of travel for the survivors who have already spent 3 days at sea.</p> <p>https://x.com/soshumanity_de/status/1795434178995237294?s=46</p>
	<p>Nadir responds to an overcrowded metal boat with 45 people on board. During a rescue operation with ITCG, 30 people fall into the water and the boat sinks. Luckily, everyone was recovered from the water and all were safely disembarked in Lampedusa.</p> <p>https://x.com/resqship_int/status/1795918166997999729</p>
	<p>In the middle of the night, AP alerts a boat in distress with 51 people on an overcrowded rubber boat. Sea-Eye 4 (SE4) conducts the rescue. The distant port of Genoa is assigned 600 miles away.</p>
	<p>After an alert by AP, Sea Punk I (SPI) locates an overcrowded wooden boat with 130 people on board late in the night. All are eventually brought safely to Lampedusa</p>
May 31	<p>AP alerts a distress case found by GB, which finds an additional boat soon after. 84 people were brought on board from the two rescue operations</p>
June 7	<p>GB rescues a fiberglass boat with 37 people in the Libyan SAR. They then respond to an AP alert and rescue an additional 109 people in an unseaworthy rubber boat. The distant port of Civitavecchia is assigned as POS. Tragically, throughout the day, SB2 spots more than a dozen dead bodies, 11 of which are recovered by GB.</p>
June 8	<p>SB2 continues to spot more dead bodies, one of which is recovered by OV. OV performs two additional rescues, one with the support of SB2 and the other after an AP alert. 64 survivors are brought onboard and the distant port of Marina di Carra, over 1000km away, is assigned.</p>

	SP1 spots an overcrowded wooden boat with 75 people on board. After stabilizing the situation, rescue can be completed by ITCG. That same day, an additional 20 people from a wooden boat are taken on board SP1 after a distress alert is made by AP with aerial support by SB2.
June 16	In the night, Nadir finds an overcrowded wooden boat with 62 people previously alerted by AP. All are safely brought to Lampedusa.
June 17	AP alerts a distress case with rapidly deteriorating conditions. Nadir responds to the 61 people in a wooden boat taking on water. Tragically, by the conclusion of the rescue, only 51 remain alive.
	Mare*Go, SB1, and AP coordinate to help stabilize an overcrowded rubber boat with 48 people, all of whom are later safely disembarked in Lampedusa.
	OV spots an overcrowded rubber boat from the bridge and proceeds to rescue, bringing 54 people including 28 unaccompanied minors aboard.
June 18	After AP alerts, GB finds 48 people on an overcrowded rubber boat.
June 19	Nadir, with aerial support by SB1, finds a distress case alerted by AP. An overcrowded rubber boat taking on water with 47 people is stabilized and later brought safely to Lampedusa for disembarkation.
June 20	HUM1 spots an unseaworthy fiberglass boat with 31 people in the Libyan SAR. All are safely brought on board, and distant POS Ortona is assigned. Later in the afternoon, an additional 75 people are brought on board, rescued from an overcrowded wooden boat.
June 21	Trotamar III locates and stabilizes and overcrowded rubber boat with around 50 people. Nadir responds as well to assist. All are safely transferred to ITCG.
June 26	LS rescues 47 people from an overcrowded rubber dinghy. Distant port of Livorno, requiring 3 days of sailing, is assigned.
June 27	GB rescues 13 people from an unseaworthy fiberglass boat. Later, they rescue an additional 21 people on another fiberglass boat.
June 30	HUM1 in coordination with ITCG takes aboard 186 survivors from a fishing trawler that had been at sea 5 days already. Unfortunately, a body is also recovered during the operations. Catania is assigned POS.

Forced to disappear

To Rahman Farazi, dead at the borders

By Mem Med

On 6 March, Rahman Farazi died on board the Sea Watch 5. Rahman was 19, from the Bangladeshi city of Maripur.

Rahman died after being rescued in the middle of the Mediterranean Sea by the German NGO Sea Watch. He was found at sea in an extremely critical condition due to toxic fuel fumes he had inhaled in the hold of the boat.

Despite repeated attempts by the Sea Watch medical team to revive him, Rahman died on board, surrounded by the 55 survivors rescued and the crew who had watched him die after saving his life at sea. Given the critical condition of Rahman, an immediate evacuation request was submitted to the Italian authorities, but to no avail.

“When Rahman arrived at the onboard hospital, he had already been unconscious for an unknown length of time, and his condition immediately appeared serious. Resuscitation measures were immediately put in place, including ventilation with an Ambu bag and oxygen. Pain relief medication was administered immediately, as a facial contraction was evident. Rahman's clothes were soaked in water and fuel and were removed to interrupt skin contact as quickly as possible and avoid aggravating the burns caused by this combination. The intense smell of hydrocarbons quickly invaded the hospital. The medical team estimated Rahman's age at around 17, to calculate the correct dose of medication. Warm blankets and hot water bottles were applied to combat hypothermia. Numerous crew members, medical and otherwise, assisted in every way possible. Along with Rahman, 4 other rescued youngsters were suffering from breathing difficulties and hypothermia, and needed help from the other doctors/nurses on board. Around 2 hours after the rescue, when their condition had stabilized, I was able to relieve the doctor who had been looking after Rahman.

When initiating resuscitation maneuvers in an out-of-hospital setting (i.e. away from a hospital), following the protocol to the letter is not enough to make the most correct decisions and plan a therapeutic strategy. It's essential to anticipate how long it will take the patient to reach a resuscitation unit equipped for the most advanced procedures. Unfortunately, 2 hours after the rescue, no one yet knew when or where Rahman could have been evacuated and cared for. This generated a feeling of insecurity, frustration and inevitability among the health workers. Despite our efforts, the maneuvers would probably have been insufficient. By this time, it was obvious that Rahman's noble organs (brain and heart) were beginning to suffer and fail. After more than 3 hours, all together, we decided to make the last attempts, until it was no longer possible to do more, if not to further alleviate the pain of our young patient, whose name we didn't yet know. Rahman's care was not limited to this; after his death, 2 crew members prepared his body to face the hours or days of travel that still separated him from the then still unknown port of disembarkation."

Chiara, Medic onboard Sea Watch 5

"When we learned of Rahman's death, we discussed how to tell the other survivors on board. After a moment of collective mourning, we started looking for clues to identify this person. We knew neither his name, nor his nationality, not even his age. The other survivors told us that Rahman was traveling alone, that nobody knew him, but that he was probably from Bangladesh. We also looked for clues in his personal belongings, but found nothing. We were desperate, as there was nothing on board to give an identity to this deceased person. In coordination with the medical team, we took photos of the body, in the hope that this might help later in the identification process."

Sophia, Protection officer onboard Sea Watch 5

After landing, his body was taken to the morgue of Pozzallo's municipal cemetery. For a long time, his name remained unknown: "unidentified" was the word that initially appeared on his death certificate.. In the meantime, supportive civil society is moving to the two shores: some members of the Sea Watch crew have made contact with Mem.Med, Asgi, activists, researchers, and other civil society actors. Together they sent a letter to the authorities, including the Public Prosecutor's Office of Agrigento, the Municipality of Pozzallo, and the Extraordinary Commissariat of the Italian Government for Missing Persons. The letter recommended that certain procedures laid down in national and international law be followed, including DNA sampling, data collection, a dignified burial, respect for religious rites, and repatriation of the body if necessary.

Meanwhile, photos of Rahman's face and body were circulated among the Bangladeshi community in Italy in an attempt to find the family of the deceased. Through some representatives of the Bengali community in Livorno, the family was traced and asked for assistance in identifying and repatriating the body.

"I am proud that we were able to help find Rahman's family. And I am very proud to have worked together with the associations that support the search for missing persons and the contact with the families, it is a very important thing. "

Polas, foreign community representative in Livorno

The family contacted the associations: it was Rasel, Rahman's elder brother, who demanded truth and justice for his brother. He appointed the Mem.Med lawyer as his representative to help him access the procedures for identifying and repatriating Rahman's body.

Rasel - who, like his brother, but with a different outcome, crossed the sea and came to Europe, living and working in Bergamo - leaves the city where he lives as soon as he learns the news and arrives in Sicily on a Sunday at the beginning of April: he wants to bring back the body of his relative in person.

In Palermo, he met with some representatives of Mem.Med. Together they went to Agrigento to visit the Public Prosecutor's Office of Agrigento, the competent authority for the case.

After hours of waiting in the corridors of the Agrigento court, Rasel was told to go home because he had not been received by the Public Prosecutor. Rasel left and returned to northern Italy.

A few weeks later, after complex and repeated communication with the secretary of the Public Prosecutor to whom the case is entrusted, the Public Prosecutor's Office of Agrigento contacts Rahman's lawyer and entrusts her and the association she represents with the task of making an identification with the family member, which will be done through a visual presentation of some photos of the body contained in the investigation file and, in particular, in the section of the autopsy.

Some representatives of Mem.Med traveled to Milan to identify the body: at the Naga Association in Milan, they showed Rasel some photographs of the body provided by the Public Prosecutor's Office. Rasel had no doubts. He recognized the body, it was his brother. A report formalized Rahman's identity.

You are not a number.
You are not a life cut into fragments. Tortured and silenced.
You are not.

The humiliation of the human oppressor.
It is an inescapable violence.
You are not.

he offices of death,
The mechanics of existence.
Normal office procedures.

Investigation, autopsy, case number.
Please go back where you came from.

Photographic file.
Front and back.
Black and white.
Frost stains on page 4, page 6, page 11 and 12.
Faded ink on office paper.

Your body,
The surgical politics of death.
Your body,
bears the marks of those who do not want to see you.
Of those who let you die.
But you are there.

On an April day,
in the north of a world that closed your eyes before you could come.
On an April day,
Sitting together, tracing your face like a mosaic.

Formulating your name,
denying your absence.
You are there.

Your brother's gaze, the same, you are.
His journey by land and sea. The same quest for freedom. You are.

The reappearance, you exist.
You are there.
This story also bears your name.

Silvia, Mem.Med Memoria Mediterranea

Although it is a moment of extreme grief, this act brings some relief to the family: Rahman has been found, and the name that the border regime and its dehumanizing devices had taken from him has been restored. But this is not enough to repatriate the body, as Rasel and the family in Bangladesh, who are still waiting for their loved one, demand.

A month and a half passed: even though the mayor and some councilors of the municipality of Pozzallo (RG) were extremely cooperative and sensitive to the case, delaying the burial of the body and respecting the wishes of the Bengali family until the very end, the bureaucratic process of obtaining the death certificate and the authorizations to move the body was long and bumpy.

The process of repatriating the body is extremely costly, not only in bureaucratic and logistical terms but also in financial terms. The family has been able to meet these costs thanks in part to donations from associations and a contribution from the Bangladeshi embassy.

On June 6, Rahman's body left the mortuary of Pozzallo Cemetery with a name, a date of birth, an identity, and a return address: that of his home in Bangladesh.

On June 8, his body arrived in Madaripur, Rahman's hometown, where, four months after his death, his family could finally pay tribute to him.

"In addition to a wrongful death like this, which in itself is a painful and violent thing for the family, we suffered from how the system that is supposed to deal with identification and repatriation acted. It was absurd. I want to say that at least in the midst of this absurdity I found the solidarity of so many people who supported us."

Rasel, Rahman's brother

Reports

"Interrupted sea" - The illegal and violent practices of the Tunisian National Guard in the Central Mediterranean

Based on testimonies gathered by various actors of Tunisian and transnational civil society, this report documents the interception practices of the Tunisian National Guard in the Central Mediterranean. The data collected, based on 14 in-depth interviews conducted between 2021 and 2023 with exiled people who survived attacks at sea, highlight violent and illegal practices, ranging from non-assistance to maneuvers intentionally aimed at capsizing boats in distress, causing shipwrecks and costing the lives of many exiled people.

This brutalization by the Tunisian border authorities, which has now been documented for several years, is taking place against a backdrop of increasing border outsourcing policies by the European Union and its member states. Faced with an increase in traffic on the Tunisian maritime route from 2021 onwards, and in the hope of limiting the number of crossings, the EU has considerably increased its support for Tunisian security forces, setting up a "refoulement by proxy" regime, following the example of its cooperation with Libyan militias.

The fruit of a collective effort involving Alarm Phone and numerous actors from Tunisian civil society, for security reasons in the current context of criminalization and repeated attacks on people and organizations in solidarity with migrants in Tunisia, has been deemed preferable not to mention the latter.

In the face of repression, the publication of this report thus sounds like a promise – the promise that, whatever the attempts at intimidation, solidarity will continue to express itself unabated.

<https://alarmphone.org/en/2024/06/20/interrupted-sea/>

The Nador-Melilla Border trap -

A counter-investigation into the racist massacre of 24 June 2022

Commemoration of the massacre by survivors on 29 June 2022 in front of the CETI in Melilla. Photograph: Cléo

[The Nador-Melilla Border Trap](#)

A counter-investigation into the racist massacre of 24 June 2022

By Border Forensics, in collaboration with Iridia-Centre for the Defense of Human Rights and AMDH-Moroccan Association for Human Rights

„On 24 June 2022, almost two thousand people tried to cross the border fence separating the Moroccan town of Nador from the Spanish-controlled town of Melilla. The migrants' attempted crossing, which occurred at the Barrio Chino border post, was violently repressed by Moroccan and Spanish law enforcement agents. Only 134 people managed to enter Melilla and seek asylum. 470 people were deported back to Morocco by Spanish and Moroccan officials after they had crossed over to the Spanish-controlled side of the border fence. The violence inflicted on migrants by Moroccan and Spanish law enforcement agents that day turned the Barrio Chino border crossing into a

death trap and resulted in the formation of a mass grave. The Moroccan authorities have acknowledged 23 deaths, but the Moroccan Human Rights Association in Nador has counted at least 27 people killed on that day, and more than 70 remain missing to this day.

Despite the many images filmed by various actors and several reports published by official bodies, associations, and journalists, there are still many grey areas concerning the course of events on that day. The Moroccan and Spanish authorities are far from having shed full light on the facts and have instead prevented independent investigations from gaining access to many essential elements of evidence.

How was this outburst of violence possible? Through what specific acts did it take place? Who was responsible? How and by whom was the Barrio Chino border post turned into a death trap?

Two years after the events, these questions have yet to be answered, and the demands for truth and justice from the survivors of the massacre and the families of the dead and disappeared have gone unheard. On the contrary, instead of using the judicial institutions to determine those responsible for the massacre, Morocco has used its judicial system to continue repressing the survivors of the massacre, several dozen of whom have been sentenced to prison for alleged acts of violence and other offenses. The Spanish prosecutor has not found any evidence of violations and has closed his investigation. Moreover, far from being dismantled, the border fence has been reinforced and, although border crossings have decreased since 24 June 2022, the system of racist repression at the border remains unchanged.

It is to support the demand for truth and justice of the victims of the 24 June 2022 massacre and their families, and to combat this regime of impunity that allows the border violence to be perpetuated, that Border Forensics, in collaboration with Irídia and the Moroccan Association for Human Rights (AMDH), as well as other civil society actors on both sides of the border, has conducted a counter-investigation for over a year, while benefiting from additional advice from the European Center for Constitutional and Human Rights (ECCHR). Together, we assembled a transdisciplinary team made up of members of human rights associations, journalists, and researchers specializing in critical analysis of the borders of migration policies and anti-Black racism, as well as experts in spatial and visual reconstruction, statisticians, architects, and documentary filmmakers.

By articulating our analysis of the massacre across different spatial and temporal scales, we have attempted to understand not only the sequence of events and the practices of the actors present at the scene on 24 June 2022, but also the structural conditions that made the massacre possible, as well as the political conjuncture that shaped this unprecedented intensity of violence. We also analysed the violence that continued after 24 June, through the failure to identify the dead and missing, and the impunity and judicial targeting against the migrants themselves. Our analysis shows that the many dead and missing during the massacre of 24 June 2022 were no accident. On the contrary, the migrants were repeatedly directed towards the Barrio Chino border crossing, and violently repressed by Moroccan and Spanish law enforcement agents once they were trapped there. But the death trap into which the migrants fell goes beyond the architecture of the border crossing or the chain of events that took place on 24 June. It has been woven by policies and practices operating in an extended space-time, including European and Spanish policies of externalizing migration control established over more than two decades, Moroccan migration diplomacy, impunity for violence perpetrated over many years, and the daily racist repression deployed against Black people in the area. All these elements combined to form a death trap, which the Spanish and Moroccan law enforcement agents executed on 24 June 2022.

Although there are still grey areas, the facts that we have reconstructed by cross-referencing numerous pieces of evidence are damning, both for the Moroccan and Spanish authorities and for the European Union, which supports them politically and financially. The authorities on both sides of the border must be brought to account for this massacre and finally respond to the victims' and their families' demands for truth and justice.

The Nador-Melilla massacre is, by the outburst of direct violence, the acts of racism and extreme dehumanization, and the large number of dead and disappeared, one of the most serious crimes perpetrated as part of the discriminatory and militarised management of Europe's borders over the last 30 years. However, beyond its exceptional nature, this massacre exemplifies in an exacerbated way a wider trend towards the brutalization of the management of borders and the normalization of the violations perpetrated in the name of their "protection". By precisely documenting the events of 24 June 2022 and analyzing the conditions that made them possible, it is also these wider trends that we seek to challenge...."

Find the comprehensive counter-investigation in English and French here:

<https://www.borderforensics.org/investigations/nadormelilla/>

Legal fragment

On the inviolable (civil) right to rescue: Brindisi Court decision on the illegitimacy of the NGO ships' seizures

The criminalization of civil relief in Italy is by no means new. Since 2017, it has been carried out by successive governments of all orientations, through a multiplicity of instruments. From media defamation to the imposition of codes of conduct, from administrative to criminal prosecution, the work of NGOs has been constantly instrumentalized for political purposes, in the context of widespread anti-immigration sentiments. As is well known, the criminalization of civil society engaged in sea rescue is only the tip of an iceberg, underlying which there are thousands of cases of criminalization of people on the move, accused of guiding boats across the Mediterranean, of murders in the event of shipwrecks, who often have little access to defense, and continue to be instrumentalized to mask state responsibility for deaths at sea.

As of January 2023, the Piantedosi decree, later converted into law 15/2023, was the main regulatory framework 'justifying' the criminalization of SAR NGOs. It introduced several provisions, the combined reading of which justified the so-called 'distant ports strategy', and the limitation of NGOs' autonomy in the central Mediterranean. From the criterion of 'returning to port after each rescue', to the allocation of 'distant ports' days, to possible sanctions for 'lack of cooperation' with the Libyan authorities, the objective was clear: to keep NGOs away from their operational area, [silencing critical voices and erasing the critical gaze on border violence](#) and human rights violations.

Despite the letter by the Commissioner of the European Council, asking Italy to consider "[withdrawing the Decree-Law, which could hamper NGO search and rescue operations at sea](#)" – as well as to suspend cooperation with the Libyan Government on interceptions at sea, as set out in her [Recommendation on the Central Mediterranean](#), the Law Decree 1/2023 was converted into Law 15/2023. As highlighted by SAR NGOs in a [joint statement](#) launched in February 2024, 1-year efforts by the Italian government to obstruct search and rescue activities resulted in increased endangering people's lives:

"Since February 2023, nine NGO rescue ships have been detained by Italian authorities on 16 occasions, amounting to more than 300 days of being kept from the sea and prevented from assisting people in distress". In addition, they *"were forced to travel more than 150,500 extra km to reach distant ports – equivalent to traveling more than three and a half times around the world, and translating into at least 374 unnecessary days of navigation, compared with disembarkation in closer available ports in Sicily and Lampedusa"*, the statement says.

In 2024, the legal battleground continues, and some positive results were achieved. Following appeals submitted by several NGOs, from SOS Mediterranée to SOS Humanity, until Sea Watch and Sea-Eye's, against seizures issued by Italian authorities based on the so-called Piantedosi Decree, southern Italian courts – such as Brindisi, Crotona, Reggio Calabria and Ragusa – decided to suspend vessels seizures for a variety of reasons.

Amongst these very powerful and courageous decisions – that of Brindisi looks extremely interesting.

According to Brindisi Judge Roberta Marra, *"the administrative seizure [...] undermines in an irreversible way SOS Mediterranée Ocean Viking's right to exercise their own activity of rescue at sea, in which its social goals are realized [...] in acts, namely Prevent the loss of life, Enhance safety at sea, Alleviate human suffering, Enhance response to distress calls, Enhance operational cooperation, Share and exchange information, Advocate for adherence to international maritime law obligations and principles applicable to rescue obligations at sea for the achievement of the above goals."* In addition, after acknowledging the undiscussed value of these goals and their full consistency with Constitutional values and of consuetudinary international law to which Italy adheres according to the art. 117 of the Constitution, which is called to promote – Brindisi Judgement highlights how the seizure generates the "impossibility for SOS Med to exercise the inviolable rights of which its owner".

In particular, it concludes by enumerating some inviolable rights (art. 2) enshrined in the Italian Constitution which (also) NGOs are entitled to, which would be violated by the refusal (inibiti dal divieto) to continue its search and rescue activity, such as the freedom of economic initiative (art. 41), the freedom of expression (art.21) or the freedom of association (art. 18).

This formulation looks extremely powerful and represents a step "beyond" the – nonetheless fundamental – results that were previously achieved in the frame of legal struggles for de-criminalization of civil rescue at sea.

While in the Open Arms, Sea Watch (so-called Carola Rackete case), and Mediterranean prosecution, the decriminalization of NGO's acts of "civil disobedience" was grounded on their fulfillment of the "duty to rescue", which could be considered completed only after the disembarkation in a place of safety, which could not be neither Libya nor the rescue ship itself, Brindisi decision on the illegitimacy of the Ocean Viking seizure, seems to be grounded on an unprecedented juridical formulation, namely the "civil right to perform search and rescue activities at sea", as arising from the Italian constitution.

Criminalisation

El Hiblu 3 in Malta: the farcical trial continues

On 30 May 2024, another hearing in the El Hiblu 3 case took place in the courtroom in Valletta. The judge decided to dismiss the plea of the lawyers for lack of jurisdiction. In the session before the defenders of the El Hiblu 3 had argued that all the accused offenses took place outside of the territorial waters of Malta. After this rejection, the lawyers directly submitted an appeal to the criminal court. It might need again several months before the next decision can be expected. Thus the limbo situation for Abdalla and Amara will continue.

Statement of the Coalition for the El Hiblu 3 on the 30th of May hearing

“The opportunity to finally end the farcical trial of the El Hiblu 3 was missed today at the court of Malta. After a short court session, it became clear that the case was not dismissed. We are appalled that Amara, Kader, and Abdalla will remain in legal limbo after more than five years.

Since they arrived in Malta in 2019, their lives have been put on hold. Their youth has been stolen. For acting as translators and mediators on the merchant vessel El Hiblu 1 and playing an important role in preventing the forced return of over 100 people to Libya, they continue to pay a very high price.

We have said it for years: clearly, they are neither criminals nor terrorists. They are defenders of human rights. Only weeks ago, in April 2024, the three received the Human Rights Defenders Award at the University of Malta. When presenting the three with the award, her Excellency Marie-Louise Coleiro Preca, the former President of Malta, stated:

“Their bravery and courage have been an inspiration to all Human Rights Defenders across the globe.”

That the three are still not free of the charges is devastating. The case that Amnesty International has condemned as a ‘travesty of justice’ is still not over.

We are now in the 6th year of this farce since Amara, Kader, and Abdalla first arrived in Malta in Spring 2019. That the case is still not dismissed and that they can still not live their lives in dignity and freedom is deeply shocking and troubling. It reveals so much about the ways in which people on the move are treated in Europe today – criminalized for having fled violence across borders.

We are devastated that our friends - Abdalla, Amara, and Kader - continue to face these baseless accusations after more than five years. The Attorney General insists on continuing with a trial, despite the lack of evidence. These three young men should be set free from this injustice and should be compensated for the years of life that the Maltese legal system has stolen from them.

This is a case that should have never been brought before the Maltese courts. These are unjust accusations against human rights defenders. We will continue supporting them, and we're glad to see that this support keeps growing. We will continue to stand beside them as they weather this cruel injustice. We will stand with the El Hiblu 3 as long as it takes and until they are free.”

((Tweets as additional quotations))

After a very short session on the question of jurisdiction today, the defenses’ plea was dismissed today. The legal and emotional limbo goes on for Abdalla and Amara but we will appeal

Free the #ElHiblu3

Drop the charges now!

(El Hiblu 3 Campaign)

<https://x.com/ElHiblu3/status/1796081492134596763?t=ZEmDhw4EtZxSgSm4oT9Rpg&s=09>

Malta persists with baseless charges against @ElHiblu3 to suppress resistance to illegal pushbacks. We stand with them & fight for justice: Resisting illegal pushbacks is not a crime. Standing up for your rights is not a crime.

Solidarity is not a crime.

(Sea Watch)

https://x.com/seawatch_intl/status/1796227877614338461?t=haugLaX10LrEtFR0D72VMQ&s=09

One of the most shocking cases of European governments trying to criminalise people seeking safety - three young refugees who acted as mediators during a protest at sea have spent six years facing terrorism charges in Malta. The trial is going ahead...

(Daniel Trilling, Journalist)

<https://x.com/trillingual/status/1796465343390748782>

21st May 2024: A big victory at the Pylos9 trial in Greece

On 14 June 2023, a fishing vessel carrying around 750 people sank 47 miles off the coast of Pylos, a small town in the region of Peloponnese in Greece. The people had started from Tobruk in Libya and were heading to Italy, but after 5 days of sailing, they asked for help inside the Greek SRR. The Greek authorities knew about the boat in distress for 16 hours, but they never launched a rescue operation. Instead, they sent only one Hellenic CG vessel which arrived on the scene at 22.00. After 4 hours, at 02:00 am the boat sank and only 104 people were rescued.

The survivors testified that the Hellenic Coast Guard vessel 920 was guiding them toward Italy, and when the engine of the migrant boat stopped, the Hellenic Coast Guard vessel 920 threw a line and attempted to tow the migrant boat toward Italy to get rid of it. As a result of the towing, the vessel capsized and 650 people lost their lives, many of whom were trapped inside the hull of the ship.

The shipwreck caused public outcry in and out of Greece, but in less than 24 hours, the Greek authorities had found the culprit! Instead of the real perpetrators being accused, it was the victims! The Greek authorities arrested 9 survivors from Egypt who were prosecuted as smugglers, but also as responsible for causing the shipwreck. In other words, they tried to put all the blame for the 650 deaths on 9 random people. On top of that, two more charges were added: participation in a criminal organization and illegal entry into the country.

An international campaign was initiated to support the 9 defendants with the hashtag #freepylos9.

<https://www.facebook.com/profile.php?id=61555960483782>

After spending almost one year in pretrial detention, the Pylos9 trial started on 21 May at the court of Kalamata.

Hundreds of people were gathered outside the court in solidarity with the 9 migrants, but also to demand justice for one of the biggest border crimes ever committed in Europe. International media, trial observers, and tens of activists were also present inside the court.

The court ruled that the 9 survivors are INNOCENT for the offenses of migrant smuggling and illegal entry and said that it has no jurisdiction over the charges of "criminal organization" and "cause of shipwreck" as the incident occurred in international waters. All the 9 defendants were set free!

It was a great victory against the government's narrative. For a year now, they have been trying to convince the public opinion that they have found the "bad guys" who caused the shipwreck in Pylos. They have invented 9 scapegoats to cover up their responsibilities for the massacre.

It was the Prime Minister, Kyriakos Mitsotakis himself, who during an interview on BBC stated that "*the smugglers are responsible not the coastguard, they are the perpetrators and the Greek Coastguard has already arrested 9 of them.*"

This decision is very important and can determine the outcome of the criminal investigation against the Greek coastguard for its role at the Pylos shipwreck. 53 survivors had filed a lawsuit against the Greek authorities stating that the Greek Coast Guard left them helpless at sea for 16 hours and then towed them with a rope that caused the boat to capsize

If the Pylos 9 had been convicted, most likely, the prosecutor would have closed the case against the Greek authorities. Therefore, the struggle to defend arrested migrants is linked with the struggle to bring the real perpetrators (European authorities) to court and condemn them for their crimes.

And this is a big political and social struggle.

Let's not forget that the Pylos 9 represents thousands of others, thousands of random people on the move convicted as "smugglers" without any evidence, without legal support, and without the standards of a fair trial. The group of convicted "smugglers" is the second largest category of prisoners in Greek prisons with their number exceeding 2,282.

As for the Pylos shipwreck, the struggle continues at the Piraeus Maritime Court and the criminal investigation that is pending for the acts/omissions of the Greek Coast Guard, following the lawsuit case of the 53 survivors.

We have to stand by the side of the 53 survivors and demand justice for the thousands of victims of border violence. We need to demand an end to this border regime.

Iasonas Apostolopoulos, Witness of Defense

Amplifying voices

From Tripoli to Rome - Imagine and Build new Safe Passages

Impressions from Event #2 of the Human Rights Defenders Evacuation Campaign from Refugees in Libya end of May 2024 in the Italian capital

With the presence of 7 out of 14 Human Rights Defenders evacuated from Libya to Italy on the 7th of May, Refugees in Libya managed to reunite the most relevant actors involved in the evacuation mechanisms created by the Sant'Egidio Community as well as institutions able to imagine and build new safe passages, and, last but not least, activists from all over Europe that through the Alliance with Refugees in Libya amplify the voices of refugees, migrants, and asylum seekers.

In the welcoming speeches of Refugees in Libya, spokesperson David Yambio reminded the importance of acknowledging the protesters as Human Rights Defenders not only for the sake of justice but also to set an example for all those still trapped in Libya. Spokesperson Naeima Hussein added: *"We are here to celebrate our bravery because it is underestimated what we have done. It is not an act of the chosen ones but of people living under inhumane circumstances. It became bigger than we would have ever expected"*, reminding the 100-day struggle in front of the UNHCR Libya.

"Humanitarian Corridors: from Evacuation to Reception" and "Safe Passages: Imagining New Access Routes" were the titles of the following round table talks, in which various involved actors from institutions and civil society contributed with their experiences in the Pontifical Gregorian University. The 2nd day took place in the Spin Time Labs social center: „Externalizations of borders and border screening - the basic regulations of the new European Migration Pact and their worrying implications“ were tackled in a panel discussion. The new migration deals, which have been concluded with several Mediterranean states, as well as the constant disregard towards human rights for non-European people have led to reactions from the civil society. David Yambio and fellow activists suggested a “campaign for a new EU Pact”, a Pact against discrimination and structural racism in Europe. A grass root international initiative already enjoying a lot of support, not only in Italy.

„The criminalization of migration and solidarity" was the title of the last workshop. The worrying war against people on the move and humanitarian activists led to the discussion on future strategies on how to continue the campaign, raise awareness, and create media material as a counter-narrative to the increasingly strong right-wing movement in Europe - with video testimonies, reports, documentation work, and documentaries to be shown around the EU. The entire event was accompanied by the Mobile Exhibition, a collection of written and video testimonies by the detainees from AinZara (detention camp) and Human Rights Defenders in Libya, recounting the repression protesters in Libya face, sharing stories of organizing resistance and giving inside of activities fighting for the human right. This exhibition is itinerant, a work in process, and attempts to bring the stories of the human rights violations, stories of resistance and testified experiences of the human rights defenders as a basis of discussion for the evacuation campaign. It has already been presented at a political event in Frankfurt and will continue to travel through various cities in order to give insight into the reality in Libya and the reality in Europe, where political agreements support human rights violations in Libya.

Following Events will take place in the Netherlands, in Barcelona and in Berlin. Reach out for involvement: alliancewithrefugeesinlibya@gmail.com or refugeesinlibya@gmail.com

Find the full report of the event at the website of Refugees in Libya: <https://www.refugeesinlibya.org/post/from-tripoli-to-rome>

Mobilisations

One year after the massacre : Justice for the Pylos' victims and survivors

On 14 June 2023, more than 600 migrants were killed when their boat Adriana capsized after the authorities attempted to push them back to Italy instead of rescuing them from their already endangered boat. But despite the public attention and the international media presence due to the large death toll, no justice has been served for this atrocious and racist state crime. One year later, together with survivors and families of the ones who did not survive, the anniversary of this disaster was commemorated in more than 20 different cities.

See the map of the different events organized:

<https://www.google.com/maps/d/u/0/viewer?mid=18pTvSmGYYmls6cnD-H3BPSxuhwSVrpA&ll=32.43251890879954%2C9.697771023130917&z=4>

Pictures:

<https://commemoraction.net/14-june-2024/>

Patrol boats to Tunisia, the Council of State grants Italian civil society's precautionary petition

20 June 2024

Suspension of Patrol Boat Transfer to Tunisia Pending Further Notice. The hearing is Scheduled for July 11 in the Council Chamber. ASGI, ARCI, ActionAid, Mediterranea Saving Humans, Spazi Circolari, and Le Carbet – supported by FTDES – have filed an appeal with the Regional Administrative Court of Lazio, contesting the allocation of 4.8 million euros for the refitting and transfer of six patrol boats to Tunisia.

At the end of May, the Regional Administrative Court rejected the appeal by ASGI, ARCI, ActionAid, Mediterranea Saving Humans, Spazi Circolari, and Le Carbet against the transfer of the patrol boats to the Tunisian Garde Nationale. Following this decision, the transfer of the first three boats was scheduled for June. In response, the associations appealed the ruling to the Council of State, urgently requesting a precautionary suspension of the measure.

“As stated by the United Nations, providing patrol boats to Tunisian authorities increases the risk of migrants facing illegal deportations,” explains **Maria Teresa Brocchetto, Luce Bonzano, and Cristina Laura Cecchini from the legal team handling the case.**

The human rights violations committed by Tunisian authorities are extremely severe. *“The recent surge in arrests and deportations of migrants is now accompanied by the persecution of civil society actors who support them,”* adds Filippo Miraglia from **ARCI**. *“Italian and European policies seem to mutually reinforce and justify each other, ignoring the alarms raised by the United Nations and international NGOs, which unanimously condemn the actions of the Tunisian authorities.”*

The Lazio Regional Administrative Court had found the contested agreement legitimate, aligning it with decisions made at the EU level – see the Memorandum of July 16, 2023, between the EU and Tunisia – and at the national level, including the recent confirmation of Tunisia as a safe country of origin, considering that the Italian government had conducted a comprehensive investigation in light of its long-term cooperation with Tunisia.

Now, the Council of State's acceptance of the precautionary petition has altered the situation: **the highest administrative court has deemed “the protection needs represented by the appellant prevailing”, suspending the transfer of the patrol boats due to the potential violations that such an act might entail.**

“The mass deportations, arbitrary arrests, and violence against migrants indicate that Tunisia cannot be considered a safe landing place. Similar to Libya, Tunisian authorities cannot be seen as partners in rescue operations,” comments Lorenzo Figoni from **ActionAid Italy**.

“This decision is crucial as it addresses the human rights of people on the move. The suspension of the patrol boat transfer allows the judiciary to assess the legitimacy of the act before any harmful effects can occur. In light of the documentation filed, we consider Tunisia an unsafe port,” concludes Laura Marmorale, President of **Mediterranea Saving Humans**.

Website:

<https://sciabacaoruka.asgi.it/en/patrol-boats-to-tunisia-the-council-of-state-grants-italian-civil-societys-precautionary-petition/>