

## Italy<sup>1</sup>

### **IHF FOCUS: freedom of the media; judicial system: ill-treatment and police misconduct; prison conditions; asylum seekers and immigrants.**

Italian law still provided for criminal defamation, and such provisions continued to be applied in 2002, particularly in two prominent cases, one of which dated back to the 1960s. Moreover, media concentration under the control of Prime Minister Silvio Berlusconi gave rise to concern about the threat posed to diversity and freedom of information.

Most cases related to violent incidents in 2001 in Genoa on the occasion of the "G8" summit did not reach conclusion in 2002. While charges were brought against further police officers, proceedings against a *carabiniere* who had allegedly killed a demonstrator were lifted, and orders were issued for the arrest of yet more demonstrators.

Overcrowding in prisons was a serious concern as were, among other things, inadequate conditions, serious understaffing in prisons, treatment of foreign prisoners and the application of hard regimes in some penitentiaries.

Judicial cases both under criminal and civil law were subject to extremely long delays, thus violating individuals' right to prompt trial, a fact that has brought a record number of judgments against Italy by the European Court of Human Rights for this form of human rights violation.

Despite the existence of several laws aimed at regularizing the status of illegal immigrants, studies uncovered a need for increased control to avoid the exploitation of illegal immigrants, to extend the regularization of the status of foreigners, and to adopt a new quota regime on immigration.

On the political front, the extremely complex Italian electoral system (which includes eight different ways of voting from the local to the European level) led to the failure of the Chamber of Deputies (lower house of parliament) to assign 13 deputies whose seats had remained vacant for more than a year because of a loophole in the law. The disputed seats should have gone to Prime Minister Berlusconi's Forza Italia party, but the party did not have enough candidates to fill the seats.<sup>2</sup> The problem was caused by the major parties' decision to run so-called "decoy" lists, i.e. non-existent parties fielded as a ploy to avoid losing proportional votes to the smaller parties under the country's complex election law. The Chamber of Deputies finally decided not to assign the 13 seats to any party.

After decades of political discussions and a complicated parliamentary procedure, the parliament in summer approved by a large majority the abolition of the 1948 constitutional provisions on the basis of which the former king of Italy and his male descendants were exiled. As a result, Prince Vittorio Emanuele (son of the late king Umberto II) was allowed to return to Italy after 57 years.

## **Freedom of the Media**

### *Defamation Laws*

Italian legislation still provided for criminal defamation which carried prison sentences of up to three years. International bodies, including the UN Human Rights Commission and the UN Special Rapporteur for the Promotion and Protection of the Right to Freedom of Opinion and Expression, have urged that prison sentences be abolished for press offenses.

Moreover, 2002 showed that individuals could be imprisoned decades after having committed an alleged press offense.

- Stefano Surace (69), a former journalist, was detained from December 2001 until August 2002. He was arrested upon his arrival in Italy because of some articles he had written in the 1960s. Now a resident in France, Surace came back to Italy to visit his sick brother not knowing that he was still due to serve over two and a half years in prison on the bases of three sentences rendered to him *in absentia* in 1963 and in 1967 on the charges of defamation and

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<sup>1</sup> Based on the *Annual Report 2002* of the Italian Helsinki Committee.

<sup>2</sup> *The Guardian*, July 11, 2002.

obscene publication. In the 1960s, Surace had worked as an editor and correspondent for anti-conformist weekly magazines considered at that time to be "pornographic" (e.g. *Le Ore* and *ABC*) and had served several short prison terms for his work. He became well-known for his investigations into prison and psychiatric asylum conditions. Surace's arrest in 2001 prompted protests and appeals by journalists and NGOs, hunger strikes by radical activists, and statements from politicians. Reporters Sans Frontières (RSF) denounced the prison sentence as a violation of international standards and as sign of "indignity for a democratic country."<sup>3</sup> On August 16, a Milan judge, taking into consideration Surace's age and health, ordered him to be placed under house arrest at his daughter's home in Naples. However, Surace decided to use the chance to return to France instead.

The Surace case also sparked international outrage. *The Guardian* (UK) wrote that "there is little doubt that the Surace case illustrates the need for reform of a sclerotic and arbitrary justice system"<sup>4</sup>, while *Le Monde* (France) deemed the case a "Kafkaesque experience." Paolo Serventi Longhi, secretary of the Italian Federation of the Press, denounced the proceedings as "a real persecution against the journalist and his family."

Despite international protests in the Surace case, a similar case followed later in the year.

- In November, a court in Naples sentenced Lino Jannuzzi, a 74-year-old journalist, former editor and a member of the Italian Senate (representing the governing *Forza Italia* party), to 29 months and 10 days in prison for three press offenses. Jannuzzi had written in an editorial that some words used by the editor of another Neapolitan newspaper were "reminiscent of the prose of Mino Pecorelli," a journalist murdered by an unknown gunman in 1978 for his political "revelations." The perpetrator was believed to belong to the Mafia. The court sentenced Jannuzzi for "defamation and threatening behavior", holding that to compare a person to a mafia victim was a form of intimidation suggesting that he might come to a similar end. In addition, part of the sentence was rendered for defamation because of an article in which Jannuzzi had criticized one of the judges involved in a 1983 case, when the well-known TV quiz host Enzo Tortora was falsely accused of being a mafia boss. The court ordered that Jannuzzi be immediately sent to prison, notwithstanding his advanced age and his parliamentary immunity.<sup>5</sup> Senator Jannuzzi was informed of the sentence while he was in Paris to attend a meeting of the Parliamentary Assembly of the Western European Union. However, the arrest order was soon declared void because Jannuzzi at that moment enjoyed immunity under European jurisdiction as a member of both the Parliamentary Assemblies of the Council of Europe and the Western European Union.

Politicians from all political parties stated that a reform of the Criminal Code, which dates back to 1930 and still carries the name of the fascist Minister of Justice Alfredo Rocco, was urgently needed, as some of its provisions appeared to be in conflict with article 21 of the Italian Constitution concerning freedom of expression and the press. According to Justice Minister Roberto Castelli, the first stage of work by the Ministerial Commission to reform the Criminal Code had identified more than 100 laws to be rescinded, including offenses related to freedom of expression.

### *Media Concentration*

RSF and journalists' organizations on several occasions expressed concern at the threat to freedom of information and media diversity, as well as conflicts of interest due to the strong concentration of media outlets in the hands of Prime Minister Berlusconi. The same concern was raised by the European Parliament in late 2002. The problem stemmed from the fact that Berlusconi's holding company, Fininvest, controlled Italy's main privately-owned television group, Mediaset,

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<sup>3</sup> August 12, 2002.

<sup>4</sup> August 14, 2002.

<sup>5</sup> According to article 68(2) of the Italian Constitution, a member of parliament can be arrested or otherwise deprived of personal freedom "in the case of execution of an irrevocable sentence of conviction" and if he/she is "caught in the act of committing an offence for which an order of arrest is mandatory."

which ran the country's three main private stations, and was among the majority shareholders in Mondadori, one of Italy's main press and publishing groups.<sup>6</sup>

It also appeared that Prime Minister Berlusconi and the new governing board of the national state-owned radio and television company (RAI) appointed by the new parliamentary majority in February, were exerting pressure on critical journalists of RAI's three public television stations, which played an essential role in maintaining the pluralism of television and radio broadcasting in Italy.<sup>7</sup>

- On October 11, RSF condemned the RAI broadcasting network's ban on a special episode of the satirical programme "Blob," which focused on Prime Minister Berlusconi. The organisation described the move as "a deliberate attempt to bring the state-owned TV station to heel." The program, "Berlusconi Against Everyone," which had been scheduled to air on October 8, focused on the prime minister's mannerisms during press conferences and as a participant on television shows. The program comprised a montage of film clips aired without comment.<sup>8</sup>

### Judicial System

Italy holds the unenviable record as the state against which the European Court of Human Rights has rendered the largest number of sentences for violations of article 6 of the European Convention on Human Rights (ECHR), which states that "everyone is entitled to a fair and public hearing within a reasonable time." A similar provision is included in article 111(2) of the Italian Constitution, as amended by a 1999 Constitutional Law: "Each trial shall be based upon the equal confrontation between the parties before an independent and impartial judge. The law shall ensure the reasonable length of the proceedings."

In practice, however, the average length of civil cases in 2001 (last figures available) was 1,009 days (compared to 974 days in 2000), and of criminal cases 1,490 days (1,451 in 2000). On December 11, the Ministry of Justice published new figures on the civil proceedings. According to this report, more than 4,700,000 cases were pending. According to the same source, about 90% of crimes committed in Italy were going unpunished.

Law No. 89 of March 24, 2001 (*legge Pinto*) provided for the possibility to file a case with an appeal court for compensation for overlong judicial proceedings. However, the first evaluation of the law's application revealed several problems that made the judicial proceedings even longer. The right of Italian citizens to file a complaint with the European Court of Human Rights was now threatened due to the fact that they needed an excessively long time to exhaust all domestic legal remedies. On the basis of this law, out of 6,000 appeals in Italy, about 700 have ended with a sentence against the Italian Ministry of Justice or the Council of Ministers. Yet while the law stated that an appeal court had to conclude a case within four months after the case had been filed, in practice first hearings were arranged as late as after six months and further hearings after more than one year. According to lawyer Maurizio De Stefano of the Italian Council for the European Justice of Human Rights (*Consulta per la Giustizia Europea dei Diritti dell'Uomo*), the first rulings by the Italian appeal courts displayed total ignorance among the judges about the rulings of the European Court on whether or not to provide compensation and on the height of compensation in such cases. Moreover, while complaints to the European Court of Human Rights are free of costs, applications to the Italian appeal courts involved payment of several taxes and dues which were later reimbursed by the state only if the appellant won the case. In addition, compensation orders issued by the European Court have usually been higher than those issued in Italian courts of appeal.

On November 28, the Unitarian Lawyers Organization (*Organismo Unitario dell'Avvocatura*, OUA) presented in Rome a report<sup>9</sup> on the Italian judicial system, which countered claims by the Ministry of Justice and the National Institute of Statistics (ISTAT) that the number of judicial cases pending had decreased. The OUA noted that in recent years many civil and criminal trials had been

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<sup>6</sup> RSF/IFEX, "RSF urges President Ciampi to take a firm stand against current threat to information pluralism," April 24, 2002.

<sup>7</sup> RSF/IFEX, "Media pluralism under increasing threat," August 7, 2002.

<sup>8</sup> RSF/IFEX, "Episode of satirical television series banned," October 11, 2002.

<sup>9</sup> The report is available at [www.oua.it](http://www.oua.it).

conducted by the "peace judges," while previously the same offenses had been dealt with by tribunals. This change led to a decrease of cases pending in tribunals, but not the total number of pending judicial cases. Consequently, no improvements had taken place regarding the length of judicial cases.

The President of the OUA, Silvano Berti, reported to the Committee of Ministers of the Council of Europe (on the basis of article 54 of the ECHR) on the serious crisis in the Italian judicial system and noted that structural reforms are urgently needed, rather than the partial and inconsistent measures taken so far.

On March 14, the Council of Ministers approved a draft bill on the reform of the judiciary. The reform foresees, among others, the following changes: the establishment of new criteria for the selection of candidates for magistrate posts; redefinition of the rules for apprenticeship and professional upgrading and creation of a School for Magistrates at the Supreme Cassation Court; and new functions and competences of the Judicial Councils, with the participation of experts in law such as lawyers, university professors, and other experts to be chosen by the regional parliaments. The reform also provides for a list specifying the forms of misconduct by magistrates, which may be submitted for disciplinary evaluation. Moreover, it obliges the government to redesign the territories of jurisdiction.

On July 12, the Committee for the Reform of Civil Trial of the Ministry of Justice presented its final report to Justice Minister Roberto Castelli. While stressing the importance of the defense, the report underlined the role of the judge as the pivot of the trial, recommending that they be freed from merely bureaucratic duties that make the trials take longer. The committee also recommended a series of proposals to the government for the complete reform of the 60-year-old Civil Procedure Code.

The independence of the judiciary appeared to be generally respected in Italy, although efforts by the ruling coalition to change laws and make judicial practice more favorable to the defendants were occasionally considered by government critics as an attempt to interfere in the administration of justice. A cause of concern was, for example, the reintroduction of the law that allows defendants to apply to the Cassation Court to move their trials to another court should they have any "legitimate suspicion" regarding the judge's impartiality. Although this appeared innocuous, it was suspected that Prime Minister Berlusconi wanted to rush the law through the Senate in order to allow a case against himself on corruption charges to be moved from Milan to another location with a new judge, which would mean that the trial would have to be re-started and possibly result in his acquittal as the statute of limitations would expire.<sup>10</sup>

According to the Italian Helsinki Committee, there was also a risk that the judiciary would interfere in the legislative realm. Prominent magistrates – especially the Attorney General's Office in Milan (that led the famous judiciary campaign "Clean Hands" against corruption among the politicians in 1990s) and the National Association of Magistrates (ANM) – have frequently commented on judicial practices and issued press releases recommending the parliament to adopt or reject specific laws. Such developments could lead to the judiciary overstepping the constitutional limits of its functions.

Some progress was achieved in a case of apparent miscarriage of justice.

- In November, Prime Minister Berlusconi stated that it was time to pardon Adriano Sofri, a former leader of the extreme left "Lotta Continua" movement.<sup>11</sup> Sofri had been sentenced to 22 years in prison for complicity in the murder of police commissioner Luigi Calabresi in Milan in 1972, but only on the basis of a witness statement given by a "repented" person 16 years after the murder, in the absence of any actual evidence. Sofri had been serving his sentence since 1996, with a short interruption between two trials. He had always pleaded not guilty and therefore refused to ask for a pardon. However, the president of the republic may issue a pardon upon the proposal of the minister of justice even without Sofri's appeal. Sofri's sentences have been declared void and then reconfirmed again more than once. An appeal is pending in the European Court of Human Rights as of this writing.

Another cause of concern was the failure to fill the empty seats in the Constitutional Court. According to the Constitution, five out of 15 judges of the court were to be elected by the two houses

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<sup>10</sup> BBC News, "Rome protest over justice bill," July 31, 2002.

<sup>11</sup> *Il Foglio*, November 8, 2002.

of parliament at a common sitting for a nine-year mandate. Two constitutional judges elected by parliament in 1991 ended their mandate in November 2000 but they were not replaced for over one year despite the Constitutional Law No. 2/1967, article 5(2) of which prescribes that new judges must be appointed within one month. This failure led to hunger and thirst strikes in March and April led by Marco Pannella, a member of the European Parliament and the founder of the Radical Party, joined by other MPs and by some 2,500 people all over Italy. Parliament eventually managed to elect the two judges to the Constitutional Court.

### **III-Treatment and Police Misconduct**

Investigations into the incidents that occurred in Genoa on the occasion of the "G8" summit in the summer of 2001 were not concluded in 2002. In July 2001, over 200 people were arrested when police stormed the premises of the "Diaz-Pertini" school where many demonstrators were staying and ill-treated people there as well as in a *carabinieri* barracks in Bolzaneto, near Genoa. However, during the proceedings it turned out that some evidence against the arrestees had been fabricated by the police. On November 2, the Attorney General's Office in Genoa requested that the case against a young *carabiniere* for the murder of the demonstrator Carlo Giuliani (who was shot while attacking a *carabinieri* vehicle) be dismissed and confirmed charges against several police officers accused of having beaten people in the "Diaz-Pertini" school and in Bolzaneto. A month later, the Attorney General's Office in Genoa issued nine orders for people to be taken into preventive custody in prison and another 14 restriction orders (e.g. house arrest) in the context of the "G8" investigations. At the same time, it asked for the dismissal of some of the charges brought against 93 people who had been arrested at the school in Genoa in the night of 21 July 2001.

On November 15, the Attorney General's office of Cosenza issued arrest warrants for 17 people from different Italian towns, charging them with "subversive association, political conspiracy and attack on institutional organs" for involvement in violent demonstrations in Genoa and in other Italian towns in the framework of the non-globalization movement. On December 3, the tribunal of Catanzaro ordered their release because of a lack of evidence.

### **Prisons Conditions**

In 2002, prison overcrowding remained a major concern. The total number of 56,000 inmates exceeded the designated capacity by on average 25.5%. Overcrowding was at its worst in the regions of Veneto and Molise with 40.6% and 39.6% overcrowding respectively.

At the same time, there was a serious shortage of penitentiary police officers and other professional prison staff: about 2,220 correctional officers were still to be recruited, as well as 337 prison directors, 213 executives, 395 social workers, 788 educators, 22 medical doctors, and 91 psychologists.

The rapid growth of prison population in Italy in recent years has been due mainly to the increasing number of foreign inmates, who made up almost one third (29.5%) of the total number of prisoners as of June 2002: 16,330 out of 55,338.

Figures given by the Italian NGO Antigone, which focuses on prisons conditions, showed the following trend: At the end of the 1980s – which was marked by a flow of immigration to Italy – only every eighth detainee was a foreigner. Their number steadily grew through the 1990s, with 17.3% foreign inmates in 1991; 28.1% in 1996; and 33.4% in 1999. Although in the last two years their number has been decreasing, this has merely been a result of the reduction of the number of Italian prisoners in general due to amnesties.

There was clear indication of discrepancies in the criminal proceedings against Italians and immigrants: about 60% of immigrant suspects were put in pre-trial custody while only 40% of Italians awaiting trial were in detention. About 38% of the charges brought against foreigners (and 16.5% of those against Italians) were related to drug trafficking. Other common charges were exploitation for prostitution and violations of the immigration law.

Foreigners, especially illegal immigrants, faced de-facto lower defense guarantees due to the obvious language problems and poor knowledge of the Italian justice system. An additional difficulty was that foreign detainees who could not prove their residence or the residence of their families in Italy were sometimes sent to serve their prison terms far away from their families.

Most foreign prisoners had their origins in Northern Africa – especially Morocco (21,8%), Tunisia and Algeria – and in non-EU European countries such as Albania, former Yugoslavia and Romania. Many others were South Americans (mostly from Columbia, Chile and Venezuela). The number of Albanians in detention increased in the 18 months prior to 30 June 2002 from 2,104 to 2,717, i.e. by almost 30%.

On April 23, the ministers of justice of Italy and Albania signed an agreement on the transfer of detainees within a framework of improving judicial cooperation between the two states. With this agreement, they put into practice the 1983 European Convention on the Transfer of Sentenced Persons and its 1997 Additional Protocol, according to which citizens of one state who are in detention in another state can be transferred to serve their terms in their country of origin if they are not entitled to remain in the state where they have been sentenced. According to the Italian Ministry of Justice, the agreement both forms a legal basis for solving the problem of overcrowding in Italian prisons and allows the sentenced persons to take advantage of serving their term in their own countries and closer to their families, a factor which would help their rehabilitation following their release. The Italian Ministry foresees the transfer, over three years, of at least 500 of the c.1,000 Albanian citizens given prison sentences in Italy, a fact that would also save financial resources, as noted by the Ministry of Justice. Italy would grant the sum of money saved to Albania to cover the cost of building a new prison for about 500 people.

In the summer of 2002, the Council of Ministers and the Justice Committee of the Senate approved a decree aimed at introducing on a routine basis a hardship regime for particularly dangerous prisoners, as provided for emergency cases by article 41 bis of Law No. 354 of July 26, 1975 on penitentiary treatment. The decision provoked widespread criticism from detainees and in the form of press reports and parliamentary inquiries.

In December, Sergio D'Elia, secretary general of the NGO "Nessuno tocchi Caino" (Hands Off Cain), and Maurizio Turco, member of the European Parliament, presented in Rome a report<sup>12</sup> based on their visits to the 13 sections applying the hardship regime system in Italy, situated in Cuneo, L'Aquila, Marino del Tronto, Novara, Parma, Pisa, Rome-Rebibbia, Secondigliano, Spoleto, Terni, Tolmezzo, and Viterbo. They looked into the legislation and administrative practices governing this form of imprisonment and interviewed about 640 detainees held under hardship regime.

As of July 27, 645 persons (642 men and three women) were kept in these sections: 17 of these were accommodated in the so called "reserved area" (in six facilities) for "excellent behavior," including the mafia bosses Totò Riina, Leoluca Bagarella and Nitto Santapaola. These sections were usually governed by the special GOM (*Gruppi Operativi Mobili*) units. However, where the units were not controlled by the GOM, the situation was worse: it appeared that in those units, prison officers behaved more harshly and imposed additional restrictions on prisoners' rights.

Inmates incarcerated under the "normal hardship regime" had open-air activities in groups of 6-7 people twice a day and were allowed to socialize in larger units than cells. Monthly visits by relatives were allowed, usually in a room with a glass wall separating the prisoners from the visitors. The visits were videotaped. All the inmates interviewed considered the glass wall a form of "psychological torture" used in order to make them "repent" and cooperate with authorities.

A ten-minute talk without the glass wall, but separated by a table, was allowed between prisoners and their children aged under 12 years.

In addition to the restrictions provided by ministerial regulations (which, for example, banned participation in educational courses), each section could establish additional rules with regard to food, dress code, etc. Moreover, sanitary arrangements in hardship regime special sections were usually substandard.

According to Sergio D'Elia, the prisoners were in a kind of procedural limbo: they were not able to file appeals about their treatment to the Cassation Court because the lower tribunal, which was responsible for examining their cases, rendered decisions so late that the decrees according to which complaints could be submitted had changed again.

On December 19, the Senate approved the amended article 41 bis, which, *inter alia*, extends the application of the hardship regime to people convicted on terrorist offenses. It will remain in force until 2006.

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<sup>12</sup> *Tortura Democratica – Inchiesta su "la comunità reale del 41 bis reale,"* March 2002.

Throughout the year, thousands of prisoners in 62 penitentiaries all over Italy joined a hunger strike initiated by the political party Radicali Italiani to put pressure on parliament to approve a draft amnesty bill, the suspension of sentences, and early release on parole. This was promoted not only as a humanitarian move but also as a measure to tackle overcrowding in prisons and to encourage structural reform of the judicial and penitentiary system. This issue had been widely discussed but never approved. The governing coalition remained divided on the issue while the opposition was generally in favor of change. On November 14, Pope John Paul II paid a first ever visit to the parliament to promote the amnesty bill, a fact that influenced many Catholic deputies. However, by the end of 2002, no decision had been reached.

## **Asylum Seekers and Immigrants**

### *New Immigration Law*

In July, the Italian parliament adopted a new immigration law, primarily in response to demands by the Northern League and the National Alliance, both of which held posts in the government.<sup>13</sup> Due to resistance by other parties, the most controversial measures championed by these two parties, including a proposal to criminalize all forms of undocumented immigration were not approved. As adopted, the new law – commonly known as “the Bossi-Fini law” – required non-EU citizens to have work arranged prior to entry into the country in order to be eligible for legal residence. A residence permit was only valid for a year and would not be extended unless the employment continued. Those who return to the country after being expelled for overstaying their residence permits may be punished with up to four years in prison. All who apply for a residence permit must register their fingerprints with the Italian authorities.<sup>14</sup>

The political opposition criticized the new law as racist and unjust. Given the political climate in which the law was pushed through, with leading members of the country’s political elite repeatedly speaking out against Muslims and other immigrants,<sup>15</sup> there was well-founded concern that the law’s implementation would foster prejudice and negative attitudes toward the country’s immigrant community. The new law also granted military vessels the power to intercept boats approaching Italian waters that are believed to be carrying illegal immigrants,<sup>16</sup> raising concern that undocumented migrants fleeing persecution will be at increased risk of *refoulement*.

### *Regularization of Immigrants’ Status*

Since the 1980s, Italy has adopted five laws providing for the regularization (*sanatoria*) of the status of hundreds of thousand of illegal immigrants, on certain conditions. Some 120,000 used this possibility in 1986; 215,000 in 1990; 244,000 in 1995; and 217,000 in 1998. The last of these laws was enacted in 2002 in the framework of the law “Bossi-Fini” on immigration, aiming at the regularization of the status of foreign housekeepers as well as assistants to old or infirm persons and employees. By the deadline of November 11, 690,968 immigrants had made use of the law, according to the Ministry of Domestic Affairs.

This result was generally welcomed by the government, immigrants’ organizations and human rights NGOs, and showed on the one hand that most immigrants still entered Italy illegally outside the official immigration quota (only 20,000 for the year 2002), and, on the other hand, underlined the need for a unified general policy on this issue. According to the Undersecretary of State for Domestic Affairs, Mr. Mantovano, about 800,000 illegal non-EU people were working within Italian territory as of the end of October, while an additional 500,000 had at that point filed their applications for regularization. During 2001-2002, the government deported about 15,000 illegal immigrants per year.

The Italian economy was dependent on foreign seasonal workers, since the number of Italians available for this kind of work had dramatically decreased in the past decade. Foreign seasonal workers represented about 60% of all seasonal labor in 2002. Immigrant workers were generally flexible and agreed to work under hard conditions and for low salaries. In 2001 (last figures available),

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<sup>13</sup> Immigrants’ Centre, “Senate approves Bossi-Fini law on immigration,” information republished from AlleanzaItalia (AGI), July 11, 2002.

<sup>14</sup> Ibid.; and BBC News, “Italy toughens immigrant stance,” June 4, 2002; *International Herald Tribune*, “Italian lawmakers back tough immigration law,” June 5, 2002.

<sup>15</sup> See also the chapter on Hate Crimes and Discriminatory Policies.

<sup>16</sup> Migration Dialogue: *Migration News*, Vol. 9, No. 8, August 2002.

33,000 foreigners had been granted legal permission for seasonal work, 61.3% of them for agricultural work. A study published in 2002 by the National Council of Economics and Work (CNEL) in cooperation with the Center for Social Investment Studies (CENSIS) showed that most seasonal immigrants in Italy were young (93.5% were under 40), single (more than 50%), Muslim (60.9%), and coming mostly from Morocco and Albania. The reasons given for immigration were the lack of job opportunities in the home country (54.2%), political or ideological matters (12.5%), family reunification (6.3%), and study opportunities (8.3%). Eighty percent of the interviewees had improved their economic situation by coming to Italy. Many (46.5%) said they had chosen to come to Italy only because they believed that illegal entry to Italy was easier than to other EU countries.

The most common problems illegal immigrants faced were low income (according to 27.5% of the interviewees), lack of a stable income (18.7%) and the incompatibility of their work with their qualifications (12.3%). Only 5% were registered with the National Sanitary System which provides for health insurance and other benefits. About 40% of the interviewees were living in very difficult domestic conditions and about 50% faced serious problems in getting a residence permit. In short, the research showed again that there was a need for increased control to prevent the exploitation of illegal immigrants, to extend the regularization of foreigners, to reduce the housing problems of immigrants, and to adopt a new quota regime on immigration.