

**MEETING OF THE NETWORK OF
NON-GOVERNMENTAL EXPERTS
IN THE FIELD OF SOCIAL INCLUSION**

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Implementation of the EU15 NAPs

Comparative issue: Social Inclusion of Immigrants

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Contents

Italy: country of emigrants

Italy: country of internal migrants

Italy: country of immigrants

Italy: the arduous challenge of changing habits and rules from an emigration to an immigration perspective

Italy: the 2003 NAP inclusion and its implementation

Italy: country of emigrants

Since its birth, 144 years ago (1861), Italy was a country of emigration.

Emigration decreased significantly during the fascist period because of restrictive policies and laws while the number of repatriates exceeded that of emigrants.

After the second world war emigration increased very sharply, favoured also by economic agreements with other countries, e.g. Belgium.

Since the 1970's a significant reduction in emigrants became a structural characteristic of the country because of combined effects of internal development and international crises while repatriates arrived at similar numbers of emigrants between 1981 and 1985.

Emigrants contributed to accelerate the phases of economic development before the first world war (transoceanic emigration) and after the second world war (European emigration) for at least for two reasons:

- the remittances (money sent back home) that supported the State balance of payments in front of a continuous financial deficit;
- the mitigation of demographic pressure and unemployment both in rural and urban areas

Resident population	Italian emigrants between 1861 – 1985 (several estimates)	
1861 Census: 22.176.000	A country outside	29.036.000
1981 Census: 56.557.000	Half a country outside	
2001 Census: 56.996.000		
Nearly 4 million Italian citizens are currently leaving in other countries of the world.		
“Another Italy” (more than 60 million people) was created abroad by descendants of Italian emigrants who acquired a foreign citizenship.		
The current flow is around 40.000 emigrants per year (e.g. 393.000 between 1991-2001) mainly compensated for by repatriates.		

Italy: country of internal migrants

Nearly 45 years ago, Italy changed its development patterns becoming an industrial society.

Many persons moved from rural to urban areas where industry was concentrated.

- nearly 5.000.000 internal migrants in 20 years (1951 – 1975)
- with the largest share covered by internal migration flow from the Southern to the Northern regions

During the 1980s the intensity of internal migration decreased.

Between 1991 and 2001: from South to North 114.000 persons per year (reaching 137.000 in 1999); from North to South 61.000 persons per year with an average net migration of 53.000.

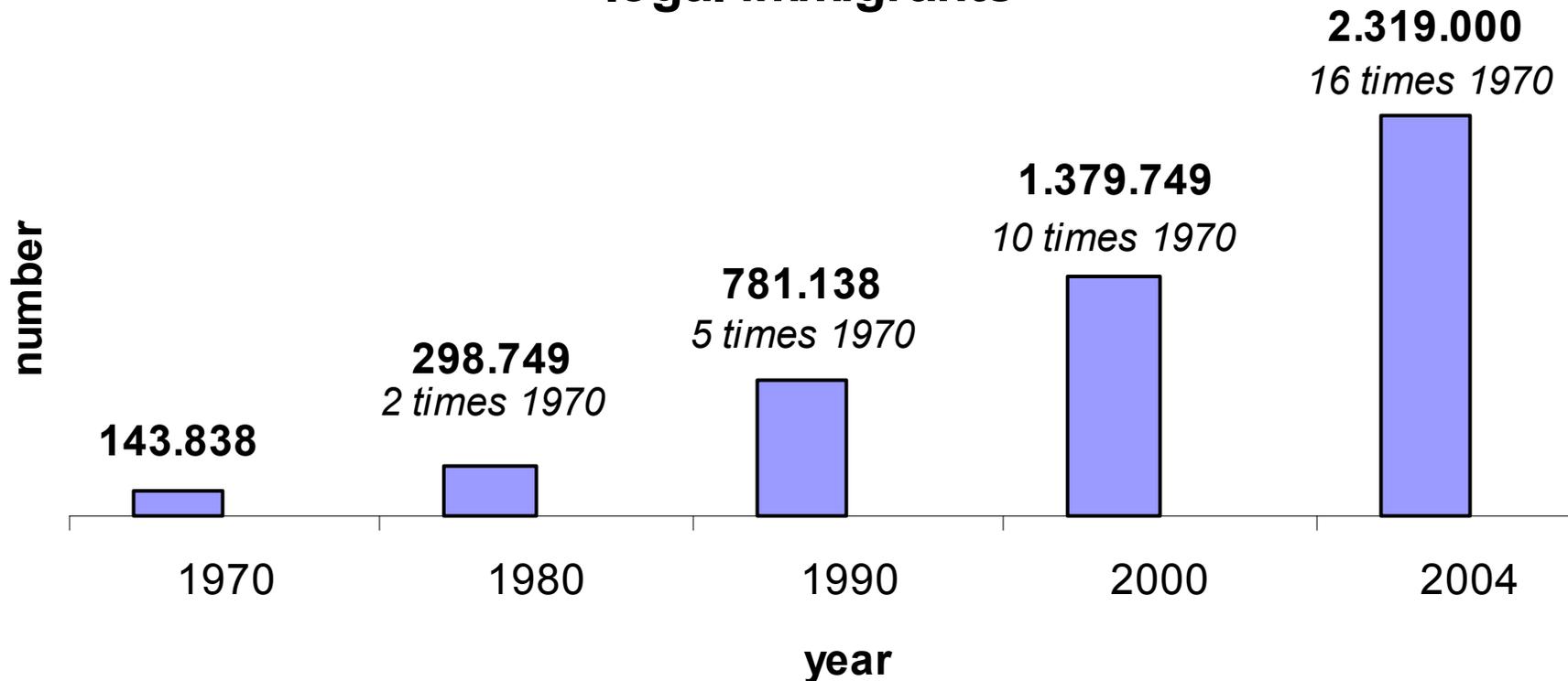
The current flow per year is estimated (*Svimez, 2005*) to be: from South to North 130.000 persons; from North to South 67.000 persons per year with an average net migration of 63.000.

Serious environmental problems are linked to geographic distribution, production and consumption patterns (e.g. congestion, energy, land use).

Italy: country of immigrants

Foreigners present in Italy between 1970 and 2004 with a regular residence permit

legal immigrants



Source: Caritas and Fondazione Migrantes (2005), statistical dossier on immigration

Foreigners present in Italy between 1970 and 2004 with a regular residence permit : main changes

Year	Total	Continent of origin
1970	143.838	61,3% <u>Europe</u> (39,8% EU); 25,7% <u>America</u> ; 7,8% <u>Asia</u> ; 3,3% Africa; 1,9% Oceania
1980	298.749	53,2% <u>Europe</u> ; 21% <u>America</u> ; 14% <u>Asia</u> ; 10% Africa; 1,4% Oceania; others 0,4% (e.g. stateless)
1990	781.138	33,5% <u>Europe</u> ; 30,5% <u>Africa</u> ; 18,7% <u>Asia</u> ; 16,4% America; 0,8% Oceania; others 0,1% (e.g. stateless)
2000	1.379.749	40,7% <u>Europe</u> ; 28% <u>Africa</u> ; 19,2% <u>Asia</u> ; 11,8% America; 0,2% Oceania
2004	2.319.000	47,3% <u>Europe</u> (6,7% EU); 23,7% <u>Africa</u> ; 17,3% <u>Asia</u> ; 11,5% America; 0,1% Oceania; others 0,1% (e.g. stateless)

Source: Caritas and Fondazione Migrantes (2005), statistical dossier on immigration

***Italy: the arduous challenge of
changing habits and rules from an
emigration to an immigration
perspective***

Since the 1970's the migratory pattern reversed progressively (in 1973 for the first time repatriates exceeded emigrants in number) and Italy started to receive an increasing number of immigrants, mainly workers from abroad (nearly 80%).

In 1997 legal immigrants arrived at a stable number of 1.000.000 persons and doubled in few years (2003).

In 1997 for the first time official remittances from immigrants to their motherlands exceeded money sent by emigrants to Italy and the value of the net flow arrived at 2,5 times in 3 years.

Recent national data highlight an increase:

- in population due to immigration that widely overcomes emigration flows, e.g. 444.566 persons coming from foreign countries compared to 64.849 Italians going abroad (2004, *ISTAT, national institute of statistics*)
- in employment (+308,000 units) mainly due to a recent amnesty that allows illegal immigrant workers to be regularised (*1st Quarter 2005 Labour Force Survey, ISTAT, national institute of statistics*)
- in entrepreneurial activities (+90.365 units), a third of which (+30.983 units) due to businesses started by immigrants (2004, *firms registered at Chambers of Commerce*)

Foreigners present in Italy at the beginning of 2005 (estimate)

Persons with a regular residence permit	2.319.000
Minors	411.000 (nearly 48% borne in Italy)
Total legal immigrants	2.730.000
Clandestine (undocumented) immigrants	300.000
Total immigrants (total resident population = 57.966.000)	3.030.000 = 5% of total resident population
Immigrant workers	2.027.180
Unregulated labour (clandestine workers)	300.000
Total immigrant workers (total employed population = 22.373.000)	2.327.180 = 10% of employed population
<p><i>Several sources: Caritas and Fondazione Migrantes (2005), statistical dossier on immigration; ISTAT (national institute of statistics); Ministry of the Interior; ISMU (foundation on multiethnic initiatives and studies), Costa A. (2005), slides on the income of immigrants; INPS (national institute of social insurance); INAIL (national institute for insurance against labour injuries); Questure (police administration)</i></p>	

Policy measures

Italy was not prepared to cope with the immigration.

When immigration started (1970's – 1980's), legislation, administrative mechanisms and financial support were totally concentrated on emigration, while immigration was dealt with by the Consolidated Police Law.

When immigration became an evident issue (1980's – 1990's), policy measures increased through three main laws (943/1986, 39/1990 and 489/1995) basically motivated by emergency.

When immigration was recognised as a structural phenomenon of the Italian society, the first attempt to give a more coherent legal framework was at the basis of the Consolidated Act enforced in 1998 that faced controversial issues of internal security and social integration (e.g. increasing illegal and criminal activities are often associated with growing clandestine immigration flows).

When policy confrontation lessened a solidarity approach and immigrants have been considered as a threatening factor to the endogenous communities, more severe restrictions were enforced by law in 2002 reducing access to rights, services and resources.

Policy measures

Law No 40/98 and the related Consolidated Act No 286/1998 represented for the first time a coherent legal framework aimed at pursuing a multi-dimensional approach in a long term perspective, addressing inter alia:

- the need to prevent and to fight against illegal immigration (e.g. quota system, bilateral agreements, criminal penalties)
- labour and social integration, access to civil rights, health, social, vocational training and employment services, development-orientated relationships with the countries with consistent emigration flows
- labour market insertion through a “sponsorship” mechanism by which Italian citizens, legally resident foreigners, regions, local authorities, volunteer organisations, trade unions and trade associations guarantee housing and the coverage of social costs related to a permit to stay as a job-seeker for 1 year
- pluralism to respect cultural and religion diversities
- regional and local authorities involvement
- an intermediate position between having a “permit to stay” and obtaining the “citizenship” through the introduction of an open-ended “resident card” after five years of regular presence in Italy, even though the imposition of income conditions, possibilities to have the card revoked or annulled, and the possibility of maintaining regular resident immigrants in an uncertain position

Law N° 189/2002 introduced more restrictive norms on immigration while legalising nearly 700.000 immigrants through Law No 222/2002, for example:

- for the immigrant workers, “permit of stay” is closely linked to a “residence contract” that must prove that they have a house according to parameters on public housing; this condition must be respected to sign a labour contract, to have papers’ renewed and to change employment during the papers’ validity; unlike the Italian workers, immigrants must demonstrate to have a comfortable lodging to have a job and vice versa (a similar rule was introduced during the fascist period to limit internal migration and was abolished in 1961)
- a new structure called “one-stop-shop” for immigration is created in each provincial police office (Prefecture) but at least five procedural steps involve five different institutions before completing a “residence contract”; in other words bureaucracy is used to discourage immigrant workers to enter Italy
- the sponsorship system was eliminated,
- preference is given to immigrant workers with an Italian origin
- enrolment in the placement list is halved (from 1 year to 6 months) for immigrants who lost their job
- potential beneficiaries of family reunion (reunifications) are reduced

Other restrictions introduced by Law No 189/2002 regard, for instance:

- time to obtain a “resident card” was prolonged to six years

- social contributions (e.g. for pensions) are not more refunded to immigrants who leave Italy, but if they will pay contribution for at least 20 years, they will receive pensions when they will be 65 years old

The Supreme Court in 2003 (sentence No 3162) declared that Law No 189/2002 overturned the solidarity approach of the Law No 40/1998 in a repressive system, accentuated the restriction rules already envisaged by the latter, reversed its active policies aimed at favouring labour and social integration, equal opportunities and square deal in order to face the link between poverty, illegal work, black economy and immigration according to UN and EU Conventions.

The Constitutional Court in 2005 (sentence No 78) declared that a restrictive norm of the Law No 189/2002 is in contrast with the Italian Constitution. This norm concerns the expulsion of immigrants merely based on accusation. On the contrary, the guilt of an accused must be verified before deciding any provision.

The State Auditors’ Department (Corte dei conti) evaluated in May 2005 that the financial resources allocated to the Law No 189/2002 were managed with an approach based on emergency and urgency with a series of basic weaknesses: confusion in legislation, bureaucracy, inefficiency, lack of information and monitoring.

Some conclusions on Italian policies:

- flow programming have had a limited impact on immigration and regularisations became the key instruments to face the actual trends with an increasing in irregular working positions (five amnesties between 1987 and 2002 totalled nearly 1.600.000 immigrants = 70% of the current legal immigrants)
- immigrants are needed, but they remain "foreigners"; immigrants are merely considered as temporary manpower and not as persons having rights and duties, as citizens of the social community where they live and work
- immigrant workers are usually employed in positions not accepted by Italian workers, even where the unemployment rate is very high (e.g. Southern Italy)
- black economy strongly favour irregular and clandestine immigration
- social integration of immigrants is insufficiently addressed by current legislation and procedures while they closely link immigration to employment opportunities (often precarious jobs)
- hostile attitudes and discrimination exist against immigrant workers, especially women as denounced by recent enquiries (e.g. Ires-Cgil, May 2005)
- access to political and civil rights is still limited (e.g. some municipalities and regions tried to give the right to vote at the local level but these attempts were fustigated by the national government)

Some conclusions:

- employment-based welfare services (pensions, unemployment benefits, etc.) are guaranteed only to immigrants with regular employment records
- notwithstanding the 2002 more restrictive norms, 28% of illegal and criminal activities are associated with clandestine immigrants arriving at 50% in some regions and cities (declaration of the Minister of the Interior in May 2005)
- Italian associations and trade unions are promoting inclusion and integration of immigrants through their active membership
- even though with limited coordination and scarce support from the national government, local and regional authorities are developing initiatives and services devoted to immigrants and incorporated in local plans aimed at integrating several policies (e.g. social, employment, training, health and housing) in order to facilitate social stabilisation of immigrants in local communities
- since 1990's local governments intensified their international cooperation activities with less developed countries in vocational training, selection and recruitments projects, mandatory and voluntary return, endogenous employment creation to lessen migratory pressure, utilisation of remittances

Italy: the 2003 NAP inclusion and its implementation

NAP 2003 and its implementation

The above-mentioned considerations are not present in the NAP and in the government's assessment of its implementation. Only some initiatives are cited, for example:

- Pilot projects (co-financed by the Equal Opportunities Department of the Presidency of the Council of Ministers) against forced prostitution and human slavery according to Legislative Decree N° 286/1998 (art. 18)
- Promotion of the Italian language and culture, as well as vocational training courses in favour of non – EU citizens in their countries of origin
- National Operative Programme for the Security and Development of Southern Italy (within the EC funds 2000 – 2006) aimed inter alia at creating 60 cultural mediators, training courses for women with regular permits (“lodging houses” project).
- Project to favour the access to credit and banking services for immigrant entrepreneurs, in collaboration with an artisan trade association and an ethic bank, co-financed by the EC within the Action Programme to combat discrimination.

NAP 2003 and its implementation

This attitude of the Italian NAP is not surprising.

Social policies are in fact embedded in the strategic orientation provided by the 2003 Italian White Paper on Welfare, which identified two basic issues: a very low fertility rate associated with a high rate of ageing population; the family role as a pillar of the Italian social model.

The strategic approach of the NAP 2003 – 2005 was expressed in a series of principles and guidelines without specific long and short-term targets.

This peculiarity reflects the Italian social protection model as it has evolved over decades: rather than management by objectives (expressed in expected results and clear targets), this model is based on legislative measures implemented by subsequent acts and plans.

The NAP 2003 stated policy priorities that, combined with the themes highlighted by the NAP update in September 2004, can be assessed as follows in terms of intensity of attention and understanding on the issues to be tackled.

NAP 2003 and its implementation

NAP 2003 priorities and intensity of attention and understanding on the issues to be tackled: marked ●●●; average ●●; feeble ●

- To favour the family and to increase the national birth rate (family support policies, minors and adolescents)
- To actively promote employment active labour policies (welfare to work)
- To support disabled people
- To fight against extreme poverty
- To favour self sufficiency, in particular for elderly people
- To fight juvenile problems and favour vulnerable groups
- To promote equal opportunities between men and women
- To prevent drug-addiction and drug dependency
- To promote the integration of immigrants
- To promote corporate social responsibility (CSR)
- To rationalise and monitor the utilisation of financial resources