

The truth about the hotspot system – violations and illegality in Lampedusa

Over the last few weeks, dozens of people from Mali, Gambia, Pakistan, Somalia, Eritrea and Nigeria arrived in Palermo, as well as in Catania and other Sicilian cities, in possession of a **deferred refusal of entry order which requires that they leave Italian territory from the border crossing in Rome's Fiumicino [airport] within 7 days**. They all come from Lampedusa, where they arrived after being intercepted at sea and taken onto the island.

These migrants have not been allowed to apply for international protection, although they had managed to contact UNHCR.

They tell us that they were informed of the possibility of applying for asylum, without having any way to do so in practice.

Instead, they tell us they were forced to sign a form whose content they did not understand because they did not speak the language it was written in (while at the bottom of the order, absurdly, the phrase 'the interested party refuses to sign' is always present as these forms are prepared and pre-printed in bulk).

They also tell us that they were photo-identified and put on a boat leaving towards Porto Empedocle and, on board, they were divided into groups on the basis of criteria which we have not been able to understand yet.

These people were then abandoned in Agrigento station, or in other small stations in the Agrigento province, only with the refusal of entry order issued to them in their pockets. Lawyers from the Sicilian support networks have already submitted appeals against these orders because they are entirely unlawful and unconstitutional.

In the meantime, hundreds of migrants, most of whom are Eritrean, have been illegally detained in Lampedusa for weeks, because they refuse to have their fingerprints taken: not because they have something to hide, but because they want to reach their loved ones who are in other countries of the European Union without being caught in the nets of the so-called Dublin 3 Regulation, that is, of the ambiguous promise of relocations which never really

started apart from very few cases which the government used for propaganda purposes.

Europe is using the rhetoric of reception for refugees in order to dramatically pursue its war against migrations from the various “Souths” in the world.

These have been the first consequences of the implementation of the Hot Spot system, which views Lampedusa, once again, as a site for experimenting a further exacerbation of migration policies and unprecedented human rights violations.

The news we receive reports the use of multiple-choice questionnaires (the so-called ‘news sheet’) provided, when they are not pre-filled, by public officers who are not well specified, both Italian and from the European Union, on the basis of which a definitive decision as to who may apply for asylum is made.

Hence, first of all, it is the right to asylum itself which is cancelled by this system: a perfect subjective right which may be requested anywhere and by anyone, regardless of their origin and the country they came from. A right which is entirely denied in the moment when efforts are made to establish, in just a few days and solely on the basis of nationality, which people may have access to procedures for the recognition of protection and those who must be ‘rendered illegal’, alongside the thousands of rejected asylum seekers whose numbers are constantly growing following clear governmental directives. Moreover, increasingly often, they become recipients of expulsion measures of which they are informed in the context of the rejection of their protection application which is arbitrarily declared ‘manifestly unfounded’.

This is the point: after a period of chaotic readjustment of European migration policies, tackling the last few years’ epochal upheavals, the instrumental distinction between ‘real’ and ‘false’ refugees is now being used to ‘render illegal’ exiles, continuing to increase the masses of invisible people who must be marginalised and exploited, before starting to scream anew about a social emergency, or one for health, in response to the consequences of these unlawful and irresponsible choices.

The only emergency, considering the decrease in arrivals across the southern Mediterranean route and the constant decrease, as of 2008 to date, of entrants from the traditional countries people migrate from, alongside the deaths at the European borders, is the illegality and the injustice of the system which has been created.

Keeping in mind that the only coherent and rational migration policies, apart from being fair, would be embodied by the opening of legal routes of entry which would remove people from their reliance on smugglers and from death at the borders, enabling them to enter Europe safely, identified and without any need to hide,

We urgently demand:

- That every migrant, anywhere in Italy, may have immediate and effective access to apply for international protection;
- That all the orders for deferred refusal of entry which have been issued on the basis of the hot spot system which was launched in Lampedusa be withdrawn;
- That the centre in Lampedusa be immediately closed, without opening any further hot spots which do not have any legal basis other than the decisions by the European Commission and European Council, and have been structurally devised to do away with the right to asylum and the violation of the rights of all migrants;
- That the practices of issuing expulsion orders to asylum seekers in the very moment of their application is declared 'manifestly unfounded';
- That no use of violence be authorised for the taking of fingerprints, and that the Italian government, instead, must call for the abrogation of the Dublin Regulation, in all its versions;
- That a withdrawal from readmission agreements with countries of origin and of transit take place immediately, as more often than not they involve Italy and the European Union negotiating with dictators and oppressors [executioners]

and whose only purpose is to provide formal legal cover for practices of refoulement and collective expulsion.

First signatories: Borderline Sicilia Onlus, Borderline-Europe, Centro salesiano Santa Chiara di Palermo, Circolo Arci Porco Rosso di Palermo, Ciss – Cooperazione Internazionale Sud Sud, Comitato Antirazzista Cobas (Palermo), Comitato NoMuos/NoSigonella, Forum Antirazzista di Palermo, La città Felice(Ct) – Le città vicine, L’Altro Diritto Sicilia, Laici Missionari Comboniani, Palermo Senza Frontiere, Rete Antirazzista Catanese
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Unofficial translation by Statewatch

The original version (in Italian) is available on the website of Associazione Diritti e Frontiere, at:

“La verità sul sistema Hot Spot – Violazioni e illegalità a Lampedusa”
<http://www.a-dif.org/la-verita-sul-sistema-hot-spot-violazioni-e-illegalita-a-lampedusa/>