## **Resisting the extreme**

While so much of international migration policy appears to be characterised by the normalisation of increasingly abusive practices, it is, nevertheless, also true that an array of activists, humanitarian workers, journalists, lawyers, politicians and local residents continue to offer positive examples of inclusion, protection and support towards people on the move. These actions offer a powerful rejoinder to the narratives espoused all too often around migration and demonstrate that a different way is possible – and that, contrary to widespread perceptions, there is an appetite among host communities as well as policymakers for sustainable and humane solutions.

#### Peter Grant

This section remains a challenge to research and write, not least because some of the countries that offer good examples of 'resisting the extreme' are simultaneously featured in the Normalising the extreme section of this review. Additionally, some seemingly positive actions may be motivated by and be part of a broader immigration strategy that is less benign in its intentions. Positive examples from countries in this section, therefore, do not mean that the country has an overall positive assessment of its migration policies.

# Enhanced protection and integration actions

While, across Europe, borders are tightening, with some countries increasingly intent on rolling back their asylum responsibilities, the solidarity demonstrated to the millions of refugees from **Ukraine** who have fled the country since the launch of Russia's offensive in February 2022 is impressive. The introduction of the Temporary Protection Directive (TPD) within a week of the invasion offered Ukrainians immediate protection and access to services. More than two years later, in June 2024, the TPD was extended until March 2026.<sup>1</sup> While this generous provision is the exception rather than the rule in Europe's increasingly restrictive environment, it offers an important reminder that an alternative response to displacement is possible and can deliver far more beneficial outcomes than containment and pushbacks.

Even while countries across Europe impose harsher measures at their border, the persistence of some pathways for refugees and asylum seekers to access protection offers an important reminder of the humanitarian and legal responsibilities that governments can commit to. This is especially true in the case of receiving countries that are generally better known for their anti-immigration policies. For instance, **Italy** has, for a number of years, operated a Humanitarian Corridors programme that has facilitated the resettlement of thousands of refugees, including 49 Syrians who were flown from Beirut to Rome in June 2024.<sup>2</sup>

In many cases, the most innovative and inspiring approaches to integrating migrant populations are manifested at the local rather than the national level. The small town of Monterroso in **Spain** attracted headlines for the proactive and positive welcome it offered to 120 young refugees, mostly from Mali, who were transferred from the Canary Islands to be resettled in the town. Despite misgivings from some quarters around their arrival, the local communities rallied around to support their integration through sporting and cultural events, enabling them to interact with residents and challenge the stigma that some felt towards them. Though this was among the most publicised cases, it was by no means unique, with other towns attempting to emulate the success of this approach.<sup>3</sup>

At a time when asylum claims are increasingly either being expedited through accelerated processes or left to languish indefinitely in legal limbo, in June 2024, **Costa Rica**'s reform to harmonise its refugee legislation more closely with international law offers an inspiring counterpoint. Though introducing fast-tracked procedures for claims that are judged to be unfounded, the legislation offers a range of improvements for asylum seekers, including a more flexible timeline to file claims, the ability to work while asylum claims are under consideration and additional procedural amendments to allow for appeals. Furthermore, asylum applications are not undermined by consideration of whether the previous countries' asylum seekers had travelled through should be deemed safe.<sup>4</sup>

<sup>1</sup> European Council (2024) Ukrainian refugees: Council extends temporary protection until March 2026.

<sup>2</sup> ANSA (2024) Syrian refugees from Lebanon arrive in Italy with Humanitarian Corridors. InfoMigrants.

<sup>3</sup> Kassam, A. (2024) "They're setting an example for us": the small Spanish town welcoming refugees. The Guardian.

<sup>4</sup> Mixed Migration Centre (2024) Quarterly mixed migration update: Latin America and the Caribbean – Quarter 2 2024.

A recurring challenge in many countries is the backlog of unprocessed or rejected asylum cases that can leave applicants in limbo for years. **Uruguay** took steps to streamline its system through a new law that could benefit up to 20,000 primarily Cuban and Dominican migrants who had applied for asylum but had not yet been approved. The provision will enable these individuals to withdraw their applications and apply for legal residency instead.<sup>5</sup>

While many aspects of **US** immigration policy have hardened in the name of border security, including the temporary suspension of asylum claims announced in June 2024, the expansion of the Safe Mobility Offices (SMOs) has been a notable exception. First launched in April 2023 and now operating in Colombia, Costa Rica, Ecuador and Guatemala, the system has enabled the expedited resettlement of tens of thousands of refugees.<sup>6</sup> Though this represents just a very small fraction of those seeking to enter the US, SMOs nevertheless show that a safe and regular migration pathway to the US is possible, in stark contrast to the dangers those travelling to the border face.

Notwithstanding the increasing difficulties many face in their host countries, it is nevertheless the case that millions of people from Venezuela continue to live and work across Latin America. Though a significant proportion still face challenges around accessing official documentation and legal residency, the regularisation efforts of many countries in the region have helped alleviate some of the worst impacts of this large-scale, protracted displacement crisis. In Brazil, the ongoing collaboration between the government and UN agencies known as Operation Horizon (Operação Horizonte) has provided assistance, orientation and residency permits to Venezuelans and other nationals, including those from countries outside the region. In August 2024, the 11th phase of the initiative was rolled out in São Paulo to support at-risk migrants in the city in regularising their status.7 Colombia, too, with the largest Venezuelan population in the region, has continued to expand its regularisation efforts, including the announcement, in June 2024, that up to 540,000 Venezuelans who are guardians to children in the country could benefit from legal residency.<sup>8</sup> Similarly, in April 2024, Ecuador completed a regularisation round that provided close to 300,000 undocumented Venezuelans in the country with either residency permits or visas.<sup>9</sup> This was followed, in September, by a presidential decree that extended

regularisation for a further 100,000 Venezuelans currently lacking legal status in the country.<sup>10</sup> Even in **Peru**, where official policies towards Venezuelan migrants have become more restrictive, authorities published new legislation, in April 2024, offering special residency for Venezuelans whose documentation had expired or who had previously entered irregularly and been in the country for at least six months. Though some of the provisions could prove difficult for the most vulnerable migrants, such as the requirement of a valid Venezuelan passport,<sup>11</sup> the continued possibility of pathways to residency is a positive development in a context that has generally become less welcoming for Venezuelans there.

#### Climate mobility and security drive bilateral agreement between Australia and Tuvalu

Though the correlation between climate change and international migration is an evolving and still contested research area, it has long been a pressing concern in the Pacific, where various Small Island Developing States face the prospect of losing much of their territory to rising sea levels in the coming years. In this context, the ratification of the Falepili Union treaty between **Australia** and **Tuvalu**, in May 2024, represents an important milestone as the first agreement between two countries dealing with the issue of climate mobility.

A key provision is the facilitation of 280 permanent visas annually for Tuvaluan nationals exposed to the threat of climate change - a significant figure, given that it represents around 2.5 percent of the total population (11,000) every year. While the agreement appears to have been inspired by geopolitical as well as humanitarian concerns - the treaty contains various security concessions from Tuvalu's side to partner solely with Australia - it nevertheless offers a solution of sorts to the difficult predicament facing Tuvalu and other countries in the region that are highly vulnerable to climate change. In this regard, when migration is increasingly being conceived as a necessary adaptation strategy, the treaty demonstrates a viable model for safe and regular migration to be pursued between the Pacific and developed countries such as Australia.12

<sup>5</sup> Mixed Migration Centre (2024) Ibid.

<sup>6</sup> Mixed Migration Centre (2024) The influence of Safe Mobility Offices on mixed migration in Latin America.

<sup>7</sup> Government of Brazil (2024) PF em São Paulo iniciará 11ª Fase da Operação Horizonte; Mixed Migration Centre (2024) Quarterly mixed migration update: Latin America and the Caribbean: Quarter 1 2024.

<sup>8</sup> Reuters (2024) <u>Colombia to give legal status to up to 540,000 Venezuelan migrants</u>.

<sup>9</sup> UNHCR (2024) Tendencias nacionales de desplazamiento forzado en Ecuador 2024.

<sup>10</sup> UNHCR (2024) IOM, UNHCR commend Ecuador's efforts to regularize Venezuelan refugees and migrants.

<sup>11</sup> Mixed Migration Centre (2024) Op. Cit.

<sup>12</sup> Vallentine, J., Frous, B. & Forin, R. (2024) Power dynamics, arm twisting and migrant rights: the many (ugly) faces of migration diplomacy. Mixed Migration Centre.

### Legal regularisation

Millions of migrants are already living and working abroad without formal recognition, having either entered irregularly or had their rights to legal residency withdrawn. This can leave them vulnerable to exploitation, exclusion from basic services and deportation. Consequently, regularisation is a central means to strengthen the security and long-term wellbeing of migrants, ending their invisibility and facilitating their full economic and social participation as legal residents in the country. In this regard, even when framed in terms of work permits rather than the recognition of an asylum claim, the regularisation of undocumented migrant workers can be potentially life-saving. Thailand, for instance, is not a formal signatory to the 1951 Refugee Convention, but nevertheless hosts a large population of migrants who would qualify for protection under its provisions. However, in early June, the Thai Labour Ministry announced details of an amnesty plan to provide undocumented migrants from Cambodia, Laos, Myanmar and Vietnam in Thailand with temporary work and residency permits. This should benefit, in particular, many Myanmar nationals who have been forced to leave their country due to the ongoing security situation there.13

In December 2023, **Greece** passed a resolution regularising the status of 30,000 undocumented migrants. Despite right-wing opposition, it was passed with a large majority in the parliament, thanks to a cross-party consensus between the centre-right ruling party and the left-wing opposition. The move was justified as a necessary step to meet the country's labour gap in key sectors such as agriculture and tourism, though the pathway was only offered to migrants who had been in the country for at least three years and already had a job offer in place.<sup>14</sup>

### Spain offers a rebuke to far-right narratives around migration

While previously fringe anti-migration positions have become increasingly mainstream across Europe, driving a surge in support for far-right groups and efforts from mainstream parties to attract support by echoing these talking points themselves, the prime minister of Spain, Pedro Sánchez, offered his country a powerful alternative vision in a speech in October 2024.

Warning of the dangers of xenophobia and the profound economic cost that closed migration

policies would bring, he challenged the framing of migration as "a battle between Spaniards and foreigners, or Christians and Muslims, or saints and criminals", as promoted by "the interests of a few who see fear and hatred of foreigners as their only path to power". While calling on the moral duty to welcome migration – as "children of emigrants", he said, "we are not going to be the parents of xenophobia" – he also drew attention to the fact that the overwhelming majority of migrants who entered the country did so legally and were engaged in productive work that benefitted the entire country in a context of widespread depopulation.<sup>15</sup>

# Expanding legal migration pathways

The provision of regular pathways for migrants to travel legally to destination countries is one way to reduce irregular migration. Though, at present, these options are nowhere near enough to meet demand, some governments have rolled out recruitment programmes that demonstrate the mutual benefits of more open migration policies for sending and receiving countries alike. In some cases, the governments that are implementing these policies are doing so despite being widely associated with restrictive asylum and migration policies. Italy, for instance, formalised a Memorandum of Understanding (MoU) with Tunisia in October 2023, allowing a yearly quota of 4,000 Tunisian workers to work in Italy.<sup>16</sup> Spain's minister for inclusion, social security and migration, Elma Saiz continued to reinforce circular migration programmes between Spain and Mauritania, which benefitted companies and 17,200 workers in 2023. Spain intends to create a similar circular migration MoU with The Gambia.<sup>17</sup> Similarly, in September 2024, Germany and Kenya reached an agreement to facilitate the movement of skilled and semi-skilled workers.<sup>18</sup>

It is often the case that regularised migration packages are developed conditionally, with sending countries obliged to accept the return of undocumented nationals from the host country in exchange for the allocation of work visas and placements. Germany and **Morocco**, for instance, have been working together on the development of a pilot pre-integration programme, whereby skilled workers in Morocco receive German language classes and awareness courses to facilitate labour migration between the two countries. The collaboration, however, also hinges on Morocco working with Germany on

<sup>13</sup> Mixed Migration Centre (2024) Quarterly mixed migration update: Asia and the Pacific - Quarter 2 2024.

<sup>14</sup> Mixed Migration Centre (2024) <u>Quarterly mixed migration update: Quarter 4 2023: Europe</u>.

<sup>15</sup> Kassam, A. & Jones, S. (2024) Pedro Sánchez unveils plans to help migrants settle in Spain. The Guardian.

<sup>16</sup> Reuters (2024) <u>Italy signs deal to take in migrant workers from Tunisia</u>.

<sup>17</sup> La Moncloa (2024) Elma Saiz travels to Mauritania to reinforce circular migration programmes, which benefited companies and 17,200 workers in 2023

<sup>18</sup> Muia, W. (2024) Germany to welcome Kenyans in labour deal. BBC.

the reduction of irregular migration.<sup>19</sup> The agreement was finalised in late January 2024, with the aim of supporting legal migration and integration between the two countries as an alternative to irregular migration; at the same time, however, Germany reportedly wants all undocumented Moroccan nationals to be returned to their home country.<sup>20</sup>

While ensuring migrants are able to live safely and legally abroad is, in part, the responsibility of the host country, it is also the case that sending countries have an important role to play in ensuring the wellbeing and security of their citizens. In this regard, Indonesia's efforts to expand regular migration pathways for its nationals to Malaysia and other destination countries including Austria, Japan and Saudi Arabia are important, given the significant numbers of Indonesians who migrate (in some cases irregularly) in search of work abroad.<sup>21</sup> For instance, in February 2024, Indonesia signed a bilateral agreement with Spain to provide accreditation for Indonesian fishing vessel workers to enable them to work officially as deckhands; this will help prevent incidents of trafficking and modern slavery in a sector that has become notorious for these practices.<sup>22</sup>

#### Social activism

Social activism plays a vital role in countering the mobilisation of negative narratives around migration. This was evident in Germany when, in January 2024, following reports that members of the far-right AfD had met with neo-Nazis to discuss mass deportations, more than 100,000 people gathered in cities across the country to protest.23 Migrants themselves also played a key role in countering toxic narratives and hate crime: in the city of Naples, Italy, for instance, foreign residents took to the streets in September 2024 to protest after a spate of violent attacks against migrants there.<sup>24</sup>

In the United Kingdom, similarly, the tragic stabbing to death of three young girls in Stockport at the end of July 2024 triggered a wave of misinformation and rumours falsely suggesting that the killer was a Muslim asylum seeker. The subsequent riots that spread across various towns and cities specifically targeted asylum seekers and mosques. Yet, amidst these dispiriting scenes, thousands of anti-racism protestors gathered in solidarity and support.<sup>25</sup> In the city of Bristol, for instance, activists stood outside a hotel housing asylum seekers to prevent a large group of violent far-right demonstrators from entering. A fundraiser was launched shortly after to purchase toys and sweets for the terrorised children being accommodated there who had witnessed the scenes from their windows.<sup>26</sup>

Besides resisting hate speech and racist violence, social activism can also offer positive, innovative solutions to migration-related challenges. In Italy, the Community of Sant'Egidio, a Catholic advocacy organisation, has long played a role in driving more progressive policies towards refugees, even as much of the country's immigration agenda has hardened; for instance, the group was instrumental in the establishment of the Humanitarian Corridors programme described above. Similarly, in April 2024, in a move that arguably bridges a middle ground between conventional labour migration and humanitarian protection, details emerged of a new pilot Work Corridors programme brokered by the Community of Sant'Egidio with the Italian government. While stopping short of offering formal refugee status, the programme will admit 300 migrant workers from Lebanon, Ivory Coast and Ethiopia to work in the country.<sup>27</sup>

#### The power of online campaigns in driving positive change

While social media is all too often in the spotlight for its misuse or exploitation by anti-migrant groups, it can also be an effective platform for mobilising solidarity and social change. In Spain, for instance, a collective of hundreds of rights organisations, #RegularizacionYa, mobilised more than 600,000 signatures in support of a proposal to offer a regularisation pathway to the large undocumented migrant population in the country. In April 2024, the Spanish parliament debated the proposal and approved it as a draft bill by a large majority, with only the far-right organisation Vox opposing it. Once implemented, the proposal will extend residency rights, legal assistance and public services to between 300,000 and 500,000 undocumented migrants in the country.28 While, initially, the impetus was primarily humanitarian, the proposal was also able to attract support on the basis that it would help resolve Spain's current labour shortages in key sectors and expand its tax base, both issues that will only become more acute as the

<sup>19</sup> Mixed Migration Centre (2024) Quarterly mixed migration update: Quarter 1 2024: North Africa.

<sup>20</sup> Restelica, B. (2024) Germany and Morocco agree to increase controlled labour migration and facilitate returns. Schengen News; Federal Ministry for Economic Cooperation and Development (2024) Germany and Morocco strengthen cooperation to promote regular labour migration and integration from the outset

<sup>21</sup> Mixed Migration Centre (2024) Quarterly mixed migration update: Quarter 2 2024: Asia.

<sup>22</sup> Gokkon, B. (2024) Indonesia and Spain sign agreement to protect migrant fishing workers. Mongabay.

<sup>23</sup> The Guardian (2024) More than 100,000 protest across Germany over far-right AfD's mass deportation meetings.

<sup>24</sup> ANSA (2024) Italy: Migrants protest in Naples after racist attack. InfoMigrants.

<sup>25</sup> Sky News (2024) UK riots latest: Thousands take part in anti-racism protests: petrol bomb thrown at mosque in 'racially motivated' incident.

<sup>26</sup> Madan, L. & Turnnidge, L. (2024) Community buys toys for asylum seeker children. BBC.

<sup>27</sup> Reuters (2024) Italy to recruit migrant workers in Lebanon, Ivory Coast and Ethiopia.

<sup>28</sup> Carreño, B. (2024) Spain's parliament to draft amnesty bill for undocumented migrants. Reuters.

population ages.<sup>29</sup> This innovative and progressive approach to the reality of undocumented migration is now being drafted into law, offering significant benefits to migrants and the Spanish economy. In future, it could serve as a valuable precedent for other countries to follow, with the right political will in place.<sup>30</sup>

A similar initiative has been launched in Italy, calling for the country's current citizenship rule to be relaxed. Unchanged since 1992, the law stipulates that foreign nationals have to reside in the country for at least 10 years before they can apply for citizenship. Children born in the country to foreign parents are also unable to apply for citizenship until they reach the age of 18. An online campaign was launched to garner signatures for a change in the legislation, securing over half a million votes by September 2024. This is sufficient for a referendum to be called to allow Italians to vote on whether the pathway for naturalisation should be halved to five years and citizenship conferred automatically on the children of foreign nationals when they are granted Italian citizenship. If passed, the revised provisions could benefit up to 2.5 million people who would be eligible.31

Physical displays of solidarity continue to play a uniquely important role, too. In August 2024, in the northern Italian city of Trieste, for instance, dozens of activists spent a night sleeping in the city's squares to protest the lack of adequate shelter for migrants.<sup>32</sup> The previous month, beginning in Spain and continuing across Italy into the Balkans, the Abriendo Fronteras (Opening Borders) march brought together hundreds of participants who took part to draw attention to promote migrant hosting.<sup>33</sup>

## Human rights reporting and journalism

While the scale of documented abuses against migrants points to the impunity governments, criminal organisations and other groups continue to enjoy, it also points to the persistence of a powerful area of resistance to these forces – the willingness and ability of journalists, human rights organisations and activists to document and publish these abuses in the hope of holding those responsible to account. Of particular note, in this regard, is the work of Lighthouse Reports, in partnership with leading media outlets such as Le Monde, Der Spiegel and the Washington Post amongst others. The organisation has published a series of extraordinary revelations on the shortcomings, failures and negative consequences of hostile policies and practices on migrants. During 2024 alone, it published major exposés on the infamous "desert dumps" of migrants in North Africa, the violent interceptions of boats in the English Channel by the French coastguard, the suffocation of dozens of migrants in a detention centre in Ciudad Juárez in Mexico, Türkiye's EU-funded deportation machine and the systematic collaboration of Frontex with the Libyan coastguard to facilitate interceptions.<sup>34</sup> Though abuses and official denials can still occur in the face of indisputable evidence, these reports are helping to move the dial in important ways; published in December 2023, investigations by Lighthouse Reports documenting Frontex's collaborations with a notorious militia prompted the EU Committee on Civil Liberties, Justice and Home Affairs to send a formal letter to the agency's executive director about these accusations.35

Other organisations working on uncovering hidden abuses include Forensic Architecture, a group that uses an array of data and visualisations to reconstruct human rights violations, ranging from historic incidents of genocide to contemporary police shootings. Within this broad remit, the organisation has focused on a number of investigations relating to migrant and displaced populations, including an investigation into the 2020 fire at Moria refugee camp in Greece and the deadly 2023 Pylos shipwreck, in which hundreds of migrants drowned. More recently, it has documented the repeated attacks and human rights violations that Palestinian IDPs in Gaza have suffered at the hands of Israeli military forces, including the use of "humanitarian violence" to uproot and contain the civilian population.<sup>36</sup>

Other notable contributions include the winner of the European Press Prize's annual Migration Journalism Award, a piece published by *In These Times* on the EU's externalisation of migration management to African countries.<sup>37</sup> Meanwhile, in terms of uncovering the true human cost of securitised border policies, the NGO Ca-Minando Fronteras deserves special mention for its dogged enumeration of deaths and disappearances

<sup>29</sup> Keeley, G. (2024) Spain approves new rights for undocumented migrants – should the UK do the same? The i.

<sup>30</sup> Carrera, B. (2024) In Spain, regularising undocumented migrants could counter looming labour shortages. VoxEurop.

<sup>31</sup> Di Donfrancesco, M. (2024) <u>Italy opens way for referendum on easing citizenship rules</u>. Reuters; Wallis, E. (2024) <u>Italy: Campaigners gather</u> <u>enough signatures for citizenship referendum</u>. InfoMigrants.

<sup>32</sup> ANSA (2024) Italians sleep in Trieste's streets "for immigrants". InfoMigrants.

<sup>33</sup> ANSA (2024) Pro-migrant march departs from Spain to reach Balkans via Italy. InfoMigrants.

<sup>34</sup> Lighthouse Reports (2024) <u>Desert dumps</u>; Lighthouse Reports (2024) <u>Sink the boats</u>; Lighthouse Reports (2024) <u>Smoke and lies</u>; Lighthouse Reports (2024) <u>2.200 Frontex emails to Libya</u>; Lighthouse Reports (2024) <u>Turkey's EU-funded deportation machine</u>.

<sup>35</sup> Lighthouse Reports (2024) <u>2.200 Frontex emails to Libya</u>.

<sup>36</sup> Forensic Architecture (2023) <u>Fire in Moria refugee camp</u>; Forensic Architecture (2023) <u>The Pylos shipwreck</u>; Forensic Architecture (2024) <u>Humanitarian violence in Gaza</u>.

<sup>37</sup> Popuviciu, A. (2023) How Europe outsourced border enforcement to Africa. In These Times.

along the various routes linking Africa with Spain, in particular the Western Africa-Atlantic route to the Canary Islands. Its work has demonstrated that the likely number of fatalities is far higher than official enumerations would suggest, with thousands reported in the first months of 2024 alone.<sup>38</sup>

# Progressive policies and judicial decisions

The scrapping of the UK's so-called "Rwanda deal", whereby migrants who attempted to enter the country irregularly would be transferred to Rwanda to have their asylum claims processed there, was cancelled by the new government following elections in July 2024. Though the move was justified by Prime Minister Keir Starmer primarily on its apparent lack of effectiveness, rather than its dubious ethical or legal grounds, it nevertheless offered some hope that the UK might step back from some of its more extreme policies towards migration.

In Spain, in January 2024, the Supreme Court issued a ruling that deportations of unaccompanied minors carried out by Spanish authorities in 2021 were illegal. While Spain is legally obliged to care for child migrants until they turn 18 or their parents can be located, the government argued that the terms of its 2007 agreement with Morocco allowed for assisted returns once their cases had been considered – an argument that the court rejected as a violation of Spanish and European human rights law.<sup>39</sup> In October, meanwhile, the European Court of Human Rights ruled in favour of two Syrian asylum seekers who had attempted to reach Cyprus, only to be left at sea for two days and then returned to Lebanon. The court concluded that their rights had been violated.<sup>40</sup> The same month, the European Court of Justice ruled in favour of two Afghan women who had been denied asylum by Austria in 2015 and 2020. According to their judgement, gender and nationality in this instance are sufficient grounds for countries to offer asylum, given the severity of the discriminatory policies imposed by the Taliban.41

All too often, in recent years, the law has been weaponised against humanitarian activists, with sea rescuers prosecuted as aiding and abetting irregular migration. Nonetheless, a number of recent cases have led to acquittals. This included, after seven years of legal proceedings and evidence of serious procedural irregularities by investigators in Italy, the April 2024 dismissal of the case against crew members of the luventa at the prosecution's request.<sup>42</sup> In June, meanwhile, an Italian court ruled that the confiscation of a rescue vessel, Sea-Eye 4, earlier in the year was "illegitimate and invalid".<sup>43</sup> In Greece, in a similar case to the situation of the luventa's crew, 16 aid workers who had faced protracted proceedings on charges of espionage, belonging to a criminal organisation, people-smuggling and money laundering were finally acquitted in January 2024, after six years. Eight other foreign nationals who had been prosecuted on the same charges had been acquitted the year before.44 In a separate ruling in May, 35 international aid workers accused in 2020 of spying and facilitating irregular entry were acquitted due to a lack of evidence against them.45

While these rulings were welcome, they also pointed to the significant toll that extended prosecutions can have on those accused and how criminal charges can be deployed to deter humanitarian and life-saving activities. In this regard, the decision by prosecutors to request a six-year sentence for Italy's deputy prime minister, Matteo Salvini, for his decision to block more than 100 migrants from reaching Italian soil in 2019 stands out. He faces charges of kidnapping for leaving a rescue vessel stranded at sea for 19 days as a result.<sup>46</sup> While, at the time of writing, the outcome of the ruling remains uncertain and Salvini continues to enjoy the unqualified support of Prime Minister Giorgia Meloni, the trial is an encouraging counterpoint to the systematic legal harassment that activists have faced for years - in no small part, the result of Salvini and his push to criminalise sea rescues.

<sup>38</sup> Ca-Minando Fronteras (2024) <u>Right to life monitoring: First five months 2024</u>.

<sup>39</sup> AP (2024) Spain's top court says the government broke the law when it sent child migrants back to Morocco.

<sup>40</sup> Wallis, E. (2024) <u>Cyprus: European court says rights of migrants breached</u>. InfoMigrants.

<sup>41</sup> Al Jazeera (2024) Gender, nationality "sufficient" to grant Afghan women asylum: Top EU court.

<sup>42</sup> Tondo, L. (2024) Crew of migrant rescue boat acquitted in Italy after seven-year ordeal. The Guardian.

<sup>43</sup> Wallis, E. (2024) <u>Migrant rescue organization wins court case in Italy</u>. InfoMigrants.

<sup>44</sup> AP (2024) Greek court acquits aid workers who helped rescue migrants crossing in small boats; Reuters (2023) Greek court rejects charges against aid workers.

<sup>45</sup> Reuters (2024) <u>Greek court drops criminal charges against 35 international aid workers</u>.

<sup>46</sup> Zampano, G. (2024) Italy's deputy premier Matteo Salvini faces a potential 6-year prison sentence in migration trial. AP.