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**Part I: Executive Committee Summary****Background**

Italy's geographical position at the centre of intersecting migration routes along which tens of thousands immigrants and asylum-seekers travel every year from and through North-Africa, the Middle-East and the Balkans is a key-element in both its perception of migratory flows and of itself as a country of transit and, increasingly in the last twelve years, of destination.

Given the undoubted greater relevance of immigration in comparison to asylum seeking, at least in numerical terms, it is perhaps unavoidable that illegal immigration, fight against trafficking and border control should be at the centre of the political debate in the country. Nevertheless, asylum-related issues have in the past year commanded increasing attention and a growing desire to manage the various aspects of the problem in a co-ordinated and thorough fashion.

The shift from being a country of transit for asylum-seekers to one of destination has had a number of direct consequences. In 1990, Italy felt it necessary to lift the geographical reservation to the 1951 Convention, and give itself the first Foreigner's and Asylum Act, which contained just one article dealing with asylum. An Act of limited scope, it reflected the very relative incidence of the phenomenon of asylum in a country mostly used as a staging post towards more desirable destinations.

Since 1990, applications for refugee status have gone up from a few hundreds to some 18-20,000 a year. A conspicuous number of applicants still use Italy only as a transit country on their way to other European destinations, it should be noted that those who pursue their application in Italy have outstripped the very little capacity of the incipient system to provide protection and assistance during the long lasting processing period.

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**Overview of current situation and plans for future**

With a view to controlling the perceived, as well as the real, abuse of the asylum procedure, the government also added a proposal for amendments to the asylum legislation. Some of these amendments would, in UNHCR's view, undermine the procedural guarantees for asylum-seekers.

At the time this report was written the law was still being discussed by Parliament but it is expected that it will be adopted by mid-2002.

The new Government declared that while the passing in Parliament of a law combating illegal immigration was an urgent need, a comprehensive law on asylum, instead, would be postponed until the entering into force of the EU directive on asylum procedures. Hence, a key element of the asylum system, namely comprehensive legislation, is still lacking in Italy, to the detriment of both asylum-seekers/refugees and officials called to manage the issue at a practical level. It is likely that it will continue to remain missing throughout 2003. The passing of such a bill remains, however, a priority on UNHCR's agenda and UNHCR Rome will continue to lobby for it.

In order to have a text that is aligned with minimum international standards, UNHCR is presently intervening with the Government and key-parliamentarians with a view to: a) underlining the importance of having two separate laws: one on immigration and another, comprehensive one, on asylum; b) modifying some of the unacceptable, far too restrictive procedures; c) including some aspects presently missing in the draft law, such as, for instance, the humanitarian protection regime.

In consideration of an increase in the number of arrivals, illegal immigrants and asylum-seekers, and the complexity of the issue, UNHCR will have to refine its border monitoring role, also in conjunction with its foreseen participation in the Territorial Commissions for the Refugee Status Determination procedure as mentioned in the current draft of the Immigration Law.

In response to UNHCR's world-wide resettlement needs, and thanks to the initiative of the Italian Permanent Mission to the United Nations in Geneva, Italian authorities are exploring the possibility of starting a resettlement programme by allocating some places in the framework of a programme of quotas fixed each year by the Ministry of Labour, in collaboration with the local authorities. It is understood that resettled refugees would be accepted primarily on the basis of protection needs and not work skills or integration potential. A formal decision has not yet been taken at the ministerial level but UNHCR expects that the Government may soon indicate to UNHCR a resettlement quota. In this sense the work, which may be initiated in 2002, will be entirely developed in 2003 with a view to having Italy formally included among the resettlement countries.

In the absence of adequate and specific asylum legislation, the National Asylum Programme (PNA) has filled an important vacuum. Thanks to the joint efforts of the MOI, ANCI and UNHCR, it has been possible to finance some 63 territorial projects and assist more than 2,000 asylum-seekers during 2001. Currently, the joint efforts of the three partners are oriented towards the institutionalisation of the Programme by way of an amendment to the Immigration Law. There is a general consensus on the real benefits brought by the PNA to the asylum-seekers and refugees as well as to the local communities.

The three partners, MOI, ANCI and UNHCR are jointly responsible for planning for the necessary assistance to asylum-seekers and refugees at the country level and for co-ordinating the implementation of the projects through the Municipalities. The Municipalities are now fully invested with the responsibility of assistance and provided with the means to do so, either directly or by entering into agreements with NGOs. Most importantly, the criteria set for the projects under this programme are meant to cover a whole range of activities, from reception and legal assistance, to language and professional training, and induction into the labour market, etc., in an integrated fashion.

The funds released by the Ministry of Interior includes European Refugee Fund resources allocated to Italy. In future other sources of funding, such as the EU Equal programme and structural funds, the National Immigration Funds, etc., will be tapped.

At a broader level, faced with the responsibility of guarding a particularly exposed stretch of EU border against a perceived tidal wave of would-be irregular migrants, Italy has devoted considerable resources to border control and effective repatriation (some 130,000 rejections/expulsions served in 2000 and some 133,000 in 2001) and

to the promotion of, and active participation in, international activities against the smuggling and trafficking of people.

Three objectives characterise the Government of Italy's immigration policy:

1. programming of legal entries within the framework of quotas fixed each year;
2. developing of efficient measures to counter illegal immigration and illicit activities linked to it;
3. developing a policy of co-operation with countries of origin and countries of transit of illegal immigrants (partly in the form of "readmission agreements").

The above immigration policy is sometimes perceived merely as a police responsibility and as an immigration matter to the detriment of its asylum dimension. The same preoccupation appears in the large number of readmission agreements concluded with migrant-producing countries. UNHCR feels that protection-related concerns need to be more carefully taken into account and woven into these processes, and plans to step up its efforts to see them recognised.

### **Institutional support, capacity building, PARINAC**

Institutional support is part and parcel of UNHCR Rome's strategy to strengthen the asylum system. During 2001, the Office ran a large number of training activities aimed at the Police and Public Administrators, both at the central and local level. The outcome was extremely positive, and beside helping to change attitudes and supplying theoretical and operational tools to better deal with asylum-specific issues, it has increased UNHCR's visibility and the recognition of its role. The training, however, targets a wide and changing audience and so needs to be regularly repeated and updated. In this context, the inclusion of a formal UNHCR presence in the regular courses organised by the Scuola Superiore dell' Amministrazione dell'Interno and by the Scuola Superiore della Polizia di Frontiera for their officials represents a particularly welcome development.

### **Public Information as a tool for increasing support and visibility for refugees**

Public Information is an extremely successful domain for UNHCR Rome. It is noted that Italian media have a strong influence on the Government's decisions and powerfully drive public opinion on specific issues. In this environment, a full fledged programme and an energetic Public Information presence is essential in order to: bring to the fore asylum-related issues; gain media support for refugee matters; better represent to the public the plight of refugees in Italy, but also world-wide; keep the public informed on humanitarian crises producing refugees and on UNHCR's positions and needs; increase the level of the Private Fund Raising; and increase awareness and concrete support.

### **Private Sector Fund Raising in Italy: A Success Story**

With over US\$ 6.6 million collected, the Private Sector in Italy ranked, for the third consecutive year, at the top of the list of private sector donors. This has been achieved thanks to the generosity of thousands of individual donors and some major corporations.

In 2001, UNHCR received 137,849 donations from 99,035 Italian donors.

The main objective of increasing the level of donations has been successfully met, with an increase of 63% compared to the previous year. This increase has been calculated including all source of funding (i.e. ENI, Emergency appeal for Afghanistan and the Pavarotti & Friends Concert) for both years.

### **The Government of Italy: a restored relationship**

UNHCR enjoys with the Government of Italy a transparent and supportive relationship. Italy's active participation in UNHCR Governance fora and the Informal Consultations, as well as on the financing of the organisation, has been built thanks to the high level contacts developed by both HQs and Branch Office Rome. Intensive contacts between the Government of Italy and UNHCR during 2001 brought Italian Government contributions up from US\$ 10 million to US\$ 25.4 million with the assurance that this level would be maintained. Since 2000, Italy has increased its support to the UN emergency operations with the opening of a UN Logistics Base in Brindisi and let UNHCR join the operation. Within this framework, the Emergency Bilateral Fund to UNHCR was restored. With its US\$ 25.4 million, Italy is ranked among the top ten donors.

The efforts made by UNHCR at both Headquarters and Branch Office level have produced an increase of 150% in 2001 compared to 2000 funding. The excellent result achieved has required intensive donor feedback to ensure continuous confidence and further increase of funding in the coming years. The Fund Raising strategy adopted by Branch Office Rome for the three forthcoming years should be fully supported by Headquarters, but also by UNHCR individual field operations. A good co-ordination among the three different levels (Headquarters-Branch Office-Field operation) has proved to be key for the achievement of fund raising targets.

The key elements of restored Italian confidence *vis a vis* UNHCR were: UNHCR's capacity to develop a prompt, timely, and reliable exchange of information at the Ministry of Foreign Affairs level; UNHCR's capacity to respond to the emergency situation in Afghanistan; and UNHCR's flexibility to support Italian NGOs as viable implementing partners in situ.

More is being done and can be pursued in the future through a well-thought out working strategy at the highest level, to impress upon the Italian government the need for stronger responsibility sharing of the world-wide refugee emergency problem and, therefore, for stronger financial support to UNHCR.

BO Rome is currently working on developing new strategies for enhanced co-operation. The Italian Development Co-operation Department appears ready to develop and promote with UNHCR some initiatives in the field of repatriation and post-conflict initial rehabilitation, targeting African geographical regions of Italian political interest. In addition, protracted refugee situations and assistance to host-areas might be other potential fields of interest for the Italians.

BO Rome looks ahead to the development of those new initiatives, which could open the way to a new approach in negotiating major donor development funds and to an additional commitment for refugee durable solutions in Africa.