



MEDREPORT
JANUARY 2023

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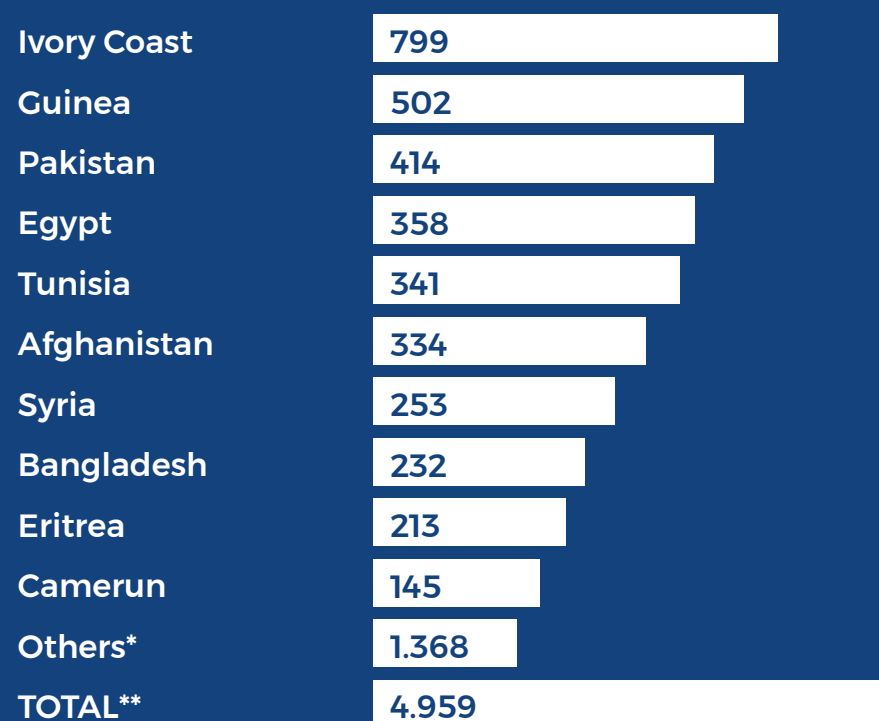
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WHAT DO THE NUMBERS TELL US

In January, the number of people who found themselves forced to flee and cross the Mediterranean Sea and managed to arrive in Italy was 4,959. Among them were 507 unaccompanied minors.

More than 60 per cent more than the arrivals in the same period in 2022. The teams on board the humanitarian ships contributed to the rescue of 527 people, just over ten per cent of the total. The remaining ninety per cent landed independently or with the support of Italian Coast Guard patrol boats. In the same weeks, sixty-six victims, at the frightening rate of two per day. A confirmation, the umpteenth, of how the central Mediterranean route is the most dangerous, especially at a time when the humanitarian fleet encounters so many difficulties in rescues, mostly forced to sail so far from the place where a presence is really needed.

NATIONALITIES DECLARED AT THE TIME OF LANDING (UPDATED TO JANUARY 31, 2023)



* The figure could include immigrants for whom they still are identification activities are in progress.

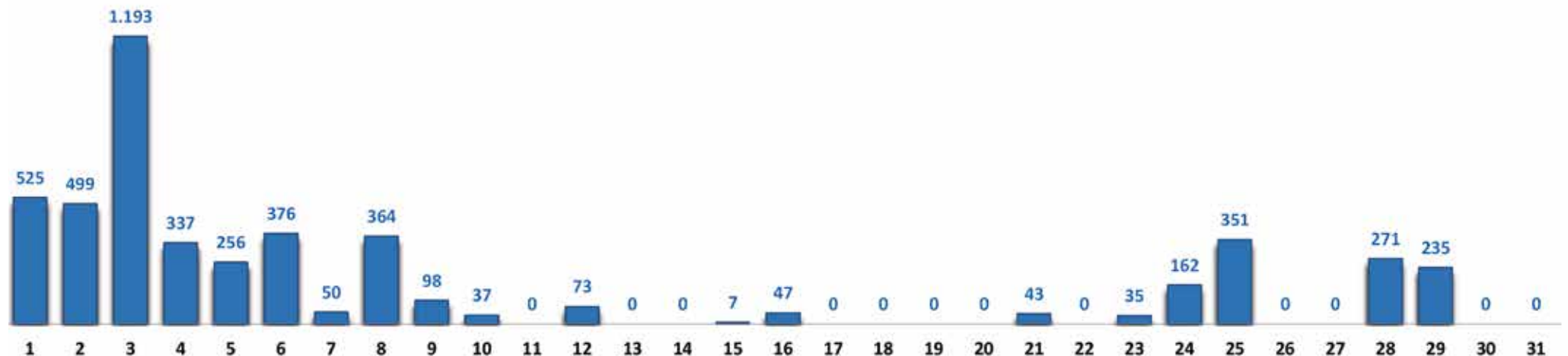
** The data refer to the landing events detected before 8:00 am of the reference day.

Source: Department of Public Security of the Ministry of the Interior of the Italian Republic.

The data are subject to subsequent consolidation

No longer the port closest to the vessel's location at the time of rescue, but rather ports decided at the discretion of the Italian authorities. This decision found its way into a decree-law approved in the last days of 2022 by the Italian government and which, in January, saw humanitarian ships full of people in need of help sail for days to ports in central and northern Italy, such as Ancona, La Spezia and Carrara.

As stated by ASGI, the new rules introduced in December, which prevent humanitarian ships from rescuing migrants in distress if they have already been assigned a port, cannot be respected. This would be in violation of the UN Convention on the Law of the Sea and the Solas Convention, as well as the Italian navigation code itself. Norms, these, to which are also added Articles 10 and 117 of the Italian Constitution, which reaffirm the obligation to rescue imposed by international law.



These data are processed on the basis of information provided by the Department for Civil Liberties and Immigration of the Ministry of the Interior of the Italian Republic. The data refer to the landing events detected by 8.00 on the reference day.



CHRONICLE OF JANUARY OF THE FACTS IN MEDITERRANEAN

DAY 2

During the night, the MSF team on board GeoBarents, responding to a call from MRCC Rome and with the coordination of the Italian authorities, rescued 41 people in grave danger in international waters off Libya.

DAY 4

The Italian authorities allow the 85 people rescued by the MSF team on board GeoBarents to disembark at the safe port of Taranto.

DAY 6

Three dead, including a child, in a shipwreck off Lampedusa. The Italian Coast Guard rescues 30 people.

DAY 7

A few hours after the previous one, a new shipwreck involves 48 people of Gambian origin.

In the morning, the team on board Ocean Viking rescued 73 people in distress 35 miles off the coast of Libya.

In the afternoon, the MSF team on board GeoBarents rescued 73 people, including 16 minors, in danger on a dinghy, reported by the Alarm Phone team, in international waters off Libya. A few hours later, the Italian authorities indicated the port of Ancona for the disembarkation of the 73 people rescued by the same MSF team.

DAY 10

The Libyan Red Crescent recovers lifeless bodies in northern Libya, not far from Zuwetina.

DAY 13

A guest at the Lampedusa hotspot dies of an illness. The victim was 30 years old and was there with 900 other people. Are the conditions in place to ensure adequate health care for all?

DAY 25

During the navigation operations of the humanitarian ship Geo Barents towards the port of La Spezia, imposed by the Italian authorities after four days at sea, the MSF team rescues a further 61 people in danger, on board a rubber dinghy reported by Alarm Phone. A few hours later, the same team rescues 107 people, including five women and 35 minors, fleeing Libya on board an overcrowded dinghy in distress.

Thanks to the report of the team on board Sea Bird 2, the SOS Méditerranée team on board Ocean Viking rescues 95 lives in danger. The so-called Libyan Coast Guard attempted to obstruct the rescue and did not cooperate in the search for possible missing persons.

DAY 29

After an unnecessarily long voyage, the 237 and 95 survivors, on board Geo Barents and Ocean Viking respectively, disembarked in the ports of La Spezia and Carrara.



BORDER STORIES

ILLEGAL PUSHBACKS FROM ITALY TO GREECE

DETAINED BELOW DECK LIGHTHOUSE REPORTS

HOW ASYLUM SEEKERS ARE HELD IN SECRET PRISONS ON COMMERCIAL SHIPS TO FACILITATE ILLEGAL PUSHBACKS FROM ITALY TO GREECE

As holidaymakers sip on cold beer and cocktails on the deck of a passenger ferry, a buzz of excitement in the air, a very different situation is playing out below deck. In the bowels of this vessel there are people, including children, chained and locked up in dark places against their will.

This is Europe's lesser known pushback practice, where secret prisons on private ships are used to illegally return asylum seekers back to where they came from.

The systematic denial of the right to seek asylum at the EU's land borders has been well-documented in recent years. Last year, Lighthouse Reports and partners revealed the existence of "black sites" – clandestine places of detention – where refugees and migrants are denied the right to seek asylum and illegally imprisoned prior to being forced back.

What has received less attention is the unlawful denial of the opportunity to claim asylum at borders within the EU, and the brutal pushbacks that take place between member states – namely from Italy to Greece – at sea.

We've found that asylum seekers, including children, are being detained in unofficial jails – in the form of metal boxes and dark rooms – for sometimes more than a day at a time in the bowels of passenger ships headed from Italy to Greece, as part of illegal pushbacks by the Italian authorities.

In 2014, the European Court of Human Rights ruled that Italy had unlawfully returned asylum seekers to Greece in this way, denying them the opportunity to lodge a claim for protection. Eight years on, despite the Italian authorities having repeatedly claimed this practice has not stopped, we've found that it continues in full force.

METHODS

Lighthouse Reports, in collaboration with SRF, ARD Monitor, Al Jazeera, Il Domani and Solomon, has obtained photographs, video footage and testimony revealing that people who risk their lives stowing away on ferries bound for the Italian Adriatic ports of Venice, Ancona, Bari and Brindisi in the hope of claiming asylum are being denied the opportunity to do so.

Instead, they are detained at the port before being locked up on the vessels they arrived on and sent back to Greece.

In the first visual evidence of its kind, obtained during numerous reporting trips between Italy and Greece on commercial ships owned by Greek ferry giant Attica Group, we captured images of the sites that are used to detain asylum seekers on these vessels, sometimes handcuffed to metal shelves, as they are illegally deported.

We found that on one ferry, named the Asterion II, people are locked in a former bathroom with broken showers and toilets, along with two mattresses. Names and dates of detainees are scribbled on the walls in different languages. We have visual evidence of this room, obtained with a small camera through a keyhole, which matches descriptions given by asylum seekers.

On another commercial ship, named Superfast I, people are held in a metal box with a caged roof in the garage room on one of the lower decks. It gets extremely hot here during the sum-

mer months. We visited the room and captured footage and stills. It matches the descriptions from asylum seekers. There is only a piece of cardboard on the floor. People appear to have tried to write words in the dust on the metal wall.

According to an Afghan asylum seeker who says he was held in this place: “It is a room the length of 2 metres and the width of 1.2 metres. It’s a small room [...] You have only a small bottle of water and no food at all [...] We had to stay in that small room inside the ship and accept the difficulties.”

On a third ferry, the Superfast II, asylum seekers are kept in a room where luggage is collected. One Afghan man managed to take a selfie while he was handcuffed to metal pipes. We went to the same spot and took footage, which matches the surroundings in the selfie image.

Among those detained are children. We have verified three cases where under-18s have been returned via ferry from Italy to Greece in this way. One 17-year-old Afghan named Baloosh told us: “They sent me back to Greece by boat, illegally. They didn’t ask me at all about my asylum claim or anything else.”

As well as testimony and visual evidence, we got confirmation from a number of crew members that these places were being used to detain asylum seekers being returned to Greece. They referred to the sites as “prisons”. Legal experts and NGOs further corroborated the findings, saying they have heard large numbers of reports of these practices taking place in recent years.

STORYLINES

Under a bilateral “readmissions” agreement between the Italian and the Greek government – which has been in place since 1999 despite not having been ratified by the Italian parliament – Italy is able to return undocumented migrants who have arrived from Greece back to the country. However, this cannot be applied to those seeking asylum.

But we found that asylum seekers from Afghanistan, Syria and Iraq have been subject to this treatment in the last 12 months. Data provided by the Greek authorities shows that hundreds have been affected in the last two years, with 157 people returned from Italy to Greece in 2021, and 74 in 2022 – although experts believe that not all cases are documented.

Since the ECHR judgement in 2014, Italy has repeatedly claimed that this practice has stopped, and has pushed for official monitoring of its border processes at the port – which were put in place following the ECHR judgement – to be stopped on the basis that the violations are no longer occurring.

Italian immigration lawyer Erminia Rizzi said these forced returns take place “frequently” and see asylum seekers, including minors, “prevented from accessing the territory, in violation of all the rules and with informal procedures”.

Wenzel Michalski, director of Human Rights Watch Germany, raised the question of EU complicity, saying the findings showed how “Europe has allowed itself to tolerate such circumstances”.



MED CARE FOR UKRAINE NEWS FROM THE PROJECT

The sixth humanitarian aid supply mission of Mediterranean Saving Humans has departed from Rome, thanks to the logistical and organizational support of our ground crew. We return to Ukraine, caught in the grip of the frost and cold that is all of Europe, but which in the country at war and in the midst of an energy crisis has a devastating impact.

Repairs to the country's power plants, often built during the Soviet era in the last century, appear anything but simple. The bombing by the Russian army has destroyed power plants in many oblasts, metropolitan areas, including those around Lviv where the 'Med Care for Ukraine' project of Mediterranean Saving Humans. Our mission transported humanitarian aid, generators, warm clothes, blankets and food that were distributed through the network of the project "Med Care for Ukraine".

Our activists delivered the aid to the camp camps in Sykhiv and Novaliv/ Striskij Park, helping to fill the camps' warehouses, made up of containers, housing war refugees who arrived from the eastern regions under Russian occupation. Precisely in the Sykhiv district, construction is continuing on a new citadel consisting of two-storey containers, which, unlike the current camps, will give refugees the opportunity to have toilets and showers inside the housing modules.

At the moment, in fact, the refugees have to cross the camps in the snow in order to wash in the outside shower modules. A dramatic situation that complicates people's state of health.

Our mission also unloaded humanitarian aid to our partners, the Don Bosco center in Lviv and the feminist NGO "Insight".

A 3.5 Kw power generator and a power station, donated to Mediterranean Saving Humans by the "Eugenio Rossetti" association of Cava de Tirreni (Sa) and the "Società Operaia di Mutuo Soccorso" of Mogliano Veneto, were delivered.

The generators will help guarantee electricity during the continuous blackouts and scheduled power cuts that have plagued the country since the beginning of winter.

Refreshments and social points have been set up within the main cities, where it is possible to warm up and where power is continuously guaranteed, so that even the population that does not have access to power generators at their homes, can find a minimum of warmth within these structures. Our activists met with the Community of Sant'Egidio in Lviv, which contributes to the distribution of humanitarian aid to the population affected by the conflict and assistance to war refugees.

A fruitful meeting aimed at improving assistance strategies for the civilian population among the social networks operating in Ukraine.

The medical work of the 'Med Care for Ukraine' project is also continuing with the 15th medical mission that will start in the next few days and will continue to bring basic health care to about 1,500 people between the refugee camps in Lviv and the informal reception sites.



#FREETHEMALL

**JANUARY 10TH
MANIFESTATIONS
IN FRONT OF THE
EUROPEAN UNHCR
OFFICES
AND LIBYANS**

It was 10 January 2022 when police forces and armed militias led by al Khoja - the director of the Directorate for Combating Illegal Immigration (Dcim) - violently evicted the Refugees in Libya movement, taking over 600 refugees and asylum seekers to the Ain Zara detention center.

A dismantling that came after more than three months of garrisoning thousands of refugees in front of UNHCR Libya, the UN refugee agency, who were only asking to be recognised as human beings and evacuated to safe countries in Europe. One year after that inhuman eviction, 250 people are still detained.

That is why the Alliance - formed by Refugees in Libya, Solidarity with Refugees in Libya, Mediterranea, Alarm Phone and many other associations - took to the streets on Tuesday, 10 January 2023 - in Tripoli, Rome, Hamburg, Berlin, Brussels and London.

Under the cry of #FreeThemAll, the release of the 250 activists still confined in inhuman conditions in Libyan prisons was demanded. In Italy, there was also a demonstration against the NGO decrees signed by the new government, which formally contravene the Convention on Human Rights and the laws of the sea.

Refugees in Libya is a peaceful and autonomous collective, a historically unprecedented movement led by refugees demanding rights for themselves and all people on the move. Without European filters.

The Collective Struggle was born in dramatic circumstances, after the house-to-house round-ups that woke up the Gargaresh neighborhood in Tripoli on the morning of 1 October 2021.

On that occasion, 5,000 men, women, young people, children, infants, pregnant women and the sick were taken by force and illegally deported to a detention center. Of these people, many were already officially recognised as holders of international protection.

Refugees in Libya had seen the light the day after the raid by Libyan forces, thanks to the coordinated action of very young men and women united by a single intention: to obtain protection. As a first action, the Refugees had decided to establish a permanent garrison, to live camped on the pavement in front of UNHCR Libya's headquarters. Exposed to rain and cold, without a roof over their heads, in constantly deteriorating health, deprived of access to essential services. The struggle had continued for about three months. Until that famous 10 January 2022.

Although the garrison was dismantled over a year ago, the movement has survived. The struggle is alive. And it continues, every single day. Moreover, its strength lies

In partnership with Mediterranea, Alarm Phone, Amnesty International and the transnational alliance Solidarity with Refugees in Libya, Refugees in Libya continue to call on the UN Refugee Agency to fulfill its mandate and defend the rights of refugees. They continue to take to the streets and demonstrate for the release of their friends locked up in prison and for the reintroduction of humanitarian evacuation flights. They continue to reflect, to rebuild, looking for new ideas to be able to plan their next actions.

And we are with them.

MSH MONTHLY REPORT ON MIGRATIONS





WORLD

LIBYA

10 January - One year after the violent eviction of the Refugees in Libya garrison in front of the UNHCR headquarters in Tripoli and the deportation of thousands of people to the Ain-zara camp, the refugees found themselves again in front of the UNHCR to ask to be evacuated to safe countries.

LIBYA, 23 January - Mazin, a 15-year-old refugee from Sudan, was released from Tajoura al Ahdath prison, where he had been held illegally for about six months. However, he and his family in Libya are still in danger and must be evacuated to Europe as soon as possible.

GREECE

13 January - The Court in Lesvos dropped the main charges against the 24 Emergency Response Centre International activists involved in civil rescue in the Aegean Sea. Only a few minor charges are still being contested.

STRASBOURG

26 January - Council of Europe Commissioner for Human Rights Dunja Mijatovic wrote to Interior Minister Piantedosi, asking him to withdraw the decree regulating civil rescue at sea.

BRUXELLES

27 January - The European Commission has presented a new plan to manage the 'migrant emergency'. Among the main points, protection of external borders, acceleration and increase of repatriations, solidarity between states, more partnerships with third countries and cooperation in the management of rescue at sea with the civil fleet, but also with Libya, Tunisia and Egypt.

GREECE

26 January - Activists Panayote Dimitras of Greek Helsinki Monitor and Tommy Olsen of Aegean Boat Report have been charged by the Kos authorities with aiding and abetting illegal immigration for profit for their activities of rescuing and monitoring migrants in the Aegean Sea.

SEA

MOROCCO

2 January - 13 people died in a shipwreck while trying to reach the Canary Islands. There were an estimated 45 shipwrecked people on the boat, of whom there is no news.

LAMPEDUSA

6 January - During a shipwreck off Lampedusa, a child and two adults died. The other 30 people on board the boat were rescued by the Italian Coast Guard.

TUNISIA

9 January - Five people died during a shipwreck off Sfax. In addition, five people were reported missing and 20 rescued and taken back to Tunisia.

CAPE VERDE

16 January - A drifting boat with 90 people on board, which had set sail from The Gambia 25 days earlier, was rescued while near Cape Verde. The survivors report five dead.

NAPLES

18 January - The Court of Appeal upheld the conviction of the captain of the private vessel Asso 28 of the Augusta Offshore company for taking 101 people rescued at sea back to Libya in July 2018.

ROME

19 January - The Court of Rome has convicted Italian Coast Guard officers Manna and Licciardi of failure to rescue following the 11 October 2013 shipwreck that left 268 people dead. The defendants avoided conviction thanks to the statute of limitations, but Italy will have to compensate the victims' families.

LIBYA

25 January - A shipwreck off Garabuli left eight people dead. 92 people survived.

TUNISIA

31 January - 7 boats left the Tunisian coast in bad weather conditions. One of them sank, causing 13 people to go missing, while 24 people were rescued.

CIVIL FLEET

Doctors Without Borders rescued 114 people, SOS Méditerranée 337.

ITALIA The Coast Guard rescued about 415 people.

RESPINGIMENTI There were 83 illegal rejections in Libya, 32 in Turkey and 52 in Morocco.

ITALY

ROME 2 January - Interior Minister Piantedosi presented a new decree to regulate civil rescue at sea. It stipulates that a civil fleet ship, after carrying out a rescue, must immediately go to the safe port assigned by the Italian authorities, regardless of the fact that there may be a new shipwreck and other people to be rescued nearby.

PADUA 10 January - The lifeless body of Oussama Ben Rebha, a 23-year-old Tunisian, is found in the Brenta: The boy had been stopped for a check and, according to a witness, savagely beaten and thrown into the river by the police.

LAMPEDUSA 13 January - A 30-year-old man died following an illness in the Lampedusa hotspot. At the time of the tragedy, the facility housed 912 people, more than double the maximum capacity.

ROME 16 January - The Chamber of Deputies hosted a hearing of the representatives of civil fleet organizations as part of a parliamentary initiative by MP Riccardo Magi to open a commission of enquiry into the implementation of the Italy-Libya Memorandum.

VENICE 18 gennaio - An investigation by Lighthouse Reports uncovered the practice of illegal rejections between Venice and Patras. 232 asylum seekers, including many minors, victims of refoulement were locked up in the holds of the tourist ferry Asterion II.

ANKARA-TUNISI 17-18 January - Italian Foreign Minister Tajani met with his Turkish colleague Cavusoglu, reiterating that “fighting illegal immigration is a strategic priority” for the two governments. Then, in his meeting with his Tunisian counterpart Jirandi, Tajani said he was ready to welcome more legal migrants from Tunisia, but also reiterated that migration is above all a security issue.

TRIPOLI 28 January - Prime Minister Giorgia Meloni travelled to Libya to meet with various members of the Dbeibeh government. Migration flow control was discussed and the Italian government pledged to provide new patrol boats to the so-called Libyan coast guard, despite the illegal rejections it has been carrying out for years.

IMPERIA 10 January - The three men who had attacked Mousa Baldé in Ventimiglia in 2021 were sentenced to two years in prison for injuries. The 23-year-old Guinean, after being treated in hospital, was imprisoned in the CPR in Turin, where he took his own life.

BARDONECCHIA 26 January - A fire brigade helicopter rescued a migrant person attempting to cross the border into France in the area of Rifugio Pian delle Stelle, at an altitude of 2100 metres.

REPORT BORDERLINE EUROPE

NEWS FROM
CENTRAL
MEDITERRANEAN



ARRIVALS

borderline-europe counted 3,714 refugees arriving in Italy via the Mediterranean Sea in January of the new year. While arrivals at the beginning of the month continued to be unusually high for winter, the crossing became much more difficult from mid-January onwards due to worsening weather conditions and the arrival figures decreased. Then, in the last days of the month, there was again an unexpected increase in landings. The Italian Ministry of the Interior recorded 4,959 arrivals in the first month of the year, while IOM speaks of 4,452 and UNHCR of 4,730 refugees for the same period. The fact that our figures are significantly lower than for example those of the Ministry of the Interior is due to the fact that in many cases there was no publicly available information.

It is precisely because of the bad weather and the even greater danger of shipwreck for those daring to cross over to Italy that the work of NGOs in the Mediterranean is all the more important. In January 527 people were rescued by NGO ships. Both the Geo Barents and the Ocean Viking were once more actively engaged in saving lives despite the difficult conditions imposed by the Italian government.

In 2022 a total of approximately 105,000 people arrived in Italy, showing a significant increase from previous years. The organisation Alarm Phone also reported a record high of 673 emergency calls in 2022. This confirms an increase in crossings in the central Mediterranean, but also shows an increased awareness

on behalf of Alarm Phone. Furthermore it makes clear that European efforts to prevent people from leaving non-European third countries remain ineffective. The multi-million payments and material support to the so-called Libyan coast guard only ensure that the crossings become more and more dangerous and methods used to prevent people from fleeing more and more violent.

A review of the last months in 2022 as well as the first weeks of the new year once again disproves the theory of Italy's right-wing government that civilian rescue ships act as pull factors. On the contrary, since Meloni took office, more migrants have arrived in Italy than in the same period the year before, despite new ways of obstructing NGO work. Since October last year NGO rescues in the central Mediterranean have accounted for less than 10% of total rescues.

According to the UNHCR and the Institute for International Policy Studies (ISPI) more than 10,000 people were brought to Italy by NGO vessels in 2022, representing about 10% of the total of about 105,000 migrants and refugees who reached Italy. The remaining 90% of those arriving were rescued by ships of the Italian authorities or reached the Italian coasts on their own. According to Vittorio Nicoletta almost 75% of them ended up in Sicily, followed by Calabria with about 17% and Puglia with less than 5%.

DEAD AND MISSING

In January [borderline-europe](#) recorded 34 people dying on the Mediterranean Sea while trying to flee to Italy, as well as 165 people who have gone missing. As always, the number of unreported cases is much higher.

In the very first week of January more than 30 people trying to reach Italy from Tunisia were shipwrecked about 38 miles off Lampedusa, resulting in the death of at least three refugees, including a baby just 14 months old.

Several continue to die near the Tunisian coast when trying to reach Europe. On 6 January a further shipwreck occurred, resulting in at least five deaths and ten missing persons, while the approximately 20 survivors were brought back to Tunisia by the Tunisian coast guard. However, due to the social and economic situation in the North African country, many people still dare to cross to Italy in the hope of a better life, despite the high risk.

On 2 December 2022 the last hearing took place in the criminal trial concerning the so-called “children’s shipwreck”, which occurred on 11 October 2013. The judgement of the Court in Rome, handed down on 16 December, states that the Italian coast guard and navy were guilty of wilful failure to rescue and are thus responsible for the deaths of 268 refugees. The case, however, is time-barred. Together with [Pro Asyl](#) and [Alarm Phone](#), [borderline-europe](#) issued a press release on 19 January.

PUSH AND PULL BACKS

Since the beginning of the year, the so-called Libyan coast guard has already prevented 594 people from crossing and forcibly returned them to Libya. In the same period the Tunisian coast guard intercepted 163 people trying to flee the country.

On its rescue mission, the [Geo Barents](#) (MSF) observed an interception by the so-called Libyan Coast Guard, where several refugees jumped off the intercepted boat in desperation. At first, the MSF crew wanted to rush to the people’s aid, but the Libyan authorities threatened to open fire if they tried to approach. It remains unclear how many people were brought back to Libya against their will in this case. Such a case also shows that the number of unreported interceptions to Libya is much higher, as exact data is often missing.

The tragic way in which people are returned against their will to the countries from which they were fleeing is supported by European governments and in particular the post-fascist government of Italy. During a trip to Libya by Italian Prime Minister [Giorgia Meloni](#) with Foreign Minister [Tajani](#) and Interior Minister [Piantedosi](#) the anti-migration pacts between Italy and Libya were extended. The Italian government is giving Libya five boats to “rescue” migrants in distress at sea and promises its support in interventions by the so-called Libyan coast guard.

In January a scandal was caused by media reports on illegal push-backs from Italy to Greece, which have been systematically carried out on ferries for years. These inhumane, secret depor-

tations of people were uncovered by research of Lighthouse Reports in cooperation with ARD Monitor, Domani and Al Jazeera. The violent way in which asylum seeking people were brought back to Greece is shocking. They are chained below deck or locked in tiny toilet cubicles, while unsuspecting passengers enjoy the view on deck - only a few metres away. On the journeys, some of which last more than 30 hours, those imprisoned are denied the opportunity to sleep, eat, drink and go to the toilet. On top of that, they are robbed of their clothes, documents and mobile phones. The age of those affected was not taken into consideration, since minors were deported as well. The report also revealed that Italian authorities denied asylum seekers access to formal asylum application procedures, including proper documentation and translation assistance.

Already in 2014 the European Court of Human Rights found that Italy had unlawfully deported asylum seekers back to Greece. Although Italy claims to have stopped these practices, they continue to this day.

The party “Sinistra italiana” (Italian Left) is now calling the government to account for the brutal events on the Mediterranean Sea between Italy and Greece. They too point to the 2014 ruling and the fact that the people concerned are being denied their fundamental right to asylum and international protection. The Italian authorities refuse to give information about the number of people deported to Greece, while the Greek coast guard speaks of at least 231 people.

However, due to the fact that these people are often not registered and disappear immediately after arrival, it is likely that this number could be much higher.

In the case of the ship Asso 28 of the company Augusta Offshore, the Naples Court of Appeal has now finally pronounced a conviction. The Italian tugboat had rescued an inflatable boat with 101 migrants, including women and children, in July 2018, but then returned them to Libya, where they had to disembark in Tripoli. The Court of Appeal upholds the decision of the Naples Court of 10 November 2022, which had condemned the captain’s conduct as “arbitrary landing and abandonment of persons” under Article 1155 of the Navigation Code and as “abandonment of minors” under Article 591 of the Criminal Code. The judgement could set an important precedent.

WAYS TO EUROPE

The route across the central Mediterranean Sea continues to be the second most common refugee route following the Balkan route. In 2022 it saw an increase of 51% and the most represented countries of origin continue to be Egypt, Tunisia, Bangladesh and Syria.

According to the Italian Coast Guard, departures from Libya towards Italy also increased by 70% last year. For example higher numbers of departures were observed from Western Libya, while departures from Algeria and Tunisia also recorded an increase of 60%.

CIVIL RESISTANCE

Right at the beginning of the month the effects of the new decree passed by the Italian government at the end of December (we reported on this in the last issue of CMI) became very clear. The decree finally came into force as a legislative decree on 3 January, when 85 rescued people were already on the Geo Barents. Thus the two rescues carried out by the MSF ship were still legitimate and they were able to dock in Taranto two days after the last rescue.

In addition to the Geo Barents, the Ocean Viking (SOS Méditerranée) carried out rescues in the Mediterranean in the first weeks of January. After the decree entered into force both had to head directly for a port that was far away from the place of operation after the first rescue with comparatively few people on board. This harassment of civilian rescue ships had already been enforced by Meloni's right-wing government in December, but after the operation in early January the weather conditions were much worse, which is why both NGO ships had repeatedly asked for a closer port and made a request for a transshipment from the Geo Barents to the Ocean Viking, both of which were consistently refused. The two ships only docked in Ancona after four to five days of sailing, endangering the safety and health of the migrants on board.

At the end of the month, both the Geo Barents and the Ocean Viking ventured back out to sea to continue rescuing despite

the aggravating conditions. While the Ocean Viking docked in Carrara, Tuscany, immediately after its first rescue of 95 people, the case for the MSF ship was more complicated. After the Geo Barents' first rescue of 69 people on 24 January, the ship was assigned the port of La Spezia in northern Italy. However, on their way north, the crew carried out two more rescues, which is against the provisions of the new decree. After several days of sailing, all 237 people were able to disembark in La Spezia in Liguria on 29 January. The ship was only allowed to leave the port after two days and is now on its way to the central Mediterranean to continue its mission. However, this is not the end of the case and it remains to be seen what consequences the three rescues might have for the NGO. The developments of this case are very exciting, as it is the first time since the decree has entered into force that a rescue ship has carried out more than one rescue before entering port. In the worst case scenario, a heavy fine of up to 50,000 euros for the captain could be expected, as well as an arrest of the vessel.

However, according to the lawyer Fulvio Vassallo Paleologo, it is not the Geo Barents that is challenging the decree, but the Italian state that is challenging Europe and international law. Moreover he considers domestic regulations on rescue operations at sea impossible, since maritime law and international conventions provide for freedom of navigation and Article 98 of UNCLOS (United Nations Convention on the Law of the Sea, 1982) obliges captains to rescue a ship in distress. Thus, contrary to the provisions of the Italian government's decree, failure to rescue de facto constitutes failure to render assistance.

On their Twitter account MSF informs that they had asked the authorities for closer ports such as Pozzallo or Palermo at an early stage, as La Spezia was 1,235 km away from the place of operation and the long journey was an unnecessary burden on all the people on board. According to MSF's head of mission, Juan Matias Gil, no more than a thousand people could have been rescued by them last year if the new decree had already been in force. Without the decree being in force a total of 3,850 could be rescued, which shows a significant impact of the decree.

The allocation of the northern port of La Spezia meant 100 hours of additional travel and the subsequent transfer of the unaccompanied minors to Foggia in the south of Italy illustrates the political will to keep NGO ships out of the rescue area for as long as possible.

There are all kinds of criticisms of the new decree. We too, together with numerous sea rescue organisations and the NGO Human Rights at Sea, have published a joint statement demanding that "EU member states finally adhere to the existing framework of international law and allow civilian sea rescue organisations to carry out their missions without government obstruction."

Several of the rescue NGOs already pointed out that these strategies of the Italian government will only lead to increasing death tolls in the central Mediterranean, as the capacity of civilian rescue vessels will be severely limited.

A spokesperson for the organisation Sea Watch refers to the decree as "an invitation to drown", while Sea-Eye calls for support from the German government, referring to the ship's German flag.

Regarding the politically controversial role of civilian rescue ships, at a recent hearing before the Chamber of Deputies for Constitutional Affairs and Transport Italian Coast Guard Rear Admiral Giuseppe Aulicino also admitted that civilian rescue ships, just like merchant and supply ships, are useful: Since NGO ships operate and rescue on the dangerous route between Tripolitania and Lampedusa, their work here is very helpful. This statement from a senior representative of the Italian Coast Guard is of great importance at the political level, especially as it counters the otherwise negative narratives with a different perspective.

One piece of good news from January is the return of the Sea Bird 2 (Sea-Watch) to the central Mediterranean after an almost ten-month blockade. She has already assisted in several rescues of the Geo Barents and Ocean Viking this month.

The Sea-Eye 4 has now also departed again for a mission to the central Mediterranean. Meanwhile, many volunteers in the port of Burriana in Spain are working to get the Humanity 1 back out to sea as soon as possible.



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