



# Refugees and immigrants: A challenge for Italian legislation but a solution for demographic trends?

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*Between 2014 and 2015, Italy made significant changes to its legislation on migration, following EU Directives in this area. Yet, relevant stakeholders called for a more comprehensive migration strategy, to better tackle negative demographic trends in general and the problematic situation of refugees more particularly. These calls have inspired an ongoing revision of citizenship legislation.*

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## Description

Between 2014 and 2015, Italy updated its legislation according to the EU Directives on international protection. Applicants for international protection are now divided in two categories of asylum seekers under Italian law: a) those requesting refugee status (i.e. third-country nationals or stateless persons persecuted for reasons of race, religion, nationality, political opinion or membership of particular social groups); and b) those asking for subsidiary protection status (i.e. third-country nationals or stateless persons who do not qualify as refugees but who would face a real risk of suffering serious harm if they returned to their country of origin or of former habitual residence).

These reforms have brought about substantial improvements in the Italian legislation. These include: increased duration (from 3 to 5 years) of residence permits both for refugees and beneficiaries of subsidiary protection; new rights for family reunification; reduced time for access to employment (from 6 to 2 months from the submission of asylum-application); similar access to social assistance, housing, educational and healthcare services as for Italian citizens; strengthened role of the System of Protection of Asylum-Seekers and Refugees to reduce fragmentation in the provision of basic services (e.g. linguistic mediation, material support, employment guidance, social inclusion and legal assistance). The long-term (permanent) residence permit granted to

foreigners who have resided legally and continuously in Italy for 5 years was extended to beneficiaries of international protection.

In 2014, residence permits for asylum and other humanitarian reasons constituted 19% of new migrant inflows, the share of those requesting long-term residence permits was 56% of the total number of third-country nationals and 3% of them acquired Italian citizenship (Italian national statistical institute, ISTAT). In 2015, the number of first-time asylum applicants in Italy (83,245) corresponded to 0.14% per Italian inhabitants, vs 0.25% for the EU28 Member States average (EUROSTAT data).

The main countries of origin were Nigeria, Pakistan and Gambia (totalling 43% of applicants). The total immigrant population of Italy in 2015 (5,014,437) corresponded to 8.2% of the total Italian population (vs 6.9% for the EU28 average). Third-country nationals (3,521,825) arrived mainly from Albania, Morocco, China, Ukraine and the Philippines (which countries accounted for 45% of non-EU citizens). Between 2010 and 2014 (ISTAT) immigration flows declined (-38%) and the number of emigrants doubled. In 2015, the number of immigrants in Italy was fairly similar to the total number of Italian residents in foreign countries (4,636,647 persons, i.e. 7.6% of the overall Italian population) (Fondazione Migrantes, 2015).

The reduced net international migration (-9.4% between 2014 and 2015; ISTAT) should be considered in the context of a strongly negative demographic balance, with more deaths and fewer births (respectively +9.1% and -2.9% in 2015 compared to 2014). ISTAT demographic projections underline that an even higher number of immigrants would be necessary to maintain the resident population near its current number and to address shortages in the working age population.

## Outlook & Commentary

Although the aforementioned improvements in the Italian legislation were welcomed by major stakeholders (e.g. the Italian Council for refugees, UNHCR, Caritas and the national association of municipalities), these organisations pointed out problems that concern for example: availability, capacity and minimum standards of reception facilities; length of procedures and duration of stay in reception centres; availability of integration programmes depending on capacity in service provision at a local level. Right-wing political parties (notably the Northern League), however, remain strongly opposed to any further legislative improvement in favour of refugees and immigrants such as abolishing measures of criminalisation of illegal stay, which was introduced by a centre-right government in 2009. According to left-wing political parties, humanitarian and non-governmental organisations, the criminalisation of illegal stay has only served to stigmatise migrants and to make them vulnerable to exploitation. In January 2016, the

current government announced the repeal of the criminalisation measures, but this policy issue was postponed indefinitely because of disagreements within the government majority and fear of public opinion. According to a survey (Eurobarometer, Autumn 2015), only 42% of Italian respondents were in favour of helping refugees and only 26% had a positive feeling towards immigrants from outside the EU. The right-wing press and social media provided misleading information, including on an alleged monthly income to every asylum seeker (up to €900) and a not well specified negative impact of immigration on the state budget. Actually: only pocket money (on average €75 per month) was provided per asylum seeker in 2014; the overall cost of asylum policies was a tiny percentage (0.1%) of national public expenditure in 2015; a positive balance (€3.9 billion) was estimated in 2012 between public revenues from immigrants and public expenditure for immigrants (Ministry of Interior, 2015).

Moreover, aware of the above-mentioned demographic trends, experts underlined the need to substantially revise citizenship legislation, especially in favour of immigrant minors born in Italy. In this respect, in October 2015, the Chamber of Deputies approved a reform bill in collaboration with a national network of 22 civil society organisations. The bill (currently under Senate debate, May 2016) includes a moderate version of "jus soli" (citizenship acquired after at least 5 years of permanent residence in Italy) and "jus culturae" (citizenship acquired after regularly attending educational or training courses for at least 5 years).

## Further reading

AIDA, Asylum Information Database, Country Report: Italy, 2015, <http://www.asylumineurope.org/reports>

Fondazione Migrantes, Rapporto Italiani nel Mondo 2015 [Italians in the World 2015], <http://www.migrantesonline.it>

Ministry of Interior, Report on the reception of migrants and refugees in Italy, 2015, <http://www.interno.gov.it/it>

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