"Going through Dante's Purgatory: Asylum seekers in Italian bureaucracy."

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Declaration

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Abstract

Italy has become a key actor in the global debate regarding immigration policies. Asylum seekers arriving in Italian territory face a legal limbo that is similar to Dante's description of *Purgatory*. The country's asylum regulations and procedures have rendered applicants' lives precarious and vulnerable due to the absence of an organic legal instrument that can effectively protect them, the juxtaposition of the different level of governance, the lack of social communication between the locals with asylum seekers, institutional inefficiency, bureaucratic practice and the instrumental use of constructed narratives by politicians.

This dissertation examines from a sociological perspective how the bureaucratic asylum request process in Italy has changed from 2008 to 2019 and how its changes are related to political transformations in the Italian government. My analysis reveals a system in which political actors have a primary role in criminalising immigration and, helped by the increasing media attention towards asylum seekers, creates a social aversion to immigration. Empirical evidence shows that this is not just driven by the anti-immigrant right, but that leftist parties have also played a key role in rendering more precarious asylum seekers' lives. In conclusion, Italy has to stop instrumentalizing immigration to serve political interests, and the Italian society needs to engage in a politicisation of asylum through bottom-up social strategies of political action to achieve social cohesion, providing elaborated responses and exploit Italy's potential to become a good example in asylum management.

Keywords: Italy, asylum seekers, bureaucracy, politics, law enforcement.

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Abbreviations	Full description
1951 Geneva Convention	The 1951 Geneva Refugee Convention
ANCI	Associazione Nazionale Comuni Italiani (National Association of Italian Municipalities)
CARA	Centri di Accoglienza per Richiedenti Asilo (Reception Centres for Asylum Seekers)
CAS	Centri di Accoglienza Straordinaria (Centres of Extraordinary Reception)
CDA	Centri di Accoglienza (Governmental Reception Centres)
CEAS	Common European Asylum System
CIE	Centri di Identificazione ed Espulsione (Identification and Expulsion Centres)
CNDA	Commissione Nazionale Per Il Diritto Di Asilo (Italian National Commission for the Right to Asylum)
CPR	Centri di Permanenza per il Rimpatrio (Pre-deportation Detention Centres)
CPSA	Centri di Primo Soccorso e Accoglienza (First aid and Reception Centres, known as, *hotspots*)
CPT	Centro di Permanenza Temporanea (Temporary Detention Centre)
DR II	Dublin Regulation II (EU)
DR III	Dublin Regulation III (EU)
EASO	European Asylum Support Office
EMN	European Migration Network
ENA	Emergenza Nord Africa (Emergency North Africa reception centres)

EU	European Union
EU 28	European Union (EU) which contemplates a group of 28 countries (Belgium, Bulgaria, Czech Republic, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden, United Kingdom)
EURODAC	European Dactyloscopy (European fingerprint database for identifying asylum seekers and irregular border-crossers)
EUROSTAT	European Statistical Office
FNPSA	Fondo Nazionale per le Politiche e i Servizi dell'asilo (Italian National Fund for Asylum Policies and Services)
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union.
IOM	International Organization for Migration
ISO 3166/2	The International Standard for country codes and codes for their subdivisions
Lega	Lega Nord (Northern League Italian Party). Please note they used to be LN before the 2018 elections, afterwards they chose to be rebranded as Lega (League)
LGBTQIA+	Lesbian, Gay, Bisexual, Pansexual, Transgender, Genderqueer, Queer, Intersexed, Agender, Asexual community
M5S	Movimento Cinque Stelle (Five Stars Movement Italian Party)
MNO	Mare Nostrum Operation (Italian rescue operation)
NGO	Non-Governmental Organisation
PD	Partito Democratico (Italian Democratic Party)

PdL	Il Popolo della Libertà (Italian Political Party, The People of Freedom)
PSI	Partito Socialista Italiano (Italian Socialist Party)
Questura	Italian Police Offices
SIPROMI	Sistema di Protezione per Titolari di Protezione internazionale e per Minori Stranieri non accompagnati (Protection system for those entitled to international protection and foreign non-accompanied minors)
SPRAR	Sistema di Protezione per Richiedenti Asilo e Rifugiati (Central Protection System for Asylum seekers and Refugees)
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees

Glossary

The following list presents the technical terms established by International Organizations, experts in political science and experts in migration and asylum that I will use throughout my dissertation:

Concept	Definition
Asylum seeker /applicant	Defined by the UNHCR as an individual who is seeking international protection. In countries with individualised procedures, an asylum seeker is someone whose claim has not yet been finally decided on by the country in which the claim is submitted. Not every asylum seeker will ultimately be recognised as a refugee, but every refugee was initially an asylum seeker (UNHCR 2005).
Asylum seeker(s) in orbit	According to the EMN, an applicant who is denied asylum or who cannot find a state willing to examine her or his request and, without returning directly to the country where she or he runs the risk of being persecuted, commutes from one country to another in constant search for asylum. While the term is currently underused in the EU, it was used before the Dublin Regulation came into force (European Migration Network 2011).
Asylum shopping	According to the EMN, In the EU context, this term is used to describe the phenomenon by which an asylum seeker decides to apply for asylum in more than one Member State or chooses one in particular based on the perception of a higher standard of reception conditions or social security. This expression, although not having legal value, is also used in informal language by the European Commission, often with a negative connotation, as it presupposes an abuse in the asylum attribution procedure. It was used for the first time by the

Commission in Communication COM (2000) 755, but without providing a definition. Recently, a Commission working document (SEC (2008) 2029) provides some examples of its meaning (European Migration Network 2011).

Complementary protection/ subsidiary protection	According to IOM and UNHCR, complementary protections are various mechanisms used by States to regularise the stay of persons falling outside the scope of the 1951 Convention relating to the Status of Refugees or its 1967 Protocol, but who are nevertheless in need of international protection. The EU uses the term "subsidiary protection" to refer to complementary protection granted to persons that are not covered by the Convention but need international protection (IOM 2019; European Migration Network 2011).
Emigration	According to the IOM, from the perspective of the country of departure, the act of moving from one's country of nationality or usual residence to another country, so the country of destination effectively becomes his or her new country of usual residence (IOM 2019).
Externalisation	The term "externalisation" is used by a range of migration scholars, policy makers and the media to describe the extension of border and migration controls beyond the so-called 'migrant receiving nations' in the Global North and into neighboring countries or sending states in the Global South. It refers to a wide range of practices from border controls, rescue operations, to measures addressing drivers of migration (Stock, Üstübici, and Schultz 2019).
Forcibly Displaced Persons	According to IOM and UNHCR, persons or groups of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, either across an international

border or within a State, as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters (IOM 2019; UNHCR 2005).

Humanitarian protection	According to the IOM, a visa granting access to and temporary stay in the issuing State to a person on humanitarian grounds for a variable duration as specified in the applicable national or regional law, often aimed at complying with relevant human rights and refugee law (IOM 2017). In the EU, this form of protection has been so far, replaced by the Subsidiary Protection, except for the United Kingdom only. In the other Member States, this is no longer used, or, in the case of Germany, it constitutes a different concept from that of Subsidiary Protection (European Migration Network 2011).
Immigrant	According to IOM and the UN, an immigrant, from the perspective of the country of arrival, is a person who moves into a country other than that of his or her nationality or usual residence, so the country of destination effectively becomes his or her new country of usual residence (IOM 2019; UNHCR 2005).
Irregular immigrant	According to IOM, a non-national who enters or stays in a country without the appropriate documentation (IOM 2019). Some authors and politicians use the term "illegal" for the same purpose.
Mare Nostrum Operation	Italian Operation launched in 2013 that searched and rescued migrants in the Sicily Channel. The government held direct responsibility for it. The operation had a twofold objective: 1) to rescue migrants travelling on vessels in distress; 2) to combat organized crime and smugglers (Panebianco 2016).

Migrant	Defined by the IOM, as an umbrella term, not defined under international law, reflecting the common lay understanding of a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons. The term includes several well-defined legal categories of people (IOM 2019).
Non-refoulment (principle of)	According to many treaties, is the prohibition for States to extradite, deport, expel or otherwise return a person to a country where his or her life or freedom would be threatened, or where there are substantial grounds for believing that he or she would risk being subjected to torture or other cruel, inhuman and degrading treatment or punishment, or would be in danger of being subjected to enforced disappearance, or of suffering another irreparable harm (IOM 2019). The principle is enshrined in Article 33 of the 1951 Geneva Convention; Article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT); Article 3 European Convention of Human Rights (ECHR); as well as in Article 7 of the International Covenant on Civil and Political Rights (ICCPR) (UNHCR 2018).
Politics of fear	According to Wodak, the instrumentalization of some kind of ethnic/religious/linguistic/political minority as a scapegoat for most if not all current woes and subsequently construct the respective group as dangerous and a threat 'to us', to 'our' nation (Wodak 2015).
Populism	According to Gagnon et al., populism in politics is ideologically ambiguous or "thin-centred," that is, it attaches itself to diverse (and sometimes even contradictory) ideological projects depending on the political moment. As the name

suggests, if populism has a single defining characteristic, it may be the invocation of "the people" who are betrayed, wronged, or otherwise left vulnerable to forces outside their control (Gagnon et al. 2018).

Populist	Defined by Gagnon et al., a populist can be an individual, a political party, or a social movement. Such agents are defined as populist because they adopt a particular style of behaviour, discursive frame, or thin ideology in which everyday citizens are framed as in need of regaining control over the political institutions that were meant to serve them, institutions which are felt to be corrupted by elites to serve the interests of the opulent minority, the Other, the few hegemons near and far (Gagnon et al. 2018).
Reception (centres)	According to the EMN, reception centres are facilities for the reception, treatment and satisfaction of the immediate needs of refugees or asylum seekers upon their arrival in a country of asylum. The system is the ensemble of all the facilities which are designed for that matter (European Migration Network 2011).
Reception (conditions)	Set of measures recognized by the Member States in favour of asylum seekers according to EU Directive 2003/9 / EC (European Migration Network 2011).
Refugee	Defined by UNHCR, refugees are people who have fled war, violence, conflict or persecution and have crossed an international border to find safety in another country. Refugees are defined and protected in international law. The 1951 Refugee Convention is a key legal document and defines a refugee as: "someone unable or unwilling to return to their country of origin owing to a well-founded fear of being

persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion" (UNHCR 2005; IOM 2019; European Migration Network 2011).

Regularisation

According to IOM, regularisation is any process or programme by which the authorities of a State allow non-nationals in an irregular situation to stay lawfully in the country, by granting them a regular status (IOM 2019).

Safe country (of origin)

According to the EU Asylum Procedures Directive, a country is considered as a safe country of origin where based on the legal situation, the application of the law within a democratic system and the general political circumstances, it can be shown that there is generally and consistently no persecution as defined in no torture or inhuman or degrading treatment or punishment and no threat because of indiscriminate violence in situations of international or internal armed conflict (Asylum Information Database 2015).

Schengen (area)

With the Schengen Agreement signed on 14 June 1985, Belgium, France, Germany, Luxembourg and the Netherlands agreed to abolish checks at common borders gradually and to introduce free movement for all citizens of the Member States which signed, for those of other Member States or those of third countries. Born as an intergovernmental initiative, the developments brought about by the Schengen Agreements have now been incorporated into the body of rules governing the EU. Today, the Schengen Area encompasses most EU States, except for Bulgaria, Croatia, Cyprus, Ireland and Romania. However, Bulgaria, Croatia and Romania are currently in the process of joining the Schengen Area. Of non-EU States, Iceland, Norway, Switzerland and Liechtenstein have joined

the Schengen Area. Any person, irrespective of nationality, may cross the internal borders without being subjected to border checks. As the Schengen provisions abolish checks at the Union's internal borders while tightening controls at the external borders, following a single set of rules called "Schengen acquis" (European Commission 2020)

Technocratic government

According to McDonnell and Valbruzzi, based on an ideal type, a government is technocratic if all major governmental decisions are not made by elected political party officials, the policy is not decided within parties which then act cohesively to enact it, and the highest officials (ministers, prime ministers) are not recruited through political parties. Furthermore, the Prime Minister is a technocrat if prime minister or minister is a technocrat if, at the time of his/her appointment to government, he/she: has never held public office under the banner of a political party; is not a formal member of any party; is said to possess recognized non-party political expertise which is directly relevant to the role occupied in government (McDonnell and Valbruzzi 2014).

Unaccompanied minor (children)

Children, as defined in Article 1 of the Convention on the Right of the Child, who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so (IOM 2019).

Introduction

Le leggi son, ma chi pon mano ad esse?
(Laws exist, but who applies them?)
Dante Alighieri, Purgatorio, Chant XVI.

Asylum seekers arriving in Italian territory face a legal limbo, facing a similar situation to the one depicted in Dante's masterpiece: *The Divine Comedy*. For them, the asylum process resembles Dante's *Purgatory,* as it often challenges their resilience, diminishing their rights and leaving them in precarious and dangerous situations when they are most vulnerable.

The decisions regarding the abrogation of the humanitarian protection by the far-right leader and then-Minister of Internal Affairs, Matteo Salvini, in October 2018, took the spotlight in the global debate surrounding immigration politics and policies. However, focusing on these recent decisions and the consequent media attention they have attracted distracts the audience from a much longer history of administrative mismanagement, that has increasingly marginalised asylum seekers. Moreover, it contributed to the social impression that right-wing parties are more restrictive towards immigration than left-wing parties.

The Italian system for asylum is a multileveled body. Each of its levels of governance creates institutions that respond to urgent and emergent contingencies. These institutions often juxtapose their goals and different operative models. The complexity of this apparatus provides its functionaries low traceability, providing them with the incentive to act with a certain degree of discretion, often used against the very same persons they should attend. Furthermore, the critical role of the Italian third sector of asylum management has also created a system of public auctions for the provision of reception services. This method of contract provision usually favours large companies, often inexperienced in social matters and ultimately exacerbates the communication conflicts between local communities and asylum seekers. Taken all together, these complex institutional dynamics, have created a hostile environment towards asylum seekers –and immigration, in general. It is, therefore, necessary to analyse these dynamics that led to this scenario in order to provide elaborated responses to a profound social problem.

This dissertation examines from a sociological perspective how the bureaucratic asylum request process in Italy has changed from 2008 to 2019 and how its changes are related to political transformations in the Italian government. My analysis reveals a system in which political actors have a primary role in criminalising immigration and, helped by the increasing media attention towards asylum seekers, makes the social environment hostile to immigration.

Empirical evidence shows that this is not just driven by the anti-immigrant right, but that leftist parties have also played a key role in rendering more precarious asylum seekers' lives; Italian politicians have found their trojan horse to the electorate through constructed narratives about immigration, regardless their political ideology.

In order to conduct the analysis, this dissertation uses an established categorization from political science literature. This analysis categorises the Berlusconi IV (2008-2011) as a centre-right government (Pasquino 2000), Monti (2011-2013) as technocratic government (McDonnell and Valbruzzi 2014), Letta (2013-2014) as centre-left government (Scotto 2018), Renzi (2014-2016) as centre-left (Scotto 2018; Conti 2015) and Gentiloni (2016-2018) centre-left (Pasquino 2000; Baldini and Giglioli 2019). Regarding the Conte I government (2018-2019), i.e. the M5S+Lega coalition, this analysis assumes that was populist--although not with the same strength that western media has portrayed it [1] (Newell 2019; Baldini and Giglioli 2019; Gagnon et al. 2018) (See Appendix A. Figure 6)

The methodologies applied are mixed, revealing the interdisciplinary character of this research. In addition to the quantitative analysis, I have conducted a series of deep-interviews with experts on the Italian asylum system. In order to protect the interviewees, no personal or sensible data was collected- as defined by the European General Data Protection Regulation (GDPR) (EU) 2016/679-, and anonymity is provided for the interviewees to avoid indirect identifications. The total number of interviews was nine: one former worker for the UNHCR, two public officers working in the CNDA; two lawyers who have provided legal aid to asylum seekers; three NGO volunteers who have helped asylum seekers in their application process, three former workers in the reception system; and one postdoctoral researcher in migration experiences and narratives.[2]

The dissertation is divided into five chapters, organised from a macro to a micro perspective. Chapter 1 is a description of the global and regional trends in asylum policy related to political narratives; chapter 2 briefly explains the development of asylum protection law in Italy; chapter 3 explains the current asylum system and legal framework as well as the institutions involved. My analysis starts with chapter 4 that evaluates the effectiveness of the asylum and reception system based on reports and interviews. It continues with chapter 5 that presents the results of the statistical and sociological analysis of the relationship between

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[1] This definition recognises that despite the fact of being a populist government, technocratic actors who were pointed out by President Mattarella to occupy three of the main offices.
[2] Some of the interviewees worked in different areas as part of the official and non-governmental organisations and institutions, this condition is quite regular in the asylum field in the country.

rejection rates and bureaucratic practices related to the Italian political scenario. Finally, I conclude by inviting the reader to reflect on the need for Italy to stop instrumentalizing immigration to serve political interests, and the Italian society needs to engage in a politicisation of asylum through bottom-up social strategies of political action to achieve social cohesion, providing elaborated responses and exploit Italy's potential to become a good example in asylum management.

Chapter 1. Global and regional situation with regards to immigration and asylum policy and politics

Global situation

For the past two decades, immigration has been at the core of the global policy discussion. The mobility shocks provoked by long-lasting military conflicts, the increasing sense of insecurity inflicted by authoritarian governments and organised crime in different states, as well as the global consequences of climate change are just some of the many reasons people migrate. According to the UNHCR, over the past decade, the global population of forcibly displaced persons grew substantially from 43.3 million in 2009 to 70.8 million in 2018, reaching a record high (UNHCR 2019).

On the global scale, we notice a growing tension among modern nation-states securing their borders in a globalised, profoundly interconnected and mobile world by using political narratives. Immigration has been depicted as undesirable; with no surprise, the primary recipient countries of asylum applications (that have been industrialised economies) (UNHCR 2019), have increased their efforts to limit the arrival of asylum seekers (Crawford and Hyndman 1989). Such efforts have reduced the legal channels for immigration and increased states' budget in externalising their borders (MacGregor 2019; Stock, Üstübici, and Schultz 2019), justified by framing these policies in cost-efficiency terms. (Stock, Üstübici, and Schultz 2019). The reduction of legal channels and the externalisation of borders have resulted in reshaping immigrants' routes and increasing the profits for criminal organisations that operate human trafficking (M. Rossi 2018; FRONTEX 2019; IOM 2017) (See Appendix A. Figure 7; Figure 8).

Additionally, the media has played a decisive role in spreading the "politics of fear" by *Othering* immigrants while representing local communities as cultural bearers of an essential "We-(ness)" (Gale 2004). In this sense, nation-states continue to construct the fiction of a culturally homogenous territory (Anderson 1983) which seems threatened with the arrival of

immigrants, especially if they come from the Global South (Krzyżanowski, Triandafyllidou, and Wodak 2018). There is also an increase in discourses on how migration affects the native labour force (Clemens 2017). States are continuously increasing their efforts to make it difficult for foreigners to obtain labour visas, and politicians complain about the number of asylum requests they get, arguing that the applicants are looking for a job rather than international protection (Accorinti, Pugliese, and Vitiello 2019). Some narratives have promoted a binary classification that affects asylum seekers directly. These narratives suggest that only those who have escaped dramatic wars, deserve support, as opposed to those who want to escape poverty, climate change consequences or "minor" human rights abuses (Gale 2004).

Scholars like Bohmer and Shuman (2008) have provided an account of the new worldwide trends that asylum seekers face while applying for international protection. These include the problem of credibility, the definition of persecution, the gendered dimension of refugee status and its stereotypes, and the decreasing support for family reunions (Bohmer and Shuman 2008).

Regional situation

Europe has been at the media spotlight of asylum policies and management since it experienced its 2015-16 large-scale arrivals (Huddleston and Sharif 2019). News of these new arrivals has obscured the full picture of migration in the region, which is far more extensive than portrayed in those narratives. From 2013, a good part of the political, social and media discussion has argued that a significant amount of immigrants are concentrated within European borders, according to the "refugee crisis" narrative (Lucassen 2018). However, at the global level, most refugees are hosted in middle or low-income countries, often close to conflicts and in precarious and dangerous conditions (Reality Check team 2018; Eurostat 2020a; M. Rossi 2018) (See Appendix A. Figure 9; Figure 10). Indeed, in the debate on irregular migration to Europe estimates often prevail over actual numbers, non-transparent practices are reproduced, and rumours govern over actual evidence (Dünnwald 2011; Castelli Gattinara 2016).

In political matters, empirical research on the role of political parties in restricting immigration policies come to different conclusions on whether parties' political ideology leads them to improve or worsen immigrants' situation with their policies. Still, a good part of the literature, acknowledges that European parties have homogeneous narratives regarding immigration, except for those on the extreme sides of the ideological spectrum (Natter, Czaika, and Haas 2020; Castelli Gattinara 2016; Pasetti and Garcés-Mascareñas 2018). Indeed, it is

worrying that the increasing Eurocentrism and growing extreme right-wing populism are constantly attacking Schengen's core values as they push states' legislators to enact restrictive asylum policies (Estevens 2018).

Last years' debates on migration from Africa to Europe resulted in the establishment of new border zones by the externalisation of immigration (Dünnwald 2011). The extent to which the importance of the securitisation of migration is prevailing over that of human security in the European budget can be seen from the figures reported in the FRONTEX budget (Dimitrov 2019; Visual Cinnamon 2019) (See Appendix A. Figure 11). Despite medias' silence, FRONTEX has not stopped its operations and continues to extend the EU's efforts to control borders. (Council of the European Union 2019; Visual Cinnamon 2019; Dünnwald 2011).

Externalisation treaties with authoritarian regimes have played a significant role in jeopardising the democratic principles of the EU by donating large sums of money to the Moroccan, Libyan and Turkish regimes (Archibugi, Cellini, and Vitiello 2019). These third countries have been successful at detaining immigrants and allocating them within their borders. Still, this strategy has been enormously criticised, mainly because these treaties do not change the structural conditions of asylum seekers, making their journeys even more perilous (Archibugi, Cellini, and Vitiello 2019; Vitiello 2019).

The DR III, replacing the Dublin Convention has been in force since January 2014. This regulation is the primary device of the EU for managing asylum requests. Throughout its different formulations, Dublin has provoked significant disparities among the Member States in the tasks, affected the number and allocation of refugees and asylum seekers, as well as disparities in the financial support it provides. DR III also created disparities in Member States internal practices. According to the DR III, only one Member State is responsible for examining an asylum application (European Migration Network 2011; Fratzke 2015). The examination responsibility is decided on hierarchical considerations regarding the applicant. These considerations range from family-related aspects to recent possession of visa or residence permit in a Member State, to whether the applicant has entered EU irregularly, or regularly, among others (European Commission 2015). This mechanism of allocation of responsibility is known as the Dublin procedure (European Parliament and Council of the European Union 2013; ASGI 2018a). In addition, the Member States share a common guideline to accomplish their efficiency goals in the asylum system, the CEAS—which started to be implemented in 1999-- (European Commission 2014a), despite the attempt to harmonise the asylum system for all the Member States, their national practices have been far from adequate in achieving such goals. The inefficiency of the Member States' systems can be seen from the significant heterogeneity

in the rejection patterns stemming from the differing views on whether an origin country is safe or not (European Commission 2014b; La Repubblica 2019) (See Appendix A. Figure 12).

Italy's geographical position has made it one of the main points of entry to the EU. This characteristic makes Italy an important "European observatory" of immigration management. For this reason, it is so important to analyse Italy's practices (See Appendix A. Figure 13).

Chapter 2. Italy's asylum policy background

Immigrant flows towards Italy respond to broader political and social trends that in modern history can be traced back to the post-war period. The Italian ratification of the 1951 Geneva Convention and the inclusion of the right of asylum in the Article 10 of the Italian Constitution of 1947 (Senato della Republica 1947; Colucci 2018b) started a trend of instrumentalising asylum for political purposes.

It is important to highlight that, throughout this long term, an emergency approach has always characterised immigration policies in Italy (Colucci 2018b; Sanguinetti 2019; Scotto 2018); a specific asylum law has never been approved in the Italian Parliament, and asylum management has been discussed only on legislative terms as part of immigration regulations (Colucci 2018b).

The 1980s-1990s: The Martelli Law and the Schengen and Dublin treaties

The first step in attempting to regulate the Italian asylum system started in 1989, when the Deputy Prime Minister, Claudio Martelli, from the PSI, announced a legislative act related to immigration which became law in February 1990 (Colucci 2018a). The "**Martelli Law**" instituted a Central Commission in Rome to evaluate asylum requests and provided regularisation to irregular immigrants. This law intended to be a temporary measure that supposed to precede a subsequent and never-adopted organic legislation on asylum, as the ones promoted afterwards (Nadan 2011).

As Italy is geographically positioned in the south-eastern border of Europe, key treaties that directly or indirectly relate to migration, have affected their border and migration management (See Appendix A. Figure 13). In 1985, Italy signed the **Schengen Agreement**. According to Paoli, Italy was left outside of the discussion of the agreement because the main objective of the other countries was to harden up migration policies quickly and to impose Italy, an already-made model (Paoli 2018). Later, in 1990, Italy signed the **Dublin Convention** (European Union 1990). This normative tried to avoid the phenomena of "asylum shopping"

and "asylum seekers in orbit" (Nadan 2011; Fratzke 2015). Thus, with both signatures, Italy accepted to become a key country for controlling the EU borders (Sharpston 2017).

The effects of the Martelli and the Turco-Napolitano Law: 1990s-2000s

In the early 1990s, the Central Commission in Rome, born with the "Martelli Law" for valuating asylum requests tended to reject them systematically. From 1990 to 1998 their rejection rates were quite high, ranging from 77% to 90% (Ministero dell'Interno 2019), often on the ground that, the testimonies left by asylum seekers *did not represent the existence of "individual persecution"*(Colucci 2018b). Interestingly, the grants given were mainly to dissidents of socialist and Islamic regimes (Ministero dell'Interno 2019) by centred and right-winged governments (Pasquino 2000), which revealed the instrumental use of asylum for political purposes.

In February 1998, the Senate approved the "**Turco-Napolitano Law"**, proposed by the former communist Giorgio Napolitano within the leftist coalition called the "Olive Tree", which was mainly focused on simplifying immigrant expulsions (Colucci 2018a; Pasquino 2000). This law exemplifies that policies in democracies do not necessarily reflect the narrative of the political ideologies of the government in turn, and that results are often mixed (Natter, Czaika, and Haas 2020). In this case, one of the positive changes this law introduced was the humanitarian protection, which became the most relevant instrument to alleviate the high rejection rates, granted to a 10% of the asylum seekers within the first year from its enforcement (Zorzella 2018; Ministero dell'Interno 2019). Some months after, regularisation was provided to irregular migrants. At the moment, *the instrument of regularisation solidified itself as the primary regulator of Italian immigration policy* (Colucci 2018b).

The developments of the new millennium

In 2001, for the first time, a political right-winged coalition, PdL, won the Italian elections using immigration policies as their election program priority and, in 2002, a new law was approved, known as the "**Bossi-Fini Law**". This law was proposed by two major figures of the Italian right. As the "Turco-Napolitano Law," this law attempted to simplify irregular immigrant expulsions, establishing identification centres for the detention of asylum seekers and a fast procedure for determining the right of asylum for detained applicants (Colucci 2018b). The latter generated concern for the detention of asylum seekers in violation of the principle of non-

refoulment (Amnesty International 2007). It also modified the organisation of the bureaucratic procedure of the "Martelli Law" as requests started to be evaluated by Territorial Commissions (Colucci 2018b; E. Rossi 2013). A particular positive aspect of the law was the institution of the SPRAR, a system of reception and social inclusion for asylum seekers and refugees made up of a network of local bodies founded by the FNPSA (Nadan 2011). Like its predecessors, the "Bossi-Fini Law" also engaged in a regularisation process (Colucci 2018b).

In 2003, the right-winged government of Berlusconi signed the **DR II**. This new normative replaced the Dublin Convention (Nadan 2011) and was accompanied by the EURODAC Regulation, which established a database for recording fingerprint data of asylum applicants (European Commission 2011; European Commission and European Parliament 2003; Fratzke 2015). Another fundamental agreement at the time was the 2008 **Italian-Libyan agreement** signed by Berlusconi's government with Gadhafi, in which, Libya agreed to control immigrant flows on its soil in the exchange of funding. Limiting immigration towards the EU was an evident objective by that moment. The signature of the treaty meant that Libya would detain migrants in a zone outside of international refugee law, as Libya never signed nor ratified the 1951 Refugee Convention. Through this agreement, Italy delegated its responsibilities for EU border control to Libya (Colucci 2018b).

The last decade: 2011-2019

From 2011, parallel to the increasing arrivals, there were increasing asylum requests (ANCI et al. 2017) (See Appendix A. Figure 14). The rapid increase in asylum requests led to a new way of reception, called *extraordinary*. This decision came from the technocratic government of Mario Monti. New centres were created such as the ENAs, in 2011 and later on, from 2014, the CAS. Both of them are structures bought by the Prefectures and managed by private organisations (Colucci 2018b; Fullerton 2013). In 2013, Italy, under the Monti government, ratified the **DR III**, replacing the DR II. As mentioned in chapter 1, DR III has been in force since January 2014 and sought to address some criticisms of the DR II regarding the inequalities in the system, clarifying the hierarchical considerations for the Member State responsible of an asylum application.

The new immigrant flows crossing the Mediterranean were mainly formed by asylum seekers, which were divided into two groups. The first group was formed by asylum seekers who decided to claim asylum in Italy; the second by asylum seekers that remained without any other choice after engaging in second mobilities. People in this second group were turned back

to Italy when the other Member States learned from their journey across the Schengen area and, under the DR III they decided to return the cases (Eurostat 2020b; European Migration Network 2011). These second mobilities were (indirectly) encouraged by the Italian bureaucratic practice which exhausted asylum seekers; the reception system that often left them in precarious conditions; and a "tolerance" policy from the Italian authorities which let them move through state borders and sometimes did not take their fingerprints (Caponio and Cappiali 2018; Brekke and Brochmann 2015) (See Appendix A. Figure 15; Figure 16).

On February 2017, the Italian premiere of the centre-left government, Gentiloni, and the head of Libyan government supported by the UN, Fayez al-Sarraj, signed an agreement called "**Memorandum of Understanding**" that focuses mainly in fighting "illegal" immigration and border reinforcement. It is important to stress that this agreement does not make any difference among the juridical status of the immigrants, by categorising all of them as "illegal" (Accorinti, Pugliese, and Vitiello 2019; Vari 2020). While it has been relatively effective at detaining immigrants within their borders (See Appendix C. Figure 17), the detention of immigrants is outside of international refugee law--as the treaty signed by Berlusconi and Gaddafi discussed above. Furthermore, the alarming political situation in Libya, as well as the Libyan constant violations to human rights, puts into question the democratic values of the Italian state (Accorinti, Pugliese, and Vitiello 2019).

From 2017, the emergency decrees characterised the immigration policies *from the Gentiloni government onwards,* with the "**Minniti Law**" that came from this leftist government. The most affected by this law were asylum seekers because it removed from them the possibility to appeal to the second denial in a court and limited their time in reception centres. It also added the transformation from CIEs to CPR facilitating expulsions (Accorinti, Pugliese, and Vitiello 2019) (See Appendix C. Figure 23).

In 2018, the far-right leader and then Minister of Internal Affairs, Matteo Salvini, proposed Decree-law no. 113 of 4 October, that converted, with amendments, into Law no. 132 of 1 December 2018, known as the "**Salvini Decree"** or **"Security Decree"** that weighs very heavily upon legal provisions and protections for asylum seekers, reducing their opportunities to appeal (Corsi 2019; ASGI 2019b). This law can be seen as the last link of an increasingly restrictive chain of normatives that simplify expulsions and exclude asylum seekers from social institutions. A particularly worrying aspect of this last law is the abolition of humanitarian protection. To this norm is added the transformation of the SPRAR in SIPROIMI, i.e. it denies access to asylum seekers and people entitled to humanitarian protection to this system (Accorinti, Pugliese, and Vitiello 2019) (See Appendix C. Table 8). Moreover, it limits asylum

seekers and refugees' inclusion in the registration office, excluding them from the Italian welfare system (Accorinti, Pugliese, and Vitiello 2019).

After the recent Italian "government crisis" and the new coalition government of M5S and the PD, Salvini stepped down from his position. The new government replaced him with Luciana Lamorgese. However, no substantial change to the "Salvini Decree" has been made, and asylum-seekers still endure its policies, trapped in a limbo of homelessness, harassment and frustration (Pietromarchi 2019; Schumacher 2019). Indeed, as this brief overview has examined, in Italy, restrictive immigration policies have not been carried out only by right-winged governments, but also by leftist ones. For this reason, it is essential to examine the fragility of the system that has allowed politicians to enact legal and institutional provisions that have severely affected asylum seekers.

Chapter 3. Current Italian legal and institutional framework for asylum

Italy has become a party to several agreements –international, bilateral and multilateral-that relate to immigration, asylum and refugees (See Appendix B. Table 4). Nonetheless, some of these agreements are limited by the Italian legal interpretation and further enforcement.

The Italian system for asylum is an ensemble of the progressive evolution of different levels of governance. This system often juxtaposes different conceptual and operative models that, under unexpected emergencies, policymakers have added measures that responded to different logistics and objectives (M. Rossi 2018) (See Appendix C. Figure 21). The Italian legal framework is meant to improve the efficiency of this complex system. Still, the lack of an organic legal instrument is one of the main reasons that made the Italian asylum system unable to achieve its efficiency goal leaving it vulnerable to politicians' wills (See Appendix B. Table 5; Table 6).

Bureaucratic procedure for applying for international protection in Italy

The reception system in Italy for asylum seekers and refugees stands out because of its modular apparatus, based on three different operational levels, which relate to the applicant's legal situation (M. Rossi 2018).

The standard procedure in Italy to request international protection is to present the application to the Border Police or the Police Department-Immigration Office. When the request is presented, applicants are authorised to remain in Italian territory until the decision of the Territorial Commission is communicated (Sarti et al. 2009). There can be three different

types of procedures, depending on the waiting time: regular, accelerated and immediate (ASGI 2018b) (See Appendix C. Figure 22).

For people entering Italy without authorisation, the Italian law provides an identification procedure, which is carried out by the police; this means that immigrants need to be identified before the asylum application is presented. During this meeting, a police officer is present and – if necessary – an interpreter. The police officer takes the photo and fingerprints of the immigrant in order to verify her or his identity and pass it to the EURODAC (Peers et al. 2015) (See Appendix D. Figure 25). If applicants applied after being stopped because having avoided or tried to avoid border control; or if they have applied after being stopped in a condition of irregularity, they are housed in a government asylum centre (Sarti et al. 2009; Colucci 2018b; FIDH 2005). In these cases, the first level of reception is applied, and asylum seekers are housed in CARA, CDA or CPSA (See Appendix C. Figure 23).

Immigrants have to book an appointment in order to formalise their application, during which the "Standard form for the recognition of refugee status, according to the Geneva Convention" (Standard form C/3) will be filled out (Progetto Melting Pot Europa 2019; Sarti et al. 2009) (See Appendix D. Figure 26). Afterwards, the applicant is scheduled for the personal hearing (called *verbalizzazione)*. In the hearing, through an interpreter, a representative of the Commission asks for personal and relatives' data, journey details and the reasons why the asylum seeker left his or her country of origin and the reasons why they do not want to or cannot return to this country (Sarti et al. 2009). The decision is a task carried out by the Territorial Commission for Recognition of International Protection, composed of 2 members from the Ministry of Internal Affairs, one representative from the local authority and one representative from UNHCR (Sarti et al. 2009). While waiting for the decision of the application, the Chief Officer can determine the place in which the asylum seeker will remain until their process is concluded (Sarti et al. 2009). In the case asylum seekers had no means of subsistence and were not at a government hosting centre, before the "Salvini Decree," they could request to the *Questura* to contact the Prefecture for being hosted in one of the SPRAR centres (Sarti et al. 2009; Accorinti, Pugliese, and Vitiello 2019). As explained in Chapter 2, the "Bossi-Fini Law" instituted the SPRAR, which *was* coordinated by the Ministry of Internal Affairs and ANCI. Until October 2018, asylum seekers could be hosted to fulfil the objective of the immigrant's autonomy and social integration (M. Rossi 2018) (See Appendix C. Figure 24). The SPRAR, now-SIPROIMI, is part of the second level of reception (Openpolis 2018).

Finally, the third level refers to the extraordinary reception system. According to law 142/2015 (See Annex B. Table 5), if the availability of places in the first and second reception

structures is exhausted, extraordinary reception measures are taken by the Prefect, in temporary structures, and limited to the time strictly necessary (Openpolis 2018). Concerning the management of the CAS, it is worth pointing out that over the years, different and partly contradictory indications have been given on how they should be structured (Openpolis 2018). As noted in chapter 2, CAS are structures bought by the Prefectures and managed by private organisations (Colucci 2018a; Fullerton 2013) that despite their extraordinary character, they continue to work.

At the end of the hosting period, a temporary residence permit has to be issued to the applicant, valid for three months, renewable until the decision concerning the application is informed, but not valid for work. If a decision has not been made concerning their case after six months of their application, they have the right to be issued a residence permit valid for six months. This permit enables them to work until a decision is made; however, applicants cannot use it to request family reunion (Sarti et al. 2009).

The Commission, through written decision: a) can recognise refugee status; b) can refuse to recognise refugee status but grant subsidiary protection, if it considers that there exists a sufficient risk of grave danger for the applicant to return to their country of origin; or c) could refuse to recognise refugee status, but consider that there exist severe reasons of humanitarian nature and may request the Police Department to grant a permit of stay for humanitarian reasons (Gruppo di studio sul sistema di accoglienza 2015) (See Appendix C. Table 7)

The application of the "Security Decree" affects asylum seekers in numerous ways (Giovannetti 2019; Accorinti and Spinelli 2019). Before 5 October 2018, the applicant who was refused the repeated application could wait for the outcome of the appeal regularly in Italy (Sarti et al. 2009). Following the amendments, this right ceased with the consequence that the applicant can be expelled even before the judge decides on the appeal, with the paradox that the appeal of the contested decision could be granted when the applicant is already outside the Italian territory. If the return does not materialise before the judge decides on the appeal, the applicant could find herself or himself in a legal limbo, especially considering that often several months pass before the judge decides on the appeal (ASGI 2019c). This condition is the illegitimacy of the national rule compared to the European, and most importantly, it could be argued that a violation of the principle of non-refoulment. As discussed in chapter 2, this would not be the first time the Italian legislation has been put into question in its duty of non-refoulment, as it happened with the implementation of the "Bossi-Fini Law", another law enacted by right-winged politicians.

A remarkable set of scholars have debated on what the principle means and where is enshrined (Crawford and Hyndman 1989). For the sake of argument, here is just noted that Italy could be considered in violation of its duty of non-refoulment because its legal and administrative systems have failed to offer a remedy to the potential refugees and expel them to places where their lives or freedom would be threatened, or where there are substantial grounds for believing that they would risk being subjected to torture as the case of sending them back to Libya (UNHCR 2018). The principle of non-refoulment, admits few exceptions such as instances where an individual poses a reasonable danger to the security of the country or constitutes a danger to the community of that country (Larkin 2019). This exception is also mentioned in the EU Directive 2013/32/EU, where except for some well-specified cases, it provides that the applicant can remain on the territory while waiting for the judge to comment on the request for suspension (ASGI 2019c; Council of the European Union and European Parliament 2013).

The Dublin procedure

The Dublin procedure is carried out by the "Dublin Unit" in Italy. It works according to the DR III, previously introduced in chapters 1 and 2, determining the Member State responsible for examining an asylum application lodged in Italy (European Commission 2001). According to DR III, applicants waiting for their decision cannot leave Italy. If they go to another European country and seek asylum, they can be sent back to Italy because it is the state responsible for the decision on their international protection application (Sarti et al. 2009; ASGI 2018b; FIDH 2005). In case another Member State is considered responsible under the DR III criteria, the asylum procedure in Italy is terminated. When asylum seekers are notified on the Dublin decision, the *Questura* arranges the transfer. The applicants must then present themselves at the place, and date indicated (ASGI 2018a). When an appeal is lodged against the transfer decision, the six-month time limit for a transfer starts running from the rejection of the request for suspensive effect (ASGI 2018a). Furthermore, if the transfer has not happened within the time limit for Italy, the application becomes an Italian case (ASGI 2019a).

The unit tends to use circumstantial evidence to establish family unity. Family unity is relevant since other members of the family may be able to claim asylum in another Member State if their relative is already there. In this regard, it is worth pointing out that the criteria based on family ties are placed at the top of the hierarchy and must be examined before the criteria based on documentation, entry or stay (Maiani 2019).

Chapter 4. Between laws, procedures and institutions: how effective is the Italian asylum system?

Generally, the execution of laws differs from how they are written. In the case of asylum directives, codes and procedures, countries often have gaps in law enforcement produced by the institutions and authorities in charge. In a growing environment of intolerance towards immigration without an organic legal mechanism, Italy has not only made asylum seekers lives' more precarious by their laws, but also by its enforcement. As presented in Chapter 2 and 3, the Italian system often leaves applicants with no other choice than to reside irregularly in the country or engage in second mobilities.

Are EU directives and laws effectively enforced in Italy?

Italy transposed the Asylum Procedures Directive and recast Reception Conditions Directive and the CEAS into its domestic law in 2015 (AIDA and ECRE 2015; Zaun 2017). Still, the Italian system violates the EU Directives in profound ways that can result in life-threatening conditions for asylum seekers as a result of their weak transpositions, misreadings and misinterpretations.

There are several reasons why the EU directives do not work in Italy. First, the country has created bureaucratic barriers that prevent asylum seekers from filing their claims within the time frame prescribed, since the authorities schedule them in a waiting list that can make them wait up to nine months (Fullerton 2013; León Salvador 2020g). Second, Italian authorities have created a confusing system of overlapping reception centres for asylum seekers (Fullerton 2013). These shelters accommodate far fewer asylum seekers than the number of arrivals, often guided by the arising contingent emergencies (European Migration Network 2019; León Salvador 2020i). Third, those granted protection in Italy often find themselves living on the street, abandoned by the same authorities that recognised their vulnerability (Swiss Refugee Council 2016; León Salvador 2020j). All three of these situations involve fundamental misinterpretations and misapplications of EU law (Fullerton 2013).

Italy has adopted an exceedingly restrictive interpretation of the Reception Conditions Directive. The Directive requires the Member States to make reception conditions available to asylum seekers "when they make their application for asylum" (Wagner et al. 2016). Italy treats the personal hearing as the point at which the individual "makes an application" within the meaning of the Reception Conditions Directive. The paradox is that Italian authorities do not call these individuals asylum seekers until after the hearing; however, the only reason the

authorities schedule them is that they want to request asylum. They insist that asylum seekers must survive on their own in a country where they are unlikely to speak the language or have social networks, especially when they may be at their most vulnerable (Swiss Refugee Council 2016; Fullerton 2013).

Italy has also made use of its domestic laws to restrict the EU directives. According to experts, the first significant change that affected asylum seekers in the last decade and could be presented as a case of restricting EU's Reception Conditions was the "Minniti Law." As mentioned in Chapter 2, the "Minniti Law" was made under Gentiloni's centre-left government. Before this law, asylum seekers were housed in the reception centres until the second appeal. After 2017, from the first appeal, they are cast out. In this case, they have to find where to live on their own, and for this reason, many of them choose to move abroad, to different European countries (León Salvador 2020g). As discussed in chapter 2, even if there is not an explicit goal, the Italian practice seems to encourage asylum seekers to engage in secondary migrations (Brekke and Brochmann 2015), that ultimately takes them back to Italy under the DR III.

Interestingly, Italian law has also favoured the restriction of asylum following the suggestions of the European directives, to advance their efficiency goals. The "Salvini Decree" presents an example of the use of EU directives to pursue a *certain automatism* that was not part of Italian Law. Enforced in 2018, as explained in chapter 2 and 3, this law brought plenty of provisions that were not implemented before. According to an Italian lawyer expert in the asylum process:

> *The fact that in 2018 we decided to take time and to write down the list of safe countries and apply it, is in any case, very significant of an instance of making things shorter and faster. (…) And this is problematic because these persons are not always well-assisted by a lawyer or a legal advisor* (León Salvador 2020k).

According to the CNDA, the time limit foreseen by the European Directive is rarely respected due to the large flux of requests. They claimed that with the new higher rejection rates of the Salvini Decree, their backlog had been cut down, as the Commissions do not have the option to grant humanitarian protection.

When it comes to the Dublin procedure, the applicant usually waits months without knowing if the procedure has started, or the country which it has been addressed or the submission criteria (ASGI 2018a). Since the practical organisation of the transfer is up to the *Questura*, it is difficult to indicate the average time to wait for the transfer. However, as the majority of applicants abscond and do not present themselves for the transfer, the Italian authorities often ask the responsible Member State for an extension of the deadline up to 18

months, as envisaged in the DR III, and mentioned in chapter 3 (ASGI 2018a). Indeed, some legal advisors recall that when it comes to the Dublin transfers, asylum seekers often decide to move for themselves because it is much faster (León Salvador 2020g). As a matter of fact, in the majority of cases, it is only thanks to the help of NGOs providing Dublin cases with adequate information that asylum seekers can go through the whole procedure (Fullerton 2013). According to a legal advisor:

> *Dublin created people with uncertain legal status. This problem is the result of a system committed to efficiency and to a detachment of reality that does not take into account the subjectivity of the migrant because if he or she wants to stay in Italy because of its own reasons, they should be able to do so* (León Salvador 2020f).

The lack of contact among the different Member States creates further distress in asylum seekers' lives. An NGO volunteer and expert in the asylum process, working in Sicily reflected on the problems of the Dublin Transfer:

> *The real problem with the redistribution is that many people are waiting for so long without being treated so if you have like a wound caused by tortures in Libya and arrive in a hotspot in Italy, you have to wait to be redistributed in a country. The people [in charge] are going to say "we are not going to cure you because Germany is going to do it, France is going to do it" but, the redistribution takes up to eight months. So in these eight months, there are children that have never seen a doctor, people that have never seen a doctor or had psychological support* (León Salvador 2020i).

Still, DR III is not a black and white mechanism. Correctly used it can help for family reunification, as mentioned in chapter 3. It requires that all involved parties work together and correctly, as a former UNHCR worker who has specialised in working with unaccompanied minors, recalls, in a success case of an Afghan boy reunited with his brother in London (Molinario 2019):

> *The family reunion is a possibility of Dublin even if we do not want to share this idea of border, passport, etc. We have to work within this system, and in my opinion, this is a great opportunity that Dublin gives. However, it is underused. Not everybody knows how it works, and when people know this is possible, legal advisors do not know how to handle the case, which is a pity* (León Salvador 2020e).

It is important to note that one of the most significant issues of the European normative is that it has been constructed from the managers' perspective and lacks a connection to the reality of asylum seekers and their subjectivity. It also lacks a connection with the legal advisors in order to explain how these complex mechanisms work. Furthermore, while the CEAS tries to harmonise the asylum process for all its Member States, Italy has pushed for a restrictive interpretation of it, either by using their domestic law or "following EU's" suggestions. All of

the previously mentioned issues indirectly encourages asylum seekers to engage in second mobility towards other EU countries. Therefore, an effective European policy should monitor and assess these issues for providing an improved tool for managing asylum requests for the Members of the DR III.

Is domestic law effectively enforced in Italy?

While the Italian Constitution specifies that is the State the one in charge of immigration management and institutions, in practice, the administration and enforcement of these laws are carried out by regional governments and the Italian third sector (Gargiulo 2013; Amato 2013; Gruppo di studio sul sistema di accoglienza 2015). Moreover, as the central government's policies have created legal gaps and social problems at the municipal level, some *ad hoc* practices have been enacted by local governments and legal advisors (M. Rossi 2018).

Innumerable law violations happen throughout the process committed by public officials, which can change asylum seekers' lives. A simple change of Police Office can alter their whole process since each of them has internal rules not envisaged by the national legal framework. All lawyers, legal aid and NGO workers have mentioned this as part of the system disparities.

> *Different Questura have their internal praxis, their law, that they just come up with and they do it their way and if you want to change it you have to take a lawyer, and the lawyer has to be willing to go against the police officers and maybe he or she can win the case. It depends [on] the Questura that you have to go to do the paperwork to claim asylum. That can change your life a lot. I actually helped, a few of them to change the police office; just because it is much better, easier* (León Salvador 2020d).

Indeed, one of the main issues this implies is exemplified by the ways Police Offices decide the time limit of the residence permit while waiting for a resolution on the application:

> *In Venice, for example, when you are facing the second appeal for the people who claimed asylum before the Minniti law, they will give you two-months permits of stay, I do not know where they got this from, because the law says that asylum requests permit are for six months. They decide they give you two months, and there is nothing you can do to change that, that is why is better to change to another Questura* (León Salvador 2020d).

Furthermore, an NGO volunteer has expressed concern with the information that police officers and even Embassies are providing to asylum seekers:

> *Police Officers sometimes give false information or request documents that are not required at all. At the moment we are writing a report against the Italian Embassies in Africa that are obstructing the family reunions by asking documents that are not necessary, and sometimes they even want to be bribed* (León Salvador 2020i).

Although the IOM and the EASO have worked as "cultural mediators" in the Police Offices, they have not stayed long enough, leaving gaps in which police officers relate to asylum seekers in unprofessional and unethical ways. Police Officers often left relevant fields in the asylum request forms empty, which created issues for the CNDA for communicating scheduled interviews and decisions to the applicants (León Salvador 2020h). Additionally, as legal aid workers have referred, the growing social hostility towards asylum seekers, rendered possible for police officers to publicly make racist comments towards the applicants (León Salvador 2020g). This situation contrast with Police Offices where civilians are hired to engage in the same role, but they stay permanently working there, creating a more asylum-seeker-friendly environment (León Salvador 2020k). Indeed, a less hostile process of asylum application proposed from bottom-up social strategies would make a significant improvement in the system, not only in efficiency terms but also in improving social cohesion with the local population.

Are Italian institutions effectively working with asylum seekers?

Over the past two decades, the country has developed multiple overlapping systems to provide accommodations to asylum seekers (Fullerton 2013). The Italian economic structure relies mainly on the third sector. For this reason, most of the reception management of asylum seekers have left space for this sector to grow a prominent role (Biondi Dal Monti and Vrenna 2013).

The CAS system, born as an extraordinary measure does not possess a precise juridical foundation, the variability of its management and the ways of activating emergency without particular norms and directives, have exposed it to speculative policies from private operators (M. Rossi 2018; Lunaria 2017). Due to the reliance in the third sector, there are notorious disparities among the hospitality system, as a former worker of the CAS recalls:

> *If you look to the bigger CAS with hundreds and hundreds of people versus the smaller ones sometimes managed by a nice cooperative that takes care of the people and also try to work not only guests but also with the Italian population, then, of course, you will see huge differences. Also, it depends on the kind of association doing the job, because some cooperatives are associations that have been working with immigrants or in general, in the social field for a long time. However, some of them are businesses that just saw an opportunity to make easy money-especially starting from 2015-2016. These businesses before were dealing with things like*

rubbish, that have nothing to do with immigration or even nothing to do with social services (León Salvador 2020b).

Indeed, the fact that these centres were created as an extraordinary measure and continue to be used is problematic, as sometimes their management even tolerates illegal activities. As an NGO volunteer working in the South of Italy mentions:

> *The reception centres do not provide most of the services they should, Salvini also changed this, now it is almost legal not to provide services while before it was illegal. You also see some particular agreement between the direction of specific reception centres and the plantations. I can tell you a real-life example, a CAS that was in Rossellini, next to Syracuse, in the morning, everyone could go to the plantations to work, illegally. The centre knew about the fact, and they were entirely not caring about it. (...) Also, in hotspots like Messina, people are not receiving soaps, napkins, clothes and they only eat pasta and pizza like for all days. They do not have any essential services. It is almost impossible that you will see a doctor, the practices of these centres are still far from respecting human rights, and that is what we struggle every day* (León Salvador 2020i).

Regarding the SPRAR system—now SIPROIMI—it should be noted that it has severe structural limitations. The adherence to the system from part of the local entities is volunteered, which means that it is subject to the political will of the local government, producing an uneven national network, often determined by the political evolution of a specific territory (M. Rossi 2018; Gruppo di studio sul sistema di accoglienza 2015; Caldarozzi, Giovannetti, and Marchesini 2019) (See Appendix C. Figure 24).

One of the main concerns of the "Salvini Decree" was the reduction of public funding for all reception centres, because according to the politician, this would improve their conditions. However, the decision left the organisation of the centres in the hands of big corporations that do not possess any kind of experience in social services, including the Italian Mafia (León Salvador 2020i). Furthermore, according to a researcher who has recently followed the mobility trajectories once asylum seekers are cast out of the reception system, even those who have been granted with some kind of protection still have to face precarious housing and labour conditions (León Salvador 2020j). Thus, even the same state which has recognised their vulnerabilities continues to marginalise them.

As previously mentioned, one of the notorious problems of the Italian system is the juxtaposition of the different levels of governance in which legal reforms often change the division of responsibilities. In the same line, some of the institutions in charge modified their roles as part of the emergency approach of Italian policymaking. They had to create *ad hoc* measures to solve the issues these changes create. The CNDA, claims that while in the past the

notification of the decision was up to the *Questura*, currently, territorial commissions are responsible for the notification of the interview appointment and decisions, so they had to find a private company that notified for them the documents. This change created a barrier to an effective system last year, as they had problems related to the applicants' addresses to grant a quick notification of the decisions or the interview appointment. However, now, they "*think it is no more a problem because (they) found different solutions to solve this critique situation*"(León Salvador 2020h).

Regarding the growing labour market in the asylum system, all of the interviewees expressed their concern. The level of competences and the reason for new workers decide to integrate into the sector has changed—this includes the lack of job opportunities in the country (León Salvador 2020h). Nowadays, there are people with different commitments and lack a critical point of view working in the system. NGO volunteers, former workers of the reception system, and legal aid advisors that have years of experience in the field recognise that what they are doing, regardless of their will to help others, is part of an asymmetrical exercise of power over asylum seekers. In contrast, the new workers in the system lack this critical and very important point of view (León Salvador 2020g, 2020b, 2020i, 2020e, 2020c).

Finally, as most of the interviewees mentioned, a problem that has surrounded the reception system and has created further social discomfort is the lack of communication from these institutions and its workers to the Italian population. They need to enhance the communication of the work they make. Due to the communication gap, politicians through the media were able to spread fake news, increasing the social hostility towards asylum seekers (León Salvador 2020i, 2020g, 2020e).

Chapter 5. The relation between political speeches and the asylum process effectiveness

In an ideal scenario where the asylum system would be robust enough for not being susceptible to exogenous factors, such as political polarization or high salience on the immigration debate, recognition and rejection rates of asylum applications would differ mainly due to legitimate reasons, reflecting the differences in the composition of the asylum-seeker population (UNHCR 2014). However, without a proper legal and comprehensive institutional framework for managing asylum, the Italian political and social landscape influences--indirectly—the outcome of the asylum applications

Italian Politics and rejections of asylum applications

Combining data from Eurostat and the Italian Ministry of Internal Affairs, we notice that from 2008 to 2018, there has been a progressive increase in the rejection rate of asylum applications, accompanied by a growing use of the humanitarian and subsidiary protection in Italy-the first one having stopped on October 2018 as a result of the Salvini Decree (See Appendix A. Figure 18).

As reviewed in the previous chapters, Italian parties across the political spectrum seem to have moved towards a more restrictive stance on immigration. Still, they continue to differ in their positions on asylum management. After the adoption "Salvini Decree" by the populist M5S+Lega government and the media attention it drove, the general impression has been that right-wing parties are more restrictive towards immigration than left-wing parties (Natter, Czaika, and Haas 2020). Nevertheless, to what extent the political ideology of the Italian parties has been reflected in asylum rejection rates needs to be addressed.

Based on the supposition that left-wing parties support overall, immigration, the reader would expect to find an increase in rejections of asylum applications during the years when right-winged and populist governments were in power and the opposite situation when the government were left-winged. It would, therefore, surprise the reader to notice in the series of rejection rates presented in Figure 1 the steep increase in rejections occurring during the Renzi-led government, peaking in 2016.

Figure 1.Time profile of the rejection rates

Data Source: Ministero dell'Interno
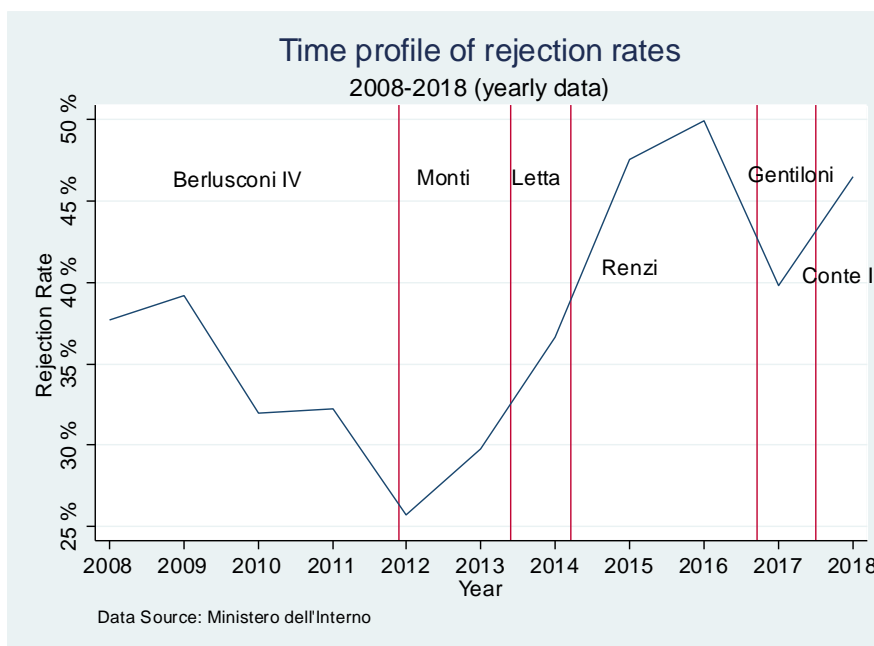
In order to avoid a misguided analysis, it is important to look at rates rather than absolute numbers. In this way, we can make a comparison that is not altered by the magnitude of arrivals. Indeed, during the Renzi government, the UNHCR recorded a shock in forcibly displaced migration (UNHCR 2017). With the rate analysis, we can discard

the hypothesis that higher rejection rates were merely caused by this shock, as the numbers still show that higher asylum applications were accompanied by a more than proportional increase in rejection rates.

Figure 2. Rejection rate per government
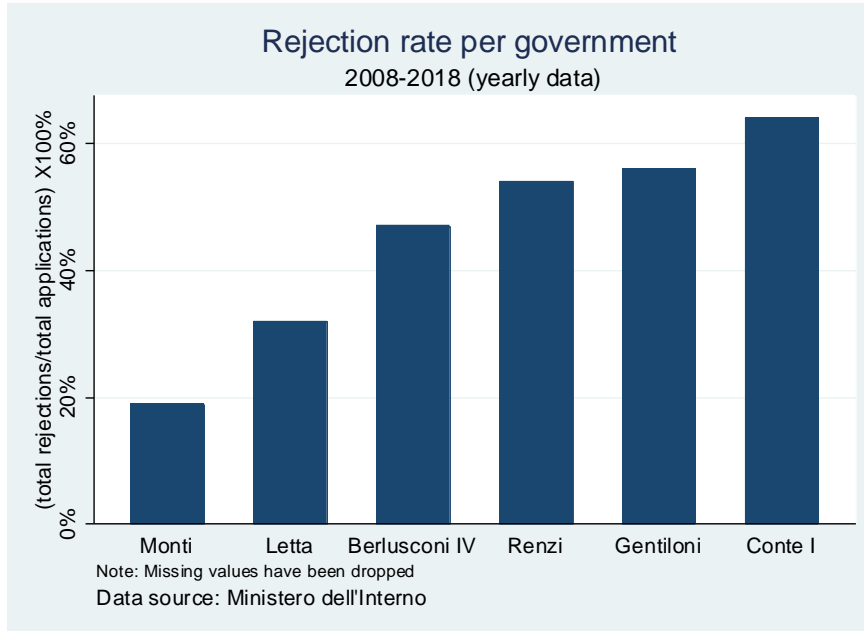

More precisely, as Figure 2 reveals, the Renzi government even rejected more asylum applications than the Monti, Letta and Berlusconi IV governments, recording a rejection of 54% of the asylum applications. Still, it should be noted that the lowest rejection rate which corresponds to the 19% in the Monti government could respond to the higher use of humanitarian and subsidiary protection relative to the rest of the governments (See Annex A. Figure 18). Certainly, the technocratic government was genuinely concerned with the effects of the previously restrictive laws as this government had to create extraordinary measures of reception for the asylum seekers arriving at the time. This is also consistent with the willingness of Monti to dismantle the Bossi-Fini Law and provide an alternative. Unfortunately, when the government was replaced, this project was forgotten and what remained were only those extraordinary structures that became permanent (Colucci 2018b; Scotto 2018).

The Letta government, although it presents a 31% rejection rate, was one of the leading governments that granted more subsidiary protections and launched the MNO (Panebianco 2016; Spanish Refugee Aid Commission 2017). When the new Italian centre-leftist government led by Matteo Renzi replaced the Letta government, it called for the FRONTEX agency to take over the MNO (Panebianco 2016; Il Post 2014; Scotto 2018). Thus, we can see a consistency in the immigration policy decisions by Renzi and its high rejection rates. The growing trend in rejection rates continued with the Gentiloni government, which rose the rejection rate by 2 per cent points, reaching 56 %. The only government which scored more than the Gentiloni was the Conte I, in the M5S+Lega coalition, arriving at a whopping 64%, meaning that on average,

of every ten applicants, six of them were denied of any kind of protection (See Appendix A. Table 1).

As the highest rejection rate was under the M5S+Lega government, it is important to reflect on the implementation of the "Salvini Decree." According to estimations made by Openpolis and ActionAid, there was an increase of more than 40 000 irregular immigrants in 2019, resulting from an estimated 80% increase in rejection rates in 2019 (Openpolis and ActionAid 2019) (See Appendix A. Table 2). Furthermore, as a consequence of the "Salvini Decree", asylum seekers have now one less chance to obtain any form of protection since the Commissions lost the possibility to grant humanitarian protection (León Salvador 2020k, 2020g)

Salvini's enthusiasts claim that thanks to the enforcement of this law, the backlogs in the territorial commissions have decreased. According to CNDA, in January 2018, they had a backlog of more than 150 000 applications to process, and by March 2019 they had less than 40 000 applications (León Salvador 2020h). Still, this reasoning is simplistic and mistaken because it neglects three main points. First, the backlog is less because fewer people are arriving from Libya as a result of the Italian-Libyan externalisation treaty, which was actually signed by a centre-left government (See Appendix A. Figure 17). Second, as a former legal-aid worker recalls "*we have to consider the fact that people have a very short time to present their case to the commission and they are not always properly heard*" (León Salvador 2020i)*,* this connects to the third reason. Since asylum-seekers are not interviewed properly to file their claims, they can still present a *reiterata* (i.e. make a new application) or *cassazione* (i.e. the very last appeal they can make) (León Salvador 2020d). The latter is relevant because even if the process is now faster, the rights of applicants are not protected as before; and even if the backlog seems to have reduced, it still creates new asylum claims and makes the Tribunals busier in their appeals (León Salvador 2020h).

Additional information on the disparities of the results of asylum applications can be analysed through the different status and rejections the Italian system makes depending on the origin of the asylum seeker. As Figure 3 shows, between 70 and 80% roughly of rejections in the applications are for people coming from Africa, while eastern Europeans continue to have a higher grant rate (Ministero dell'Interno 2019). The government in which this particular aspect was more relevant, was the Berlusconi IV. In the years 2009 and 2011, of the total of rejections made 76% were to people coming from Africa.

Figure 3. Share of total asylum rejections by geographical region and government

Share of total asylum rejections by geographical region
2008-2018 (yearly data)

Data Source: Ministero dell'Interno
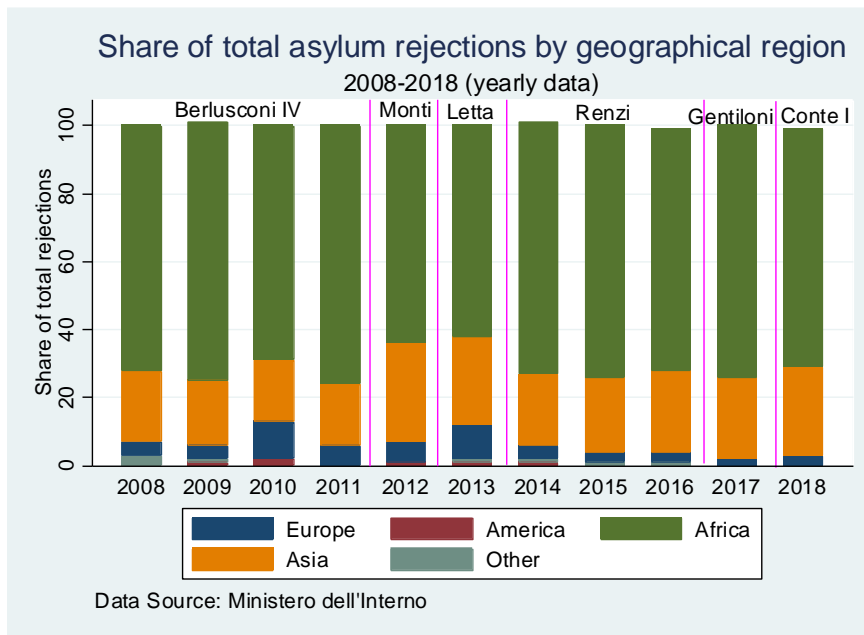
The trend decreased with Monti and Letta and rose again with Renzi and Gentiloni, that increased the share of African people rejected up to 74%. Overall, these disparities can be seen as a part of a social (Orrù 2014) and media narrative. This narrative increasingly proposes a differentiation among asylum seekers, mostly on racial terms. Especially with those coming from Africa—even if the main narrative can be summarised as "Italians first"— (Fredda 2014; Schuster 2003; Oliveri 2018).

Focusing on the governments' political ideologies, in Figure 4 we notice that the centre-leftist governments have systematically rejected more asylum requests than the centre-right, and that have been only surpassed by the populist government that rejected 59% of the requests as a consequence of the "Security Decree"(See Appendix A. Table 3).

Figure 4. Rejection rate by Governments' political ideology 2008-2018

Rejection rate by Governments' political ideology
2008-2018

Note: Missing values have been dropped
Data source: Ministero dell'Interno
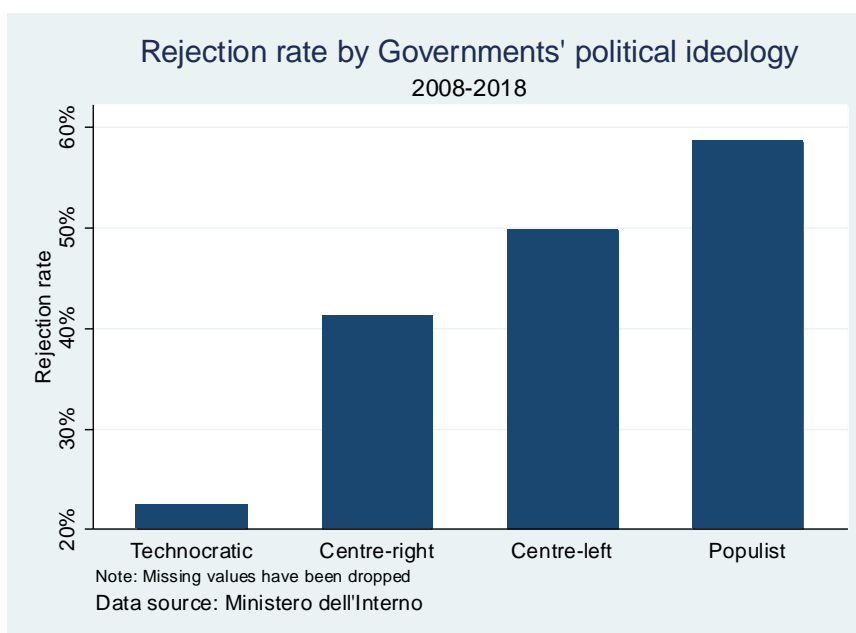
To understand these figures, it is essential to remember that in Italy, the main topic that has increasingly attracted voters is immigration. Therefore, all the actors involved in campaigning have to choose how to address the issue in public debates. Times of high salience affect how

political actors approach this issue (Castelli Gattinara 2016; Pasetti and Garcés-Mascareñas 2018). Moreover, debates on migration are better understood based on multiple issue dimensions since these parties strategically mobilise in order to gain an advantage over their competitors (Castelli Gattinara 2016).

 Empirical evidence shows that at the ideological level, the positions and pragmatism in policymaking among Italian political parties seem to be characterised by a high level of homogeneity (Cerruto and Facello 2014). This homogeneity has been translated in the many ways they address the asylum system policy. Another established finding is that, on the law and order dimension, most Italian parties are more likely to oppose rather than support immigration, including the centre-left (Castelli Gattinara 2016).

Given the homogeneity of the Italian political spectrum and the high salience of immigration in Italy, the left had to engage in the immigration debate to maintain the electorate. Indeed, even the EU enthusiast, Matteo Renzi, used the EU as a scapegoat and blamed it for the unequal share of the immigration"burden" (Hermanin 2019; Conti 2015). Interestingly, one of the decrees which made even more precarious the lives of asylum seekers was the "Minniti Decree", discussed in chapters 2 and 3, which was proposed by Marco Minniti, a veteran of Italy's secret services and then-Minister of the Internal Affairs in the Gentiloni government (Palm and Barana 2019; Palm 2018). It is important to note that all the leftist governments of the years analysed have been led by prominent figures of the PD, and for this reason, it is relevant to mention some important aspects of this party.

The PD was never a typical leftist European party as it does not come from a long social-democratic tradition. It was founded in 2007, from a merger of ex-communists and centrist Catholics(Momigliano 2018). More recently, the party ceased to prioritise the working class, and it became the party of choice for upwardly mobile urban professionals. This feature led to prioritising urban social policies rather than trying to understand more deeply the complex situations of the working class and the rural communities who are the main targets of populists (Momigliano 2018; Pucciarelli 2019).

For many experts in the asylum system, the most significant problem of the Italian left has been the lack of concrete policy proposals that can address the many difficulties asylum seekers face (León Salvador 2020i, 2020g, 2020e, 2020b). One of the main reasons for this issue is their naïve perspective on how immigration and asylum should be managed. They have not been able to propose and enforce laws that can make a significant change in asylum seekers' lives and in general, a change towards a more inclusive society. Indeed, the narratives that they use echoes the Christian duty of charity, which in any case continues to encourage the binary

discourse on which asylum seekers should be helped and which do not (Bretherton 2006). Certainly, there is a gap between the speech of overall support towards an open society for immigrants and their lack of action in proposing and enforcing better asylum management laws.

In contrast, it has been the right and far-right who has been able to provide concrete policies for a reconfiguration of the asylum system. Unfortunately, these reconfigurations and policies aim to make asylum seekers' lives more precarious and deepen social discomfort. In any case, as the policy analysis has shown, the leftist and right-winged governments have both been part of a chain of increasingly restrictive asylum policies.

Italian politics and bureaucratic issues asylum seekers face in Italy

As the immigration topic has increasingly gained salience in public debates, it is essential to understand the dynamics in which the Italian population has related to asylum seekers. Most importantly, we need to understand to what extent this has affected the way functionaries treat asylum seekers throughout their application process.

Speaking about the political environment, an NGO volunteer and former employee of a CAS and Legal Aid services mentioned that before 2011, the social discourse was not focusing so much in asylum seekers and immigrants:

> *I think people did not even know what asylum was or who were asylum seekers. This changed definitely after 2011, and even more, after 2016, because we have a growth in the number of people coming and then with Salvini, it got even worse. Racist discourse has become more acceptable. You start hearing racist comments in public offices more and more* (León Salvador 2020d).

A researcher in migration experiences and narratives has also pointed out how the Italian society passed from not knowing about asylum seekers' existence towards their "demonization". This change was coupled with the Italian social understanding of "refugee" from someone in need of protection to someone exploiting their resources encouraged by the media narratives (León Salvador 2020j). Such narratives have also used "politics of fear" favoured by the communication gap between those working in the asylum field with the local communities, as mentioned in chapter 4 (León Salvador 2020g, 2020i). Indeed, a UNHCR former worker recalls a compelling case, which highlights the role of media in constructing hostility towards asylum seekers as part of a State narrative:

> *I remember that in Trento there was this case that for me it was very meaningful, there was this reception centre, it was a camp in the middle of nowhere. A lady was claiming she had been raped in the middle of the night, in the bushes. This fell in Trento's newspapers like a bomb. Everybody was talking about that, saying the*

camp had to be closed. The police went inside the camp, took the DNA test of all refugees that were in the camp, assuming that the person was from the camp because the description she gave was very clear. Since the beginning, it became clear that the story was not consistent; that there was something wrong. In the end, like two years after, the Tribunal condemned the woman because she was paid to spread the fake news as she was associated with some people of the Lega Nord, so the point is that when this trial went on the news, it was minimal. Nobody remembers it, if you ask people around, they will tell you that the woman was raped even if there was a tribunal that said this was not true. So you see even the social perception change because of course there was an alliance between politicians and the newspapers (León Salvador 2020e).

Moreover, these narratives and social discourses have affected the way public officials treat asylum seekers, as a former legal aid worker commented:

[Racism] is evident; there are the insults and racist comments and then the smaller things. For example, they give me private information or even asylum seekers' papers, which is good in a way because it makes my job easier and their job easier but it is unthinkable if the person would be a white person. So these examples are, of course not as bad as the racist insult, but they make you understand that these people are considered like children or like disabled people somehow just for being African (León Salvador 2020d).

Another legal aid advisor has highlighted the relation among the better training by the EASO in the Police Office and the Territorial Commissions with the systematic rejection rates. Since the EASO has done research and prepared detailed reports on the countries of origin of asylum seekers, it has found a way to legitimise rejection decisions. They argue that these countries are safe for their citizens, denying the victims of different abuses of their legitimate rights to protection (León Salvador 2020a).

It is particularly relevant to mention that, as a part of a global trend, gender stereotypes are being applied to asylum seekers in Italy, which can affect the decision on their applications. This issue is undoubtedly critical in a moment in which female asylum seekers flows arriving in Italy are increasing, as Figure 5 shows, and they also represent a significant part of EU's asylum cases (See Appendix A. Figure 20).

The patronising way in which the Territorial Commissions assess women's claims affects their results, as they are perceived as fragile and weak, not capable of taking care of themselves. According to an asylum legal advisor: *"I found so many women with a well-founded claim for the refugee status. The claim itself was not believed, but the woman seen as weak was recognised with humanitarian protection (León Salvador 2020a)."*

Figure 5. Female first-time asylum applicants to Italy (2008-2019)

Female First-time Asylum Applicants to Italy (2008-2019)
Annual aggregated data (rounded)

Data Source: Eurostat
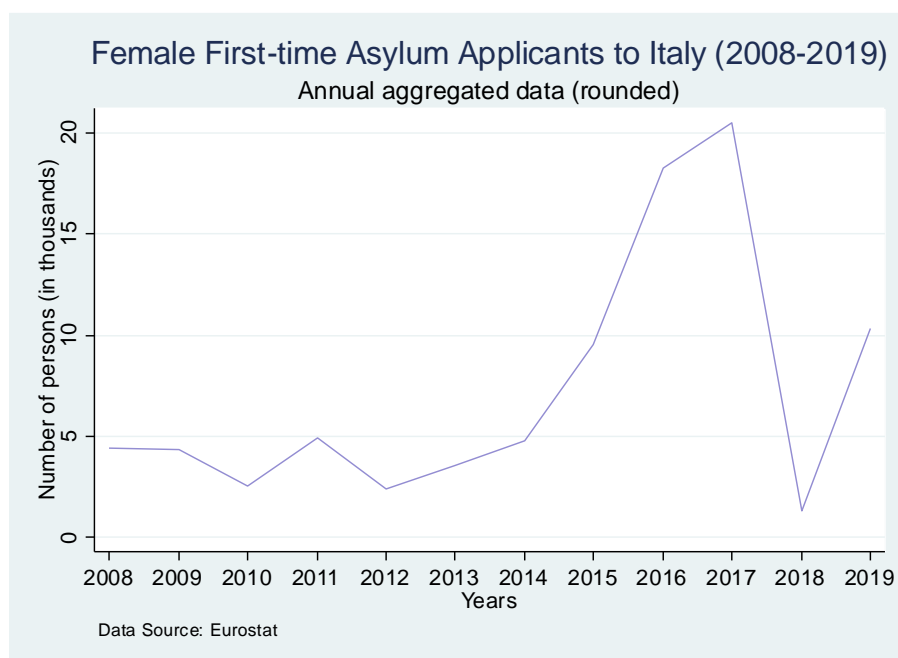
This assessment follows a trend that has not stopped. Early reports from 2008 already mention the problem (Senzaconfine and A Buon Diritto Onlus 2013). The recognition of protection for women as victims and not as actors increase gender stereotypes, patronising attitudes and create ideal femininities and masculinities, as an NGO volunteer recalls: "*The man is seen more as dangerous, and the woman is seen more as maybe she is trying to come here do nothing, get pregnant and takes money from the government* (León Salvador 2020i)*"*.

Intersectional gender analysis also reveals how this genderisation of asylum has affected the commissions' decisions regarding persecution on the grounds of "sexual orientation" (Masullo 2016). Italy is a country that, although it has many laws that protect the LGBTQIA+ community, its society has still to work in fighting homophobic attitudes (Gasparini et al. 2012). Article 8(1)(d) of the European Directive omitted the reference to "gender-related aspects" to restrict the interpretation of the expression "sexual orientation". Under Articles 3 and 8 of the Italian Legislative Decree 251/2007 (See Appendix B. Table 5), the individual claiming international protection must provide documentary or other types of evidence. However, if none is available, the applicant's statements are sufficient, if they are found to be coherent, plausible and consistent with information relevant to the applicant's case (Gasparini et al. 2012). Still, in practice, the Italian stereotypes and prejudices are applied to asylum seekers, affecting their status. As a legal advisor recalls:

> *If I see this compared with men, these things are much easier to recognise the status for a woman that claimed to be lesbian than a man that claimed to be gay. I remember this case that I did not believe her, because the story had many weak points(...)If you change the sex of the person, from woman to man, you will get a negative decision for sure. However, they gave her the refugee status in a snap, while for men, they are questioned more about being gay, something that you should not do. All of this, because the commissions think men are just bogus and lying to*

get protection, while women are weak and fragile and need protection (León Salvador 2020k).

If the Italian system does not correct their racial and gendered prejudices, we will likely continue to witness systematic unethical actions legitimised by political actors that have found in asylum seekers their trojan horse to win the elections to come, profiting from social discomfort.

Conclusions

The complex dynamics that relate the progressively restrictive Italian asylum system, their political landscape, their local population and the bureaucratic practice have affected the lives of numerous asylum seekers. Furthermore, the multileveled system with different governance levels which is committed to quantity over quality has increasingly left asylum seekers in life-threatening situations. The "Salvini Decree" can be seen as the result of this increasingly restrictive legal and institutional system committed to efficiency, which profits from the lack of robustness of the legal framework and is vulnerable to political discourses.

In a conflictive political environment, politicians have found a way to hide their lack of competence by restricting asylum seekers' rights and presenting their emergency decrees as programs that eventually could benefit the Italian population. As the empirical results show, this environment made it possible for the political landscape of the country to become more homogenous. The replacement of the Minister of Internal Affairs in 2019 and her lack of actions to soften the "Salvini Decree", shows political actors' unwillingness to improve asylum seekers' conditions as they could lose potential votes.

All of the mentioned issues throughout the dissertation have marginalised asylum seekers in different ways. In the first place, the EU directives and regulations are considerably detached from the reality by not considering asylum seekers as agents in deciding where do they want to reside and leaving a disproportionate amount of responsibility in the hands of the Italian system. These regulations are coupled with the lack of an organic Italian law, which has been used by politicians to forward their agenda. Secondly, since the institutions that work and provide aid to asylum seekers have not engaged in communicating their activities to the Italian populations, media and politicians have used this communication gap to spread harmful and fallacious narratives. Thirdly, Italian society has continuously engaged in a debate in which estimates prevail over numbers and often, have not a clear idea of what asylum seekers are, giving their votes to politicians who seem to provide concrete answers to these "problems."

Finally, since the Italian society as a whole seems to encourage a marginalisation of asylum seekers, public officials working in the system reproduce unethical practices towards the applicants, with an increasing sense of impunity. All of these complex relations lead to further social discomfort.

The possible strategies and recommendations are not simple, mainly because the asylum process in Italy has been affected by different actors with different intentions. The suggestions are multiple. First of all, it is crucial to rethink the legal provisions that are not attached to the reality that experts notice daily. This includes the way the DR III affects asylum seekers arriving in Italian territory and how the European Directives and the Italian bureaucratic practice works. Notably, the Italian practice that, by neglecting asylum seekers vulnerabilities, indirectly motivates them to engage in second mobilities should be addressed, and measures should take into account the asylum seekers vulnerabilities as their agency. Secondly, there is a need for an organic legal instrument that cannot be vulnerable to politicians' narratives. It is not enough to provide such a legal instrument; it is also necessary to simplify the complex and overlapping system of reception, making sure all asylum seekers can access to it. Thirdly, the Ministry of Internal Affairs should create a better asylum database since the present one has significant information gaps that are often used to confuse the Italian population. In the fourth place, there is a need for a bottom-up social movement in order to demand practices that can truly enhance social cohesion and promote ethical practices in public offices and can hold functionaries accountable. Certainly, the Italian society needs to engage in such movements actively, as some prejudices and stereotypes that produce are echoed in the bureaucratic practice, affecting the decisions on the asylum applications.

In conclusion, Italy has to stop instrumentalizing asylum to serve political interests, and the Italian society needs to engage in a politicisation of asylum through bottom-up social strategies of political action to achieve social cohesion, providing elaborated responses. Taken together, these bottom-up and top-down strategies can exploit Italy's potential to become a good example in asylum management instead of an asylum seekers' purgatory.

APPENDENCIES

Appendix A. Figures

Figure 6. Timeline of the Italian governments (2008-2019)

ITALIAN GOVERNMENTS
2008-2019

MAY 2008	NOVEMBER 2011	APRIL 2013	FEBRUARY 2014	DECEMBER 2016	JUNE 2018-SEPTEMBER 2019
MP: Silvio Berlusconi (IV Term) Ideology: Centre-right (PdL)	MP: Mario Monti Ideology: Technocratic government	MP: Enrico Letta Ideology: Centre-left (PD)	MP: Matteo Renzi Ideology: Centre-left (PD)	MP: Paolo Gentiloni Ideology: Centre-left (PD)	MP: Giuseppe Conte Ideology: Populist (Lega+M5S)

Elaborated based on Baldini, Gianfranco, and Matteo Fabio Nels Giglioli. 2019. 'Italy 2018: The Perfect Populist Storm?' Parliamentary Affairs, no. 0: 1–22. https://doi.org/10.1093/pa/gsy052 and Newell, James L. 2019. 'Italian Politics: The "Yellow-Green" Government One Year On'. Contemporary Italian Politics 11 (3): 205–7. https://doi.org/10.1080/23248823.2019.1646003.

Figure 7. Key flows of newly registered refugees and new asylum-seekers in 2018
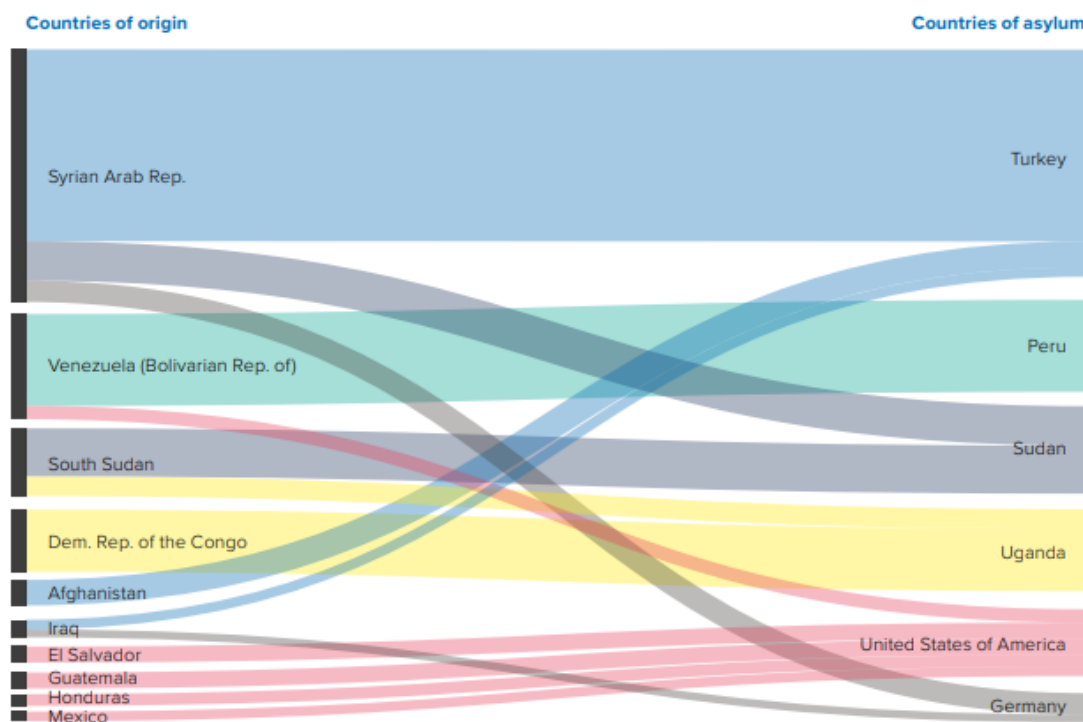
Source: UNHCR, Global Trends. Forced Displacement in 2018

Figure 8. Migrant Smuggling in the World: A Global Story (2000-2017)
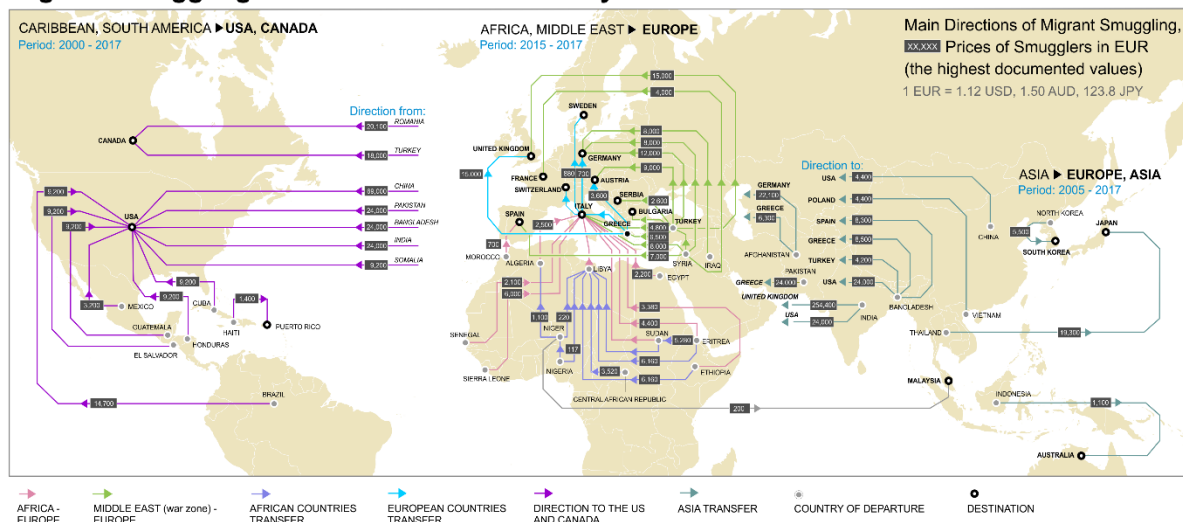
Source: IOM's Migration Data Portal (IOM 2017)

Figure 9. Major host countries of refugees (end-2017 to end-2018)
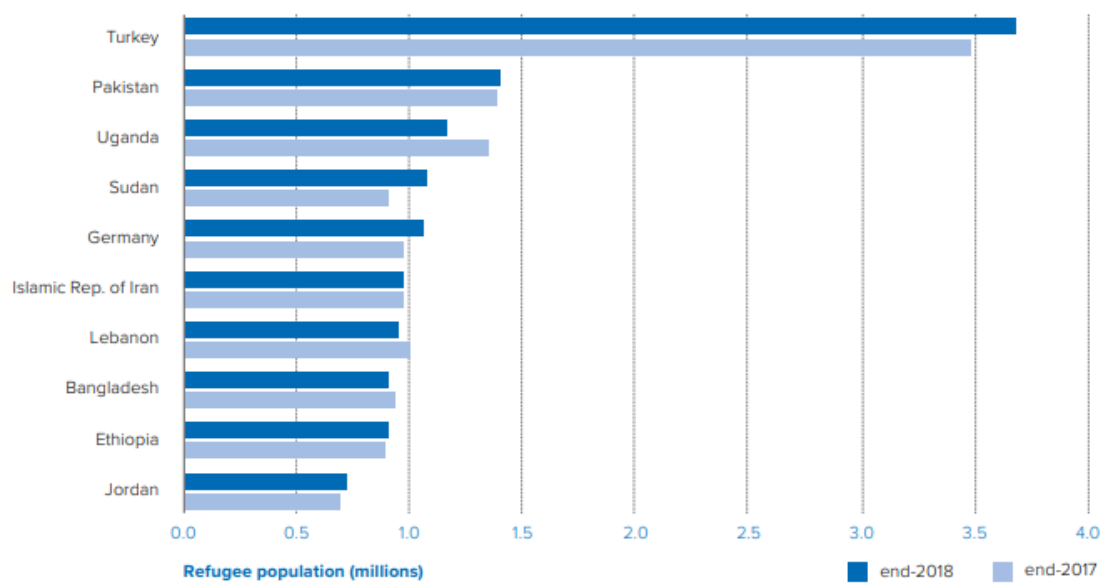
Source: UNHCR, Global Trends. Forced Displacement in 2018.

Figure 10. Number of refugees per 1,000 inhabitants (end-2018)
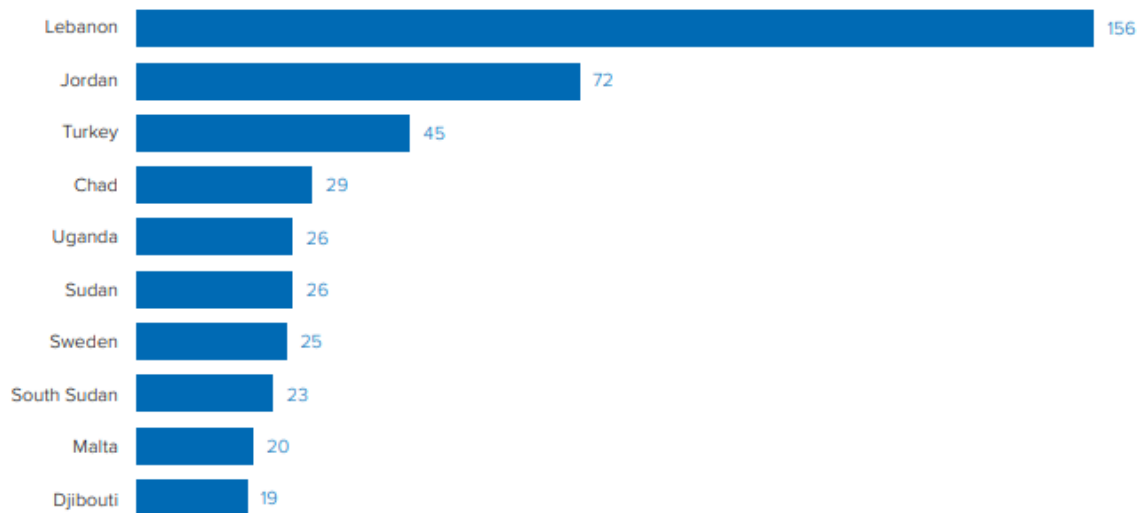
Source: UNHCR, Global Trends. Forced Displacement in 2018.

Figure 11. Frontex Budget per year from 2010-2019 (in millions of euros)
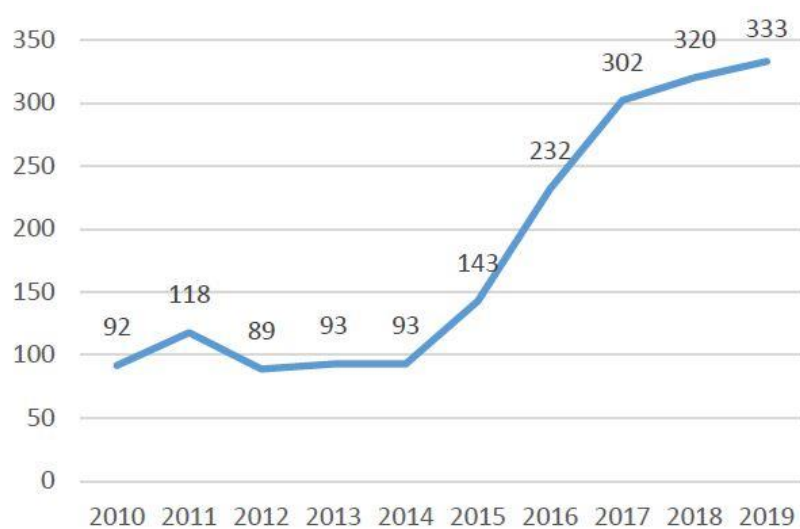
Data source: Frontex.

Source: The European Parliamentary Research Service Blog

Figure 12. Rejected asylum applicants on the first instance in the top five receivers of applications (2008Q1-2019Q1; quarterly data)
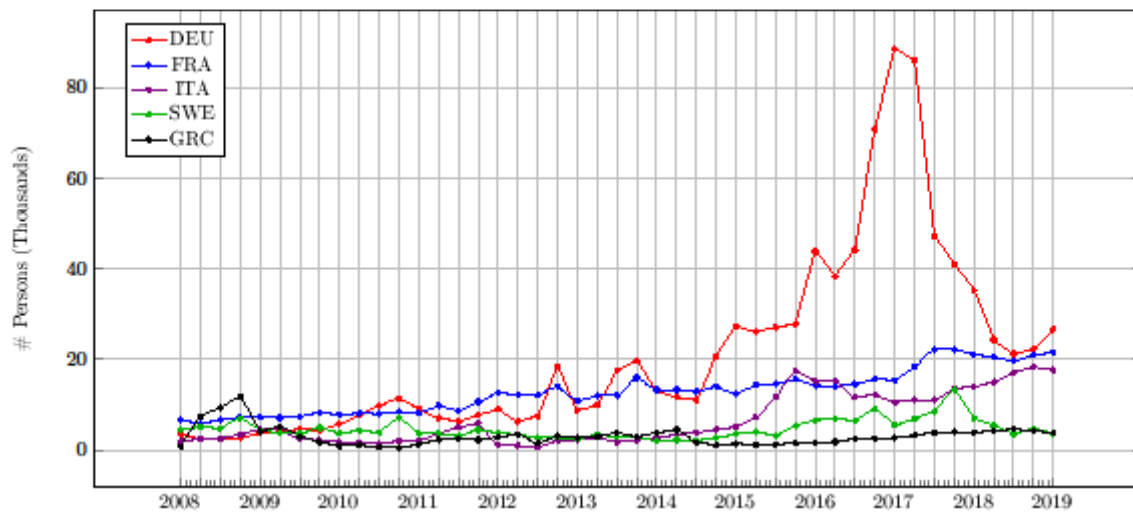
Notice the enormous gap between Germany and the second country, France. Germany presents large amounts of rejections between 2017 and 2018. The trends of the other four countries are better analysed when we remove Germany from the observations.
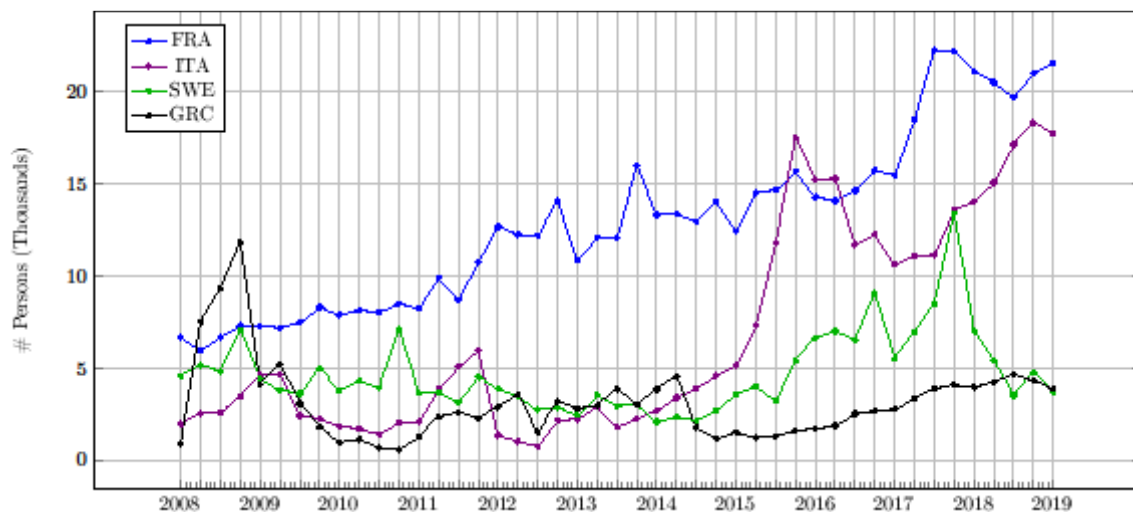
Notice how the series of Italy and France show an evident increasing trend in rejections. The rejection pattern of Sweden is characterized by a large number of rejections between 2016 and 2018, followed the 2019's dropdown. On the other hand, rejections in Greece follow decreasing pattern followed by the 2009 peak. For Italy, the peak presented in early 2016 has been surpassed from 2018 until the first quarter of 2019.

Data Source: Eurostat. Countries codes according to ISO 3166/2

Figure 13. Political Map of the Mediterranean Region

Notice the closeness of Italy—as Malta and Greece—to the Maghreb region, especially with Tunisia and Libya which makes Italy a key point of entry to the Schengen Area, from the Mediterranean. Regarding the land point of entry, notice its closeness with the Balkan Peninsula. Source: Geographic Guide

Figure 14. Asylum seekers and Asylum Requests in Italy from 2008-2014

Data Source: Ministero dell'Interno
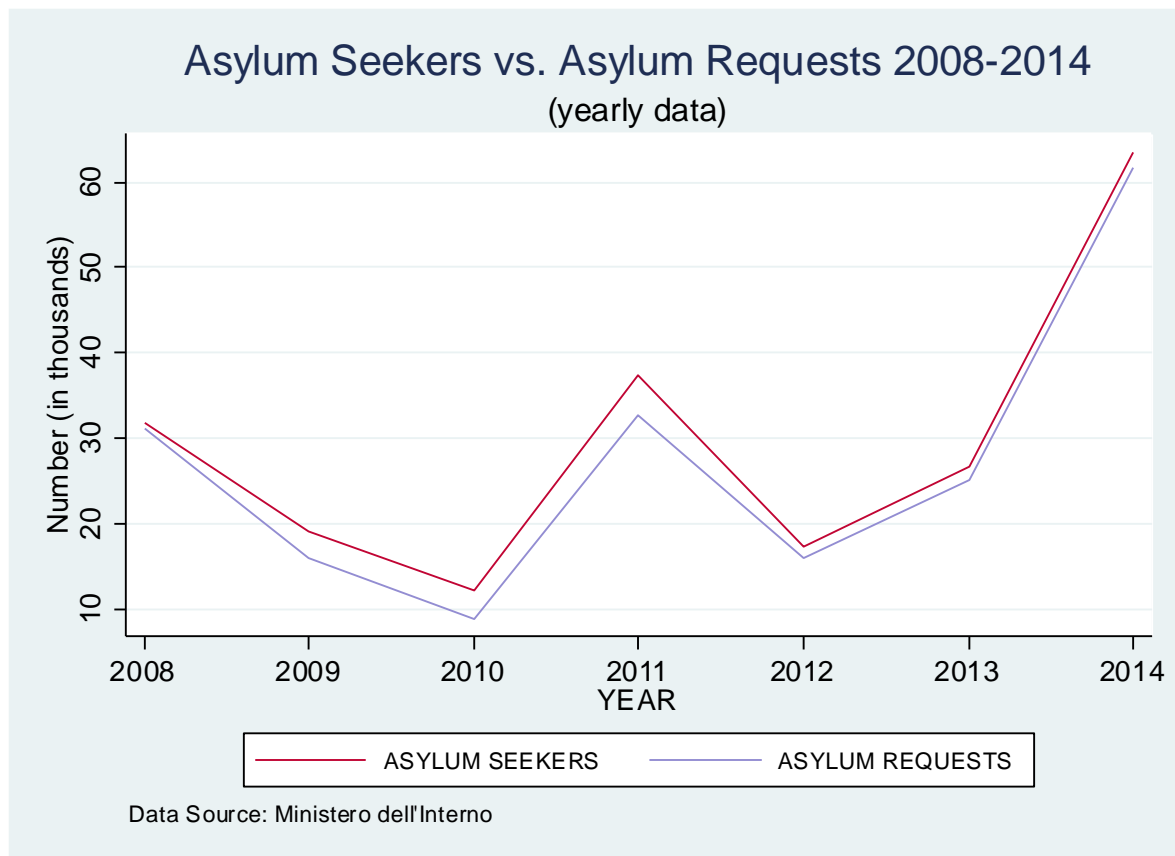
Notice that asylum requests are always less than the number of asylum seekers because some claims can be made in the name of more than one individual, e.g. a claim for a whole family. Note also that the highest peaks correspond to the 2011's shocks that occurred with the break of the Arab Spring. In the second peak, in 2014, it is worth to mention that the principal nationality of asylum seekers was Nigerian, having during this year the beginning of the peak of Boko Haram insurgency. It is not possible to show with the same data the number of asylum requests since the Ministry of Internal Affairs database stopped to report individuals and requests and from 2015, they just reported the number of individuals.

Figure 15. Average Unilateral "Dublin" decisions taken by Italy according to Article 29.2
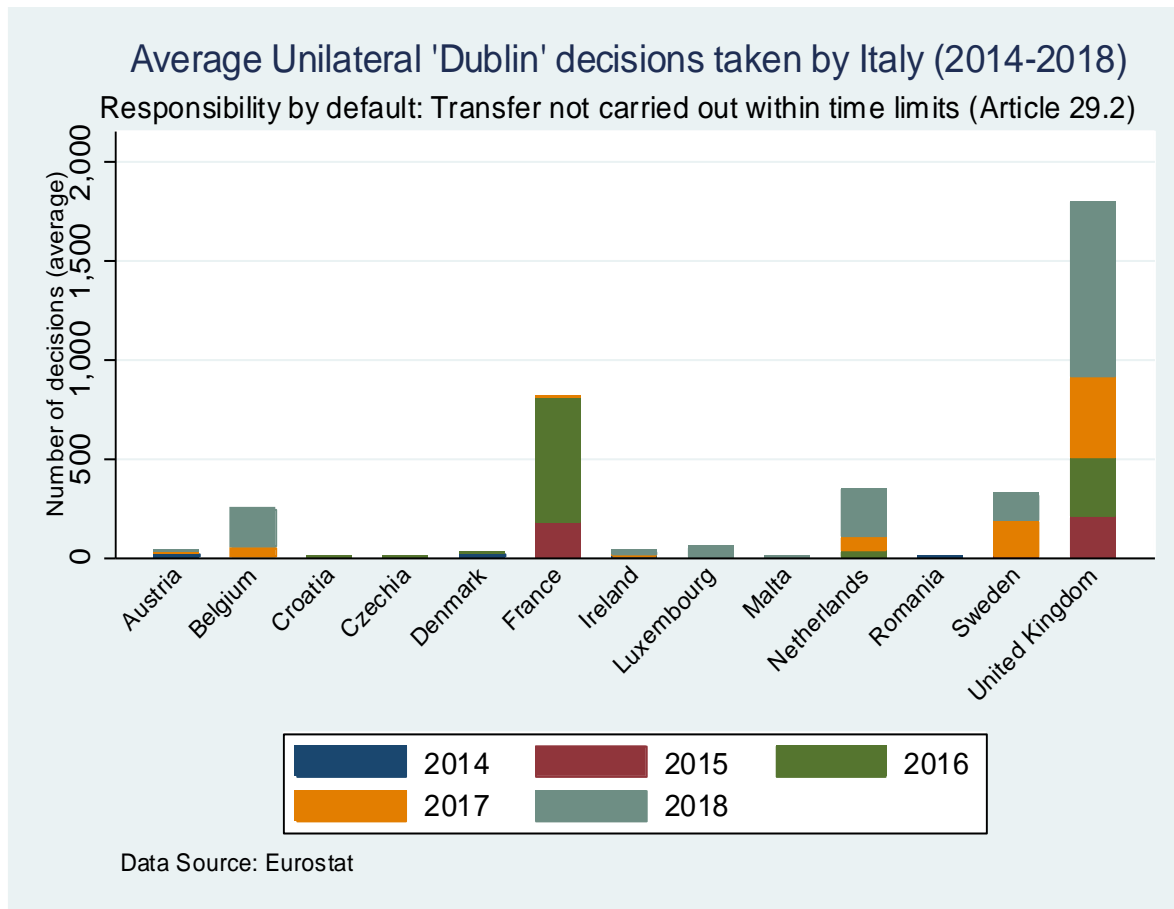
The use of the reserves or calls to specific articles of the Dublin Convention has been prominent in Italy. However, not as much as other members states use more requests based on the EURODAC, which is the EU fingerprint database for identifying asylum seekers and irregular border-crossers (European Commission Staff 2018). Asylum applicants and irregular border-crossers over the age of 14 have their fingerprints taken as a matter of EU law (Peers et al. 2015).

Figure 16. Average incoming "Dublin" requests based on the EURODAC to Italy per year.
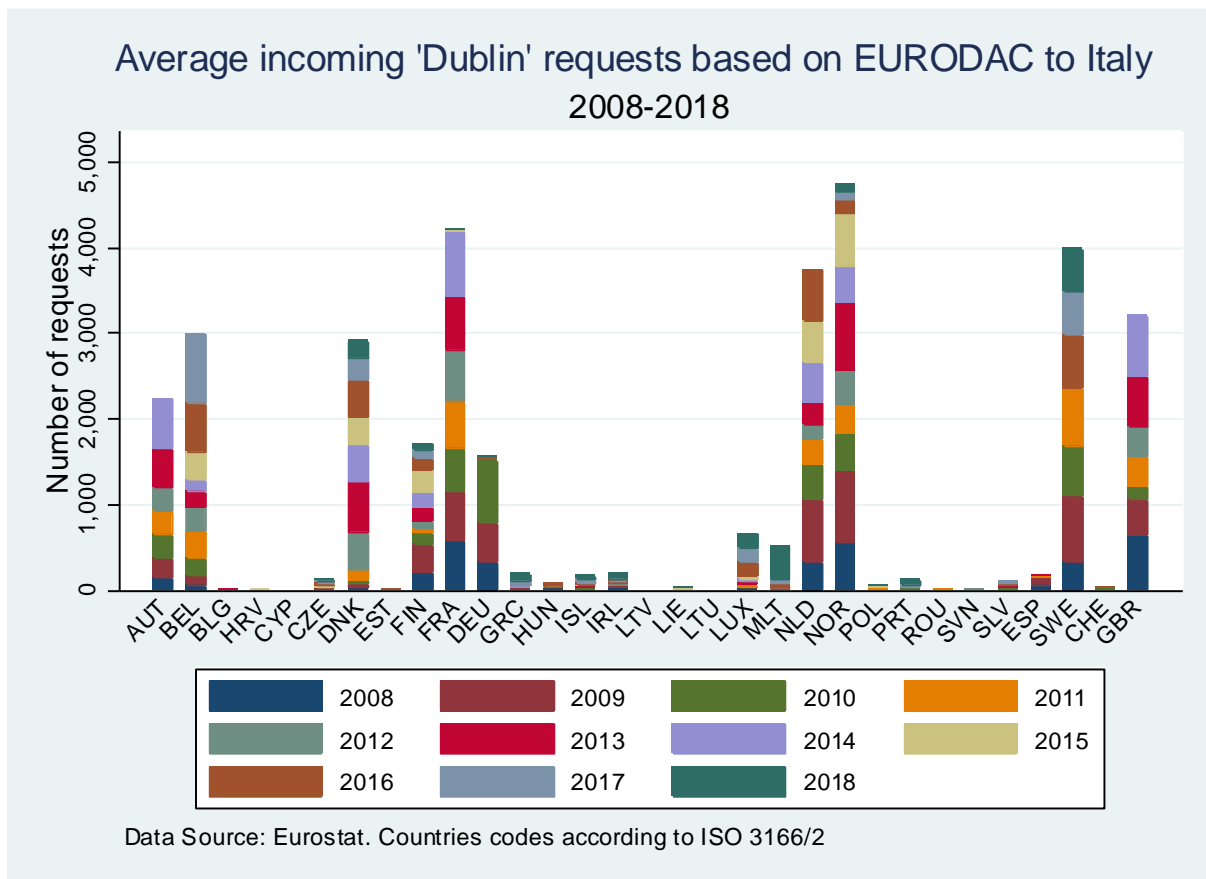
Notice that most of the returned cases to Italy came from Northern European states, according to the Dublin III, as they were the first point of entry to the Schengen area.

Figure 17. Number of persons arriving in Italian shores (yearly data)
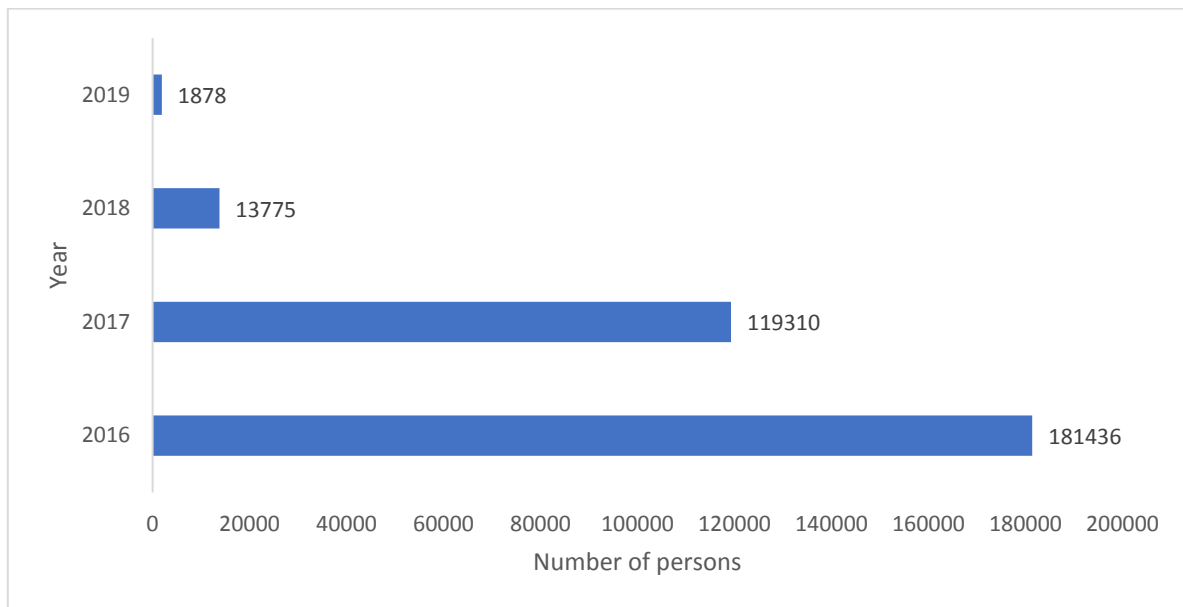
Notice the significant decrease from 2017 to 2018, which also corresponds to the Italian-Libyan agreement.

Data Source: Ministero dell'Interno in collaboration with the Italian Department of Public Security.

Figure 18. Outcomes of asylum applications (Sum per Government)
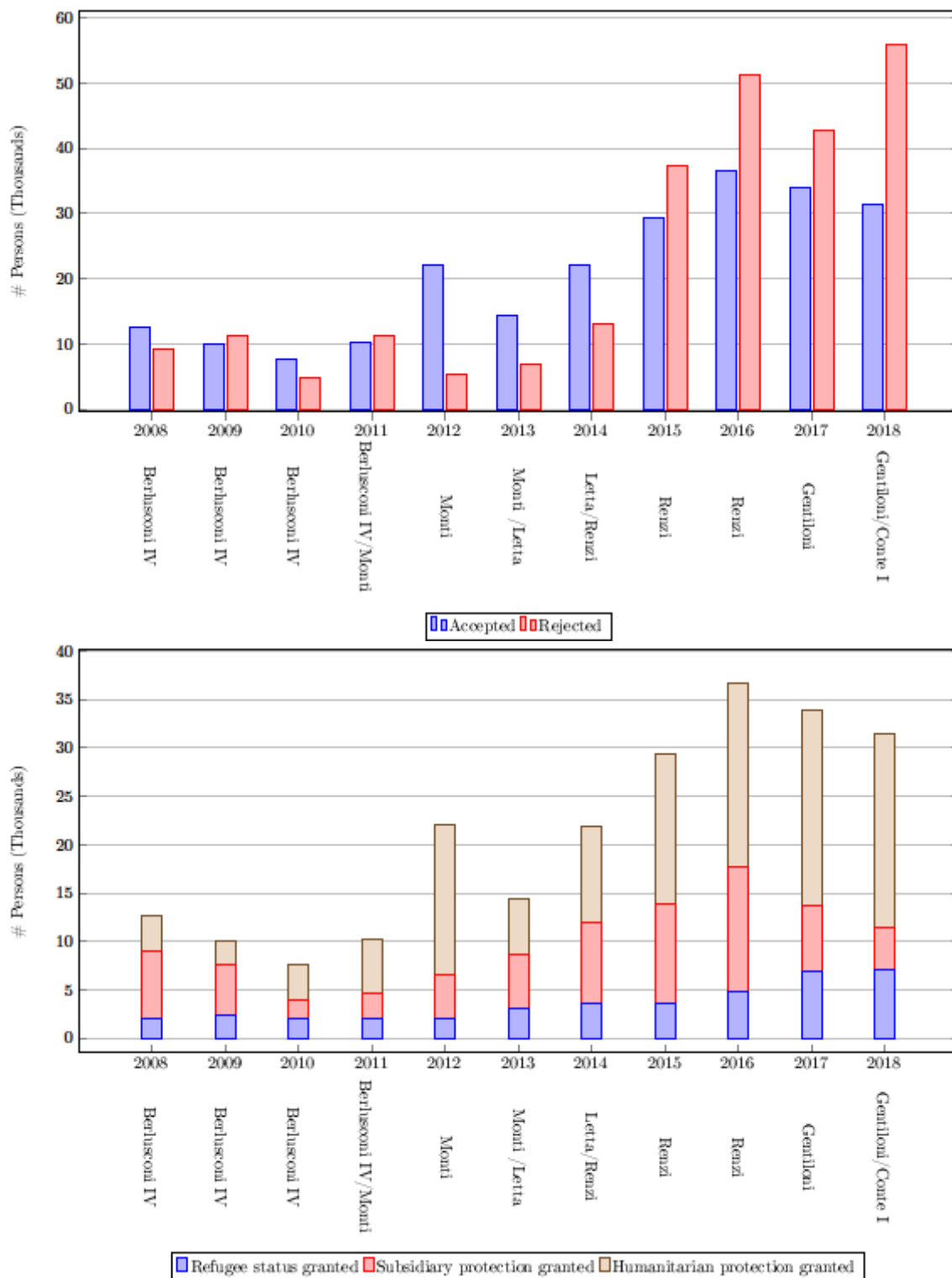
The breakdown of positive responses by type of grant, shows several disparities. These respond to the political narrative presented at a particular time.

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Data Source: Ministero dell'Interno

Table 1. Rejection rate per Italian government (scale-free analysis; yearly data 2008-2018)

Government	Total applications	Rejected	Rejection rate per Government
Berlusconi IV	40492	36241	0,47
Monti	22031	5259	0,19
Letta	14392	6765	0,32
Renzi	88056	101672	0,54
Gentiloni	33873	42700	0,56
Conte I	31429	56002	0,64

Data Source: Ministero dell'Interno

Figure 19. Decisions on Asylum Applications in Italy (2008-2019)
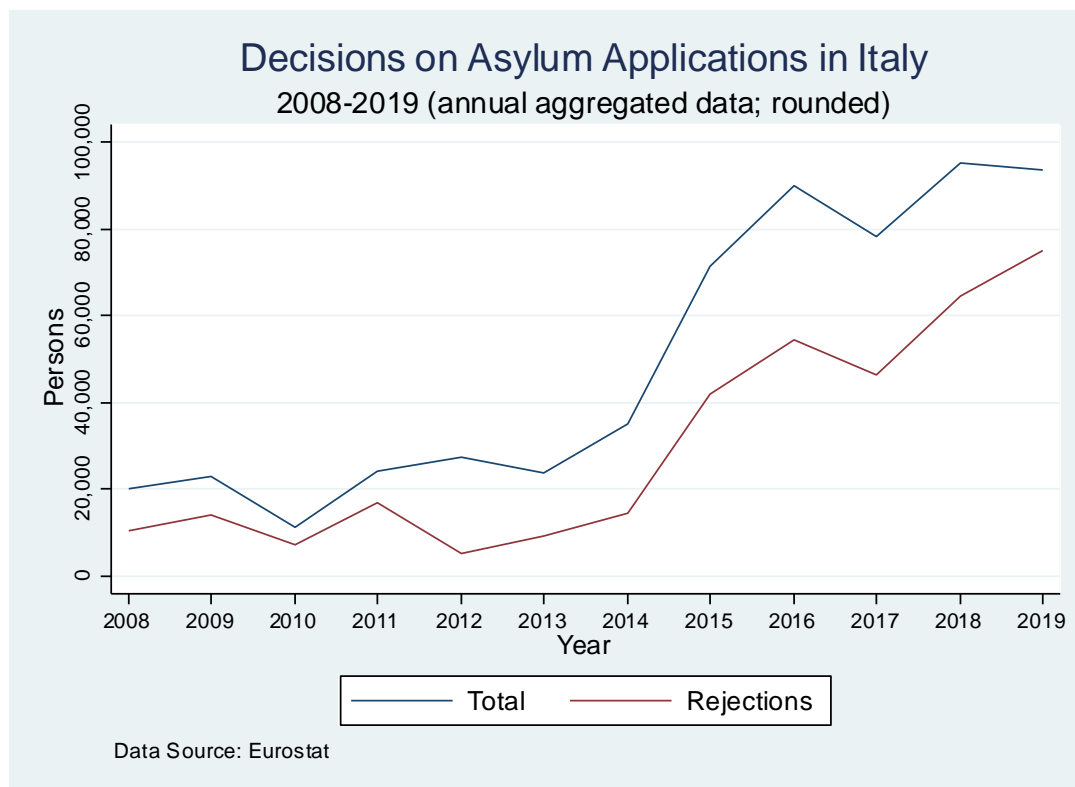
Table 2. Rejection rate per year in Italy (scale-free analysis; yearly rounded data 2008-2019)

Year	Total applications	Rejections	Rejection rate
2008	20220	10485	0,52
2009	23010	13950	0,60
2010	11275	6975	0,62
2011	24100	16960	0,70
2012	27280	5255	0,19
2013	23565	9175	0,39
2014	35180	14600	0,41
2015	71345	41730	0,58
2016	89875	54470	0,61
2017	78235	46440	0,59
2018	95210	64540	0,68
2019	93485	75110	0,80

Note that the significant higher points of the rejection outcomes in asylum applications may be due to rounded numbers and estimations made by the Eurostat that can differ significantly from the numbers of the Ministero dell'Interno. Nonetheless, they both confirm the same trends and overall results of the previous table.

Data Source: Eurostat.

Table 3. Rejection rate by political ideology: scale-free analysis (2008-2018; yearly data)

Rejection rate by political ideology	Total applications	Rejected	Rejection rate per Ideology
Centre-right	87956	36241	0,41
Technocratic	53603	12024	0,22
Centre-left	303465	151137	0,50
Populist	95576	56002	0,59

Data Source: Ministero dell'Interno.

Figure 20. Female Applicants to Asylum in the EU28 and Italy
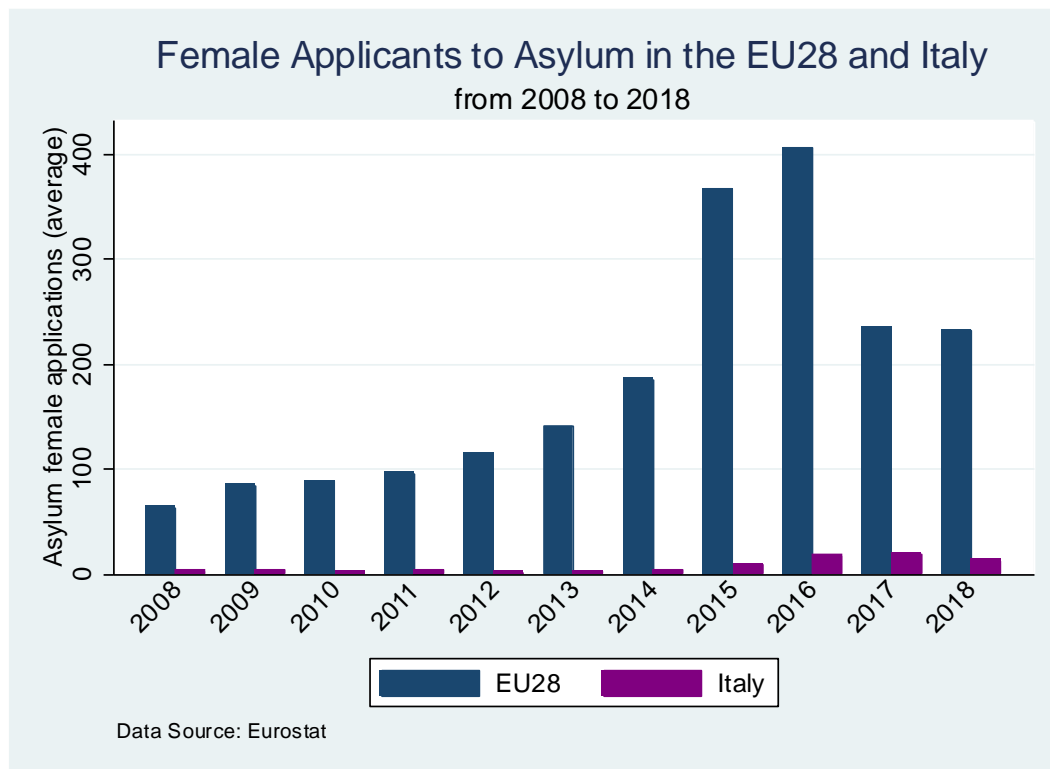
Notice the increase of female asylum seekers in the EU28, and Italy. It is because of this increase that we need to adequately address the gender stereotyping issue in the territorial commissions' decisions and the EU directives.

Appendix B. Treaties, Regulations and Legislative Acts

Table 4. Italian International Agreements and Treaties related to International Protection and Asylum.

Full Title	Region of Organisations and Alliances	Ratification Date
International Convention for the Protection of All Persons from Enforced Disappearance	United Nations	2015
Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	United Nations	2013
Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	United Nations	2015
International Covenant on Civil and Political Rights	United Nations	1978
International Covenant on Economic, Social and Cultural Rights	United Nations	1978
International Convention on the Elimination of All Forms of Racial Discrimination	United Nations	1976
Convention on the Elimination of All Forms of Discrimination against Women	United Nations	1985
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	United Nations	1989
Convention on the Rights of the Child	United Nations	1991
Convention on the Rights of Persons with Disabilities	United Nations	2009
Geneva Convention Relating to the Status of Refugees	United Nations	1954
Protocol to the Geneva Convention Relating to the Status of Refugees	United Nations	1972
Convention Relating to the Status of Stateless Persons	United Nations	1962
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	United Nations	2006
Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	United Nations	2006
Optional Protocol to the Convention on the Rights of the Child on a communications procedure	United Nations	2012
Vienna Convention on Consular Relations	United Nations	1969
Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the	Council of Europe	1955

European Convention on Human Rights, 1950 (amended by subsequent protocols)		
Protocol 7 to the European Convention on Human Rights (Prot 7), 1984 (amended by protocol 11)	Council of Europe	1991
Protocol 1 to the European Convention on Human Rights (Prot 1), 1952 (amended by protocol 11)	Council of Europe	1955
European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment	Council of Europe	1998
Directive Laying Down Minimum Standards for the Reception of Asylum Seekers - Reception Directive	European Union	2005
Convention on Action against Trafficking in Human Beings	Council of Europe	2010
Directive on Minimum Standards on Procedures in the Member States for Granting and Withdrawing Refugee Status - Procedures Directive	European Union	2008
Directive on Common Standards and Procedures in the Member States for Returning Illegally Staying Third-country Nationals - Return Directive	European Union, Schengen Area	2011
Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse	Council of Europe	2013
Bilateral agreements linked to readmissions (From the most recent to the oldest)	Moldova, Netherlands, Nigeria, India, Mexico, Philippines, Romania, Malta, Russian Federation, Poland, Slovakia, Slovenia, Switzerland, Serbia, Cyprus, Sri Lanka, Greece, Hungary, Spain, Egypt, Turkey, Tunisia, Uzbekistan, Austria, Albania, Algeria, Bulgaria, Bosnia and Herzegovina, Czech Republic Estonia, France, Latvia, Lithuania, Macedonia	
Multilateral agreements linked to readmissions	Cape Verde, Georgia, Pakistan,	Different entry into

	Moldavia, Serbia, Ukraine, Bosnia and Herzegovina, Macedonia, Montenegro, Russia, Albania, Sri Lanka, Hong Kong, Macao,	force (from 2004-2013) and Observation dates (from 2004-2013)

Data Source: Global Detention Project (Global Detention Project 2018).

Table 5. Main Legislative acts relevant to asylum procedures, reception conditions, detention and content of protection.

Title (in English)	Abbreviation
Legislative Decree no. 286/1998 "Consolidated Act on provisions concerning the Immigration regulations and foreign national conditions norms"(President of the Italian Republic 1998)	TUI
<u>Amended by</u>: Decree-Law no. 13/2017, implemented by Law no. 46/2017(Ministero della giustizia 2017)	Decree-Law 13/2017
<u>Amended by</u>: Decree-Law no. 113/2018, implemented by Law no. 132/2018 (Ministero dell'interno e l'organizzazione e il funzionamento dell'Agenzia nazionale per l'amministrazione e la destinazione dei beni sequestrati e confiscati alla criminalita' organizzata 2018)	Decree-Law 113/2018[3]
Legislative Decree no. 251/2007 "Implementation of Directive 2004/83/EC on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted."	Qualification Decree
<u>Amended by</u>: Legislative Decree no. 18/2014	LD 18/2014
Legislative Decree no. 25/2008 "Implementation of Directive 2005/85/EC on minimum standards on procedures in the Member States for granting and withdrawing refugee status	Procedure Decree
<u>Amended by</u>: Legislative Decree no. 142/2015	Reception Decree
<u>Amended by</u>: Decree-Law no. 13/2017, implemented by Law no. 46/2017	Decree-Law 13/2017
Amended by: Decree-Law no. 113/2018, implemented by Law no. 132/2018	Decree-Law 113/2018
Legislative Decree no. 142/2015 "Implementation of Directive 2013/33/EU on standards for the reception of asylum applicants and the Directive 2013/32/EU on common procedures for the recognition and revocation of the status of international protection."	Reception Decree

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[3] Also known as the "Salvini decree" or "Security decree"

<u>Amended by</u>: Legislative Decree 220/2017	LD 220/2017
<u>Amended by</u>: Decree-Law no. 113/2018, implemented by Law no. 132/2018	Decree-Law 113/2018
Legislative Decree no. 150/2011 "Additional provisions to the Code of Civil Procedure concerning the reduction and simplification of cognition civil proceedings, under Article 54 of the law 18 June 2009, n. 69"	LD 150/2011
Legislative Decree no. 24/2014 "Prevention and repression of trafficking in persons and protection of the victims", implementing Directive 2011/36/EU."	LD 24/2014
Law no. 47/2017 "Provisions on the protection of foreign unaccompanied minors."	L 47/2017

Data Source: Asylum Information Database (de Donato 2015) and the Gazzetta Ufficiale of the Italian Republic.

Table 6. Central implementing decrees and administrative guidelines and regulations relevant to asylum procedures, reception conditions, detention and content of protection

Title (in English)	Abbreviation
Presidential Decree no. 394/1999 "Regulation on norms implementing the consolidated act on provisions concerning the immigration regulations and foreign national conditions norms" (President of the Italian Republic 1999)	PD 394/1999
<u>Amended by</u>: Presidential Decree no. 334/2004 "on immigration"(President of the Italian Republic 2004)	PD 334/2004
Presidential Decree no. 21/2015 on "Regulation on the procedures for the recognition and revocation of international protection"(President of the Italian Republic 2015)	PD 21/2015
CNDA Circular no. 6300 of 10 August 2017 on "Notifications of the acts and measures of the Territorial Commissions and the National Commission for the right to asylum"(Ministero dell'Interno: Comissione Nazionale per il diritto di Asilo 2017a)	CNDA Circular 6300/2017
CNDA Circular no. 6425 of 21 August 2017, Request clarifications art. 26, (5) Legislative Decree no. 25/2008, as amended by law n. 47/2017(Ministero dell'Interno: Comissione nazionale per il diritto di Asilo 2017b)	CNDA Circular 6425/2017
Ministry of Internal Affairs Circular no. 83774 of 18 December 2018 "Decree-Law 113/2018 implemented by Law 132/2018" (Gabinetto del Ministro 2018)	Circular 83774/2018
Ministry of Internal Affairs Circular no. 22146 of 27 December 2018 "Decree-Law 113/2018 implemented by Law 132/2018"	Circular 22146/2018
Ministry of Internal Affairs Circular no. 1 of 2 January 2019 "Decree-Law 113/2018 implemented by Law 132/2018, applicable profiles"	Circular 1/2019

Ministry of Internal Affairs Circular of 14 January 2019 "Decree-Law 113/2018 implemented by Law 132/2018, applicable profiles"	
Ministry of Internal Affairs Circular no. 10380 of 18 January 2019 "Decree-Law 113/2018 implemented by Law 132/2018, applicable profiles"	Circular 10380/2019
Ministry of Internal Affairs Decree of 10 August 2016 "Access of municipalities to the National Fund for Asylum (FNSA) for the accommodation of asylum seekers, beneficiaries of international and humanitarian protection; guidelines for SPRAR (MINISTERO DELL'INTERNO 2016c)	
Ministry of Internal Affairs Decree of 1 September 2016 "Establishment of first reception centres dedicated to unaccompanied minors"(MINISTERO DELL'INTERNO 2016b)	
Ministry of Internal Affairs Circular of 11 October 2016 on "Rules for starting of a gradual and sustainable distribution system for asylum seekers and refugees on the national territory through the SPRAR"(MINISTERO DELL'INTERNO 2016a)	
"Tender specifications scheme approved by Ministerial Decree of 20 November 2018 to be used for the supply of goods and services for the management and operation of the first reception centres, as per Decree-Law no. 451 of 30 October 1995, implemented by Law no. 563 of 29 December 1995 for the reception centres referred to in Articles 9 and 11 of Legislative Decree 142/2015 of 18 August 2015, and for the centres referred to in Article 10-ter and 14 of Legislative Decree 286/1998 of 25 July 1998, and subsequent modifications"(MINISTERO DELL'INTERNO 2015)	*Capitolato*

Data Source: Asylum Information Database (de Donato 2015) and the Gazzetta Ufficiale of the Italian Republic.

Appendix C. Italian Asylum and Migration Institutions

Figure 21. Italy's Institutional framework for migration and asylum
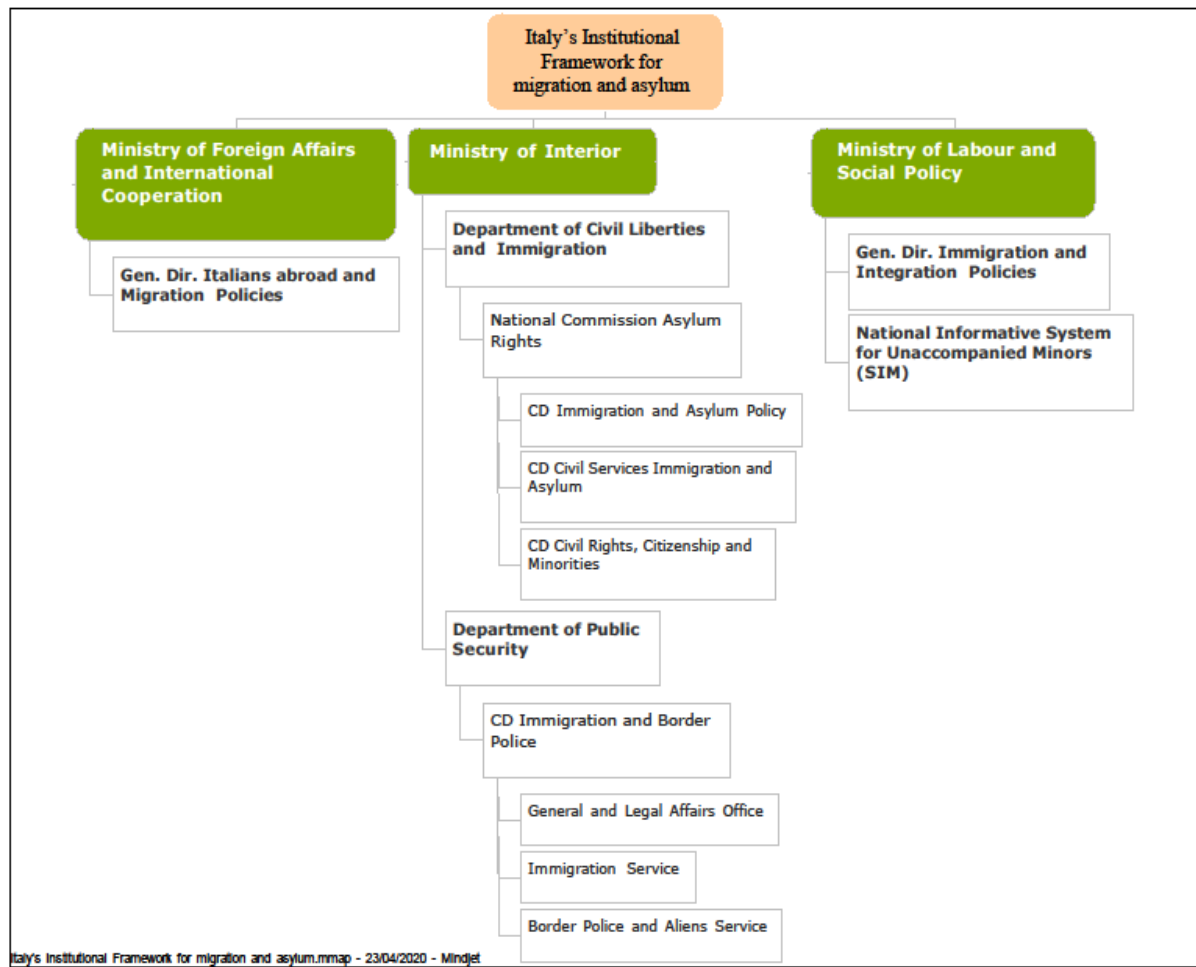
Please note that this institutional chart provides an indicative overview of the asylum and migration system in the MS concerned in July 2019.

Created with information of the European Migration Network.

Figure 22. Simplified Flow Diagram of the Process for Asylum Application in Italy
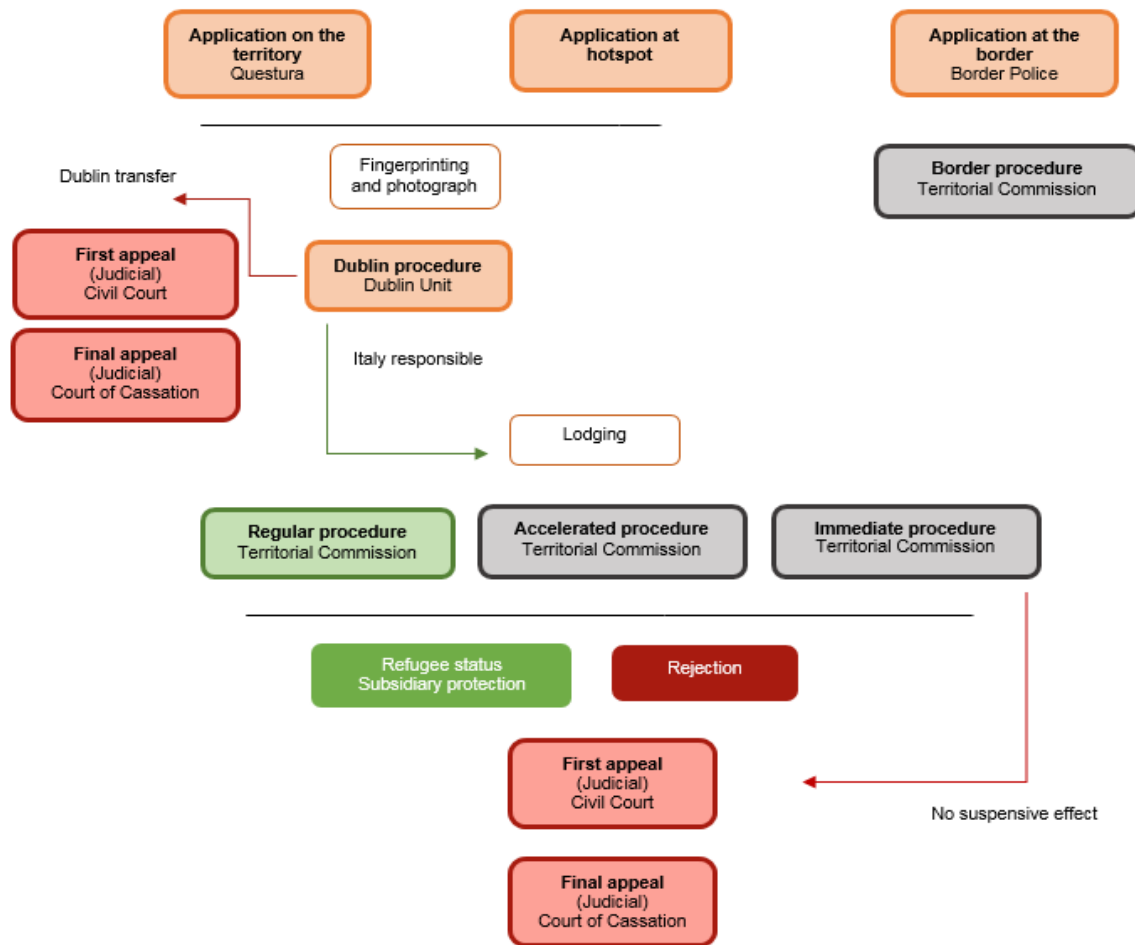
Source: Asylum Information Database

Figure 23. Location of Italian governmental reception and expulsion centres (CDA, CARA, CPR)
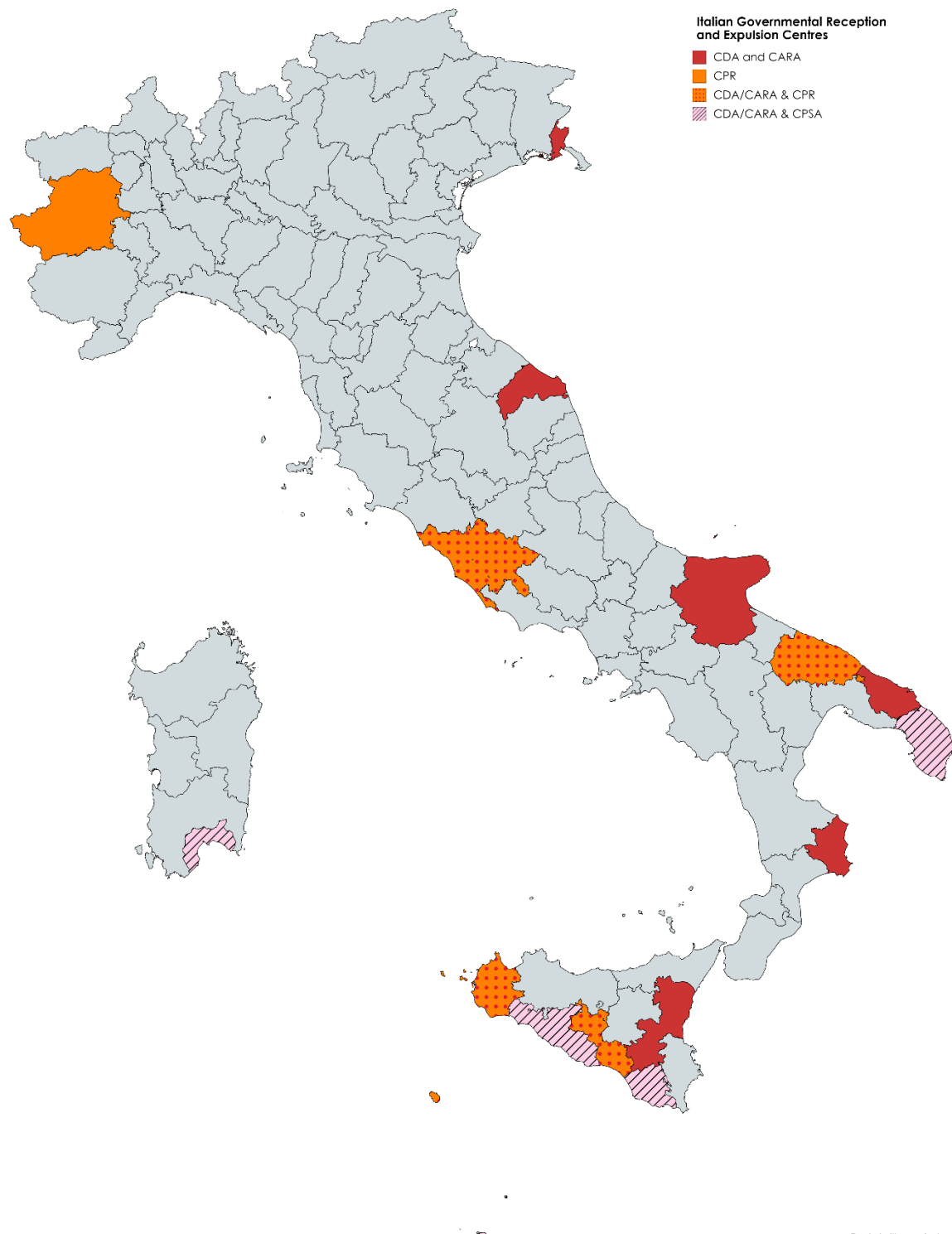
Elaborated data from the Ministry of Internal Affairs.

Table 7. Types of residence permits granted based on the type of recognised protection and benefits envisaged

Political Asylum	Subsidiary Protection	Humanitarian Protection
• Duration of 5 years, renewable, allows accessing study and working, convertible into a residence permit for work. • Right to family reunification • The family members of the holder of the international protection status present on the national territory who individually are not entitled to this status are granted residence permits for family reasons and have the same rights recognized to the family member holding the status. • Travel document issue, equivalent to the passport of five-year validity, renewable. • Access to employment under the same conditions as Italian citizens. • Right to the same treatment granted to the Italian citizen in matters of social, health and social assistance and access to public housing.	• Duration of 5 years, renewable, allows accessing study and working, convertible into a residence permit for work. • Right to family reunification • The family members of the holder of the international protection status present on the national territory who individually are not entitled to this status are granted residence permits for family reasons and have the same rights recognized to the family member holding the status. • A travel document can be issued for foreigners if it is impossible to obtain a passport from the consular offices. • Access to employment under the same conditions as Italian citizens. • Right to the same treatment granted to the Italian citizen in matters of social, health and social assistance and access to public housing.	• Duration of 2 years, renewable, allows accessing study and working, convertible into a residence permit for work. • Right to family reunification in attendance of accommodation requirements and minimum income required by Legislative Decree n. 286/1998. • The family members of the holder of the international protection status present on the national territory who individually are not entitled to this status are granted residence permits for family reasons and have the same rights recognized to the family member holding the status. • Right to the same treatment granted to the Italian citizen in matters of social, health and social assistance and access to public housing. In light of the provisions of article 14, paragraph 4 of Presidential Decree 12 January 2015, n.21, which provides for a two-year

		duration of the permit to stay for humanitarian reasons, if the interested party carries out an activity of subordinate work or self-employment, as required by art. 40, paragraph 6 of Legislative Decree no. 286/1998, can be among the recipients of the benefits such as access to public residential housing.

Source: Gruppo di studio sul sistema di accoglienza. 2015. 'Rapporto Sull'accoglienza Di Migranti e Rifugiati in Italia. Aspetti, Procedure, Problemi'. Rome.

Table 8. Differences in the structure of the reception centres depending on the status.

Residence permit type/Status	Actual reception centre	Previous reception centre
Asylum seekers		
Holders of a residence permit for an asylum request	CAS	CAS/ SPRAR
Holders of a household residence permit for an asylum request without enough resources to ensure an adequate life condition for sustaining the whole members of the household.	CAS	SPRAR/CAS*
Vulnerable individuals holders of a residence permit for an asylum request (bearers of particular necessities)	CAS	SPRAR/CAS*
Right-holders		
Holders of a residence permit for international protection	SPRAR/SIPROIMI	SPRAR CAS*
Holders of a residence permit for subsidiary protection	SPRAR/SIPROIMI	SPRAR CAS*
Holders of a residence permit for humanitarian reasons (*ex* art. 5, c.6 t.u.)	NOT ENVISAGED	SPRAR CAS*

Holders of a residence permit as a "special case" (*ex* "humanitarian" status ex. *ex* art. 5, c.6 t.u.) included in the SPRAR before October 5, 2019	SPRAR until the end of the project	SPRAR
Holders of a residence permit as a "special case" (*ex* "humanitarian" status ex. *ex* art. 5, c.6 t.u.)	NOT ENVISAGED	SPRAR CAS*
Residence permit as victims of particular labour exploitation (*ex*-art. 22, c-*quarter* t.u.)	SPRAR/SIPROIMI	NOT ENVISAGED
Residence permit as victims of domestic violence (*ex* art. 18-*bis* t.u.)	SPRAR/SIPROIMI (if not included in special channels)	Antiviolence Centres**
Residence permit as victims of violence or serious labour exploitation (*ex* art. 18 t.u.)	SPRAR/SIPROIMI (if not included in special channels)	Antitrafficking Centres**
Residence permit for particular civic value acts (*ex* art.42-*bis* t.u.)	SPRAR/SIPROIMI	NOT ENVISAGED
Residence permit for disasters (*ex* art. 20-*bis* t.u.)	SPRAR/SIPROIMI	NOT ENVISAGED
Residence permit for medical treatments (*ex* art.19,c.2,let.d-*bis* t.u.)	SPRAR/SIPROIMI	NOT ENVISAGED
Unaccompanied minors		
Foreign minors not seeking for asylum	SPRAR/SIPROIMI	Centre for minors SPRAR***
Unaccompanied minors holders of a residence permit for applying for asylum (*ex* art. 12, c.5-*bis* t.u.)	SPRAR/SIPROIMI	SPRAR
Young adults (just turn 18 years-old) holders of a residence permit for applying for asylum received by the SPRAR when they were still minors	SPRAR/SIPROIMI	SPRAR
Young adults (just turn 18 years-old) holders of a residence permit for international protection received by the SPRAR when they were still minors	SPRAR/SIPROIMI	SPRAR
Young adults (just turn 18 years-old) holders of a residence permit for applying	SPRAR/SIPROIMI	CAS

for asylum received by the CAS when they were still minors		
Young adults (just turn 18 years old) that enjoy long-term measures of support and integration (also called, *administrative continuity*) until they reach 21.	SPRAR/SIPROIMI	Centre for minors SPRAR***

Note: *In the absence of available places in SPRAR

**They are generic centres of help and rescue for violence situations

***If there are no available places in the hospitality centres managed by the local entity

Source: Accorinti, Marco, and Elena Spinelli. 2019. "L'attività Degli Operatori Sociali Tra Aiuto e Controllo Nel Nuovo Sistema Di Accoglienza." La Rivista Delle Politiche Sociali/ Italian Journal of Social Policy 2019 (2): 103–20 based on the information of Giovannetti, Monia. 2019. "La Frontiera Mobile Dell'accoglienza per Richiedenti Asilo e Rifugiati in Italia. Vent'anni Di Politiche, Pratiche e Dinamiche Di Bilanciamento Del Diritto Alla Protezione." Diritto, Immigrazione e Cittadinanza 2019 (1): 1–29.

Figure 24. Municipalities part of the SPRAR/ SIPROIMI system

Areas in yellow are municipalities which have decided to become part of the SPRAR/SIPROIMI network for asylum seekers reception until 2018 and now reception for refugees and those entitled to special protection.

Source: Rapporto Annuale SPRAR/SIPROIMI. Sistema di protezione per titolati di protezione internazionale e per minori stranieri non accompagnati 2018.

Appendix D. Legal Forms

Figure 25. EURODAC Fingerprint Form

Source: Regulation (EU) No. 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No. 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast)

Figure 26. Italian Model C3 for requiring to be granted refugee status in compliance with the Geneva Convention of 1951.

2

5. **Stato di famiglia**   a) celibe/nubile ☐   b) coniugato/a ☐
(contrassegnare la casella corrispondente)

    Nome del coniuge..
    (indicare le generalità complete, l'attuale dimora e precisare se ha avanzato analoga richiesta di riconoscimento dello
    status di rifugiato)

    c) divorziato/a ☐   separato/a ☐   vedovo/a ☐

    d) Figli (legittimi, naturali, ecc.), attualmente in Italia

	1	2	3	4
Cognome				
Nome				
Sesso				
Data di nascita				
Luogo di nascita				
Cittadinanza				
Professione				
Dimora attuale				

    g) Figli rimasti in patria o in altri paesi:

	1	2	3	4
Cognome				
Nome				
Sesso				
Data di nascita				
Luogo di nascita				
Cittadinanza				
Dimora attuale				

6.   a) Se ha (altri)familiari o conviventi in Italia
        (specificare grado di parentela e data del loro ingresso in Italia)..

    ....

    b) Se ha altri parenti fuori del proprio Paese..

    ....
    (in caso alternativo specificare la località e il grado di parentela).

3

7. Periodi e luoghi di residenza del richiedente dalla nascita.

Dal........al......	Località e stato	Occupazione

8.   **Professione o mestiere** (specificare se la professione dichiarata è stata effettivamente esercitata; in caso negativo indicare altre attività svolte)
....
....
a)   ultimo posto di lavoro..
....
(specificare luogo, periodo, eventuale datore di lavoro, qualità dell'impiego, guadagno mensile).

b)   disoccupato...
....
(in caso affermativo, specificare da quanto tempo e per quale motivo).

9.   Titoli di studio...

10.   Lingue parlate correntemente...

11.   Servizio militare (situazione)..
....

12.   a) data dell'ultima partenza dal Paese d'origine, d'appartenenza e/o d'abituale residenza
....

b) ha transitato o soggiornato in altri Paesi prima di venire in Italia?...............................
....
(se sì, indicare i paesi e i periodi di transito o soggiorno)

c)   quando entrato in Italia ?..

d)   attraverso quale frontiera?...proveniente da:.........................
....

4

  e) con quale documento ? (specificare se con visto d'ingresso)...

  ....

  f) come ha ottenuto il documento e l'eventuale visto d'ingresso?)...................................

  ....

  g) ha subito condanne in Italia ? si ☐ no ☐
  (contrassegnare la casella corrispondente)
  (se si, specificare natura della condanna, periodi e luoghi d'eventuale detenzione).............................

  ....

  ....

  ....

13. Ha già chiesto asilo o il riconoscimento dello status di rifugiato in un altro Paese?
  (se sì, specificare dove, quando esito della domanda)
  ....

  ....

14. a) con quali disponibilità finanziarie si propone di proseguire il proprio soggiorno in Italia ?

  ....

  b) Intende emigrare in altro Paese?...
  (specificare quale)

15. Appartenenza ad organizzazioni politiche, sociali, religiose, ecc. (se sì, indicare periodo ed a quale titolo)

  ....

  ....

16. Motivi per i quali ha lasciato il suo Paese d'origine e/o motivi per i quali non intende o non può farvi ritorno (su foglio da allegare, debitamente firmato, l'interessato scriva liberamente nella propria lingua originale ovvero in lingua italiana, inglese, francese, spagnola, tutti i motivi per i quali stato spinto all'espatrio e alla richiesta del riconoscimento dello status di rifugiato, presentando eventuale documentazione in suo possesso e specificando, se del caso, condanne subite periodi e luoghi di detenzione).

17. Richiede di essere udito personalmente dalla Commissione competente al RIconoscimento dello status di rifugiato, assumendo a proprio carico eventuali oneri relativi ad un eventuale viaggio e soggiorno?

  sì ☐ no ☐ (contrassegnare la casella corrispondente).

18. Specificare a quale indirizzo devono essere notificate eventuali comunicazioni

  ....

  ....

5

19. Io sottoscritto dichiaro che il contenuto del presente verbale mi stato letto in una lingua da me conosciuta, che ho liberamente riferito su tutti i motivi che mi hanno spinto a fare richiesta di riconoscimento dello status di rifugiato e che non ho altro da aggiungere.

Fatto, letto e sottoscritto

Firma del dichiarante..

Firma dell' interprete..

Firma del verbalizzante..

Luogo e data.....................................

Timbro dell'Ufficio
e firma del Funzionario P.S.

Note that the information collected through this module is sensible data. Additionally, as previously mentioned, the questions on page 4 of the form express the individual logic of evaluation, conceiving refugees as individuals rather than groups/communities on the run. In

page 5, please note that only one person is the one in charge of doing the interview (i.e. the *verbalizzante)*.

Source: Progetto Melting Pot Europa

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