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INTI Project: One-Stop Shop: A New Answer for Immigrant Integration?

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Country Report for Italy

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0. Introduction

0.1 Short characterisation of immigration (non-EU only) in Italy

Italy joined the ranks of countries of immigration mainly after the oil crisis of 1973-74, when, in response, the United Kingdom, Germany, and France practically closed their borders to immigration. 1973 was the year of the first positive net migration into the country: a growing number of migrants diverted to Italy in the face of the increasing difficulties in entering the traditional European countries of immigration. However, in the same period, push factors intensified, such as those brought about by conflict, civil unrest, economic recession, etc., in many sending countries, including those geographically close to Italy, such as Morocco and Tunisia, contributing to higher numbers of migrants seeking better prospects in Europe, using Italy as point of entry. Furthermore, pull factors, such as the demand for labour, influence immigration trends and policies.

The following paragraphs show the composition of the population of foreign-born residents in Italy. Processes of regularisation and naturalisation will also be discussed so as to raise concerns regarding the integration of foreign-born residents.

0.2 Numbers of immigrants and proportion of the national population

The first big influx of migrants¹ dates from 1984-89,² when approximately 700 to 800 thousand people entered the country. Of these, it is estimated that 300 to 350 thousand entered or remained in Italy without a residence permit. Ever since, Italy has experienced steady trends of rapid and consistent immigration flows and high proportions of undocumented immigrants.

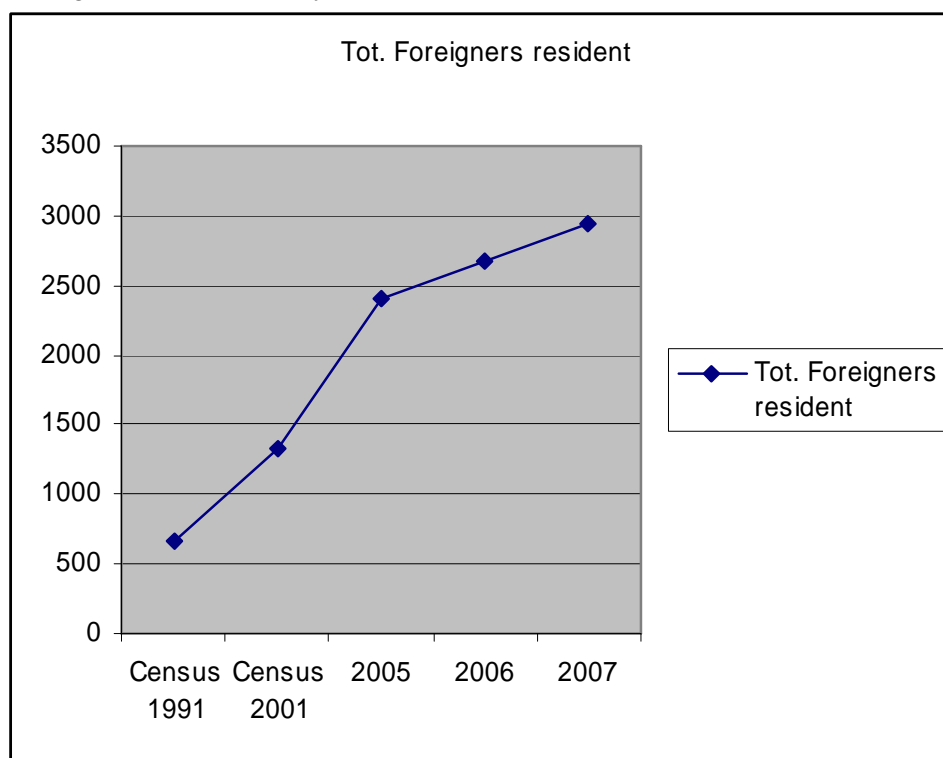
¹ In this study we use official data from ISTAT – the official agency for statistics in Italy - as well as data and estimates from Caritas (a church-based non-profit organisation) especially for immigrants residing without a permit of stay. ISTAT provides data regarding residents (individuals registered with the Municipality). Such registration, however, is not compulsory and hence not all foreigners seek immediate registration once they have obtained their permit or when they move from one Municipality to another. Caritas adds to the official data estimates of undocumented foreigners, based on sources such as migrant and civil society organisations.

² Caritas, based on data from Minister of Interior, 2005.

Between 1996 and 2004 the second big influx of migrants occurred, resulting in a 300%³ increase in the foreign born population (from 729,159 in 1996 to 2,193,999 in 2004). Influx peaks seem to occur mainly immediately after regularisations.

According to ISTAT, Italy counted **2,938,922** foreign legal residents⁴ on **1 January 2007** (Fig.1), of which **2,337,382** are non-EU citizens (80%). The majority of foreigners reside in the **North** of the country: 1,067,218 (36.3%) in the Northwest and 802,239 (27.3%) in the Northeast; followed by the regions of the **Centre** with 727,690 residents (24.8%), and those of the **South** with 341,775 (11.6%) (ISTAT 2006).

Fig. 1 - Foreigners resident in Italy



Source: ISTAT

However, it is estimated that a further 600 to 700 thousand foreign born residents reside in Italy without any permit of stay.⁵

³ CARITAS, January 2006, www.dossierimmigrazione.it

⁴ All official data from ISTAT are available at www.demo.istat.it

⁵ Fondazione ISMU, 12th report on migration 2006, www.ismu.org

Collecting all these data and estimates, the total foreign born population in Italy at the beginning of 2007 should amount to approximately **3.6 million**, which comes to between 6 and 6.2% of the total population. However, if one excludes those with EU citizenship, the proportion comes to only **4%**⁶.

0.3 Top ten nationalities of immigrants

Figure 2 shows the top ten non-EU nationalities represented in Italy⁷. These ten nationalities comprise nearly three-quarters of all non-EU foreign born residents. Albanians and Moroccans outnumber the other nationalities by far. They comprise respectively 16% and 15% of the total non-EU foreign born resident population.

Fig. 2 – Top ten Nationalities (number and % of total non-EU legal population)

	Nationality	Number	%
1	Albania	375.947	16%
2	Morocco	343.228	15%
3	China	144.885	6%
4	Ukraine	120.070	5%
5	Philippines	101.337	4%
6	Tunisia	88.932	4%
7	Macedonia (Former Yugoslav Republic)	74.162	3%
8	India	69.504	3%
9	Ecuador	68.880	3%
10	Peru	66.506	3%
	<i>Others</i>	<i>883.931</i>	<i>38%</i>
	Total non-EU foreign resident population	2.337.382	100%

Source: ISTAT

The foreign presence in Italy has over time changed significantly as some nationalities have lost numerical significance, while others have been gradually growing in terms of size and social relevance. As demonstrated by the growth rates as recorded by ISTAT, immigrants from Morocco, Tunisia, China and the Philippines - nationalities with a longer tradition of immigration into Italy - remain numerous and these flows are quite

⁶ Fondazione ISMU, op. cit.

⁷ ISTAT, 1 January 2007.

stable. Immigration from Africa increased in the nineties and has decreased since then. On the other hand, flows from Eastern Europe and from countries like Ecuador have increased significantly in the last few years. Immigration flows have been and still are strong from Albania and countries of the former Yugoslavia. In Fig. 3 you can see that the number of Ukrainians is about ten times as high as it was only five years ago; the residents from Ecuador are around four/five times as numerous as they were in 2003, while the number of Moroccans is just one and a half times what it was in 2003.

Fig. 3 - Current top ten non-EU nationalities' (*plus Romania and Poland*) growth from 2003 to 2007

Countries	1st Jan. 2007	1st Jan. 2006	1st Jan. 2005	1st Jan. 2004	1st Jan. 2003
Albania	375,947	348,813	316,659	270,383	216,582
Morocco	343,228	319,537	294,945	253,362	215,430
<i>Romania</i>	<i>342,200</i>	<i>297,570</i>	<i>248,849</i>	<i>177,812</i>	<i>95,039</i>
China	144,885	127,822	111,712	86,738	69,620
Ukraine	120,070	107,118	93,441	57,971	12,730
Philippines	101,337	89,668	82,625	72,372	64,947
Tunisia	88,932	83,564	78,230	68,630	59,528
Macedonia (FYR)	74,162	63,245	58,460	51,208	34,019
<i>Poland</i>	<i>72,457</i>	<i>60,823</i>	<i>50,794</i>	<i>40,314</i>	<i>29,972</i>
India	69,504	61,847	54,288	44,791	35,518
Ecuador	68,880	61,953	53,220	33,506	15,280
Peru	66,506	59,269	53,378	43,009	34,207

It should be noted that before entering the EU, Romanians were the third biggest nationality represented (342,200).

0.4 Immigrant population by legal status and reason of presence

ISTAT is appointed by Ministry of Interior⁸ to process data on permits of stay; updated to 1 January 2007, the reasons for issuing residence permits to non-EU citizens have

⁸ The Authority in charge of issuing permits of stay for foreign residents is the Police, under the Ministry of Interior.

been divided as follows:

Fig. 4 – Permits of stay by reason and geographical area

Geographical areas	Work	Family	Religion	Study	Asylum	Others	Total
Europe (non UE)	367438	223453	728	15765	8076	10439	636251
Africa	365948	170467	4752	6254	15888	7490	570799
Asia	272848	116446	9687	12554	4179	4250	419964
America	115833	104706	8153	8541	543	9864	247640
Oceania	361	1037	204	196	2	301	2101
Stateless	84	84	6	3	23	95	295
Non-EU only	1124987	618925	23731	43607	28711	37089	1877050

Source: ISTAT

It appears that most immigrants settle in Italy for reasons of work and family (93%), which could indicate a high interest for **long-term residency**.

The last regularisation of 2002, which regarded immigrants already working in Italy, sharply increased the proportion of foreigners staying in Italy for work reasons. In fact, of the 2,337,382 foreign non-EU residents in Italy in the year 2007, 1,419,285 (61%) held a permit for work reasons. However, it should be noted that many foreign-born residents holding a permit for reasons different from work, could be nevertheless active in the labour market.

Foreign residents in Italy, though only 6.2% of the population, contribute 8.8% to Italian gross domestic product (GDP)⁹. In Lombardia, Emilia Romagna and Veneto, the GDP contribution of foreigners is even more than 10%. The Italian economy draws noticeable benefits from foreigners' presence, above all in sectors complementary to those occupied by local citizens. The North of Italy is still the main pole of attraction (59% of the national total of foreign residents with a permit for work reasons work here). The Centre of Italy, the South and the Islands only employ respectively 26.4%, 11.3%, and 3.4% of total foreign resident population.

⁹ Rapporto Unioncamere 2007, *Temi chiave e sintesi dei principali risultati*, www.unioncamere.it

0.5 Minors

The stable character of migration is demonstrated by the literature as seen in the male/female ratio (1.023), as well as by the number of children born in Italy (398,205¹⁰).

In 2007, according to ISTAT, the population of resident **foreign minors** amounted to **663,625** (including EU citizens)¹¹, that is, persons aged younger than 18 which is equivalent to **23%** of the total foreign born population (EU included). 60% of the foreign minors were born in Italy.

Fig. 5 – Minors in Italy

Foreign minors	Census 1991	Census 2001	Register 2005	Register 2006	Register 2007
Born in Italy					398205
Total	51000	284000	501792	585496	665625

Source: ISTAT

The number of students holding non-Italian nationality enrolled in Italian schools is 501,445¹², who account for 5.6% of total student population. Italy is further confronted with a sustained trend of unaccompanied minors arriving in Italy. In September 2007, according to the Italian Committee for Foreign Minors, there were **6,554 unaccompanied minors** of non-EU origin in Italy, mainly aged between 15 and 16 years. **Albanian** and **Moroccan** are the main nationalities among these minors.

In the absence of a comprehensive law on asylum, they are granted a residence permit valid until they reach the age of majority. More information on this is provided in paragraph 2.1.

0.6 Processes of regularisation

Between 1986 and 2002, the Italian governments passed five acts of amnesty (Fig.6),

¹⁰ ISTAT, 2006

¹¹ It was not possible to obtain data excluding EU citizens

¹² Source: Ministry of Education, year 2006/2007; www.istruzione.it

receiving 1,450,000 petitions for regularisation, of which 634,728 were received during the last regularisation, passed in 2002 by the centre-right Government. The centre-left Government, elected in April 2006, decided to enlarge the *quota* of 170,000 new entries for working reasons on the occasion of the 2006 flows decree, in order to make it possible for another nearly 350,000 applications to be checked. These applications are often used by undocumented migrants already working in Italy to ask for a regular permit of stay.

Fig. 6 - Regulations and Decree regarding regularisations

	Deadline for entry	Regularisation applications	Accepted applications
Law 943/1986 and subsequent extensions	31/12/1986	113,349	105
Leg. Decree 416/1989, law 39/1990	31/12/1989	234,841	222
Leg. Decree 489/1995, law 617/1996	19/11/1995	258,761	246
Prime Minister Decree 16-10-1998 and Leg. Decree 113/1999	27/03/1998	250,747	217
Law 189/2002 and Law 222/2002	10/06/2002	702,156	650

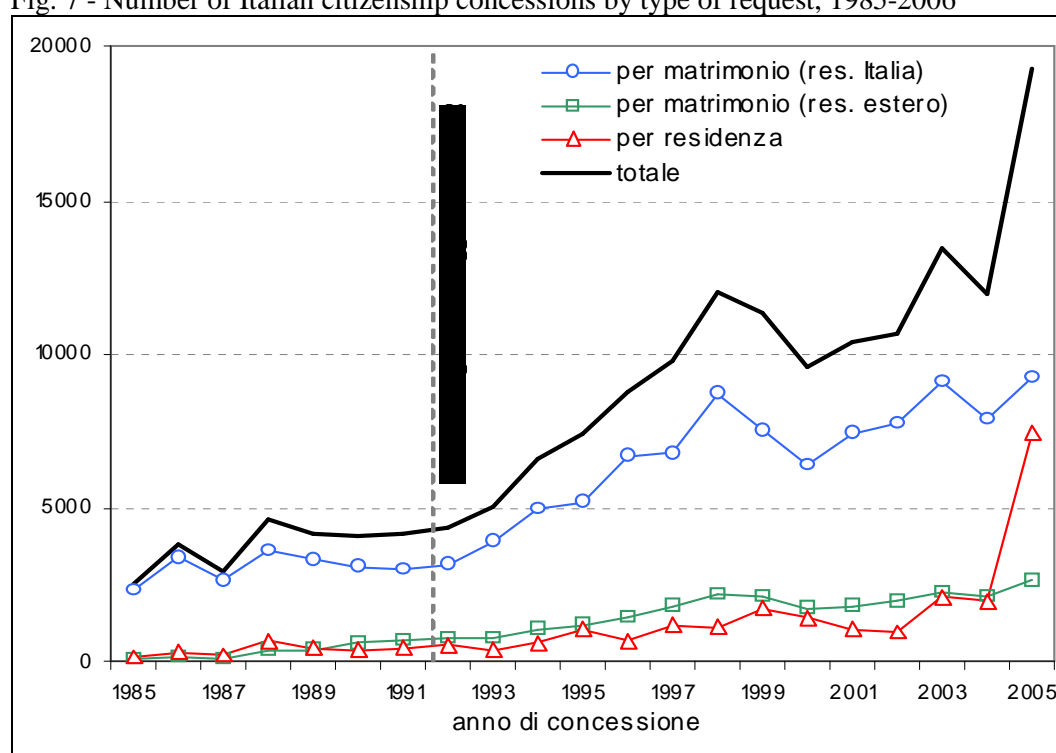
Source: ISMU, Lunaria

The effects of the amnesties were an increase in the number of legal immigrants, as well as other changes in the characteristics of Italian immigration. There was for instance an increase in family reunification, a practice that has become, after work, the second most important reason for granting a residence permit. Subsequently, birth rates in Italy have gone up. Additionally, it appeared that the statistical frequency of certain nationalities is linked to the issue of regularisation. An analysis of the last two regularisations shows a growing incidence of workers from **Eastern Europe**, who, together with the **African immigrants**, show a marked tendency towards stability.

0.7 Naturalised foreign population

On 31 December 2006, only 0.6% (**35,266**) of the foreign resident population had acquired **Italian citizenship**, although, between 1995 and 2006, 213,047 applications for Italian citizenship had been received.

Fig. 7 - Number of Italian citizenship concessions by type of request, 1985-2006



Source: Ministry of Internal Affairs' data elaboration

For a long time the total concessions have mainly been for marriage (almost 70% of the concessions during the period 1985-2006; for 2006 we have 30,151 concessions for marriage and 5,615 for naturalisation). Recently, there has been a significant rise in the number of licences for residence (so-called ordinary naturalisations). This growth may partly be caused by faster processing procedures, but it is undoubtedly also influenced by a growing trend of requests for naturalisation for reasons of residence rather than marriage.

Prevalent among the concessions are those to **Eastern European** citizens, followed by

Latin Americans and North Africans. Immigrants from North Africa apply proportionally more often for acquisition for reasons of residence and not marriage than other nationalities.

1. Legal Framework for Immigration

1.1 Introduction

In Italy, the law governing the entry, residence and expulsion of foreigners is called the *Testo Unico* (hereafter referred to as T.U.), which concerns the rules for immigration and the status of foreigners in Italy. The T.U., which was adopted by legislative decree (no. 286) on 25 July 1998, is made up of different single laws that - once approved - amended it. The first comprehensive law on immigration was Act no. 40/98, which was subsequently amended by Act no. 189/2002 and later implemented by Presidential Decree 334/2004.

As mentioned in the introduction, people enter Italy for different reasons (study, religion, asylum, etc.), but the numbers indicate a predominance of residence permits issued for work and family reunification. Italian immigration policies view immigration mainly as an economic phenomenon and therefore emphasise the objective of meeting labour shortages. The migrant is framed as a **"guest" worker**. This can be seen particularly in the last reform which introduced the **"contract of residence – work"** that limits the presence of immigrants in Italy to the duration of their employment contract with a specific employer and thus also to a certain territorial area.

Access to the labour market is characterised by a system of planned immigration. The **quota** for entry of foreigners is determined by one or more **annual "flow" decrees** (*decreto flussi*), which fix the maximum number of regular entries, seeking to adapt the needs of the labour market to the reception ability of the country. **Special quotas** are reserved for: non-EU foreigners from States with which Italy has concluded agreements aimed at regulating entry flows for work reasons and comprising agreements on readmission procedures; foreign workers of Italian origin until the fourth degree. A special programme for entry (without the need of a quota) is reserved for: highly specialised, autonomous or employed personnel such as health professionals, teachers, interpreters, translators and researchers. Finally, a special quota is reserved for those who in their country of origin follow training programmes promoted by regions, trade unions, employers' organisations, associations, and other public and private bodies, and approved by a committee made up of representatives from the Ministry of Labour, the

Ministry of Social Solidarity and the Ministry of Education.

Responsibilities for immigration policies are centralised in Italy as opposed to those for integration, which belong to the competence of Regions and Municipalities, resulting in quite some spatial difference and inequality. Central government is responsible for all immigration decisions concerning the needs of the labour market. Cooperation of the Regions is only sought regarding the establishment of spatial shares (geographic allocation).

With regard to **social policies**, however, the Turco-Napolitano 40/98 law has been assessed as very inclusive. Full guarantees are provided to regular foreigners that place them on par with Italian citizens. The fundamental human rights are recognised of all foreigners present at the border or residing in the territory of the State. The problem rather lies in access to services for foreigners, which is often compromised due to well-known problems of bureaucracy and other implementation deficits.

The national laws on immigration are framework-laws, which means that actual programming, management and implementation are delegated to the Regions. The **Regions** have therefore issued their own immigration legislation within the framework-law, according to the powers accorded to them by constitutional mandate, and in accordance with the provisions governing relations with the local authorities: Provinces, Municipalities and the health sector. The Regions have as such assumed direct management of certain policies toward immigrants, such as regarding health, welfare, and employment. However, Regions have delegated the organisation and management of territorial social services to the **Municipalities**. Obviously great inequalities exist as a consequence in intervention at a territorial level (even in statutory expenditure). It is clear that the effectiveness of local authority action increases where budgets and other investments are higher, where institutional structures responsible for intervention are clearer, and where the institutional connections between various public sector levels and the voluntary/non-profit sector are better defined and organically inserted into local policies.

Finally, the Italian **citizenship policies** deserve attention, given the complexity of the current system that still refers to the law of 1992. Currently, citizenship follows the

principle of *ius sanguinis*, through recognition of Italian paternity and/or maternity; adoption of a minor by an Italian citizen, and at request in the following cases: a descendant of Italian citizens (up to Grade II); being born on Italian territory and having been resident on the same territory until the age of majority, by applying when coming of age (option open until nineteenth birthday); marriage to an Italian citizen; through naturalisation, which requires ten years of legal residence, a sufficient income and the absence of a criminal record.

Two other issues remain, for which law 40/98 does not provide. These concern the granting of **political and administrative rights** and the lack of promulgation of a comprehensive law on the **right of asylum**¹³.

1.2 Entry

Legal entry is provided to foreigners from countries that do not belong to the Schengen Area if they:

- pass through an official border;
- possess a passport or other equivalent type of travel document that is recognised as valid for crossing borders;
- have documents that explain the purpose and conditions of their stay and attest that they have the financial means needed for the type of stay and its duration and to pay for return to their country of origin (or transit to a third state). Foreigners who already reside in the territory of one of the contracting parties and possess regular authorisation are exempt from demonstrating these documents;
- possess a valid entry or transit visa when required;
- the Schengen Information System does not indicate that they are not to be admitted;

¹³ In January 2008, two Government decrees were approved that partly change definitions and procedures regarding political asylum and subsidiary protection, in order to implement two EU directives.

- Italian or Schengen State regulations do not consider them dangerous to public order, national security or international relations with one of the contracting parties;
- have not been convicted of serious crimes.

Although there can be different reasons to apply for a visa to enter Italy (adoption, business, medical care, diplomatic reasons, to follow a family member, sporting competitions, invitation, autonomous or subordinate employment, work missions, religious motives, re-entry, residence, family reunification, study, transit or tourism), we will concentrate particularly on work and family reasons.

Foreigners must demonstrate that they have suitable accommodation in Italy, and their employer – when making the request for them to come and work in Italy – must sign a commitment to pay the journey in case of forced repatriation. If they cannot show that they possess these means then an entry visa will not be granted or, in the case of controls by border police authorities, they will be formally rejected at the border.

Illegal entry into the territory of the State is not considered a crime and therefore is not punishable by law. In fact, irregular entry receives an **administrative sanction** (see section 1.3 below). The T.U. provides for the detention of foreign citizens found on the territory without a residence permit. “**Temporary Stay Centres**” can hold such persons for a period of up to 60 days, pending deportation. The period of detention is used for identification. If documents are lacking or the person does not meet the requirements, the person is given the order to leave the territory within 5 days. If they appear to have remained in the territory, despite the earlier notice, they receive a deportation order with an escort to the border. Subsequent re-entry into the territory of the country is a crime punishable by arrest. For a long time, the constitutionality of these centres has been discussed because they involve an administrative measure that restricts personal freedom (see section 1.3 below).

1.2.1 Short-term Permit of Stay

The permit for short term stays is issued for business, tourism, and study. If the planned stay is for less than 90 days, a permit is not necessary; however a visa is required. It is

sufficient to make a declaration at the border or to the police of the province where the foreigner is going to stay within eight days of entry.

1.2.2 Long-term Permit of Stay

The EU Long-Term Residence Permit is valid for an indeterminate period of time, but must be administratively renewed every five years in order to be valid as a personal identification document.

It is possible to obtain it if an immigrant:

- has been in Italy regularly for at least five years, has a valid permit of stay (excluding permits for study, professional training, asylum, humanitarian reasons, temporary protection); meets the requirements for the renewal of the permit of stay (housing and income);
- is the spouse or the son/daughter (minor) of and cohabits with a foreigner who has a permit of stay for third-country nationals who are long term residents. Obviously, they have to demonstrate the requirements of income and housing.

Types of long term stay

Most of the long-term permits of stay issued in Italy are for work reasons and family reunification (more details are given below). The permits for long-term stay are also issued for reasons of: study, residence, religion, sports, and pending adoption decisions.

Permit for long-term stay for work reasons

In Italy the work relationship can be of two types:

- **Regular Employment** with a fixed-term contract, an open-term contract or for seasonal employment;
- **Self – employment.**

Regular employment

Work as an employee providing services to an employer and/or organisation, in short regular employment, is regulated by the “**contract to stay**”. This contract regulates the

work relationship between an employer and an employee who is a non-EU citizen. The contract to stay for such work must contain a provision or guarantee by the employer that housing (respecting the minimum parameters and conditions prescribed by public law) is available to the employee and that the employer is committed to pay the travel costs for the return trip of the worker to his/her county of origin in case of forced repatriation. The contract is a condition for requesting a Permit of Stay for the potential employee. It should be underlined that the housing requirements certification is issued by the local public authorities. This implies territorial differences in interpretation and implementation.

Procedure

The would-be employer must submit an application, after the publication of the decree that establishes the entry flows, to the “Comprehensive Desk for Immigration” (*Sportello Unico per l’Immigrazione*) of the Province in which the labour activity will take place. Police (*Questura*) and the provincial labour office (DPL) are called upon to respond to the request. Only in case of a positive response (*Nulla Osta*), will the process result in the issuance of a request to the Centre for Employment, whose duty is to verify the unavailability of a worker already resident in Italy (whether Italian or foreign) for that job. After this verification, the Immigration Desk calls the employer to obtain the *Nulla Osta* and to sign the contract of stay prepared on the basis of the proposed employment contract. The *nulla osta* is transmitted to the Italian Embassy in the country of origin of the would-be employee, in order to issue a valid visa to entry Italy. Within eight days of entry, the foreign employee must report to the Immigration Desk in order to sign the contract, and the Police - after identifying him/her (through photo and fingerprints) will issue the Permit of Stay.

1.2.3 Seasonal work

This involves work within a fixed term that can only be done in some periods of the year (for example, in the agricultural or tourist sectors). Seasonal work by non-EU citizens is regulated by law with specific conditions regarding quota as well as rights.

Procedure

The employer has to follow the same procedures as when applying for regular fixed-term and open-term employment. The Immigration Desk issues the authorisation within 20 days of having received the request from the employer. The *Nulla Osta* is valid for at least 20 days up to a maximum of nine months from the date on which the contract is signed.

1.2.4 Self-employment

Admission for self-employment or for specific categories (researchers, entrepreneurs who perform activities of interest to the national economy, freelancers, associates and managers of non-cooperative societies, international artists and highly qualified professionals hired by public and private corporations) is conditional on having adequate accommodation and financial resources to carry out the work. The quota reserved for these workers is usually very limited.

Procedure

To obtain a Permit of Stay for Self-Employment one needs a visa for self-employment and to have sufficient financial means at one's disposition. Furthermore, the proposed activity must not be reserved to Italian or EU citizens by law.

1.2.5 Duration of the permit of stay for work/employment reasons

The duration of the residence permit cannot exceed:

- a total of nine months if the foreigner has one or more contracts for seasonal employment;
- one year if the worker has a fixed-term contract for regular employment;
- two years if the worker has an open-term contract for regular employment;
- two years if the worker has a contract for self-employment;

Renewal of the permit of stay

For renewal, a request has to be sent from an authorised post office and addressed to the police of the province of residence (*Questura*), according to the following deadlines:

- at least 90 days before expiry of the permit of stay, if the worker has an open-term contract for regular employment;
- 60 days before the expiry of the permit of stay, if the worker has a fixed term contract of stay for regular employment;
- 30 days before the expiry of the permit of stay in all other cases.

In general, renewals cover a period no longer than that of the original permit of stay.

1.2.6 Permit of stay for family reunification

The residence permit for family reunification is valid for the same period as indicated on the residence permit of the family member with whom the foreigner is reuniting. According to the decree of 8 January 2007, which transposes European Directive 2003/86/CE, family members for whom requests for reunification can be made include:

- a spouse who is not legally separated;
- minors, even if custody is assigned to the spouse and even for those born out of wedlock (including adopted children for whom custody or guardianship has been granted), provided that the other parent gives his/her consent (the child has to be less than 18 years old when the request is filed);
- adult children who are legal dependents of the applicant, only if they cannot earn a living due to their state of health (total disability);
- parents if they are legal dependents of the applicant and do not have adequate family support in the country of origin/or country where they are arriving¹⁴.

¹⁴ A draft Legislative Decree have been prepared by the new centre-right Government with a view to modifying and making stricter the existing legislation that has transposed the Directive 2003/86/EC relating to family reunification. Between the other provisions, the new draft decree provides that DNA tests may be requested to be undertaken at the applicants' expense in cases where the conditions for

Procedure

The procedure for obtaining a permit of stay for a family member starts with a *Nulla Osta* request made by the resident family member addressed to the Comprehensive Desk for Immigration in the Province of residence. The resident family member is required to show a residence card or permit of stay of at least one year for regular or self-employment, or for study, asylum or religious reasons (art. 28 T.U.).

Requirements

It is necessary to prove the availability of:

- accommodation that meets the minimum standards for public residential housing as required by regional law, including specific certificates either from the Municipal office or from the ASL (local health agency) office in the territory;
- an annual income from a legitimate source that is not less than the annual amount of welfare assistance (€5,142.67 as of January 2008), if the applicant reunification with one family member. If the request is for two or three relatives, the required minimum amount doubles, in cases of four and more, the minimum amount is tripled. In order to determine the annual income, the total income of all cohabiting family members is considered;
- documentation that certifies the family relationship as well as any other requirements that allow for reunification in particular cases.

1.3 Reform Proposal

1.3.1 Introduction

Italy's immigration policies show particular weaknesses in at least two respects. The first concerns the requirement of meeting the **needs of the labour market**. The difference between estimated arrivals and the official quota is equivalent to the number of incoming irregulars employed illegally anyway. The abolition of the possibility to

reunification may not be verified with certainty through documents submitted by the authorities of the applicants' country of origin, or if there are doubts about the authenticity of the documents procured.

find a job through the figure of **the sponsor** (a person – Italian citizen or regular resident foreigner - who provides financial and housing guarantees to a would-be worker coming from abroad, during a fixed period of time during which he/she is entitled to *look for* a job in Italy) has also significantly reduced the chances of legal entry into the country, fuelling the number of undocumented immigrants.

Secondly, the issue and renewal of residence permits is now the responsibility of the Police (*Questura*) only. For ethical as well as practical reasons this situation places excessive burdens on the involved bureaucracies as well as on foreign born residents. It is not clear why the renewal of a residence permit of a regular resident should be entrusted to a body of police, instead of to an ordinary government employee. Furthermore, the resulting bureaucratic fatigue bears negative consequences for legal residents in terms of high costs (both in terms of time and expenditure).

The proposed **Amato-Ferrero** law (introduced in March 2007 and never discussed by Parliament) aimed to respond to the above-mentioned problems by:

- A) Providing a more flexible matching system for the demand and supply of labour¹⁵;
- B) Simplifying the **procedures and requirements** for the issuing of the *Nulla Osta*, permits of stay, renewals, as well as eliminating the work contract:
- C) Providing procedures for renewal in **cooperation with local authorities**, extending the duration of residence permits, and streamlining the processes including a reorganisation of the Immigration Desks, established at the Prefectures-Territorial Government Offices.

Starting from 2006, most of the applications for issuing or renewal of permits of stay must be sent by mail from an authorised Post Office, according with an agreement between the Government and *Poste Italiane* (semi-state national agency for mail). This has led unfortunately to severe delays in handling the procedures, with many difficulties for the applicants.

¹⁵ In this regard, the draft law provided a **three-year programme of maximum quota** for the admission of non-EU citizens to the national territory, including a procedure for the annual revision of the quota in order to respond to extra and new needs of the labour market, as well as to wishes of local organisations and educational programmes in the countries of origin. Moreover it provided for the re-introduction of the **sponsor** (see above).

Finally, the newly established centre-right government that gained the Parliament's confidence on 16 May 2008 has linked the issue of "public security" with immigration control and given both priorities. On 21 May 2008 the Italian Cabinet agreed on a "security package", that is a series of legislative measures imposing further restrictions and controls over immigration, including immigration from other EU member states, as well as asylum.

Major immigration-related provisions that entered into force by Law Decree N° 92 of 23 May 2008 entitled "Urgent measures concerning public security" 31 include the following¹⁶:

- a) Foreigners shall be deported by court decision if sentenced to more than two years' imprisonment;
- b) The irregular status of foreigners who commit a criminal offence is added to the list of aggravating circumstances of the Criminal Code;
- c) The letting of accommodation to irregular migrants is subject to a sentence ranging from six months to three years' imprisonment. As soon as the relevant judgment is final, the building is seized, unless it belongs to a person not related to this offence.

The revenues originating from the sale of seized property may be used by the state for the reinforcement of activities aimed at the prevention and repression of the offences related to irregular migration;

- d) Mayors have the power to adopt, inter alia, urgent measures for coping with "threats to public and urban security".

Moreover, a draft Law was presented to the Parliament on 3 June 2008. Major foreigner-related provisions of this draft Law are the following:

¹⁶ This type of legislation is adopted in circumstances where the adoption of urgent measures is considered necessary by the Government. It is always subject to approval by Parliament within 60 days and to possible review by the Constitutional Court.

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- a) Illegal entry is subject to a sentence of imprisonment ranging from six months to four years. In these cases, the court, following proceedings that should be the swiftest possible, should also make a deportation order.
 - b) Foreigners may be detained in the “Identification and Expulsion Centres” (that is the new name of the Temporary Stay Centres) for 60 days in order to be identified. If this is not possible within 60 days, the extension of the detention for another 60 days may be authorised by a judge upon a request by the Chief of Police. The maximum length of detention was increased to eighteen months (instead of 60 days until now);
 - c) The Chief of Police, even before the deadline of 60 days of detention has passed, may carry out a deportation, also informing the competent court immediately;
 - d) The acquisition of Italian citizenship by marriage would be possible after two years’ residence in Italy;
 - e) In cases of requests of money transfer abroad, the applicant should provide his or her residence permit; in cases where such a permit does not exist, the local police should be informed within twelve hours.

2. Official Integration Policy

This section provides an outline of the official Italian integration policy, with emphasis on recent developments: issues of political participation, language and information programmes, naturalisation, education, employment, health, etc.

2.1 Introduction

Integration policies were first introduced in Italy in 1998: the T.U. is based on a model of integration defined by the *documento programmatico* (programme document) as “a process of non-discrimination and inclusion of differences (...), in constant and daily attempt to maintain the universal principles.” (National Committee on Integration Policies of Immigrants (ed.), *First Report*, pp. 18-19). Hence, the intention of Parliament is to provide legal migrants with the same rights (with some exceptions) as Italian citizens.

Additionally, specific actions have been planned to practically enforce this general principle of non-discrimination. The T.U. therefore focuses attention on **policies of integration** and has consequently been assessed as inclusive. Legal immigrants are given the same **social rights** as Italian citizens and irregular immigrant residents enjoy protection of their essential rights: **healthcare (art. 35)** and **public education (art. 38)**.

The second part of the T.U. puts a strong emphasis on **civil rights**. It introduces the definition of “**discrimination**” in art. 43: “conduct which directly or indirectly involves any distinction, exclusion, restriction or preference based on race, colour, descent and national or ethnic origin and has the purpose or effect of destroying or impairing the recognition, enjoyment or exercise, in equal conditions, of human rights and fundamental freedoms in political, economic, social and cultural life and in every other area of public life”. The T.U. highlights how each public service official ought to be considered punishable for any form of discrimination, even implied or by omission, of foreign citizens. According to legislative decree no. 215/2003, which transposes the European Directive 2000/43/EC, anyone who considers him/herself a victim of discrimination, both direct and indirect, or of harassment on grounds of race or ethnic

origin, has the right to take legal actions for the detection and removal of discriminatory behaviour. The decree also establishes an office for the promotion of equal treatment and removal of discrimination based on race or ethnic origin (**UNAR**) at the Presidency of the Council of Ministers, Department for Equal Opportunity.

Law no. 40 in 1998 introduced a permit of stay for reasons of **social protection** to protect victims of forced prostitution (Art.18). Victims are offered programmes for recovery and rehabilitation. More generally, however, foreign women can not under any circumstances be expelled if **pregnant** or during the sixth months after delivery. **Foreign minors** can be expelled only if they accompany their expelled parents or, in the case of **unaccompanied minors**, when it is possible to trace the parents or institution responsible for them in the country of origin (art. 32). Those who can not be repatriated will be granted a special permission to stay. The Bossi Fini law 189/2002 suggests that a work permit of stay be granted to those minors who are 18 years if they have been placed in integration programmes organised by local authorities, voluntary organisations or NGOs (regular attendance of these programmes has to be certified) for a period of no less than two years.

Regarding **cultural integration**, the Turco-Napolitano law institutionalises two new figures. Art. 42 of the *Testo Unico*, which deals with measures for social inclusion, introduces for the first time the “**intercultural mediator**” in order to “facilitate the relationship between individual governments and foreigners belonging to different ethnic, national, linguistic and religious groups.” The second new figure is that of **cultural mediator** as proposed in art. 38 T.U. Cultural mediation concerns the education of foreigners and intercultural education, such as access to education “and criteria and procedures for communicating with the families of foreign students”. The same article also requires the implementation of courses and initiatives for improving knowledge of the **Italian language**, including special courses for adult immigrants”.

T.U. 286/98 is characterised by a partial **devolution** of functions regarding the integration of immigrants to **Local Authorities** - regional, provincial and municipal. T.U. further specifies that integration cannot happen without pursuing active strategies for information and facilitation of access to services by the immigrants themselves.

“Promotion interventions to be implemented at the local level” are entrusted to **Territorial Immigration Councils** under art. 3 paragraph 6 T.U. These institutions – established at the provincial level (*Prefettura*) - consist of public representatives, representative associations of foreigners in the territory, and representatives of the third sector particularly active in aid and assistance to immigrants.

Concerning **immigrant participation**, it should be noted that the T.U. recognises the importance of immigrants themselves as facilitators of integration. Article 42 - *Measures of social integration* - states that “the State, Regions, Provinces and Municipalities, as part of their powers, in collaboration with groups of foreigners and organisations working steadily on their behalf, and in collaboration with the authorities or public and private agencies of the countries of origin, promote social, economic and cultural inclusion of foreigners.” Article 42 states that beyond this, “initiatives promoted by Regions and local authorities in order to identify initiatives, with the participation of foreign nationals, appropriate to the removal of obstacles hindering the effective exercise of the rights and duties of foreigners” (paragraph 3).

Article 42 calls for the establishment of a council to address problems of foreign immigrants and their families. This council is chaired by the Minister of Social Solidarity (paragraph 4), and composed of various institutional figures: “representatives of associations and bodies” referred to in paragraph 3, at least ten representatives of associations carrying out particularly significant activities in the field of immigration (paragraph 4a), and at least six representatives of foreigners designated by the most representative immigrant associations operating in Italy” (paragraph 4b). Despite numerous rules to promote social inclusion, the implementation of the law remains focused on the immigrant as **guest worker**. This is evident especially in relation to two issues: the granting of **rights to political and administrative vote** and the complexity of the naturalisation processes (see the more in-depth discussion on these topics below).

The following paragraphs provide more detail regarding various aspects of integration, such as political rights, naturalisation processes, language and training, education, employment, housing and healthcare.

2.1.1 Issues of political representation

For legal immigrants the debate on their right to vote in local elections is still ongoing. In Italy, participation in public life does not include active participation in political life except for EU nationals who are allowed to vote in elections for the European Parliament as well as in town council elections. Non-EU foreigners have the right to freedom of expression, assembly and association, as well as to participate in consultative bodies on issues related to the presence of foreigners in the country. Italy has partially ratified Chapters A and B but not yet C of the “Convention on the Participation of Foreigners in Public Life at Local Level”, put forward for signature, ratification and accession by the Council of Europe in 1992. Chapter C, which has not been ratified, is the objective of the current reform and concerns the right to vote in local authority elections. This seems to contradict the general purpose of immigrant councils which is to integrate foreign residents, encourage their participation in local public life and improve or harmonise relations between foreign residents and other persons in the local community (authorities, administration and native residents).

The proposal to extend the **right to vote** in local elections to holders of residence permits was actually included in the original draft of the bill of 1998, but was subsequently removed from the text. Several different proposals for granting local voting rights have followed, presented by representatives of both the centre-right and the centre-left, but no concrete step forward has been taken so far, mainly due to political disagreement rather than juridical impossibility (juridical experts have so far not come to any conclusion on possible unconstitutionality).

The same has happened to proposals to reform the law on **citizenship** (no. 91 of 1992), which is now based on the principle of *ius sanguinis*¹⁷.

¹⁷ The centre-left government during the previous legislature proposed to reform the law so that **naturalisation** of non-EU foreigners and their children could become easier by reducing to 5 years the minimum time required for having been a resident in the territory. It also sought to promote the principle of *ius solis* by providing for the immediate issuing of citizenship to those born in Italy on condition that at least one parent has been a resident in Italy for at least 5 years and that (s)he meets the income requirements for residence. This more favourable treatment, however, was not approved.

2.1.3 The Naturalisation Process

In Italy the concession of citizenship is regulated by law no. 91/1992. Currently there are two ways to acquire Italian citizenship:

- Automatically through: family relationships (*ius sanguinis*), recognition of paternity or maternity, and adoption.
- On request if he/she meets one of the following requirements:
 - he/she is a descendent (to the second degree) of someone who is an Italian citizen by birth;
 - he/she was born in Italy and has been a legal resident, without interruption, in Italy from his/her birth until he/she turned 18 years old;
 - he/she has been and still is married to an Italian citizen (for at least 2 years);
 - if he/she is naturalized, which requires at least 10 years of legal residence in the country, sufficient income, and no criminal record.

The acquisition of Italian citizenship does not require or involve the renunciation of the original citizenship, unless required by the law of the country of origin/country where he/she has the other citizenship.

Regarding the naturalisation of adults, the proposal requires a minimum legal residence of five years in Italy, instead of the ten years required by the current legislation. The applicant will be subject to “verification of the actual language and social integration of foreigners in the territory of the State”.

2.1.4 Language and information programmes

Art. 38 T.U. provides for the establishment of Italian language classes for children attending compulsory schooling who do not speak Italian, and for adult immigrants legally residing in Italy. Adult immigrants living in Italy can choose among several options. For example, there are Italian classes to acquire the primary school certificate free-of-charge for foreigners organised by the Ministry of Education.

For the year 2007, the Ministry of Social Solidarity and the Ministry of Human Rights and Equal Opportunities have issued a directive on how to use the Fund for Social Inclusion. Among the priorities to be funded, it emphasises the transmission of knowledge, culture, and civic values. The courses will be designed taking into account the specificity of the different categories (e.g. mothers, domestic workers) and their various needs (literacy, skills training). These courses are to be held both in Italy and in the countries of origin. Addressing especially language issues, the main public intervention (Fund for Social Inclusion) is focused on the following:

1. Support for newly arrived children of migrants for entry into the educational system, providing children of migrants with adequate language skills and helping them to overcome the difficulties faced living in segregated and/or disadvantaged areas;
2. projects aiming to improve, specially through the media and special events, the knowledge of Italian Constitution and values among immigrant people;
3. language support especially for newcomers, actively encouraging immigrants to learn the language of the receiving country as well as to understand and respect the institutions and the fundamental values of the receiving society.

Furthermore, art. 23 T.U. introduces the possibility of implementing vocational activities in the country of origin. Programmes in this field must be approved by a committee composed of officials from the Ministries of Labour, Social Solidarity and Education. Foreigners taking part in these activities are entitled to preferential entry for work purposes.

2.1.5 Education

Art. 38 T.U. stipulates mandatory education for minors, regardless of the legal status of the parents. Education for minors is compulsory and free up to the third year of secondary school. Foreign minors, even if residing illegally in Italy, are granted the right to education under the same conditions as Italian minors. The foreign minors have the right to enrol in school at any time during the school year. However, school

enrolment of a minor whose parents do not have a legal residence permit to stay in Italy, neither makes him/her a legal resident nor makes his/her parents legal residents.

The European Social Fund finances professional training programmes together with the Regions and Provinces. These courses are mainly organised by training institutes (conventional public and/or private institutes). The courses are almost always free and are organized at different levels: post-primary schooling, post-secondary schooling, post-university diploma, and post-graduate courses and Masters. The European Social Fund also promotes adult education, including regular refresher courses (lifelong learning) to keep workers up-to-date. This is especially relevant for those who are unemployed due to layoffs resulting from industrial transformation and the evolution of systems of production. Lifelong learning takes place within the firm or at training institutions. Foreign, including non-EU citizens, are not excluded from these courses. It is also stated that foreigners who reside in Italy for work or education can be admitted to professional training courses in accordance with international conventions and applicable laws.

2.1.6 Employment

Non-EU workers employed in Italy are entitled to the same remuneration and social insurance as Italian nationals. Still, public jobs are reserved for Italian citizens.

Like Italian nationals, non-EU employees are entitled to unemployment benefits, a social security measure that substitutes part of the salary in case of involuntary unemployment. In order to benefit from such a measure the worker must be enrolled in the State Employment Agencies and have contributed to social security for at least two years prior to involuntary unemployment. All regular employees have the right to severance pay for layoffs, resignations and completion of work contracts (*Trattamento di fine rapporto*, TFR). The amount is calculated on the basis of the duration of employment. In case of illness or pregnancy the employee has the right to financial contributions from the Social Security Institute.

Note that when a non-EU national is unemployed, he/she has a right to a six-month permit of stay in order to look for another contract, before expulsion.

2.1.7 Housing

The legally resident immigrant – after two years - has the right to access the lists for public housing, and to have temporary accommodation in a boarding house. The immigrant has the legal right to intermediation services of regional social agencies and local authorities for assistance in finding housing for rent or securing a loan for the construction, recovery or purchase of a house or apartment.

2.1.8 Health care

The right to health is a fundamental human right and is considered a right for all foreigners present in Italy, with limitations for illegal migrants. A foreign citizen living in Italy holding a valid permit of stay has the same rights as Italian citizens to medical assistance covered by the National Health Service (Servizio Sanitario Nazionale - SSN). In order to obtain health and medical assistance, the foreign citizen must enrol at the *Azienda Sanitaria Locale* - ASL (Local Health Offices) of his/her area of residence.

Irregular migrants have a limited access to health care: in order to have access to these services, one must go to an ASL office and apply for a card called STP (*Stranieri Temporaneamente Presenti* - Temporarily Present Foreigners). This card is valid for six months and is renewable.

Public health facilities and authorised private structures provide emergency and essential healthcare services for illness or accidents as well as preventive medicine programmes to provide individual and collective healthcare free of charge for STP holders. These structures do not report immigrants to the police or other authorities except when a mandatory medical report is required for a serious case.

All children between the ages of 0 and 6 years, even if they are residing in Italy without a permit, have the right to basic and specialised medical care (including vaccines) and

free clinical exams at public facilities, hospitals, territorial facilities and private facilities with agreements with the SSN. Minors without a residence permit between the ages of 6 and 18 have the right to basic care. For specialised care (laboratory analysis and specialised visits) they must pay medical charges as all Italian citizens do.

2.2 Integration Support Services

The **regular immigrant** has the right to access all services provided for Italian citizens at national, regional, provincial and municipal level. Some of these services (for example, Employment Service) have a dedicated desk for immigrant users, other services are simply the same as those used by Italian citizens.

The services used by all citizens do not usually offer specific facilities for migrants, e.g. they do not offer publications in different languages, and they do not employ cultural mediators or language facilitators. On the contrary, dedicated services like reception centres, legal assistance, sanitary assistance for undocumented migrants (often contracted to NGOs and other organizations) are more user-friendly, and offer multilingual publications and intercultural mediators.

There are also some public bodies introduced by the T.U. on immigration, which are intended to support the integration of immigrants (art. 42). These are the Immigration Territorial Councils, the *Consulta* (consultative body) for the problems of immigrants and their families, and the National Commission for Immigrants' Integration Policies (*Commissione Nazionale per le politiche di Integrazione*).

According to a study by CNEL¹⁸, there are 893 foreign citizens' associations in Italy, mainly concentrated in the Centre-North and North-West. The African associations represent the majority (39.7%), followed by Asian (12.8%), and those of Eastern Europe and Latin America (5.7% respectively). However, more than a third (36.1%) are represented by mixed or Italian associations, which include several foreign groups.

¹⁸ CNEL, National body coordinating integration policies for migrants. Survey by Fondazione Corazzin, Roma, July 2001, available at: [http://www.portalecnel.it/Portale/documentiAltriOrganismi.nsf/0/A7D92AD516647C78C1257241003D4027/\\$FILE/ricerca%20corazzin.pdf](http://www.portalecnel.it/Portale/documentiAltriOrganismi.nsf/0/A7D92AD516647C78C1257241003D4027/$FILE/ricerca%20corazzin.pdf)

2.2.1 Public services

- The Registry Office (responsible authority: municipal district).

The Registry Office contains the personal vital statistics of residents. It is the authority responsible for issuing personal identity cards.

- Social services, educational services and sports services (responsible authority: municipality)

These participate in integration respectively by requesting support from the social workers; information on recreational services, catering, school and kindergartens registration; and organisation of cultural and sport activities in the municipal field. Specific programmes for migrant women, unaccompanied children, Roma can be planned and funded at the national level, by the Directorate General for Immigration (Ministry of Social Solidarity).

- Public Employment offices (Responsible authority: Province).

They help meet labour demand and supply, prevent unemployment, and facilitate entry into the labour market for people at risk of unemployment.

- Health (Responsible authority: Region)

The regular (legal) resident is entitled to enrolment with the National Health System (SSN), which is a set of structures and services that ensure the protection of health and provision of health care to all Italian citizens and foreigners. Registration is done at the Local Public Health Office (ASL) of the municipality of residence.

Recently (April 2007) a former NGO, San Gallicano, was transformed into a National Institute in support of the health of migrants and prevention of the contraction of deprivation diseases; the Institute is located in Rome, Foggia (Puglia) and Agrigento (Sicily).

- Housing policies (Responsible authority: Region).

Local authorities have already successfully set up social housing agencies. They are public or private brokerage organizations mediating between owners and immigrants by offering guarantees for rent and, if necessary, financial contributions towards the

housing rent.

- Education (Responsible authority: State).

The system is represented by public and private schools. All secondary schools allow enrolment at universities. Italian language classes or language support in the regular school plan are proposed and administered directly by the schools, and funded either by the Ministry of Education (Internal Directive on schools that have more than 10% foreign students) or by the Ministry of Social Solidarity (Fund for Social Inclusion).

Moreover, the public language courses for migrants are organized by “Permanent Territorial Centres for adult education” (CTP – *Centri Territoriali permanenti*). CTP local funds come from the municipality, the Regions and from the Provinces. For carrying out the educational activities these collaborate mainly with schools, professional training centres and other CTP. The courses provide language and cultural training, but without any benchmark so that the structure is decided by the promoter. There is no standard length for these courses. A language certificate can be obtained by attending the Italian course and passing the final examination.

Language and culture courses for foreigners are often offered by some of the most important Italian Universities.

- Legal advice (Responsible authority: State).

As concerns legal aid, Act No. 217 of 30 July 1990, as integrated by Act No. 134 of 23 March 2001, provides that any foreign citizen, even if he/she is not legally a resident in the country, can be granted legal aid at the expense of the State (*gratuito patrocinio*), without exception, on the basis of a simple affidavit/sworn statement (*autocertificazione*) endorsed by the Consular Authority. Legal aid defending counsels are not to be chosen from a special list of lawyers but any lawyer of choice may be appointed and fees will be borne by the State on the basis of the profession’s list of fees.

UNAR (National Office Against Racial Discrimination) provides free legal advice and assistance in cases of direct and indirect discrimination, through a National Contact Centre (freephone number 800 901010); its main activity consists in informal mediation actions, with the aim of avoiding court action and to reduce the potential for litigation

- Welfare and insurance system: INPS and INAIL (para-state organisations).

The two entities provide benefits such as pensions, allowances and payments for injuries, illness or disability. (Maternity allowance, however, is granted by the municipality). Italians and foreigners who are legally employed contribute towards these public insurance systems that cover accident, illness, disability, old age and unemployment.

2.2.2 Bodies enforced by legislation, dedicated to immigrant integration

- *Consulta nazionale* (National Council) for the problems of immigrants and their family

The Consulta was established in 1998 under the Ministry of Labour and Social Policies, but it was suspended after some years of activity. Recently, the centre-left Government re-established it, by including representatives from trade unions, migrants' associations and from national and local public administrations dealing with integration. It should be noted that, in line with the new strategy and policy concerning migration issues, in the appointment of the new Council, the role of migrants' representation has been strengthened, recognising the importance of migrants themselves as facilitators of integration.

As a result of this new approach in the re-organised Council 21 members out of 56 have been designated by the most representative migrant associations operating in Italy and are migrants themselves. This Council has the task of monitoring the migrants' situation in order to have a wider awareness of their condition and to make proposals in this regard.

- Special Committee for foreign unaccompanied minors (*Comitato Minori Stranieri*)

This committee is in charge of returning unaccompanied minors to their country of origin. The Committee is responsible for safeguarding and policing the residence of foreign minors temporarily admitted to the Italian territory and for coordinating the activities of the competent administrations. It is made up of representatives of the Ministries of Foreign Affairs, Interior, Justice, representatives of the National

Association of Italian Municipalities (ANCI), and of the Union of Italian Provinces (UPI).

- Territorial Immigration Councils

The Territorial Councils on Immigration are consultative bodies that operate at the provincial level, in accordance with article 57 of the Presidential Decree No. 394/99¹⁹. The Prefetto (chief officer at the provincial level) represents the National Government in every Province and responds directly to the Minister of the Interior. The task of the Council is to analyse issues related to immigration and promote policies for the integration of immigrants in the local social context.

The Councils work in cooperation with Regional and Local Administrations in order to promote integrated policies, based on a spirit of cooperation between the various institutions. The Council is composed of the representatives of the following public and private institutions and social categories: the President of the Provincial Administration; a representative of the Regional Government; the mayor or a delegate of the city where the Headquarters of the Province are located and the mayor or a delegate, of the municipality in the Province that is directly affected by the issues on the agenda; representatives of the peripheral offices of the Central Government; the President or a delegate of the Chamber of Commerce, industry, crafts and agriculture; at least two representatives of trade unions and employers' organisations; at least two representatives of non-EU foreigners chosen from the main immigrant' associations that are active in the area; at least two representatives of local groups and associations active in assisting and supporting immigrants. There is no limit to the maximum number of migrants' representatives who can be invited to participate in the Territorial Council.

- National Council for Coordinating Migrant Integration Policies

The National Council for Coordinating Migrants' Integration Policies was placed under the National Economic and Labour Council (CNEL, see www.cnel.it) in December 1998. The National Council for Coordinating Migrants' Integration Policies' tasks are:

¹⁹ Regulation on the implementation of the Consolidated Act on the provisions concerning immigration and regulations on the condition of foreigners, Legislative Decree No. 286 of 25 July 1998

- to oversee and support the development of the local reception and integration of foreigners as well as their political representation and participation in public life;
- to promote exchange between institutions and social organisations at the local level, as well as the exchange of best practices from other European countries.

The National Council for Coordinating Migrant Integration Policies deals with: the promotion of the right to political representation; territorial participation; regional immigration politics; inclusion at work; family-related politics; cultural models and health concerns; education; integration desks; and training and the engagement of cultural mediators and the mass media.

- UNAR (National Office against Racial discrimination)

The National Office against Racial Discrimination (UNAR) was set up by Legislative Decree no. 215 of 9 July 2003, in order to enforce the EU Directive against racial discrimination (2000/43/CE). The Office works for the promotion of equal treatment and against discrimination based on race or ethnic origin. The UNAR is under the Department for Equal Opportunities of the Presidency of the Council of Ministers. The UNAR's mandate is to promote equal treatment and to fight discrimination based on race or ethnicity.

The Office is intended to be a reference point for people who claim to be victims of racial and ethnic discrimination, as well as an institutional body to monitor the effectiveness of instruments for the protection of equal treatment. The UNAR has a staff of civil servants and external consultants, including lawyers, judges, and experts in the social sciences. The UNAR works in co-operation with trade unions and business associations to promote positive action through training courses, information campaigns and the promotion of codes of conduct in the workplace. The UNAR is also supposed to provide information and advice to policy makers in order to assist them addressing racial discrimination.

2.3 The case of Rome

Here we introduce two main public services: 1) Urban Centre for Migration, Asylum and Integration; and 2) Immigration Services Centres (the Italian acronym is CSI), which falls under the competence of the Province of Rome. The first deals with helping immigrants find accommodation in a short-term care facility provided by the Council; the second helps immigrants in finding a job.

As previously mentioned, services specifically for immigrants usually offer multilingual explanatory publications and/or the presence of cultural mediators or linguistic facilitators, whereas general services do not. As a consequence, immigrants encounter greater difficulty in accessing general services.

A recent survey²⁰ that focused on perceptions of discrimination amongst foreigners utilising or accessing city services in Rome demonstrates this: 40% of interviewees reported having been discriminated at least once by a department within the Municipality. Those who felt discriminated against underlined that this was caused by public indifference in regards to the needs of foreigners, which manifested itself mainly in the lack of multilingual equipment and support and lack of cultural mediators. A very different situation is evident within specific public services, as well as in services provided by NGOs. The following section reviews these services and the foreigner's experiences with them.

- Urban Centre for Migration, Asylum and Integration Company

Created in 2004 within the framework of the Programme Integra, the Urban Centre for Migration promotes innovative initiatives to support immigrants and refugees to learn Italian, to find an accommodation and to gain financial independence.

Clients: immigrants, refugees and asylum-seekers.

Mediators are present in rotation

Cost: free

<http://www.programmaintegra.it/>

²⁰ Psychoanalytic Institute for Social Research, 2005, Rome Observatory on Discrimination in the service sector of the Municipality of Rome.

- Immigration Service Centres CSI (Province of Rome)

Located within the Centres for Employment, the Immigration Service Centres provide information about: jobs available in the Province of Rome; getting assistance for the initiation of the administrative procedures related to a request for citizenship; and permits to stay, family reunification, and residence cards.

Clients: immigrants, Italian citizens needing information for the regularisation of their foreign employees

Mediators are present at the centres on a rotation basis

Languages spoken: Aramaic, Arabic, Albanian, Bengali, Bulgarian, Chinese, Creole, Croatian, French, Georgian, English, Moldovan, Polish, Russian, Romanian, Serbian, Spanish, German, Turkish, Urdu

Cost: free

www.provincia.roma.it

- Centro Astalli

Part of a Jesuit International Network, Centro Astalli (with financial support of the Municipality) provides legal information, accommodation in retention centres, and counselling. It also promotes actions for social inclusion.

Clients: immigrants, asylum seekers and refugees

Mediators: yes

Languages: Kurdish, English, French, Arabic

Cost: free

www.centroastalli.it

- National Institute for the Promotion of the Health of Immigrants in Italy - San Gallicano

Besides helping the immigrant population and the poor in Italy, the Institute is involved in research into the promotion of health, the implementation of professional healthcare programmes and health education. The Institute's headquarters has been established at Rome's San Gallicano hospital, but the programme will soon also be available in the regions of Puglia and Sicily, which have registered the highest influx of immigrants into Italy.

Clients: regular and irregular immigrants, homeless, Roma people, asylum seekers, refugees

Mediators: yes

Languages: Arabic, Kurdish, Chinese, others

Cost: free

http://www.governo.it/GovernoInforma/Dossier/istituto_salute_migranti/index.html

- Celsi-CGIL

Celsi is an office dedicated to migrant workers within the CGIL trade union. Its focus is on providing assistance and legal advice for permits of stay, work and pensions.

Clients: immigrants and Italians

Mediators: yes

Languages: Somali, Bengali, Arabic, others

Cost: membership card

www.lazio.cgil.it/Celsi.htm

- ARCI Roma

ARCI is very active against racial discrimination, providing information and assistance

through legal desks in the territory and promoting a public debate with local and governmental institutions about migrants and asylum (as at the International Anti-Racist meeting held in Cecina, Tuscany, every year).

Clients: immigrants and Italians.

Mediators: yes

Brochure: yes

Languages: Arabic, others

Cost: free

www.arciroma.it

- Caritas Roma

Caritas Roma was one the first open info-points active in Rome. It deals specifically with reception centres and meals for homeless and immigrants in-need, many of which are provided thanks to the efforts of volunteers.

Clients: immigrants and Italians

Mediators: yes

Brochure: no

Languages: English, French, Spanish, others

Cost: free

<http://www.caritasroma.it/settori/immigrati/immigrati.asp>

- Sant'Egidio – “Genti di pace”

The Community of Sant'Egidio is a “Church public lay association” that has its centre at the Roman Church of Sant'Egidio, from which the Community takes its name. It provides in different cities in Italy: clothes, meals, showers and laundry for homeless and immigrants in-need and Italians; information and counselling for: housing, work,

language courses and vocational training; legal advice and support for immigrants, asylum seekers and refugees; medical care and pharmacy. The centre operates with no public funding, thanks to volunteers.

Clients: immigrants; asylum seekers and refugees; Roma; homeless

Mediators: Yes (volunteers)

Brochure: No

Languages: English, French, Spanish, Tigrigna, Amharic, Arabic, Bengali, Hindi, Urdu, Punjabi, Lingala, Benin (Nigeria), Wolof, Peul, Kurdish, Pashtun, Azara, Chinese, Portuguese, Polish, Romanian, Romanes, Albanese, German, Somali, others

Cost: free

<http://www.santegidio.org>

2.4 Government partnerships for integration

The section above introduced the diverse structures that deal with immigration, and in particular the integration of immigrants; the diversity of these structures translates into a broad spectrum of activities and forms of cooperation. Many of these partnerships are contingent upon the availability of funding for joint projects or emergencies that require inter-agency collaboration.

One example of collaboration between state agencies, private associations and the third sector is the **Territorial Immigration Councils**, discussed above. Established by the Regulation for Implementation that was adopted by Presidential decree 394/99), which followed the Turco Napolitano Law on Immigration (N. 40/98), the Territorial Immigration Councils were designed as a resource to solve problems related to migration, to promote integration efforts and to send to the central Government Departments “proposals that emerge at a provincial level” to departments within the central government. The councils are intended to operate with or without the cooperation of multiple institutions. The councils’ tasks are those of monitoring and

proposing programmes or initiatives to address needs and problems related to migration. Particular emphasis is given to initiatives for addressing integration at the local level.

In 2007 the Minister of Internal Affairs, Giuliano Amato, enacted a directive allocating the UNRRA funds (United Nations Relief and Rehabilitation Administration) for the promotion of projects in favour of social inclusion of foreigners within the activities of Territorial Immigration Councils. The project, which was funded in Rome, focuses on Italian language classes for foreigners and training for cultural mediators.

A second example is a partnership between the Italian office of the NGO **Doctors Without Borders** and the Local Public Health Office (ASL). The project began in 2003 in Southern Italy (agreement with the Prefettura of Agrigento that began with an offer to provide first aid to people being held at Lampedusa—a centre for holding immigrants who have arrived illegally/irregularly in Italy—and was later expanded to include other holding/detention centres). The project was ended in 2004 after the publication of a report by the NGO criticising the system of detention centres, and then re-initiated in 2005 and 2006 in Central and Northern Italy. The objective was to ensure the right to health for undocumented immigrants (by monitoring the actual emission TPF codes) at the local level through the establishment, with the agreement of the local authorities, of medical clinics inside the ASL centres. Formal agreements have been signed between the parties. Doctors Without Borders has placed the local medical staff in the clinic for healthcare companies to then - once trained - provide the service.

A third example of collaboration between a state body and volunteer organisation, is represented by the partnership between **UNAR** and **ACLI (Christian Association of Italian Workers)**. This partnership is designed to provide direct support to victims of discrimination through territorial branches and “focal points” some of which also experiment with new intervention models at a local level and encourage the participation of the third sector. At a territorial level there are 6 focal points: Turin, Milan, Padua, Rome, Naples and Catania. The focal points enable the handling of cases that require direct intervention in the territory and contribute to the implementation of information and awareness with the intention of setting up a network that specifically deals racial discrimination.

2.5 One Stop Shop Model

2.5.1 Descriptions of one- stop shop models for immigrant integration in Italy

Italy does not have a structure that has all the characteristics of a One Stop Shop Model. The immigration system, as previously mentioned, is centralised and receives a great deal of support from the third sector. There is some networking between state ministries (although weak and with poor results due to cumbersome bureaucracy), but most networks are made up of third sector agencies.

If one stretches the meaning of “One Stop Shop”, a weak attempt to establish such a body can be found in the **Immigration Office (*Sportello Unico per l’Immigrazione*)**, which was established by art. 18 of the Bossi-Fini law (which became art. 22 T.U.), at any Office of Territorial Government (formerly Prefecture). Officials from different public bodies (Ministry of Labour, Ministry of Interior, Tax Agency, and so on) are supposed to work together at the Immigration Office in order to handle procedures regarding the **arrival of foreign workers from abroad, family reunification and changes in the reason for a permit of stay in Italy.** As we saw in the section on legislation, compared with the procedures of recruitment of non-EU workers living abroad, the request must be submitted to the Immigration Office of the province where the work will be performed for issuing clearances to work and visa verification issued by the consular post. For matters pertaining to family reunification, however, it is always the Immigration Office that is responsible for issuing clearances. While this office brings together certain elements of importance to immigrants, it nonetheless addresses only one primary aspect—that of entry—and hence is far from being a One-Stop Shop Model.

2.5.2 Description of the (potential) use of cultural mediators in Italy.

Cultural mediators were officially recognised by the immigration law of 1998 (Law no. 40/1998 and T.U., art. 38), which mentioned cultural mediators for the first time. Mediators are seen as a necessary presence in managing the relationship between the

receiving society and immigrants. Article 38 T.U.²¹, entitled “The instruction of foreigners. Intercultural education”, affirms that cultural mediators are above all recognised as auxiliary figures for communication with the families of foreign students. In general, within the law, mediation is seen both as an instrument for social integration and as a scholastic measure.

The official recognition of cultural mediators occurred after a rich and well-defined experience with the training and employment of these new cultural operators in the 1990s. Most of the use of cultural mediators during the 1990s took place in central northern regions and was promoted by regions, provinces, cities, and volunteer -riven associations with various focuses. Often foreign citizens were key players in the movement to train and employ cultural educators.

The sectors that had positive experiences with the use of cultural mediators are quite varied: health, schools, social services, integration services (notably those focusing on women and minors), cultural initiatives, reception centres for foreigners awaiting forced repatriation²², police, prisons, offices for foreigners, the city register’s office, provincial employment offices, and business organisations. The types of employment were equally varied: self-employed professionals, fixed-term contracts, indefinite-term contracts, publicly funded socially useful work by disadvantaged groups, and cooperatives.

Clearly, there has been an array of experiences with the use of cultural mediators, but the objective is the same: the integration of information and administrative procedures with the scope of creating a network of services that includes: city offices, the police, the community health office, chambers of commerce, financial offices, the welfare and assistance systems, trade unions, education agencies, etc. in addition to the resources made possible through voluntarism and associations.

In contrast to countries that have experimented with mediation techniques long before Italy and have seen the creation of actual “mediation agencies” (France for example),

²¹ “Text on the disposition concerning the field of immigration and laws regarding the condition of foreigners.”

²² These centres are called CPTA (Centres for temporary permanence and assistance): migrants without legal status are put under custody in order to be identified and deported back to their country of origin and they are not allowed to leave.

the most prevalent problems in Italy have not been about the necessity, form of employment or the formal work relationships, but about the professionalism that is required of a mediator and the formal definition of the role.

Despite this recognition, there is not a clear agreement and view from the public side of the role and skill of cultural or intercultural mediator, and the law remains not fully enforced. In the absence of a precise law that regulates nationally the role and curriculum of the mediator, and the creation of a list of skilled professionals (like the one for lawyers for example), various administrative offices have been providing an assortment of courses since 1992 without developing a national training model. The bodies that have been particularly active in this area include: provincial governments, cooperatives, associations, training agencies, and networks, many of which have only offered one training course at one point in time. It should be noted, however, that Italian universities are developing new majors and post-graduate degrees²³ in the area of mediation.

2.5.3 Examples of the use of new development in information and communication technologies (ICT) to improve customer service in Governmental integration services for immigrants.

The most recent effort to use technology to support integration services was in December 2007, when the Government issued the annual decree (*decreto flussi*) allowing the entry of foreign workers from abroad. The new procedure allowed the submission of applications only via data transmission, directly from the personal computer of the would-be employer or from the computer of an authorised organization. It was therefore no longer possible to send the applications from the post offices. However, the system experienced some difficulties because of the high number of requests submitted (655,000). Some of the requests were lost, others were not registered

²³ MIUR in the pamphlet on “Higher education and professions” published in 2005 listed 30 universities that provide a three-year degree in the “**Science of linguistic mediation**” (the individual courses, of which there are even more, are given various names). The above list does not include private universities, some of which also offer degrees in mediation (for example, S. Pio V of Rome). The degrees in linguistic-cultural mediation are offered by the following universities: Cà Foscari di Venezia: www.unive.it, Statale di Milano: www.unimi.it.

with the exact sending time, others produced an error message and were then sent multiple times. Apart from the limits of this first attempt, users have given a generally positive response. The Government's intention is to use this procedure in the future for family reunification applications, and eventually for the renewal of residence permits.

3. Immigrants' Experiences of Government Services

In order to assess the opinion of NGOss and immigrant associations, five different organisations operating in three different towns (Milan in the North, Rome in the centre and Palermo in the South) were asked to fill in a brief questionnaire concerning their opinion on immigrants' experiences with two particular services: one is the *Sportello Unico* (dedicated to migrants) and the other is the Registry, open to everybody. The organisations interviewed include immigrant association (in particular No.Di. in Rome and Todo Cambia in Milan); the complete list is given below:

ARCI Roma (Rome)

CIES (Rome)

Emergency (Palermo)

No.Di. – Nostri Diritti (Rome)

Todo Cambia (Milan)

The appointed Advisory Committee provided further information and suggestions, which is added to the present section.

3.1 *Sportello Unico* (Immigration Desk)

Location was not mentioned as being a particular problem (offices in Rome and Palermo are not in the centre of the cities, but still rather well connected by public transport); this, however, may still mean that it takes a long time to reach the offices.

Opening hours: Offices are usually open Monday to Friday in the morning, and two days a week in the afternoon between 14.30 and 17.30; No.Di. points out that the majority of immigrants work during the morning, so it would be very useful for the offices to also be open in the late afternoon and on Saturdays. There is also shortage of employees. The situation looks better in Milan, where appointments are scheduled in advance by telephone; in Palermo there is no *Sportello Unico*, and all the files are managed by the Provincial Employment Office (DPL) and by the local police: the *Testo*

Unico has not been implemented yet (note that Sicily – where Palermo is located – is an autonomous Region).

Language Multilingual booklets and multilingual forms are seldom distributed (this occurs occasionally when funding is available and used to print them). Intercultural mediators are not employed at the *Sportello Unico* in Milan, while they are present in Rome, but some organisations state that the mediators sometimes lack proper qualifications or are used for improper tasks such as managing queues. All the organisations say that intercultural mediators are fundamental for the dissemination of the correct information and for establishing a solid and productive relationship between the employee and the user. In fact, information given by different employees can be very confusing, and the intercultural mediator – with his/her experience and sensitivity – can prevent the occurrence of possible conflicts in these cases. Unfortunately, as foreign nationals cannot be civil servants in Italy, it is difficult to find someone with the appropriate characteristics to fit this role or define the proper candidate. To date, no public administration has a position for linguistic or intercultural mediators in its organisational chart. The presence of these mediators is dependent on specific and occasional funding.

The costs of the procedures at the *Sportello Unico* are relative to: the cost of mailing (via registered mail) the application from a post office authorised to send the applications; administrative fees; and a fee for issuing the electronic permit of stay (around €70 altogether for every single application in case of request or renewal of the permit of stay). This is quite expensive, especially for large families who have to be able to afford the cost of an application for each family member.

Provision and coherence of information can be very difficult and confusing, as associations report that the immigrant has to go to the offices several times in order to add more documents to the application that nobody had told them about before. The information provided can vary by employee. Standard forms are seldom available.

Customer service: The two immigrants' associations express concern about the conditions of the waiting users: the associations report long queues, no suitable places to sit while in the office (not even for disabled people and pregnant women), and several

months' wait for a response to their application (e.g., at the *Sportello unico* in Rome, it is reported that the average waiting time for a response to an application for family reunification is around 18 months).

No severe discrimination cases - known to the organisations interviewed - took place. In spite of that, a general attitude of disrespect towards the users is reported, while if one is accompanied by an Italian person, the attitude of the employee is different.

3.2 Registry Office

Location: Offices are generally well distributed throughout the city; but here again opening hours are generally concentrated only in the morning and two afternoons during the week, resulting in access difficulties as in the case of the *Sportello Unico*. This is especially true for workers (this problem regards Italian nationals too, in this particular case).

Intercultural mediators and language: There is a complete lack of multilingual booklets and multilingual forms; intercultural mediators are not available in Milan, Rome, or Palermo.

Costs for the client are not high, and are the same for every customer (depending on the request).

Information: Often the employees do not know about immigration law and procedures. As a result, the information given is often inadequate, incomplete or even erroneous, and can be interpreted differently in different cities. Because of the long waiting times to have a permit renewed, a circular letter states that while the applicant is waiting, the duration of his/her permit is extended. In many Registry Offices employees will not renew an identity card if the permit is under renewal.

Customer service: The situation can be very different according to the local offices: generally waiting times are not so long as for the *Sportello Unico*. In February 2007 a decree was approved, which acknowledged a European Union Directive concerning the circulation of EU nationals; since April 2007 European citizens who decide to live in Italy have to report to the Registry Office of their place of residence in order to register

as EU nationals. This resulted in long waiting times for the receipt of a response to requests.

Discrimination: Attitudes towards the users and respect paid to them depend on each individual employee. Some organisations report that employees often do not write down a refusal when they do not activate a procedure; in this case the customer is not able to demonstrate that he/she was denied a right to access a file.

Some NGOs that are members of the Advisory Committee provided further information about more public services at national level, and in particular:

- some *Aziende Sanitarie Locali* (ASL, Local Health Offices) particularly in Northern Italy, refuse to enrol foreign nationals in the National Health Service with no reason, or they report it to the police when an undocumented immigrant goes to the emergency room for urgent care;
- offices of the *Prefettura* dedicated to concession of Italian citizenship are seldom open, they provide scarce information, and waiting times in order to obtain the decree that grant citizenship are very long;
- schools sometimes refuse to enrol children if their parents are undocumented, or they do not enrol children in their proper class according to their age;
- law 241/1990 on accessibility of administrative procedures has not been implemented: only local police issue written refusals, which make it possible to appeal.

4. Discussion

We have previously explained that immigration in Italy is a matter of national politics: laws that regulate the entry and stay of foreign citizens and the general framework for policies related to the integration of immigrants (second part of *Testo Unico*, see Chapter on Legislative Framework) are established at the national level. Regional and provincial governments work within the confines of this framework to establish and implement local immigration laws. The level of public debate on immigration is also associated with national politics: regardless of the different ideas on how to deal with it, the transfer of the responsibility from regulating entry and stay from the national government to the regions or other local authorities has never been proposed, even if regions, provinces and city councils are supposed to give their opinion and advice about laws that can affect the local authorities. For example, regional governments are asked to state how many workers from abroad are needed at the local level each year and send their estimate to the central government, which then adopts a decree that takes into consideration the regions' needs and capabilities.

The assignment of responsibility is far more complicated within the welfare system. Healthcare and parts of housing policies are the responsibility of the regions; employment services are the responsibility of the province; administrative procedures regarding the granting of residence and some social benefits are the responsibility of the city council; insurance and pensions are the responsibility of semi-state agencies dedicated to carrying out these activities. Regions can approve regional laws on immigration and implement social benefits and other integration measures in accordance with the existing national legal framework.

It is also relevant to note that in Italy there is not – as in other European countries – a single public authority that deals with immigration and integration; the fragmentation of responsibility within public administration at national level makes it difficult to combine the different sectors to bring about the implementation of a comprehensive office like the One Stop Shop to address all of the procedures related to immigrants.

The implementation – and relative cost – of integration politics is dependent on the annual funding established by the budget law, which allocates money depending on the resources available and on governmental priorities according to the framework of existing legislation. In talking about procedures for coming to Italy for work or for family reunification, the agreement between the national government and *Poste Italiane* has moved part of the cost of the procedure from the public administration budget to the single client. *Questure* (local police) and *Prefetture* (Territorial Government Office) hired temporary employees beginning in 2003 in order to cope with the huge amount of applications. This continued until September 2007 when a call for about 650 three-year contracts was announced. There has been a trial of a handover in responsibilities from the police to the civil administration, in order for permits of stay to be renewed and distributed by the local civil authorities instead of at police headquarters. This, however, is currently not possible giving the current legislative framework. Additionally, more staff need to be provided to the local authorities in order to manage the increased caseload (as is currently happening with the recent laws for European residents, who have to report to the town/city council and not the police).

Some more issues should be considered: there is a fragmentation of nationalities among immigrants residing in Italy, and their distribution throughout the territory is widespread, with a majority in the North (Northwest and Northeast, as we have seen in the first section of this report), and particularly in peripheral urban settings; the only exception being the capital city, Rome in which immigrants have a high presence both within the city and in its suburbs. As a result, the presence of immigrants does not have not the same affect throughout the country, The placement of immigrants also needs to be considered in terms of mobility as cities and the surrounding areas have different levels of accessibility and transportation infrastructure. Therefore, one or two central national Offices (like in Portugal) may not be the proper answer in terms of providing immigrants with easy access.

We stated before (see sectopm 2.5) that Italy does not have an example of a One-Stop-Shop as in the Portuguese model: the *Sportello Unico per l'Immigrazione*, established

by law 189/2002 and implemented in 2005, was an attempt by the legislator to bring together officials from all the administrations involved in the procedures regarding – as we noted – legal entry from abroad (either with a commitment for a contract by an employer in Italy, or for family reunification).

A very recent report by *Corte dei Conti* ²⁴ (an Institution with the role of safeguarding public finance embodied with the power to audit and judicial oversight, analyses the management of *quota* and the functioning of *Sportelli Unici* at the provincial level. The report expresses the complaint of the “lack of coordination and even communication between the different administrations concerned with the definition of the files” in dealing with the procedures. In regard to *Sportelli Unici*, the report states that they failed to bring together the different public administration officials. Additionally, for the period observed (2005 and 2006), they operated only as a “front office”. Relating to the time required to close a file in the case of *decreto flussi* 2006, only one file in four was defined by September 2007; the average duration of the procedure is about 400 days (while the law provides for 40). This slowness – the report says – facilitates tax evasion and undocumented stay.

The first observations made by some members of the Advisory Committee support this interpretation: the difficulty and concern of the different offices in giving away part of their responsibilities have led to the difficulty in the implementation of the *Sportello Unico*, which may not be the most appropriate solution given the Italian situation. The idea to bring together officials from different administrations looks to be far from a reality; it could be much easier to work for a strong *virtual* connection and cooperation between offices. As it is now, the *Sportello Unico* cannot be described as an “Integration Desk”, because it basically deals with the immigrant only as a worker or as a relative of a worker. Amongst other functions, it is not supposed to give information about health, school, social benefits or to give information and advice to undocumented migrants (who seek help from NGOs or other volunteer organisations).

²⁴ <http://www.corteconti.it/>

An interesting attempt to set up a partnership between different public sectors is represented by the Central Service²⁵ of the Protection System for asylum seekers and refugees²⁶: Established by Law no. 189/2002, it has an integrated approach for giving information, promotion, advice, monitoring, and technical support to local authorities offering reception for asylum seekers, refugees and persons under humanitarian protection, in order to simplify central coordination of local reception services. The Central Service, established by the Ministry of the Interior, has been assigned to ANCI (National Association of Italian Municipalities). The Central Service works with local authorities and does not have direct contact or provide services to migrants, but it is supposed to give support to the municipalities in order to bring together all integration measures (e.g., language classes, legal advice, support in finding a job).

A proposed handover of responsibilities regarding permits of stay from the police to the town/city council could, from a technical point of view be an improvement given the widespread diffusion of the offices at local level (that would be municipal, not provincial). This reform, however, is not possible without a legislative change and without a re-organisation of the offices, together with the provision of adequate resources and training of employees.

Another proposed measure could rely on existing and widespread services in a particular territory: Region Emilia Romagna²⁷ is implementing a Regional Centre on Discrimination that is supposed to empower and coordinate a network of existing offices (either public or third sector) not in order to create new and unnecessary structures, but to improve services that are widespread within the territory and close to the potential beneficiary of the intervention.

The difficulties in coordination and cooperation between public offices negatively affect the migrants and their families in terms of integration. This is especially true in regards to the incoherent information given and the long waiting times to process files – plus the days that applicants take away from work to complete all of the procedures - contribute

²⁵ We did not describe the Central Service in the report, as it does not deal with immigrants, but is briefly mentioned here as an example of an existing organisation.

²⁶ www.serviziocentrale.it

²⁷ <http://www.emiliaromagnasociale.it/wcm/emiliaromagnasociale/home/antidiscriminazioni.htm>

to the perception of being ignored by the Italian State, which has negative consequences for their trust and participation in the State itself.

5. Recommendations

After describing this situation, some recommendations can be outlined as follows:

- try to improve a virtual connection between public officials that goes beyond their physical concentration in the same place;
- try to use existing services that are widespread in the territory rather than concentrating them (see the trial implementation of an anti-discrimination network in Emilia Romagna and a similar proposal coming from a network of associations in Lazio);
- try to explain through written enforcement legislation (circular letters, regulations, and so on) the duties and responsibilities of the different public administration sectors in order to reduce the spread of erroneous or partial information and discretionary power at the local level;
- try to diversify application procedures (e.g., by e-mail, by reporting to a front desk) instead of having one only possibility;
- NGO and migrant associations should be given an active role in planning the services (not only using them as a mediator);
- try to rely on existing local networks rather than creating new, centralised structures (within the Advisory Committee, the official from Ministry of Interior proposed to lean on the *Consigli Territoriali per l'Immigrazione*; while a representative of ARCI association pointed out that in Emilia Romagna the Region is testing this model for an antidiscrimination network at the local level);
- invest money in the training of intercultural mediators; encourage the creation of individual job positions for the intercultural mediators as members of a public Register rather than contract cooperatives who hire these individuals.
- It appears that the simplification of legislation could help overcome the organisational difficulties that end up in delays when issuing documents.

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