



This project has received funding from the European Union's Horizon 2020 research and innovation program under the grant agreement 770730



Associazione per gli Studi Giuridici sull'Immigrazione

## **Criminalization of Assistance and Strategic Litigation in the Mediterranean**

**Venue: Rome Tre University**

**27 January 2020, 11:00-16:00**

This workshop tackles different human rights issues in the Mediterranean and looks into the international responsibility of the several actors involved. Since the long summer of 2015, migration has been at the heart of the political agenda and the public discussion in Italy as well as in the EU. Solidarity groups, local and international organizations continue supporting local facilities in Italy, as well as search and rescue operations against the background of increasing tensions and frictions among the receiving communities and criminalization of assistance to the extent of violating the EU and international human rights norms. At the same time border controls keep intensifying, the main tendencies being externalization and collaboration with third states, which often have questionable human rights records, and an increased role for Frontex, the European Border and Coast Guard Agency.

As a dialogue meeting, this event aims to bring together international and local civil society organizations, practitioners, and researchers who are working on issues related to the criminalization of assistance, in particular search and rescue, and judicial accountability for human rights violations occurring as a result of policies of deterrence and securitisation. It is based on the work of the Research Social Platform on Migration and Asylum ([ReSOMA](#)) that aims to provide ready-to-use evidence on policy, policy perceptions and policy options on migration, asylum, and integration at the EU level.

The event is organized together with the Association for Judicial Studies on Immigration, ASGI, and Migration and Citizenship Law Clinic of Rome Tre University. It is designed as two interactive panels that will be attended by invited participants. Speakers from migrant organizations, academia, and think tanks will share their first-hand experiences and legal argumentation on matters that concern criminalization of search and rescue and human rights litigation in the Mediterranean.

\*\*\*\*\*



## **Frontex Strategic Litigation Workshop**

**Venue: Rome Tre University  
27 January 2020, 14:15-16:00**

The project, entitled **The European Border and Coast Guard: Systemic Accountability in Practice**, deals with accountability within European Border and Coast Guard operations, with a particular focus on the responsibility and the subsequent judicial accountability of Frontex.

This project draws from the knowledge produced as the result of the Mariana Gkliati's doctoral dissertation, which is the forthcoming outcome of five years of academic research at Leiden University on the legal responsibility of Frontex and its accountability before courts and aims to bring the academic findings into practice.

It aims to investigate issues of responsibility for violations of the rights of refugees and migrants and create strategies for effective accountability in Frontex operations. We aim to support practitioners' initiatives on the ground, through building a platform of collaboration, offering expert advice, training, and knowledge sharing among the partners in support of strategic litigation.

The project is planned to take place in 2020 and will depend upon the results of the pilot, which runs from October 2019 to February 2020.

### **Rome Workshop**

The pilot phase of this project is currently running, during which the aim is to build a platform of collaboration amongst practitioners, investigate the potential of the litigation project, and fine-tune the ideas and approaches in accordance with the expectations and needs of the participants. To achieve this, a bottom-up approach is adopted, getting in touch with potential partners. For this reason, two exploratory roundtable meetings and several individual contacts are planned during this period in Italy, and Greece. Both roundtable meetings take place in collaboration with the ReSOMA project.

In the roundtable in Rome, we aim to bring together NGOs and lawyers interested in the responsibility of Frontex for violations of the rights of refugees and migrants and facilitate the exchange of information and expertise amongst them. The end goal is to present the project to the participants and determine their interest, capacity, concerns, and needs for the support of prospective litigation.

With these closed meetings, we aim to understand and assess the needs, intentions, and limitations to building a platform of collaboration amongst practitioners and bringing human rights-related cases before courts.



**11.00**     *Registration and Welcome Coffee*

PANEL I - Criminalization of Assistance and Strategic Litigation in the Mediterranean

*Moderator-* Sara Prestianni ARCI

**11.30**     Introduction of the ReSOMA project  
Dr. Carmine Conte - Migration Policy Group

**11.45**     Criminalization of Assistance and Strategic Litigation in the Mediterranean,  
EU perspective

Dr. Carmine Conte - Migration Policy Group,

**12.15**     The use of administrative measures to prosecute SAR NGOs in Italy  
Lucia Gennari - ASGI

**12.45**     International Responsibility for complicity with States with Poor Human

Rights Records

Dr. Giuseppe Pascale – University of Trieste

Debate

**13.15**     *Light lunch*

PANEL II

**14.15**     Frontex Strategic Litigation Workshop

Mariana Gkliati (Leiden University, Free University Amsterdam)

A more in- depth litigation meeting on Frontex  
Possible strategic litigation concerning the involving of Frontex,  
discussing legal routes and courts and for building coalitions