



ITALIAN INITIATIVES

Security, immigration, Asylum



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Italian initiatives

Security, Immigration, Asylum



The italian model

In modern democracies an appropriate management of security and immigration represents an essential precondition for the development of adequate economic and social policies.

Aware of that, the Italian Government has given priority to the promotion of innovative and effective policies in the crucial sectors of the “national system”, in compliance with the initiatives undertaken by the European Union.

In few months, legislative proposals and operational activities have been carried out with the purpose of giving precise and balanced answers to citizens’ request for security: they are aimed at facing in a practical way the phenomenon of immigration. Particular attention has been drawn also to the development of a national asylum system, in full compliance with the European approach.

The attack to Mafia assets and the new strategies of international co-operation in the field of migration flows in the Mediterranean area are two examples of what I would define as the “Italian model” of fighting against organized crime and managing immigration.

The results achieved in few months show the effectiveness of the path undertaken and strengthen the conviction that we have to go on following this direction, also in the interest of Europe.

This paper contains a brief presentation of the work carried out as well as of the results attained so far. I do hope that it will serve as a useful contribution for a common reflection on how to deal with security, immigration and asylum issues with a modern and functional approach.

*Roberto Maroni
Minister of the Interior*



Security



Citizens' security is jeopardized by constantly changing threats and therefore needs concrete measures, envisaging a modern employment of Police forces with the involvement of local institutions.

Italy is facing security challenges with balance and responsibility, looking simultaneously at both local and global dimensions of crime, in full coordination with the European Union and international bodies.

The fight against organised crime is a priority that is pursued with determination and perseverance, but above all with practical and effective strategies.

Extraordinary results have been achieved in the fight against crime.

Maximum attention is directed to the fight against terrorism, a continuously evolving phenomenon and a threat to modern democracies.

Many initiatives have been launched to improve urban security, which has a direct impact on citizens' quality of life.

New actions have been undertaken to monitor the Internet and to combat cybercrime.

Organised Crime

The fight against criminal organisation is carried out with a dual purpose:

- attacking illegal assets
- enhancing the existing measures to combat organised crime

At the first Council of Ministers held on 21st May 2008, the Government introduced a set of measures in the field of public security.

The so-called “pacchetto sicurezza” (security package) – definitely enacted in July 2009 – reinforced the regulatory framework to preserve legality. Measures aimed at “attacking” Mafia assets and returning goods to the community were made stricter and more efficient; harsher sentences and a more stringent prison regime were envisaged for individuals participating in Mafia-type associations; measures to counteract Mafia infiltration in public tenders and in local administrations were toughened; measures aimed at making entrepreneurs aware of their responsibilities in the fight against racketeering.

In January 2010, an extraordinary plan to combat organised crime was launched, envisaging a set of organisational, regulatory and structural measures:

- National Agency for handling seized and confiscated assets from organized crime (already operative)
- Code of anti-Mafia legislation
- New tools to attack Mafia assets
- New measures to counter eco-mafia (criminal organisations damaging the environment)
- New measures to assist racketeering and loan-sharking victims
- Computer-assisted mapping of criminal organizations
- Strengthening of anti-Mafia strategy in the field of public tenders
- New initiatives at international level to fight against transnational crime.

In the last 20 months the Government action achieved the following results:

- Total amount of the assets seized: over 6 billion euros (+89%)
- Total amount of the assets confiscated: over 1 billion euros (+345%).

An *ad hoc* fund – “Single Justice Fund” – was set up, formed by the assets seized to organised crime and the proceeds derived from confiscated goods. Such resources are immediately made available for security needs.

Table 1 – Seized assets

Seized assets	Value in €	% compared to the previous period
12.111	6.894 million	+89%

May 2008 – December 2009

Table 2 – Confiscated assets

Confiscated assets	Value in €	% compared to the previous period
3.122	1.887 milioni	+345%

May 2008 – December 2009

Table 3 – Fugitives arrested

	Fugitives arrested	% compared to the previous period
List of the 30 most wanted	21	133%
List of the 100 most wanted	41	141%
Other dangerous fugitives	248	75%
TOTAL	310	85%

May 2008 – December 2009

Great impact operations were carried out in areas of high crime density. After a serious crime episode which took place in Caserta, whose victims were a group of non-EU immigrants:

- ❑ 400 units of highly skilled troops were deployed
- ❑ 669 Camorra members were arrested
- ❑ assets worth 509 million euros were seized

From a general assessment of crime trend in Italy, it emerges that in 2009 there was a clear tendency downwards with respect to the year 2008:

- ❑ a global decrease in the trend of all types of crime (-6%)
- ❑ a drop in bank robberies (-19.6%)
- ❑ a drop in shop robberies (-24.8%)
- ❑ a decrease in the total amount of stolen goods (-18.7%)

Much attention is paid to the use of resources from “PON Sicurezza” (National Operational Programme for Security), which – as acknowledged also by the European Commission – is considered the second Programme for the financial objectives achieved.

Terrorism

The Italian government is committed to adjust the response to the terrorist threat, which is continuously evolving.

The Anti-Terrorism Strategic Analysis Committee operates within the Ministry of the Interior. It is composed of representatives from police and intelligence agencies and is tasked with analysing and assessing the threat posed by domestic and international terrorism.

- During 2009, this Committee convened 53 meetings.

Italy has a composite and balanced regulatory and operational system to combat terrorism, a system stemming from the experience gained in the fight against domestic terrorism.

In line with the policies adopted within the EU, anti-terrorism action was strengthened following 11th September terrorist attacks and also after London bombings in 2005, and is constantly adjusted to the changing threat.

In June 2009, Italy adhered to the Prum Treaty in order to enhance cross-border co-operation also in the fight against terrorism and created the National DNA Data Bank (Law n. 85/2009).

The “security package” provides for the possibility of precautionarily suspending the activities or dissolving the associations which could encourage the perpetration of terrorism-related crimes (Law n.94/2009).

Particular attention is directed to the fight against radicalization and recruitment, starting from the constant monitoring of the Internet.

The expulsion for security reasons, carried out with appropriate safeguards in terms of human rights, is a useful tool in combating terrorism because it allows to neutralize terrorists before they strike.

Urban security

Urban security has assumed a pivotal role in citizens' life. Within the G8, Italy has promoted a debate on the subject and sponsored the proposal to include local authorities' role in the Stockholm Programme.

Italy has successfully experienced the system of the so-called **"Patti per la sicurezza"** (Security Pacts). It's a model of voluntary cooperation between the State and Local Governments to ensure every citizen's right to security. Moreover, mayors were given the new power of issuing ordinances – not only ad hoc and urgent – on the matter of urban security. Numerous mayors made use of such an instrument.

100 million euros were allocated for the year 2009. The Minister of the Interior transferred those funds in favour of Municipalities for the accomplishment of initiatives aimed at enhancing urban security and safeguarding public order. As regards road safety: the "security package" provided for harsher punishments for those driving under the influence of alcohol or narcotic drugs.

Drugs trafficking

Italy is particularly committed to combating drugs trafficking:

- **33,128** individuals were reported to the judicial Authorities in 2009 (11,461 of them were aliens);
- **28,724** kilograms of narcotic drugs were seized.

The Italian Ministry of the Interior participates in the works of the most important international fora and, within the international context, it promotes and develops a countering strategy mainly focused on the following areas:

- Afghanistan
- Central Asia
- Latin America and the Caribbean
- West Africa
- Balkans.

In order to enhance international co-operation in the fight against drugs trafficking, Italy avails itself of a network of anti-drug experts and liaison officers stationed in the areas concerned.

Cybercrime and online child pornography

The fight against the new forms of crime on the web is considered a priority. Italy plays a major role within the 24/7 network of contact points from 52 Countries to combat high tech crime. The Italian G8 Presidency paid special attention to the fight against cybercrime.

An initiative was recently undertaken to promote the development by stakeholders, of a code of self-regulation to prevent the misuse of the network.

A particularly innovative experience is that of the National Centre for combating Cybercrime and protecting Critical Infrastructures (CNAIPIC). It is a reference operational centre for all operators who manage strategic information systems. Its task is protecting the systems whose disconnection could endanger the efficiency, functioning or security of the Country.

It is to be stressed also the importance of the activity carried out by the National Centre for combating online child pornography (CN-CPO), which sees to the monitoring of the Internet to counter this phenomenon. In 2009:

- 26,561 websites were controlled.
- 513 of them were included in a black list.
- 40 were reported to foreign institutions.



Photo 1 – CNAIPIC



Immigration and Asylum



Italy is strongly committed to promoting policies, which take into account both the management of legal migration and the fight against illegal immigration as well as the trafficking in human beings in line with the guidelines of the European Union.

It has a complex reception system, which is appreciated even at the international level, and can count on centres for foreigners of different types and purposes.

Italy's strong commitment aims at ensuring the protection of asylum and guaranteeing maximum protection to foreign minors.

The integration of legal immigrants is pursued with ad hoc strategies all over the entire Italian territory. These strategies exploit the potential of the different Regions of the country.

Significant resettlement initiatives are implemented to deal with particularly difficult situations and important projects are brought forward to protect the victims of trafficking.

The fight against illegal immigration in the Mediterranean has registered outstanding results not only for Italy but also for the rest of Europe, thanks to advanced forms of international co-operation, such as the co-operation that Italy has implemented with Libya. Moreover, Italy is the first country in the European Union to have signed agreements with the countries of Sub-Saharan Africa (Niger and Ghana) from which many immigrants depart and fall victims of criminal organizations trafficking in human beings.

Legal immigration

The rules governing immigration and the status of aliens, i.e. non-EU citizens, are contained in the Consolidation Act on Immigration (Legislative Decree 286/1998) and other specific laws and regulations, including those reflecting EU directives.

Italy promotes policies for legal immigration in compliance with the European legislation and fully consistent with the guidelines of the “global approach” and the European Pact on Immigration and Asylum.

Foreign nationals who come from countries that are not EU members can enter the Italian territory for tourism, study, family reunification, work and for other purposes based on specific needs (e.g. medical treatment).

Entry into the Italian territory is allowed to aliens in possession of valid passport or equivalent document and entry visa.

Foreigners who come to Italy for visits, business, tourism and study for periods not exceeding three months are not required to get a stay permit. Whereas foreigners who come to Italy for different purposes (e.g. for work or family reunification) must apply for a stay permit within eight working days from their arrival.

In order to streamline immigration procedures, at each Prefettura there is a “Sportello Unico per l’Immigrazione” (one-stop shop for immigration) responsible for the proceedings concerning the recruitment of foreign workers.

A procedure for the surfacing of irregular employment was implemented in the autumn of 2009 in order to highlight the situations of black labour involving not only Italian and E.U. citizens, but also non-EU nationals working in Italy. It concerned domestic workers and caregivers who provide support to families or care to people with illnesses or disabilities that limit their self-sufficiency. The total number of applications submitted for the regularization of non-EU citizens was **294,744**. (Decree Law No. 78 / 2009 converted into Law 102/2009).

EMPLOYERS	F	M	TOTAL
Africa	2.069	22.460	24.529
Asia	2.216	11.288	13.504
Europa	103.166	151.691	254.857
Nord America	23	35	58
Oceania	3	-	3
Sconosciuto	2	10	12
Sud America	723	1.055	1.778
Total	108.202	186.539	294.741

Table 4 - Country of origin of employers who applied for regularization under D.L. 78/2009

EMPLOYEES	F	M	TOTAL
Africa	12.582	74.971	87.553
Asia	24.432	70.272	94.704
Europa	63.546	19.262	82.808
Nord America	175	59	234
Oceania	22	9	31
Sconosciuto	9	29	38
Sud America	20.094	9.279	29.373
Total	120.860	173.881	294.741

Table 5 - Country of origin of workers who involved in the regularization procedure under D.L. 78/2009



Photo 2 - One-stop shop for immigration

Reception of foreigners with no residence permit

The system for the reception of foreigners in Italy has often been praised in the European Union. This system is divided into different levels of action, that is:

- ❑ Primary care, including health care
- ❑ Identification
- ❑ Processing of applications and possible granting of international protection (repatriation for those who are not entitled to remain in Italy).

The foreigners, who are granted a title to remain in Italy, are then moved to different facilities scattered all over the Italian territory, in view of their settlement and integration.

There are three types of facilities for the reception and assistance of illegal migrants:

- ❑ **Reception centres (CDA):** These can accommodate 4,200 foreigners
- ❑ **Reception centres for asylum seekers (CARA):** These can accommodate 1,533 foreigners
- ❑ **Identification and deportation centres (CIE):** These can accommodate 1,920 foreigners.

The **reception centres** provide primary care to illegal aliens. The primary care and reception centres (CPSA) are a particular type of CDA, and are located in the coastal towns most affected by the landings of immigrants who cross the Mediterranean. The best known is that of Lampedusa. The recent sharp decrease in the number of landings left these centres almost empty.

The **Centres for the reception of asylum seekers (CARA)** host applicants who are in special circumstances (undocumented people, foreigners who have entered in violation of border controls, foreigners detained because unlawfully staying in the country) for a period ranging from 20 to 35 days. After this deadline, if a decision has not been taken, the asylum seeker is issued a temporary residence permit valid for three months and renewable. Foreigners housed in reception centres for asylum seekers may leave the facility during daylight hours.

Immigration and asylum

There are 13 **identification and deportation Centres** in Italy and they are intended for the detention of illegal non-EU foreigners for the time necessary to carry out their deportation, but for a period not exceeding 180 days. Detention orders are subject to supervision of the judicial authority.



Photo 3 – *The reception centre in bari*

Asylum

Italy ensures the full protection of the rights of asylum. Italy has reflected all the EU directives on asylum in its legislation. By introducing the new regulatory action contained in the “security package” (Legislative Decree No. 160/2008), Italy has also strongly committed to streamlining and facilitating procedures related to granting refugee status and subsidiary protection, where the necessary conditions are met.

The Territorial Commissions responsible for examining applications and granting international protection have recently been increased from 10 to the current number of 15 (Order of the President of the Council of Ministers No. 3703/2008). Each Commission is made up of four members, including a representative of the United Nations High Commissioner for Refugees.

Asylum seekers with no means of subsistence receive accommodation by the State for a period of six months from the submission of the application. Upon expiry of that period without having taken a decision, the foreigner is issued with a residence permit lasting three months and renewable until a decision is taken. This permit allows him/her to work.

Since 2002, in Italy there has been a **system for the protection of asylum seekers and refugees** (SPRAR), which is a network of local authorities that have access to the National Fund for Asylum Policies and Services in order to finance projects for the reception and integration of asylum seekers and refugees. Local authorities, with the support of third-sector associations, ensure actions for “integrated reception” aiming at providing not only food and lodging, but also legal and social counselling, and the identification of individual socio-economic paths.

The system consists of territorial reception facilities and services arranged by local and regional authorities by means of projects that receive the 80% of the funding from the National Fund for asylum. The system consists of:

- **3,000 accommodations** (available to beneficiaries for a period up to six months. The total number per year is 6,000)
- **138 territorial projects** (31 of which intended for the most vulnerable people)
- **103 municipalities**, 16 provinces, 4 unions of municipalities.

The co-ordination of the system is guaranteed by the “Central Service”, an operational structure established by the Ministry of Interior and entrusted with a convention to the National Association of Italian Municipalities (ANCI).

Resettlement

Italy has initiated a number of resettlement projects in collaboration with UNHCR.

Particular mention should be made of the project for the resettlement in Italy of 70 Eritrean refugees detained in Libya, who were in conditions of particular vulnerability (unaccompanied minors, women at risk, elderly people, victims of torture and forms of physical or sexual abuse, individuals who had suffered a prolonged detention or had serious health problems).

Further resettlement activities for 81 people are currently under way. They are financed with the resources of the European Fund for Refugees and the PON Security.

Furthermore, there is an ongoing project in favour of 50 families from Iraq and Palestine. The project complies with the conclusions of the JHA Council of November 2009 on the situation of Iraqi refugees in Syria and Jordan and involves 173 people who have been living since 2006 in Al Tanf, on the border between Syria and Iraq.

Foreign minors

Italy ensures full protection to unaccompanied foreign minors and supports the EU initiatives in this regard. Italy has promoted the inclusion of this issue in the Stockholm Programme.

Foreign children enjoy all rights guaranteed by the 1989 United Nations Convention on the Rights of the Child, even when illegally entered in Italy.

In Italy, there are **6,186 unaccompanied foreign minors**.

Unlike what happens in other European countries, only a small percentage of them has claimed asylum. The main countries of origin of unaccompanied foreign minors are:

- Morocco
- Egypt
- Afghanistan
- Albania

A foreign child cannot be deported. Therefore, he/she is ensured residence in the Italian national territory, the right to education, medical care, and protection from exploitation at work. The foreign child may be accompanied back to the country of origin and helped to reintegrate into his/her family. Where there are doubts about age, the individual is always considered a minor.

Italy hopes for a European joint action plan containing initiatives to harmonize aspects such as the minimum reception standards and common methods for determining age. Efforts at European level should also strive to improve co-operation with the countries of origin to establish the conditions and procedures best suited to the reintegration of children.

Integration

The integration of foreign nationals is a key factor for social cohesion and conflict prevention.

In this regard, among the innovations introduced by the “Security Package” there is the ‘Integration Agreement’, which represents a valuable integration tool available to foreigners to work in Italy and integrate into the Italian society.

The agreement, lasting two years, envisages the attainment of credits and establishes that the foreign national - with some exceptions (such as unaccompanied minors or seriously disabled people) – upon submitting the application for a residence permit signs the integration commitments. These commitments include the knowledge of the Italian language, the fundamental values of the Constitution and the basic elements of civic life in Italy.

Moreover, the new rules establish that foreigners applying for EC long-residence permit must pass the Italian language assessment test.

Many are the projects developed by the State, Regions and local bodies in order to promote the integration of foreigners. Great attention is given to the implementation of projects that are financed with the resources of the **European Fund for Integration**.

In each Italian province, at the “Prefettura-Government Territorial Office” there is a **Territorial Council for Immigration**, which is made up of representatives of the Institutions and immigrants.

The Territorial Councils are responsible for promoting, co-ordinating and supporting integration initiatives developed at local level, among which there are initiatives to improve the knowledge of the Italian language and civic education. They participate in the planning for the use of the European Integration Fund. They are entrusted with finding solutions to various problems, such as, for example, finding lodging or studying the most adequate city-planning solutions to create pacific cohabitation in large metropolitan areas, helping access to special credit and implementing projects to favour demand and supply of labour.

A **Committee for the Italian Islam has been established**. It can provide concrete elements on issues related to immigration, with par-

ticular regard to integration and civil rights. The Committee also expresses opinions and makes proposals on specific issues requested by the Minister of the Interior with the objective of improving social inclusion and integration of Muslim communities, with a further aim of developing cohesion, shared values and rights in compliance with the Italian Constitution and laws.

Moreover, the Italian Government has adopted measures for the integration of nomadic communities. In order to overcome emergency in some areas of the country, five Special Commissioners have been appointed respectively for the regions of Lazio, Lombardy, Campania, Piedmont and Veneto, in compliance with the legislation on civil protection.

The work, still ongoing, aims at promoting better conditions of living in nomadic communities, with special attention to children who are most at risk of abuse and exploitation. In particular, after the census operations regarding the people living in the encampments, actions have been taken in the social, health and education sectors. It was also decided to improve some settlements and build new serviced areas for the nomadic communities.

Over 64 million euros were allocated for the implementation of these actions.

The European Commission received continued updating on the initiatives undertaken and, after examining the report sent by Italy, expressed satisfaction for the level of co-operation provided by Italy in this regard



Photo 4 – Committee for the Italian Islam – Rome, 11th February 2010.

Illegal migration

Illegal migration produces negative effects in the countries of origin, transit and destination.

The Mediterranean is a strategic area as regards the flow of illegal immigrants bound for Italy and the EU. During the negotiations for the development of the Stockholm Programme, Italy, together with other European partners in the Mediterranean, promoted the important progressive communitarisation of policies to curb illegal immigration.

	2008	2009
Intercepted vessels	473	94
Illegal migrants rescued	34.827	9.249

Table 6 – Rescue operations at sea

Foreigners intercepted	Returned to Libya (after 9 joint operations)	Returned to Algeria (after 2 joint operations)
885	834	51

Table 7 – Foreigners intercepted in international waters (2009)

Italy has implemented strategies that fully respect the rights of migrants and have proved particularly effective in the fight against human trafficking and illegal immigration.

The recent agreements reached with the Libyan authorities, with the provision of resources and advanced technology, played a significant role in improving law enforcement efforts against the flow of illegal immigrants into Europe. Advanced forms of co-operation with Algeria have been implemented in relation to the opening of a new route of illegal immigration that links the Algerian shore to the Italian island of Sardinia.

In 2009, 885 foreigners were intercepted aboard boats in international waters and returned to the Libyan authorities (834) and to Algeria (51), during 11 operations carried out jointly with Libya (9) and Algeria (2). The effect of these operations has been a sharp decrease in the number of illegal landings.

Year	Illegal migrants landed
2005	22.939
2006	22.016
2007	20.455
2008	36.951
2009	9573

Table 8 - Total number of illegal migrants landed in Italy

Year	Illegal migrants landed	Comparison with previous year %
5/5 – 31/12 2008	31.281	/
5/5 – 31/12 2009	3.185	- 90%

Table 9 - Illegal Immigrants landed on the Italian shores from 5th May to 31st December 2009¹.

The implementation of an integrated control mechanism at the southern Libyan border could further improve the systems of migration control in the Mediterranean. Italy granted funding of 50% of the total cost of the system, while the remaining 50% should be funded by the EU under the Memorandum of Understanding signed in 2007 by the European Commission.

Moreover, Italy has built effective partnerships with many other African countries of origin and transit of migrants. Important Sub-Saharan countries (Ghana and Niger) signed with Italy - the first EU country to do so- particularly advanced bilateral agreements on the fight against illegal immigration, drug trafficking and terrorism. Italy is in the process of finalising a similar agreement with Senegal and Gambia.

A central role in the fight against illegal immigration is played by returns to the countries of origin.

Italy signed 30 bilateral readmission agreements. It has already signed bilateral protocols for the implementation of Community readmission agreements with Albania and Serbia, while negotiations with Russia and FYROM are still ongoing.

42,595 people were repatriated from 1st January 2008 to 31st December 2009.

¹ On 5 May 2009 have begun operations in cooperation with Libya and Algeria.

Italy participates actively in the operations of Frontex and benefits from the opportunities offered by the joint repatriation flights organized by Frontex.

At the national level, more rigorous instruments to control illegal immigration have been introduced in order to strengthen the legal framework. Prior to adopting these new instruments, the opinion of the European Commission had been received. Illegal entry and illegal residence are now considered an offence and shall be punished by a fine from 5,000 up to 10,000 euros.

Trafficking in human beings

Italy has been affected for over a decade by the phenomenon of trafficking, especially for the purpose of sexual exploitation and, in recent times, even labour.

Italy can count on an advanced legislation that, in line with the Palermo Convention against Transnational Organized Crime and its Additional Protocol, provides for the offences of “slavery or bondage” and “trafficking in persons.”

Victims of trafficking are offered protection and assistance regardless of their active collaboration, with the possibility for them to integrate and even work by means of a special permit of social protection issued to them.

Particular attention is devoted to ensuring the assisted voluntary return and reintegration in the countries of origin by using also the resources of the European Return Fund.

Targeted activities are being conducted to prevent the trafficking by means of awareness campaigns on the subject.

The Italian Ministry of the Interior has joined the project “Italy, Albania and Greece against trafficking in women and minors”, co-financed by the EU under the program Aeneas.





CONTENTS

Foreword pag. 3

Security » 5

□ Organised crime » 8

□ Terrorism » 11

□ Drugs trafficking » 12

□ Traffici di droga » 12

□ Cyber crime and online child pornography » 13

Immigration, Asylum » 15

□ Legal immigration » 18

□ Reception of foreigners with no residence permit » 20

□ Asylum » 22

□ Resettlement » 23

□ Foreign minors » 24

□ Integration » 25

□ Illegal migration » 27

□ Trafficking in human beings » 29

