



Asylum seekers and migrants in Italy: are the new migration rules consistent with integration programmes?

ESPN Flash Report 2017/16

FILIPPO STRATI – EUROPEAN SOCIAL POLICY NETWORK

MARCH 2017

In February 2017, Italy adopted tougher rules to address increased migration flows. Criticisms of these rules underline that migration control should be combined with integration programmes and a long-term strategy to tackle the problems of people displaced due to war, persecution and poverty in complex and evolving geopolitical scenarios.

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Description

In 2016, the number of asylum seekers and migrants who landed on Italy's coasts (181,436 persons) increased by 18% compared to 2015. The number of unaccompanied minors doubled (25,846). To address these increases, the Italian government adopted decree-law No 13/2017 which contains four major measures:

- a) A reduction in the number of appeals allowed in case of rejection of the asylum application, from three to two levels of judgment.
- b) Specialised sections on immigration and international protection created in 14 local or regional courts.
- c) "Socially useful work" projects (i.e. community service), which asylum seekers can join on a voluntary basis and without remuneration while waiting for refugee status (these projects may be promoted by municipalities in agreement with the Prefects, i.e. the State's representative in a province).
- d) An increase in the number of detention centres (managed by the Ministry of the Interior), whose name will change from "identification and expulsion centres" (CIEs) to "detention centres for repatriation" (CPRs). CPRs will be dedicated solely to expulsions and repatriation of illegal immigrants and are provided with a guarantor of

the human rights of immigrants. There will be one CPR per region (with a capacity of around 80 places) once agreed with the President of the concerned region. The total capacity of the centres throughout the national territory will not exceed 1,600 people. In the first nine months of 2016, nearly 44% of the 1,968 persons hosted in centres were expelled to their country of origin (Senato, 2017).

The Italian migration reception system operates in three phases. The first phase is the rescue (and primary assistance) phase. It includes pre-identification operations and is the responsibility of national authorities through "hotspots" (e.g. key harbours as places of disembarkation). The second phase is immediate hospitality for asylum seekers, for which local authorities will be given increasing responsibility through "hubs" which are converted centres previously created by national authorities. In addition, in order to deal with high flows of asylum seekers, the Prefect may authorise temporary structures (such as hotels, bed and breakfast, etc.). Finally, the third phase consists of integration programmes for applicants and beneficiaries of international protection organised through local centres managed by a network of municipalities and non-governmental organisations (SPRAR), which is expected to become the main

reception system. The Ministry of the Interior coordinates the entire system through a national body (involving regional and local authorities), contracts with private services (for the operational management of hubs, temporary structures, CPR/CIE) and integrated projects submitted by municipalities (SPRAR centres). In 2016, 176,554 asylum seekers and migrants were hosted in the above-mentioned facilities - 9% in hotspots and hubs, 13% in SPRAR centres and 78% in temporary structures. Expulsions and long waiting periods for recognition of the right to asylum may only partly explain the difference between these numbers and the number of people who have landed on Italy's coasts (see above): people have gone missing and/or are in "informal" settlements with unacceptable living conditions (MSF, 2016).

Reactions of stakeholders to the decree-law have been mixed. There is consensus about the "socially useful work" (a practice that already exists in some municipalities, such as sweeping the streets and maintaining gardens and parks). One criticism (e.g. from the President of the Supreme Court of Cassation and the national association of magistrates) concerns the new appeal procedures, which risk limiting individual fundamental rights. Other criticisms concern the detention centres, following enquiries that highlighted severe deficiencies in the quality of the services they provide and negative results in relation to the repatriation of migrants (Senato, 2017; MSF, 2017; EU Parliament, 2016). The Secretary General of the Italian Bishops Conference underlined the risk of re-introducing "places of detection". Representatives of institutions (e.g. the Mayor of Lampedusa, the

President of the Toscana Region and the President of the Senate's Human Rights Commission) highlighted the inefficiency of CIEs and their marginal role in the overall reception system. Non-governmental organisations (e.g. Fondazione Migrantes, the Community of Sant'Egidio and the Association for Juridical Studies on Immigration) called on the Parliament to opt for a comprehensive approach when converting the act into a law.

Outlook & Commentary

The current situation has a number of flaws, especially the overcrowding of reception centres, the long waiting times for the assessment of asylum requests and the fact that legal assistance is not systematically provided. The generally negative public opinion regarding the increased immigration flows seems to have inspired the security approach of the decree-law. Whether the new rules will work effectively with integration programmes is a key question. These programmes (pursued only through the SPRAR, whose capacities are still low) need better connections with local welfare systems, improved capacity in service provision by reception centres and local authorities, and better collaboration between the relevant actors. Various proposals have been made by the above-mentioned stakeholders to improve reception and immigration policies. These include: the creation of humanitarian corridors, the reopening of legal entry for people migrating for work purposes, the repeal of the crime of illegal immigration, approval of a new citizenship bill still under discussion in the Senate, etc.

Further reading

EU Parliament, On the frontline: the hotspot approach to managing migration, 2016.

MSF (Médecins Sans Frontières), Out of Sight. Asylum seekers and refugees in Italy: informal settlements and social marginalisation, 2016; https://www.aerzte-ohne-grenzen.de/sites/germany/files/attachments/aerzte_ohne_grenzen_out_of_sight_report.pdf; The implementation of the hotspots in Italy and Greece, 2017: <http://www.ecre.org/wp-content/uploads/2016/12/HOTSPOTS-Report-5.12.2016..pdf>

Senato [Senate of the Republic], Rapporto sui centri di identificazione ed espulsione in Italia, aggiornamento Gennaio 2017 [Report on the identification and expulsion centres in Italy, update January 2017], 2017:

[https://www.senato.it/application/xmanager/projects/leg17/file/Cie%20rapporto%20aggiornato%20\(2%20gennaio%202017\).pdf](https://www.senato.it/application/xmanager/projects/leg17/file/Cie%20rapporto%20aggiornato%20(2%20gennaio%202017).pdf)

Data from the Ministry of Interior dashboard:

<http://www.libertacivilimmigrazione.dici.interno.gov.it/it/documentazione/statistica/cruscotto-statistico-giornaliero>

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