

1. Short Historical Overview of the development of Reception Facilities

There are more than 12,000 refugees residing in Italy, and more than 13,000 asylum applications were presented in 2003. The increase in requests for asylum that has taken place all over Europe in the past decade, as the result of conflicts, political upheavals and human rights violations in different parts of the world, has greatly affected Italy in proportional terms, but in absolute terms it has been less affected than its European partners: requests for asylum increased from 2,000 in 1997 to 11,000 in 1998 with an exceptional 33,000 requests in 1999. In subsequent years, the figure wavered between 10,000 and 16,000 applications every year.

As we have already indicated, the number of refugees and asylum applications in Italy are much lower than other countries in the European Union, in both absolute and relative terms. For example, Germany has more than 960,000 refugees, the United Kingdom 276,000, the Netherlands, France and Sweden have between 100,000 and 150,000. In countries like Denmark, Sweden, Germany and the Netherlands, there are between 9 and 13 refugees for every 1,000 inhabitants. In the United Kingdom it is almost 5, whereas in Italy the figure is a mere 0.21, or rather 1 per every 4,600 inhabitants. Moreover, in 2003, countries like the United Kingdom, France and Germany received between 50,000 and 60,000 asylum applications each.

One of the main channels of entry into Italy for refugees is Southern Italy. Currently, the Island of Lampedusa is an especially important gateway. During the summer, boats full of people arrive primarily from Libya, and in many cases, they are asylum seekers (Libya has been a terminal for many immigrants from Sub-Saharan African and the Middle East for many years now). Complaints have been made that these persons are not always given the possibility to request asylum since they are considered simply as illegal immigrants and repatriated as such.¹

Since Italy lacked comprehensive policies on asylum and a national reception, protection and integration system as well as a voluntary, assisted repatriation programme in favour of asylum seekers, refugees and persons with humanitarian residence permits, in April 2001, the UNHCR, the Ministry of the Interior and the National Association of Italian Municipalities (ANCI) organised and launched a reception network for asylum seekers and interventions to support the integration of recognised refugees. As provided by law 189/2002, the experience of the National Asylum Programme (PNA) has been merged into the Protection System for asylum seekers and refugees.

¹ In May of this year the European Court of Human Rights in Strasbourg has, as a cautionary measure, accepted the appeal against mass rejections carried out in the month of March from Lampedusa to Libya. The Court asked for delucidations regarding the Italian Government by no later than May 6th (with specific reference to the identification procedures) on the presentation of eventual requests for asylum by rejected immigrants and on the current status of their applications. More specifically, the 3rd Section of the European Court of Human Rights suspended the expulsion back to Libya of eleven immigrants who arrived in Lampedusa in March.

In the past (prior to the creation of the National Asylum Programme - PNA), Italy was far from being considered an asylum country. Instead, it was viewed more as a transit area towards Northern European countries. The extreme uncertainty of regulations and reception and assistance policies, long waiting times and the examination of asylum applications as well as the lack of legal guarantees, seemed to discourage both the arrival and stay of asylum seekers and, above all, their declarations as such before the authorities.

The emergency situation of the 1990's, with the repeated waves of forced migrations from Albania, the former state of Yugoslavia and other areas of instability nearby Italy, led to the creation of ad hoc laws or ministerial decrees that did not deal with the more general problem of the capacity and quality of the reception system in Italy and the absence of comprehensive asylum regulations.

In general terms, the lack of reception interventions for forced immigrants was for a long time filled in by non-profit organisations, which, at the local level, tried to respond to the needs of asylum seekers and refugees requiring assistance. These initiatives were spontaneous, uncoordinated attempts to respond to emergency situations and offer solidarity with unstructured interventions that were primarily paid for by local organisations.

Many times no distinction has been made between immigrants (be they legal or illegal) and asylum seekers, and a solidarity-oriented approach has prevailed rather than the recognition of a specific right to protection guaranteed by appropriate legal and social measures throughout the entire asylum seeking process.

A study carried out by CENSIS (Social Investment Study Centre), UNHCR and ICS (Italian Consortium of Solidarity) within the scope of the Nausicaa project, conducted on the eve of the official "launch" of the PNA, offered a clear map of system lacunas and gaps, characterised by the more or less formal delegation of responsibility to non-profit associations.

By comparing the monthly entry and exit flows of asylum seekers in Italy, it was estimated that at least one-third of entering foreigners remained illegally. Moreover, 66.7% of the reception centres that hosted asylum seekers and refugees were managed by private organisations.

Based on the information that has emerged from the project, the UNHCR demonstrated that asylum seekers are distributed throughout Italy, making it impossible to provide them with appropriate protection, which leads to their subsequent return to the circuits of marginality and illegality.

The study demonstrated a very non-homogeneous situation characterised by severe deficiencies.² In terms of services, this caused great territorial differences in the quality of services offered and created a lack of any type of co-ordination between the various actors, leading to subsequent difficulties with managing the phenomenon, which was almost always at the expense of the areas of arrival (Adriatic coast, border between Friuli Venezia Giulia and Istria) and large metropolitan areas.

The National Asylum Programme (PNA) was created within this context. Initially, it was financed with the extraordinary 8 per thousand IRPEF (income tax) funds granted by the Prime Minister's Office and the European Refugee Fund of the European Commission and was the first integrated intervention that sought to provide services to asylum seekers and refugees, ranging from reception to voluntary repatriation, accompanying them throughout the entire status recognition process. In a short amount of time the programme, working in co-ordination with the Municipalities, was able to create a reception network throughout the national territory that made it possible to manage the phenomenon in a comprehensive and co-ordinated manner. Through a network of 150 municipalities, more than 60 of which were project owners, 4,644 people (a reduced number with respect to the size of the phenomenon) were received from the beginning of its activities (July 2001) until May 31, 2004. Currently, there are approximately 1,400 people being hosted by the centres of the network that heads the Central Service System for the protection of asylum seekers and refugees.

The positive results of the programme, which was created as an experimental project that risked being closed down due to lack of funds, was recognised by the new law no. 189/2002 on immigration and asylum – the so-called “Bossi-Fini” law – which instituted the National Fund for asylum policies and services. Despite the decreased availability of funds (6.3 million euros for 2002 and 9 million for 2003, compared to 15 million for 2001) the National Asylum Programme (PNA), obtained institutional recognition that allowed it to continue its activities and consolidate itself. Through this Fund the State contributed to the expenses sustained by local organisations that provided services to assist arriving asylum seekers and protect refugees and the beneficiaries of

² - 20.5% of centre did not provide any type of legal assistance for its guests, and the percentage rose to 22.2% in the South where this assistance was even more necessary and legal guidance to assist in understanding the complicated regulations on asylum and immigration is the first fundamental intervention to allow foreigners who have just arrived in Italy to maintain a legal status;

- 15.8% of centres did not provide any type of healthcare service, not even basic care, and did not register their guests with the National Healthcare Service, as is their right according to the explicit indications of immigration regulations and the specific laws regarding asylum seekers;

- 37.2% of centres did not provide academic activities for minors, either inside or outside the facility although Italian law requires education for all minors in the territory who are under 16 years of age.

Moreover, overall approximately 70% of asylum seekers could not be found for their hearing by the Central Commission, which was to decide on the granting of asylum and their refugee status.

humanitarian protection within the limits of available resources and up to a maximum of 80% of sustained expenses.

Unfortunately, not all asylum seekers have been able to take advantage of this programme, considering the scarcity of funds and the insufficient reception network, which, in many cases, forces them to find provisory solutions, which, even up to now, have lasted many months, while waiting to be heard by the Commission for the recognition of refugee statuses.

2. Asylum Application Procedures and Legal Framework

2.1 Asylum Application Procedures

The main element that characterises the legal framework for refugees and asylum seekers in Italy is the absence of a comprehensive regulatory system like the one that exists for immigration (Legislative Decree 286/98).

Despite the fact that art. 10 paragraph 3 of the Italian Constitution of 1948 expressly governs the legal condition of people who are denied democratic liberties in their own country, for many decades there was no concrete initiative for the adoption of an ad hoc law. Only in 1990 with the approval of law 39 (known as the Martelli law), was there awareness of the problem and the procedure for the recognition of refugee status was defined with the ratification of law no. 722 of 1954 in Italy, which makes explicit reference to the Geneva Convention of 1951 regarding the status of refugees.

Amongst the most innovative aspects of this law is the abrogation of the so-called geographic reserve principle for which only asylum seekers from European countries could be granted the status of refugee and a residence permit up until 1990. Non-European asylum seekers, on the other hand, had to present their application to the UNHCR, and if they received a positive response, they were placed under its mandate and could obtain a temporary residence permit in light of their re-settlement abroad.

With law 39/90, however, all citizens from countries that were considered unsafe could apply for asylum using a procedure that still primarily begins at the borders where the applicants arrive illegally.

In observation of art. 1 of the Geneva Convention, the status of refugee in Italy is granted to those people who demonstrate that they have been personally persecuted for political, religious, and ethnic reasons amongst others. In all other cases, such as the wartime events in former Yugoslavia, a residence permit is granted for humanitarian reasons.

The procedure for receiving the application of an asylum seeker and the eventual recognition of the status of refugee is not particularly complex even if there are some weak elements.

Before describing the methods for requesting asylum, it must be pointed out that law no. 189 of 2002, made some modifications to refugee regulations and recently, in the month of October 2004, the implementing regulation was launched.

Once the asylum seeker reaches the Italian border he/she can present an application to police officials and then to the local police station (*questura*) within eight days from his/her entry into Italy.

The police verify that there are no reasons impeding entry, such as the asylum seeker is already acknowledged as a refugee in another state, has resided in a country party to the Geneva Convention on Refugee Status, or has committed war crimes or crimes against humanity. In these cases, the asylum seeker is refused entry at the border.

If there are no reasons that impede entry, the asylum seeker is invited to go to the local police station where he/she must hand over his/her passport and complete a form to determine the State responsible for evaluating the asylum application and the report containing the asylum seeker's statement and personal information.

The local police station then issues a one-month temporary residence permit, bearing the words *Dublin Convention of 15 June 1990*. The permit can be renewed until it has been verified that Italy is responsible for examining the asylum recognition application. If it is determined that it is responsible, the local police station grants an asylum application residence permit that lasts for three months and can be renewed until the application is accepted or denied.

The temporary residence permit and the asylum application residence permit allow asylum seekers to obtain assistance at the social service centres of local organisations and receive economic aid in the amount of €17.56 per day for a maximum of 45 days. To provide them with this assistance, the Ministry of the Interior has set up the National Fund for Asylum Policies and Services.

The police chief of the place in which the application has been presented can have the foreigner held in an identification centre.

Holding is optional and required only for the time strictly needed to verify or determine the nationality or identity of foreigners without documents or with false ones or when elements critical to the application must be checked. However, the asylum seeker cannot be held merely to examine the application.

Holding is mandatory when the asylum seeker has been stopped for avoiding or trying to avoid border controls or has been stopped immediately after illegally crossing the border or illegally residing in Italy. If the asylum applicant has already received an expulsion or refusal of entry order,

he/she is held at the temporary residence and assistance centres provided by the Consolidation Act on immigration (Legislative Decree 286/98).

At the aforementioned centres asylum seekers can speak to attorneys and refugee protection organisations and associations authorised by the Ministry of the Interior. If the asylum seeker leaves the centre without authorisation he/she renounces his/her application.

If the request for asylum is presented by an unaccompanied minor, the authority that receives it suspends the procedure and immediately notifies the competent territorial Tribunal for minors.

After preliminary examination of the application the latter can be forwarded to another State of the European Union, which is required to take responsibility for the asylum seeker, although the latter can appeal against the decision to transfer the application.

If it is determined that the Italian State is responsible for the case, the Police Chief, upon receipt of the application, transmits the documentation to the responsible Territorial Commission (there are 7 Territorial Commissions plus a National Commission that is responsible for organising and co-ordinating activities), which listens to the applicant and decides.

When the decision is negative the applicant can appeal to the TAR (Regional Administrative Tribunal) although it does not suspend the order to leave the Italian territory.

The Territorial Commission holds a private hearing to listen to the asylum seeker and writes a report. It is comprised of a police official, a representative of the territorial organisation, a representative of the UNHCR, and sometimes an interpreter. The hearing must be held within 30 days from the sending of the documents by the Police Chief to the Commission.

- 1) If the Commission accepts the application, it send a certificate to the local police station to grant a residence permit for asylum, which is valid for two years, and a special travel document that is valid abroad except for the country of origin. This permit can not, as a rule, be revoked unless the status is terminated or the foreigner is expelled. Refugees enjoy the same treatment granted to Italian nationals in terms of work, education, healthcare, taxes etc. and in some cases they enjoy special treatment on behalf of immigrants from third world countries regarding the acquisition of Italian citizenship, family reunification etc.
- 2) If the Territorial Commission denies the application, a rejection order is issued and the alien is requested to leave Italy within 15 days from the date of notification. If, however, it is not possible to send the foreigner to his/her country of origin, where he/she might be placed in danger, the local police station can grant a residence permit for humanitarian reasons. If the necessary requirements are met, the foreigner can obtain a residence permit for other

reasons. The dismissal of the application can be appealed before the responsible judge within 60 days from the date of notification.

An asylum seeker who has been granted refugee status can lose it if he/she asks for the return of his/her passport or returns voluntarily to his/her country of origin or if the reason for which he/she was granted refugee status no longer exist in the country of origin.

Moreover, the Commission can revoke refugee status when it verifies that the foreigner has made false statements.

Refugees can be expelled only for reasons of public order or national security, but cannot be sent to countries where their safety or personal freedom is endangered.

This expulsion can be appealed through the Administrative Regional Court (T.A.R.) even in the country to which he/she was expelled through the consular authority.

2.2 Legal Framework of Reception Conditions

The National Asylum Programme (PNA) involves different levels of government. The Ministry of the Interior is responsible for guiding legislation and governmental programmes and works together with the European Commission for co-financing applications presented by Italy through the European Refugee Fund. The UNHCR is responsible, more generally, for guiding policy regarding the rights and protection of asylum seekers and refugees. Finally, the National Association of Italian Municipalities carries out all of those organisational activities that, at the central level, are necessary for implementing the programme and ensures the link with the municipalities that are responsible for the projects at the territorial level. To this end, agreements have been stipulated with foreign organisations, Anciform Spa (Local Autonomy Training Centre) and UNOPS (United Nations Office for Project Services), a service agency that works within the context of the United Nations.

In addition there are three large “national networks” that have been involved in assisting and protecting asylum seekers and refugees for years – Caritas, ICS-Italian Consortium for Solidarity and CIR-Italian Council for Refugees – as well as numerous other large and small association involved on the front lines such as organisation that manage territorial projects.³

³ For the first time the PNA has created a vertical and horizontal organisational model that makes it possible to guarantee co-ordination at the various levels of central government and of the various actors of the individual territories as well as create a network of services that is not the sum of the individual projects but rather a coordinated reception system. This structure has placed general responsibility for the asylum system at the central level whereas it has decentralised the activation of programmes at the territorial level, giving greater responsibility to the institutions of local government, which were substantially absent in the previous phase. In addition, at the local level, the municipality has become the point of reference and the co-ordinator of actors, both public and private, which were involved daily in various ways in the reception of refugees and asylum seekers (non-profit associations, schools, Local Healthcare Agencies, trade unions, etc.), promoting synergies and common actions to the advantage of the entire national reception system and not just of the territory for which it is responsible.

Every project within the PNA is not limited just to providing room and board, but, based on the guidelines, provides information on asylum procedures, assistance with bureaucratic paperwork and accessing social services (registering with the National Healthcare Service-SSN, mandatory schooling for minors, etc.), as well as literacy courses. In addition to these basic initiatives, there are other projects directed at groups that are especially vulnerable, like the disabled and torture victims.

With regard to integration measures, the Programme promotes the activation of services to orient immigrants on the labour market and professional training courses as well as work scholarships and contributions for housing. Finally, assisted voluntary repatriation is the responsibility of the International Organisation for Migration. The goal of this type of intervention is to provide suitable information on the existence of this opportunity not just to PNA beneficiaries but to asylum seekers in the territory more generally. The municipalities are the terminals for activating all of the actions.

3. Organisation, Number and Capacities of Reception Facilities

3.1 Organisation of Reception Facilities

Amending law no. 189/02 on immigration created the “Protection system for asylum seekers and refugees”. Within the context of this System the National Fund for Asylum Policies and Services was created. It can be accessed by all local organisations that provide services for the reception of asylum seekers and the protection of refugees and other foreigners requiring other forms of humanitarian protection. For 2003 and 2004 the continuation of existing service interventions has been guaranteed by the European Refugee Fund. In order to rationalise and optimise the protection system for asylum seekers, refugees and foreigners with humanitarian permits and to facilitate the co-ordination of territorial reception services at the national level, the Ministry of the Interior has activated the Central Service for information, promotion, consulting, monitoring and technical support for local organisations that provide reception services. The same law entrusts the management of this service to the ANCI – National Association of Italian Municipalities - thereby recognising the central role of local organisations in the area of territorial services and the ANCI’s role in co-ordinating them and putting them on the network. The local organisations that are part of the protection system, which are distributed throughout the national territory, offer reception services and protection to asylum seekers, while awaiting the definition of the procedure for the recognition of “refugee status”. Admission to the reception centres of the system, up until the full occupancy of the spots available overall at the national level, is carried out

by the Central Service upon the indications of individual territorial projects or third party organisations (Prefectures, Police Stations, Associations). During the period of reception in the centres the beneficiaries are provided with some services, including registration with the National Healthcare Service (SSN), registration at school for minors, literacy courses for adults, and the providing of legal information regarding asylum application procedures. Local organisations provide refugees and people with residence permits for humanitarian reasons or temporary protection with services that seek to integrate them fully and autonomously in the territorial context. More specifically, they try to create training courses and classes to update professional skills to promote the finding of a job. Moreover, it promotes the connection between all of the operators of the “housing” sector” (real estate agencies, Municipal “Housing Offices, Associations of small real estate owners or tenants) to facilitate the search for autonomous housing solutions. The local organisations that are part of the Protection System collaborate with the Central Service on orientation and logistics assistance activities for repatriation and provide updated information on the situation in the countries of origin of the beneficiaries offered by the International Organisation for Migration to the recipients of the territorial projects.

3.2 Number, Capacities and Distribution

Currently, the Central Service of the Protection System for asylum seekers and refugees coordinates the activities of 80 territorial projects that involve more than 100 municipalities, including the main metropolitan areas, with 2,231 overall spots (including those of the new projects that are in the process of being launched). In fact, recently an additional 31 projects were added to the 49 projects financed by the National Fund for asylum policies and services thanks to financing granted to the ANCI by the 8 per thousand income tax fund. From the beginning of their activities, in July 2001, to June 2004, the facilities of the network have received a total of 4,739 people, 68% of whom were adult men. During 2001 the centres of the PNA network (subsequently the Protection System for asylum seekers and refugees) received 2,148 people. A total of 934 people were received in 2002 and another 2,005 in 2003. As of June 30, 2004, the Protection System hosted 1,631 people. They were primarily adult men awaiting a decision on their asylum application. All of the territorial projects of the Protection System, within the context of reception measures, provide room and board and social assistance activities that seek to provide access to the services provided in the territory like medical assistance through registration with the National Healthcare Service (SSN). Other reception activities include language classes, school registration for minors, legal information on asylum procedures and the rights and duties of beneficiaries in relation to their status, support for work and housing integration. Within the System there are also some projects specialised in receiving and supporting disabled persons, unaccompanied minors and torture

victims. Special attention is also paid to training and the continual updating of the skills of operators of the territorial projects and the sensitisation of local administrators.⁴

Starting in 2001, after the creation of the PNA, the UNHCR and the ANCI together with Censis, one of the main social research organisations in Italy, wanted to study the socio-economic integration of refugees and asylum seekers in Italy within the context of the 2000-2006 European Community EQUAL programme. This study led to the creation of the Integ.r.a. – asylum seekers integration – project, which through local organisations and in collaboration with the key actors of the territory, offered integrated services for training, socio-work and socio-housing insertion to its

⁴ To understand the reception systems for asylum seekers in Italy it is useful to report the results of a study by Antonio Capenni (Department of Sociology and Political Science, University of Calabria) conducted in 2002 within the context of the Equal Asylum Island project (asylum seekers and reception facilities in the territory of Agrigento, Rende, May 2003). It is not a codified model but it is certainly an exemplary experience.

“Boat landings generally take place on the island of Lampedusa, which is closer to the coasts of Tunisia than the coasts of Sicily. Eight hours are needed to reach Lampedusa by boat. It hosts a primary reception centre managed by the *carabinieri* (military police). In the summer of 2002 there were ten *carabinieri*, all of whom were drafted, under the command of a marshal. They were assisted by a doctor, a cook and two aids. There were also volunteers from the Misericordia confraternity of Palermo and cultural mediators trained within the context of the various activities for the secondary reception (not more than one or two at a time).

From the stories told by the various witnesses, the centre in Lampedusa functions as follows: the *carabinieri* physically welcome the “foreigners” as soon as they set foot on land. The first thing that happens is that they are visited by the doctor and given food to eat since they are usually exhausted. As soon as possible, the *carabinieri* begin to identify the immigrants with the assistance of a translator, if there is one present, otherwise they ask one of the immigrants who knows how to write down the general information on the others. Generally, there are many errors made in this phase since it is very difficult to know how to write an Arab name, which must be transliterated.

All of these activities are carried out in the open area in front of the camp. Once they have completed these procedures, the immigrants are sent to the camp where they wait to meet the judge. He/she asks the immigrants for the following: if he/she has an identifying document; a description of the methods of travel; when he/she left; how much he/she had to pay; the reason for coming to Italy; if he/she has residency, a domicile or relatives in Italy; if he/she has financial means; if he/she has a statement to make.

In the meantime, the cultural mediators-translators explain what political asylum is to the newly arrived immigrants, informing them of who has the right to it and the procedures used to obtain it. The most frequent question by foreigners is the advantages of asking for political asylum.

From Lampedusa the immigrants are transferred to Agrigento as soon as possible by the police. There they are received by the CPT (temporary residence centre) until a place is found in another centre in the South: Syracuse, Crotone, Lamezia Terme, Lecce, Brindisi, or Bari. They are transferred in coaches hired from private companies. Generally, during these transfers (from Lampedusa to the mainland and from here to other destinations) 100 policemen are involved (anti-riot squads from Catania and Palermo). The investigating unit of the police is also used (from Pisa and Trieste). More recently airplanes have also been used.

Agrigento has a temporary residence centre (CPT) and a primary reception centre (CPA).

The CPT in Agrigento is a large hangar with rooms for sleeping (4 people per room). It holds up to 100 people approximately. There is also a female section that can host 10-12 people, who are generally immigrants working as prostitutes. Last summer the CPT worked primarily as an immigrant sorting centre. The immigrant office of the police station coordinated the transfers of the immigrants as they arrived in Lampedusa. More or less, the system functions as follows: as soon as there is word of a boat that is about to reach Lampedusa, officials begin to think about transferring the new arrivals who are, in the meantime, at the CPT. In this way room is made at the CPT by sending people to other destinations. Their place is taken by those who leave Lampedusa, where there is a new landing in the meantime.

The route is therefore: Lampedusa _ Agrigento _ other reception centres in Southern Italy.

At the same time, a great effort is made to find a spot for people wherever possible. An important role is played by the Caritas agency of the diocese, which makes its facilities available. Even the parish churches are involved as are some associations and their secondary reception centres. After the shipwreck of a Liberian boat in September 2002, for example, four of the survivors were temporarily housed there.”

beneficiaries. The ANCI, UNHCR and Censis developed the project in agreement with 7 Italian municipalities (Ancona, Bergamo, Bitonto, Catania, Genoa, Forlì and Rome) that are the promoters of specific projects and 25 partners, including organisations operating in the private social welfare sector that are present and active throughout the national territory and academic institutions that study human rights themes.

The main activities carried out within the Integ.r.a. project include experimentation, the study and use of tools that are useful for the integration process, such as the balance of skills, the certification of skills, the carrying out of training, job insertion, work orientation talks, the search for autonomous housing solutions through social construction policies that are concretised in the negotiation of rents at fixed prices, the granting of contributions for rents, etc. These interventions were integrated with actions to assist immigrants, such as social, legal, psychological, healthcare etc. aid, which complete the services that support integration.

Also of fundamental importance was the training of the municipal operators who manage local projects on activated intervention methodologies, practical tests and good practices regarding integration tools for asylum seekers and refugees.

The experimentation of Integ.r.a. also takes on a European dimension through the comparison and exchange of information and good practices with analogous projects developed in Paris and Lyon, France, Hamburg, Germany and Liverpool in the United Kingdom.

3.3 Problems and Strengths of the Reception System

The methods used to accredit the funds by the organisations providing services, which are extremely complex and heavily subject to delays due to extensive bureaucracy, have meant that financing arrives late and in many cases it arrives at the end of the year, forcing the municipalities or managing organisations with the capacity to do so to advance the resources needed to provide reception and integration services. As a result, many projects have had to “work at the minimum level”, focusing on providing essential services.

Consequently, many services launched by some Municipalities, which have been important for resolving the problems of this common challenge, have been shut down.

With regard to housing policies the critical area is public housing, where demand outweighs offerings. With regard to private housing the problem is very high rents. In addition, public and private housing is often poorly maintained making it inappropriate for living.

The administrative work of the Municipalities, which is often carried out in an isolated manner, has caused different responses to the situation over the years, including some that have to

face a continuing emergency situation to those that have made volunteer organisations entirely responsible for providing services. However, there have also been positive experiences that are innovative in certain aspects, especially when the public and private sectors have been able to work together with positive results.

The policies that have been created have been primarily concentrated in three areas. The first two, regarding primary and secondary reception, involve local organisation in connection with the non-profit sector. Since it is impossible for asylum seekers to access Public Residential Housing, in the third area, regarding autonomous housing offerings, the creation of policies to promote and support the establishment and development (including in financial terms) of non-profit “Social Real Estate Agencies” have been very important. These agencies are formed by associations, foundations or volunteer organisations with the competition of Municipalities, Provinces, Consortiums or Municipal Associations. This support has also been provided through the direct participation of local organisation in the establishment and management of “Agencies both through the granting of significant funding or real estate assets free of charge to the “Agencies” so that they could balance the budget by renting housing and collecting rent.

Another useful and important development has been the granting of non-reimbursable capital account contributions by some Regions in favour of local organisations or other public or private organisations for jobs to renovate the housing they own or to which they have legal access for at least ten years to be used for renting or temporary hospitality for at least the same number of years by asylum seekers and refugees, regularly residing immigrants and Italians who urgently need housing with respect for the assignment criteria set by the Municipality.

4.1 Social Situation in Accommodation Centres and Other Reception Facilities

Given the state of the reception system, which is so fragmented at the national level, comprehensive data and information does not exist on the housing conditions of refugees or asylum seekers. Our system does not have regulations that govern this issue except for the more general recognition of the equality of conditions between Italian citizens and foreigners, immigrants or refugees in the access to public residential housing.

We can, however, report on some interesting local experiences like in Rome where it has been maintained that to ensure dignified and concretely usable housing in a brief amount of time the only possible path is to help asylum seekers and refugees (including by way of financial contributions) to find autonomous housing solutions, searching for empty dwellings and activating agreements for their management with the non-profit sector. Municipal housing assistance, in fact, provides funds to Italian and foreign resident families that find themselves in certified grave socio-

economic conditions to pay for the rent of housing to be found on the public market. It is within this framework that the municipality is trying to define a model for the creation of a circuit for the secondary reception of immigrants and to create a structure specialised in the search for housing.

However, it is also true that in Rome there are situations that are particularly serious like in the case of the so-called “Hotel Africa”, a railway complex made up of three abandoned properties in a yard, in which 400 primarily African political refugees and asylum seekers lived until 2004. Numerous people lived in this complex without light, water or bathrooms. In the entire facility there were only 5 bathrooms for approximately 300 people in one part, whereas another building did not even have bathrooms. Doctors without Borders was the only humanitarian association present during the period of occupancy.⁵

In Catania reception centres and temporary housing situations have been used and the tenant union (SUNIA – National Unified Union of Tenants and Owners) has provided an administrative assistance role. A public agencies meeting on the housing problem at the city level with the IACP (Autonomous Institute Public Houses) and the SUNIA, the most important social security organisations and insurance companies, faced the housing problem in an integrated manner.

In the province of Bergamo there is already a housing agency model, the “Casa Amica” Association that manages 145 dwellings.

4.2 Benefits of Asylum Applicants

The temporary residence permit and the provisory residence permit for the request for asylum give asylum seekers without sustenance the right to the social services of local organisations. Applicants are provided with €17.56 per day for a maximum of 45 days. To this end, the National Fund for Asylum Policies and Services was established at the Ministry of the Interior.

4.3 Provision of Services

⁵ After the removal of the immigrants from the Hotel Africa in the month of August 2003 the Ethiopian and Eritrean asylum seekers occupied another facility that was the property of the Ministry of Finance. In an interview with them, published on the website www.migranews.it it was pointed out that «in Rome there are too many people who do not have a place to sleep, in addition to the people who cannot work by law and those who are waiting uselessly for an answer to their political asylum application. In Italy not only is the law on the right to asylum lacking so is the minimum level of the capacity for hospitality.» Amongst the Eritreans and Ethiopians that began the occupation were primarily those who after the removal from the Hotel Africa were not able to find housing because they were on the list of asylum seekers for the Municipality of Rome as well as other who had found a spot in the reception facilities of the Municipalities but decided to leave since these facilities do not guarantee the possibility of cooking or hosting friends and relatives. The fixed hours for entering and leaving have discouraged hundreds of immigrants from remaining in the centres.

As far as regards the opportunities that our legal framework recognises to asylum seekers and refugees a distinction must be made. Those immigrants who have been granted the status of refugee enjoy the same rights recognised to Italian citizens except for those that require Italian citizenship (for ex. the right to vote).

The situation of asylum seekers, who cannot work, is very different. They are in a temporary situation awaiting the definition of their status, which Presidential Decree 136/1990, unrealistically indicates concludes within a period of 45 days.

In this context the need to authorise the ability to work was not deemed necessary due to the funds provided by the Prefecture to those immigrants without sustenance or a place to stay for a maximum of 45 days. In practice, the time needed for this procedure was much greater than one year. Obviously, the limited means of assistance provided to asylum seekers did not cover the entire procedure. Although it was shortened by the new regulations that became effective in 2005.

The recent reform of the labour market (Leg. Decree 10 September 2003, n. 276, the so-called Biagi Law) does not make explicit reference to asylum seekers.

Just like work, regulations make no explicit reference to professional training and the possibility of accessing professional training courses for asylum seekers is not uniformly applied throughout Italy despite the fundamental importance of launching forms of updating and learning work skills that can be used immediately after refugee status is granted.

In this context training and orientation apprenticeships have been created not as job positions but as flexible and bureaucratically simpler tools that allow the person awaiting recognition to gain work training experience. The regulations indicate that training apprenticeships is free although the employer may assume responsibility for room and board or expenses may be reimbursed by explicit work integration projects (for example projects developed within the Equal Initiative of the European Social Fund).

With regard to school, minors are required to attend school until they are 16 years of age. It is not possible to register for university classes due to the temporary status of asylum seekers. With regard to the recognition of degrees the International Social Service acts as an intermediary between the refugee and the Italian embassy if the country in which the degree was completed. It is possible to take language courses (including those to acquire a junior secondary school degree) and professional training classes.

With regard to social security and social assistance refugees have the same rights as Italians.

4.4 Duties

The new regulations indicate the obligations required during the execution of the procedure when the refugee is assigned to a Centre. Provided that it is compatible with the ordinary execution of the simplified procedure the immigrant is allowed to leave the centre between the hours of 10:00 a.m. and 5:00 p.m. if permission is granted by the director of the centre. The official of the responsible prefecture can grant the asylum seeker temporary permits for a different amount of time or a greater period of time than indicated for personal, health or family reasons or for reasons tied to the examination of the refugee status recognition application. The time outside of the facility must be compatible with the amount of time needed for the simplified procedure and is not allowed during mandatory holding cases. Denial is communicated to the alien.

Asylum seekers, once the status of refugee has been obtained, have the same duties as Italian citizens, with additional administrative duties in terms of renewing their residence permits, which is valid for two years.

5. Other Approaches

Since the 1980's the presence of foreign citizens has served as a stimulus for the intercultural sensitisation of Italians both at school and in different social environments.

More specifically, refugees have been an occasion to discuss the countries of origin, the lack of democratic guarantees, persecutions and discriminations of various types often by means of the direct testimonies of the immigrants themselves, just as they have helped to focus attention on the difficulty of beginning one's life again in another country.

6. Statistical Appendix