

## Nivin Case

Press Quotes from GLAN and partner organisations 18/12/2019

GLAN legal advisor Dr Violeta Moreno-Lax “The *Nivin* is a prolongation of Italy’s strategy of delegated coercion, which we have witnessed particularly since the Memorandum of Understanding was signed with Libya in February 2017, whereby direct physical contact by Italian authorities with boat migrants is avoided at all costs, in a bid to eschew ensuing responsibilities. Instead, Italy deputizes other actors to achieve the same result: blocking exit from Libya and thus access to Italian territory, where the individuals concerned can claim their rights. But just as the push-backs were declared illegal in the *Hirsi* judgement, so will their delegated version, since both expose persons to the same heinous violations of their most basic freedoms”.

Dr Itamar Mann of GLAN’s legal advisor explained that “by employing merchant vessels to exercise illegal border enforcement, Italy has interfered in maritime transportation. An important byproduct of our work on this case will hopefully also be a more secure environment for shipping companies: they will no longer be exposed to the economic and moral costs of serving as floating Italian detention facilities.”

Maurice Stierl, a member of the WatchTheMed Alarm Phone stated: “Over recent years, European authorities have withdrawn from the deadliest parts of the central Mediterranean Sea and thereby produced a rescue vacuum, particularly off the coast of Libya. In this context, private actors have repeatedly intervened to rescue migrants in distress. We as the Alarm Phone have observed several times how these private actors carried out push-back operations, returning vulnerable people to their places of torment. This is a hugely concerning development, where those forced back against their will have few available remedies to make their voices heard and challenge these drastic human rights violations. That said, we have also seen how such survivors of push-backs are not merely passive victims but resist in various ways, as we witnessed in the *Nivin* case.”

Alessandra Sciorba spokesperson of Mediterranea Saving Humans stated: In the terrible days when the refugees who had been refouled to Libya by the merchant ship *Nivin* were resisting to defend their lives and their rights, Mediterranea tried in every way to spread their voice and sent several appeals to European governments in order to stop the crime that was taking place. Awful cases like this are also one of the paradoxical consequences of the criminalization of NGOs’ search and rescue activities: our ships would never obey to illegitimate orders and would never bring rescued people back to tortures.

## SPEAKER PROFILES FROM PRESS CONFERENCE AND PARTNERS

Dr Gearóid Ó Cuinn is director of the Global Legal Action Network (GLAN) where he is responsible for the organisation's international legal actions, development and strategic growth. He is a Visiting Fellow at the Transnational Law Institute at King's College London, an adjunct lecturer at the Irish Centre for Human Rights and formerly lectured at Lancaster University Law School. His academic research focuses on public international law, human rights and public health governance.

Charles Heller is a researcher and filmmaker whose work has a long-standing focus on the politics of migration. In 2011, Heller together with Lorenzo Pezzani co-founded Forensic Oceanography, a collaborative project based at Goldsmiths, University of London that has developed innovative methodologies to document the conditions that lead to migrants' deaths at sea. Heller is currently Visiting Professor at the Graduate Institute, Geneva.

Dr Violeta Moreno-Lax is Legal Advisor to the Global Legal Action Network (GLAN), Senior Lecturer (Associate Professor) in Law, founder of the Immigration Law programme, and Co-Director and co-founder of the Centre for European and International Legal Affairs (CEILA) at Queen Mary University of London. She is also Visiting Professor at the College of Europe, founder and general coordinator of SAROBMED: The Search and Rescue Observatory for the Mediterranean, member of the Advisory Board of Equal Rights Abroad, member of the Board of Directors of the International Refugee Rights Initiative (IRRI), Fellow of the Centre of European Law of King's College London, Senior Research Associate of the Refugee Law Initiative of the University of London, Co-Chair of The Refugee Law Observatory, and a member of the Steering Committee of the Migration Law Network.

Noemi Magugliani is a legal researcher with the Global Legal Action Network, focussing on migration and border violence, specifically externalisation of border control and complicity in human rights abuses in Libya. She is a doctoral candidate at the Irish Centre for Human Rights at NUI Galway, where she researches "Adult male victims of trafficking, gendered constructions of vulnerability and access to protection." Noemi previously worked as a consultant in the Displacement Tracking Matrix (DTM) project; with Nasc Ireland, providing legal advice in the field of immigration law; with Dartmouth College as a Teaching Assistant; and with the Municipality of Milan in the field of international development.

Julien Raickman was Head of mission in Libya with Doctors Without Borders/Médecins Sans Frontières (MSF) from September 2018 to September 2019. His teams carried out medical consultations onboard the Nivin during the 10-day standoff in Misrata port and advocated for an alternative that would uphold the rights of the individuals onboard the Nivin, unsuccessfully. MSF currently provide humanitarian assistance and medical care to refugees, asylum seekers and migrants upon disembarkation on Libyan shores, inside detention centres and other settings in Misrata, Bani Walid, Zliten, Khoms, Tripoli and Djebel Nafusa areas.

Alessandra Sciarba is the spokesperson of Mediterranea Saving Humans. She is an activist and a researcher in legal philosophy. She has been researching migration for many years with a focus on human rights, citizenship and exploitation. She is coordinator of the CLEDU (Legal Clinic of Human Rights) at the University of Palermo. She was project manager at the Council of Europe and consultant at the European Parliament. She has published widely on migration and human rights, including the books *Campi di Forza—Percorsi confinati di migranti in Europa* (2009), and, from a gendered perspective, *La cura servile, la cura che serve*, (2015).