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BENEFICIARIES OF INTERNATIONAL PROTECTION AND INTEGRATION IN ITALY

REGULATIONS, POLICIES,
DATA AND CHALLENGES



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Introduction

Since 2015, the European project "The National Integration Evaluation Mechanism (NIEM)", co-financed by the European Commission through the Asylum, Migration and Integration Fund (FAMI), the Open Society Foundation and the Visegrad Fund (with regard to the project on Visegrad countries), has been supporting key actors operating on the ground in several member countries¹ to promote the integration of beneficiaries of international protection. The driver that led to the birth of this project is the awareness of having a moral obligation towards those fleeing from situations of war and personal danger and the need to offer them a safe context where they can settle down.

The methodology is twofold since it provides, on the one hand, a detailed analysis of the regulations and policies supporting the inclusion of this specific target through a grid of multiple indicators that cover the different dimensions in which the integration processes are implemented² and, on the other hand, the sharing of knowledge at national and international level through debates and meetings.

The results of this research and exchange work are reported in several outputs. Each partner re-elaborates the results of the analysis of policies and regulations in national reports while also implementing a comparison with other territories.

The report *Beneficiaries of international protection and integration in Italy. Regulations, policies, data and challenges* is the last in the series³ and aims to offer an updated scenario on the possibilities of inclusion of those who seek or have found protection in our country. Each chapter provides the statistical, regulatory and policy framework for the area covered and highlights some of the challenges that beneficiaries themselves or persons working in different capacities in the field face throughout the inclusion process⁴. Finally, a comparative analysis was carried out with other countries in order to position Italy within the European framework.

¹Bulgaria, France, Greece, Italy, Latvia, Lithuania, Netherlands, Poland, Czech Republic, Romania, Slovenia, Spain, Sweden, Hungary.

²Residence, family reunification, social security, citizenship, building bridges between different cultures, mainstreaming, access to housing, employment, health, vocational training and education, including Italian language learning courses.

³You can download the others from the ISMU Foundation website <https://www.ismu.org/progetto-niem-national-integration-evaluation-mechanism/> or from the project website <http://www.forintegration.eu/>.

⁴This last part involved conducting a survey of privileged witnesses through SurveyMonkey and telephone interviews (due to the pandemic) with people with a migration background.

1. Entry, residence permits and residency

1.1 Qualifications, processes, reception

Italian law, depending on their individual circumstances and contexts of origin, recognises two forms of international protection: refugee status according to the inclusion criteria of the 1951 Geneva Convention (persecution on grounds of race, religion, nationality, political opinion, social group) and subsidiary protection deriving from EU legislation based on the Qualification Directive 2011/95/EU (risk of death sentence, torture or inhuman or degrading treatment, serious and individual threat to life resulting from indiscriminate violence or armed conflict). The Italian legislation transposing the qualifications of beneficiaries of international protection (BIP) is contained in Legislative Decree 251/2007.

Asylum seekers, who have arrived on Italian territory, have the right to submit an application for international protection at the police station and thus access the reception system, now called SAI (Reception and Integration System)⁵. The system provides for the provision of food and accommodation, as well as some secondary services for language training, employment orientation, local orientation and social integration.

The application for protection is formally examined by a *Commission for the recognition of international protection*, competent on a regional basis, which convenes the applicant for a personal hearing in the mother tongue and in the presence of a cultural mediator, examines the individual situation and origin of the applicant and decides on his/her status, evaluating his/her credibility and external correspondence on the sources of *Country Origin Information* (COI: <https://www.ecoi.net/> and <https://www.refworld.org/>). Any negative decision of the Commission can be appealed before the Specialised Section on the matter of the Ordinary Court and can then be examined by the Court of Cassation (only for procedural matters related to the law)⁶.

It should be noted that "resettled" refugees benefit from the same legal status as recognised refugees. When the beneficiaries are transferred to Italy, they already have

⁵Originally called SPRAR, System of protection for asylum seekers and refugees, then SIPROIMI, System of protection for holders of international protection and unaccompanied foreign minors, and finally SAI, the Reception and Integration System has undergone several changes in recent years. With the changes made by Decree Law 113/2018, better known as the first Security Decree of 2018, SPRAR became SIPROIMI, resulting in the exclusion of asylum seekers. The SAI model tends to retrace that of SPRAR, reintroducing the possibility for asylum seekers to access second reception pathways, with an inclusive perspective and recalling the previous reception model.

⁶With Law 46/2017, on the matter of international protection, the second degree of merit before the Court of Appeal was eliminated.

their refugee status recognised by the UNHCR. This status is subsequently ratified by the Italian Government. Upon arrival on Italian territory, they indeed directly undergo the process of photographic identification and the formalisation of their application for international protection; they then receive the decree of recognition of refugee status, issued by the Territorial Commission of Rome. For the purposes of this report, resettled refugees are assimilated into the guidelines and processing applicable to refugees recognised by the Italian State. In any case, as pointed out above, the number of people involved is relatively small.

Italian legislation provides for temporary protection only in specific emergency cases, through the adoption of extraordinary laws, pursuant to Article 20 of the Italian Consolidated Immigration Act, "extraordinary reception measures for exceptional events". During the reference period considered, no laws on temporary protection were introduced (for this reason there are no data/rules in the investigation in relation to it).

Regarding national protection permits, Italian law has undergone several changes over the years. Article 1 of Legislative Decree 113/2018 amended Article 5 paragraph 6 of the Italian Consolidated Immigration Act. Immigration and declared the repeal of humanitarian protection⁷. On the other hand, it has introduced several national protection residence permits, recognised for specific reasons:

- a residence permit for special protection, which is granted if there is a risk of persecution or torture in the event of return to the country of origin and, at the same time, there are social, family and work integration requirements in Italy;
- a medical treatment permit;
- a residence permit for natural disasters;
- a residence permit for acts of particular civil value.

The decree also does not change the grounds for granting residence permits for "special cases" for social protection, to victims of human trafficking, domestic violence or exploitation of work, as previously provided for by articles 18, 18-bis and 22 of the Italian Consolidated Immigration Act.

⁷Permits for humanitarian protection recognised before 5 October 2018 (date of entry into force of Legislative Decree 113/2018) continue to be valid for two years. In addition, article 1, paragraph 9 of the Decree provides for a transitional provision that regulates the cases in which, at the time of entry into force of the Decree, the Territorial Commission has declared for the attribution of humanitarian protection, but the Police Headquarters has not yet issued the corresponding residence permit. In this situation, the humanitarian permit no longer exists, the Administration gives the issue of a permit for special cases.

The holders of these permits are housed in the reception and integration system (RIS) within the limits of the available places (Legislative Decree 130/2020). Asylum seekers, excluded from the reception system by Legislative Decree 113/2018, have been readmitted by Legislative Decree 130/2020, and therefore access first-level integration services.

It should be noted that the law provides specific protections for vulnerable people. There is a need to create specific spaces within the first reception centres where services related to information, legal advice, and psychological support are guaranteed. Where possible, vulnerable adults are placed with other adult family members already present in reception centres. The manager of the reception centres informs the Prefecture of the presence of vulnerable applicants for the possible activation of procedural guarantees that allow the presence of support personnel during the personal interview for the recognition of the status.

Following the reform of Legislative Decree 130/2020, unaccompanied minors and/or vulnerable persons in need of special procedural guarantees were excluded from the accelerated processes. In January 2021, UNHCR transmitted the Guidelines, addressed to the Territorial Commissions, for the recognition of international protection in order to contribute to the correct identification of victims of human trafficking in the context of the processes for assessing asylum applications, providing them with assistance and protection. On 23rd March 2021, the Minister of the Interior published Guidelines to provide guidance on processes and best practices for the reception of unaccompanied minors.

1.2 Duration, renewal and conversion

The residence permit for asylum application is issued after the application for international protection, valid for six months, and is renewable until the final decision on the case (therefore, potentially, until the judgment of the Court of Cassation).

The residence permit issued following the recognition of refugee status or subsidiary protection shall have a duration of five years and is renewable and/or convertible into another permit.

Art. 23 of Legislative Decree no. 251/2007 establishes that the residence permit of refugees is to be renewed automatically, while the residence permit of beneficiaries of subsidiary protection may be renewed if the conditions for the recognition of subsidiary protection continue to exist. Although it is no longer possible to renew the repealed humanitarian protection permit, there is the possibility of converting the residence

permit for humanitarian protection into a special protection permit, but only if the conditions for such recognition exist.

With regard to the duration and renewal of national protection permits, after the reform of Legislative Decree 130/2020:

- special protection: a residence permit valid for two years (previously only for one year), renewable and convertible into a work permit;
- protection in the event of natural disasters: residence permit valid for one year (previously 6 months), renewable if the requirements continue to exist, convertible into a work permit;
- protection for medical treatment: residence permit valid for a maximum period of one year, renewable if the requirements continue to exist;
- special cases of social protection: six months, renewable and convertible into a work permit;
- special cases for victims of domestic violence: one year, convertible into a work permit;
- special cases of labour exploitation: six months, convertible into a work permit;
- permit for acts of particular civil value: two years, renewable, convertible into a work permit.

Due to the health emergency caused by Covid-19, all expiring residence permits (both international and national protection) have been extended several times by decree-laws.

Residence permits, including those for asylum seekers and beneficiaries of international protection with an expiry date between 31st January and 15th April 2020 have been extended until 15 June 2020. The amendments to the decree-law have repeatedly provided for a further extension of the validity of the permits, until 31st July 2021. The aim of this measure to extend the validity of expiring residence permits was to reduce the mobility of persons and to avoid legal and administrative irregularities of migrants in the period of greatest difficulty caused by the pandemic.

The process for accessing international protection is free, as are the reception and integration services offered by the system. There are administrative costs for the issuance of residence permits (Legislative Decree 131/2017), from which foreign citizens requesting the issue and renewal of asylum, asylum application, subsidiary protection for humanitarian reasons are exempted, pursuant to art. 3 of the Ministerial Decree of 6th October 2011. In any case, the costs for the EUR 16 stamp are requested as well as the

costs of printing the electronic permit of EUR 30.46 and the sending of the permit if necessary, EUR 30 (total EUR 76.46).

1.3 Access to long-term stable residence

After five years of legal residence in the territory, the foreign national has the right to issuance of a long-term EU residence permit: for beneficiaries of international protection, pursuant to art. 9, para. 5-bis of the Italian Consolidated Immigration Act, the time is counted from the date of the application for international protection. Refugees and beneficiaries of subsidiary protection do not need to meet the accommodation conditions required of third-country nationals, but must only indicate their regular residence⁸.

For beneficiaries of international protection who have specific conditions of vulnerability (referred to in art. 8, para. 1 Legislative Decree 140/2005: minors, disabled people, pregnant women, victims of torture, rape, other forms of trauma), free accommodation (granted for charitable reasons) can be considered as an economic resource necessary to apply for this type of permit.

Long-term permits may not be requested by persons under temporary protection and humanitarian protection (art. 9, para. 3, b) Italian Consolidated Immigration Act); but note that, for the purpose of calculating the 5-year period for obtaining a long-term residence permit, periods of residence for humanitarian or temporary protection are taken into account if a different residence permit (e.g. work permit) is subsequently issued.

1.4 Statistics

In its last *National Report*, the ISMU Foundation estimated that on 1st January 2021 a total of 5 million and 756 thousand foreigners were present in Italy, i.e. 167 000 less than on 1st January 2020, an annual decrease of 2.8%⁹. Within this population, the number of people irregularly present in Italy is estimated to be substantially unchanged compared to the previous year, standing at 519 000 units (compared to 517 000 at the beginning of

⁸The process for issuing a long-term permit is unfortunately subject to discretionary decisions with uncertain outcome: for example, authorities may request the suitability of the housing requirement, even though they should not. See Melting Pot Europa, *Il Permesso di soggiorno UE per soggiornanti di lungo periodo (ex carta di soggiorno)*, <https://www.meltingpot.org/2021/01/il-permesso-di-soggiorno-ue-per-soggiornanti-di-lungo-periodo-ex-carta-di-soggiorno/#.WMAwg1fCvVo>.

⁹Ismu Foundation, *Ventisettesimo Rapporto sulle migrazioni 2021*, FrancoAngeli, Milan, 2022.

2020), equal to 9% of foreigners in total, while the latter represent on 1st January 2021 a total of about 10% of the population present in Italy on that date.

The slight decrease in foreign presence in Italy in 2020 is due to the important phenomenon of acquisitions of Italian citizenship, which numbered 132 000 – more than the 127 000 acquisitions in 2019, despite the Covid pandemics – with the consequent disappearance of neo-Italian migrants from statistical accounting; and the lower flow of foreign arrivals from abroad, with 192 000 new registrations (and 39 000 cancellations) against 265 000 (and 57 000 cancellations) in a pandemic year, like 2020, that has slowed international mobility.

Given that the largest national group residing in Italy in terms of numbers is clearly Romanian (1.76 million registered in the Italian registry offices as of 1st January 2021) and that as EU citizens they do not require a residence permit within the territory of the Union, such type of permit was issued to a total of 107 thousand non-EU citizens during 2020. These are a wide variety of citizens from different countries, but in particular residence permits were granted to Albanians (13 000) and Moroccans (10 000), who on the other hand represent the two largest groups from third countries residing in Italy as of 1st January last year – respectively with 433 000 and 429 000 registered in the registry.

From this point of view, however, from the third to fifth place for new residence permits granted in Italy in 2020, there are three Asian groups, namely those from Pakistan, Bangladesh and India, each with a number of new entries per year in Italy of about 6000-8000, which instead are further back in the ranking for total number of residents as of 1st January 2021 and, therefore, with a number of entries that are certainly on the rise compared, for example, to Chinese (330 000) and Ukrainians (236 000), who, on the other hand, directly follow Romanians, Albanians and Moroccans in terms of number of residents and who, however, have recorded lower entry flows during 2020.

Within this overall national situation of the migration phenomenon in Italy, it is then possible to estimate on 1st January 2020 a total number of 40 000 refugees on the national territory, of which 3000 were resettled, in addition to 58 000 beneficiaries of subsidiary protection and 8000 people with a humanitarian protection status. The total number of people in the area of protection is thus about 105 000 and in percentage terms it is just under 2% of the total number of foreigners present in Italy.

Within them, just over one in two (54.8%) are beneficiaries of subsidiary protection, more than one in three are refugees (37.7%), and quantitatively more marginally are those with humanitarian protection (7.5%).

Among the refugees, moreover, the resettled represent 6.4% and the latter in turn account for 2.4% of the total number of migrants belonging to the protection area in Italy.

Regardless of status, then, the beneficiaries of protection in Italy have in the vast majority of cases an age between 18 and 64 years, and in any case they are almost never over sixty-five, with a slight male prevalence among refugees and a quantitative predominance of men compared to women which is much stronger among beneficiaries of subsidiary and humanitarian protection.

The absolute majority of beneficiaries of subsidiary and humanitarian protection and in any case also the relative majority of refugees have also had their own recognition of legal and administrative status in Italy for more than one but less than five years; while it is only the resettled who have had it more recently, mostly for less than twelve months.

It can be estimated that beneficiaries of subsidiary and humanitarian protection live in similar proportions between predominantly urban regions, intermediate regions and predominantly rural regions, indeed with a slightly greater presence in the latter territories; while refugees are less concentrated there and rather present in intermediate and predominantly urban regions.

It is not possible to estimate the *stock* of migrants belonging to the protection area in Italy by individual nationality, but in 2019 the largest *flow* of new refugees was undoubtedly primarily Nigerians, equal to almost a quarter of the total, and then, in order, Pakistanis, Salvadorans, Venezuelans and Somalis.

Among the beneficiaries of subsidiary protection, the greatest flows were instead of Venezuelans in first position – but with an incidence of 14%, testifying to a wide variety of nationalities – and then of Pakistanis, Salvadorans, Malians and Afghans; while, finally, permits for special protection issued in 2019 were very rare and still converged in defining people with humanitarian protection despite the abolition of the institution of protection defined precisely as "humanitarian." In 2018, however, it was mainly Nigerians, Gambians and Bangladeshis.

In any case, the Latin American origins among refugees and beneficiaries of subsidiary protection are a novelty of the flow of the most recent years, while at the level of stock many nationalities of sub-Saharan Africa certainly remain predominant, even more than Asian nationalities. Before the Taliban took power, in fact, until 1st January 2020, the flow

of Afghans in Italy was actually quite weak and the massive influx of Syrians now refers to several years ago and, moreover, refers to people who have often continued their migratory journey to Northern Europe. However, even if in 2020 the primacy of Nigerians among new refugees was confirmed and indeed strengthened, with an incidence that rose to 29% and still well ahead of Salvadorans and Pakistanis who reversed their respective positions in the ranking, Afghans have already become, instead, the first new entry collectivity among the beneficiaries of subsidiary protection, pushing back a Venezuelan and Pakistani position in the second and third place; and in this context, even more the unofficial data of 2021 put Afghans in the first position both among the new refugees, almost 3000 and almost 37% of the total of last year for this status, and among the beneficiaries of subsidiary protection, more than 2400, more than 27% of the total.

1.5 Challenges

The main challenge related to the entry and stay of beneficiaries of protection is to benefit from clear and homogeneous processes throughout Italy and access the right support in the exercise of the rights of legal and stable residence.

When a BIP leaves a reception facility they need to move residence and find independent accommodation, but this is not always an easy task due to the social prejudice present in Italy towards foreign people. In fact, as evidenced by the NIEM research, the lack of trust on the part of Italian citizens makes it difficult to find a suitable home with a regular lease.

One of the problems generated by Legislative Decree 113/2018 was the lack of possibility to request registration, and therefore residence, for holders of permits to request asylum. This rule, as will be seen, has caused many administrative problems related to access to certain rights, fortunately overcome thanks to the repeal of the rule with Legislative Decree 130/2020, after the intervention of the Constitutional Court on the point.

The possibility of having a stable and continuous residence is closely linked to the maintenance of economic stability and the work situation of the person. This represents a structural problem of the Italian socio-economic system and the labour market, but it has undoubtedly been aggravated by the negative economic consequences of the pandemic emergency.

The Covid-19 pandemic in 2020 also affected the reception system of protection beneficiaries and asylum seekers. The material reception conditions of the BIP have been

extended until the end of the measures in place for the health emergency from Covid-19, even for those who would no longer be entitled to it. Due to the lack of places and only until 31st January 2021, asylum seekers were accommodated in reception facilities, but were only able to benefit from the services provided in government centres and emergency reception centres.

Access to reception facilities for people landed on the Mediterranean coasts (a total of 34 154 were registered in 2020) was preceded by a period of quarantine on ships or in facilities located at the border. Access to reception facilities for those who arrived autonomously or for those who requested reception directly on the territory was in some cases limited due to problems with Covid swabs. In some cases, access was conditional on a negative swab, in others it depended on a period of quarantine: practices have varied widely throughout the national territory.

With regard to asylum processes, the closure of the Police Headquarters caused by the national quarantine ordered in March 2020 by the Ministry of the Interior, caused many difficulties and delays. The Territorial Commissions suspended the personal hearings of applicants for protection from 13th April until June. Subsequently, the hearings were resumed, but with a very limited number of applicants per day, which led to further delays and postponements of many hearings. Notifications on the outcome of asylum applications have not been suspended. The deadlines for appeals, including those against the decisions of the regional commissions, were suspended until 11th May 2020.

2. Family unity and reunification

The centrality of the family is recognised for the development not only of Italian citizens, but of all people: the right to family unity is also recognised for foreign citizens or stateless persons who are legally residing in Italy, and who, through the institution of family reunification, can obtain entry for some family members who are also foreigners, according to the methods and limits indicated by law.

2.1 Access to the process and requirements

Title IV of the Italian Consolidated Immigration Act is devoted to the right to family unity and the protection of minors. Article 28 of the Italian Consolidated Immigration Act (amended in 2007 in relation to the transposition of the 2003 European Directive) recognises the right to maintain or regain family unity vis-à-vis foreign family members to foreigners holding a residence card or residence permit of not less than one year's duration, issued for the purposes of employment or self-employment, or for asylum, study, religious reasons or family reasons.

In particular, in the Italian legal system, family reunification for beneficiaries of international protection (refugee status and subsidiary protection¹⁰) is governed by art. 29-bis of the Italian Consolidated Immigration Act and by art. 22 of Legislative Decree no. 251/2007 as amended by Legislative Decree no. 18/2014. According to this favourable legislation, beneficiaries of international protection can apply for family reunification for the same categories of family members and under the same process as provided for in the Single Immigration Act. Thus:

- spouse not legally separated and not less than eighteen years old, or civil partner (in Italy or abroad), foreign and not resident in Italy;
- minor children, whether natural, adopted, fostered, placed under guardianship, including of the spouse, or born out of wedlock, unmarried, provided that the other parent, if any, has given his/her consent;
- dependent children over 18 years who, for valid reasons, are unable to provide for their basic needs and are entirely disabled;
- dependent parents up to the age of 65, if they do not have other children in the country of origin or provenance;

¹⁰Art. 1 Legislative Decree 18/2014 equates recognised refugees and beneficiaries of subsidiary protection.

- dependent parents over 65 years of age, in the event that they also have other children but are unable to support them for documented and serious health reasons.
- unaccompanied minors who are beneficiaries of international protection have the right to be reunited with their parents regardless of their age and status (this is the only category of BIP that the law privileges due to their vulnerability).

Italian legislation does not provide for specific resettlement rules. However, considering that resettled refugees enjoy the same legal status as recognised refugees, they are entitled to family reunification and are subject to the same rules as refugees.

In the last paragraph of Article 29 of the Italian Consolidated Immigration Act, asylum seekers awaiting a final decision and beneficiaries of temporary protection are explicitly excluded from the law. In addition, beneficiaries of extraordinary reception measures for exceptional events and holders of residence permits for natural disasters are excluded.

The exclusion of holders of humanitarian protection permits was explicitly regulated by the law pursuant to art. 29, para. 10 of the Italian Consolidated Immigration Act until 2018. With the repeal of the permit for humanitarian reasons, the letter that excluded humanitarian permits from access to the family reunification process was repealed by Legislative Decree 4th October 2018, no. 113, converted with amendments by Law no. 132 of 1st December 2018. This deletion from the text, as Decree 113 did with the entire Consolidated Law (deleting all the paragraphs that referred to this permit), generated a peculiar situation whereby, according to some authors, the holders of humanitarian permits, no longer being de facto excluded from the law, would now have access to family reunification, since their permit had previously been obtained for a period of two years.

On new national protection permits (health, special cases, social protection, labour exploitation, domestic violence, special protection) an interpretative question arises: they are not explicitly excluded by the law, neither by the Italian Consolidated Immigration Act nor by Legislative Decree no. 113/2018, and have a duration of not less than one year, so potentially according to art. 28 of the Italian Consolidated Immigration Act they could give access to family reunification, but without the facilities provided for holders of refugee status or subsidiary protection.

2.2 Necessary requirements and demonstration of family ties

Unlike other migrants, beneficiaries of international protection (refugee status and subsidiary protection) are not required, like all other foreigners, to demonstrate the availability of income and housing. This is a great advantage since these requirements, for foreigners who enter the reunification process, represent significant obstacles to the success of the process.

BIPs may request family reunification at any time, without time limits (like other foreigners who are entitled to reunification). There is also no minimum residence time to apply for family reunification.

The language requirement is not necessary, nor are integration requirements for access to family reunification indicated (art. 29 Italian Consolidated Immigration Act). However, upon the issuance of the residence permit, the foreigner signs an *integration agreement*, with which he/she undertakes to respect the rules of civil society, in order to pursue an orderly integration path, organised by credits. It should be noted, however, that the loss of credits for BIPs and for those who have availed of family reunification does not result in the revocation of the residence permit and the expulsion of the foreigner from the territory of the State (art. 4bis para. 2 Italian Consolidated Immigration Act).

Specifically, the family reunification application must be submitted electronically to the Single Immigration Desk at the Prefecture – Regional Office of the Government responsible for the place of residence of the applicant for reunification¹¹.

In view of the difficulties that beneficiaries of international protection and their family members may encounter in obtaining documentation from their country of origin, Italian legislation provides for the possibility of demonstrating this relationship through other means of proof when official certificates are not available.

Difficulties in demonstrating family ties for BIPs can be manifold: due to their status, because there is no recognised authority, or documents issued by the local authority are unreliable. In these cases, Italian diplomats can issue these certificates, collecting the necessary information. Assessments are arranged in theory only in the event of doubts regarding the actual relationship of kinship: the examination of the DNA at the expense of the interested party is arranged, for the holder of refugee status or subsidiary

¹¹Proceeding online on the portal www.nullaostalavoro.dlci.interno.it.

protection status it is possible to request this free of charge by contacting the International Organisation for Migration (IOM).

Other evidence may be used to demonstrate ties, such as documents issued by international organisations, assessed as suitable by the Minister of Foreign Affairs. It should be noted that the rejection of the application for family reunification cannot be based solely on the lack of evidence of family ties.

Art. 29, para. 8 of the Italian Consolidated Immigration Act (amended by Law 94/2009) specifies that the authorisation for family reunification is issued within 180 days of the application, but in practice, considering the various phases of the process (issuance of the clearance and entry visa), the timing can be lengthened considerably. The process for BIPs is certainly shorter and simpler than the reunification of other foreigners, given the lack of income and accommodation requirements. The greatest difficulty for BIPs in family reunification is the presentation of travel documents of family members to be reunited, if they are also refugees (they do not have a passport, they cannot access embassies, they are far from UNHCR facilities).

In Italy, *family tracing* practices are mainly aimed at minors (art. 2, para. 2, lett. f, D.P.C.M. 535/1999). This type of practice is managed by the national government, which commits IOM to carrying out activities in the countries of origin. With regard to adults, specific projects have been carried out by civil society organisations, IOM, the Red Cross and Save the Children¹².

2.3 Residence permit for family reasons and rights

The law (art. 30 Italian Consolidated Immigration Act) establishes that foreigners who have entered Italy with a visa for family reunification obtain a residence permit for family reasons. This permit has the same duration and is renewable as the permit of the family member who has the requirements for family reunification: therefore it will have the same duration as the permit for recognition of refugee status or subsidiary protection (five years). Article 31 specifies that the child has the same status as the parent with whom he/she lives.

¹²Italian Red Cross, *Restoring Family Links*, <https://cri.it/cosa-facciamo/migrazioni/restoring-family-links/>; IOM, *Family Tracing Italy*, <http://www.familytracingitaly.org/index.php/en/investigations>; Save the Children, *A Practice Handbook: For family tracing and reunification in emergencies*, <https://resourcecentre.savethechildren.net/library/practice-handbook-family-tracing-and-reunification-emergencies>.

The residence permit for family reasons allows access to security and social assistance, education and vocational training, employment or self-employment and inclusion in the employment lists (art. 30, para. 2 Italian Consolidated Immigration Act). Art. 22, para. 2 Legislative Decree 251/2007, specifies that the family of the beneficiary of protection has the same rights as the latter. If the interested party so requests, this may be converted to a work permit if the requirements are met.

Regarding the cost (Legislative Decree 131/2017), the process itself is free, but there are administrative costs for the issuance of the residence permit for family reasons, for a total of: 50 (contribution) + 30.46 (electronic document printing) + 30 (postal kit forwarding services) = EUR 110.46. Children under the age of 18 are exempt from the contribution.

2.4 Family reunification flows

As already reported in the previous chapter, in Italy in 2020 a new residence permit was issued to 107 000 non-EU citizens. This is a total value of 40% lower than that of the previous year and prepandemic and the lowest level of the last ten years; and in reality already 2019 compared to 2018 had marked a contraction of 27% of the number of family reunifications, but in 2020 "the limitation of travel due to the Covid-19 pandemic led to a further significant decrease [and] to this it must be added that the pandemic also led to a delay in the processing of applications that could have contributed to the low number of permits granted"¹³.

In relative terms, the flow of new residence permits in 2020 amounted to less than 3% of the stock of non-EU nationals regularly residing in Italy at the beginning of the year and less than 2% of the total estimate of foreigners present.

In this context, the decrease in the flow of family reunifications in 2020 was in line with the overall one, with a contraction of 38% and that is lower than the contractions of both the new permits granted for study reasons and those for political asylum or humanitarian reasons, whose numbers have more than halved, but much higher than a contraction that is actually very slight (-9%) for work reasons, as well as greater than the decrease found for all the other reasons combined (-30%).

¹³ISTAT, *Cittadini non comunitari in Italia. Anni 2020-2021. In the year of the pandemic, the entrances of non-EU citizens collapse*, Statistiche report, 22 October 2021, https://www.istat.it/it/files/2021/10/Cittadini-non-comunitari_2020_2021.pdf, p.2.

The new flows in Italy for family reunification thus still represent the absolute majority (58.5%) of the motivation with which non-EU citizens entered the national territory in 2020, in 62 000 cases; while, despite the smaller quantitative decrease, still in less than one case out of ten the motivation was work-related (9.7%), in one out of eight connected to political or humanitarian asylum (12.6%), in 8.0% of cases per study, and in one out of nine for other reasons (11.2%).

While, then, among residence permits granted for work reasons there were large numerical differences between the various nationalities from 2019 to 2020, e.g. almost tenfold increase of Nigerian flows and several times those of Pakistanis and Bangladeshis in the same period of time in which the arrivals of Albanians, Egyptians and Chinese decreased by about 40%, as far as family reunification is concerned, the situation is much more uniform within almost all the main nationalities: Referring, in fact, to the top ten national collectives by number of non-EU citizens who entered Italy during 2020, they all recorded negative variations in the number of entries for family reunification ranging from 31% Egypt to 47% India with the exception of Nigeria (-19%): therefore, not only showing all the same negative sign but also oscillating within a generally very narrow range of variation.

From the point of view of the incidence of family-type motivations on the total number of flows entering Italy during 2020, then, they were overwhelmingly among Moroccans (85.4%) and also within the second of only two North African national groups that are among the top ten nationalities for number of residence permits granted during 2020, namely Egyptians (78.9%), but also significantly for Bangladeshis (65.4%), Albanians (64.0%) and Ukrainians (60.2%); while lower than average among all nationalities were especially important for Indians (55.2%), Nigerians (41.1%), Chinese (40.6%) and Pakistanis (36.9%)¹⁴. Unfortunately, it is not possible to separate how many of these new residence permits for family reasons are the result of requests made by people generally related to the area of international protection nor to know the number of applications made by these migrants in favour of their loved ones, although certainly from this last point of view it can be assumed that there are not many denials, since the people protected in Italy who request family reunification are previously informed about the

¹⁴The tenth non-EU national group with the most entrances to Italy in 2020 is the US group, which is not covered in the analysis of this text. Among US citizens, the share of residence permits issued for family reasons out of the total in 2020 was 48.3% and among them is the highest incidence of permits for work reasons (41.1%, well ahead of Indian citizens with 24.7%).

legal feasibility of this operation. However, it is possible to highlight the family reunification behaviour of the three communities that are most present within the new migration flows and at the same time well represented among persons belonging to the international protection area: Pakistanis, Bangladeshis and Nigerians. From this point of view, in fact, the two Asian groups marked a contraction in family reunification flows in 2020 compared to 2019, similar to each other, respectively by 37% and 41%, in line with the average among all nationalities (-38%); while, as already noted, the decrease recorded among Nigerians (-19%) was less than all, among which it is therefore more likely to have continued even during the first pandemic year marked by greater closures to international mobility a secondary parental flow connected to the community already present on the Italian territory.

On the other hand, for the latter Nigerian national group there is probably also a greater share of migrants not covered by family reunification, since the residence permits for this reason still in 2020 represented 41.1% of the total within this community, against an average of 58.5% among all nationalities and a value of 65.4% among Bangladeshis.

Among Pakistanis, on the other hand, the share of residence permits granted for family reasons was 36.9% in 2020, the lowest absolute among the main nationalities, compared to the maximum value for asylum or humanitarian reasons (46.5%): It is possible, therefore, that between the two Asian groups there is a difference in the sense of a secondary migration of family reunification already more active among Bangladeshis while Pakistanis at this historical moment are even more concentrated in the phase of asylum requests of people who are bridgeheads of a family emigration to be completed.

2.5 Challenges

As already mentioned, contacts with countries of origin to obtain documentation are often not possible or extremely difficult: this is a very critical issue that often hinders the possibility of enjoying the right to family reunification of beneficiaries of protection. In addition, another significant difficulty that often emerges is the fear of the BIPs of contacting the authorities of their country of origin: both because they are fleeing or are persecuted, and due to fears related to the renewal of the residence permit, whose evaluation also depends on prolonged returns to the country of origin.

Although the BIP does not have to prove that he/she has accommodation with specific requirements for family reunification, the question of the spaces in which to

accommodate reunited family members is one of the biggest difficulties – not legally, but in practice – related to this issue.

Moreover, having a regular and long-term employment contract that guarantees the possibility of having adequate housing and income to keep the family together is one of the most difficult challenges for beneficiaries of international protection, who often come from vulnerable contexts.

In general, the major problems relating to the rebuilding of families in Italy are to be linked to the context of socio-economic poverty that they face, in addition to the numerous problems of linguistic and cultural integration of reunited relatives.

3. Citizenship

Although it is true that for some BIPs the hope is to return home – once the circumstances that led them to leave it have been overcome – and they may not have a particular interest in the acquisition of citizenship itself, and although it is also true that the protection they enjoy in terms of protection of rights can sometimes make the question of possible acquisition of citizenship not urgent, it is also true that for many BIPs citizenship is an important prospect in terms of full integration in a context of stabilisation of presence.

Italian law in this regard provides for a rule of particular favour for refugees, since for them the time of previous stay required for the application is reduced; while beyond this the rules generally in force for immigrants and their children apply.

As is known, in general these rules in recent years have generally allowed a large number of acquisitions of citizenship by immigrants and their children¹⁵, without prejudice to critical issues regarding the times and more generally regarding the ways in which integration is to be achieved.

3.1 Who are the new citizens and how many of them are there?

In the three years from 2015 to 2017 in Italy there was the highest number ever recorded of acquisitions of citizenship by foreigners: this annual value had always fluctuated between 9000 and 13 000 units between 1998¹⁶ and 2003, when, for example, Germany and France sailed over 100 000, sometimes grazing, the former in particular, 200 000, but since then Italy has then reached after fifteen or sixteen years of growth, with a single interruption in 2011, the historical maximum values of 178 000 acquisitions in 2015 and 202 000 in 2016.

The number of acquisitions of citizenship by foreigners then slightly decreased in 2017, but the value recorded in that year (147 000) has still remained the third highest in national history and – also due to the simultaneous decrease in the amount of Spanish citizenship then granted – in each of the three years from 2015 to 2017 Italy was in first place in the area of the European Union for the number of citizenships acquired by

¹⁵S. Strozza et al., *Nuovi cittadini*, Il Mulino, 2021.

¹⁶First year for which Eurostat has made the data available, available at https://ec.europa.eu/eurostat/databrowser/view/migr_acq/default/table?lang=en.

migrants, affecting about one fifth of the total number of similar measures taken in this area by all member states.

Moreover, 2016 was the record year for the number of acquisitions of citizenship not only in Italy but also in the European Union as a whole, with a total number of 993 000; and the 202 000 acquisitions of citizenship in Italy during that year are second in absolute level in the area of the European Union only to the 226 000 and 207 000 of Spain and the United Kingdom in 2013 and to the 206 000 still of Spain the following year. Also at a historical level, then, after this three-year period, in 2018 and 2019 Italy was in third place in Europe for the number of naturalisations respectively with flows of 113 000 and 127 000 new former foreign citizens, in the latter two annual cases still behind the values recorded by the United Kingdom (157 000 and 159 000) and – by very little – Germany (117 000 and 132 000), and with an incidence on the total of the Union dropped to 14-15%.

On the other hand, European comparison data for 2020 is not yet available, but for the last year the 133 000 acquisitions in Italy reported by Istat lead to a second consecutive annual increase and an absolute number of cases that, excluding the United Kingdom, has never been recorded by any other European state in the previous five years.

To elaborate on the Italian situation, then, the data of the Ministry of the Interior of 2019 indicate the nationalities that have been mainly been granted citizenship for long residence and marriage: they are primarily the Albanian (19 000 cases, for 11% by marriage), Moroccan (11 000, for 33% by marriage) and Romanian (9 000 cases, for 10% by marriage) and that is the three nationalities also more present in the territory, although it should be noted that the Romanian group is from the point of view of acquisitions of citizenship in third position while it is clearly in first place for the total number of presences.

Relatively few were the citizenship concessions for long residence or marriage in 2019 to the nationalities most involved in the phenomenon of protection: 1277 to Pakistanis (of which 23% by marriage), 1080 to Nigerians (of which a quarter by marriage), 924 to Bangladeshis (of which 37% by marriage), and then only 481 to Venezuelans, of which 94% by marriage and still much less and that is 125 to Salvadorans, 70 to Syrians, 61 to Afghans, 45 to Somalis, 44 to Gambians, 38 to Malians.

Not all the people of these ten states are of course migrants recognised as refugees or with a residence permit of a subsidiary or humanitarian type, but considering all the nationalities and also based on the processing of the survey data of the Regional

Observatory for integration and multi-ethnicity of Lombardy it can be estimated that in the following year 2020 there were a total of 4000 people with a residence permit within the scope of international protection who became Italian citizens, and among them almost all refugees.

In fact, more in detail from this point of view, it is estimated that in 2020 about 12 000 applications for Italian citizenship were submitted by refugees in Italy, about 2000 by beneficiaries of subsidiary protection and as many by people with a humanitarian or comparable protection status; but the path that leads to the actual acceptance (or denial of the application) is very long in Italy, it can even take several years and has probably been slowed down even more by the pandemic living conditions of 2020. As a result, in the last year, only 4000 acquisitions of citizenship relating to persons with a residence permit under international protection are estimated. It is also likely that this value will increase in the near future when the questions asked in the past reach the finish line and the acquisition of Italian citizenship may derive more from migrants with other statuses of residence in the field of protection and not almost exclusively from refugees as is currently estimated. In general, in fact, it is emphasised that the quantitative gap between the number of applications and the number of naturalised persons is given only to a small extent by non-acceptance and depends almost entirely on the waiting time from the moment of submission of the application to that of obtainment: according to the most current forecasts, in fact, an application submitted today will probably be accepted in 2-3 years.

3.2 Discussion on the regulation. The issue of foreigners' children

For many years now in Italy there has been discussion of the opportunity to make changes to the regulation on the ways of acquiring citizenship, in particular with regard to immigrants and their children.

After the changes made with Legislative Decree no. 113 of 2018, however, there were no changes in the regulation. There have been only developments in implementation, mostly concerning digitalisation. As in the case, lastly, of the 2021 circular of the Department of Civil Liberties and Immigration concerning the "review of the process", for the processes of competence of the Ministry of the Interior, with particular reference to "technical-informatics" management. Developments that should at least have a positive impact on the duration, which has always been considered excessive, of the processes under the jurisdiction of the Ministry of the Interior, which also include those of

naturalisation by virtue of residence and acquisition by virtue of marriage concerning beneficiaries of international protection.

In any case, the debate on the appropriateness of making changes to the legal framework continued to develop in 2021. Also on the basis of the above data, the discussion does not focus on the issue of "numbers" but on the ways envisaged. Are they properly designed to ensure that the acquisition takes place at the "right" times and following and promoting paths of civic integration?

In this regard, it should be noted that there is no particular focus on foreigners benefiting from international protection. They, remember, are generally subject to the regulation provided for other foreigners with only one significant exception: those among them with the status of refugee are equated by art. 16 of the law on citizenship to the stateless and therefore can request naturalisation after only five years of legal residence.

It should also be noted that there is not even a specific focus on adult immigrants in general. In recent years, the focus has been on the acquisition of citizenship by the children of foreigners born in the territory or who arrived in Italy as a result of reunification or as unaccompanied foreign minors or in any other way; regardless of whether they are asylum seekers or not.

For the children of foreigners (meaning: of both foreign parents) the current framework provides for the following specific methods of acquisition:

- *legal acquisition only* in the particular case, which however can be found to a significant extent for the children of beneficiaries of protection, in which parents according to the laws of their country cannot in the specific case transmit their citizenship to the child;
- acquisition following that by a parent provided that it took place before the person concerned reaches the age of 18. In general, a very relevant hypothesis in terms of the number of beneficiaries, on average every year about 40 000 foreign minors become citizens in this way;
- only for those born in Italy, acquisition after reaching the age of majority following a manifestation of the will of the interested party within one year. This modality usually concerns children whose parents have chosen not to apply for Italian citizenship and who therefore cannot benefit from the modality referred to in the previous point. In principle, it could be of particular relevance to beneficiaries of protection.

Children of foreigners who do not benefit from the above arrangements may then benefit from ordinary naturalisation.

In this context, in the current legislature, the reform projects have focused on the possibility of introducing two new acquisition methods for the children of foreigners:

- *ius soli temperato*, i.e. the possibility of acquisition following birth in the territory provided that one of the parents has an element of "rootedness" such as (the solutions vary from one project to another) being a regular resident for at least five years or having a permanent permit. The assumption could be relevant for some of the children of the beneficiaries of protection;
- *ius culturae*, i.e. the possibility of acquisition following having completed a certain minimum school course. Many children of beneficiaries of protection could benefit from it.

Lastly, on 9th March this year, the House's Committee on Constitutional Affairs adopted a basic text for reform. The idea of introducing the *ius soli temperato* being set aside for the moment, the text provides for the *ius culturae*, which in this case the proponents and commentators have renamed *ius scholae*, providing in particular for the acquisition of citizenship after five years of school attendance, at the request of the parents.

4. Work and vocational training

Access to employment is currently generally granted to all foreigners with protection status and to asylum seekers (the latter two months after an application has been submitted). Indeed, work, a fundamental right of the highest order in Italy, is also considered a basic tool for integration and assimilation into civil society of beneficiaries of protection.

These people are indeed subjects for whom vocational training (and in some cases schooling, literacy) represents an indispensable step of growth and socio-economic integration.

Awareness-raising on the specific situation of the labour market for beneficiaries of protection is carried out, but not regularly: these are projects or ad hoc interventions carried out by NGOs (financed by the national FAMI or on a voluntary basis).

4.1 The labour market in figures

As indicated in the latest *National Report* of the Ismu Foundation, in 2019 there were 2 900 000 foreigners active in the Italian labour market, that is, either employed or looking for a job, equal to 11.3% of the total national workforce; while in 2020 this percentage fell to 10.4% as a result of a decided increase in the inactive component, over five times that affecting the Italian population¹⁷. In 2020 there were just over 4 million foreign citizens of working age, that is, between 15 and 64 years of age, of which about 2 700 000 were active – 2 346 000 employed and 352 000 in search of work – while the inactive numbered almost 1 400 000.

Faced with a decrease in job seekers of 270 000 units, in 2020 the number of inactive foreigners increased by almost 570 000 units and in this context for the first time the activity rate of foreign women fell below the already low one of Italian women: 52.8% against 54.9%; and due to the worsening of the overall economic situation the employment rate of foreigners as a whole has suffered a significant decrease, going from 61.0% in 2019 to 57.3% in 2020 with a decrease of 2.2 percentage points for men and 4.9 for women, and thus also falling for the first time to a value lower than that of Italians (58.2%).

A slight decrease between 2019 and 2020 was also observed in the unemployment rate of foreigners, from 13.8% to 13.2%, which is explained, however, by a slippage in the

¹⁷Ismu Foundation, *Ventisettesimo Rapporto sulle migrazioni 2021*, FrancoAngeli, Milan, 2022.

area of inactivity; while the only data really in contrast is represented by the trends relating to the balance between creations and cessations of companies, which see in the year 2020, more marked by the pandemic, an increase equal to 2.3% of owners and shareholders born abroad on Italian territory.

In this general context, there is also a further aggravation of poverty, which in 2020 affected 29.3% of foreigners (compared to 7.5% of Italians), and 26.7% of families of only foreigners, equal to 415 000 households, which become 568 000 if mixed families are also included, that is, those with at least one foreign member. Of particular note is the high incidence of foreigners employed among poor foreigners: 25%, five times higher than that of Italians. This figure can be explained by taking into account, on the one hand, the fragility of immigrants from an economic point of view and, on the other, the levels of wages: in 2020, in fact, the average annual remuneration of non-EU workers was EUR 12 902 and 38% lower than that of all workers.

The most affected in 2020 by dismissal, expiration of contract or closure or termination of professional activity were foreigners employed in qualified activities in the hospitality and catering sector; in unqualified activities in commerce and services; and in qualified activities in cultural, security and personal services. About a quarter of foreigners who lost their jobs are concentrated in hotels and restaurants (25.2% among EU citizens and 21.5% among non-EU citizens) and even more in the category of "other collective and personal services" (27.6% among EU citizens and 25.2% among non-EU citizens)¹⁸.

In this context, it is possible to estimate that at the beginning of 2020, 19 000 were working, that is, just under half of the 44 000 asylum seekers present on the national territory, even if with a clear gender differentiation: 17 000 men and 2000 women; and much more often with a temporary contract, a total of 15 000, rather than full-time, 4000.

Similarly, on the same date of 1st January 2020, it is possible to estimate 21 000 refugees working in Italy, in this case, however, just over half of the total number of people with this legal-administrative status but still about 90% men and a total of 16 000 with a temporary contract, 5000 full-time and one thousand self-employed workers.

As for the employed beneficiaries of subsidiary protection, they number 29 000 instead, as well as refugees numbering just over half of the total and with approximately

¹⁸Ministero del Lavoro e delle Politiche Sociali (Italian Ministry of Labour and Social Policies), *XI Rapporto Annuale. Gli stranieri nel mercato del lavoro in Italia*, July 2021, <https://www.integrazionemigranti.gov.it/AnteprimaPDF.aspx?id=2877>.

the same proportions by gender and type of contract as the two previous groups but with professional involvement that does not touch the area of self-employment, which is instead for now particular to refugees in the country.

Finally, about 5000 of the approximately 8 thousand people with a residual residence permit for humanitarian or special reasons are estimated to have worked in Italy on 1st January 2020, of which about 85% were men and in total 70% were on a temporary contract.

Overall, as of 1st January 2020, an estimated 56 000 people with a recognised residence permit in the context of protection were working in Italy. As detailed *above*, however, in most cases these are men with a temporary employment contract, and much less so women or workers on full-time contracts. This value reaches a total number of 75 000 considering also about 19 000 asylum seekers while excluding, of course, minors the employment rate of this component as a whole related to the world of international protection is 60.3%, and that is even three percentage points higher than that of the foreign population as a whole on the same date of the beginning of 2020.

4.2 Access to work

Italian law, particularly since 2015, has allowed applicants for international protection to work (in a subordinate or self-employed capacity) after 60 days from the submission of an application for asylum, if the process of examining the application is not concluded and the delay cannot be attributed to the applicant (art. 22 Legislative Decree 142/2015). However, an asylum application permit cannot be converted into a work permit: if the applicant is denied international, subsidiary or national protection, he/she becomes irregular on Italian territory and is liable to expulsion.

The 60-day waiting period sought to balance two opposing needs of applicants: on the one hand, the need to recover physical and psychological forces in conclusion of an often difficult and dramatic migratory path, on the other, the need for people to take action, making themselves useful and integrating into the host community through work.

Beyond the specific practical difficulties (which will be better analysed below), refugees and beneficiaries of subsidiary protection have the same access as citizens to the private labour sector (employment and self-employment), while they have limited access to the public sector (under the same conditions as European citizens), since they cannot have access to the public administration sector with regard to activities involving

the direct or indirect exercise of public powers (pursuant to art. 38, para. 1, Legislative Decree 165/2001).

As far as self-employment is concerned, art. 25, para. 1 Legislative Decree 251/2007 allows refugees and beneficiaries of subsidiary protection to have access to self-employment and to register in professional registers under the same conditions as citizens. It must be remembered that, as for any other foreigner, the Italian Consolidated Immigration Act imposes certain conditions for foreigners who want to access self-employment, such as having adequate resources, fulfilling legal obligations as for Italian citizens (registration with the professional registers), having the necessary authorisations, housing conditions and economic resources. In fact, according to the Italian Consolidated Immigration Act, third-country nationals legally residing in Italy can register on the professional lists only if they have the necessary certificates legally recognised in Italy.

The legislation equates the rights of persons under humanitarian protection with the rights of beneficiaries of subsidiary protection (art. 34, para. 5 Legislative Decree 251/2007), it can be inferred from this rule that holders of national protection permits have equal access to work. Finally, in fact, Legislative Decree 130/2020 extended the convertibility into residence permits for work reasons of different types of national residence permits (which could not be converted into Legislative Decree 113/2018).

All people with disabilities coming from non-EU countries, regularly present in the territory (therefore also BIPs), can benefit from compulsory job placement as for Italian citizens (over 46% of persons with disabilities can access special employment lists).

4.3 Recognition of diplomas, certificates and qualifications

Beneficiaries of international protection are entitled, like other legally residing foreigners and under the same rules as Italian citizens, to validation of skills and professional training, as well as recognition of official diplomas, certificates and other qualifications obtained in the country of origin. Art. 22 Legislative Decree 142/2015, which refers to work and vocational training, does not specify whether there is recognition of the preliminary qualifications of asylum seekers.

Art. 26 Legislative Decree 251/2007 establishes that for the recognition of foreign certificates and other qualifications, obtained by refugees and beneficiaries of subsidiary protection, the same process is established as for citizens who have acquired non-EU qualifications.

In particular, criteria are defined at national level to assess the level of education and professional skills. The State provides guidelines for evaluations in the event that documentary evidence from the country of origin is not available, for beneficiaries of refugee status, subsidiary protection and humanitarian protection¹⁹. If the BIP proves that he/she cannot obtain the document proving the qualification from their State, the competent authority must define an evaluation process, which allows the recognition of the qualification even without the formal document (art. 49 Presidential Decree 394/1999). The law does not specify anything regarding holders of other national permits, but it can be assumed that they are equated and are subject to the same regulations.

4.4 Support in job searches and vocational training

In general, beneficiaries of international and national protection have access to the main job search and vocational training services provided within reception centres. Under the new SAI reception system, they should receive support along their path to (re)gaining their independence, accessing school and vocational retraining pathways, designed to promote job integration.

Counselling and guidance programmes for beneficiaries of international and national protection are provided only within the reception system, which also provides for integration measures in relation to access to employment. For example, information can be provided on how to build a business plan, how to contact local authorities and offices involved, how to write a CV, etc.

A major critical issue in the integration system has been the exclusion by Decree Law 113/2018 of asylum seekers from social and labour integration programs in the reception system. Subsequently, Decree Law 130/2020 readmitted asylum seekers only in the first phase of reception (room and board, within the limits of available places), and thus in fact making it very difficult for them to access job orientation and vocational training programmes, the start of which is postponed until after the application has been accepted.

With regard to vocational training, art. 26, para. 2 Legislative Decree 251/2007 provides that refugees and beneficiaries of subsidiary protection may access vocational

¹⁹Cf. Pro.Ri.Ti.S., *Il riconoscimento dei titoli di studio dei titolari di protezione internazionale*, <http://briguglio.asgi.it/immigrazione-e-asilo/2011/maggio/proritis-riconosc-titoli.pdf>; and A. Sarli, *Nuove metodologie per la valutazione delle qualifiche accademiche dei beneficiari di protezione internazionale in Italia*, Ismu paper, 2018, https://www.ismu.org/wp-content/uploads/2018/07/Sarli_paper_valutazione-qualifiche.pdf.

training and employment-related education on the same conditions as other legally resident third-country nationals. Resettled refugees and beneficiaries of humanitarian and national protection therefore have access to the same conditions.

In Italy, vocational training is a regional matter, so each region decides on the duration of courses and professional traineeships. In any case, the guidelines of the State-Regions Conference on traineeships²⁰ provide for a maximum of 6 months for vocational training in general, a maximum of 12 months for reorientation and reintegration into the labour market, a maximum of 12 months for disadvantaged people, and a maximum of 24 months for people with disabilities. These general rules also apply to beneficiaries of protection who access traineeships.

Particular attention is paid to the individual situations of vulnerable residents within the reception and integration system. The needs of vulnerable people are taken into account in the organisation of education and training courses, so that all BIPs, from any background, can access these training services. In practice, however, it has been observed that the use of and success in such courses for fragile and/or vulnerable migrants is often difficult to achieve.

4.5 Territorial level and national coordination

To include asylum seekers and beneficiaries in the local community, vocational training activities are promoted by regional projects. These are courses aimed at the initial integration, qualification, requalification, specialisation, updating and improvement of workers. In order to carry out interventions as effectively as possible and that are responsive to the needs of the territories, almost all regional projects carry out a preliminary mapping of the employment needs of the reference context. In 2020, 5612 beneficiaries attended at least one vocational training course, which mainly concerned the catering and tourism sector²¹.

The national authorities have the task of coordinating integration and employment policies at a general level. Art. 29, para. 3 Legislative Decree no. 251/2007, as amended by Legislative Decree 18/2014, provides for the organisation of the "National Coordination Board". It was set up within the Minister of the Interior and is responsible for drawing up a national plan every two years to define integration policies and measures

²⁰Accordo Stato – Regioni in materia di tirocini del 24 gennaio 2013:

https://www.cliclavoro.gov.it/normative/accordo_tirocini_24_gennaio_2013.pdf.

²¹Rapporto Annuale Siproimi-Sai, https://www.retesai.it/wp-content/uploads/2021/06/Rapporto-SIPROIMI_SAI_leggero.pdf.

for beneficiaries of international protection. The Board collaborates with the "Unified Conference" (art. 8 Legislative Decree no. 281/1997), which deals mainly with integration policies. Many authorities are part of the Unified Conference and the National Coordination Board: Ministry of the Interior, Ministry of Labour and Social Policies, Regions, "Union of the Provinces of Italy" (UPI) and "National Association of Italian Municipalities" (ANCI). They are supplemented by the Ministry of Equal Opportunities, UNHCR, the National Commission on the Right to Asylum, depending on the subject matter, experts from other authorities and stakeholders.

The national plan covers several areas: education, language training, recognition of foreign qualifications, employment and vocational training, health care, accommodation and residence, family reunification, service orientation, rights and information.

In concrete terms, there are many ad hoc projects carried out by civil society and financed by national funds which also concern assistance in finding work or vocational training. The national government provides support to regional projects through guidelines and/or calls for proposals or calls for tenders as part of the activities of the FAMI programme. This scenario has often occurred within the reception system, as it has evolved over the years. However, although best practices exist at regional or local level, they are not sufficiently supported on a structured or coordinated basis at national level.

4.6 Challenges

Although the law does not provide for specific administrative barriers for the BIP with regard to access to vocational training and education, some problems may arise in the practical use of training courses and in access to work. There is certainly a substantial difference between those who access the reception system – beneficiaries of international protection and national protection (who applied for humanitarian protection before 5th October 2018 and holders of new permits) and minors – and those who remain outside. Asylum seekers who cannot access the reception system due to the lack of available places (Legislative Decree 130/2020) are certainly in more difficulty. The impossibility of obtaining registration (Legislative Decree 113/2018) has led asylum seekers to have many difficulties in enrolling in vocational training courses, even if the problem has been solved with Legislative Decree 130/2020 which allows the registration of asylum seekers.

It is especially difficult for holders of permits to apply for asylum to be hired by an employer, due to the natural precariousness of the residence permit: hiring a person who

is not sure of having a regular stay for more than six months is a situation that few are willing to accept. Even for the beneficiaries who do have access to education and training services, obtaining an open-ended contract is the main problem. For BIPs, having an open-ended contract means having a greater chance of achieving full autonomy, including with regard to access to the housing system. Often, unfortunately, BIPs leave the reception system without having a job and/or a home. The lack of access to training courses, including to improve the language level of Italian, is one of the causes that contributes to the failure in the search for a stable job. In fact, the language barrier is one of the most widely experienced and reported obstacles by asylum seekers and beneficiaries, workers and employers, together with the lack of awareness about the provision of training courses at local level.

In addition, one of the biggest problems is related to the poor valorisation of the skills and competences of applicants and beneficiaries of protection. In fact, they are often unable to find a job in line with their personal abilities and qualifications, making it difficult to start all over again from scratch (many of them study and have difficulty obtaining the secondary school certificate in Italian).

The lack of clear national guidelines, as well as the organisation of vocational training at regional level alone, causes some problems. Considering that the management of vocational traineeships is ensured by regional legislation, homogeneous access of beneficiaries of international protection to such training courses is not guaranteed, as there are discrepancies between the access requirements of one region rather than another. It should also be added, for the year 2020, that due to the pandemic emergency, professional training was provided online, creating disadvantages for those who were not familiar with electronic devices or did not have the opportunity to participate (lack of Internet coverage or devices).

Finally, the State has set itself the objective – not only with regard to the integration of BIPs – of combating illegal work and labour exploitation, which is often one of the consequences of the lack of education and training of workers. The phenomenon of "caporalato" (illegal hiring) in large agricultural areas of southern Italy is sadly infamous for its involvement of many irregular foreigners or holders of asylum or protection permits, whose situations force them to accept working conditions well below legal standards.

In general, migrants are often included in those sectors that have been affected more than others by the economic crisis linked to the pandemic emergency. The result is that

many migrant workers have lost their jobs. During lockdown, many beneficiaries of international protection and asylum seekers were employed as couriers for companies providing takeout food.

4.7 Regularisation of the agricultural and domestic sectors 2020

From June to August 2020 – in order to guarantee adequate levels of individual and collective health protection – the Government allowed the regularisation of foreign workers who arrived in Italy before 8th March 2020, in specific sectors (agricultural work, assistance to people with diseases or disabilities, domestic work). The process was also opened to holders of residence permits for asylum applications and allowed them to change their permit to a work permit.

Pursuant to Legislative Decree no. 34/2020 (art. 110-bis), migrants who have previously worked in the sectors of agriculture, fisheries, care and domestic work have been able to request regularisation of their status through two different processes:

- firstly, employers were able to request regularisation of foreign and Italian workers without a regular contract through the implementation of regular employment contracts;
- secondly, third-country nationals who were on Italian territory without a valid residence permit since October 2019 were able to apply for a six-month residence permit to look for a six-month job.

Around 220 thousand people have requested this regularisation, but no data is available on the number of asylum seekers or beneficiaries of international protection.

5. Schools and Education

It is certainly not necessary to underline the importance of school and vocational training for the integration pathways of BIPs.

In Italy, in general, the choice was first and foremost to welcome these people into school and vocational training on an equal footing with citizens. Furthermore, as expressly stated in the Italian Consolidated Immigration Act, the principle of recognition of cultural diversity as a value has been established in this context. Finally, a number of particularly favourable measures have been adopted, which will be mentioned below. In the context of reception centres, special measures have been planned with regard to language learning primarily.

5.1 The presence of foreigners in education and vocational training

According to the latest data from the Ministry of Education, students with non-Italian citizenship accounted for 10.3% of students enrolled in the 2019/2020 school year in schools distributed throughout the country²².

On an absolute level, pupils with non-Italian citizenship thus numbered about 877 000 out of a total of 8.5 million girls and boys in the country's schools.

On a dynamic level, the school population in the 2019/2020 school year decreased by a total of almost 96 000 units (-1.1%) compared to 2018/2019, but Italian pupils in particular recorded a decrease of about 115 000 (-1.5%) compared to an increase of 19 000 pupils with non-Italian citizenship (+2.2%), so the incidence of the latter on the total population has risen by three tenths of a percentage point in the last twelve months; and between the 2010/2011 school year and the 2019/2020 year pupils with non-Italian citizenship increased by a total of 23.4%, that is in absolute terms of 166 000 pupils. Furthermore, in this context, the second generations prevail today: two thirds (65.4% in the 2019/2020 school year) of pupils with non-Italian citizenship were born in Italy.

In particular, then, in the last five years the number of pupils with non-Italian citizenship born on the national territory has increased from 478 000 to 574 000, increasing by a fifth, and in the last year the increase was over 20 000 units (+3.7%), thus

²²Italian Ministry of Education (Ministero dell'Istruzione), *Gli alunni con cittadinanza non italiana. A.s. 2019/2020*, September 2021, <https://www.miur.gov.it/documents/20182/0/Alunni+con+cittadinanza+non+italiana+2019-2020.pdf/f764ef1c-f5d1-6832-3883-7ebd8e22f7f0?version=1.1&t=1633004501156>.

increasing by almost one percentage point the share of students born in Italy in the total of pupils of non-Italian origin.

In addition, foreigners born in Italy represent the only increasing contingent in the last twelve months in Italian schools, while Italians and, albeit slightly, foreigners born abroad have decreased.

From the point of view of territorial distribution, two out of three pupils with non-Italian citizenship (65.3%) in the 2019/2020 school year attended classes in the regions of Northern Italy; 22.2% in the Centre of the country; and only one out of eight, 12.5%, in the South, including the Islands.

From this point of view, Lombardy is confirmed as the Region with the largest number of students of non-Italian citizenship, over 224 000 in absolute terms and over a quarter (25.6%) in relative terms of the total number of school students in Italy.

As far as the individual nationality of the pupils is concerned, the first places are still Romania (157 000 pupils), Albania (119 000) and Morocco (108 000), which also represent the communities with the largest number of people in Italy overall; while to refer to the nationalities that we have seen most interested in the phenomenon of international protection we must go down to ninth and tenth absolute position where the two communities from the Indian subcontinent of Pakistanis (22 000) and Bangladeshis (21 000) are located; and then even further back we count 17 000 Nigerians.

There are far fewer Salvadoran (4000), Venezuelan (3000), Syrian and Afghan pupils (less than 2000 each); and even fewer Somalis, Malians and Gambians (less than 1000 each).

Moving on to consider the situation of young adults and adult beneficiaries of protection, based in particular on the data of the Regional Observatory for Integration and Multiethnicity of Lombardy, it can be estimated that 82% of asylum seekers and refugees have a qualification on 1st January 2020 in Italy, although almost always obtained at home and not recognised in the territory of emigration; and a slightly smaller proportion (in 79% of cases) are also beneficiaries of subsidiary and humanitarian protection.

In any case, the absolute majority of each category involved in the protection processes in Italy has in more than half of the cases a secondary school qualification, more often a first degree (in 33-38% of cases) but sometimes also a second degree (in 16-24% of cases).

The graduate population includes 6% asylum seekers, 11% refugees, 9% beneficiaries of subsidiary protection and 5% beneficiaries of humanitarian protection; and in absolute terms there are about 12 000.

People with a residence permit in Italy linked to the phenomenon of protection and a secondary school degree as of 1st January 2020 are estimated instead to total 29 000, and those with a secondary school degree as their first degree, 53 000.

Finally, there are about 24 000 asylum seekers and beneficiaries of protection with a primary school qualification.

In overall relative terms, about one in five migrants had no educational qualification in Italy at the beginning of 2020, 16% an elementary school license, 36% a high school diploma, and 20% a secondary school diploma. 8% have a bachelor's degree or a postgraduate or university degree. However, it is strongly reiterated that these are training credentials in almost all cases resulting from courses of study followed in the countries of origin and not valid in Italy or at least for which no request for conversion has been made for now.

5.2 Gaps in past surveys

In the perspective of this document, the NIEM survey is a way to better understand some of the strengths and weaknesses of the Italian situation. First of all, there are shortcomings in the collection of data.

Considering the questions and answers concerning our country in the Education section of the survey, the question arises first of all of the lack of data on how many children or young people up to 25 years of age who are asylum seekers or beneficiaries of protection are included in the school system in a broad sense. In Italy, the data relating to school makes it possible to quantify in some way the "foreign" component, as also shown by the indications of the paragraph above, but not specifically asylum seekers or beneficiaries of protection. It is clear from the indications referred to in the same paragraph as regards nationalities that this is undoubtedly a minor component in terms of the quantity of "foreigners" as a whole, but there is a lack of data to define it.

This shortcoming may in several respects be a constraint on the construction, implementation and evaluation of policies. Except for what will be said later on about the specific set of unaccompanied foreign minors, nothing specific can be said at the quantitative level, for example, on school dispersion or distribution in the different school and training paths or on the results of children and young asylum seekers or beneficiaries

of protection, although it must be assumed that their paths in this regard are not perfectly comparable not only to those of Italian peers but also to those of foreign peers born in Italy or those who arrived for reunification.

A lack of data is also found in the answer to the question where they are asked about the participation of children and young asylum seekers or beneficiaries of protection in particular interventions with respect to specific needs, for example school orientation interventions or for learning the Italian language.

Similarly, where the NIEM survey asks if there is data on the timing of the inclusion of children and young people in the school system after the asylum application, it becomes clear that it does not exist. When considering the regulations, we should think very quickly about this, because the law does not provide for waiting times and establishes that integration can also take place during the year. But it is sometimes reasonable to think of the existence of obstacles in concrete terms. It would therefore be important to have data on the actual timing to better identify the critical issues, also considering the fact that these are paths in which even the loss of a few months can have negative consequences not only in the short term but also in the long term. It should also be noted that the results of the NIEM survey suggest similar data gaps in France as well as in the Netherlands and even in Sweden.

5.3 School strengths and weaknesses

As regards the inclusion in the school system of children seeking asylum or receiving protection in Italy – as indeed also in France or the Netherlands or Sweden – there is no discrimination at legislative level. The NIEM survey also does not show administrative barriers to entry which are reported in others, in France for example, but some clarification will be made on this point later.

The absence of legal discrimination is undoubtedly a positive fact, but it is limited by the lack of data mentioned above that would be important for assessing the effective protection of rights and results.

With regard to the latter, there is also a lack of adequate monitoring in Italy, as explained in the response to a specific question regarding the NIEM survey. Moreover, this is also a common limit for many other countries participating in the survey.

Some attention to the achievement of the results, at least at the potential level, emerges from the response to the NIEM survey question concerning the identification of children and young people seeking asylum or beneficiaries of protection of categories in

need of specific attention and the adoption of particular measures in this regard. The answer is that in Italy there is no such identification but there are particular measures. This may seem strange, but it is linked to the characteristics of our school organisation: in the relevant framework, only two special "categories" are identified, namely students with disabilities and those with specific learning disabilities, but then there are multiple indications in the sign of attention to diversity and there is the general clause that every student with "special" educational needs can have a personalised plan; and it is clear that this protection can also benefit children and young asylum seekers or beneficiaries of protection with particular problems (from language difficulty to mental distress), even if we do not know anything about the results actually achieved thanks to this protection.

As the results of the NIEM survey show, there is a lack of specific attention on the part of the school system to promptly inform all those concerned – schools and teachers in particular – of the arrival of children and young people seeking asylum or receiving protection. Interested parties become aware of this arrival only when there is "contact" with the school and then with the teachers. This can be a limitation for the planning of certain measures (such as the organisation of L2 Italian classes).

Another shortcoming highlighted by the NIEM survey is that there are no national guidelines for assessing baseline levels. Guidelines which we do find, for example, in France, the Netherlands and Sweden. The question is of some relevance if we consider that such an assessment in practice is often not easy and has effects on the subsequent path (starting from those on the choice of the class placement).

There is in Italy, and in itself this is a positive fact, the provision in general for minors arrived from abroad entering the school system, of specific interventions for the learning of Italian as L2. But there are no predetermined numbers of hours and times. In this a limit can be discerned, as there is a risk of interventions of very small scope or with excessively long time spans. This limit is also found in other NIEM surveyed countries. Sweden seems to escape this, but in that country, as emerges with regard to the specific question, the teaching of the national language at L2 level is organised by local governments and therefore the solutions adopted in terms of duration, number of hours etc. escape the NIEM survey in its national scope. The Netherlands has a very different model, where language deficiencies mean that, as a first step, special classes are required.

Considering the chapter dedicated to schooling in the *Twenty-seventh Migration Report 2021* of the ISMU Foundation, referring in general to students with a migration

background, a specific weakness related to the pandemic emerges first of all: with the use of distance learning "the practice of the Italian language and the enhancement activities for Italian L2 have been reduced or interrupted as well as the spaces for interaction between Italian speakers and non-Italian speakers"²³.

Then some specific critical issues not related to the pandemic emerge:

- the school delay "remains very high for non-Italian students, especially in secondary schools where 56.2% of students of immigrant origin are one or more years behind";
- also due to the weakness mentioned above, the number of young people with a migration background between 18 and 24 years without a higher secondary education degree or a professional qualification and not included in any school-training path (32%, three times the number of indigenous people) is very high and on the other hand the percentage of young people born abroad between 15-19 years NEET reaches 36%.

In the face of the above negative data, with respect to which in recent years there has not been a trend towards a radical overcoming, a certain trend towards a better distribution of young foreigners within secondary education and vocational training courses should be noted as a positive trend. In particular, the phenomenon of an abnormal concentration of young foreigners in the latter, to a lesser extent, in technical institutes seems to be attenuated. The number of high school students is growing: according to the most recent data, more than thirty percent of students with a migration background choose a high school. The figure is still far from that of the other students, but the gap is narrowing.

5.4 Language courses for asylum seekers and beneficiaries of international protection not included in the education system (young adults and adults)

Turning to the subject of language courses for asylum seekers and beneficiaries of international protection not included in the school system – young adults and adults – it should be recalled that there are courses within the scope of the provision of services by reception facilities and there are also schools for adults – CPIA, with specific language pathways for immigrants – also open to BIPs but not specifically intended for them, which also corresponds to a system of certification of the level acquired²⁴.

²³ISMU Foundation, *Ventisettesimo Rapporto sulle migrazioni 2021*, FrancoAngeli, Milan, 2022.

²⁴In this regard, please refer to E. Codini and E. Colussi, *Conoscenza della lingua e acquisto della cittadinanza da parte dello straniero dopo il decreto-legge n. 113 del 2018*, Amministrazione in cammino, 27 May 2019, <https://storage.googleapis.com/jb-wp-uploads/ammincammino-web/2019/06/CODINI.pdf>.

The NIEM survey also highlighted some specific critical issues:

- the absence of statistical data on the beneficiaries of protection in terms of the number of participants, the number of those who complete the courses and the number of those who obtain certificates. Among other things, there is a lack of data to understand to what extent and with what results the residents of the centres make use of the training, in addition to modules offered by the centres, of resources present in the territory;
- the duration of the courses is not predetermined, in particular in the case of courses organised in reception centres. Above all, there is no indication of the time required to reach certain levels of knowledge of Italian. There are educational modules with a certain number of hours, but only at the level of actions related to the agreements between the State and the centres.

5.5 The case of unaccompanied minors (UAMs)

Particular problems are encountered in relation to unaccompanied foreign minors (UAMs), among whom many are asylum seekers or beneficiaries of international protection. The legal system in itself does not discriminate against them and indeed there has been considerable attention over time by the legislator to their needs. However, various factors make their relationship with the world of education and vocational training unsatisfactory, as highlighted by a recent study taken as a reference for this paragraph²⁵.

First of all, beyond the various difficulties deriving from the journey before arriving in Italy, there is a specific difficulty that concerns almost all UMs in their relationship with the world of school and vocational training: their arrival in Italy at 16-17 years of age. If we add to this that the life plan of these children often entails a rapid entry into the world of work and that at the age of majority, even in the legal and assistance levels, a situation of transition often unfavorable to ambitious school or training projects begins, we see an extremely problematic scenario emerging.

Moreover, the average time between arrival in Italy and entry into upper secondary education or multiannual vocational education and training courses is rather long, which

²⁵M. Santagati, A. Barzaghi, *Studio conoscitivo sui minori stranieri non accompagnati e l'accesso all'istruzione*, ISMU Report, September 2021, https://minoristranieri.istruzione.it/documents/20124/33803/ISMU_Studio+conoscitivo+MSNA-ALI_sintesi.pdf/cbf274ba-efed-997e-e923-87622534e064?t=1635156865395.

is problematic in itself and even more so in the scenario outlined above: we are talking, on average, about a year, if not more.

As a result, few UAMs enter upper secondary or multiannual vocational training courses. Compared to the total, only 7% access secondary education and only 13% access multiannual vocational training courses. Particularly surprising is the small number of those who have access to vocational training which, due to the brevity of the courses and their direct relationship with job placement, should be an essential reference point for unaccompanied foreign minors in view of their life plan. Against this background, it is believed that those responsible for the regional systems should carry out a careful assessment and take the necessary measures.

The others do not, as a rule, go beyond literacy courses at the facilities hosting them or at CPIA (adult education centres) and, moreover, do not exceed A2 level.

A worrying picture emerges: most UMs enter the labour market and adult life in general with a very inadequate level of knowledge. The framework for the transition from the age of majority should be improved. The relationship with the world of education and vocational training should be improved by making the latter able to reach children immediately and with interventions that are sufficiently incisive to overcome at least part of the difficulties of the context.

6. Housing in Italy

Housing, as already underlined in the 2021 Report²⁶, has a symbolic as well as practical value. Home can in fact be considered, generally speaking, the most intimate place of every person, regardless of personal origins and situation. The right to housing and a domicile is protected, albeit often implicitly, both by the Italian Constitution (art. 47²⁷) and by numerous other laws, such as the inviolability of the home up to the assignment of a social housing to the incomeless.

When we talk about the integration of migrants, beyond the status and purpose of the journey, we tend to focus on economic inclusion. Obviously, financial stability is fundamental because financial stability makes personal autonomy possible on several fronts, but it is also true that this type of stability does not provide absolute guarantees on the real and total integration of the person in the community that should welcome him/her. In this regard, welcoming is precisely the word, or rather the concept, that deserves more attention. Those who work for and with migrants often point out that, without an openness on the part of the societies in which the person has settled, it is much more difficult to talk about integration. However, this aspect will be better addressed in the chapter on Mainstreaming and building bridges between those arriving and those hosting (Chapter 9).

This chapter on housing integration will instead highlight the regulatory aspects relating to the allocation and use of certain services by migrants and beneficiaries of international protection more specifically, but will also highlight some critical aspects relating to housing integration paths.

6.1 Housing statistics

One of the fundamental aspects of integration in the territory of emigration is access to housing, but for this phenomenon there is no solid statistical data and the best indications come very often from residential sales, which in total in the two-year period 2018-2019 and that is in the pre-pandemic period there were 106 000 by foreigners in Italy, with a total turnover of over EUR 9 billion and an average of about EUR 88 000 per transaction. As Scenari Immobiliari points out, "the absolute protagonists of the purchases were long-

²⁶ Ismu Foundation, *Beneficiari di protezione internazionale ed integrazione*, NIEM National Report 2020, <https://www.ismu.org/beneficiari-di-protezione-internazionale-e-integrazione-in-italia/>.

²⁷ This article refers to savings in all its forms by providing for the need to encourage "access of popular savings to home ownership."

term immigrant workers, with at least a decade of residence in Italy and a stable employment situation for a few years, a necessary condition for obtaining a loan. For 2020-2021, due to the health emergency caused by the Coronavirus, a total of 56 000 property purchases and sales by foreigners are estimated, down by nearly half from the previous two-year period"²⁸.

Even, observing the longest historical series, the 26 000 property sales in Italy involving foreigners are less than a fifth of the 135 000 in 2007 and the turnover of 2.2 billion has meanwhile decreased by 87% despite the fact that the number of foreigners on the national territory has undoubtedly increased.

It is true in this context that 2020 was a particular year marked by the pandemic emergency but the numbers of 2019 are still little more than double: 55 000 sales with foreign protagonists, 58% less than in 2007; and a turnover of 4.8 billion, 71% less than in 2007.

The percentage of sales with at least one of the two being foreign parties has thus fallen in Italy from 17.3% in 2006 to 4.8% in 2020.

The location of residential properties purchased by foreigners has also changed over time: with reference to the average situation of the Italian provinces, it is less and less located in the centre of the municipality, from 10.1% of incidence in 2006 to 4.8% in 2020, with an estimate for 2021 to 3.7%; even more markedly less in the semi-centre, from 24.7% to 5.0% and 4.3% of incidence in the same period of time; and still rather to a greater extent in the periphery, from 26.6% to 34.0% and 35.0% of incidence, and especially in the rest of the province outside the capital, from 38.6% to the absolute majority of 56.2% in 2020 with an estimate for 2021 to 57.0%.

Moreover, more and more Eastern European citizens are buying: in just over a third of cases in 2006 (33.8%) and in more than two out of three cases currently (68.0% in 2020, with an estimate of 70.0% for 2021). On the other hand, Africans, especially from the sub-Saharan area, are buying fewer and fewer homes in Italy, and the frequency of purchase by all other sources on the national territory has decreased in general.

In this context, the Regional Observatory for Integration and Multiethnicity has operated every year since the beginning of the century a sample survey in Lombardy that

²⁸Scenari Immobiliari, "Osservatorio immigrati e casa" of *Scenari Immobiliari. Dal crollo alla ripresa: circa 30mila compravendite nel 2021*, 25 August 2021, https://welforum.it/wp-content/uploads/2021/09/ScenariImmobiliari_cs_Osservatorio_Immigrati_25.08.21.pdf. Cf. *Il Sole 24 Ore, Casa, il covid dimezza gli acquisti degli immigrati*, 25 August 2021, <https://www.ilsole24ore.com/art/casa-covid-dimezza-acquisti-immigrati-AEYvffe>.

among other things has always allowed for monitoring of the phenomenon of housing integration of migrants, albeit limited to this Region which is still the main one in Italy for the number of foreigners. In this way, then, with reference to Lombardy alone, it can be estimated that on 1st January 2020 more than a quarter of migrants from countries with high migratory pressure live in privately-owned housing, an incidence more than three times that of the beginning of the century; but that approximately one in two are instead renting alone or more often with relatives.

Still with reference to the total foreign population and the Lombard situation at the beginning of 2020, then, one in ten migrants is instead renting in shared accommodation with other non-relatives – but these numbered two out of ten at the beginning of the century – and all the other housing solutions are more marginal in terms of incidence, although much more critical: less than 5% of migrants from countries with strong migratory pressure in Lombardy are detected in reception facilities; 4% are temporary unpaid guests of other immigrants and almost as many housed in the workplace; and finally a total of 2-3% are found among other free concessions, squatting and other precarious accommodations.

As regards not the total foreign population but more precisely asylum seekers, refugees and beneficiaries of subsidiary and humanitarian protection, on the other hand, by integrating data from different sources it is possible here to produce ad hoc calculation results as of 1st January 2020: among them the homeless, in particular, are estimated at about 3000, equal to 2% of the total of those who have a residence permit applied for international protection or protection obtained; those who live with friends, family members and acquaintances can be estimated as numbering about 16 thousand, equal to 11% of the total with this legal-administrative status; many more are instead those who live in temporary public housing (such as emergency housing for homeless people, victims of domestic violence, etc.), about 60 000 equal to 40% of the total population who have to deal with the phenomenon of protection; and then 18 000 (12% of the total) in public housing (including building associations) – which ordinarily has an indefinite perspective – and moreover some 51 000 rented by private individuals and with a regular contract (35% of the total).

At the differential level between the various groups depending on the legal-administrative status of the stay, there is mainly a greater relative incidence of people living with friends, family members and acquaintances among people with humanitarian protection; while asylum seekers and refugees are decidedly more in public housing and

finally show greater incidences especially in public residential housing and in private rentals.

It is also possible to estimate in particular that on 31 March 2021 about 14 000 refugees were living in ad hoc public housing. This is more than a third of the total relating to this legal-administrative category if the quantity is assumed to be unchanged compared to the beginning of 2020. Around 10 000 beneficiaries of subsidiary protection, then, probably have the same housing solution, that is, one out of every six of them, still considering this group unchanged in number.

Finally, in this context, it is estimated that practically all the resettled (3000) still live in ad hoc public housing.

6.2 Where to live: a free choice, on paper

In Italy, the migrant, regardless of his/her status, if he/she is not included in a reception path, has the right to decide where to live. In this regard, in fact, the law provides for a comparison of rights between Italian and foreign citizens. With regard to the holder of international protection, the rules governing such equality are Legislative Decree 251/2007 (arts. 29, paras. 1 and 34) and Legislative Decree 18/2014 (art. 1) where precisely the right to move freely within the national territory is sanctioned. In principle, the use of benefits to support access to the property system also provides a certain degree of uniformity with the exception provided, however, especially at the regional level, for services that require a presence in the territory for a certain period of time (see Section 6.3).

Regardless of this freedom of movement, the choice of where to live, for migrants, is often dictated by the presence, on the one hand, of greater job opportunities and, on the other hand, of the network of compatriots (if not just family members).

However, this choice, or freedom of choice, is actually hampered by a number of implementation obstacles due to the barriers posed by the host community. With regard to the issue of housing, one issue is the mistrust of landlords who are unlikely to enter into leases to foreigners. The greatest fear lies, as is easy to understand, in the economic instability of the tenants, but not only here. Over time, in fact, there has also been a lack of confidence in them regardless of the presence of financial autonomy. The migrant, with a different culture, is still perceived as a risk, as a problem to be avoided. This thinking is present within the labour market, but even more so in property. People who

own a house today tend to give up a possible income for fear of possible problems or non-performing leases.

This type of attitude is one of the causes of the development, especially in large cities, of ghettos inhabited for the most part by foreigners of the same nationality (or of different nationalities). This housing segregation, as reported in several studies²⁹, in addition to being a hotbed of critical issues is also an obstacle to successful integration processes.

Another critical aspect also arises for beneficiaries of international protection. In fact, those who have concluded a path of reception in the national system (today SAI), thus raising their expectations of autonomy and integration within Italian society, risk making the efforts made in vain since they are unable to follow the path taken. The exit from the reception system, in fact, always represents a moment of great discomfort and tension both for the migrant and for the operators of the centres that have worked to offer hospitality and inclusion.

6.3 Administrative barriers: the case of public housing

In the previous paragraph, access to the private property market was highlighted, but what is the reality with respect to the use of the public residential construction service? In the Italian Consolidated Immigration Act, article 40 paragraph 4 provides that the legally-resident foreigner can access social, collective or private housing, prepared according to the criteria provided for by regional laws, by the municipalities of greater settlement of foreigners or by associations, foundations or voluntary organisations or by other public or private bodies, within the framework of accommodation structures, mainly organised in the form of a hostel, open to Italians and foreigners, aimed at offering a dignified accommodation for a fee, according to regulated tariffs, pending the finding of an ordinary accommodation permanently.

²⁹ Among these: A. Augustoni et al, *Neoliberalismo, migrazioni e segregazione spaziale: politiche abitative e mix sociale nei casi europeo e italiano*, Sociologia urbana e rurale, XXXVII, 106, FrancoAngeli, Milan, 2015 <https://doi.org/10.3280/SUR2015-106009>; A. Petrillo and A. Tosi, *Migranti in città: scorci della situazione italiana*, Mondi migranti, FrancoAngeli, Milan, 2013 <http://digital.casalini.it/10.3280/MM2013-002002>; D. Vecchiarelli and E. Tarsi, *Superare il ghetto: analisi della segregazione abitativa dei lavoratori agricoli nella provincia di Foggia*, CRIOS - critica degli ordinamenti spaziali, 21, FrancoAngeli, 2021 <http://digital.casalini.it/10.3280/CRIOS2021-021007>; A. Alietti and A. Augustoni, *Lo spettro del ghetto e i processi di ghettizzazione: considerazioni introduttive*, Sociologia urbana e rurale, XLIII, 125, FrancoAngeli, Milan 2021, <http://digital.casalini.it/S10.3280/SUR2021-120001>.

Likewise, paragraph 6 of the same article, provides that foreigners holding a residence card and legally-residing foreigners in possession of a residence permit for at least two years and who exercise a regular activity of subordinate work or self-employment can access, on equal terms with Italian citizens, public housing and the intermediation services of social agencies possibly prepared by each region or by local authorities to facilitate access to housing leases and subsidised credit in the field of construction, recovery, purchase and lease of the first house of residence.

The basic requirements for access to or priority of access to public housing are generally as follows:

- revenues of less than about EUR 25 000;
- the number of household members;
- the number of dependent children;
- the age of the applicant and of the members of the family;
- the presence of people with disabilities.

These are general requirements that, however, leave the Regions with a certain margin of manoeuvre since the allocation and use of contributions and housing is carried out on the basis of the criteria and methods provided for by regional law (art. 40, para. 5). The legitimacy of these regional differences is assessed by the Constitutional Court in order to ensure the fair enjoyment of rights by all citizens irrespective of their origin. By way of example, the penalty for discriminatory behaviour is cited, following the attribution of an additional score to holders of Italian citizenship (TAR Liguria, Genoa, sect. II, 24 August 2011, no. 1354).

To facilitate access to housing for vulnerable people, including international migrants and protected persons, multiple forms of alternative support have been developed based, in most cases, on the social housing system. For beneficiaries of international protection, the policy of hospitality to families, although not widespread, is also mentioned. In this way, the person finds support from an economic point of view, but not only this.

6.4 Challenges

Access to housing remains an important issue for the reasons outlined above. At the central level, support is provided through the Migration and Integration Asylum Fund (FAMI), which finances projects aimed at improving the inclusion, including housing, of migrants. These are often virtuous practices, but they are not sufficient to meet local and

national needs. What is lacking, as stated by the stakeholders interviewed within the project activities, lies in a targeted, structured and forward-looking policy able to give answers in the short, but above all in the long term.

Greater coordination between the central and regional levels is all the more necessary. In this regard, the National Coordination Board should be more regulated and used, truly constituting itself as a tool for shared management of the housing integration policies of the most fragile subjects.

Such attention is desirable above all for those who are not (or have not been) on the national reception path: migrants who do not apply for asylum and applicants or beneficiaries who travel the path independently. This category, in fact, has even more difficulty in accessing services, even if present in the territory³⁰.

The interviews with stakeholders and beneficiaries of international protection, carried out as part of the NIEM project, then turned the spotlight on different yet closely interconnected issues. A first stumbling block is certainly the economic one. This difficulty is not exclusive to migrants: many Italians, especially if young, live in situations of financial hardship. However, migrants are often, and to a greater extent than our compatriots, subject to atypical employment contracts if not to work in the absence of a contract. In addition, there is often a lack of support from relatives. Migrants rely on networks of compatriots which, however, in almost all cases require payment of debt. In this way the economic autonomy of the foreigner only comes about over a very long time. For this reason, there is a tendency to activate strategies for sharing apartments, giving rise to situations of overcrowding which, in addition to being contrary to the norm, are harmful from the point of view of quality of life and personal health. This last aspect raises even more concern at a time like the current one when the pandemic has required more care and greater social distancing. Still interconnected to the economic situation is the other challenge in access to the property system by beneficiaries of international protection (but it can be said of migrants in general). Increasing rents force migrants to seek solutions in places often in remote areas and with inadequate public transport links. This aspect, in addition to making it difficult to travel to the workplace, affects the integration process which includes different dimensions. Consider, for example, personal sociality or that of children, if present. Finally, but not in order of importance (on the contrary), the aforementioned closure by the owners of the properties may occur. For this reason, we

³⁰Consider also the differences at the context level between small or large urban centres or at the regional level. The number of migrants present is also a noteworthy variable in these considerations.

would like to emphasise that it is all the more urgent to activate practices aimed at facilitating the encounter between people from different cultures, since mutual trust is the most effective tool for overcoming prejudices and discriminatory behaviour. Working on ourselves contributes to creating more welcoming societies where integration is not just a path to take, but an important piece within the wider spectrum of social cohesion.

7. Health

The sixth *Common Basic Principle* states that access for migrants to institutions, as well as to public and private services and benefits, on the basis of an equal and non-discriminatory principle vis-à-vis the citizens of the place of reception is a fundamental element for better integration.

Italy recognises personal physical and psychological health as a fundamental right to be protected without exception. Legal status is also not a discriminating variable for taking charge of a person. This means that even those lacking a regular residence permit have the right to receive urgent and essential care (art. 35 para. 3 Italian Consolidated Immigration Act).

Asylum seekers who enter reception facilities are subjected to preliminary examinations aimed at ascertaining any physical and mental illnesses for sudden care of the most vulnerable. However, this process is often affected by the situation of overcrowding in reception centres and waiting lists for local health clinics.

7.1 Access to the health system from a statistical point of view

According to the latest public data³¹, in 2017 there were 520 000 admissions of foreign citizens, equal to 6.1% of the total hospitalisations in Italy. Compared to five years earlier they have decreased in absolute value (since they were 557 000) but their relative weight has increased (from 5.7%) and this means that even more over time the hospitalisation of Italians has contracted. In any case, however, the rate of hospitalisation of foreigners was and remains lower than that of Italians.

In recent years, moreover, among foreigners, the decrease in admissions has been faster in the Day Hospital (DH) regime compared to the regime in Ordinary Hospitalisation (OH) and currently about one in five admissions is in DH compared to one in four in 2012.

The lesser use of hospital facilities by foreigners does not derive merely from their younger-age structure than Italians, as age-standardised hospitalisation rates show that foreign citizens are admitted to any age group less than resident Italians and the gap is particularly wide for men under the OH regime and more limited for women in DH among which the admissions of foreign women for reasons related to reproduction (pregnancy, childbirth and voluntary abortion) continue to have a significant weight.

³¹Reference is made to the National Observatory on Health in the Italian Regions, *Rapporto Osservasalute 2019*, 2020, <https://www.osservatoriosullasalute.it/osservasalute/rapporto-osservasalute-2019>.

Also from the point of view of almost all the main diagnoses, the rates of hospitalisation of foreigners are lower than those of Italians, with the exception OH of infectious diseases and asthma for both genders to which ear diseases are added for women; in addition, rates of hospitalisation for foreign women for complications of pregnancy, childbirth and puerperium and for diseases related to abortion higher than for Italians for both OH and DH are confirmed.

Considering the various diagnoses, for women from countries with high migratory pressure in OH the highest rates are observed for diseases of the circulatory system (8.7 per thousand), in particular for heart diseases (5.4 per thousand), for cancers (7.9 per thousand) and for diseases of the digestive system (7.9 per thousand). In DH, on the other hand, rates are higher for diseases of the genitourinary system (4.2 per thousand).

Among men from countries with high migratory pressure, injuries, unlike in the past, are no longer the main diagnosis in OH because they are surpassed by diseases of the circulatory system (17.6 per thousand). This is followed by diseases of the digestive system (9.0 per thousand), tumours (8.4 per thousand) and diseases of the respiratory system (8.1 per thousand). In DH, on the other hand, the most frequent admissions occur for the so-called "factors that influence the state of health" (2.4 per thousand), for diseases of the digestive system (2.3 per thousand) and for cancers (1.8 per thousand).

In this context, the analysis by cause of death and area of citizenship was conducted by standardising the data of people between 18 and 64 years of age in 2016 and for foreigners from countries with high migratory pressure, the most frequent are in the order of tumors, diseases of the circulatory system and "external causes", respectively with incidences of 37, 20 and 15 cases per 100 000 inhabitants per year. The disadvantage of the male gender is generally remarkable, but less marked for the tumour group.

Relative risk levels in almost all causes of death however are almost always less than those compared to Italians for both men and women, except for infectious diseases.

From this last point of view, then, we can also note that during the pandemic 2020 compared to the annual average 2018-2019 the number of deaths among foreigners has increased by 23.3%, against the contemporary +17.7% recorded by Italians, almost six percentage points less despite a structure for a more "mature" age and therefore generally much more susceptible to attacks of the Covid-19 virus compared to that of Italians. As already pointed out in the 2019 Osservasalute Report, "the effects of possible discrimination within the country of arrival such as those on the labour market and the lack of social and economic integration constitute the main determinant of the state of

health of the immigrant population. Social discomfort and deprivation, indeed, also contribute to increasing the risks of death from specific causes, in particular accidental and violent causes"; but in light of the results of 2020 this also very probably applies to infectious diseases, as already noted, however, with a very slight differentiation compared to Italians in the most accurate analysis carried out with the data already disaggregated by cause of death in 2016.

Indeed, as already noted at the time, "the critical issues emerging from the issues on the social rights of foreign citizens are undoubtedly the watchdog of policies that are not always adequate and signal the urgency of improving the capacity to take charge of the health needs of this segment of the population".

In this context, unfortunately, given the particular fragility in general of migrants and, among foreigners, especially those without a residence permit or suffering from worse social conditions, there is no precise data on hospitalisations and possible deaths due to the legal-administrative status of their presence in Italy and therefore on all asylum seekers and persons with a residence permit on national territory for international protection. It is only possible to estimate how during 2019 about 4000 people applied for asylum in Italy, in particular subjected to torture, rape or other serious forms of psychological, physical or sexual violence, a thousand disabled people, as many people with serious diseases, 2000 pregnant women and also about 2000 people with mental disorders and as many victims of trafficking.

As the Lazio Region correctly notes in a document made by the entire medical and scientific community, "if the so-called 'healthy migratory effect' persists, albeit with some attenuations, that is, a self-selection at the beginning for which people in good health emigrate, upon arrival we witness the so-called 'exhausted migratory effect'. At the time of first appointment, results are observed mainly due to the path of forced migration, such as wounds, burns, dehydration, hypothermia, heat/sunstrokes, drowning syndromes, musculoskeletal injuries. Moreover, it must be considered that their migration is "forced", as it is necessary to avoid a situation of violence and danger to their lives. They are people who may have been exposed to serious traumatic events, including extreme violence and rape, which occur both in the pre-migration phase, that is, in the country of origin, and during the migratory journey. In particular, it is worth noting the

increasingly frequent practice of torture and widespread violence perpetrated in 'reception camps'³².

It is clear that the above applies above all to applicants and those who have just arrived in Italy, especially after a long and dangerous journey; but also among beneficiaries of international protection and in particular within the extreme opposite of refugees who have perhaps been in Italy for many years now, it is undeniable that a past is often sedimented that has left physical and psychological wounds that still require very special and dedicated care and attention, by virtue of the personal and family history of each individual.

7.2 Health care, migration and international protection

In Italy, holders of refugee and subsidiary protection are entitled to the same treatment as Italian citizens in terms of social and health care (art. 27 of Legislative Decree 251/2007). This is similarly the case for asylum seekers³³. This equality includes registration with the Italian National Health Service (SSN), i.e. the system of facilities and services aimed at guaranteeing, equally, to all citizens, access to the equitable provision of health services, in implementation of art. 32 of the Constitution³⁴.

Enrollment in the SSN may be mandatory or voluntary. The first, also called registration by right (art. 34, Italian Consolidated Immigration Act), is guaranteed to:

- foreigners who are legally resident and who have regular employment or self-employment activities or are registered in the employment lists;
- foreigners who are legally resident or who have applied for the renewal of their residence permit, for employment, self-employment, family reasons, pending adoption, custody, acquisition of citizenship;

³²Regione Lazio, *Indicazioni e procedure per l'accoglienza e la tutela sanitaria dei richiedenti protezione internazionale*, 2018, https://sanitadifrontiera.org/sanimapp/img/Indicazioni_accoglienza_sanitaria.pdf.

³³On 31 July 2020, the Constitutional Court ruled against the principle of equality enshrined in the Italian Constitution, the refusal of registration in the civil status of asylum seekers introduced by Legislative Decree 113/2018. Subsequently, Legislative Decree 130/2020, as amended by Law 173/2020, repealed the rule introduced by Legislative Decree 113/2018. After registration, asylum seekers obtain an identity card valid for three years: Legislative Decree 130/2020 allowed the registration of asylum seekers, solving all administrative problems, including those related to access to health care.

³⁴"The Republic protects health as a fundamental right of the individual and collective interest, and guarantees free medical care to those in need. Nobody can be forced to undergo any health treatment, except under the provisions of the law. The law cannot, under any circumstances, violate the limits imposed by the respect of human dignity."

- asylum seekers, refugees, beneficiaries of subsidiary protection and humanitarian protection (obtained before 5th October 2018), beneficiaries of recent forms of special protection;
- unaccompanied foreign minors, even pending the issuance of a residence permit, following legal report upon their detection in the national territory.

The second, voluntary, provides that foreigners residing regularly in Italy, for a period of more than three months, but not entitled to compulsory registration, are covered by the risk of illness, accident and maternity, through the stipulation of a private insurance policy, or, with voluntary registration to the NHS through the payment of an annual flat-rate contribution.

Migrants and persons seeking or having obtained protection face some difficulties in accessing the health system due to different administrative barriers. Among these, for example, the possession of the tax code useful for registration with the NHS leads to delays in the use of the service; the discrepancies in access to health services between one Local Health Authority and the other due, among other things, to the different level of knowledge, among the workers, of the methods of use of the service by foreigners. Local Health Authorities, outpatient and hospital staff can benefit from training courses or information material produced by the Ministry of Health or by private bodies, which in various ways, are responsible for supporting the inclusion, including health, of migrants regardless of their legal status. However, participation is on a voluntary basis and there are no particular legal obligations with respect to the reference target of this relationship. The same applies to migrants who receive information often contained in brochures distributed within Italian schools, boards of trustees, Local Health Authorities and so on. A separate discussion takes place for those who are housed in a centre thus enjoying the support of the social workers working there. Unfortunately, it is necessary to point out, in this case too, the existence of a disparity in the provision of information, often due to a lack of basic knowledge on the part of the staff themselves³⁵. The information is therefore sometimes fragmentary if not incorrect.

The pandemic caused problems for everyone. In the reception centres it was complex to manage the process according to the rules provided for by the different decrees.

³⁵It should also be borne in mind that in some reception centres, services are not promoted to a sufficient extent. In this regard, an increasingly structured monitoring of the centres distributed throughout the country is desirable so that this type of disparity can be alleviated, if not eradicated. It is not only a failure in the provision of services, but also a waste of human and financial resources.

Individuals who had been granted international protection status, whether they are applicants or beneficiaries, were informed through various instruments. In addition to the measures taken individually by the reception centres, UNHCR in collaboration with ARCI has created a portal (<https://www.jumamap.it/>) in several languages to provide information on the emergency that we were all (and are) facing.

7.3 Fragility and reception

Migrants, especially those who have crossed the Mediterranean after a period of detention in Libya, present various forms of fragility, especially psychological. The torture suffered leaves physical and psychological scars that often give rise to real post-traumatic stress disorders.

Swift medical and psychological screening are effective tools, but often difficult to achieve, especially in certain areas of landing and at certain times of the year when arrivals of migrants on the coasts are higher. In Italy there are no processes defined by law for the identification of fragilities that are assessed, instead, upon entry to the reception centre and communicated to the prefecture where the competent territorial Commission is established.

With regard to reception, article 17 of Legislative Decree 142/2015 provides that the person is welcomed in a centre specialised in the management of the specific vulnerability³⁶. In accordance with article 18 para. 3 bis of the Consolidated Law on Immigration, special attention is paid to victims of human trafficking. In their regard a unique program of emersion, assistance and social inclusion is envisaged, capable of guaranteeing, on a transitional basis, adequate conditions of food, housing and medical assistance.

7.4 Challenges

Health is considered, as mentioned, an essential right of the person beyond legal status, nationality, religion, gender, age and so on. However, its enjoyment is not always free from obstacles. We have already had the opportunity to highlight the disparity, at

³⁶The following are considered vulnerable persons according to art. 17 paragraph 1 of Legislative Decree 142/2015: minors, including unaccompanied minors, disabled persons, elderly persons, pregnant women, single parents with minor children, victims of human trafficking, persons suffering from serious illnesses or mental disorders, persons for whom it has been ascertained that they have suffered torture, rape or other serious forms of psychological, physical or sexual violence or violence linked to sexual orientation or gender identity, victims of genital mutilation.

territorial level, in access to some services, also on the basis of different knowledge of the legislation and processes.

The health area, even more than others, requires various measures to offer quality services in respect of the person in need of care. The target of migrants, for example, is varied as it includes religions, customs and experiences that are very different from each other but all worthy of attention. Responding to various needs, such as the gender of the doctor depending on the patient, is a sign of a society able to welcome and integrate. If we go into more detail, asylum seekers and beneficiaries of some form of protection have even more specific needs often linked to traumas experienced during the journey.

Support for the health integration of migrants, including applicants and beneficiaries of international protection, is promoted by various actors (Ministry of Health, Regions, Local Health Authorities, NGOs) who, with different roles, implement policies and practices. This "multi-handed" management is positive as it guarantees a greater offer of services, but also includes a certain level of negativity in the differentiation of the services provided by one context compared to another. This is obviously a well-known situation that affects Italian citizens in the same way, but as far as foreigners are concerned, in addition to the enjoyment of the rights most closely related to the health area, it is necessary to consider the specific needs mentioned above and related to the status of migrant. In this respect, therefore, greater coordination between the different levels of governance would be desirable in order to guarantee greater access to the system for the most disadvantaged.

Beneficiaries of international protection received in reception facilities follow an integration path that includes a package of medical, psychological and psychiatric care. While, as stated by the privileged witnesses interviewed, physical care receives an adequate response to the needs that arise, mental healthcare still appears to have room for improvement. Specifically, the issue of waiting times is highlighted. From a physical point of view, access to the emergency room guarantees safety, but especially with regard to mental illness, the long delays in structured patient care are the main challenge to be faced. In addition to this, it is difficult for the person in need of psychological or psychiatric care to explain their discomfort. This is not, of course, a linguistic problem as much as an emotional one since, in most cases, the psychic discomfort is a consequence of the period of detention in Libya before crossing the Mediterranean or in any case of the journeys undertaken in a situation of danger and precariousness (think of those who have crossed the land borders of Northern Italy). In the same way, it is difficult for

patients to understand the diagnosis of their physical or mental problems. Again, these are not problems related to language, situations that can easily be overcome with translation or cultural mediation services, but situations that are often unknown to those directly concerned. In addition, fear arises. Health is a very delicate aspect that is part of a person's intimate sphere. Being treated in a foreign territory, even if more advanced than one's own, always creates a state of apprehension in patients that does not facilitate the delivery of care and the successful diagnostic and healing pathway. It is these aspects that, starting from the institutions that in different ways manage access to the health service, deserve greater attention.

8.Social security

In the surveys, the reference to social security commonly tends to include a wide range of welfare and social security interventions. In general, these interventions are of great importance for asylum seekers and beneficiaries of protection.

For asylum seekers, the dimension of assistance is particularly important and interventions are developed, with strong specialties, first and foremost in the context of SAI structures. For those who obtain international protection status or in any case a permit that allows an indefinite number of renewals of access to assistance and social security, on the other hand, it tends to be similar to those found for the population in general, without prejudice to the peculiarities of the needs and the best methods of intervention.

Having said that, here it is considered appropriate to reflect on the subject of "poverty".

8.1 The statistics of hardship

According to the latest estimates, there were about 1.4 million foreigners in situations of "absolute poverty"³⁷ on the national territory in 2019, with an incidence rate in this situation more than four times that of Italian citizens. As noted by ISTAT, 31% – almost one third – of families composed exclusively of foreigners are in absolute poverty, against one quarter (27%) of those with at least one foreigner and a fifth of the mixed households.

The latest ISTAT data outlines the foreigner in absolute poverty most often as a person seeking employment, with minor dependent children, residing in the small municipalities of the South, without a home of their own.

As Eleonora Gnan also notes, "foreign families are among the most affected not only by economic and income poverty, but also by education and health poverty, closely intertwined. These result, on the one hand, in less access to public services, less capacity to participate in cultural and recreational activities, greater limitations in relational and social activities, greater risks of dropping out and early school leaving, lower levels of education and precarious work situations. On the other hand, we are witnessing worse

³⁷According to the ISTAT definition, "the absolute poverty line represents the monetary value, at current prices, of the basket of goods and services considered essential for each family, defined on the basis of the age of the members, the geographical distribution and the type of municipality of residence. A family is living in absolute poverty if it incurs a monthly consumption expenditure equal to or less than this monetary value", <https://www4.istat.it/it/prodotti/contenuti-interattivi/calcolatori/soglia-di-poverta>.

health conditions and greater difficulties in accessing the necessary treatments, if not even renouncing them as a result of the scarcity of income"³⁸. From this point of view, while families of only Italians allocate about EUR 123 per month to health, equal to 4.7% of their total expenditure, families composed of only foreigners spend just over half, EUR 70, equal to 3.5% of their monthly expenditure; and the 2019 Banco Farmaceutico Report highlights how the total monthly expenditure per capita for health services and health of poor families is EUR 12 per month for poor Italian families against half, EUR 6, for those made up only of foreigners, with an even higher relative differential in the purchase of pharmaceutical products, between EUR 8 per month for poor Italians and 3 of those Italians.

In this national context, then, in 2019 the people transited by the network of Caritas counselling centres numbered 124000, of which the absolute majority of 52.2% consisted of foreign citizens, often homeless and in situations of serious marginality, with problems related to the housing, relational sphere and access to the main social rights.

The Caritas results show that the greatest difficulties relate to the material sphere: more than three out of four present problems of economic poverty; the absolute majority have problems related to work; just under one out of three has critical issues with respect to housing; while just over one out of five reports issues related to situations of escape from war contexts, asylum applications, legal-administrative irregularities and bureaucratic problems and even less perceived among foreigners are family problems (reported in 9% of cases) and health (only 8%), which are widespread instead with more than double incidence among Italians who turned to Caritas counselling centres in 2019.

A particular focus on the situation of asylum seekers and beneficiaries of international protection is then possible based on the summary results disseminated in February 2020 by fio.PSD at the end of the survey on "Migranti Senza Dimora: le risposte dei servizi di accoglienza in Italia" ("Homeless Migrants: the responses of reception services in Italy")³⁹. At the end of the survey the organisations working in the field were asked to express an evaluation on what are the social impacts of the reception system on the lives of migrants and from this point of view, 43.9% of respondents rated as insufficient the systems of

³⁸E. Gnan, *La povertà dei cittadini stranieri prima e dopo la prima fase dell'emergenza sanitaria*, welforum.it, 2 November 2020, <https://welforum.it/la-poverta-dei-cittadini-stranieri-prima-e-dopo-lemergenza-sanitaria/>.

³⁹For more information, see the website of fio.PSD, Federazione Italiana Organismi per le Persone senza Dimora, <https://www.fiopsd.org/migranti-e-senza-dimora/>.

access to the health system, both physical and mental, against 36.6% who rated them sufficient and a residual 19.5% who instead considered them good.

Even more, systems of access to fundamental human rights, such as education, employment and social security, were considered insufficient for almost half of the organisations interviewed, against a two-fifths quota that considered them sufficient and one in eight good; and even one in two respondents considered the social integration systems of migrants insufficient, less than two in five sufficient, and again only one in eight good.

On the other hand, with regard to access to school for boys and girls, in an exceptionally much more positive way, almost half of the respondents considered that the reception systems are sufficient and two out of five that they are even good, compared to a minority share of just over 11% who considered them insufficient.

When, in the context of the research "Homeless Migrants: the responses of the reception services in Italy", participants were finally asked to briefly but more freely describe the Italian reception system for migrants in most cases, negatively connoted opinions emerged and the most used expressions were "long and little oriented to the promotion, that is to say, to the support of autonomy", "emergency", "inadequate", "welfare", while on the opposite front it was observed that "a well-implemented reception, with trained staff, is beneficial for the reference territories and generates all-round wealth".

8.2 Lack of focus

The above scenario corresponds to a regulatory framework and, more broadly at the policy level, little focus on the needs of foreigners and in particular beneficiaries of international protection who are "poor" or at risk of poverty. It is clear that this scenario cannot be derived from this lack of focus, since poverty and in particular the poverty of immigrants and more specifically of beneficiaries of protection is a phenomenon in relation to which a large number of factors act with respect to which the public action of prevention-contrast encounters multiple limits, but in any case it must be noted that the need to prevent or contrast the poverty of immigrants and in particular of beneficiaries of international protection has not been the subject of particular consideration.

The specific assistance measures within that system now known as the SAI have in their strictly welfare dimension generally avoided the absolute poverty of asylum seekers but have not been designed and implemented in such a way as to at least seriously seek

to prevent poverty as a condition after the exit of beneficiaries of protection from the system. The paucity of interventions in the field of education and vocational training is emblematic.

For beneficiaries of protection who have left the reception system, there are no specific measures to prevent and combat poverty.

The issue of possible exclusions from the measures adopted with reference to the population in general was even raised. And with respect to some particular measures, lines have actually been developed to exclude, among other things, in part, the beneficiaries of protection. Emblematic is the case of the income of citizenship for which the law entails among others the requirement of a previous residence for at least ten years in the national territory with obvious foreclosure effect in practice against most of the beneficiaries of protection present today in Italy.

With regard to such exclusions, the courts, and in particular the Constitutional Court, acted by imposing limits that ensured that there was no shift from individual discrimination to a generalised line of discrimination, limiting the phenomenon to particular cases. It is not possible to enter into detail here on the criteria followed. It can only be observed that according to the general jurisprudence it is not possible to discriminate directly or indirectly to some extent against immigrants except in relation to the possibly medium, long term aims of the measure which may lead to the preference of those for whom there is a greater guarantee of stay precisely in the medium or long term in the territory, thus discriminating against a portion of the foreigners.

It has been said that discrimination has thus been limited to particular cases. But these are not unimportant. For example, the above-mentioned forecast relating to citizenship income is still in force and the Constitutional Court has observed that since "income" also includes measures aimed at job placement in a medium to long-term perspective, some reference to "rooting" index factors – with consequent possible discrimination against all or part of the beneficiaries of protection – may be considered permissible (decision no. 19 of 2022).

Therefore, for the beneficiaries of protection we have sectoral discrimination and, beyond the welfare dimension of the SAI, the absence of specific effective prevention and contrast measures with respect to the risk of poverty.

The absence of specific measures, it should be noted, is serious in its consequences and of dubious legitimacy according to the principle of substantial equality referred to in art. 3 of the Constitution if we consider that the beneficiaries of protection are

particularly at risk of poverty due to the starting situation, characterised by strong factors of weakness (for example, not knowing the language) and due to the presence of discriminatory guidelines at societal level (for example, the difficulty of accessing rented housing) and the labour market with respect to which the protection deriving from the specific anti-discrimination action is certainly important but not such as to eliminate the phenomenon.

To some extent, this gap is addressed by the so-called 'social private sector'. At this level we find interventions with immigrants as a specific target or even in particular the beneficiaries of protection or in any case interventions in which special attention emerges for the latter.

9. Mainstreaming and building bridges between cultures

The integration of migrants, regardless of their status, is a process that involves different institutional (and non-institutional) actors in the reception context and, of course, migrants. The debate on mainstreaming is still open. It mainly concerns two aspects: shared management at the level of governance of the phenomenon (horizontal mainstreaming) and policies aimed (or not) at a specific target (vertical mainstreaming). If the first aspect receives greater support, since collaboration, for example, between the different Ministries can only be an added value in the management of inclusion, the second element still finds conflicting opinions. On the one hand, there are those who believe that a policy (or practice) aimed at responding to one (or more) needs and therefore aimed at the entire citizenry, including migrants, is most successful, while, on the other hand, there are those who believe that a targeted offer of policies or practices can achieve greater results. Obviously, some practices are necessarily "targeted." Think of Italian courses for foreigners, or policies aimed at people with physical disabilities or mental distress. This is not the place to resolve this debate given, above all, the complexity of the subject. What is important to emphasise here, however, is that, in both cases, the presence of prejudices and discriminatory acts (especially when it comes to institutional discrimination) is one of the main, if not the main, elements against the creation of member societies (also known as 'welcome societies') and the promotion of social cohesion.

9.1 Reports of discriminatory acts

According to the Fifth White Paper on racism in Italy⁴⁰, between 2013 and 2018 discriminatory crimes in Italy more than doubled from 472 to 1111, although they then fell to 969 in 2019; while those with a racist or xenophobic motive more than quadrupled from 194 in 2013 to 828 in 2017, and then decreased to 801 in 2018 and 726 in 2019. As regards the latter, these were mainly incitements to violence (234 cases), desecration of graves (147), physical violence (93), disturbances of public peace (91), threats or threatening behaviour (71), damage to property (40), theft and robbery (40).

⁴⁰Lunaria (ed.). *Cronache di ordinario razzismo. Quinto libro bianco sul razzismo in Italia*, Rome, 2020, https://www.cronachediordinariorazzismo.org/wp-content/uploads/quinto_libro_bianco_razzismo_def.pdf. The official source of reference is that offered by the Office for Democratic Institutions and Human Rights (Odihr Observatory) of the OSCE (Organisation for Security and Cooperation in Europe), which publishes international reports on hate crimes, fuelled by official data provided by law enforcement and the Observatory for Security against Discrimination (Oscad) and supplemented by information provided by civil society organisations.

The other official source of reference from this point of view is the National Office against Racial Discrimination (Unar), which unlike the White Paper on racism in Italy deals with cases of discrimination even without criminal relevance⁴¹. In particular, in 2018, 2,331 out of 2,473 reports received were deemed relevant, or actual cases of racial discrimination. However, the cases recorded by the office during the year also include reports received in 2017 for a total of 4068 cases and on these the "ethnic-racial" motive is clearly the most recurrent, in more than 70% of cases, followed at a great distance by the religious one in one case out of ten and those that refer to sexual orientation (7%), disability (5%), age (4%), in addition to multiple prejudices (3%).

In particular, among the discrimination recorded by Unar in 2018 with an ethnic-racial motive, almost a third (31%) has to do precisely with skin colour, much more than with other somatic characteristics (only in 1% of cases); while less than one in four is mainly based on the condition of being a "foreigner", 18% that of being a "refugee" – and more generally you can imagine the entire area of asylum application and international protection – and 15% that of being Roma, Sinto or travellers. Other reasons, finally, concerned 12% of the total reports.

The cases of racism that resulted in verbal and physical violence, property damage and discrimination documented by Lunaria in 2018 were 644, and then 555 in 2019 and 159 in the first quarter of 2020. The absolute majority of them were still expressed through verbal violence every year, while documented racial discrimination was in particular 78 in 2018 and then 81 in 2019 and 24 in the first three months of 2020. In this context, since 2008 the majority of documented racial discrimination has been institutional, up to 47 cases in 2018 and 44 in 2019 against 31 and 37 respectively by private individuals in the last two years; but in the first three months of 2020, for the first time, racial discrimination by private individuals (15) exceeded institutional ones (9).

With regard to the areas where racial discrimination was most prevalent, from 2009 to 2012, the main area of public life was uninterrupted, surpassed by the information system only in 2013 and 2014 and then returned predominantly in both 2015 and 2016.

In 2017 (after the years of strong migratory flows by sea to Sicily) the reception system for asylum seekers and beneficiaries of international protection became prominent as an

⁴¹The office, established in 2003 and located in the Department for Equal Opportunities of the Presidency of the Council, has the task of guaranteeing the right to equal treatment and of combating discrimination by collecting reports, providing assistance to victims, carrying out research and analysis, promoting awareness-raising activities and reporting to the Government and Parliament.

area of racial discrimination in Italy, while in the last two years both in 2018 and 2019 the main field from this point of view has become that of social relations.

In particular, in 2019 sport ranked second as an area where racial discrimination was most documented, with 121 cases against only 4 in 2008.

Regarding the reception system, on the other hand, it is remarkable on the contrary that after the 173 cases reported in 2017, it fell very much to 78 in 2018 and collapsed to only 7 in 2019.

As regards the motive of cases of racism in Italy, regardless of the areas, the main one has always been represented by national or ethnic origin from 2008 until 2018, while in 2019 there were exactly the same number of cases also for issues relating to somatic traits that then became the absolute first reason for racism documented on the national territory in the first three months of 2020.

Racist discrimination on a religious basis, however, has become rarer over time, while cultural practices have added up from this point of view only 2 cases in total from 2016 to the first quarter of 2020, including 20 of the record year 2013 alone and in any case generally many more in the past.

Finally, among the perpetrators of acts of racism in 2008 and 2009, groups of individuals were in first place; then from 2010 to 2015 it was always rather institutional actors; in 2016 and 2017 the groups of individuals were again prominent; while in more recent times both in 2018 and in 2019 and in the first three months of 2020 the relative majority of the perpetrators are found to be individual persons.

9.2 Governance of inclusion policies

The governance of Italian inclusion policies is multilevel since each institution has precise roles within a shared system. In 2014, with Legislative Decree no. 18 of 21st February, the National Coordination Board was established at the Ministry of the Interior in order to prepare, on a biennial basis (except for cases where a shorter term is needed), a National Plan of interventions and measures to support the integration of beneficiaries of international protection. Therefore, these measures are aimed at responding to the needs of this specific target recognised as having particular needs with respect to the broader universe of migrants.

In detail, the National Integration Plan "identifies the lines of intervention to achieve the effective integration of holders of international protection, with particular regard to socio-occupational integration, also promoting specific programmes to meet the demand

and supply of work, access to health and social care, housing, language training and education as well as the fight against discrimination. The Plan indicates an estimate of the recipients of the integration measures, as well as specific implementation measures of the programming of the relevant European funds prepared by the responsible authority."

Without going into the specifics of each individual field of action, an operation that goes beyond the objective of this document, what we must stress here is the need to make the most of this multilevel governance so that it can truly be an added value and not an obstacle. To date there is often a lack of coordination between the different institutional realities both at the vertical level (national, regional, local) and at the horizontal level (between ministries, between regions or between municipalities). We already had the opportunity, for example, to highlight the differences in the provision of services at local level. This disparity affects both the quantitative level (number of places in reception compared to the presence, number of staff in the facilities, number of services offered, etc.) and the qualitative level (presence of cultural mediators, attention to fragility and immediate response, etc.).

An attempt to standardise the services offered in the reception , with new specifications for the management of the structures that receive applicants and beneficiaries was adopted by decree of the Minister of the Interior on 29th January 2021 as a result of the regulatory changes made with the entry into force of Legislative Decree no. 130 of 21st October 2020, converted with amendments by Law no. 173 of 18th December 2020.

9.3 Bridges between cultures

The European Union has for years, through its soft law documents (first of all the *Common Basic Principles*), emphasised that integration is a binary process. This means that both migrants and the host society are (or should be) involved in the path of inclusion. Only in this way, in fact, can we achieve that social cohesion that promotes well-being in all its aspects. To date, however, the burden of integration remains, if not in rare cases, on the shoulders of migrants who are called to integrate into society without making too much noise. The regulations and policies clearly outline the different steps of the integration path, establish the parameters and timelines. What is not considered is the distance between the groups and especially between Italians and foreigners. This is a long-standing issue and the position of foreigners in host societies has been the subject of

sociology studies for a long time. Regardless of the studies carried out, those who work in the field on a daily basis with and for migrants, regardless of their legal status, highlight the lack of trust towards the foreigner as the main obstacle to the integration and development of the migrant's autonomy. This mistrust is evident in every dimension of integration, from work to home to health, with different nuances. In accessing the property system, we have already had the opportunity to underline, the problem lies in the fear, on the part of the landlord, both of not having economic security and of having problems with the neighbourhood in the face of the diversity of habits (different kitchens, different hours, etc.). Migrants often become those first accused in the case of local petty crimes, despite the fact that there is no real evidence backing this statement. In addition to this, with respect to access to public housing, there is a tendency to believe that migrants, and especially those in the asylum track, have preferential lanes or facilities to the detriment of the needy Italians. In this case there is a "war" between the poor often dictated by the lack of information that feeds the anger towards those who are considered less deserving as non-citizens. A similar situation is found in the health area. Migrants are often accused of being the cause of the development of new diseases, but even more often they are accused of engulfing the health system, thus lengthening the wait for Italian citizens who are therefore forced to resort to private services.

A different situation exists in the labour market. In this case there is a certain level of hypocrisy when the lack of trust is lost for utilitarian purposes. Differences in habits, in fact, remain. Many employers complain, for example, about the difficult relationship with African workers in terms of keeping to the times or the need to keep to the times of prayer or the period of Ramadan. Despite this, there are many who resort to foreign labour, including for domestic work or for the care of their elderly.

In the face of these observations, which are certainly not new, it is desirable above all for the institutions to be more interested in policies capable of facilitating the encounter between cultures, because only by increasing mutual trust will it be possible to build bridges and cover the gaps drawn between people of different nationalities.

10. Comparative analysis and complementary policies in comparison: some ideas

The NIEM research⁴² has made it possible to learn about certain laws, policies and practices of other States, proving to be a valuable opportunity to have access to information directly entered by the Member States.

Without claiming to be exhaustive, this chapter aims to highlight some aspects that are considered significant from a comparative law perspective, comparing different dimensions of integration of BIPs within some of the areas analysed in the previous chapters.

10.1 Dimensions of integration in several countries

As noted by the NIEM survey, the quality of governments' efforts to integrate refugees varies widely across the EU countries analysed. The NIEM 2021 comparative results confirm the previous 2017 results: the 14 countries offer very different levels of support to applicants and beneficiaries of international protection. This model is valid with regard to the legal framework, the policies that actively support integration and the collaborative implementation of them.

It should certainly be borne in mind that the ranking does not measure the budgets spent on refugee integration, data availability, evaluation and integration results, indicators provided for in the NIEM instrument, but which cannot be assessed comparatively due to persistent data gaps. However, it sheds a clear light on the results and shortcomings of governments' responses to the challenge of integrating refugees in Europe.

As far as residence is concerned, Italian legal standards are comparable with those applied in Spain: the protection residence permit lasts 5 years and is renewed on simple request. Similar standards are found in Lithuania, the Czech Republic and Slovenia. In Poland, as soon as the beneficiary receives refugee status or subsidiary protection, he obtains a residence permit which is granted for an unlimited period of time. In Hungary,

⁴²The NIEM assessments are the result of the answers that each European partner submits annually to a set of questions asked by NIEM with respect to the various areas of integration (namely health, school, access to vocational training and language and social orientation courses, family reunification, access to home, work, social security, residence, citizenship, etc.). In fact, each response is coded and transformed into an increasing score from 0 (minimum integration) to 100 (maximum integration) and the integration score of each area is equal to the average of the scores deriving from the individual answers that refer to this area, country by country. The overall average integration score is then equal to the average of the scores of the individual areas, country by country. For more information: <http://www.forintegration.eu/>.

a situation similar to the Italian one was reported in 2020: due to quarantine during the Covid-19 pandemic, permanent residency processes have suffered a drastic slowdown and several administrative requirements have constituted an obstacle to the residence application.

With regard to labour policies, most Member States apply legal provisions to facilitate access of BIPs to the labour market, recognising their access to employed and self-employed work as for national citizens, without hindrance. In the field of labour policies, most countries do not have targeted support programmes for BIPs to access employment, and Italy, among these, does not have sufficiently efficient national policies on the subject. Among the countries analysed, Sweden has adopted a good labour policy practice that is worth dwelling on. The labour market introduction programme in Sweden has a guaranteed duration of 24 months, is implemented by specially trained staff and focuses on three main components: employment services, language training and civic guidance. The first step of this programme is to validate the education of newcomers, work experience and skills. In addition, there are several forms of subsidised employment available. Unaccompanied minors of working age, single parents, women and persons with disabilities are identified as groups with specific needs for the purposes of eligibility for employment services and receive targeted employment support. In France, an action plan was drawn up in 2020 to promote the recognition of the skills, professional experience and qualifications of newly arrived foreign nationals (including BIPs). In Spain, on the other hand, the documentation required to access employment is very difficult to obtain and poses a significant obstacle to job search for BIPs.

Health is the dimension in which member countries have implemented the best policies of the NIEM framework. All Member States, including Italy, shall ensure minimum health coverage for BIPs on an equal basis with nationals and in a non-discriminatory manner. The legal framework on access to health care has been completely stable in all countries evaluated in the period 2019-2021, maintaining generally favorable standards. For example, in France, the authorities regularly inform healthcare professionals about the rights and needs of beneficiaries of international protection. The "vulnerability plan" of the French Ministry of the Interior provides for various awareness-raising measures on the specific health needs of people seeking or benefiting from international protection. On the contrary, NIEM reports that in Poland, in 2020, the Office for Foreigners failed to finance or co-finance the provision of medical assistance to BIPs in collaboration with NGOs.

As with health, access to education is widely provided in Member States assessed by NIEM. Almost all countries guarantee access for BIPs to different levels of education on an equal basis with national citizens, including access to pre-school education, primary/lower secondary education, upper secondary education and post-secondary and tertiary schools. The Czech Republic, France, Italy, the Netherlands, Poland, Slovenia, Spain and Sweden provide BIPs with the same access to school as national citizens up to tertiary education, without imposing additional requirements and with a facilitated system of recognition of qualifications. On the other hand, different legal conditions negatively affect the inclusion of the BIPs in the education system in Greece: here foreign minors have access to the education system only in the absence of enforcement measures of expulsion against them or their parents. In addition, children of third-country nationals with incomplete documentation may enrol in public schools only if a number of conditions are met.

In the Czech Republic, France, the Netherlands and Sweden, BIPs have freedom of movement and choice of residence within the country, full access to housing benefits, as well as full access to property rights on equal terms with national citizens. This tends to be the case in Italy, at least on paper, but the lack of housing policy and the many practical obstacles to access to housing, as illustrated in paragraph 6, contribute to creating several obstacles to access to housing. Freedom of movement is not a foregone conclusion for BIPs in the other countries analysed: in Greece it is only as of 2019 that beneficiaries of international protection can enjoy the right to free movement under the same conditions as other third-country nationals and freely decide their residence within the country. In Spain, migrants cannot meet the general conditions for access to housing benefits: they need to have a long-term residence permit, formal residence in the municipality and a bank account opened under special conditions.

It is interesting to note, on the subject of housing, that in Slovenia, starting from November 2021, BIPs will be able to access targeted support to receive accommodation provided that they sign an integration agreement within one month of receiving the status. BIPs unemployed or without financial means will be entitled to receive financial aid from the State to rent private accommodation for a maximum of 12 months and under certain conditions for a further 12 months. The agreement requires at least 80% attendance of a Slovenian language course, a course on Slovenian society and once a month participation in a meeting with a social worker. In the past, BIPs in Slovenia were

automatically entitled to 36 months of financial assistance for the rental of private homes without additional conditions.

On family reunification, most national laws are in line with the EU directive on family reunification. However, the restrictive provisions affect vulnerable persons in some Member States, as the favourable conditions are not generally provided for and only minors are covered by certain special provisions. Romania and Italy provide legal provisions that are highly favourable to all BIPs, without discrimination. In Italy as well as in Romania, in fact, there is no minimum duration specified in the law for BIPs to access family reunification. In addition, there are no economic, housing, integration, linguistic or health requirements to be met, and there is no time limit to benefitting from these favourable conditions. Spain, on the other hand, has reported an increase in the amount of the family reunification fee, thereby jeopardising the effective access of BIPs to the process.

10.2 Outcome indicators

With regard to the *outcome indicators*, built on the responses given by States regarding particular integration challenges, Italy shares with Greece and Poland the problem of overcrowding in homes and the creation of ghetto neighbourhoods for foreigners with low socio-economic availability.

On the labour market, the Italian difficulty of accessing training and language courses was reported, as well as the general problem of the national labour market offering fixed-term contracts and little job stability: a similar problem reported by the Czech Republic.

As for the issue of health, however, our country stands out from the others for the specific offer of health services on the mental health of migrants, even if the very long waiting times risk nullifying good practices.

Finally, it has been pointed out by several parties that prejudice towards migrants and discrimination are factors that hinder the integration processes: the BIPs interviewed in Sweden shared the idea, echoed by the interviewees in Italy, that integration concerns the collaboration between newcomers and the host community. In Italy, in fact, the lack of mutual trust between the receiving company and the new arrivals was indicated as an obstacle to creating bridges and increasing the commitment of migrants to the receiving company.

10.3 Integration and pandemic

The NIEM comparison report shows that the Covid pandemic has generally had a disproportionately strong impact on migrants and refugees. Living in situations of great insecurity on the margins of society, the vulnerabilities of refugees have been further aggravated by pandemic measures and restrictions. The pandemic also highlighted disparities in access to basic services for refugees.

Although legal, policy, and implementation/collaboration indicators in NIEM research directly reflect only in very few cases the impact of the pandemic on refugee integration, the negative impacts of Covid on different areas of integration were observed through specific questions in this round of NIEM assessment.

Overall, countries that have strong refugee integration policies in general appear to better manage the negative effects of the pandemic, while other countries have reported facing greater challenges in responding to the needs of refugees during the crisis. Information that Italy reported on the subject that was considered relevant for the research were the regularisation of domestic and agricultural workers and the creation of the multilingual portal jumamap.it.

Conclusion

The Italian experience is characterised by a reception system for asylum seekers consisting of residential structures and then by the application to the beneficiary of protection, once out of this system, of the measures ordinarily provided for the population, except for limited exclusions or special measures. Alongside this, we have, of particular importance, the administrative guidelines governing the examination of applications for protection, residence permits for beneficiaries and family reunification.

This structure has positive aspects but also critical aspects, especially with regard to reception, with respect to which interventions would be appropriate. In particular, these are critical issues surrounding integration. In this regard, it should be noted, particular importance should also be given to the fact that, while in the past, many people oriented to ask for protection in Europe were transiting through Italy, today the data show a marked tendency to remain in our country. After the exceptional year of 2014 with the strong Syrian and Eritrean flows, already in 2015 and even more in the following years it has gradually changed both the landscape of provenances, with the arrival of nationalities that seem more interested in staying in Italy and fewer fleeing wars⁴³, and the policy of managing migration flows, with a growing rate of identification of migrants together with a strengthening of border guards. As can be seen both from the data on the variation in the numbers of foreign residents in Italy in recent years in correspondence with the nationalities involved in the landings, and from the number of those accepted in the reception facilities, as well as from that of the total asylum applications submitted, it is legitimate to affirm that initially in 2014 – that is, when the flow of migrants by sea consisted almost exclusively of Syrians or Eritreans – migrants who arrived in Italy by sea, often fleeing wars, continued their migratory journey to other European countries; almost always avoiding the Dublin Convention, that is, without asking for asylum on the territory of first landing. It can be added that they were often even facilitated by the Italian authorities to cross borders into other states without any identification beyond

⁴³The number of people arriving in Italy by sea had never reached 50 thousand persons per year until the beginning of the last decade, then progressing to 170 100 in 2014, 171.3% more than the previous record of 62 692 in 2011 triggered by the "Arab spring"; and stood at 153 842 in 2015; at 181,436, an absolute record, in 2016; and at 119 369 in 2017, with a collapse visible only in the last five months of that year in conjunction with the agreements of Italy with Libya which then continued in the following two years with 23 370 landings in 2018 and 11 471 in 2019, finally rising in 2020 (34 154) and more strongly in 2021 (67,040). In the first year of the crisis, 2014, mainly Syrians (42 323) and Eritreans (34 329) arrived in Italy, but Syrians immediately decreased to 7448 in 2015 and 1200 in 2016. While Eritreans were the most numerous new arrivals in 2015, Nigerians were the largest group among those who landed in 2016 and 2017 before being surpassed by Tunisians until 2021. Last year, in particular, there were still mainly the latter (15 671), followed by Egyptians (8352), Bangladeshis (7824), Iranians (3915) and Ivorians (3807).

the possible self-declaration of their country of origin: Syrians residing in Italy, for example, despite tens of thousands of landings on national territory, grew only from 4414 on 1st January 2014 to 5892 on 1st January 2018; and Eritreans even decreased in the same period of time, from 11 187 to 9 343. And as further proof of Italy then as a mere country of transit, those accepted in reception facilities stopped at 66 066 at the end of 2014 compared to 170 100 landed during the same year, and the same asylum applications submitted in Italy amounted to a third of the number of landed in 2014. More recently, on the contrary, there is a smaller discrepancy in the numbers between migrants arriving by sea, the consequent asylum applications made in Italy and the relative increase in the resident population, at least in relation to what has been found in the past; and an occupation of the reception system more in line with the real number of people disembarked, which most likely means a situation in which migrants more often stay in Italy as a final destination.

Given the above, the following are some of the most relevant general critical issues:

- in the first phase, that is, the one that develops in reception facilities, the measures adopted are unsuitable to enhance the background of asylum seekers and to give them the tools to move "on an equal footing" with others once they leave the SAI. In this regard, there are shortcomings in terms of regulatory provisions but, above all, as a result, upon exit, the BIPs are at high risk of poverty or marginalisation. Interventions concerning language teaching, vocational training, etc. should start earlier and be more intensive;
- on leaving the reception facilities, beyond some, not insignificant, formal discrimination (as in the case of citizenship income), BIPs are to be treated in the same way as the generality of the subjects, whether it is access to housing or access to work or other, with the same rights and the same facilities. But this, due to the situation of weakness in which they find themselves, and also due to the emergence of some situations of de facto discrimination, translates into a situation, for many, of marginalised poverty. With also, among other things, the triggering of mechanisms, so to speak, in a spiral where the "weakness" in one area also extends to others. It is observed, for example, that not having a stable employment relationship accentuates the difficulty of finding a house for rent. As should normally be the case in our legal system, in the face of a specific weakness, specific compensatory measures should then be developed. For example: ad hoc measures to facilitate access to work or to housing. It should also be considered

whether it would be appropriate to promote legal stabilisation processes for those BIPs who do not not have refugee status or subsidiary protection and experience specific precarious situations as regards residence permits;

- the above-mentioned situation of poverty and exclusion is then reflected in the enjoyment of rights. Consider, for example, how the right to family reunification can in fact be prejudiced or lead to situations of serious hardship.

Regarding the method, with respect to the critical issues mentioned above, it is hoped that as far as possible the definition of the interventions will take place with some participation of the interested parties. So far this participation has hardly ever been foreseen, preferring the easiest way of a definition by the institutions and, to some extent, by the operators, "as if" they really fully understood the needs of the BIPs and the best solutions. But it is clear that this is not always true. Given the circumstances, for example, it is reasonable to think that the beneficiaries of protection could be useful indications for the definition of housing construction solutions intended for them – since it is not certain, for example, which are the most suitable for their needs – as well as for the definition of training courses since in this regard it is essential to take into account life plans.

Another hope is that it will operate in such a way as to give the same opportunities insofar as possible to all BIPs, regardless of the region in which they are located. In Italy, regional differences are very pronounced, including with regard to the opportunities offered to BIPs. While in this respect we can see differences that are considered a value, and others closely linked to more general developmental differences, there are many that give rise to real discrimination linked, for example, to the lesser offer of opportunities by public services. Research such as NIEM by its nature, as linked to what is foreseen at national level, does not highlight these critical issues but it should not be overlooked that, for example, not all regions offer the same level of services with regard to vocational training or access to employment. With regard to these differences, it is considered that intervention in the sign of homogenisation, based on the enhancement of the best experiences, would be appropriate.

Finally, with regard to the above-mentioned interventions, it should be noted that not only, as highlighted above, do they appear necessary but that today the circumstances appear to be in some respects favourable. Despite all the difficulties of the scenario with regard to the continuous flows of asylum seekers, we are far from the first years in which these flows manifested themselves as a mass phenomenon. For some time they have

appeared to be high but relatively stable (the Ukrainian crisis, which by its nature poses very particular challenges, is not considered here). And then, if it is indeed true that often in Italy in the field of international protection, emergency-oriented thinking has prevailed, leading to the preference for immediate assistance and urgent measures in general over what is necessary in a long-term perspective today, for what has been said, the reference to such a perspective should be the focus of attention.



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