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Front page photo: Front page of conference program (EG annual conference Lesbos 2017)
Editorial

“Uncovering Harms: States, corporations and Organizations as Criminals” is the title of the upcoming European Group annual conference in Lesbos. This is also the topic of conference organizer Stratos Georgoulas article in this August newsletter – state and large NGOs crimes in handling the refugee crises in Lesbos and elsewhere at the Aegean Sea areas. Georgoulas discusses how Europe’s handling of refugees has consolidated fortress Europe and how such approaches by the European states “may lead to state crimes (activity or failures to act that break the state’s own criminal law or public international law) and violations of human rights”, and further, the NGOs accomplice’s in such crimes by the state’s outsourcing of responsibilities of the welfare state to these organizations. Georgoulas urges us to demand safe, legal migrations channels to Europe.

In the August Newsletter you will also find a call for action in the case of Hassan Diab, extradited from Canada to France on weak terrorist suspicions. Maeve McMahon and Don Pratt on behalf of the Hassan Diab Support Committee updates us on Diab’s case. Collective actions to be taken in this case will be further discussed at the annual group meeting at the conference. Hope to see you there.

The conference program for the European Group annual conference, the book of abstract and all necessary information can be found here.

We are looking forward to seeing you in Lesbos.

τα λέμε σύντομα,
Ida and Per
I. Border Crimes: The Case of Lesvos

By Stratos Georgoulas
This article was first published as a guest post at Border Criminologies 4 May 2017

In Lesvos, during the summer of 2015, we experienced a humanitarian crisis. It was a situation that could have led to an unprecedented tragedy if it wasn’t for the hundreds of volunteers, who offered their unconditional and continuous solidarity to those who came from war zones across the Middle East, Central and Southern Asia and North Africa, and were heading towards Europe.

Meanwhile, the painful events (closing borders) unfolding in the Balkan Peninsula and Central Europe, and the urgency of ‘handling’ the great refugee flows to northern Europe, seem to have led to a new EU strategy of refugee management. The main objective of this strategy is to decrease refugee/migrant flows dramatically, reinforcing what has been called ‘Fortress Europe’.

To achieve this goal, centrally planned European policies set out to: (a) make a clear distinction between ‘refugees’ and ‘migrants’; (b) strengthen FRONTEX and the forces that deter sea travel, and to ‘militarize’ sea borders both in the Aegean and wider Mediterranean Sea; (c) create ‘hotspots’ on the Aegean islands and elsewhere, aiming at an administratively effective separation between refugees and migrants; and (d) to appoint Turkey as the regional ‘policeman’ to strengthen deterrence policies and discourage crossing the waterways in the Aegean Sea. Faced with a humanitarian crisis affecting hundreds of thousands of refugees and migrants, the EU has chosen to stick to the hard logic of previous years. The aim is a hermetically ‘sealed’ fortress that allows a select number of persecuted people from Africa and Asia to come to Europe.
Furthermore, the distinction between refugees and ‘migrants’ has been proven completely groundless, since it is based on an outdated conception of geopolitical reality that ignores contemporary developments. How can one classify (and handle) as ‘economic migrants’ people who, under the burden of war and terrorist threats, experience the fear of persecution, starvation, extermination, or simply do not possess the necessary means to educate their children? Who decides who will live and who will die, either within their countries or in the ‘civilized West’? Who holds the power of life and death over the persecuted of this planet? Shouldn’t various cliché terms found in international law regarding the status of refugees, such as ‘well-founded fear of persecution’ make us reflect on and try to define what ‘fear’, ‘justified fear’ and ‘persecution’ mean for those who experience those extreme situations? Who gives the right to the EU to decide which countries, nationalities and ethnic groups may be excluded from the ‘refugee’ status, implying that the members of the respective population groups are not entitled to feel unbearable conditions of life in the countries of origin? How can whole populations be collectively identified as ‘economic migrants’ but not as ‘refugees’, even when the existing refugee law prescribes that the procedures for recognition of a ‘refugee’ status should take into account the special conditions of each individual (likelihood of persecution), and this recognition is, above all, a humanitarian act?

Such preconceptions may lead to state crimes (activity or failures to act that break the state’s own criminal law or public international law) and violations of human rights. According to Amnesty International Report for Greece (2015-16), the dramatic increase in arrivals of asylum seekers and irregular migrants on the Aegean islands pushed an ineffective first reception system to breaking point. Allegations of torture and other ill-treatment, and excessive use of force by police have been documented.
In addition to these serious issues, more than 612 people, including many children, died or were unaccounted for while crossing the sea border from Turkey to Greece. Several refugees and asylum seekers reported violent push-backs at land and at sea. Eleven push-back incidents were reported to have occurred at the Greek–Turkish land and sea borders from November 2014 to the end of August 2015. The already ineffective first reception system proved incapable of responding adequately to the dramatic increase in refugees and migrants arriving on the Aegean islands. Reception conditions on islands such as Lesvos and Kos were ‘inhuman... insufficient tents, lack of food and poor hygiene conditions’. Unaccompanied children were often held with adults and remained in detention for several weeks. Conditions in immigration detention areas, including police stations, often amounted to inhuman or degrading treatment. Obstacles to accessing asylum procedures remained for both detained and non-detained asylum seekers. On several occasions between August and October 2015, riot police on Lesvos reportedly used tear gas, and beat refugees and migrants waiting to be admitted for screening at the Moria immigration detention centre, as well as those being registered in Mytilene port.

There have also been reports of state-NGO-corporate crimes. To understand what happened, we must first examine the relationship between NGOs and local authorities, which went through three phases.

The first one began in the middle of summer 2015, when dozens of (I) NGOs arrived on Lesvos to support refugees. Some NGOs contributed to refugees’ relief, while others used their presence on the island to make a profit.

It was in the next period, which began in late September 2015 that NGOs began to be recorded. The state was preparing for a cleanup. It wanted to remove volunteers, those who are not funded by the state or European Union funds, because they allegedly gave information to journalists about the mistreatment of refugees and revealed how government mechanisms were operating.

The third period started in mid-November 2015 and continues until today: the state forced small international NGOs to come under the umbrella of larger ones and, directly or indirectly, threatened them. If they disobeyed, they would be forced to leave the country.

In this context, it is misleading to say, as many do, that the Greek state was unprepared last summer and lost control of refugee flows. Officials knew very well what was happening but made a conscious choice not to use public services available, such as the General Secretariat of the Aegean and Island Policy- (former Ministry of the Aegean Sea). The state, for example, did not take on the responsibility to provide food, housing, clothing and health care to refugees. Refugee management was instead outsourced to NGOs. Funds were allocated to international NGOs in order for them to fill the gaps of the welfare state. NGOs, thus, employed staff and volunteers from abroad, and hired local unemployed people. In line with the majority of Greek workforce, whose labour rights have been trumped, NGO workers experienced at large unpaid work, poorly paid work, unpaid overtime, contracts that were renewable every month or three months and threats that if they revealed these labor relations,
they would not be able to find work in another NGO. At the same time, NGOs acting in a culture of clientelism, which is not strange to Greece, hired parties’ voters.

That it has been conscious choice of the Greek government to replace the welfare state with a ‘benevolent’ civil society is illustrated by the recent formal legislation to deal with the refugee crisis with Law 4375/2016, Article 11, paragraph 9, which states that ‘If the effective operation of the Regional Services of Reception and Identification is hindered due to the lack of adequate or appropriate personnel, handling individual processes ... may be assigned ... in agencies of civil society that meet appropriate quality and safety standards ... The cost of the award may be covered by the state or co-financed or other resources’.

Conclusion

Europe is confronted with a dilemma. On the one side we have witnessed a neoliberal alliance of political and economic oligarchy with racism and, sometimes, fascism. State crimes and state-corporate crimes are part of this agenda, as illustrated above. On the other side, we have solidarity to refugees: democratic citizens, ordinary people: the ‘underdogs’ of Europe. Those of us who belong to the solidarity side need to fight to prevent the militarization of borders (FRONTEX, NATO) and the setting-up of hotspots that will decide who will stay and who will be returned. At the same time, we ought to demand safe, legal migration channels to Europe. More ambitiously, there needs to be more focus on push factors, including war and disasters that cause migration movements in the first place. Uncovering and addressing state crimes and state-corporate crimes is part of this agenda.
Stratos Georgoulas is Associate Professor, Director of the Laboratory EKNEXA, University of the Aegean, Greece. His working experience concerns amongst others several legislative committees and special advising (Greek Ombudsman, Ministry of Justice, etc). He has been Visiting Professor at FSU, University of Toronto, University of Damascus, Slovak Academy of Science and University of Amman. He has published several books, chapters in edited volumes and journal articles in Greek and English; he is the editor of the journal 'Youth, Crime and Society'.

Stratos Georgoulas is the organizer of the European Group annual conference in Lesbos 2017.
II. CAMPAIGN UPDATE: Hassan Diab (Extradition from Canada to France)

July 31, 2017
By Maeve McMahon, Department of Law and Legal Studies, Carleton University
Don Pratt, member of the Hassan Diab Support Committee

As some of you are aware, commencing in the Fall of 2008 France sought the extradition of Canadian citizen Dr. Hassan Diab, a sociologist who had been teaching at Carleton University and the University of Ottawa. The French authorities alleged that Hassan Diab was involved in a bombing near a Paris synagogue on Rue Copernic in Paris in October 1980 which resulted in the tragic bombing, four people died and about forty more suffered injuries.

From the outset Dr. Diab has asserted his innocence and condemned the attack.

The following six years saw protracted extradition proceedings. At times Hassan Diab was incarcerated. More generally he was released in the Ottawa area under a form of ‘house arrest’ with onerous conditions. These included his being obliged to pay about $2,000 per month for GPS/electronic monitoring surveillance (despite his teaching position having been cancelled by Carleton University and his inability to secure other employment).
Despite the extreme weakness of the case presented by the French authorities, and with the Canadian Supreme Court declining to hear the case, Dr. Diab was extradited to France in mid-November 2014. Since then he has been incarcerated at Fleury-Mérogis Prison near Paris. Up until now Hassan Diab has not been charged but remains under judicial investigation (“mise en examen”). After over eight years of French authorities’ pursuit of Hassan Diab it is by no means clear if he will be charged, or put on trial.

Since May of 2016 the lead investigating judge (along with two other judges) has on six occasions ordered the release of Hassan Diab. On each occasion prosecutors and the appeal court have blocked his release. In connection with recent orders for Diab’s release the lead “juge d’instruction” has cited evidence that Hassan was not in France at the time of the bombing, but rather was taking his exams as a student at Beirut University. Contemporaries of Hassan Diab have also testified to his presence in Beirut. Other exonerating evidence concerning Hassan Diab includes that his fingerprint and palm prints do not match those of the suspect gathered by French police.

The European Group for the Study of Deviance and Social Control have previously expressed grave concerns about the extradition law and process in Canada (especially with respect to the low threshold of evidence considered acceptable under Canadian law), as evidenced in the case of Hassan Diab. In September of 2011 (following the initial extradition decision) European Group members urged the Canadian government to legally remedy and reform aspects of Canadian extradition law that are not currently in conformity with international norms concerning respect for due process and principles of fundamental justice. Particular concern was expressed about the case of Hassan Diab, and the then Canadian Minister of Justice was urged to refuse to surrender him for extradition.

The 2011 petition submitted by the European Group for the Study of Deviance and Social Control can be viewed at:

Petition by European Group to Nicholson - 2011

For years, Dr. Hassan Diab’s ever-growing network of supporters (individual and organizational) have been deeply concerned that he is wrongfully accused. In recent months these expressions of concern have gathered momentum as some prominent members of Jewish communities in Canada (Bernie M. Farber and Mira Sucharov) who initially supported his arrest and the extradition proceedings, are now expressing their regret for that support:

“Ottawa must seek justice for Hassan Diab”, by Bernie M. Farber and Mira Sucharov, Toronto Star, July 10, 2017
Amnesty International Canada has also expressed concern that Diab’s “continuing detention in these circumstances contravenes France’s obligations under European and international human rights norms” (see links below). AI are among many groups urging that the Canadian government advocate with their French counterparts in seeking Hassan Diab’s release in the near future.

"Emprisonnement de Hassan Diab: Amnistie internationale exhorte le Canada à agir", by Paul Gabory, le Droit, June 26, 2017

AI Letter to Ministers - 2017

Also in recent weeks (27 July 2017) Professor Robert J. Currie of the Schulich School of Law, Dalhousie University, who correctly describes himself as “one of a small number of Canadian legal academics with expertise in extradition law” has publicly expressed his concern about the state of Canada’s extradition law. Moved by Farber and Sucharov’s expressions of regret about not speaking earlier about the evolution of Hassan Diab’s case, Professor Currie echoes their concerns, stating: “I too feel that I should have spoken up sooner,” and concludes by stating “Hassan Diab should be repatriated and our extradition law should be reformed.”


At this time, we (Maeve McMahon and members of the Hassan Diab Support Committee) urge you to familiarize yourselves with the latest information about this travesty of justice, and to bring this case to the attention of other individuals and organizations concerned with due process, human rights, and social justice. Ongoing information and updates can be found at:

http://www.justiceforhassandiab.org

At the conference of the European Group for the Study of Deviance and Social Control 31 August - 3 September, 2017 in Lesvos, it is hoped that members will agree to an updated petition to the Canadian government indicating our ongoing and expanded concerns about the extradition issues raised in 2011, particularly concerning the immediate case of Hassan Diab.
III. CALL FOR PAPERS: Special Edition: Minorities, Crime and (In)justice

Justice, Power & Resistance
The Journal of the European Group for the Study of Deviance and Social Control

Within the contemporary moment, we detect the (re)emergence of official narratives that serve to situate social problems within a logic of pathological, maladjusted and/or culturally unassimilable minority groups to legitimise state-enabled (and sanctioned) violence.

Simultaneously, across the globe, the oft-communicated advance of right-wing populism necessitates political reactions, often exerted through penal apparatus, which disproportionately affect, yet paradoxically legitimise, the state’s harmful incursion into the lives of minorities. Emergent processes of criminalisation are deliberately concealed, hidden away and perennially denied. Moreover, the recent intensification of systemic state-enabled violence against LGBTQ, racialised and religiously defined bodies are now met with an academic ‘strategic silence’ (Matheisen, 2004) or are empirically argued away (Harris 2009, Cohen 2001). This silence is now giving way to ‘dangerous criminologies’ located within the criminogenic and pathologising tendencies of realist(s) interpretations which uncritically serve to reaffirm the cultural and societal incompatibility of minority groups as (an)other.

Despite the advances of critical counter-narratives to assuage such tendencies, we are again in the midst of State orchestrated and hegemonic narratives which serve to attribute contemporary social problems to the non-citizen and failed-citizen (Anderson 2013). This issue of the European Group journal welcomes papers and articles that reposition and centralise the ‘crime’ and criminal justice concerns of minority individuals, groups and ‘communities’ back onto the political and activist agenda. Furthermore, we also welcome contributions which appraise and challenge contemporary theoretical and conceptual thinking which simplistically serves to ‘other’ and impede minority perspectives (Phillips and Bowling, 2003).

Completed contributions, in English, should be submitted to one of the editors: Monish Bhatia (m.bhatia@abertay.ac.uk) or Patrick Williams (p.williams@mmu.ac.uk) by the deadline which is 15 November 2017. In the meantime, potential contributors are welcome to contact the editors to discuss potential papers.
IV. News from Europe and Around the World

Denmark

'Giving something back': Denmark's refugee entrepreneurs

A new project in Denmark aims to help refugees start their own businesses, challenging the perspective, held by some, that they are a burden. But not everyone in the country is happy about the move.


Finland

The Nordic Welfare Centre (NVC) in Finland seeks for a project assistant

The Nordic Welfare Centre (NVC) in Finland offers a temporary position as project assistant for a Nordic project on cannabis use and its regulation in the Nordic countries. DL for applications is 28.8.2017.

See: http://www.nsfk.org/Page/ID/586/The-Nordic-Welfare-Centre-NVC-in-Finland-seeks-for-a-project-assistant

Great Britain

Moving Beyond the Echo-Chamber: Challenging Hate Crime in Challenging Times

The need for improved responses to hate crime has become all the more apparent at a time when numbers of incidents have risen to record levels, both within the UK and beyond. Despite signs of progress, this sharp increase – and the associated rise in tensions, scapegoating and hostility towards ‘difference’ that accompanies such spikes – casts doubt over the effectiveness of existing measures and their capacity to protect victims of hate crime.

See: https://www.law.ox.ac.uk/events/moving-beyond-echo-chamber-challenging-hate-crime-challenging-times

Norway

Making sense of migration through popular culture

Popular culture can give important insights into migration processes. Studying popular culture allows researchers to move beyond the host state perspective that
remains so dominant in migration studies, and get a better understanding of migration experience and migrant perspectives.

See:

**Nigeria Today: Perils and Potential**

Nigeria is a place of vast potential, but also a place where that potential is routinely wasted. What are the main challenges facing Nigeria today?

See:
http://www.jus.uio.no/ikrs/english/research/projects/migma/events/seminars/nigeria-today.html
Please feel free to contribute to this newsletter by sending any information that you think might be of interest to the Group to Ida/Per at:

ec.europa.eu/european-union/newsletter

Also feel free to contribute with discussions or comments on the published material in the newsletter

Please submit before the 25th of each month if you wish to have it included in the following month’s newsletter, and provide a web link (wherever possible).

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