

RESPOND

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Global Migration: Consequences and Responses

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Integration Policies, Practices and Experiences

Italy Country Report

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RESPOND: Multilevel
Governance of Migration in
Europe and Beyond (770564)



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List of abbreviations

Const: Constitution

CPIA: Provincial centers for adult education and training

EU: European Union

MELI: Meso Level Interview

MIUR: Minister of Public Education

MLI: Micro Level Interview

NGOs: Non-governmental Organizations

OECD: Organisations for Economic Co-operation and Development

PES: Public Employment Services ("*Centri per l'Impiego*").

RESPOND: Respond / Multilevel Governance of Mass Migration in Europe and Beyond Project

SPRAR-SIPROIMI: Service of Protection for Asylum Seekers and Political Refugees

UNHCR: United Nations High Commissioner for Refugees

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About the project

RESPOND: Multi-level Governance of Mass Migration in Europe and Beyond is a comprehensive study of responses to the 2015 Refugee Crisis. One of the most visible impacts of the refugee crisis is the polarization of politics in EU Member States and intra-Member State policy incoherence in responding to the crisis. Incoherence stems from diverse constitutional structures, legal provisions, economic conditions, public policies and cultural norms. More research is needed to determine how to mitigate conflicting needs and objectives. With the goal of enhancing the governance capacity and policy coherence of the European Union (EU), its Member States and neighbours, RESPOND brings together fourteen partners from eleven countries and several different disciplines. In particular, the project aims to:

- provide an in-depth understanding of the governance of recent mass migration at macro-, meso- and micro-level through cross-country comparative research;
- critically analyse governance practices with the aim of enhancing the migration governance capacity and policy coherence of the EU, its member states and third countries.

The countries selected for the study are Austria, Germany, Greece, Hungary, Iraq, Italy, Lebanon, Poland, Sweden, Turkey and the United Kingdom. By focusing on these countries, RESPOND studies migration governance along five thematic fields: (1) Border management and security, (2) Refugee protection regimes, (3) Reception policies, (4) Integration policies, and (5) Conflicting Europeanization. These fields literally represent refugees' journeys across borders, from their confrontations with protection policies, to their travels through reception centres, and in some cases, ending with their integration into new societies.

To explore all of these dimensions, RESPOND employs a truly interdisciplinary approach, using legal and political analysis, comparative historical analysis, political claims analysis, socio-economic and cultural analysis, longitudinal survey analysis, interview-based analysis, and photo voice techniques (some of these methods are implemented later in the project). The research is innovatively designed as multi-level because research on migration governance now operates beyond macro level actors, such as states or the EU. Migration management engages meso and micro level actors as well. Local governments, NGOs, associations and refugees are not merely the passive recipients of policies but are shaping policies from the ground-up.

The project also focuses on learning from refugees. RESPOND defines a new subject position for refugees, as people who have been forced to find creative solutions to life threatening situations and as people who can generate new forms of knowledge and information as a result.

Executive summary

The Italian case is characterised by a considerable delay in the development of a model of integration.

Indeed, with a long tradition as a country of emigration, Italy has been culturally less well equipped to face the challenges of a multicultural society. Moreover, the country's geographical position – which impedes an efficient control of the borders – has incentivised policies to contain the arrivals rather than to promote integration. The increasing polarisation between pro-integration and anti-integration narratives – determined by the recent economic crisis – has discouraged a change of paradigm, which would require, on the contrary, a coherent vision and clear policy planning.

Against this background, the present report analyses how policy-makers, migrants, public and private institutions and other stakeholders – notwithstanding these difficulties – have interacted in the development of integration policies and, more in general, Italian governance of integration processes.

The report is structured as follows. The first section assesses integration policy by looking at the legal, political and institutional framework, also in light of an analysis of the recent developments in the field of integration. The report subsequently explores 5 thematic topics: (i) labour market; (ii) education; (iii) housing and spatial integration; (iv) psychosocial health; (v) citizenship, belonging and civic participation.

Moreover, each of these sections takes into account the gender dimension and the experiences of other vulnerable or disadvantaged groups, such as for example religious and sexual minorities.

The report ends with a conclusion which highlights the most important findings, identifies some best practices (as for example the SPRAR system) and offers the following policy recommendations for each thematic field:

- **labour market:** (i) the alignment of the quota of work permits to the actual needs of the Italian labour market; (ii) the full implementation of the OECD recommendations with the aim to support the migrant entrepreneurship;
- **education:** (i) the engagement of the migrant families in the school community, especially with regard to the kindergarten; (ii) the enhancement of specific teacher training programmes with the aim to overcome the linguistic and social barriers which penalize the students with a migration background;
- **health:** the strengthening of the role of cultural mediators within the National Health System with the aim to overcome the linguistic barriers between patients and healthcare workers;
- **housing and spatial integration:** the introduction of an organic plan for the distribution of migrants among regions, also ensuring an adequate standard of reception in first aid centres. In particular, it would be advisable to introduce extensive monitoring of reception centres, to be entrusted to a third party. Furthermore, the partnership between public actors and private organizations in the reception of migrants should be encouraged, along with the development of so-called “widespread hospitality”, a model in which small accommodation centres and families provide hospitality to migrants.
- **citizenship and civic participation:** (i) the adoption of a comprehensive reform of Law no. 91/1992 which – also in light of other European experiences (Germany, France) – enhances knowledge of the national culture as criteria to access to the citizenship (the so called “ius

culturae model”; (ii) the support to the migrants’ associations, including the migrants’ women associations, with the aim to encourage their political participation.

At the same time, an attempt is made to identify some cross-sectoral priorities, and especially the development of tools for a systemic evaluation of public integration policies as well as the reorganisation of legal and policy instruments. From this point of view, the report addresses in particular the possibility of introducing two new instruments:

- a **strategic plan concerning integration and citizenship**, which should be approved by the government after a wide consultation of sub-national authorities and stakeholders;
- a **legislative code on integration**, which should recast the overall subject matter, reducing the fragmentation and uncertainty of the legal framework and ensuring the comprehensibility and transparency of the norms.

Methodology and sources

This section provides information about the sources of the research, the data gathering strategies and the characteristics of the people involved in the interviews.

The report aims to explore the integration processes in Italy through an interdisciplinary approach, based on legal, historical, political and socio-economic investigations, interviews, statistics and discourse analysis.

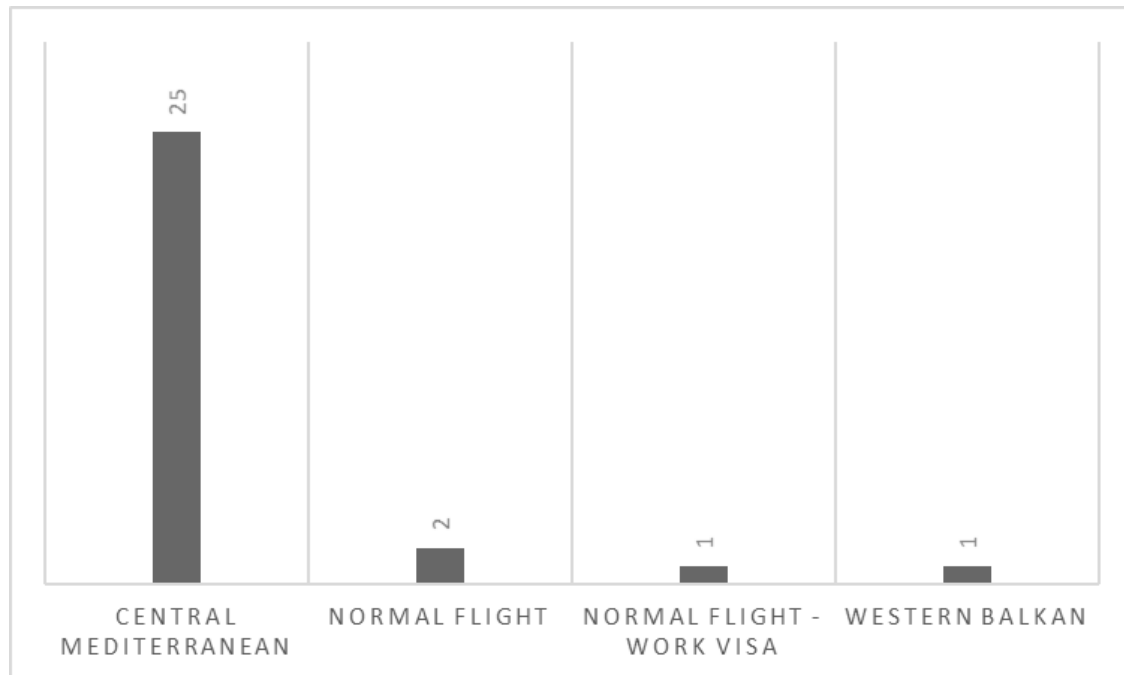
Data and statistics have been reviewed in order to contextualise the development of the legal framework and the policies related to the international protection regime and asylum system. For example, Eurostat statistics help to verify, inter alia, the overestimation or underestimation of the number of applications in light of the public debate concerning international protection.

Similarly, the critical literature will be considered. The existing assessments and analyses concerning the Italian protection regime have been developed both in an academic context and in non-academic literature (reports of NGOs, research promoted by institutions and public authorities, etc.).

Moreover, discourse analysis will complement the research, in particular by examining speeches, statements and press releases issued by institutions, political parties and stakeholders.¹

One of the most important source is a set of interviews carried out in accordance with the ethical principles of the RESPOND consortium and University of Florence ethical criteria.

Figure 1. Micro-level interviewees: Route

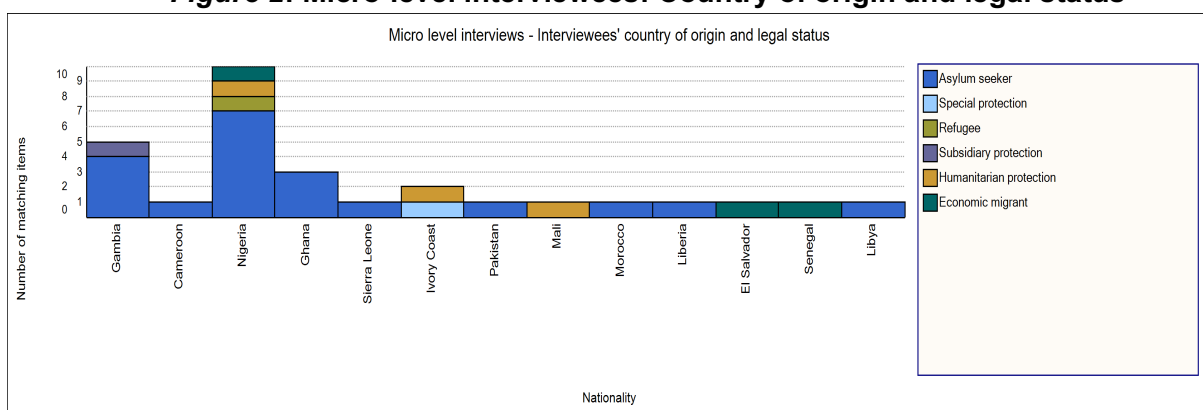


¹ Regarding the methodological approach of discourse analysis, see Lupton, 2010. For a study concerning the analysis of media discourse concerning refugees and migrants, see Chouliaraki, & Georgiou, & Zaborowski, & Oomen, 2017.

As for the meso level, 15 interviews were conducted between May 2018 and January 2019. Interviewees were selected through snowball sampling, where the starting point was relevant experts and informants in the field of migration. Selected interviewees included legal experts, activists, migration experts from universities and research institutes, NGO office managers, social workers, officials and decision-makers. Interview questions, elaborated by the RESPOND consortium, were open ended, adjusted to the interviewees' profile, and covered several aspects of the refugee protection regime in Italy, as well as aspects related to border management, the reception system, and integration practices. As regards micro-level interviews, 29 semi-structured interviews were conducted between May 2018 and April 2019. The relevant migration flows in the Italian case are essentially determined by the country's geographical position in the Mediterranean. More specifically, Italy is mostly impacted by migration flows from Sub-Saharan African countries. Accordingly, the sample of interviewees mainly encompasses asylum seekers, refugees, and migrants from this region who came to Italy through the Central Mediterranean route (n=25).

In particular, the interviewees' countries of origin include Nigeria (n=10), Gambia (n=5), Ghana (n=3), Ivory Coast (n=2), Sierra Leone (n=1), Cameroon (n=1), Mali (n=1), Liberia (n=1) and Senegal (n=1). The sample also includes two interviewees from North African countries (Morocco and Libya), and two interviewees from Pakistan and El Salvador. With respect to legal status, 3 out of 29 interviewees had not applied for asylum at the moment of the interview and were therefore classified as economic migrants. The majority of the interviewees were asylum seekers. Participants' ages ranged from 18 to 37 and they had arrived in Italy between 2011 and 2018². One of the main limitations regarding micro-level interviews is the fact that almost all of the interviews (26 out of 29) were conducted in reception centres.³ This might have affected the interviewees' objectivity during the interview. Figure 2 matches the micro-level interviewees' country of origins against their legal statuses. As for the questionnaire, it included questions regarding the interviewee's life in the country of origin, the experience of crossing borders, the asylum procedure, and the reception conditions.

Figure 2: Micro-level interviewees: Country of origin and legal status



² Only 1 interviewee ('economic' migrant) arrived in Italy in 2001.

³ 22 in Temporary Reception Centres (*Centri di Accoglienza Straordinaria, CAS*) and 4 in reception facilities of the National System for the Protection for Asylum Seekers and Refugees (*Sistema di Protezione per Richiedenti Asilo e Rifugiati, SPRAR*)

Interview transcripts were analysed using NVivo, a qualitative data analysis software application that helps to structure, organize, manage and query a large amount of data. Through qualitative content analysis, the material was systematically interpreted and described, and all the meanings in the text data that were relevant to the analysis were translated into categories of a coding scheme. In particular, the main categories of the coding scheme, namely, the key aspects on which the analysis was focused, were the key actors, problems, and solutions related to the refugee protection regime in Italy.

1. Integration policies: legal, political and institutional framework

This section offers a brief historical background of the evolution of the integration governance and policies in Italy, particularly after 2011. It analyses, inter alia, the main legal sources and policies documents dealing with the integration of immigrants.

1.1. Integration policies in Italy

Italy is a country of recent immigration. In 1948, the year in which the current Constitution came into force, Italy was still a “country of emigration”. Indeed, after the “Italian diaspora” which followed the process of national unification in the 19th century, a further wave of large-scale emigration from Italy started during the post-World War II period. Moreover, in the same years, the country experienced major internal resettlement: a large number of people left the regions in the south of Italy to settle in the north of the country in search of jobs and better life opportunities.

It was not until 1972 that, for the first time, Italy recorded more people entering the country than people leaving it. However, before the mid-1980s, arrivals did not start to grow significantly. Indeed, in 1981, the ISTAT⁴ census recorded the presence in Italy of only 211.000 foreign residents (against the current 5 million).⁵ Only in the last 20 years has Italy become a proper “country of immigration”, approaching the average of other OECD countries both in terms of entry flows and number of foreign-born residents.⁶

In a first period, immigration and integration were managed mainly through administrative regulations, for example through administrative acts of the Ministry of Labour concerning the employment of foreign workers. It was during the mid-1990s that Italy started to approve specific legislative acts to regulate migrant integration processes. In particular, in 1998 Legislative Decree No. 286/1998 (“Consolidated Act of provisions concerning immigration and the condition of third-country nationals”), for the first time recognised – in a unitary legislative framework – a set of rights (education, health, social integration, etc.) and duties for foreigners and migrants, in particular the duty to comply with Italian law (Art. 3, para. 9).

Legislative Decree No. 286/1998 was amended by the so called “Bossi-Fini Law” (Law No. 189/2002) and “Security Package” (Law No. 125/2008), which established, inter alia, more restrictive provisions concerning the expulsion and detention of migrants.

Another “turning point” in the history of the integration of immigrants in Italy is the so-called “refugee crisis”. Indeed, since the crisis began, Italy has received the highest number of non-EU citizens looking for economic opportunities and international protection in its history. In particular, in 2011, in the context of the “Arab Spring”, over 60.000 foreigners reached the Italian

⁴ ISTAT is the Italian National Institute of Statistics. It is member of the EU network established by Art. 4 Regulation (EC) No 223/2009 (the European Statistical System).

⁵ See ISTAT census of 1981.

⁶ The data collected by the Organization for Economic Co-operation and Development are available in OECD, International Migration Outlook 2018; OECD, Settling In 2018: Indicators of Immigrant Integration.

shores and around 37.000 asylum applications were submitted. The number of arrivals diminished in 2012, but grew again in the following years, with a peak in 2016 (*ampius*, Pannia & Federico & D’Amato, 2018).

Table 1. Number of arrivals (by sea) and asylum applications in Italy, 2011-2018

Year	Arrivals by sea	Asylum applications
2011	62.692	37.350
2012	13.267	17.352
2013	42.925	26.620
2014	170.100	63.456
2015	153.842	83.970
2016	181.436	123.600
2017	119.310	130.119
2018	23.730	53.596

Source: Ministry of the Interior

Although the perception of an “invasion” of immigrants is inaccurate (*infra* 1.2.), the negative portrayal of the recent refugee inflows after 2011 put the Italian authorities under pressure. They responded to the so-called “refugee crisis” by intensifying border controls (making an arbitrary distinction between applicants for international protection and irregular migrants at border crossings⁷) and deprived many immigrants of important services and integration measures. For example, the so-called “Salvini decree” (Decree-Law No. 113/2018) established major changes in citizenship law, by including, in particular, an increase in the application fee and introducing the possibility of revoking citizenship acquired by naturalisation or marriage in the case of people convicted of specific criminal offences (e.g. terrorism-related offences). Moreover, the exclusion of asylum seekers by the System for the Protection of Asylum Seekers and Refugees (SPRAR – SIPROIMI) – established by the Salvini decree – has resulted in a disruption of the processes of integration which affects a wide number of migrants.

A significant reform approved after 2011 led to the introduction of the **Integration Agreement** (DPR 179/2011): in the case of a residence permit with a minimum validity of one year, newly arrived immigrants have to sign an agreement with the State which, inter alia, requires them to acquire an adequate knowledge of the Italian language. Within the framework of this Agreement, the State provides a language and civic education course for migrants over 16 years of age, who are required to have a residence permit.⁸

An analysis of the speeches, statements and press releases of Italian political leaders since 2011 reveals that in Italy, as in other EU countries affected by the financial and economic crisis,

⁷ See Ibrido & Terlizzi, 2019.

⁸ For more information about the Integration Agreements, see <http://www.libertaciviliimmigrazione.dlci.interno.gov.it/it/accordo-dintegrazione>

the most recent political discourse has been characterised by a strong polarisation between anti-integration and pro-integration narratives.⁹

On the one hand, the centre-right parties argue that there is a need to put “Italians first” and advocate a progressive reduction of the financial impact of integration policies (including measures aimed at the inclusion of refugees and asylum seekers) as well as the closure of harbours and borders.¹⁰ On the other hand, integration processes are presented in a radically different light in the political manifestos of the centre-left parties, which emphasise the need for solidarity and call for broader access to citizenship.¹¹ At the same time, all the main political parties demand a fairer sharing of responsibilities among EU Member States in the management of migration and integration processes.

1.2. Statistical information

According to the latest available data, foreign citizens residing in Italy on 1 January 2018 make up 8.5% of the population, equal to 5.144 million individuals, of whom 3.714 million are non-EU nationals.

Table 2. Foreign citizens in 2018

	Number	%
Italians	55.340.000	91.5
EU foreign citizens residing in Italy	1.430.000	2.4
Non-EU foreign citizens residing in Italy	3.714.000	6.1
Foreign citizens residing in Italy	5.144.000	8.5

Source: Ninth Annual Report on Foreigners in the Italian labour market

The largest migrant communities are the following: Romanians (1.90.000), Albanians (440.000), Moroccans (417.000), Chinese (291.000) and Ukrainians (237.000). Currently, the communities with the highest growth rate are the Nigerians (19.8% as of last year) and Ivoirians (15.7%).

The number of new residence permits issued to non-EU nationals amounted to 242.000 in 2018, 7.9% less than in the previous year; 50.7% of residence permits were issued for family reasons, while the remainder were mainly issued for humanitarian and asylum-related reasons (26.8%),

⁹ See Ibrido & Terlizzi, 2019.

¹⁰ See, for example, the political manifesto of the Northern League party for the 2018 election: <https://www.leganord.org/programma-politiche>

¹¹ See, for example, the political manifesto of the Democratic party for the 2018 election: <https://www.partitodemocratico.it/politiche-2018/piu-forte-piu-giusta-italia-programma-del-pd/>

work (6%) and study (10.9%) reasons. A majority of new residence permits were issued in the north of the country (56%).¹²

Table 3. New residence permits

Year	New permits
2015	226.000
2016	238.000
2017	262.000
2018	242.000

Source: ISTAT

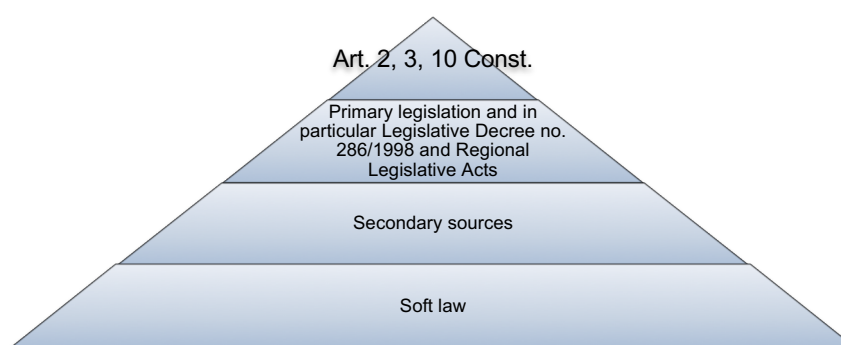
A total of 9.2% of the residents in Italy are born in another country (versus an average of 9,8% in OECD countries and 10.7% in the EU). People born in Italy to immigrant parents account for 0.4% of the resident population, versus an OECD average of 3.7% and EU average of 3.4%.

Of the immigrants residing in Italy, 49.4% have a low level of education and have not completed lower secondary school.¹³ Only 12.6% of immigrants have a high level of education.

1.3. Legal Framework

The Italian legal framework concerning the integration of immigrants is made up of several layers.

Figure 3. Legal framework of immigrants' integration



Source: Authors

At the top of the pyramid of the sources of law, some **constitutional provisions** establish the general principles which should guide the Italian integration model. In particular, Article 2 of the Constitution “recognises and guarantees the inviolable rights of the person”. Article 3 establishes the principle of equality. Although the provision makes references to citizens only, the Constitutional Court has interpreted this principle broadly to include foreigners. Moreover, according to Article 10, “the legal status of foreigners shall be regulated by law in conformity

¹² See the ISTAT report <https://www.istat.it/it/files//2019/11/Report-Cittadini-non-comunitari-2018-EN.pdf>

¹³ About the structure of the Italian educational system, see *infra* sect. 3.

with international provisions and treaties” (second paragraph). Additionally, “a foreigner who, in his home country, is denied the actual exercise of the democratic freedoms guaranteed by the Italian constitution shall be entitled to the right of asylum under the conditions established by law” (third paragraph).¹⁴

Primary legislation – which includes both national and regional legislative acts – forms the second layer. According to Article 117 of the Constitution, primary legislation must be formulated in compliance with the constraints deriving from EU legislation and international obligations, including the European Convention of Human Rights (inter alia, Decisions Nos. 348 and 349/2007 of the Constitutional Court).

The main legislative instrument in the sector of immigrant integration is **Legislative Decree No. 286/1998**, entitled “Consolidated Act of provisions concerning immigration and the condition of third-country nationals”. Legislative Decree 286/1998 has been amended several times. In particular, a significant reform of migration rules was approved within the framework of Law No. 189/2002 (so-called “Bossi-Fini” law).

The main legislative competences in this field belong to the State, which has exclusive jurisdiction when it comes to the right of asylum, legal status of non-EU citizens and immigration. However, the Constitutional Court – after the constitutional reform of 2001 – has recognised that regional legislation may play a role in the field of integration, for example through sub-national interventions and actions aimed at extending the social rights of foreigners (ex multis, Decisions Nos. 299/2010 and 61/2011 of the Constitutional Court).

Article 3, paragraph 5 of Legislative Decree No. 286/1998 recognises the role of regional legislation, which should remove obstacles that *de facto* preclude a full development of foreigners’ rights, especially in the field of housing as well as social and linguistic integration.

Specific legislation concerning the integration of foreigners and migrants has been adopted, inter alia, by the regions of Emilia-Romagna (Legislative Act No. 5/2004), Lazio (Legislative Act No. 10/2008), Marche (Legislative Act No. 13/2009), Tuscany (Legislative Act No. 29/2009) and Calabria (Legislative Act No. 18/2009). The laws adopted contain, in particular, anti-discrimination provisions and measures for the social integration of the migrants, including in the sectors of housing policies and healthcare.

The third layer is composed of **secondary sources**, that is, sources of law hierarchically subordinate to primary legislation. In particular, the government has adopted several regulations with the aim of implementing the provisions of Legislative Decree No. 286/1998. For example, Presidential Decree 179/2011 regulates the above mentioned “Integration Agreement”, which obliges foreigners to meet specific integration goals in order to obtain their first residence permit. Moreover, local authorities lacking legislative powers (municipalities, provinces and metropolitan cities) have adopted regulations to promote the integration of migrants and foreigners in accordance with the provisions of Legislative Decree No. 286/1998. For example, in 2016 the municipality of Bologna approved a regulation granting immigrants special economic facilities concerning access to public transport.

¹⁴ About these constitutional provisions, see Benvenuti, 2007; Rescigno, 2011.

The last layer is composed of a heterogeneous group of **soft law** instruments, which are devoid of any binding value but are *de facto* relevant in the development of integration policies.¹⁵ For example, some regions have adopted Regional Protocols, that is, agreements with associations or other institutions aimed at fostering the integration of refugees and asylum seekers.¹⁶

At national level, the government has adopted integration plans, such as, for example, the two-year plan adopted in 2017 for the integration of refugees and asylum seekers.¹⁷ This plan also identified some paths of integration and social inclusion in the field of healthcare, language learning, housing policies and the legal protection of asylum seekers' rights.¹⁸

One of the policy instruments devoid of any legal value is the **three-year migration policy planning document** (Documento programmatico triennale). According to Article 3 of Legislative Decree No. 286/1998, every 3 years the government must adopt a "programmatic document" through which it identifies: (i) the main national measures for non-national residents, which also address social and economic rights; (ii) public actions for migrant integration; and (iii) the criteria for determining the yearly entry quota for foreign nationals. However, the government has complied with this provision on only four occasions; indeed, the most recent programmatic document dates back to the three-year period 2007 – 2010.

1.4. Governance of integration policies: policymaking and implementation

While the control of borders and migration flows is the exclusive responsibility of the national authorities – albeit with the involvement of the European Union in the specific areas listed in Article 79 TFEU¹⁹ – integration policies are subject to a more complex multi-level system of governance.

¹⁵ About the role of the soft law in the field of immigration and integration, see Petrovic, 2018.

¹⁶ See, for example, the Protocol adopted in 2004 by the Region and Municipalities of Emilia-Romagna concerning the reception and integration of asylum seekers.

¹⁷ The National Integration Plan for Person Entitled to International Protection is regulated by Legislative Decree 18/2004.

¹⁸ Moreover, in 2010, the Government adopted the Plan "Identity and Meeting" which summarized the strategy of the Executive Power in the field of the integration policies: http://www.integrazionemigranti.gov.it/Attualita/Approfondimenti/approfondimento/Documents/media_zione_ITALIA/Piano_Integrazione_Sicurezza.pdf

¹⁹ In particular, according to Article 79 TFEU, the European Union "shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings." For these purposes, "the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures in the following areas:

- (a) the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification;
- (b) the definition of the rights of third-country nationals residing legally in a Member State, including the conditions governing freedom of movement and of residence in other Member States;
- (c) illegal immigration and unauthorised residence, including removal and repatriation of persons residing without authorisation;
- (d) combating trafficking in persons, in particular women and children."

In the absence of strong tools of coordination, the “vertical” interactions (between state, regional and other sub-national authorities) and “horizontal” interactions (between private and public actors) which characterise this multi-level system have produced considerable overlap and uncertainty.

As regards the “vertical” interactions, both the academic literature and interviewees have pointed out the absence of harmony between national and sub-national policies. As one interviewee commented, the lack of cooperation between the several levels of governance implies a “reciprocal unloading of responsibilities” (MELI no. 5).

In some periods in the past, security policies implemented by the national government have been balanced by regional and local actions designed to extend the tools for the social inclusion of migrants. In other periods, by contrast, some regions and sub-national authorities have developed anti-immigration initiatives which highlight the distance from the pro-integration policies of the national government. In terms of governance, the contradictory nature of these policies has had the effect of enhancing the arbitral role of the judicial authorities and the Constitutional Court (Corsi, 2018).

Secondly, with regard to the horizontal interactions, partial overlaps derive from the existence of a myriad of stakeholders, funding providers and services without suitable mechanisms of coordination with the public authorities. In particular, the field of language training has been considered as a paradigmatic case of this risk of overlap due to the lack of coordination (Ciccarone, 2016).

At national level, the lack of an Italian model of integration is also a consequence of – and at the same time finds expression in – an unbalanced organisation of migration governance, which focuses on securitarian concerns rather than on integration policies (see, for example, MELI no. 10, in which the interviewee states: “the policy adopted by the Italian Ministry of the Interior can be defined as a maximum border protection” and “in many reception centres free access is not allowed”. See also MELIs nos. 11 and 14. Furthermore, a securitarian approach also emerges from the refugee interviews. In particular, see MLI no. 1, in which a young man from Gambia states: “during my first interview as an asylum seeker, I was left alone with the interpreter and a policeman without the assistance of a lawyer, while the operators were waiting for me outside”. One may also refer to MLI no.14, in which a young man from Ivory Coast complains that after his arrival in Italy he was detained for several days for identification purposes). Indeed, in the history of the Italian Republic, only two cabinets have included an independent Minister for Integration (Ricciardi in the Monti Cabinet and Kyenge in the Letta Cabinet).

Currently, the two main government actors in the field of integration are the Ministry of Labour and Social Politics and the Ministry of Interior. In particular, within the **Ministry of Labour and Social Policies**, a General Directorate of Immigration and Integration Policies coordinates the policies and financial resources for the integration of foreigners and migrants into the labour market.

The **Ministry of the Interior** – through the Department of Civil Liberties and Immigration – deals with issues related to asylum, citizenship, religion and immigration, including the civil rights of migrants.

A further government department involved in the governance of integration processes is the **Ministry of Health**. In particular, it adopts guidelines concerning assistance and rehabilitation

measures, as well as the treatment of mental disorders of refugees and asylum seekers (see *infra* 5).

Moreover, in 2015 the **National Coordination Board** was created with the aim of involving civil society and sub-national authorities in the governance of integration processes. The National Coordination Board is an interinstitutional network chaired by the Minister of the Interior, and whose participants include the main civil society organisations which promote the right of asylum. In particular, it defines the programmes and guidelines for improving the reception system and the quotas for the distribution of asylum seekers among the regions. However, the plans of this body are still far from being implemented.

At local level, a further network is the **Territorial Councils for Immigration** (“Consigli territoriali per l’immigrazione”) which, in each prefecture, monitor the presence of migrants and promote integration initiatives. The councils are chaired by the local Prefect and include representatives of sub-national administrations, trade unions, employers’ associations, chambers of commerce, NGOs and various other stakeholders.

Some regions – for example Veneto – have created consultative bodies to bring together local authorities, NGOs and representatives of civil society. In some cases, the governance mechanisms also involve the representatives of foreign nationals. For example, the National Monitoring Centre for the integration of foreign students and interculture (*infra* 3) – an auxiliary body of the Ministry of Education, University and Research – also includes representatives of foreign students.

Table 4. main actors in the governance of integration processes

National level	Ministry of Labour and Social Policies
	Ministry of the Interior
	Ministry of Health
Sub-national level	Regions
	Local authorities
Inter-institutional networks which engage civil society	National Coordination Board
	Territorial Councils for Immigration

Summary

The Italian case is characterised by a considerable delay in the development of a model of integration. Indeed, only during the mid-1990s Italy started to approve specific legislative acts to regulate migrant integration processes. Especially after the refugee crisis, Italy needs of a more coherent vision and clear policy planning, overcoming the traditional emergency and securitarian logic which still characterizes the legal framework and the system of governance.

2. Labour market

This section provides an overview about the factors which have facilitated or hindered the access of the immigrants to the Italian labour market. It questions, inter alia, the problem of integration of refugees and foreign women into the labour market.

2.1. General overview

According to the *Ninth Annual Report “Foreigners in the Italian labour market”* published by the General Directorate of Immigration and Integration Policies, in 2018 the foreign population in working age (age: 15-64) in Italy is made up of almost 4 million people.

Table 5. Working age population

Working status	Citizenship	Number of people (2018)
Employed	Italians	20.759.946
	EU nationals	806.314
	Non-EU nationals	1.648.688
Job seekers	Italians	2.355.726
	EU nationals	125.751
	Non-EU nationals	273.995
Inactive population	Italians	2.122.944
	EU nationals	332.494
	Non-EU nationals	805.248

Source: Ninth Annual Report Foreigners in the Italian labour market”

An analysis of the main statistical indexes yields a mixed picture.

On the one hand, the data collected by the OECD confirm the high employment rate of immigrants, which is considered as a peculiarity of Italian society.²⁰ Indeed, Italy is one of few countries in which the employment rate of the foreign born (59.9%) is higher than that of native Italians (57.6%).

On the other hand, difficulties related to inclusion in the labour market and job quality – which is often quite low – persist. In particular, the above mentioned Annual Report on “Foreigners in the Italian labour market” pointed out the presence of a widespread problem of overqualification.

Moreover, with specific regard to refugees, interviews also highlight the existence of a problem of qualifications that did not match requirements’. For example, in the MELI interview no. 4, a representative of an NGO working in the field of migrants’ rights states: “there is a problem of

²⁰ See OECD, *International Migration Outlook 2018*; OECD, *Settling In 2018: Indicators of Immigrant Integration*.

qualification mismatch in the sense that there are low-skilled people employed in industries that are not their. A large majority of migrants are employed as warehouse workers, dockers, plumbers and bricklayers". A confirmation of this can be found in the MLI interview no. 28, in which a middle age man declares that in Nigeria he was a businessman, while in Italy he has been hired by a shipping company for a night job.

The structure of the Italian labour market is characterised by the prevalence of purely manual labour and low-skilled migrants. The presence of foreigner workers is especially relevant in the following sectors: "Other collective and personal services" (36.6%), hotels and restaurants (17.9%), agriculture (17.9%) and construction (17.2%). Only a very limited number of foreign workers occupy top positions, for example as managers (0.8%) or executives (1.9%). The percentage of immigrants in low- or medium-skilled jobs is 86.5% (versus 60% of Italian citizens).

Considering geographical distribution, the largest number of non-EU employees and job seekers is concentrated in northwest Italy (601.805 people). Only 251.367 non-EU employees and 48.111 job seekers live in the regions of southern Italy.

Table 6. Geographical distribution of non-EU employees and looking for work

Employees		
	Non EU-nationals	Totals
Northwest	601.805	6.922.681
Northeast	399.512	5.150.470
Centre	396.004	4.963.370
South	251.367	6.172.427
Population looking for work		
	Non EU-nationals	Totals
Northwest	88.210	519.212
Northeast	69.221	328.187
Centre	68.453	516.883
South	48.111	1.391.190

Source: Adapted from the Ninth Annual Report Foreigners in the Italian labour market

2.2. Refugees and asylum seekers: measures for integration into the labour market

The *Ninth Annual Report Foreigners in the Italian labour market* tried to estimate the impact of refugees and asylum seekers on the labour market after the massive refugee inflow of 2014-2017. The increase in the workforce attributable to refugees and asylum seekers in 2020 is forecast to be between 0.18% and 0.29%, in line with the European average (0.25%). This

increase is not significant if we consider the big demographic changes which have characterised Italian society, especially in light of the ageing of the working population.

The two main public authorities responsible for the integration of refugee and asylum seekers into the labour market are the Public Employment Services (PES, Centri per l'Impiego) and the System for the Protection of Asylum Seekers and Refugees (SPRAR – SIPROIMI).

The **Public Employment Services** are administrative bodies which manage employment services at a local level. Asylum seekers and refugees with residence permits have the possibility of registering with the PES. Among other things, registration enables them to be informed about job placement opportunities, also with the support of cultural and language mediators.

It is important to note that according to Article 22 of Legislative Decree No. 142/2015, asylum applicants can already start working 60 days after they have submitted an asylum application. This provision was considered as a best practice approach in some interviews (see MELI no. 3, in which a man working for an employment centre, affirms: “the possibility for asylum seekers to start working while waiting for the completion of the application procedure is a best practice”), because it allows a potential faster inclusion of the migrant in the labour market. Moreover, Article 25 of Legislative Decree No. 251/2007 clarifies that foreigner nationals who have been granted refugee or subsidiary protection status “are entitled to the same treatment provided for Italian nationals regarding paid employment, self-employment, and inclusion in professional registers, vocational training and on-the-job training.”

The second entity set up to deal with the integration of refugee and asylum seekers into the labour market is the **System for the Protection of Asylum Seekers and Refugees**. SPRAR–SIPROIMI offers a wide range of services, which are also aimed at fostering the integration of beneficiaries of international protection into the labour market.²¹ In particular, they can be enrolled in specific professional training and internship programmes organised by the institutions belonging to the SPRAR-SIPROIMI network (voluntary sector, municipalities, *etc.*).

Despite these integration measures, the employment situation of refugees and asylum seekers is problematic. An empirical analysis published by the Italian Central Bank highlighted that labour market integration of refugees and asylum seekers is much more difficult than the integration of economic migrants (Banca d'Italia, 2017), while interviews point out the existence of a widespread problem of mis-qualification and/or overqualification. As for the former, see MELI no. 4, in which the representative of an NGO identifies the following most common professions among migrants: warehouse workers, dockers, plumbers and bricklayers.

MELI no. 13 highlights the relationship between social discrimination and qualification mismatch. Finally, MELI no. 14 addresses the widespread problem of informal work and highlights migrants' willingness to accept any employment conditions whatsoever due to their situation of financial need.

²¹ The first line of reception is composed by hotspots, which in particular provide to the people arrived on Italian soil medical examination and information about Italian immigration system. Moreover, this first level of reception includes also CDA (Reception Centers), CPSA (Centers of First Aid and Reception), CARA (Reception Centers for Asylum Seekers), CAS (Centers for extraordinary Reception).

All these aspects are summarised in MELI no. 6, in which the interviewed woman, who works for an NGO, affirms: “normally migrants do low-skilled jobs...agriculture, factory, cook help. We know that there is an informal network of work that they can access. It's something we're trying to stem, but this is the privileged workplace for these people”.

As for overqualification, MELI no. 8 is particularly interesting, as the NGO representative interviewed goes deeper into the problems related to labour exploitation. In particular, he states: “the jobs migrants tend to have access to are low-skilled jobs, even when they have a certain educational background or level of experience”.

In all migrant interviews, work was defined as the main tool of integration. However, at the same time, the lack of documents was identified as one of the main barriers to gaining access to the labour market. For example, as declared in interviews nos. 2, 3, 8, 9, 11 and 20, without documents it is not easy to find a job.

Another important barrier that emerges from the interviews – is the long duration of the asylum application procedure (MELIs nos. 1, 2 and 6).

In particular, a legal expert has stressed that “the greatest problem [asylum seekers] perceive is the length of time they wait. It might happen that [asylum seekers] apply in 2015, the Territorial Commission schedules a meeting in 2016, and gives them an answer in 2017... this is social exclusion” (MELI no. 1). Indeed, the sample of migrant interviews includes 20 (out of 29) asylum seekers who arrived in Italy between 2015 and 2017 and the decision regarding their fate is still pending. The majority of them got a negative first-instance decision and therefore submitted an appeal.²²

The interviews suggested that there was a need to rethink the relationship between reception and labour integration (MELI no. 1). Indeed, the beneficiaries of international protection are granted accommodation and the possibility of access to vocational training, language courses and job placement services only if their work income is less than the amount of the social allowance (5.953 Euro in the year 2019).

2.3. Foreign women in the labour market and female entrepreneurship in particular

The main statistical indexes related to gender show a low employment rate for migrant women. In particular, economically inactive non-EU women represent a highly problematic target, especially in some ethnic communities, such as, for example, in the case of non-working women from Bangladesh (87.6%), Pakistan (82.9%) and Egypt (82.9%). These data therefore confirm the difficulty of the path of non-EU women towards socioeconomic emancipation. As a

²² Some of the interviewees (MLIs nos. 1, 16, and 17) complained about the lack of support and clear information about the asylum procedure at the point of arrival (hotspots): “[the asylum procedure] was not well explained to me [...]. It was a ‘rough’ explanation. They just listened to the story in order to decide about us” (MLI no.1). As another interviewee commented: “I didn’t even know I was applying for international protection!” (MLI no. 16). Some of them could not even distinguish the type of actors they were dealing with (whether governmental or from UNHCR or IOM staff).

Though almost all of the interviewees declared that the asylum procedure was clear to them, some of them expressed concerns which were mainly tied to difficulties in communication and translation, and to the understanding of what legal assistance entailed (MLIs nos. 2, 3, 4, 6, 9).

representative of an NGO commented, under equal cultural and social conditions, a woman faces more difficulties than a man as far as integration into the labour market is concerned” (MELI no. 6).

Table 7. Gender indexes

	Employment rate		Unemployment rate		Inactivity rate	
	Men	Women	Men	Women	Men	Women
Italians	67	49.4	9.5	11.2	25.8	44.3
EU nationals	74.6	56.0	11.5	15.2	15.7	33.8
Non-EU nationals	73.4	46.9	12.2	17.1	16.3	43.1

Source: Ninth Annual Report Foreigners in the Italian labour market

Despite these difficulties, the interviews highlighted the existence of some initiatives which could foster the inclusion of foreign women in the labour market through projects that support female entrepreneurship (see MELI no. 4). In this perspective, micro-credit for ethnic minorities is gradually becoming an important policy issue. The Ministry for Economic Development and the Union of the Chambers of Commerce have set up a Committee for Female Entrepreneurship, while some regions have launched specific programmes to which foreign women may also have access. For example, in 2007 the Lazio Region promoted the PODI programme (Paths and Opportunities for Migrant Women).

According to an OECD report, in 2018 there were 141.000 female entrepreneurs of foreign nationality in Italy, representing almost 24% of the 590.000 ethnic minority firms. The countries of origin most widely represented are Morocco (68.000 firms) and China (52.000 firms).²³ There is a large presence of immigrant women especially in the fashion industry, where, in 2014, nearly 30% of women-led firms were run by immigrants versus 17% for men-led businesses.

According to OECD policy recommendations, a key aim of Italian policies “should be the assessment and building up of the human capital of immigrants”. In particular, “it is important to second the demand made by immigrants themselves to strengthen training focused on business and legislation. Immigrants also ask to be supported by a network of producers. In this sense, mentoring from successful immigrant entrepreneurs can be particularly useful. Contacts with other similar businesses that have ‘made it’ should lead to a proper acquisition of entrepreneurial know-how and role in an otherwise unfamiliar environment”.

²³ See OECD, 2018.

2.4. Recognition of skills and qualifications

One of the main barriers which impacts the actual capacity of the Italian labour market to integrate foreigner workers concerns the recognition of skills and qualifications.

In particular, in MELI no. 1 a legal advisor working for an NGO suggests that the qualification migrants had in their country of origin should be acknowledged. The main problem with this reasoning is that – as stated in MELI no. 2 by a volunteer working for a NGO – “if the migrant does not have the documents he always remains on the informal job market and does what his community offers him. He has no chance to do anything else. He cannot be regularly employed and his degree cannot be recognized, so we have professors who sell umbrellas...”

As emerges from MELIs nos. 3 and 13, though only a small number of migrants have a high degree of qualification (for example, some are university graduates who have been persecuted in their country of origin), it is not easy to obtain recognition of studies completed in a foreign country. For example, a medical graduate from India does not have easy access to a profession in Italy, so it is not just refugees who face obstacles.

Although the National Plan for Integration of the beneficiaries of international protection adopted in 2017 by the National Coordination Board stressed the importance of such recognition, Italian legislation still requires migrants to go through complex and long procedures in order to obtain recognition of the skills and qualifications acquired in their country of origin. In particular, applicants and beneficiaries of international protection frequently do not have certificates issued by their states of origin (Favilli, 2015, 726 ff.). This means, *inter alia*, “that many foreigners’ jobs are not in line with their qualification, partly wasting the potential they can bring to the Italian economy” (Ibrido & Maggini, 2019).

2.5. Informal labour market

In the last few decades, Italy has witnessed a dramatic growth of the so-called phenomenon of “**caporalato**”, which is a form of labour exploitation through illegal recruitment practices and illegal intermediation.

As emerged in the interviews, the exploitation of migrants remains a current problem (see in particular MELIs nos. 1, 2, 3, 4, 6, 8). As a representative of an NGO commented: “there is a strong risk of labour exploitation. Many people need to work but they don’t know what their rights are and have concrete difficulty in gaining access to the labour market because of the cultural and linguistic gap. Therefore, they are easy prey for exploitation in the informal labour market (...) The phenomenon of caporalato exists in all regions of Italy, not only in the south of the country. It is especially widespread in the agro-industry and in the textile sector” (MELI no. 8). Another interviewee pointed out that “the mechanism by which those who work and have income no longer have access to reception measures have obviously favoured undeclared work and exploitation” (MELI no. 13).

With the aim of countering this criminal exploitation of foreigner workers, Italian legislation has strengthened the existent administrative sanctions against employers who illegally employ migrants (Legislative Decree No. 109/2012) and moreover introduced a new crime (unlawful

intermediation and labour exploitation pursuant to Article 603 bis of the Criminal Code, as amended by Law No. 199/2016).²⁴

The struggle against the black economy and labour exploitation has also involved the tightening of administrative sanctions. Legislative Decree No. 109/2012 requires employers to pay social security contributions on behalf of irregular migrants and the wages for lawful employment, for a minimum of 3 months unless the employer or employee prove otherwise.

2.6. Training and internship programmes

A special active labour policy is implemented in Italy through extracurricular traineeships (*"tirocini extra-curriculari"*), that is, a measure which aims to favour contact between the labour market and potential workers through a learning experience.

According to the data of the Statistical Information System for Compulsory Communications (SISCO), in 2018, foreign nationals participated in about 40.000 extracurricular traineeships (11.4% of the total) and in particular 34.000 (9.7%) involved non-EU nationals. Seventy percent of the traineeships for non-EU citizens lasted from 4 to 12 months.²⁵

With specific regard to the beneficiaries of international protection, the SPRAR-SIPROIMI centres, in cooperation with local authorities, organise specific vocational training and internship programmes. National public funds (called "8xmille") and the Asylum, Migration and Integration Fund support professional orientation initiatives, although the funds remain very limited.

According to a recent study, the training internships "work well and are an important element that facilitates the entry of foreigners into the labour market".²⁶ Indeed, for a migrant these programmes often represent a concrete opportunity for acquiring new skills and adapting to the Italian labour market.

2.7. Role of civil society

Civil society organisations "play an important role in relation to the integration" of migrants "in the Italian labour market, particularly after the 2014 migration crisis".²⁷ From this point of view, civil society is actively engaged in labour market integration and the efforts of such organisations complement those of the public authorities. In particular, they offer several fundamental services (language courses, cultural mediation, identification of skills and aptitudes, voluntary work, training and education, education about the rights and duties of workers, internships, legal assistance, etc.) which facilitate integration into the labour market.

As some of the interviewees commented, in recent years NGOs and volunteer associations have taken over a considerable part of the management of the so-called "migration crisis" (MELIs nos. 1, 2, 4).

²⁴ *Amplius*, Ibrido & Maggini, 2019.

²⁵ See General Directorate of Immigration and Integration Policies, 2019.

²⁶ See Ibrido & Maggini, 2019, 426.

²⁷ See Maggini & Collini, 2020, 148.

In particular, some NGOs and trade unions have instituted information desks where migrants can receive support in relation to their employment, linguistic and housing needs. For example, a representative of the NGO “Anelli mancanti” affirms “we try to support migrants in preparing their CV and in their job search” (MELI no. 2).

The representatives of employers’ associations, trade unions, chambers of commerce and organisation active in the field of integration and reception, as well as other stakeholders, participate in the **Territorial Councils for Immigration** (“Consigli territoriali per l’immigrazione”), which have been set up in every Prefecture.²⁸ These bodies analyse the main problems concerning integration and foster the identification of shared solutions.

Summary

The high employment rate of immigrants identifies a peculiarity of the Italian society. The extracurricular traineeships have fostered the contact between the labour market and potential workers through a learning experience. Also civil society organizations have played an important role to support the integration into the labour market. At the same time relevant difficulties persist, especially with regard to the recognition of skills and qualifications, labour exploitation and the overqualification of the refugees. The Italian authorities have never aligned the quota of work permits to the actual needs of the Italian labour market. This has given rise to problems in terms the quality of jobs and (legal) inclusion in the labour market itself.

²⁸ About the Territorial Councils see *supra* par. 1.4.

3. Education

This section provides data about the participation of foreign students in the Italian education system. In particular, it analyses barriers and opportunities which characterize the paths of integration into different forms of the Italian education system.

3.1. Preliminary overview of data concerning foreign students

According to statistics published by the Italian Minister of Public Education (July 2019), in the approx. 70,000 schools in Italy,²⁹ there are almost 942.000 foreign students, that is, 9.7% of the total students.³⁰ The presence of foreign students underwent a major increase in the years 2000-2013, which served to compensate for the decrease in the number of Italian students.

Table 8. Foreign students in Italian schools

Year	Foreign students	Italian students	Total
2012/2013	786.630	8.156.723	8.943.353
2013/2014	803.053	8.117.175	8.920.228
2014/2015	814.208	8.071.594	8.885.802
2015/2016	814.851	8.012.042	8.826.893
2016/2017	826.091	7.915.737	8.741.828
2017/2018	841.719	7.822.648	8.664.367

Source: MIUR (Ministry of Education, University and Research) 2019

Table 9 shows the breakdown of foreign students by level of study for the last year analysed in the MIUR report.³¹

²⁹ Among the 55.945 public and charter schools there are 23.066 kindergartens, 16.948 primary schools, 8.064 lower secondary schools and 7.867 upper secondary schools. About a further 13.000 schools are private.

³⁰ Report "Gli alunni con cittadinanza non italiana" (MIUR, 2019).

³¹ In Italy, the education system includes 5 levels: (i) kindergarten ("scuola dell'infanzia"), that is, 3 years of non-compulsory nursery school; (ii) primary school ("scuola elementare"): 5 years of primary education with the same curriculum for all pupils; (iii) lower secondary school ("scuola media"): 3 years for children roughly from age 11 to 14; (iv) upper secondary school ("scuola secondaria di secondo grado"): 5 years divided into 3 several macro specialisations: lyceum, technical institute, professional institute; (v) university.

Table 9. Foreign students by level of study

Stage of study	Number of foreign students	Percentage of foreign students
Kindergarten	165.115	11.1%
Primary school	307.818	11.2%
Lower secondary school	173.815	10%
Upper secondary school	194.971	7.3%
Total	841.719	9.7%

Source: MIUR 2019

Lombardy is the Region with the highest number of foreign students (213.153), that is, 25.3% of the total population of non-Italian students.

Some significant indicators concern the percentage of foreign students; the data show a concentration in northern Italy, which is the richest and most industrialised area of the country. The regions of Emilia Romagna (16.1%), Lombardy (15.1%), Tuscany (13.8%), Umbria (13.7%), Veneto (13.3%), Piedmont (13.2%) and Liguria (12.8%) have the highest percentages. In contrast, the regions of Sardinia (2.5%), Campania (2.6%), Puglia (2.9%), Sicily (3.5%), Molise (3.5%), Basilicata (3.5%) and Calabria (4.3%) are below the national average.

The main national groups are Romanians (158.044), Albanians (114.240) and Moroccans (103.216).

The data also show a considerable presence of second-generation immigrants in Italian schools: indeed, 63% of foreign students were born in Italy.

After secondary school, 34% of foreign students go on to university.

A recent OECD research analyses the resilience of students with an immigrant background. It highlights that in Italy, only 51% of these students reach baseline levels of proficiency in reading, mathematics and science (versus 69% of native students).³²

3.2. School education

Under Article 38 of Legislative Decree No. 286/1998, foreign children present on the national territory have equal rights (and obligations) in respect of access to the education system. **School attendance is mandatory for both Italian and foreign children up to the age of 16.** Foreign pupils can opt out of Catholic religion courses (as can Italian students).

In principle, minors under 16 are enrolled in a grade corresponding to their age. However, the teachers' board can assign foreign students to the year immediately below or above. Minors over 16 are assigned to a year after taking a test.

³² OECD, 2018.

Article 38 is implemented by Art. 45 of Presidential Decree No. 394/1999: the irregular status of foreign children cannot prevent them from taking part in the education system. Families can ask for children to be enrolled at any time of the year. In each school, the teachers' board can adopt actions to foster the learning of the Italian language by foreign students, including the establishment of supplementary intensive courses.

The model of integration into schools is further implemented through guidelines issued by the Minister of Public Education, which identify paths and tools to support teaching.³³ The model suggests a balanced and heterogeneous composition of classes, avoiding classes made up only of foreign students. The same principle is confirmed in administrative provisions issued by the Minister of Public Education (*circolare ministeriale* no. 2/2010), which establishes that foreign members of a class should not exceed 30%. However, the directors of regional education departments can authorise an exception to this limit.

In 2017, the Minister of Public Education earmarked 4 million Euros for funding of a **teacher training** project aimed at those working in a context characterised by a high number of foreign students.³⁴ Initiatives have also been taken to strengthen the recruitment of teachers specialised in teaching Italian to foreign students (Presidential Decree No. 19/2006).

Ministerial Decree No. 643/2017, supplemented by Ministerial Decree No. 685/2017, reorganised the **National Monitoring Centre for the integration of foreign students and inter-culture**. It is composed of the main Directorates General of the MIUR and other executive departments, heads of schools with a high percentage of foreign students and research centres, as well as representatives of young foreign people. This body elaborates proposals or recommendations, which the Minister can then send to Italian schools.

3.3. Refugees and asylum seekers

Unaccompanied minors and children of refugees and asylum seekers are also integrated into the national education system. Adult beneficiaries of international protection have the right to access the educational system under the same conditions as those established for the other third-country nationals.

No preparatory classes are required under national legislation; foreign students simply enter mainstream classes. At the same time, the teachers' board – which oversees and is responsible for the organisation of study courses – can adopt specific individualised or group initiatives (additional lessons, adaptation of curricula, etc.) to facilitate the integration of these students (especially with regard to the learning of the Italian language).

The beneficiaries of international protection can also request recognition of the equivalence of their educational qualifications.

³³ See the report of the Chamber of Deputies "L'integrazione scolastica dei minori stranieri" (<https://www.camera.it/temiap/documentazione/temi/pdf/1112886.pdf>)

³⁴ See http://www.istruzioneveneto.it/wpusr/wp-content/uploads/2017/06/MIUR-AOODGSIP-REGISTRO_UFFICIALEU-0002239-28-04-2017.pdf.

3.4. Language courses

The National Plan for Integration of the beneficiaries of international protection approved in 2017 by the National Coordination Board stressed the strategic relevance of free compulsory language courses, especially in the perspective of integration into the labour market. However, the literature (Cerrina Feroni 2017; Ibrido & Maggini 2019) has highlighted the lack of sufficient financial resources for the implementation of this policy (roughly 21 million Euros versus 240 million invested in Germany).

Within the framework of the above mentioned “Integration Agreement” governed by Presidential Decree No. 179/2011, the Italian authorities have established the requirement that foreigners holding a residence permit with a minimum validity of one year must reach, inter alia, an adequate knowledge of the national language (at least the A2 level ascertained through a test).

The linguistic integration of minors is mainly ensured through the national education system. From this point of view, the guidelines of the Ministry of Education issued in 2014 recommend that schools organise Italian language labs for foreign students, lasting a total of 8-10 hours per week (about 2 hours per day), for a duration of 3-4 months.³⁵

Whereas the linguistic integration of minors is mainly entrusted to the national education system, adult migrants can learn the Italian language through 2 main channels.

First of all, they can attend a free course set up by the **Provincial centres for adult education and training** (CPIAs – Centri provinciali di istruzione per adulti). In particular, these state schools offer foreign citizens with a valid residence permit an opportunity to attend a language and social integration course (also together with Italian citizens). At the end of the course and after passing a final test, the CPIA issues an Italian language proficiency certificate (L2). The CPIAs employ instructors with specific experience in adult education, appointed by the Ministry of Education.

Secondly, many civil society associations organise educational programmes. From this point of view, the interviews stressed the relevant role of civil society in this field. For example, in Tuscany the association “Anelli mancanti” launched free language courses for economic migrants (MELI no. 2), while ASGI organises language courses for asylum seekers (MELI no. 4). In particular, in MELI no. 2 a representative of the NGO “Anelli mancanti” states that “the association “Anelli mancanti” was originally established as an Italian language centre, an atypical school in that their activities are aimed not only at promoting knowledge of the Italian language and integration, but also knowledge about different cultures. Importance is given to the culture and history of migrants, helping them to get to know the city, and welcoming them, also by trying to help them to write a CV or recognise job offers”.

Another association that offers language courses is ASGI, which, as stated in MELI no. 4, started organising Italian language courses considering that language is the principle instrument of integration into a country. Unfortunately, in many cases the courses provided in CPIAs do not offer adequate standards, given the limited hours of lessons and the high number of participants. This creates language learning deficits that are difficult to fill.

³⁵ See “Linee guida per l’accoglienza e l’integrazione degli alunni stranieri”:
<http://www.centrocome.it/wp-content/uploads/2014/11/4-Linee-Guida.pdf>

The courses organised by ASGI, however, are held by Italian teachers from the European University, who organise an ad hoc Italian course for asylum seekers, attended by 22 students.

Summary

The Italian legislation recognizes to the foreign children present on the national territory equal rights (and obligations) in respect of access to the Italian schools. In this framework, especially in the last years, the National education system and the educational programmes offered by the civil society have played a fundamental role in promoting and preserving social cohesion in the presence of large migration flows. At the same time, many linguistic and social barriers still prevent students with a migration background from achieving the same outcomes as native students. The training of the teachers which work in contexts characterised by a high number of foreign students and the closer involvement of migrant families in the school community are decisive factors to overcome these barriers.

4. Housing and spatial integration

This section analyses the housing policies concerning migrants at national and regional level. In particular, the section examines both the forms of accommodation provided during the asylum procedure and the regulations concerning longer-term social housing.

4.1. Constitutional legal framework

The Constitution recognises the right to housing in Article 47(2), which states that the Republic promotes house ownership³⁶. As affirmed by the Constitutional Court (Decision No. 217/1988), the obligation to guarantee the effectiveness of the right to housing concerns not only the state, but all levels of government (state, regions, autonomous provinces and local authorities).

The right to housing, given its nature as a fundamental right, has been extended – as we will see, under certain conditions – to foreigners on the basis of Article 3 of the Constitution, which forbids unfair discrimination and enshrines the principle of substantive equality.³⁷ Access to housing is particularly important for migrants, as it is relevant for the purposes of concluding a “residence contract”, gaining entry to Italy for self-employment reasons or entry and a residence permit for medical treatment, the issuance of an EC residence permit and family reunification.

In respect of migrants’ right to housing, different legislative competences come into play, particularly those concerning immigration and social welfare.

Article 117 of the Constitution – following the constitutional reform of 2001 – classifies legislation on immigration, the right to asylum and the legal status of non-EU citizens as matters subject to the exclusive legislative jurisdiction of the State. However, the Constitution also attributes competences to the Regions in the management of applicants and protection seekers. In particular, Regions can play an important role through their competences in the field of housing and social welfare.

When analysing state and regional competences, the Constitutional Court has held that asylum and migration necessarily involve both national and sub-national interventions, thus developing a multilevel model. Accordingly, the Constitutional Court has recognised the possibility of granting at regional level a protection of some social rights which is broader than that provided at state level. This is exactly what has happened in the field of housing in relation to migrants (infra 4.7). For example, the Campania Regional Law No. 6/2010 completely equates foreigners and Italian citizens in respect of access to public housing.

Article 40(6) of the Consolidated Law on Immigration establishes that: “Foreign nationals holding an EU long-term residence permit or foreign workers with a residence permit having a validity of at least two years who are engaged in regular employment or self-employment shall have the right to access, on an equal footing with Italian citizens, public housing and the intermediation services of any social agencies that may have been established by each region or by local authorities to facilitate access to housing leases and subsidised credit in relation to the construction, renovation, purchase and lease of primary residential property.”

³⁶ In relation to the right to housing, see Olivito, 2017; Bilancia, 2010; Paciullo, 2008.

³⁷ See Corsi, 2019; Pallante, 2017; Meo, 2014.

Despite this provision, the number of available accommodations is not sufficient to meet demand, and everywhere in Italy there are long waiting lists of people seeking a social home. This raises the level of perceived competition between natives and foreigners, especially because the latter, as they generally have lower salaries and larger families, quite often rank high in the lists.

4.2. National system of reception

As a preliminary point, when it comes to housing it is important to distinguish regulations concerning the forms of accommodation provided during the asylum procedure from the regulations concerning longer-term social housing. In addition, it is necessary to highlight that, at domestic level, the national policy on migration is characterised by a structural lack of organic, coherent and effective planning and management tools. There is wide discretion in how migrants are distributed across the national territory (MELIs no. 4, 7, 12). This discretion determines a disproportionate relocation of migrants to different parts of the country, which in turn causes a strong impact upon the living conditions in first aid reception centres and makes access to long-term social housing more difficult.

Reception in first aid centres and accommodation during asylum procedures is regulated by Legislative Decree No. 142/2015, which establishes that, after a preliminary phase of first aid and assistance taking place close to the disembarkation area (Article 8), asylum seekers are channelled into the Italian reception system.

If we examine the interviews, it emerges that most migrants arrived in Sicily, where they found a good reception in first aid centres; they were subsequently transplanted to different part of Italy (MLIs nos. 1, 2, 9, 10, 15, 25, 29). Generally, upon arrival, migrants do not have any precise knowledge of the Italian territory, so they have no perception of the place where they are located (MLIs nos. 2, 3, 7, 8, 12, 17).

As for social inclusion, among those interviewed only a young man from Gambia, who arrived in Italy in 2016, stated that: “I was welcomed in Italy when I was in Sicily, but travelling to where I am was a little bit different from the very first moment” (MLI no. 1). Another migrant – a young adult man who arrived in Italy from Nigeria in 2016 – affirmed: “I’m not always welcomed because I’m black” (MLI no. 6). Apart from these exceptions, the migrants generally report a good level of reception and integration (MLIs nos. 2, 10, 11).

As for reception, in MLI no. 2 a young refugee from Gambia declared: “they welcomed me and helped me”. In MLI no. 10, with regard to reception, a young adult man from Nigeria states: “They gave us a very good welcome in Sicily. There was food and we could wash ourselves”, while with regard to integration he affirmed: “if you don’t speak English, it is difficult. People are ok, good people”. Furthermore, in MLI no. 11 a migrant from Nigeria describes Italy as a “good place to live”.

Such operations as identification, registration of the asylum application and assessment of health conditions are conducted in governmental first-line reception facilities, so-called “**regional hubs**”, intended to progressively replace the already existing centres of reception (the so-called CDAs and CARAs) (Article 9). When these operations are completed, asylum seekers who do not have sufficient financial resources are supposed to be transferred to second-line reception centres, which are managed by local municipalities within the framework of the national system of protection for refugees and asylum seekers (the so-called SPRAR-SIPROIMI

network), with the financial support of the National Fund for Asylum Policies and Services (Article 14(1)).

Despite this detailed legislation, what happens in reality is that asylum applicants' right to housing is undermined by a number of critical issues. The system of "regional hubs" has not been fully implemented. Consequently, asylum seekers remain for long time in first aid and reception centres, such as the "extraordinary reception centres" (CASs) and CARAs, where they often suffer from critical situations, due to overcrowding and a low standard of services.

Interviews highlight that there are significant differences in the functioning of these centres, for example in some CASs there is a great variety of activities in which migrants are involved, while in others there are no additional activities (MELIs nos. 3 and 10). The management and functioning of similar centres differ very much and sometimes the conditions appear to be similar to detention at the margin of the legal system (MELI no. 10).

This situation clearly evidences the lack of an organic plan (MELIs nos. 4, 7, 12), as demonstrated by the differences that exist among centres situated in different regions. Generally, it is possible to affirm that Region of Tuscany constitutes a positive example for the management of reception centres (MELI no. 13).

In second-line SPRAR-SIPROIMI facilities, by contrast, asylum seekers are accommodated in small decentralised facilities where they are entitled to receive long-term assistance and integration services.

However, the places available in the SPRAR-SIPROIMI network do not suffice to meet the demand, given the current number of asylum applicants in Italy. As a consequence, the main channel of reception remains the CAS facilities, which, initially conceived as a temporary measure of last resort, in December 2017 accounted for 80.9% asylum seekers accommodated (Chamber Inquiry Committee 2017).

It is possible to note a tendency to consider accommodation in first aid centres as permanent accommodation. In MELI no. 5 it is affirmed that "in most cases the first reception and emergency facilities that become permanent are a problem". Indeed, while according to the SPRAR-SIPROIMI guidelines, the beneficiaries of international protection have the right to be accommodated in the national reception system for 6 months, no legislative provision regulates how long refugees can be accommodated in CASs and in other emergency facilities.

With regard to this issue one might suggest the introduction of a legislative target date by which migrants have to leave the first aid centres. Particularly, MELI no. 5 points out that "there is no clear or sure legislation regulating the stay in these centres".

Although Legislative Decree No. 142/2015 subjects the whole reception system to monitoring by the Ministry of the Interior (Article 20), no complete monitoring and control system is yet in place, particularly as far as CASs are concerned. Interviews suggest the introduction of a uniform mechanism of evaluation – entrusted to a third party – for reception centres. In this perspective, it is not suitable for monitoring to be entrusted to the prefectures, the latter being subjects actively involved in migrant reception. This aspect was highlighted in MELI no. 13 in the following terms: "the current method of monitoring the quality of the reception system is in the hands of the prefectures, so they have to provide the service and evaluate it at the same time"

According to Legislative Decree No. 142/2015, an asylum applicant can lose his/her entitlement to accommodation if he/she leaves the centre without any justification and without notifying the

competent Prefecture; does not take part in the territorial commission interview; or lodges reiterative asylum applications. Furthermore, the reception conditions can be also revoked when the authorities ascertain that the asylum seeker has sufficient financial resources or that he/she has committed serious or continuous violations of the accommodation centre's internal rules (Articles 13 and 23).

Interviews underlined the problematic nature of the provision that establishes a limit of 500 euros of monthly income as the criterion of eligibility for accommodation in the centres. Indeed, if a migrant earns more than 500 euros per month, he/she loses the right to accommodation and has to provide for his/her own housing and livelihood. Nevertheless, migrants find special difficulties in accessing the real estate market due to the high prices, the impossibility of providing guarantees and the predominance of fixed-term employment contracts (MELIs nos. 2, 4, 6, 7).

With regard to this issue, in MELI no. 2 a representative of the NGO "Anelli mancanti" asserts: "I find it discriminating that those who stay in the SPRAR or in a CAS cannot earn more than 500 euros in wages and if they exceed this amount they have to leave the reception system. Considering that in Florence 500 euros cannot ensure a livelihood and that migrants would have difficulty in finding a room, not only because of the 500 euros, but also because they are migrants, this generates a distortion in the reception system. Many of those who are accommodated by the CASs and the SPRAR and have found a job do not declare it to the operators because they would consequently be in a situation that would not allow them to live."

4.3. The hotspot approach

Finally, on the subject of first reception it is also important to mention Law Decree No. 13/2017, which amended the Consolidation Law on migration and the Legislative Decree No. 142/2015 introducing new identification procedures: undocumented foreigners intercepted in Italian territory or rescued at sea are accompanied to specialised facilities, or so-called "hotspots", where they are fingerprinted and receive information on international protection, relocation and assisted voluntary return.

The "hotspot approach" is defined by a series of measures contained in the "Italian Roadmap 2015", a document adopted by the Ministry of the Interior to fulfil the requirements of European Council Decision No. 2015/1523 of 22 September 2015, "establishing provisional measures in the area of international protection for the benefit of Italy and Greece".

From the beginning of 2019, four "hotspot" facilities were fully operational in Pozzallo, Lampedusa, Trapani and Messina, while the hotspot in Taranto was converted for the purpose of repatriation. It seems clear that if the hotspots are concentrated in the south of Italy, the other reception centres will be located across the whole national territory. Operations conducted in the hotspots should be concluded within 24 - 48 hours. However, as documented also by parliamentary reports, migrants tend to remain in these facilities for much longer and are sometimes subjected to "de facto detention" for several weeks (Chamber of Deputies Committee of Inquiry 2016 a and b).

Within hotspots, living conditions are far from being harmonised: in some of these facilities, migrants receive little healthcare and are subjected to poor sanitary and hygienic conditions, while there are often no dedicated spaces for unaccompanied foreign children, who suffer from inadequate care and assistance (OHCHR 2016).

Figure 4. Map of Italian and Greek hotspots and their respective capacities as originally planned by the European Council.³⁸



4.4. Isolation and ghettoization

Interviews highlighted the ghettoization effect resulting from accommodation in military compounds and large-sized centres where there are problems of security and promiscuity, above all with regard to women and children.

See, for example, MELI no. 8 where the interviewed representative of an NGO states: “basically, where there is a place of first hotspot reception with a high number of people accommodated for a very limited period of time, I would say that this place is generally safe. What is different from safety is the guarantee of minimum standards of hygienic-sanitary conditions, which are absolutely not guaranteed. I think of the Mineo CARA, the Bari CARA. So, in that sense, the main problem is the security concerning single women with children in promiscuous areas with men. Possible acts of violence or abuse.”

These problems are amplified by the scarce number of functioning SPRAR-SIPROIMI centres. The opening of further SPRAR-SIPROIMI facilities was rendered more difficult by the entry into force of the Salvini decree (MELI no. 8).

Considering all these aspects, the prevailing reception model is actually based upon CAS centres, which have the basic functions of providing food and accommodation, while exerting public control over migrants. Anyway, once the migrants are out of these centres, they are not

³⁸ This map is taken from the report of the EUROPEAN COURT OF AUDIT, The EU response to the refugee crisis: the "hotspot approach", 2017. It is important to note that in Italy there are actually only four hotspots, operating in Lampedusa, Pozzallo, Trapani and Messina, while the hotspot in Taranto has been converted into a centre for repatriations. The hotspots in Augusta and Porto Empedocle were never established.

accommodated in proper facilities (MELI no. 8). A suitable and alternative form of reception might be the development of a broad system of accommodation at regional level based upon small centres able to host groups of at most 20 or 30 migrants (MELIs no. 3, 9).

4.5. Concrete actions and positive models of reception

Up to now, big private companies have demonstrated little interest in migrant reception; nonetheless, cooperation between the public and private sectors has been more prevalent in relation to SPRAR-SIPROIMI centres rather than CAS centres (MELI no. 8).

The non-state actors playing the most important role in the national reception system are religious institutions, such as Caritas, the Community of Sant'Egidio and the Waldesian Church (MELI no. 5). These religious institutions have intervened significantly in migration governance and advocacy, as well as providing accommodation for migrants and organising humanitarian corridors.

As we can deduce from MELI no. 5, “if there has not been a drift towards xenophobia, this is greatly due to the religious organisations, which have tried to maintain a certain position towards the migratory phenomenon. Humanitarian corridors from Libya, an innovative and original approach tested by Italy for the first time in November 2017, have been organised through cooperation with the Ministry of the Interior, but are basically managed by religious organisations such as the Community of Sant'Egidio and the Waldesian church. It means that religious institutions are able to provide necessary facilities for people who need protection.”

Another positive initiative highlighted by MELI no. 5 is the one carried forward by Caritas, as stated by the respondent: “Caritas is our reference for the statistical dossier on immigration, which is a fundamental tool because in managing the phenomenon we must base ourselves on the numbers. This religious organisation has understood that the only way to dilute rhetoric on immigration is to speak with actual numbers.” Another positive model of reception that the Italian government should take into account is “**widespread hospitality**”, a model in which small reception centres and families grant hospitality to migrants. This model constitutes a veritable instrument of integration due to the fact that migrants have the opportunity to easily learn the Italian language, culture and customs (MELIs no. 9 and 14). This form of accommodation gives origin to a more effective and easier integration process. In this regard, what was stated in MELI no. 9 is particularly significant. According to the interviewee: reception takes place within families, who receive a small contribution, less than what the reception centres get, about 300 euros per month, and the potential for inclusion of a person is very high because there are more chances to meet people, the possibility of finding a job ... learning the language, understanding the system, and less risk of being exploited, less danger. The more widespread the reception is, the less it costs and the more efficient it is.

Among the experiences of widespread hospitality, it is worth mentioning the experience of Prof. Calò and his family. Prof. Antonio Silvio Calò is a professor of history and philosophy in Treviso who – together with his wife and his four children – had welcomed six young immigrants who landed in Italy in 2015.

In 2019, after four years, Prof. Calò announced on Facebook that his reception project had succeeded: all six young migrants, after a process of integration which included study and professional training, had reached financial independence and were able to live on their own.

Indeed, over the four-year period the six young men, all from sub-Saharan Africa, aged between 23 and 34, learned Italian and completed professional traineeships. Some of them obtained a job from the same company, in the restaurant or building sector, in which they had been trained.

4.6. Vulnerability

Legislative Decree No. 142/2015 dedicates specific provisions for asylum seekers with special needs. According to the definitions contained in the Legislative Decree, people with special needs are: children, unaccompanied minors, people with a disability, the elderly, pregnant women, single parents with children, persons who have been subjected to torture, rape or other forms of psychological, physical or sexual violence, victims of trafficking and genital mutilation and persons affected by serious illness or mental disorders.

In first-line reception centres, asylum seekers are subjected to a health assessment aimed at detecting the presence of specific vulnerabilities. In addition, special reception services are provided to meet the specific needs of these vulnerable persons within first-line and SPRAR-SIPROIMI facilities.

A relevant legislative provision in respect of the reception and spatial integration of vulnerable subjects is Article 18 of the Consolidated Act on Immigration, which establishes a special residence permit, to be issued by public authorities in ascertained cases of foreign nationals being subjected to violence or serious exploitation and concrete threats to their safety. The permit is also designed to enable foreign nationals to escape the violence and conditioning of criminal organisations and to participate in a program of assistance and social integration.

Article 18 is particularly important for victims of trafficking, considering that it allows access to specific programs of assistance and social integration which guarantee, on a temporary basis, adequate conditions in terms of accommodation, food and health care and, subsequently, the continuation of assistance and social integration.

The same provision is frequently applied in the case of women who are victims of trafficking and the exploitation of prostitution. Under this provision, female victims of trafficking and prostitution are introduced into specific programs. Moreover, it is worth noting the presence of private associations that work to support vulnerable women (MELIs nos. 4 and 6).

With regard to Article 18 of the Consolidated Act on Immigration, MELI no. 1 states: “We are the flagship for the social protection provided to migrants, whether they are asylum seekers or not, and for the fight against trafficking and the exploitation of prostitution (Article 18). When the anti-trafficking network receives a report concerning a woman who may be a victim – there are some indicators: “Nigerian, alone, young, she has not paid for the trip ... – it is assumed that she is a victim of trafficking; consequently, she is put into a protected facility.”

A particular issue in the Italian reception system is the accommodation provided to gay and transsexual migrants. These subjects can be considered a vulnerable category, but till now no provisions have been introduced to regulate their accommodation. Therefore, they frequently have to share the same reception centre with migrant communities that do not accept their sexual orientation.

4.7. Long-term social housing

As regards the regulations concerning long-term social housing, Article 40(6) of the Consolidated Act on Immigration guarantees access to public housing, establishing that: “Foreign nationals holding an EU long-term residence permit or foreign workers with a residence permit having a validity of at least two years who are engaged in regular employment or self-employment shall have the right to access, on an equal footing with Italian citizens, public housing and intermediation services of any social agencies that may have been established by each region or by local authorities to facilitate access to housing leases and subsidised credit in relation to the construction, renovation, purchase and ease of primary residential property.”

Most regional regulations concerning the access of foreign nationals to public housing refer to state legislation (see Tuscany Regional Law No. 2/2019, Apulia Regional Law No. 10/2014 Article 3, Umbria Regional Law No. 23/2003 Article 20, Calabria Regional Law No. 32/1996 Article 10, Basilicata Regional Law No. 24/2007 Article 3, and Marche Regional Law No. 36/2005 Article 18).

In several cases the regional legislation introduces requirements that are stricter than those established by state legislation.³⁹ For example, the Article 2 of Abruzzo Regional Law No. 96/1006 establishes that foreign workers can be granted access to public housing only if they have resided in the national territory for at least five years. Residency requirements are similarly established by Lombardy Regional Law No. 16/2016, Piedmont Regional Law No. 3/2010 and Umbria Regional Law No. 23/2003.

The requirement of a minimum period of residency in order to be eligible for public housing has generally been judged by the Constitutional Court to be consistent with the Constitution within certain limits (Judgement No. 32/2008). In particular, in the case of the regional legislation of Val d’Aosta the Constitutional Court declared a provision requiring an eight-year period of residency to be unconstitutional. The Constitutional Court found that the provision in question was disproportionate and in conflict with EU regulations (see Judgment No. 168/2014). Following this judgment, the regional legislator in Val d’Aosta reduced the eligibility requirement to 24 months of residency.

Similarly, the Constitutional Court declared to be unconstitutional a provision of the regional legislation of Liguria that required a ten-years period of residency to be eligible for public housing (Judgement No. 106/2018) and a provision of the regional legislation of Lombardia that required a five-years period of residency to access public housing (Judgement No. 44/2020).

Campania Regional Law No. 6/2010, by contrast, introduced eligibility criteria for access to public housing that are broader than those adopted by the national legislator, since they place foreigners on an equal footing with Italian citizens.

Despite these provisions, in practice a widespread recourse to informal settlements has been reported amongst refugees, also due to the absence of systematic, effective integration policies. For example, in MLI no. 29, a young migrant from Ivory Coast answers a question concerning the place where he lives by declaring: “there were initially 12 of us in one room and there were problems among us because it was difficult, some were sleeping, some were making noise...”.

³⁹ Corsi, 2019; Meo, 2014; Rosini – Tomasi, 2018.

Finally, it is worth mentioning the presence, in Italy, of a movement called “Lotta per la casa” (“fight for a home”), an informal movement whose most characteristic action is squatting. It seems clear that migrants’ participation in such associations will have a negative impact on their prospect of getting through bureaucratic procedures (MELI no. 2).

4.8. Unaccompanied minors

Specific rules regarding first reception and accommodation are provided for unaccompanied foreign children. The Consolidated Immigration Law states that unaccompanied foreign children may never be pushed back at the border and expulsion is prohibited, unless they represent a danger for public order and security.

Children cannot be held in repatriation centres (CPR) and their accommodation with unrelated adults is strictly prohibited by law, even though this prohibition is not always complied with in practice. The local municipality, in which the unaccompanied child was first traced, is legally responsible for the minor.

In order to cope with the arrival of an increasing number of unaccompanied children, the national reception system was reformed by Legislative Decree No. 142/2015 and Law No. 47/2017. The latter provides that, upon being detected, unaccompanied children should be immediately given accommodation in dedicated, highly specialised first-line reception facilities set up by the Ministry of the Interior with funds from the Asylum Migration and Integration Fund (AMIF).

Nevertheless, the prompt transfer of unaccompanied children to dedicated centres is strongly jeopardised, and there are allegations of children being accommodated for prolonged periods of time in reception centres (such as governmental front-line facilities and second-line SPRAR-SIPROMI centres) with unrelated adults or under detention-like condition in hotspots, while awaiting transfer (ANCI 2016; Terres des Hommes 2016; Human Rights Watch 2016).

What is lacking in the case of children is a compulsory system of regional quotas that would allow for an equal distribution of accommodation centres across the country. As a result, Sicily hosts a large majority of unaccompanied foreign children in Italy (Ministry of Labour 2017:19).

Summary

The right to housing has been extended to foreigners on the basis of Art. 3 of the Constitution. In respect of migrants right to housing different legislative competences come into play: while the State has the exclusive legislative jurisdiction in matters of immigration, right to asylum and upon the legal status of non-EU citizens, Regions have important competences in the field of housing and social welfare. This situation gives origin to a multilevel legislative framework characterized by significant differences among regional regulations. Furthermore, in matter of housing it is important to distinguish regulations concerning the forms of accommodation provided during the asylum procedure from the regulations concerning longer-term social housing.

5. Psychosocial health

This section explores the development of the right to health of foreigners, with special emphasis on the access to mental health and psychosocial services. Moreover, it analyses the impact of migrants on the Italian healthcare system.

5.1. The Italian healthcare system

The Italian healthcare system adopts the so-called “universal healthcare model”, which is funded mostly through general taxation and provides essential care to anyone in need. Indeed, the most important services identified at national level, such as, for example, emergency medicine, are completely free. Other specific services (e.g. emergency room visits, lab analyses, specialist consultations) can entail variable (but usually quite reasonable) co-pays, whose amount differs from region to region. Generally, the regions allow exemptions in the case of serious illnesses or persons or families with a low income. Some services may require full coverage by the patients.

In any case, the public health care system (National Health Service) coexists with a parallel private health care system, which has special relevance in the fields of ophthalmology and dentistry.

According to a report of the World Health Organization, the Italian healthcare system ranks 2nd best in terms of performance.⁴⁰ The Organisation for Economic Co-operation and Development has also confirmed the high standard of Italian healthcare.⁴¹

After the constitutional reform of 2001, the legislative competences concerning the organisation and access to health services were transferred to the regions. At the same time, the State maintained the competence to define the basic level of benefits relating to civil and social entitlements to be guaranteed throughout the national territory (Article 117 (m) of the Constitution).

Given the existence of different interpretations of the national legislative provisions governing healthcare in different parts of the country, the Conference of the Regions adopted guidelines for the health assistance to be provided to foreign nationals.

5.2. The right to health of foreigners

According to Article 32 of the Italian Constitution, “The Republic safeguards health as a fundamental right of the individual and as a collective interest and guarantees free medical care to the indigent.”⁴²

In light of the combined provisions of Articles 32, 2, 3 and 10 of the Constitution, the Constitutional Court has clarified that the essential core of the right to health should encompass

⁴⁰ See <https://www.who.int/healthinfo/paper30.pdf>

⁴¹ See <https://www.oecd.org/italy/Health-at-a-Glance-2017-Key-Findings-ITALY-in-English.pdf>

⁴² About the constitutional right to health, see, *ex multis*, Morana 2018.

migrants too (*ex multis*, Decisions nos. 252/2001, 432/2005 306/2008).⁴³ Therefore, with specific regard to the essential content of this inviolable right, the Constitutional Court has transcended both the distinction between Italian citizens and foreigners and the dichotomy between regular and irregular migrants (Mezzetti, 2019).

The Supreme Court of Cassation has also stressed the importance of the right to health of foreigners, clarifying that the need for treatment precludes the enforcement of an expulsion order (Cassation Nos. 14500/2013 and 7615/2011).

Taking into account the interpretation of the courts, Italian legislation has developed one of the most inclusive models of access of migrants to the right to health, when assessed from a comparative law perspective (Cerrina Feroni, 2019, 19).

Articles 34 and 35 of Legislative Decree No. 286/1998 introduce a distinction between foreign nationals enrolled in the National Health Service and other foreign citizens.

The first group includes some categories (foreign nationals with a regular residence permit, unaccompanied minors, asylum seekers and beneficiaries of international protection) who are required to register with the National Health Service. Therefore, they can benefit from the services of the National Health Service to the same degree as Italian citizens. In particular, registration entitles them to the following services: *(i)* choice of a general practitioner from the list of the Local Health Board; *(ii)* free hospitalisation in public hospitals and some private subsidised facilities; and *(iii)* gynaecological and midwifery visits.

The second group – which is composed of other foreigners, irregular migrants in particular – are eligible to receive urgent or essential outpatient and hospital treatment in public facilities, as well as prolonged treatment for diseases and injuries, and may access programmes of preventive medicine for the protection of individual and collective health. Above all, the following aspects are guaranteed: *i)* social protection of pregnancy and maternity; *ii)* health protection of minors; *iii)* vaccinations; *iv)* interventions of international prophylaxis; *v)* prophylaxis, diagnosis and treatment of infectious diseases and decontamination, as necessary, of centres of infection.

In concrete terms, however, the exercise of the right to health finds some practical obstacles. For example, medical personnel usually only speak Italian and the language barrier as well as the lack of cultural mediators can hinder mutual understanding between patient and health care worker.

Moreover, bureaucratic delays in the issuance of health cards and renewal of residence permits have made access to health care more difficult.

NGOs and civil society – such as, for example, the Association for Juridical Studies on Immigration (ASGI) – are actively engaged in monitoring effective observance of the constitutional right to health. For example, on April 2016, some NGOs sent a letter to the Ministry

⁴³ Article 2 of the Constitution recognises and guarantees the inviolable rights of the person, with the expectation that the fundamental duties of political, economic and social solidarity will be fulfilled. Article 3 establishes the equal social dignity of citizens, without distinction of sex, race, language, religion, political opinion, personal and social conditions. According to the article 10, the Italian legal system conforms to the generally recognised principles of international law.

of Health requesting that asylum seekers be exempted from health care costs if they do not have sufficient resources.⁴⁴

5.3. Financial impact of migration on the health system

According to recent studies, migrants show better health conditions than Italians in the period immediately after their arrival in Italy. Migrants from Southeast Asia (India, Pakistan and Bangladesh) rank highest in terms of good health, whereas North African women represent the most disadvantaged group.⁴⁵

However, the gap between migrants and Italians tends to narrow over the course of time, in connection with the length of their stay in Italian territory. Moreover, these studies highlight a tendency towards an improper use of emergency services by migrants. This issue is emphasised by MELI no. 14, in which the interviewee states that “one of the problems is too many visits to the emergency room and the inability of the personnel to clearly explain the possibilities of consulting the general practitioner... every migrant has a general practitioner, but many go to the emergency room and wait for hours.”

In any case, the literature points out that the financial impact of migrants on the health system is far below the wealth they produce.⁴⁶ For example, according to the Report of the Moressa Foundation (2016), foreigners in Italy produce 123 billion Euros, that is, 8.8% of total Italian wealth, while the financial impact of migrants on the health system amounts to about 4 billion Euros.⁴⁷ However, Italy is a country with one of the highest levels of misperception, especially as far as immigration is concerned. As reported by the Ipsos, Italian citizens tend to overestimate the presence (and therefore the financial costs) of migrants.⁴⁸

5.4. Mental health and psychosocial services

As confirmed by the interviews, serious mental and psychosocial problems are not uncommon among asylum seekers and refugees. Some migrants were victims of torture and inhuman or degrading treatment during their journey or in detention camps (see in particular MLIs nos. 2, 4), and may have been subjected to forced labour (MLI no 6). As some of the interviewees said, after their arrival in Italy, their medical problems were especially related to their own psychological condition rather than of a physical nature (MLIs nos. 11, 12, MELIs nos. 1, 4). In particular, in MLI no. 11 a young migrant from Nigeria affirms: “Sometimes I feel sick, and I go to hospital, but it is more psychological”, while in MLI no. 12 a young adult man from Ghana answered a question concerning his health as follows: “good health physically, but mentally I don’t think so, but I’m not seeing a doctor.”

⁴⁴ See AIDA, 2018, 106.

⁴⁵ See Caselli-Loi-Strozza, 2019.

⁴⁶ See Stuppini – Tronchin – Di Pasquale, 2014.

⁴⁷ See Fondazione Leone Moressa, 2016.

⁴⁸ See Ipsos, 2018.

The interviewees also reported symptoms potentially compatible with the so-called “exhausted migrant effect” (MLI no. 17), one of the most common health and mental problems spread among refugees and asylum seekers.

Indeed, in MLI no. 17 a young migrant from Lybia states: “I’m depressed, I’m not getting assistance for this, even if I told them about it.”

Moreover, one interviewee reported insomnia symptoms (MLI no. 25), another disorder that is frequent among migrants. All these interviewees claimed to have received support in Italy.

From this point of view, the findings drawn from the interviews could be consistent with the data of the Ministry of Health, according to which 25-30% of refugees have suffered traumatic experiences such as torture, rape or other forms of violence.⁴⁹

The National Health System provides specialised services to support migrants with mental problems. According to Article 1 of Legislative Decree No. 18/2014, which implements EU Directive 2011/95, the Ministry of Health must adopt guidelines concerning assistance and rehabilitation interventions, as well as the treatment of mental disorders of refugees and asylum seekers. Such guidelines were adopted on March 2017 and attempted to harmonise the various approaches already taken in the national territory. Although the guidelines identify all refugees as a “vulnerable group”, they devote special attention to the needs of 2 vulnerable subgroups: women and minors (especially unaccompanied minors).⁵⁰

The main recommendations are the following:

- Deployment, already at the landing stage, of staff specialised in emergency psychology with the aim of identifying potential vulnerable migrants (unaccompanied minors, women, elderly, survivors of a shipwreck, etc.) to be subjected to the so-called “early identification procedure”.
- The early identification procedure provides for an examination conducted by a doctor and psychologist of the host facility, possibly with the support of specific tools (questionnaires, semi-structured interviews, etc.). The procedure is aimed at evaluating the degree of vulnerability of the migrant. At the end of this procedure, the National Health System must be informed about each migrant identified as a probable victim of torture or extreme violence, so that healing processes may quickly begin.
- Interaction between psychologists and cultural mediators is strongly recommended in the guidelines, because “the evaluation of a patient who speaks another mother tongue could result in a distorted evaluation of the mental conditions”.
- The health staff must have specific training, including specialised training in the treatment of torture victims.
- Minors should be engaged in sports and leisure activities.

⁴⁹ Ministry of Health, 2017, 56.

⁵⁰ Further specific vulnerable groups are identified in Article 17 of Legislative Decree 142/2015: LGTB migrants, people with disabilities, elderly, pregnant women, single parents with underage children, victims of human trafficking, patients with serious health or mental problems, victims of torture, rape, psychological, physical or sexual violence and victims of female genital mutilation.

Some NGOs, local authorities and private organisations also provide services, as well as training programmes for personnel involved in the reception of migrants.

In light of the interviews (see in particular MELIs nos. 6, 7, 8), one of the most interesting initiatives at sub-national level appears to be the “**Sprint project**”, promoted by the Region of Tuscany, also with the financial support of the Asylum, Migration and Integration Fund. The Sprint project aims to define a regional strategy for managing asylum seekers, refugees and unaccompanied minors with mental problems using a cross-sectoral (that is, based on cooperation between private and public institutions), multidisciplinary and multicultural approach. The project also includes a training program for health workers in Tuscany.

Other initiatives are promoted by NGOs and civil society. For example, in 2016 the Association for Juridical Studies on Immigration (ASGI) started a project in Rome to support the rehabilitation of torture victims.

5.5. Role of religion

Most of the migrants interviewed were Muslims, but there is also a significant number of Christians. Indeed, the 38% of the interviewed identify as Christians (MLIs nos. 5, 6, 7, 8, 10, 11, 16, 21, 22, 23, 28). One interviewee defined himself as a Jew (MLI no. 12) and another as an atheist (MLI no. 29).

As stated in MELI no. 11, the different religious beliefs have never given rise to problems. In particular, the interviewee, who works in a centre of first reception, declares: “We don’t go to churches with Muslims, however there are Muslim groups, as in Lamezia Terme, that invite our kids to celebrate the feast of the sacrifice in September together with them. In our centre we invited other Muslim boys and they had a party with the Catholics.”

No relevant psychological impact of religious beliefs on the migration and integration processes emerges from the interviews. However, it is important to note the importance of the reception and integration activities carried out by religious institutions. See MELI No. 5, where it is pointed out that “an important role is played by religious institutions, especially in Italy. If there has not been a drift towards xenophobia, this is largely due to the religious institutions that have tried to maintain a certain position towards the phenomenon. Humanitarian corridors, an innovative and original approach tested by Italy for the first time in November 2017, have been organised through cooperation with the Ministry of the Interior, but are basically managed by religious organisations such as the Community of Sant’Egidio and the Waldesian church. It means that they are able to provide necessary facilities for people who need protection. Caritas periodically publishes a statistical dossier on immigration, which is a fundamental tool because it is on the data that we must rely in the management of migrations. Caritas is precisely a religious organisation that has understood that the only way to combat rhetoric is to speak with actual numbers. The intervention of religious associations was also fundamental in the case of some NGO ships which were denied permission to dock in Italian ports.”

Furthermore, the interviewee affirms: “If I had to indicate an actor, without making a distinction between Catholic and non-Catholic organisations, I must say that the religious world in general has played a fundamental role, even the Pope himself. The first visit of the Pope was to Lampedusa, this symbolism is important.”

Summary

Italy has developed one of the most inclusive models of migrant access to healthcare. Inter alia, also the irregular migrants are eligible to receive urgent or essential outpatient and hospital treatment in public facilities. Moreover, the National and the civil society organizations provide specialised to support migrants with mental problems. At the same time, the right to health can find some practical or bureaucratic obstacles. In particular, medical personnel usually only speak Italian and the language barrier as well as the lack of cultural mediators can hinder mutual understanding between patient and health care worker.

6. Citizenship, belonging and civic participation

This section provides information about the Italian citizenship policy and the proposals to modify it. Furthermore, it analyses migrants access to rights with particular attention to the access to welfare, to the right to vote and to civic participation.

6.1. Access to naturalisation and citizenship

In 1992, the Parliament approved a new Citizenship Law (Law No. 91/92), mainly based on the *jus sanguinis* criterion, according to which the Italian citizenship is automatically attributed only to Italian citizens' descendants.⁵¹ Italian citizenship can be granted, on request, to an adult foreign national who was adopted by an Italian citizen and has legally resided in the territory of the Republic for at least five years since the adoption; to a foreign national who has served, even abroad, as a State employee for at least five years; to a citizen of a Member State of the European Union if he/she has legally resided in the territory of the Republic for at least four years; and, finally, to a stateless person who has legally resided in the territory of the Republic for at least five years. In order to apply for citizenship non-EU migrants must demonstrate continuous and uninterrupted residency of ten years (reduced to five for beneficiaries of international protection), while second-generation migrants have to demonstrate uninterrupted residency from birth to the age of 18 years in order to apply for naturalisation upon turning eighteen.

Law No 132 of 1 December 2018, stemming from the so-called Salvini Decree, added knowledge of the Italian language as a requirement for applicants for Italian citizenship whose request is based on residency in the national territory. As emerges from the nature of these requirements, the acquisition of Italian citizenship is still seen as a symbol of successful integration; it is not, however, an instrument for achieving inclusion.

Finally, spouses of Italian citizens can apply for naturalisation after two years of cohabitation and residency in Italy or after three years if the couple resides abroad (in both cases the required period is halved if children are born to or adopted by the spouses). It is worth noting that even when these requirements are fulfilled, citizenship is not automatically granted, as it rests on a discretionary decision of the Ministry of the Interior.

The acquisition of Italian citizenship is precluded in the following cases: a) a conviction for crimes against the public administration; b) a conviction for an offence committed with criminal intent, for which the law expressly envisages a penalty of no less than a maximum of three years of imprisonment; or imposition of a penalty of more than one year of imprisonment for a non-political offence, where the sentence has been recognised in Italy; c) the existence, in the specific case, of proven reasons relating to the security of the Republic.

These preclusions cease to have effect once rehabilitation has taken place. If a criminal action has been brought for one of the aforementioned crimes, the acquisition of citizenship is suspended until the communication of the final judgment and for as long as the procedure for the recognition of the foreign judgment is pending.

⁵¹ See Grosso, 1997; Costa, 2005; Fabbrini, 2013.

The Citizenship Law has been vividly debated in the past few years. At the heart of the discussion are the long, complex bureaucratic process of naturalisation, the extremely restrictive requirements and the wide margin of administrative discretion, often resulting in negative decisions. Against this background, pro-immigrant associations have promoted the “l’Italia sono anche io” (“I am Italy too”) campaign, aimed at obtaining recognition of Italian citizenship for children born in Italy to foreign parents who are regularly present in the country and a new rule that recognises the right of foreign workers who have been in Italy for at least five years to vote in local elections.

6.2. Prospects for reform

A wider debate over the proposal of reforming Law No. 91/1992 took place under the past legislature. At the beginning of the legislature, 25 bills amending the citizenship law were introduced in Parliament. During the Parliamentary discussion, the scope of the discussion was limited to the cases of acquisition of citizenship by minors born or educated in Italy.

A bill was finally approved by the Chamber of Deputies on 13 October 2015, and then sent to the Senate where, however, examination of the bill was not brought to completion due to the dissolution of Parliament. The bill, according to the *ius soli* criterion, provided for the granting of Italian citizenship to children born in the territory of the Republic to foreign parents, at least one of whom holds a permanent residence permit or an EU long-term residence permit.

This provision was inspired by German citizenship law. In the Federal Republic of Germany, since the reform which entered into force on 1 January 2000, citizenship has been granted to children born on German soil when at least one of the foreign parents has been habitually and legally residing in the country for at least eight years and has the right to stay in Germany indefinitely.

Furthermore, in full accordance with the German model, the acquisition of Italian citizenship would become possible within two years after reaching the age of majority, if a citizenship application was not previously submitted.

The bill approved by the Chamber of Deputies identified another case in which it would be possible to acquire Italian citizenship. Indeed, under the provisions of the bill Italian citizenship would be granted to foreign minors born in Italy or who entered Italy by the age of twelve and, according to current legislation, have regularly attended, in the national territory, for at least five years, one or more cycles at institutions belonging to the national education system or three-year or four-year vocational and training courses entitling them to obtain a professional qualification. This provision was based upon *ius culturae*, i.e. particular relevance was attributed to the attendance of educational and vocational courses.

It is not rare for relevance to be attributed to the completion of a cycle of studies for the purpose of obtaining citizenship. In particular, in the French legal system, the period of residency required for naturalisation of an adult foreign national is reduced to two years in the event that the applicant proves to have completed two years of study at a French university. In addition, sufficient knowledge of the national language and assimilation into the French community must be demonstrated.

Similarly, in Germany, special importance is attributed to the attendance and successful completion of integration courses, as well as to the passing of a language test that certifies

knowledge of the German language. Moreover, since 2008 the passing of a test on the German legal system has been included among the necessary requirements for obtaining citizenship.

Therefore, it is possible to affirm that the national legislator has the discretion to attribute particular relevance to the attendance or passing of educational cycles in order to obtain citizenship.

Finally, the bill identified another case in which the attendance or passing of educational cycles was to be considered relevant: Italian citizenship would be granted to foreign nationals who entered the country before reaching the legal adulthood, but after the twelfth year of age, who have resided in Italy for at least six years and who have attended a full school cycle or a three-year or four-year vocational and training course.

As previously said, though this bill was finally approved by the Chamber of Deputies on 13 October 2015, its examination in the Senate was interrupted due to the dissolution of Parliament.

Nonetheless, this did not mean the end of the discussion over the reform of the rules concerning citizenship.

Today there are three different bills on citizenship under discussion by the Constitutional Affairs Commission of the Chamber of Deputies. The legislative proposal A.C. no. 105 of 23 March 2018 was advanced by Ms Boldrini, who was a deputy of the left party "Liberi e Uguali" at the time of the proposal. This proposal aims to reform Law no. 91/1992 by introducing broad recognition of Italian citizenship based upon the *ius soli* principle. In particular, Article 1 of this proposal states that Italian citizenship should be granted to children born in Italy, subject to the requirement that one of the parents must have been domiciled in the national territory for at least one year, regardless of whether he/she has formal residency status. This legislative proposal automatically attributes Italian citizenship to children born in Italy to a second-generation immigrant parent, without establishing any additional requirement. The automatic recognition of Italian citizenship is based upon the existence of a deep relationship with the Italian territory.

Article 2 of legislative proposal A.C. no. 105 states the possibility of granting Italian citizenship, at the parents' request, to a minor who has attended a primary and/or secondary school or a vocational or training course.

Furthermore, Article 3 of the aforementioned proposal would amend the rules concerning the acquisition of Italian citizenship through marriage to an Italian citizen, by restoring the requirement of six months of residence after the marriage takes place as a naturalisation eligibility requirement. The legislative proposal under consideration would also amend the procedure for applying for Italian citizenship by revoking, *inter alia*, the provision, introduced in 2009, that establishes the payment of a contribution of 200 euros for citizenship applications.

The legislative proposal just examined has been accompanied by other two legislative proposals. Specifically, legislative proposal no. 717 presented by Ms Polverini, a deputy of the right party "Forza Italia", envisages the acquisition of Italian citizenship by foreigners who were born in the Italian territory as a "right tending to expansion", fully feasible when conditions occur which confirm the existence of effective social and cultural integration into the national community.

Legislative proposal no. 717 mainly focuses on the acquisition of Italian citizenship based on the *ius culturae* criterion. In this regard, the proposal provides that a foreign minor born in the Italian territory can become an Italian citizen if he/she has resided legally in Italy, without interruption, until completing primary school.

In the case of a minor, the application must be made by those who exercise parental responsibility according to the law of the country of origin. However, if the parents fail to do so, the application can be made by the interested party him/herself upon reaching the legal age of adulthood or subsequently. This right to request citizenship would not repeal the current rule whereby a foreign national who was born in Italy and has resided there legally without interruption until reaching the age of majority may become a citizen by submitting a declaration for this purpose within one year after reaching adulthood.

The legislative proposal under consideration introduces a third naturalisation eligibility criterion: if a foreigner who was born in Italy does not meet the requirements of uninterrupted residence and completion of primary school, he/she may become an Italian citizen after passing an exam that verifies his/her knowledge of the Italian culture and language, as well as the principles and fundamental rules of the Italian legal system. The residency requirement is limited, in this case, to the three years preceding the date of submission of the application for admission to the exam.

Finally, the Constitutional Affairs Commission is examining legislative proposal A.C. no. 920, presented by Mr Orfini, a deputy of the centre-left party “Partito Democratico”. This last proposal takes up the unified text approved by the Chamber of Deputies on 13 October 2015 (Senate Act No. 2092, XVII legislature).

Articles 1(1)(a) and (b) of this legislative proposal provides for the extension of the right to acquire Italian citizenship by birth in the case of children born in our country to foreign parents, at least one of whom has been legally residing in Italy, without interruption, for at least five years or is in possession of a long-term residence permit. Citizenship is acquired through a declaration of intention expressed by a parent to the registrar of the municipality where the minor resides.

Furthermore, Article 1(1)(d) introduces the possibility of acquiring Italian citizenship in the case of foreign minors who were born in Italy or arrived there before reaching twelve years of age and have attended a regular training course of at least five years held in the national territory and consisting of one or more cycles at institutions belonging to the national education system, or three-year or four-year vocational and training courses entitling them to obtain a professional qualification.

If a foreign minor has attended primary school, successful completion thereof is necessary in order to acquire the citizenship.

Finally, in Article 1(1)(e), the legislative proposal envisages a further case: Italian citizenship may be granted to foreign nationals who have entered the national territory before reaching the legal age of adulthood, have been legally residing in Italy at least for six years and have regularly attended and successfully completed an educational cycle at a school belonging to the national education system or a vocational and training course with the attainment of a professional qualification.

6.3. Access to rights

According to Article 3 of the Constitution, all citizens have equal social status and are equal before the law, without regard to their sex, race, language, religion, political opinions, and personal or social conditions.

Although Article 3 makes reference to citizens only, the Constitutional Court has ruled that, when the respect of fundamental rights is at stake, the principle of equality also applies to foreign nationals. The Court's reasoning is based on more than a simple parity between citizens and foreigners. Hence, the different legal status of foreign nationals may justify a different treatment under the law (Decision No. 104/1969) insofar as matters of security, public health, public order, international treaties and national policy on migration (decision no. 62/1994) are concerned, but not when it comes to the protection of inviolable rights (Decision No. 249/2010), since such rights belong "to individuals not as members of a political community but as human beings as such".

With the judgment No. 245/2011, the Constitutional Court declared the unconstitutionality of Article 116(1) of the Civil Code, as described in Article 1(15) of Law No. 94 of 15 July 2009 (Provisions relating to public safety), which established that, in order to contract marriage, foreign nationals had to present a document certifying the regularity of their stay in the Italian territory. In actual fact, a foreigner can contract marriage whatever its legal status.

Following the same reasoning, well-established case law of the Constitutional Court maintains that foreigners are entitled to social rights, such as the right to health and healthcare services (Decision No. 269/2010) and to "essential social benefits", such as invalidity benefits in cases of impaired mobility, blindness and deafness. In particular, the Court clarified that specific social benefits which constitute "a remedy serving to satisfy the primary needs for the protection of the human person" must be considered "fundamental rights because they represent a guarantee for the person's survival" (Decision No. 252/2001).

One the subject of health services, reference may be made to paragraph 5. Suffice it to say that foreign citizens who reside in Italy and who are working there have the right to enroll in the country's healthcare services regardless of citizenship. They are, in fact, obliged to register with the National Health Service, under conditions of equal treatment, and with the same rights and duties as Italian citizens. In cases where a foreign national is not registered with the National Health Service, healthcare will however be provided for a fee or on the basis of an insurance.

Foreign nationals without a residence permit are entitled to receive urgent or essential medical treatment in public and private accredited facilities for diseases and accidents and also have the right to be included in preventive medicine programmes designed to protect individual and collective health.

Finally, the Constitutional Court has established a ban on the expulsion of foreign nationals illegally present in Italy who need urgent care. Therefore, judges have the duty of verifying the existence of any health conditions before ordering an expulsion (Decision No. 252/2001).

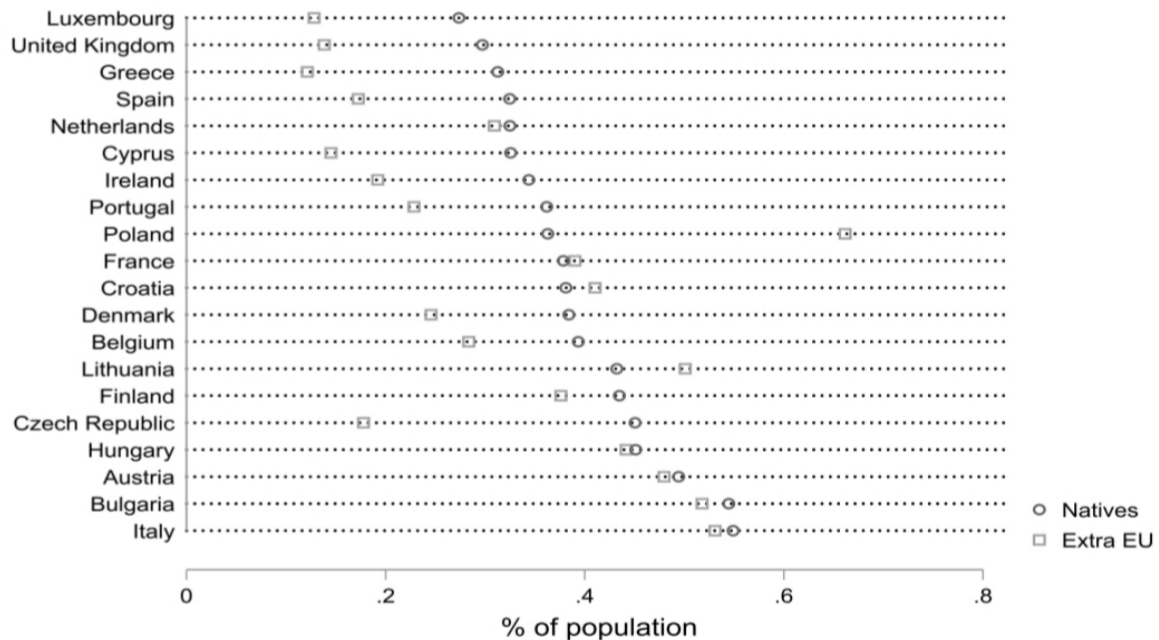
6.4. Comparative analysis on access to welfare

After describing the national legal framework concerning the recognised rights of migrants, it may be interesting to focus - in a comparative perspective - on data related to access to social benefits.

Figure 5 and 6 show a graphic representation of the data provided by the European Commission in 2019 concerning migrants' access to welfare in the period 2014-2016 in 20 states of the

European Union.⁵² These data have been computed considering the following nine types of contributory or non-contributory benefits recorded: family/children related allowances, social exclusion, housing allowances, unemployment benefits, sickness benefits, survivor and disability benefits, education-related allowances, and old-age benefits.

Figure 5. Access to contributory benefits for natives and non-EU migrants



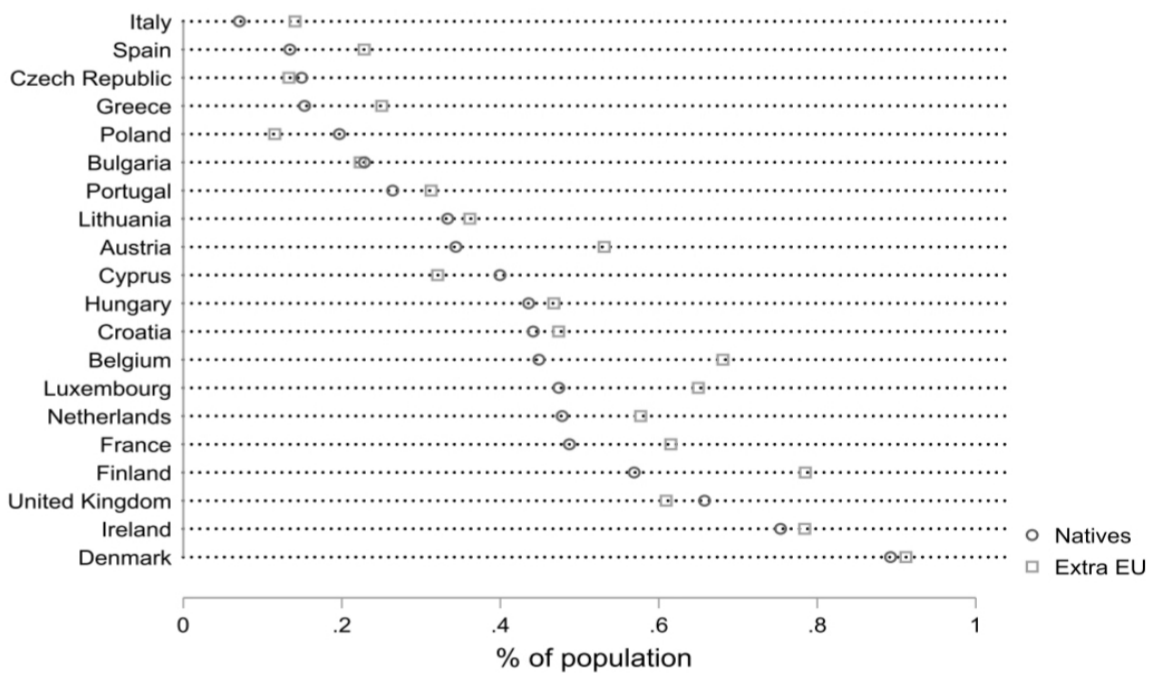
Source: EC, Migrants and Welfare Dependency: Evidence from the EU, 2019

Figure 6 shows the percentage of natives and non-EU migrants enjoying some form of contributory benefits in the individual countries. It is worth specifying that the right of access to contributory social benefits is related to the previous payments of taxes and the amount given should be related to what has been previously paid.

If we examine figure 5, we can see that in the majority of countries considered, the percentage of non-EU migrants enjoying a contributory benefit is lower than that of natives. Only in Poland, Lithuania, Croatia, and France does the opposite occur, while in the Netherlands, France, Austria, Hungary, Bulgaria and Italy the levels of contributory social benefits for nationals and migrants are almost identical. It is also worth noting that in several countries the difference is significant: for example, in the Czech Republic, around 50% of the native population receives some form of contributory benefit, while less than 20% of the immigrant population does.

⁵² European Commission, Migrants and Welfare Dependency: Evidence from the EU, 2019.

Figure 6. Access to non-contributory benefits for natives and non-EU migrants



Source: EC, Migrants and Welfare Dependency: Evidence from the EU, 2019

Figure 6 shows the percentages of non-EU migrants and natives benefiting from non-contributory benefits in each country. Unlike in the case of the contributory benefits previously examined, the percentage of migrants assisted under these schemes is higher in most cases, with a few exceptions, namely Poland, Cyprus, UK, Czech Republic and Bulgaria.

By examining the data related to the Italian situation, we may note first of all that access to contributory social benefits is granted almost equally to citizens and non-EU migrants. This aspect constitutes a significant difference if we compare the Italian data with those concerning Luxembourg, the UK, Greece, Cyprus, Ireland, Portugal, Denmark and the Czech Republic.

As for non-contributory social benefits, it is possible to note that such benefits are granted to non-UE migrants to a larger degree than to nationals. Despite this, in France, Luxembourg and Belgium the difference between non-contributory social benefits granted to nationals and those provided to non-EU migrants is higher than in Italy.

6.5. Right to education

As for educational services, foreign minors present on the Italian territory are subject to compulsory schooling, free of charge, and all the provisions in force regarding the right to education, access to educational services and participation in the life of the school community apply to them (art. 38 of the Consolidated Law on Immigration) regardless of whether they have legal residence status (see paragraph 3.2). Furthermore, compulsory school enrolment applies even if the minor's parents are irregularly present on Italian territory or if the latter present, for the purpose of enrolment in Italian schools, the personal documentation of the minor requested

by the school in incomplete form or not at all. In this case, the minor is registered with reservation. Consequently, a child's right to study is not affected by the possibility that his/her parents are irregularly present in Italy and, after enrolling the child in school, may incur the penalty of expulsion or face charges. The minor's position is therefore independent from that of family members who may be irregularly present in Italy and nothing precludes the exercise of the right of access to education of all types and at every level.

The general legislation on the right-duty to education provides for the compulsory education up to 16 years, with the achievement of a secondary school qualification or a professional qualification after following a course lasting at least three years. Upon reaching the age of 16, undocumented children need not abandon their studies; they can continue until obtaining the relevant qualification. In this regard, the Council of State has specified that even after reaching 18 years of age, a foreign national will still have possibility of completing his or her studies, since denying this possibility would be unreasonable (Decision No. 1734/2014).

In order to ensure effective social inclusion, the distribution of foreign students in classes must avoid a predominant presence of foreign students, who may represent at most 30% of the total students in the class. An exception can be made to this limit, as provided for in a circular from the Ministry of Education, University and Research (MIUR): when foreign students have already mastered the Italian language (for example foreigners born in Italy or who have started their schooling in Italian schools); when dealing with foreigners without adequate knowledge of Italian who need specific assistance; for reasons of learning continuity; or in the absence of alternatives (see, Ministry of Education, University and Research, Circular No. 2 of 8 January 2010).

6.6. Right to vote

Under Article 48 of the Italian Constitution, all citizens, men and women alike, who have reached the legal age, are entitled to the right to vote. Citizenship represents an essential requirement in order to enjoy the right to vote, due to the fact that it expresses a sort of belonging to the state.⁵³

By identifying those who may be citizens, the state makes a first choice in relation to the sphere of political participation. However, given the increasing rate of immigration, one might wonder whether it is appropriate to continue to use citizenship as the criterion for defining the spheres of political exclusion and inclusion.

Those who believe that the right to vote and, more generally, the rights to political participation should also be granted to foreigners, point out that such recognition would be a source of further integration and interest in the life of the state in which the individual resides.⁵⁴ Furthermore, advocates of the participation of foreigners in the political life of the state believe that the right to choose rulers and select their policies should be given to foreigners, considering that they hold certain obligations, such as public obedience and the payment of taxes.⁵⁵

In response to such arguments, a number of scholars have replied that in order to achieve a greater political inclusion of foreigners, it would be sufficient to set up mere advisory councils. Others argue that the progressive inclusion of foreigners could be achieved by simplifying the

⁵³ See Frosini, 2011; Grosso, 2001; Algostino, 2006.

⁵⁴ See Habermas, 1992.

⁵⁵ See Grosso, 2001; Algostino, 2006.

naturalisation process.⁵⁶ The latter proposal seems to be a compromise solution, considering that it is still based upon the traditional perspective that connects the ownership of political rights to citizenship.

With regard to this argument, it should also be considered that the legislation of many countries provides for the automatic loss of citizenship in the event that a person becomes a naturalised citizen of another country. However, the most difficult aspect to be overcome in recognising the right to vote to foreigners has remained the one linked to popular sovereignty.

In opposition to the traditional attribution of active and passive electoral rights exclusively to citizens, it has recently been proposed to extend voting rights to foreigners in the context of municipal elections. The recognition of such rights could be based on the consideration that municipal elections are not an expression of national sovereignty, since they affect only the local communities of reference. For this reason, the political participation of foreigners at the local level would not break the link between sovereignty and the citizens.

In any case, it continues to be an option put in the hands of the legislature. The only issue in relation to which there is a certain degree of uniformity is the participation of European citizens in municipal elections and European elections in a Member State of which they do not have citizenship, but where they are residents.

6.7. Quantitative data on the number of foreigners undergoing the process of naturalisation

According to data published by the Ministry of the Interior, in 2017 the foreign communities – including citizens coming from EU member States – accounting for the highest number of successful citizenship application procedures were: Albania (13.083), Morocco (8.977), Romania (4.285), India (3.016), Moldova (2.320), Ukraine (2.041), Pakistan (2.037), Ecuador (1.884), Peru (1.731) and Macedonia (1.709).⁵⁷

If we consider the period between 2011 and 2017, we see that the highest number of foreigners that have acquired Italian citizenship originate from European states. Nevertheless, it seems worth noting that in the same period foreigners of African origin who acquired Italian citizenship more than doubled (from 7.136 in 2011 to 16.683 in 2017, with peaks of 32,956 new Italian citizens of African origin in 2016 and 33.219 in 2017).

Furthermore, if we analyse the total number of applicants who obtained Italian citizenship between 2011 and 2017, we can note that in 2015 and 2016 there was a peak in successful application procedures: in 2015 Italian citizenship was granted to 122.196 applicants, while in 2016 Italian citizenship was granted to 120.147 applicants.

It is interesting to note that these peaks correspond to a considerable increase in the granting of Italian citizenship to applicants coming from non-EU countries that are part of the European continent: in 2015 the Italian citizenship was granted to 39.749 applicants originating from non-

⁵⁶ See Grosso, 2001.

⁵⁷ Ministry of the Interior, *Acquisition, granting and denial of Italian citizenship in accordance with the combined provisions of Arts. 5 and 7, as well as Art. 9 of Law No. 91/1992*, 2018.

EU countries situated in the European continent. In 2016, the naturalisation of immigrants coming from these countries remained stable (39.050).

Table 10. Concessions of the Italian citizenship between 2011 and 2017 – Continent of origin

Continent of origin /Year	2011	2012	2013	2014	2015	2016	2017
EU member states	2.221	4.175	5.631	8.131	16.573	11.690	5.658
Non-EU countries	5.655	13.225	17.422	23.693	39.749	39.050	22.544
EUROPE	7.876	17.400	23.053	31.824	56.322	50.740	28.202
AFRICA	7.136	15.057	22.790	29.323	32.956	33.219	16.683
Middle East	487	1.006	1.246	1.545	1.781	1.656	880
Central Asia	1.355	3.661	6.536	8.438	10.899	13.906	6.575
Far East	556	1.149	1.430	2.145	3.483	2.571	1.159
ASIA	2.398	5.816	9.212	12.128	16.163	18.133	8.614
Northern America	223	538	752	792	711	758	243
Central America	850	1.847	1.975	2.217	2.707	2.562	1.576
Southern America	2.681	6.012	7.744	9.106	13.192	14.545	7.070
AMERICA	3.754	8.397	10.471	12.115	16.610	17.865	8.889
OCEANIA	37	96	138	124	131	175	116
Stateless	5	10	14	12	14	15	3
TOTAL	21.206	46.776	65.678	85.526	122.196	120.147	62.507

Source: Adapted from Ministry of the Interior, Acquisition, granting and denial of Italian citizenship in accordance with the combined provisions of Arts. 5 and 7, as well as Art. 9 of Law No. 91/1992, 2018.

Breaking down the age of the individuals applying for citizenship, the majority appear to be aged between 40-60 years, while only a small number of requests come from individuals over 65.

As regards the gender of the applicants who were granted Italian citizenship between 2011 and 2017, it is possible to note a balance between men and women, unlike in the previous period 2006-2010, in which Italian citizenship was granted prevalently to women.

Table 11. Number of foreign nationals granted Italian citizenship between 2011 and 2017 – Breakdown by gender

	2006	2007	2008	2009	2010	2011	2012
Men	10.256	11.153	14.445	18.521	16.539	9.502	19.611
Women	25.510	27.313	25.039	21.563	23.684	11.704	27.165

	2013	2014	2015	2016	2017
Men	30.890	42.576	58.679	59.551	27.199
Women	34.788	42.950	63.517	60.596	35.308

Source: Adapted from Ministry of the Interior, Acquisition, granting and denial of Italian citizenship in accordance with the combined provisions of Arts. 5 and 7, as well as Art. 9 of Law No. 91/1992, 2018.

In 2017, 66.48% of citizenship applications were based upon residency, while the remaining 33.52% were based on marital status. Breaking down the requests based upon marital status, 82.75% of the successful applicants were women.

Figure 7. Assumptions behind citizenship applications in 2017

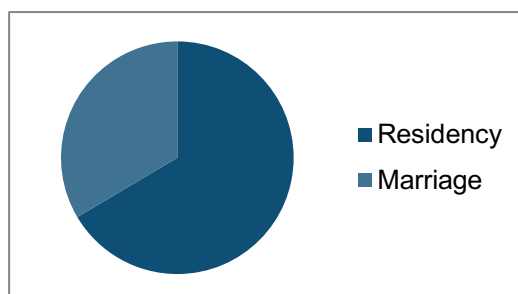
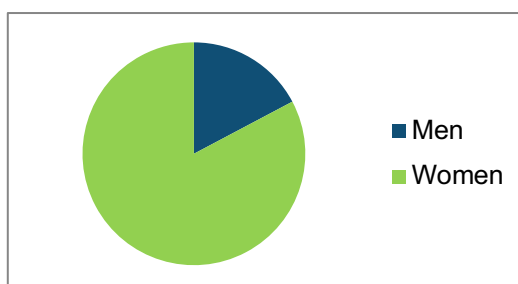


Figure 8. Successful citizenship applications based upon marital status in 2017 – Breakdown by gender



As for territorial distribution, in 2017 the regions where the greatest number of naturalisations were recorded were in the North, probably due to the greater job opportunities. The breakdown

is as follows: Lombardy (15.820), Veneto (8.221) Emilia Romagna (7.685) and Piedmont (4.920). The Regions that recorded the smallest number of naturalisations were Molise (106), Basilicata (135), Valle d'Aosta (272) and Sardinia (276).

In 2017, the provinces with the most naturalisations, listed in order by number of successful applications, were: Milan (5.430), Brescia (3.309), Rome (3.207), Turin (2.064), Treviso (1.793), Vicenza (1.789), Bergamo (1.775), Modena (1.621), Padua (1.447), Verona (1.443), Florence (1.432), Bologna (1.367), Reggio Emilia (1.275) and Venice (1.238).

6.8. Civic participation

In respect of civic participation and integration, the activities carried out by NGOs are particularly important. Italian NGOs principally work in the field of reception, legal advice and language courses. For example, MELI no. 2 describes the work of the association “Anelli mancanti” as focused on integration, reception and the offering of legal services on which migrants can rely.

The role played by religious institutions and associations in the provision of first aid to migrants is significant. Indeed, as is affirmed in MELI no. 5 “Humanitarian corridors from Libya, an innovative and original approach tested by Italy for the first time in November 2017, have been organised through cooperation with the Ministry of the Interior, but are basically managed by religious organisations such as the Community of Sant'Egidio and the Waldensian church.” The role of Caritas in providing food and accommodation to homeless migrants is also significant. Migrants are actively involved in the work of NGOs. In particular, the interviews highlighted the participation of migrants in volunteer activities.

Migrants' desire to integrate into Italian society is demonstrated by their attendance of Italian language courses, primary and secondary schools and vocational training course (MLIs nos. 1, 7, 8, 9, 10, 13, 16, 19, 20, 24, 26, 27, 29). Knowledge of the language is seen as the principal vehicle of integration and the best way to find a job. Only a limited number of migrants declared in the interviews that they had no interest in developing close relations with Italians due to the fact that they seemed to be mainly focused on finding a job (MLIs nos. 5).

According to MELI no. 2, migrants' associations do not play a particularly incisive role in the national territory. An exception is the association “Young Italian Muslims”, whose objective is to raise awareness about the presence of young second-generation Muslims in Italy.

The Italian experience differs from the experiences of other European countries – in which migrants' associations play an important role – especially in terms of political participation. Indeed, it is possible to affirm that in Italy the political participation of foreign nationals – understood as the possibility of taking part in political decision-making in a direct or indirect way – is inconsistent.

As stated in MELI no. 8, “compared to other European countries, we are quite far behind: we try to involve migrants in the decisions that are made, but these decisions are taken by others without prior consultation, so there is a strong issue of representation that today is yet to be addressed.”

Indeed, as was pointed out in paragraph 6.6, foreign nationals have neither the right to vote nor the right to be elected. The lack of political participation of foreigners has always been a problematic issue in the Italian context: even when Councils of Migrants existed, it proved difficult for the representatives to involve members of the community. See MELI no. 4, in which a representative of an NGO affirms: “There used to be consultations of immigrants and the

natural interlocutor was the community. There was an educated person appointed to speak for each community. In reality, he represented himself and became the sole person whom the administration consulted, and with whom you engaged in dialogue trying to involve the community. This was not true in all communities: the ability of the Chinese honorary consul to involve members of the Chinese community in Prato is certainly not comparable in terms of participation to the capacity of the representative of the Senegalese community in Florence, which, however, has a certain role and impact.”

At present, the political participation of migrants takes place only through associations that work in the field of migration (MELIs nos. 4, 6, 8). See, MELI no. 4, which states as follows: “now the target of consultation is no longer the community of foreigners, even if it serves as a reference for asylum seekers (but not for the local authority). Those consulted are the associations that deal with them.”

The strengthening of migrants’ associations is a strategy that could be undertaken to increase the political participation of migrants and bring the Italian system into line with that of other European countries.

Other difficulties in the integration process are determined by the strong psychological pressures to which migrants are subject, considering that they need to earn income rapidly enough to repay the debts they have contracted in order to reach the European coasts.

On this aspect, see MELI no. 14, where a worker in the reception field affirms: “there are those who left the village with the money of the whole village. The members of the village usually say “go to Italy, work and then send the money back.” This is a strong commitment. Migrants have a goal that they consider only partially achieved upon their arrival in Europe, therefore they try to obtain a job immediately. They don’t care about the system of access, they are not interested in understanding rights and everything here... they work for themselves. There are very strong pressures upon migrants and this creates significant imbalances in people’s mental and physical well-being. There are burdensome situations, pressures linked to the country of origin.”

This need is difficult to satisfy considering that the lack of the required documents makes it difficult to find a job (MLIs nos. 3, 8, 10, 13, 16, 20).

6.9. Vulnerability

The situations of vulnerability make the integration process more difficult.

The basic concept is that all economic migrants experience a situation of vulnerability, given that without knowing the Italian language they encounter difficulties in finding a job or in gaining access to the housing market.

In MELI no. 2 a representative of an NGO states as follows: “I would say that all the economic migrants who are here (in Italy) are vulnerable, even in their daily lives. If they turn to an employment centre, they do not understand what to do, they do not know where to sleep and have difficulties in obtaining access to the Florentine real estate market.”

Without any doubt, women and children are the most vulnerable subjects. Women, in particular, are frequently seen by their community only as mothers, so they cannot take part in Italian language classes or sports activities (MELIs nos. 2, 7).

As explained in MELI no. 2: “women come from a culture in which they have never worked and are not expected to work, and therefore they do not have an opportunity to support themselves.

As regards knowledge of the language, many women do not come to Italian school because in their family they are seen as mothers and they are not expected to learn the language or perform other functions.”

In many cases, there is a problem of psychological vulnerability, particularly in the case of victims of human-trafficking and prostitution, which makes integration more difficult due to the intense trauma they have suffered (MELIs nos. 3, 11, 13).

According to MELI no. 11, “the vulnerable individuals are minors, people who have been tortured in their countries and in Libya, women who come to Italy deliberately to engage in prostitution, either because forced to or perhaps to pay debts incurred by the family for the trip itself. Men also contract debts with various family members in order to pay for the trip. As soon as they arrive they immediately need to find this money, so as not to have to endure the harassment of the families left behind in their country.”

Additional funding and adequate support should be provided to these vulnerable subjects to enable them to cope with these situations.

Summary

The Italian Citizenship Law is mainly based upon the jus sanguinis criterion, according to which the Italian citizenship is automatically attributed only to Italian citizen descendants. Conversely, in order to apply for citizenship non-EU migrants must demonstrate continuous and uninterrupted residency of ten years, reduced to five for beneficiaries of international protection. Numerous proposals have been presented to reform this discipline, but till now no one has been approved. Though the different legal status of foreign national may justify a different treatment under the law, in matters of fundamental rights foreign nationals have the same rights as citizens. So foreigners are entitled to social rights, such as the right to health and education, but they are not entitled to vote.

7. Conclusions and recommendations

This section highlights the most important findings of the research, identifies the main best practices and cross-sectoral priorities, offers some policy recommendations for each thematic field

The analysis of integration policies cannot be isolated from the historical, geographical and economic context which characterises a specific case study.

With regard to the Italian case, some peculiar factors related to the context can help to explain the considerable delay of the Italian authorities in developing a model of integration and a consistent strategy of integration.

First of all, Italy is a country of recent immigration and only in the last 20 years has it approached the average of other OECD countries in terms of entry flows and number of foreign-born residents (*supra* 1.1.). Therefore, given its long tradition as a country of emigrants, Italy has been culturally less well equipped to face the challenges of a multicultural society.⁵⁸

The second factor is the geographical position of the country, which impedes an efficient control of the borders. For this reason, Italian policy makers have above all incentivised the exit of foreign nationals (and containment of the arrivals) rather than investing in an effective integration of the migrants.⁵⁹

In recent years, the negative trend in the economic cycle has further intensified the polarisation between anti-integration and pro-integration narratives. Therefore, this new political environment has discouraged a change of paradigm by hindering the development of a coherent vision and clear policy planning.

Despite these difficulties, some integration measures have been developed thanks to cooperation among policy-makers, public and private institutions and other stakeholders. For example, the SPRAR-SIPROIMI system has been considered as a best practice in the development of processes of integration already in the migrant reception phase.⁶⁰ Indeed, this second line of reception also provides a wider range of services which impact the integration of asylum seekers and political refugees: cultural mediation, teaching of the Italian language, internship programmes, etc. Unfortunately, Decree Law No. 113/2018 (the so called “Salvini Decree”) drastically separated the reception paths for beneficiaries of protection from those adopted for asylum seekers, precluding access of the latter to the SPRAR-SIPROIMI system.

Against this backdrop, this report has recommendations concerning the five thematic areas discussed:

- **Labour market:** the Italian authorities have never aligned the quota of work permits to the actual needs of the Italian labour market. This has given rise to problems in terms of the quality of jobs and (legal) inclusion in the labour market itself. From this point of view, a priority could be given to issuing – as established by Article 3 of the Consolidated Act on Immigration – a three-year programmatic document outlining the national policy on

⁵⁸ See Corsi, 2018.

⁵⁹ See Cerrina Feroni & Federico, 2018.

⁶⁰ See Ibrido & Terlizzi, 2019.

immigration (Ibrido & Maggini, 2019). Moreover, with specific regard to migrant entrepreneurship, further policy recommendations have been developed by the OECD with the aim of assessing and building up the human capital of migrants (*supra* 2.3).

- **Education:** in recent years, the Italian school system has played a fundamental role in promoting and preserving social cohesion in the presence of large migration flows. At the same time, many linguistic and social barriers still prevent students with a migration background from achieving the same outcomes as native students. As a recent study suggested, enhancing teacher training programmes and promoting a closer involvement of migrant families in the school community can foster a positive learning environment. Moreover, it is necessary to raise awareness among migrant families of the importance of kindergarten in terms of integration (OECD, 2018). The schooling of children can also serve as a tool for the integration of mothers who are more vulnerable, for example through the organisation of special programmes for pupils' parents.
- **Psychosocial health:** Italy has developed one of the most inclusive models of migrant access to healthcare. However, the concrete exercise of the right to health is hindered by some practical obstacles, tied especially to the language barriers between patients and healthcare workers. From this point of view, the Italian policy maker should strengthen the role of cultural mediators within the National Health System.
- **Housing:** the Italian system of accommodation during the asylum procedure is highly fragmented. Therefore, a recommendation should be made to introduce an organic plan for the distribution of migrants among regions and to ensure an adequate standard of reception in first aid centres. In particular, it would be advisable to introduce extensive monitoring of reception centres, to be entrusted to a third party. Furthermore, the partnership between public and private actors in the reception of migrants should be encouraged, along with the development of so-called “widespread hospitality”, a model in which small accommodation centres and families provide hospitality to migrants.
- **Citizenship and civic participation:** with regard to citizenship, it is possible to suggest the adoption of a comprehensive reform of Law no. 91/1992. The reform process could take into account the comparative legal framework in respect of citizenship in the European area; for example the *ius culturae* criterion, that attributes a particular relevance to the attendance of educational and vocational courses, is broadly applied in Germany and in France. Such an approach tends to enhance knowledge of the national culture. As for civic participation, the strengthening of migrants' associations is a strategy that could be undertaken to encourage the political participation of migrants and to bring the Italian system in line with that of other European countries. Moreover, the legislator should adopt specific measures to address the difficulties in the integration process which are related to cultural aspects, for example the role of women in society.

At the same time, the present report aims to identify some **cross-sectoral priorities**. From this point of view, Italy needs to reorganise its legal and policy instruments, as well as developing tools for a systemic evaluation of public integration policies. The lack of such tools has also been noted at EU level.⁶¹

⁶¹ See the European website on integration: <https://ec.europa.eu/migrant-integration/governance/italy>

A national comprehensive legislative act on integration – such as exists in other European countries (e.g. Germany) – is still lacking in Italy. From this point of view, the adoption of a **code concerning integration** could be a potential way to overcome the traditional emergency and securitarian logic, as well as strengthening the role of Parliament in the governance of integration processes. At the same time, this recast and “re-legislation” of the overall subject matter through a code on integration could reduce the fragmentation and uncertainty of the legal framework, ensuring the comprehensibility and transparency of the norms.

Within this reorganisation of the legal and policy instruments, the Italian authorities – also in light of some foreign models – could introduce a **Strategic Plan concerning integration and citizenship**. As suggested, the plan should be approved by the government after a wide consultation of sub-national authorities and stakeholders.⁶² In 2017, the National Coordination Board of the Ministry of the Interior – as envisaged by Legislative Decree 18/2014 – adopted a national plan for integration of the beneficiaries of international protection. However, this document concerns only a specific category of migrants and its implementation is currently limited to some pilot actions carried out in 3 regions (Calabria, Emilia-Romagna, and Piedmont). By contrast, a strategic plan on integration and citizenship should lay out a comprehensive approach to all public integration policies, as well as providing for new financial resources to support the actions identified by the plan (and therefore to ensure the effectiveness of these measures).

⁶² About this tool, see Petrovic, 2018.

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