

**COMMENTS BY THE ITALIAN AUTHORITIES**  
**ON THE COMMISSIONER FOR HUMAN RIGHTS' REPORT ON ITALY**

(18 SEPTEMBER 2012)

**PROTECTION OF THE HUMAN RIGHTS OF ROMA AND SINTI**

In his report the Commissioner welcomes the recent adoption of the first Strategy for the inclusion of Roma as well as their involvement in the drafting of the Strategy itself.

The Commissioners values the method of Roma inclusion adopted with the Strategy, which discontinues the dangerous approach of the nomad emergency; however in his view it is contradictory that the Government has submitted an appeal against the decision of the Council of State stating that the nomad emergency was illegal and that the construction of a “segregated camp near Rome” is still in progress.

It is worth noting that the appeal before the Court of Cassation against the decision of the Council of State of 16 November 2011 is of a “technical” nature and that it does not change the approach of the Government whereby the emergency phase has been overcome.

However, pending the decision of the Court of Cassation, the Council of State issued an ordinance on 9 May 2012 suspending the effects of its decision to enable the Administrations that have submitted the appeal to complete the activities still in progress.

In this connection, the funds that had been already set aside, but not yet committed, in connection with the activities of the Extraordinary Commissioners have been newly allocated to chapter 3560 “Various Revenues of the Ministry of the Interior” for the functional completion of interventions that were already scheduled, as provided for by art. 3 of legislative decree No. 59 of 15 May 2012, entitled “Urgent provisions for the Reorganization of the Civil Protection”, modified and turned into law No. 100 of 12 July 2012.

It is worth noting that the social policies of inclusion of the Roma communities fall under the responsibility of Local Authorities, within the more general framework of the Strategy adopted by the Central Government.

A number of Administrations carry out valuable initiatives including in the area of fight against racial discrimination and marginalization. This applies to Pescara, for example, where a crime involving sedentary individuals belonging to the Roma ethnic group focused the attention of mass media and public opinion on the issue of co-existence between the local population and the Roma community. In order to appease the emerging conflicts, the Prefect involved all concerned actors in the identification of initiatives aiming at improving peaceful coexistence through pathways and initiatives leading to the full social and occupational integration of Roma fully respecting the individual cultures of the Roma communities and the rest of the population (Provincial authority, Municipal authority, Caritas, volunteers' organizations, associations that represent the Roma communities).

However, the difficulty in achieving success is often brought about by the will of the Roma communities, to whom projects are addressed, to enjoy forms of assistance rather than by a real need to become culturally integrated. The participatory approach and the readiness of the Municipal Administration of Pescara was of pivotal importance for the accurate fulfillment of the international commitments entered into by the Italian Government through the adoption of the implementing strategy of the Communication of the European Commission No. 173/2011.

As regards integration policies, the Government adopted its Agenda for Growth passed by the Council of Ministers on 24/08/2012, aimed at identifying the necessary measures to support the growth of the Country. Its programme actions include the review of the Consolidated Text of provisions covering immigration and the status of aliens with special reference to the part concerning integration as well as the drafting of provisions to counter racism.

As regards the issue of the citizenship of many members of the Roma community originating from former Yugoslavia who are in a de facto stateless situation, the Italian Ministry of the Interior has established a working group which is expected to provide legal and operational indications shortly.

Furthermore, as far as social inclusion and inclusive education of Roma, Sinti and Travellers are concerned, it is worth underlining that the Italian Ministry of Labour and Social Policy - depending on availability of resources - promotes a program, by means of a shared action with the 15 Cities targeted by the Fund 285.

This Program moves from the experiences of support of Roma children, promoted through Law 285/97 in order to experiment some guidelines shared on behalf of Roma children, adolescents and their families.

The Technical Coordination Board 285, established in 2007 to promote a relaunching of policies for children, aims to create some form of coordination between the Cities supported by the Fund 285 and the Ministry of Labour and Social Policy in order to facilitate an exchange on meaningful experiences, aimed to select and to share work priorities, ensuring consistency in public policy and the exchange of good practices.

The proposal to the Cities of a program for Roma children and families, in accordance with the actions of the Ministry of Education, University and Research, involves the testing of activities to support school attendance and educational success for the prevention of school dropout of children, in particular Roma, Sinti, Travelers, and measures to facilitate the integration of Roma children and their family in social context.

This experiment is consistent both with the provisions of the Third Plan of Action for Children and Adolescents - which has among its activities the goal of interculturalism and integration of Roma children - and with the recommendations issued on October 31st, 2011 by the UN Committee on Rights of the Child (see paragraphs 25, 61 and 80), where further efforts are requested for the removal of inequalities and discrimination in access to education by Roma children.

The program appears to be also in line with the chosen path and the commitments made on the occasion of the drawing up and drafting of the "National Strategy for inclusion of Roma, Sinti and Travellers" (which implements the European Commission Communication n. 173/2011).

The suggested path includes: the elaboration of a co-planning with members of the coordination board and the identification of a Scientific and Technical Committee with responsibility for planning, directing, extending technical and scientific support to operators, monitoring and final evaluation; the mapping of current experience in the Cities (and Countries acceding to the network "Child on Europe") and a survey of organizational models adopted to suit the specific needs of Roma, Sinti and Travellers; the establishment of a control room, composed of representatives of the Cities, the scientific group, Roma, Sinti and Travellers associations more active in the area with an advisory role, monitor resources, analysis of critical elements; the creation of local multidisciplinary teams for the direct management of the interventions.

At the local level, in every City the responsibility for such actions may be shared within a table composed by representatives of the departments, of private social entities and referents from Roma, Sinti and Travellers

## **RECEPTION CONDITIONS OF ASYLUM SEEKERS IN ITALY**

As far as the interventions in favour of asylum seekers and beneficiaries of international protection are concerned, Italy has implemented a strategy aimed at granting the highest possible level of autonomy to beneficiaries which is necessary to their integration in the territorial context. This was achieved thanks to actions aimed at strengthening the existing system. The strategy also meets the requirement of strengthening social cohesion, which is one of the specific priorities of the national strategic framework underlying all ordinary and extraordinary public investments.

The general objective identified by Italy is therefore unifying the various reception measures existing on the territory (Reception Centres for Asylum Seekers and Refugees, Territorial Projects of the Protection System for Asylum Seekers and Refugees, Metropolitan Multifunctional Reception Centres, as well as any other type of resource existing on the territory) in a single national system.

More specifically, the reception system of asylum seekers is mainly subdivided into two phases – a first reception phase provided by a type of government facilities<sup>1</sup>, namely the Reception Centres for Asylum Seekers (CARA) and a second one provided by the facilities of the Protection System for Asylum Seekers and Refugees (SPRAR), which are run by Local Authorities.

The resources necessary to finance the entire system are drawn from the National Fund for Asylum Policies and Services (FNPSA) run by the Ministry of the Interior – Department for Civil Liberties and Immigration, established by Law No. 189 of 30 July 2002 (the

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<sup>1</sup> *Centres for First Assistance and Reception (CPSA)*: these facilities are located near landing sites; they accommodate migrants for as little time as is necessary to transfer them towards other centres (24/48 hours);

*Reception Centres (CDA)*: facilities where migrants are accommodated for the time needed to issue the administrative decisions concerning their position on the national territory (Law No. 563/95, named Legge Puglia – Apulia Act);

*Reception Centres for Asylum Seekers (CARA)*: facilities where asylum seekers are accommodated for the time needed to identify them or to examine their asylum application on the part of the competent Territorial Commission for the Recognition of International Protection (Legislative decree No. 25/08);

*Identification and Removal Centres (CIE)*: in these facilities (whose name is provided for by Law-Decree No. 92/08) irregular migrants are kept for the time needed by law enforcement bodies to carry out the relevant removal measure (legislative decree No. 286/98).

resources of the Fund are allocated with a decree of the Minister of the Interior) and, to a lesser extent, from the European Refugee Fund (ERF).

## 1. THE RECEPTION CENTRES FOR ASYLUM SEEKERS (CARA)

The CARA Centres were established by means of legislative decree No. 25 of 28 January 2008 implementing Directive 2005/85/EC and replaced the identification centres envisaged by art. 32 of Law No. 189/2002 and by the subsequent implementing regulation No. 303/2004<sup>2</sup>.

The CARA centres in operation are the following:

PROVINCE	THEORETICAL CAPACITY
ANCONA – Hotel “Le Terrazze”	68
BARI	744
BRINDISI	128
CALTANISSETTA	456
CROTONE-S. ANNA	802
FOGGIA	856
GORIZIA-GRADISCA D’ISONZO	138
ROMA – Castelnuovo di Porto	650

<sup>2</sup> The beginning of the reception activity, however, dates back to a previous time, when the first important emergency occurred in 1991, when more than 40,000 Albanians landed on the coasts of Apulia. A subsequent emergency was the arrival of about 80,000 refugees from the former Yugoslavia who kept arriving until 1996; they were received and assisted on the national territory thanks to an ad hoc law, Law No. 390/92 providing for extraordinary interventions of humanitarian nature in favour of displaced persons from the Republics set up in the territory of former Yugoslavia. In the same year about 14,000 Somali nationals were assisted. Finally, in 1999 more than 30,000 Kosovars arrived in Italy.

These situations have always been dealt with through intervention measures that were both urgent and extraordinary so as to guarantee the necessary assistance measures in favour of aliens in the swiftest possible way. The most considerable burden of these events was born by the southern regions. The figure of aliens that enjoyed assistance between 1990 and 1999 amounts to 209,500 and it includes Albanians, Croats, Somalis, citizens of Former Yugoslavia, Rwandans, Kurds and Kosovars.

The rescue and accommodation activity was first systematized with Law decree No. 451 of 1995, then turned into law No. 563 of 1995 (the so called Legge Puglia – Apulia Act) whereby ad hoc facilities for the assistance to these populations were set up. More specifically according to the subsequent implementing regulation No. 233 of 1996 three centres were set up in Apulia (Brindisi, Lecce and Otranto) and Prefects could set up provisional facilities throughout the national territory or, in any case, adopt interventions in favour of irregular aliens, only for the time needed to identify them in order to either remove them or recognize the protection requirements (in the case of asylum seekers).

Between 1998 and 2000 the following centres were in activity:

Siracusa – School “Costanzo”

Ragusa – Municipal building in Via Aldo Moro

Ragusa – Sports facility in Pozzallo

Messina – School “Carlo Meo”

Enna – Schools “Santa Chiara” and “Nino Savarese”

Agrigento – ASI – A4

Palermo – termini Imerese Building A.S.I.

Catania – Aeroporto of Fontanarossa.

TRAPANI – Salina Grande	260
<b>Total capacity</b>	<b>4102</b>

The CARA centres accommodate international protection seekers who are in special conditions (e.g. without documents; individuals who entered Italy violating frontier checks; individuals who have been found in an irregular position by law enforcement bodies) for the time needed to be identified (maximum 20 days) or to enable the Territorial Commissions for the Recognition of International protection to take a decision on the applications for international protection (maximum 35 days).

When the latter term has expired without a decision of the Territorial Commission, the asylum seeker is granted a renewable residence permit based on his/her asylum application with a three month validity, which however does not allow the concerned person to work.

Once the ordinary identification and photographic identification procedures are completed, the asylum seeker can leave the Centre during the day (8:00-20:00) or on account of special personal conditions for several days, upon authorization of the Director of the Centre.

In case the concerned individual leaves the centre without justification the reception ceases and the protection/asylum application may be processed without having to comply with the obligation to interview the applicant; in these cases, each Territorial Commission can take a decision on the basis of available documents.

According to article 6 of Legislative decree No. 140/2005 (which incorporated in the national legislation directive No. 2003/9/EC) asylum seekers without means of support may continue to be accommodated in CARA centres even beyond the envisaged 35 days, in case it is ascertained that no places are available in the Municipality services funded by the Ministry of the interior and belonging to the Protection System for Asylum Seekers and Refugees (SPRAR).

According to article 11 of Legislative decree No. 140/2005 , in case the decision on the asylum application is not taken within six months from its submission, the stay permit based on the asylum application is renewed for a further six months and it enables the applicant to work until the Territorial Commission takes its decision.

The system of reception envisages that a range of services must be provided to migrants and the Manager of the Centre must guarantee them as provided for by a convention concluded with the competent Prefecture according to the tender specifications adopted by means of a decree of the Minister of the Interior on 21 November 2008.

These services can be summed up as follows:

*a) Legal assistance and free legal aid when applicable;*

*b) General assistance to persons:*

- Linguistic-cultural mediation,
- Information on immigration legislation and on the rights and duties of aliens in Italy as well as on the rules of conduct that have to be complied with at the centre;
- Barber's and laundry services;

- Socio-psychological support with special attention for persons belonging to vulnerable categories,
- Organization of free time by providing cultural activities, sports and social and religious activities,
- Teaching of Italian;
- Guidance to the territory and information on the opportunities to be included in the protection system for asylum seekers and refugees.

*c) Medical assistance:*

- Administering of medicines;
- First aid carried out by nurses and possibility to be accompanied to local medical stations;
- Reservation of visits with consultants and assistance during medical consultations and while the individual is hospitalized

*d) Cleaning up and environmental hygiene service;*

*e) Provision of essential goods:*

- Three meals a day;
- A personal set of clothing adequate to the season and sex of the concerned person;
- Products for personal hygiene;
- Telephone card;
- A 5 Euro voucher every two days to be spent within the Centre.

Furthermore, asylum seekers accommodated in CARA centres are entitled to receive visits of UNHCR representatives, representatives of other Associations or Bodies promoting the protection of the rights of asylum seekers, of lawyers, family members or Italian citizens upon authorization of the Prefect.

More generally speaking, the above mentioned tender specifications have introduced further improvements of the services provided in the centres for refugees ( and in general for all government centres for migrants) enhancing the services to the persons on the one hand and strengthening the measures aimed at controlling the management as well as expenditures on the other.

The reception conditions described above are guaranteed to all asylum seekers, including to those transferred to Italy following a “Dublin” procedure. The latter receive a preliminary form of reception upon arrival when the services present in the main airports are activated; subsequently they are accommodated in the government reception centres. When the transferring country reports the existence of vulnerability conditions of the asylum seeker, appropriate medical measures are taken in the centres aimed at an adequate reception.

This type of asylum seekers/individuals entitled to international protection also benefits from two projects funded with resources of the ERF:

- Year 2010: Action 1.1A – “Reception, support and guidance interventions aimed specifically at individuals belonging to vulnerable categories, who are transferred to Italy at Milano Malpensa airport and Roma Fiumicino, in application of the Dublin regulation (20037343/EC)”;

- Years 2011 and 2012: Action 4 - “Reception, support and guidance interventions aimed specifically at individuals belonging to vulnerable categories, who are transferred to Italy, in application of the Dublin regulation”.

As regards the handling of specific cases, requiring specific interventions, it is worth mentioning that in the CARA centres the vulnerable individuals are identified and appropriate initiatives are adopted to facilitate and support them; furthermore adequate levels of reception are ensured.

In order to enhance the respect of human rights in these centres, the Ministry of the Interior concentrated on the strengthening of a constant and flexible cooperation with UNHCR, IOM and the Italian Red Cross; in 2006 these organizations were involved in a project called “Praesidium – The Strengthening of Reception in connection with Migratory Flows involving the island of Lampedusa”, co-financed by the European Union in the framework of the Community project “Argo 2005”.

Originally, the above mentioned project was aimed at improving the reception conditions of the considerable migratory flows that reached Lampedusa across the sea. In 2006 in Lampedusa a stable station of the above mentioned organizations was set up to provide humanitarian assistance and social support, as well as legal guidance to migrants accommodated in the island centre, granting special attention to international protection seekers and to vulnerable individuals such as women on their own or with children, unaccompanied minors and alleged victims of trafficking in human beings.

In particular, during the first two years of the project, the above mentioned bodies provided their contributions aimed at the following:

- 1) Providing legal guidance to migrants,
- 2) Carrying out information activity on the Italian legislation in force concerning irregular immigration, trafficking in human beings and reduction to slavery, as well as information provision on procedures for regular entry to Italy as well as on the submission of international protection applications,
- 3) Informing migrants on the opportunity of voluntary or assisted return,
- 4) Creating and disseminating information material concerning the specific areas of competence of the individual organizations,
- 5) Participating in identifying the vulnerable groups as well as informing the competent authorities thereof,
- 6) Monitoring the good functioning of the reception procedures both upon landing and in the final destination centres, with particular attention to the respect of human rights.

This activity was carried out in a synergic and cooperative way by the teams of the individual organizations, each made up by officials, cultural mediators and field officers, in order to meet more effectively the various practical and social needs of migrants even on account of the extremely varied picture of cultures and traditions which they represent.

In the second and third year the territorial scope of activity of the partner organizations (including centres and accommodation communities for minors in Sicily, Calabria, Apulia and Sardinia) and the number of involved humanitarian agencies were

increased – in the Project Praesidium III Save The Children also participated in order to protect effectively the rights of the ever increasing number of unaccompanied minors who reaches the Italian coasts across the sea .

In particular, Save the Children has carried out a guidance activity as well as legal information dissemination and cultural mediation in favour of foreign minors, including those accompanied by their families, starting from the phase of landing on the coast and continuing with the support in the reception centres or in the dedicated communities in the regions covered by the project.

In liaison with the Ministry of the Interior, the activity of the four organizations addressed the categories of migrants most likely to run the risk of exploitation or violence, such as women and unaccompanied minors.

In particular the operational objectives of Praesidium VI included the strengthening of the capacity to carry out migrants profiling in order to provide assistance and specific reception to vulnerable categories, especially unaccompanied minors, including those seeking international protection, who are accompanied along their pathway of protection and integration including at the accommodation communities they are bound to reach.

Special attention is paid to migrants with physical or psychic traumas and to the victims of torture, who are entrusted to the medical stations of the reception centres or at local level to receive treatment and support in a professional and adequate way.

The multiannual experience acquired by this type of project in managing mixed migratory flows heading towards the Italian coasts proved to be very effective also on the occasion of the humanitarian emergency of Northern Africa, declared in the Decree of the President of the Council of Ministers of 12 February 2011 and postponed until 31 December 2012; thus the Ministry of the Interior extended the activities of Praesidium VII to all the government centres existing on the national territory.

This last edition of the project will last twelve months, the first six months was co-financed by the ERF through funds of the action “urgent measures” of AP 2011 – Measure 4 aimed at the “enhancement of support, guidance and information services in the government centres involved in the migratory emergency”, the second six months is financed through funds of the Ministry of the Interior – Department of Civil Liberties and Immigration.

The important results achieved thanks to this pattern of intervention and to its innovative multi-Agency approach made it possible to achieve the unanimous appreciation of all actors, both institutional and non-institutional, involved in the management and reception of migratory flows heading towards Italy as well as to create a best practice with a European added value, as it can also be utilized in other European contexts.

In the framework of the Project under examination there has also been an important liaison among the activities carried out by the above mentioned organizations, each according to its own specific features, and by other national bodies or institutions (law enforcement agencies, port authorities, the Navy, etc), as well as by local institutions (e.g. Local Health Service Units, Prefectures, etc.) and the Managing Bodies of the Centres involved in the Project.



On the basis of what has been mentioned above it follows that the system of first reception relying on government centres focuses on the individual and his/her needs (hygiene, accommodation, food, etc.) as well as his/her rights (social-medical assistance, legal information, interpretation and cultural mediation).

The Project entitled "*Mare Nostrum – A Common Approach to Strengthen the Asylum Facilities in Italy and Malta*" (ERF – Community Actions 2009) is also particularly worth mentioning.

It was carried out between June 2010 and June 2011 in partnership with IOM, INMP (National Institute for the Promotion of the Health of Migrant Populations and the Fight against the Diseases of Poverty) and the Ministry of Justice and Home Affairs of Malta.

In the framework of this Project, which obtained important achievements, IOM has organized 74 courses on civic guidance in the five CARA centres in Crotona, Caltanissetta, Trapani, Bari and Mineo. Furthermore IOM collected and evaluated the curricula including the professional qualifications of 1,260 applicants for international protection in order to guide them along a pathway of social-economic inclusion.

This experience was subsequently repeated by IOM in partnership with Connecting People (which runs various government centres) in the framework of two projects named "*Nautilus, from Reception to Integration*" (ERF 2009) and "*Nautilus 2*" (ERF 2010) respectively. The implementation of these projects implied the setting up of 12 front offices and the starting up of social-employment inclusion processes through the activation of territorial networks to support the integration process of individuals applying for or beneficiaries of international protection by promoting their connection with the world of employment.

## 2. THE PROTECTION SYSTEM FOR ASYLUM SEEKERS AND REFUGEES (SPRAR)

The second phase of reception is provided for by the Protection System for Asylum Seekers and Refugees (SPRAR).

The system was established by means of law No. 189/2002 and it consists in a network of Local Authorities (Provinces, Municipalities and Union of Municipalities) which provides services of protection, guidance and integration in favour of asylum seekers and beneficiaries of one of the forms of international protection (refugee status, subsidiary protection, humanitarian protection), they are funded with resources of the FNPSA.

The selection of the local authorities who are to enjoy the state funding occurs through a public call for the submission of funding requests based on specific guidelines providing information on the standards of the services to be supplied by the local authorities in collaboration with volunteers' organizations and cooperative societies with proven experience in this sector.

The funded project are submitted for ordinary categories, for vulnerable categories (unaccompanied minors, the disabled, victims of torture or violence, the elderly, expectant mothers, single parent families) and for individuals with a mental condition who need medical and in house assistance either specialized or extended.

In the territorial projects of SPRAR food, accommodation, pocket money, legal information, social-psychological support and notions of territorial orientation are provided. In order to favour the individual process of integration of asylum seekers and

persons granted international protection, the Local Authorities and the Third sector associations, that run the activities, carry out their interventions at local level and activate in synergy all services existing on the territory: courses of Italian, medical assistance through the National Health Service, support and guidance in the processing of administrative files, schooling of minors, vocational training, traineeships, work subsidies, introduction into the housing market through helpdesks or agencies.

These are integration pathways on a local basis, which are in keeping with the minimum reception measures envisaged by the European directives (Directive 2003/9/EC), and whose level has gradually increased over the years, thanks to the dissemination and sharing of best practices within the system itself.

In the management of SPRAR special attention is paid to the training of the staff who carries out reception services at local level: training programmes addressing project personnel newly entering the System are promoted as are meeting opportunities for more experienced personnel in order to satisfy the need to be informed, to delve into the matter and to exchange views.

The training activity also aims at strengthening the skills of local staff in connection with reception and the process of taking charge of vulnerable persons as well as at improving the skills of the staff working at the governmental reception centres and at the CARA centres.

As was the case in previous years, in 2011, the Ministry of the Interior funded the reception and integration activities of SPRAR through the FNPSA.

For the period 2011-2013 the SPRAR network consists in 151 local projects traceable to 128 Local Authorities, with a yearly total cost of about 35 million Euros and a reception capacity of 3,000 places for each year. Out of these, 2,500 places are devoted to the so called "ordinary categories" (single men, single women, families) and 450 places are devoted to the reception of vulnerable individuals (foreign unaccompanied minors, single parent families, victims of torture and violence, persons in need of extended medical and specialized assistance). The remaining 50 places are specifically devoted, for the first time, to persons with a mental condition.

The funded places are at the disposal of the beneficiaries for an overall period of six months, renewable in case of need; thus, the resulting ordinary turn over provides for a total reception of about 6,000 places each year. However, in 2011, following the Northern Africa emergency, SPRAR accommodated 7,598 migrants.

In this connection, the possibility of developing the SPRAR is being studied, although the necessary financial resources will have to be found.

As far as the use of the ERF is concerned, the programme for the year 2011 included allocations amounting to more than 27 million Euros for innovative interventions of reception and social-economic integration of asylum seekers and refugees. About 14.5 million Euros out of the total amount are devoted to urgent measures for reception and support interventions capable of dealing with the humanitarian emergency connected with the political-social crisis existing in some countries of Northern Africa.

Furthermore, the multiannual programme includes actions ranging from interventions focused on the intensive learning of Italian to interventions focused on the specific support of vulnerable categories.

More specifically, actions aimed at asylum seeking unaccompanied minors have been adopted; in favour of this category pathways of schooling, training and social-psychological support are envisaged, as are other actions aimed at individuals with a mental condition as a consequence of torture or violence.

### 3. OTHER RECEPTION MEASURES

The reception system is completed by the Metropolitan Multifunctional Reception Centres created in 2007 in some metropolitan cities like Rome, Milan, Florence and Turin. Their activation is based on agreements signed by the municipalities and the Ministry of the interior in order to “carry out joint activities in favour of asylum seekers, refugees and beneficiaries of humanitarian protection”.

This is a new organization pattern, specifically designed for the cities that have to handle a more serious state of emergency brought about by the large number of foreigners who benefit from international protection or who belong to vulnerable categories and who are attracted to the opportunities offered by that type of urban system.

In these facilities the aim was a unitary project blending the basic services provided in the governmental reception centres with those aimed at integration and autonomy provided by the Municipalities. Actually, in addition to reception medical and psychological assistance services have been provided for, including in cooperation with the Local Health Service Units and hospitals, furthermore vocational training and tutoring services have also been provided for in order to support possible pathways of social inclusion of the guests in the urban texture thanks to network synergies.

Furthermore with the call for tenders of 7 September 2011, issued by the Ministry of the Interior in agreement with the National Association of Italian Municipalities (ANCI), the municipalities of the convergence objective area were invited to submit projects for the renovation or enlargement of facilities devoted to the reception of asylum seekers.

This intervention is part of the NOP action plan falling under the responsibility of the Department of Civil Liberties and Immigration with special reference to the operational objective 2.1 (Activities in favour of migrants regularly present on the national territory) and to action 2.1 (Reception and inclusion) concerning the upgrading and enlargement of facilities devoted to the reception of third country migrants who seek asylum, who are refugees or benefit from humanitarian protection.

At present various projects have been submitted, 22 of which are eligible for funding. The maximum budget for the intervention linked to the above mentioned action amounts to 20 million Euros.

Finally, the Reception Services existing at frontier posts are also worth mentioning, their aim is providing information and assistance to aliens and they are envisaged by the Consolidated Text on Immigration (art. 11, legislative decree No. 286/1998). They are active at frontier posts in ports and airports in Ancona, Bari, Brindisi, Rome, Varese and Venice; they address the needs of aliens that enter Italy to seek asylum or anyway for stays longer than three months.

The local Prefects have been charged with the organization of the above mentioned services (art. 3 of Ministerial decree 22 December 2000) either directly or by means of conventions.

The main objective of the reception services is providing assistance to aliens seeking protection with special attention for the most vulnerable.

In particular the following is provided for:

- Interpretation and cultural mediation, including to support the Public Security Authorities present at the frontier posts;
- When needed, social-legal guidance interventions and preliminary assistance;
- Information on the asylum and immigration legislation in force in Italy, on the reception facilities existing in Italy and on the offices charged with the protection of asylum seekers and refugees,
- Filling in of the asylum application in the applicant's language and subsequent translation into Italian;
- Handing over of the statement of the asylum seeker to the frontier police authorities,
- Assistance to the above mentioned Public Security personnel who is provided with useful elements for an adequate understanding of the Countries of origin of asylum seekers.

#### 4. MEDICAL ASSISTANCE

In Italy, foreign citizens, even those not complying with the provisions regulating their presence, are entitled to ordinary and/or urgent treatment through the National Health Service.

In the government centres for migrants the psychic/physical health of guests is recognized as an unalienable right of the individual, which is safeguarded by art. 32 of the Italian Constitution, and it has always been put at the forefront when the regulatory and management system of the centres is being prepared.

More specifically, the medical assistance service provided for in the centres for migrants must grant guests the following:

- a) Visit upon entry and medical first aid, carried out in a consulting room set up within the facility with medical staff and nurses, whose shifts must be based on the ratio guests/staff as indicated in the tables of the tender specifications,
- b) When the need arises, possible transfer of guests to hospitals outside the centres, in compliance with art. 35 of legislative decree 286/98 as migrants hosted in CARA centres can benefit from the services of the National Health Service by showing their STP cards (Temporarily Present Alien), issued by the Local Health Service Unit, whereby they can enjoy treatment in the consulting room or in hospitals, when it is urgent or essential in case life is in peril;
- c) Administering of medicines and medical devices necessary for first aid and for ordinary medical assistance, including for generic conditions of psychological type;
- d) Recording of a personal medical file, a copy of which must be handed over to the guest. In this connection it is worth mentioning that doctors, when screening the guests upon entry must also evaluate their psychic-social situation as well as

the presence of vulnerability factors (serious psychic-psychological conditions, including previous ones, victims of mistreatment/torture, substance addiction, etc.) in order to prescribe possible drug treatment or psychological counselling.

It is further specified that as provided for by the above mentioned art. 35 of legislative decree No. 286/98 (Consolidated Text on Immigration), foreign citizens who are on the national territory but do not comply with provisions regulating their presence are anyway entitled to treatment in public health care facilities either in consultation rooms and/or in hospital (both urgent and continuing treatment) because of illness or accident and they also benefit from the programmes of preventive medical treatment aimed at safeguarding individual and collective health.

Regardless of the possession of a residence permit, the Italian legislation provides for the social protection and medical assistance to expectant mothers and to mothers, the protection of the psychic-physical health of minors (as a result of the Convention on the Rights of the Child of 1989), interventions of prevention, diagnosis and treatment of infectious diseases and the decontamination of the related centres of infection.

Finally, when aliens not complying with provisions regulating their presence visit public medical facilities, they are not reported to the Police Authorities.

As far as social services are concerned, the principle enshrined in art. 24 of the 1951 Geneva Convention – according to which the status of a refugee is equal to that of a national – is embodied in the Italian legislation also as a consequence of art. 27 of the above mentioned legislative decree No. 251 of 19 November 2007, which lays down that individuals benefiting from refugee status and from subsidiary protection have the same status as Italian citizens and thus they have access to all services and benefits, including economic ones, covered by the social and medical assistance system<sup>3</sup>.

Furthermore, the projects funded through resources of the ERF include measures to ease the access to social security, particularly on the part of vulnerable groups .

For the year 2010 – Action 1.1B and Action 1.1C the following reception, rehabilitation and social-economic interventions are envisaged:

Action 1.1.B – “Reception, rehabilitation and social-economic interventions for applicants/beneficiaries of international protection who are victims of torture and violence”;

Action 1.1.C. – “Reception, rehabilitation and social-economic interventions for applicants/beneficiaries of international protection who are bearers of a mental condition”.

Special importance is attached to linguistic and cultural mediation which is relevant both to the needs of communication and interrelation with guests and to the understanding of sensitive situations that require specialized interventions such as the cases of victims of torture, violence and mistreatment, and of the bearers of physical or psychic conditions.

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<sup>3</sup> In order to comply with this principle of equal treatment, INPS (national Institute of Social Security) explicitly recognised that women who are political refugees or beneficiary of subsidiary protection are entitled to the basic maternity grant issued by Municipalities on the same footing as Italian citizens, community citizens or Third country nationals holding an EC long term residence permit (INPS message No. 12712 of 21 May 2007).

Unaccompanied minors who seek asylum are accommodated in dedicated facilities, upon authorization of the competent Tribunal for Minors; they are also included in individual educational pathways either in schools or in vocational training. In any case, all foreign minors on the national territory are granted participation in the compulsory education system on an equal footing as Italian minors.

As regards employment, the territorial projects of SPRAR include training courses preparing for work, traineeships and “work bursaries” aiming at favouring the inclusion of asylum seekers and beneficiaries of international protection in the labour world.

As regards the actual access to work, it is worth mentioning that the yearly programmes 2011, funded through the ERF include the following two actions aimed exclusively at the economic integration of final recipients who benefit from international protection, belonging both to ordinary and vulnerable categories:

Action 2: - “Interventions aimed at promoting the entrepreneurial initiatives of beneficiaries of international protection, not belonging to vulnerable categories”;

Action 6: - “ Interventions aimed at promoting the entrepreneurial initiatives of vulnerable beneficiaries of international protection, with special attention for vulnerable women”.

In this connection, reference is also made to the above mentioned information concerning the Mare Nostrum and Nautilus Projects.