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E statev'attente
e voi d'la poblazione
impareteve a legge a scrive pe'
defendeve da li padrone

Lu m'nestre Colombe

E statevi attenti
voi, popolazione
imparate a leggere e scrivere per
difendervi dal padrone

Il ministro Colombo

*Take heed,
all you people,
learn to read and write to
defend yourselves from the bosses*

Minister Colombo

In "I treni per Reggio Calabria" (1976), Giovanna Marini, su testo di / based on text by Giuseppe Miriello

ABSTRACT BOOK

Amphibious Detention. New Bordering Ethnography of Safe Countries of Origin and the Use of Digital Data and Devices in the Governance of Migration in Europe

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As is well known, ten years have passed after the first major European migration crisis in 2015 when more than a million migrants arrived in Europe, and many asked for asylum in the European Union. These were difficult years, also due to the geopolitical events that had passed in the years immediately preceding Arab Springs and new "autumns" in the Middle East. At that time, the EU adopted a strategy aimed, on the one hand, at increasing security for EU citizens, by strengthening the application of the provisions of the Dublin Regulation on the identification of third-country nationals with the Juncker Commission's hub/hotspot approach, defining new detention facilities for migrants, arising new external borders with a dedicated agency, solidarity mechanisms between SSMMs (destined to fail in applying relocation). On the other hand, agreements with third countries, first attempts to externalize the deprivation of freedom by administrative means. In 2024, we recorded 199,200 arrivals in the EU compared to 270,000 the previous year. In Italy we had 66,475 arrivals, less than half of the previous year, 2023, with 157,000 migrants. In the first month of 2025, in January, according to UNHCR 11,223 people arrived in Europe; of these only about 2891 would have arrived in Italy and have been identified here. Yet, a new crisis is announced in 2024, quantitatively different, but not qualitatively, because in a dynamic of the emergency that is certainly not new, even in the face of the progressive increase in applications for PI, the adoption of the new EU migration and asylum pact in Europe is reached. More than a pact, it is a set of sources of EU law, including many regulations that, as such, will be directly applicable and with direct effect on EU countries in 2026.

In several aspects, the new rules of this pact seem to go beyond the concept of "safe third country of origin" and (its ethnographies and) issues related to territorial exceptions or certain categories of persons with the percentages of recognition of some form of protection by the Member States of the EU.

The grammar of non-exceptional exceptions, as I have defined it elsewhere, returns, with our government's request for the activation of new HUBs (from computer science, literally, "concentrators" of data) for repatriations to third countries on 18th December 2024, a few days after the decision of the Court of Cassation on the matter of SCO and still awaiting the outcome of the interpretative requests of many Italian Judges to the Court of Justice.

It will be necessary to focus on some provisions of Law 187/2024, the procedural ones had entered in force from January 2025. Some reforms still seem to be moving in the sign of a certain suspicion for SAR operations by non-sovereign entities, including those conducted by air, adding to previous restrictions on the possibility of submitting subsequent applications and other special/exceptional provisions, which relate to data processing. The subject we are dealing with (RSDP) is perhaps one of the most inhabited by sensitive data, an issue with which I now also measure myself in teaching, that is, in the encounter between the limits of consensus, the obligations that derive from the pursuit of a public interest in the operations of social control in GDPR. Data, at times, insensitive.

Article 10-ter of the TUI (D.lvo 286/1998) has been amended by providing, for the foreigner tracked down on the occasion of an irregular crossing of the internal or external border or who has arrived in the national territory following rescue operations and taken for SAR and first aid needs to special crisis points, the obligation to cooperate in ascertaining his/her identity and to exhibit or produce the elements in his/her hands relating to age, identity and citizenship, as well as the countries in which he/she has stayed or transited, allowing, as necessary to acquire the aforementioned elements, access to the electronic or digital devices or supports in his possession. In the absence of cooperation, the Police Commissioner may order that the officers or agents of public security proceed with immediate access to the identification data of the electronic devices and any electronic (S.I.M.) or digital (e.S.I.M.) cards in the possession of the foreigner, as well as to the documents, including video or photographs, contained in the same devices or electronic or Digital. Access to correspondence and any other form of communication by the data subject is prohibited, but it is sometimes difficult to distinguish between data and metadata in this sense.

This provision, of course, also applies to foreign nationals detained in CPRs (detention center for repatriation) for the purpose of repatriation (Article 14, paragraph 1.2 of the TUI). If a perquisition order is applied, it must

be communicated to the Giudice di Pace within 48 hours and validated by the same Judge within a further 48 hours. If such a searching activity is ordered against a minor, the Juvenile Court (and its rubble, after recent reforms) will have jurisdiction. In northern Europe, in particular, in Germany, several cases have already highlighted, in the literature and in jurisprudence, showing how controversial these tools are in evidence and credibility assessments procedures. Such controversial nature is confirmed even when these assessments have been limited on the nationality, considering that, the definition of the (safety of the) country of origin is a crucial point for understanding how procedures must be hinged and their terms, the possibilities of externalized detention in Albania and in other hubs in third countries as well as, at the same time, for the purposes of the refugee status determination process.

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The Plural Police Dream. Reproduction of Social Order by Non-State Actors in the Nordic states

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"Now the police dreams that one look at the gigantic map on the office wall should suffice at any given moment to establish who is related to whom and in what degree of intimacy; and, theoretically, this dream is not unrealizable although its technical execution is bound to be somewhat difficult" Arendt (1968, p. 146)

Arendt's description of the police imaginary of total surveillance and control is in the modern era not hampered by the technical issues of her time. Instead, this dream of social order is reverberated, materialized and reproduced in and through a diversity of new state and non-state actors and a plethora of new technologies, such as data driven or predictive policing (c.f. Sadowski & Pasquale, 2015; Sanders & Sheptycki, 2017; Brayne, 2021; Karlsson & Galis, 2025), alongside mundane and municipal security technologies (apps, sensors, systems) (Winter 2025; Winter & Hermansson 2025). In that sense, policing has expanded to include new forms of