

EMN FOCUSSED STUDY 2013

The Organisation of Reception Facilities for Asylum Seekers in different Member States

Top-line “Factsheet”
(National Contribution)
Executive Summary
(Synthesis Report)

National contribution (one page only)

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

The Italian reception system for asylum seekers consists of different types of accommodation facilities: Reception Centers for Immigrants (CDA/CPSA) where migrants are identified and provided with first aid; Reception Centers for Asylum Seekers (CARA) where asylum seekers are accommodated for the time necessary to examine their application; Centers for Identification and Expulsion (CIE), where applicants for international protection may also be accommodated, if their application is submitted after the issuance of the return order; local projects of the System for the Protection of Asylum Seekers and Refugees (SPRAR); and, finally, other centers located in major metropolitan areas.

The reception conditions and the range of offered services vary according to the accommodation facility: while the CARAs and the CDAs are large collective centers which can accommodate 100 to 2.000 people, the SPRAR consists of small facilities scattered on the territory and organized in medium-sized collective centers or apartments, which sometimes are self-managed.

Despite these differences, all the accommodation facilities must provide socio-psychological support, legal guidance, linguistic-cultural mediation services as well as support in finding a permanent accommodation. Furthermore, the SPRAR provides job orientation and professional insertion services through job training programs carried out in agreement with local authorities, as well as support in finding accommodation. Particular attention is paid to the most vulnerable subjects, such as victims of torture, sexual violence or gender discrimination, as well as people with disabilities and/or with mental or psychological illness.

Together with this ordinary reception system, specific flexible mechanisms are implemented in cases of emergency, in order to cope with large incoming migratory flows. One of these mechanisms, for example, is the “*Piano per l’accoglienza*” (“Reception Plan”), the official document defining the operative plan of the National Civil Protection System for the so-called “North-Africa Emergency”, which started at the beginning of 2011 and has deeply affected the national reception system for the following two years.

Together with other Member States located in the Mediterranean area, in fact, Italy is a natural landing point for refugees fleeing from Africa and the Middle East. As shown by Eurostat archives relating to the applications for international protection, the number of asylum applications clearly demonstrates this peculiarity.

The purpose of this study – conducted as part of a larger research project carried out at the EU level by the European Migration Network (EMN) – is therefore to describe, in the most comprehensive manner possible, the national reception system for asylum seekers in its various aspects, by highlighting both its strengths and weaknesses. Despite the introduction of reception standards for asylum seekers at the EU level – measures which have already been implemented in Italy with the transposition of the EU law into national law – still there is a need by policy makers to evaluate the practices adopted by the single Member States.

This focussed study lies in this context, in the hope that it may help to shed light on the sensitive issue of migration policies, with particular benefit to applicants for international protection who choose Italy as their country of destination.

Legend of Acronyms

CDA	Reception Centre
CPSA	First Aid and Reception Centre
CARA	Reception Centre for Asylum Seekers
CIE	Identification and Expulsion Centre
SPRAR	System for the Protection of Asylum Seekers and Refugees

Synthesis Report (up three pages)

Executive Summary of Synthesis Report: this will form the basis of an EMN Inform, which will have EU and National policymakers as its main target audience.

Section 1 Different types of Reception Facilities and different Actors (Maximum 4 pages)

This section of the Synthesis Report will address the organisation of reception facilities in different (Member) States. An overview will be provided of the different types of accommodation facilities, and different actors involved in the provision of reception facilities.

The Reception Conditions Directive (Directive 2003/9/EC, Article 13) and the Commission's proposal for the recast Reception Conditions Directive (Article 17) stipulate that Member States shall ensure availability of material reception conditions to applicants for international protection. Housing constitutes an essential, if not the primary, element of reception conditions. Provision of accommodation can be provided in a variety of possible manners. Directive 2003/9/EC (Article 14) makes broad reference to: a) accommodation premises for applicants who lodged their application at the border; b) accommodation centers which guarantee an adequate standard of living; c) private houses, flats, hotels or other premises adapted for housing applicants for international protection. Consequently, (Member) States have established different types of reception facilities, such as, collective/communal reception facilities, individual housing (private houses, flats or hotels arranged and paid for by the State), or, some also offer the applicant financial compensation which covers housing expenses.

This Section aims to provide an overview of the different types of reception facilities (Member) States have in place. It will also provide an overview on the number of facilities as well as their capacity. With regard to the organisation, this Section will furthermore address the different actors involved in the provision of reception facilities to applicants for international protection, specifying which authorities carry financial and executive responsibility and whether third parties are involved, such as for example, NGOs or other actors of civil society.

Q1. Please indicate in Table 1 below what type of reception facilities exist in your (Member) State.

In case your (Member) State offers a different type of facility which is not listed in the table below, please include and describe this by adding additional rows to the table below. Please also indicate how many of these facilities exist and indicate what their capacity is and how many applicants were accommodated in these facilities per year starting from 1 January 2008 to 31 December 2012. Should your (Member) State not be able to provide the maximum capacity, please provide a brief explanation for this and specify the actual number of applicants

accommodated in a certain type of facility on an annual basis for the period 2008-2012.

Tabella 1 Different types of Reception Facilities*

Type of facility	Does this type of facility exist in Italy?	If so, how many of these facilities existed at the end of 2012?	Please specify the maximum number of applicants these facilities may accommodate	Number of applicants accommodated in these facilities per year during 2008-2012
Collective initial/transit reception centres	<u>Yes/No</u>	13 facilities in total ^{1,2} , of which: - 9 CDA/CARA - 3 CPSA	44.810 accommodations in total, of which: - 4.029 in CDA/CARA	2008: 2009: 14.395 of whom CDA/CARA: 12.179 CPSA: 2.216
Collective open reception centres	<u>Yes/No</u>	- 1 First aid reception centre Starting from January 2013, the Mineo Centre in the province of Catania, which can accommodate 2.000 people and was activated during the North Africa Emergency, has been used as a CARA. At the moment, the function of this facility has been extended until September 30 th 2013.	- 781 in CPSA	2010: 9.916 of whom CDA/CARA: 9.511 CPSA: 405 2011: 81.774 of whom CDA/CARA: 25.162 CPSA: 56.612 2012: 17.610 of whom CDA/CARA: 10.159 CPSA: 7.451

¹ Large Reception centers: 1) The **Reception Centers** (Centri di Accoglienza - **CDA**) accommodate immigrants for the time necessary to define the administrative provision relating to their permanence in Italy (law no. 563 of December 29, 1995, the so-called “Legge Puglia” (“Apulia Law”). These facilities provide initial support and first aid to irregular immigrants. 2) The **Reception Centers for Asylum Seekers** (Centri di Accoglienza per Richiedenti Asilo - **CARA**) are facilities where the asylum applicant are accommodated while awaiting identification and access to the procedure of refugee status recognition by the Local Commission (Legislative Decree no. 25 of January 28, 2008). These centers are open during daytime hours and the period of stay cannot be longer than 20-35 days. For longer periods or for nighttime hours, only the Prefect may authorize the temporary exit. 3) The **First Aid and Reception Centers** (Centri di primo soccorso ed assistenza – **CPSA**) are temporary facilities located near the major landing sites; their purpose is the accommodation of migrants only for the time needed to transfer them to other centers (usually within 24/48 hours); they provide first-aid and assistance during critical situations, in particular humanitarian emergencies characterized by massive immigration flows. These centers often accommodate people seeking asylum, who specifically in these centers manifest their intention to apply for asylum. 4) In addition, the asylum application “may be submitted in any case by the foreigner subject to an expulsion order not complied with, or being carried out also through detainment in an **Identification and Expulsion Centre** (Centri di identificazione ed espulsione – **CIE**, so named by the Decree Law no. 92 of May 23, 2008), or in case the foreigner has returned to Italy before the expiry of the re-entry ban (or exclusion period) as provided for in Art. 13, par. 14 of the Legislative Decree no. 296/98”. The CIE are “facilities for the detention of irregular immigrants for the time necessary to carry out the expulsion order (Law no. 40 of March 6, 1998). Source: Yearly Report 2011/2012, SPRAR, *La tutela del richiedente asilo. Manuale giuridico per l’operatore* (2012) SPRAR, and www.interno.gov.it).

² In addition to these “government” centers, in 2010 there were a large number of collective centers within the SPRAR protection system (as described in the following paragraph), as well as the so-called “multifunctional centers”, active in metropolitan areas. The organizational model of these multifunctional centers (which are temporary) has been designed for major cities facing the greatest emergency, due to the large number of foreign beneficiaries of international protection or belonging to vulnerable categories. Not in all cities these centers are coordinated by the SPRAR (Yearly report 2011/2012, SPRAR).

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Special reception centers or facilities for vulnerable groups (e.g. victims of torture or specific vulnerable female applicants)	<u>Yes/No</u>	Accommodations within the SPRAR ³ : - in 56 facilities: single women with children - in 40 facilities: single women - in 159 facilities: families - in other 331 facilities: men and single women (including vulnerable groups). (2011. Source: <i>Yearly Report 2011/2012</i> , SPRAR)	500 SPRAR accommodations in total for vulnerable categories, of which - 50 for “mental disorder” ⁴ (final ranking SPRAR for 2011/2013) ⁵	2008: 884 2009: 852 2010: 823 2011: 857 2012: 815
Specific reception centers for unaccompanied minors	<u>Yes/No</u>	52 SPRAR facilities, of which: - 18 apartments, - 6 reception centres, - 28 reception communities (2011, Source: <i>Yearly Report 2011/2012</i> , SPRAR)	232 funded accommodations for foreign unaccompanied minors seeking asylum. (2011. Source: <i>Yearly Report 2011/2012</i> , SPRAR)	Foreign unaccompanied minors seeking asylum beneficiaries: 2008: 2009: 2010: 253 beneficiaries 2011: 312 beneficiaries 2012: 358 beneficiaries
Private houses or flats: arranged and funded by competent authorities	<u>Yes/No</u>	2010: 511 reception facilities within the SPRAR: 357 flats (70%); collective centers 123 (24%); reception communities: 31(6%).		Beneficiaries accommodated in SPRAR facilities: 2008: Tot. 8.412 beneficiaries, of whom 3.587 applicants: (43%). 2009: Tot. 7.845 beneficiaries, of whom 2.540 applicants: (32%). 2010: Tot. 6.855

³ In 2011, the total number of facilities activated within the SPRAR was 638 (127 facilities more than in 2012, due to the activation of extraordinary accommodations managed with the resources of the Civil Protection).

⁴ Between 2011 and 2013 a total of 3,000 accommodations have been allotted: 2.500 for “ordinary” and 500 for “vulnerable” categories (The Ministerial Decree of August 5, 2010 determined the three-year duration of the SPRAR interventions for 2011-2013). Furthermore, in case of exceptional immigration flows, Italy intervenes with specific provisions: for example, in 2011 702 additional accommodations were funded in favor of applicants and beneficiaries of international protections; these accommodations were made available by Local Authorities (OPCM no.3965, September 21, 2011).

⁵ www.serviziocentrale.it.

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				beneficiaries, of whom 2.161 applicants (32%). 2011: Tot. 7.598 of whom 2.120 applicants (28%). 2012: Tot. 7.823 of whom 2.347 applicants (30%).
Private hotels: arranged and funded by competent authorities	<u>Yes/No</u> Only in emergency cases			
Individually arranged accommodations such as houses, flats, hotels and/or at friends or relatives' houses⁶	<u>Yes/No</u>	Data not recorded by the authorities, because individually managed by applicants.		
Other facilities for the accommodation of applicants for international protection which are arranged and funded by the competent authorities	<u>Yes/No</u> In Italy there are also the so-called: - First Aid and Reception Centers managed by the Civil Protection Department (since 2011, due to the North African emergency), and	- Many centers all over Italy	2011: around 24.000 accommodations in the centers managed by the Civil Protection Department ⁷ . (2011. Source: <i>Yearly Report 2011/2012</i> , SPRAR)	
	- Multifunctional Centers, located in major cities, as explained in note #2.	- 4 Multifunctional Centers in metropolitan areas ⁸ . (2011. Source: <i>Yearly Report 2011/2012</i> , SPRAR)	2011: 1.153 accommodations available (2011. Source: <i>Yearly Report 2011/2012</i> , SPRAR)	2011: 2.079 accommodated

⁶ Please specify whether applicants receive (or have the possibility of receiving) a financial allowance in case they have individually arranged their accommodation: Applicants without the means of subsistence can be inserted in the reception system. If accommodation is not available in the SPRAR network or in the CARA centers, the applicant may receive a financial allowance, as provided for by art. 6, par. 7 of the Legislative Decree 140/2005. The application for such contribution must be submitted to the competent authority, which will forward it to the Prefecture. The contribution is equal to €27.89 per day per capita.

⁷ 72,4% of the total number of beds for refugees and applicants for international protection.

⁸ Rome, Milan, Florence, Turin.

Q2. Which authority(ies) carry financial responsibility over the reception facilities?

- (a) *State authorities (Yes)*
- (b) *Local authorities / regional governments (Yes)*
- (c) *External service provider such as NGOs, actors from the private sector or any other kind of third party involvement? (Partially, according to current contracts)*

As shown in Table 1, the national reception system is structured in two parts having different coordination. There is a set of 13 large centers (CDA, CPSA, CARA) which could be defined as “First Reception”, because the maximum period of stay in these centers is limited in time; the system is then completed at the local level by the *System for the Protection of Asylum Seekers and Refugees* (SPRAR)⁹, which manages a number of small to medium-sized collective centers, apartments, reception communities and other reception facilities (multifunctional centers in metropolitan areas and other temporary facilities), which are activated in emergency situations.

Reception facilities are mainly financed by the state, but the allocation of funds follows a multi-level management approach.

Public resources are made available for the *System for the Protection of Asylum Seekers and Refugees* (SPRAR), the most important of which is the *National Fund for Asylum policies and services* (FNPSA), which receives allocation from the European Fund for Refugees (EFR) and is coordinated by the *Central Directorate for Immigration and Asylum Policies* within the *Department for Civil Liberties and Immigration* of the Ministry of Interior. According to a co-financing model¹⁰, funds are allocated in favour of local authorities, which – with the fundamental support of private and social organizations – submit projects aimed at providing reception to applicants or beneficiaries of international protection.

In addition to the projects financed by the National Fund (FNPSA), there are other projects similar to the SPRAR “model” which are funded through extraordinary resources, such as the so-called *Eight per thousand* (“Otto per mille”), a public resource based on the individual choice of taxpayers and derived by the IRPEF (personal income tax), which is allocated by the Presidency of the Council of Ministers. In recent years these resources have funded various reception, protection and integration projects carried out by local authorities or sectoral associations, the most relevant of which is the *National Association of Italian Municipalities* (ANCI).

The ANCI has a leading role with regard to reception policies, since it was entrusted by the Ministry of Interior (law no. 189/2002) to manage the *Central Service*, i.e. the monitoring and assistance structure of the SPRAR system.

The picture is completed by additional allotments provided by the local authorities belonging to the SPRAR network. They were made available for extraordinary reception interventions carried out during the so-called “North-Africa Emergency”, through the resources of the Civil Protection (Order of the President of the Council of Ministers no. 3933/2011, extended until December 31, 2012). Between December 2012 and July 2013, in order to meet the overall reception needs due to the massive immigration flows on the Italian coasts, 2.400 new allotments were created, bringing the capacity of the SPRAR to a total of 5.400 allotments.

Large reception centers (CPSA, CDA, CARA, CIE) are organized by the *Central Directorate for Immigration and Asylum Policies*, but managed by the Prefecture – Territorial Office of the

⁹ During 2011/2013, a network of 128 local authorities and bodies (Municipalities, provinces, Municipality Association) and 151 local reception projects.

¹⁰ According to the ranking of approved projects, during 2011-2013 co-funding of local authorities was equal to 23% of the total cost.

Government, through agreements with local contractors (such as institutions, associations or cooperatives).

Q3. Which authorities carry executive responsibility over the facilities:

- (a) *State authorities (No)*
- (b) *Local authorities / regional government (Yes)*
- (c) *External service provider such as NGOs, actors from the private sector or any other kind of third party involvement? (Yes)*

In Italy, state authorities carry executive responsibility for financing the reception system, whose management, however, follows a multilevel governance approach. Not only the Ministry of Interior (the central coordination body), in fact, but also other local bodies (responsible for reception) and a wide range of private and social structures are involved. This set of multiple organizations encourages interventions of integrated reception throughout the country: this is vital to ensure a high level of flexibility of the system, which is able to respond not only to the local needs, but also to the discontinuity of the migration flows experienced by Italy over the last decades.

The responsible body for large reception centers (CPSA, CDA, CARA, CIE) may be an entity, association or cooperative selected via specific contracts for each centre. This managing body of the center is responsible for its daily management, reports and financial statements and any subcontract in place, whereas the control and monitoring activity, which is intended to evaluate the quality standards of the services provided, is conducted by the Prefecture – Territorial Office of the Government. There are various services provided for by the agreements: personal care (food, housing, health care, psycho-social assistance, cultural and linguistic mediation, etc.), catering, cleaning and environmental hygiene services, maintenance of the structure and its facilities; “subcontracting is allowed for: provision of ‘kits for guests’, supply and delivery of meals, cleaning and environmental hygiene services, collection and disposal of waste (including special waste material) as well as sewage collection...”¹¹.

As for the SPRAR network, funds are allocated based on the participation in tenders of the *National Fund for Asylum Policies and Services* (FNPSA), which can be accessed by local authorities (including those associated with each other), their unions or associations, under the control of the *Department for Civil Liberties and Immigration* through the Central Service (and not the Prefecture), according to art. 12 of the Decree of the Ministry of Interior of July 22, 2008, as amended by the Ministerial Decree of August 5, 2010. The same article provides for that, by April 30 of each year, the Ministry of Interior shall transmit to the Joint Conference a summary report on the activities of protection for asylum seekers and refugees, which is edited by the Central Service and relates to the previous year.

Q4. In case reception facilities are run by local authorities/regional governments or with the involvement of an external service provider (e.g. NGOs or actors from civil society), please indicate whether the reception facilities are centrally coordinated (i.e. does one single authority still carry overall responsibility for the reception of applicants for international protection?)

[(Yes/No) if yes, please briefly describe]

Yes. The Second Office of the *Central Directorate for civil rights, immigration and asylum*

¹¹ Art. 17. Of the *Schema di capitolato di appalto per la gestione dei centri di accoglienza per immigrati* (Tender Specifications for the Management of Immigrant Reception Centers). www.interno.gov.it

policies of the Ministry of Interior coordinates the whole reception system. It has the “duty to assess the reception conditions and the management of all facilities that can accommodate and assist immigrants admitted to the centers (CPSA, CDA, CARA, CIE), as well as monitor the presence and movement within them. In addition, emergency interventions (like those related to massive immigration flows) are managed by the First Office of the Central Directorate for civil rights, which also supports local authorities in first aid and assistance to irregular immigrants found in the Italian territory or landed on the Italian coasts.”¹²

The idea of a public “National Programme for Asylum” centrally coordinated by the government (subsequently merged into the SPRAR network) was born in 2011 as a Memorandum of Understanding between the Ministry of Interior – Department for Civil Liberties and Immigration, the National Association of Italian Municipalities (ANCI) and the United Nations High Commissioner for Refugees (UNHCR). The programme, along with the *Central Service for information, promotion, counselling, monitoring and technical support to local authorities* (in short the Central Service, which is the coordinating body of the system) was institutionalized by law no. 189/2002, which also appointed the *National Association of Italian Municipalities* (ANCI) for its management.

Q5. In case reception facilities are run by local authorities/regional governments or with involvement of an external service provider (e.g. NGOs or actors from civil society), how is their involvement regulated?

The involvement of the responsible bodies for the management of reception facilities (CPSA, CDA, CARA, CIE) is regulated through contracts. As for major Reception Centers, reference is made to the “Tender Specifications for the Management of Immigrant Reception Centers”, which was approved by ministerial decree on November 21, 2008. “contracts (...) belong to those included in Annex IIB of Directive 2004/18/EC and the corresponding Annex IIB of the Code of Public Contracts (Legislative Decree no. 163/2006) and are subject to such regulation only for the rules relating to technical specifications and warnings about the contract awarded. The contract is awarded pursuant to art. 27 of the Code of Public Contracts, after public notice, in favour of the subject that has submitted the most economically advantageous tender, according to the criteria listed in Annex 2 (schematic structure of the offer) which is an integral part of this contract.”^{13 14}

In the case of the SPRAR network, local authorities have access to the *National Fund for Asylum Policies and Services (FNPSA)*. Projects can be presented in collaboration with third sector associations, which act as implementing entities. The procedures for accessing the funds, as well as the directions for the proper management of reception, protection and integration services, are indicated in the “Guidelines” attached to the Ministerial Decree of July 22, 2012, and fully described by a special “Operational manual for the activation and management of reception and integration services for applicants and beneficiaries of international protection” edited by the Central Service.

These guidelines also contain details on how to use the funds, how to control the proper management of the funds allocated and the possible ways to revoke them.

Have any formal coordination mechanisms between the different actors been signed (for example cooperation agreements stipulating the division of competences)?

¹² www.interno.gov.it

¹³ *Tender specifications for the management of Immigrant Reception Centers*
www.interno.gov.it/mininterno/export/sites/default/it/assets/files/15/0145_capit_interno.pdf

¹⁴ Starting from 2012, the contracts are awarded on the basis of the lowest price compared to the starting price of the auction, fixed at 30€ plus VAT, in order to comply with the laws enacted to limit public expenditure and overcome the economic crisis (Law Decrees no. 98/2011, no. 138/2011 and Law no. 183/2011, the so-called “stability law” for 2012), which reduced the available financial resources.

[(Yes/No) if yes, please briefly describe]

As described in the previous paragraphs, the Central Service is responsible for the coordination between the various actors in the SPRAR network: in 2011-2013 this was a network of 128 local authorities (Municipalities, Provinces, Association of Municipalities), for a total of 151 local reception projects. As regards the management of requests for reception, transfer operations, requests for an extension of the period of reception as well as the monitoring of the presence of the refugee population in the various territories, these and other functions are coordinated with the support of a database and an operational Group which – in addition to performing control and monitoring activities - also has the task of promoting an efficient management of the services provided by local projects (including the paths of individual beneficiaries). The accounting division of this group is also responsible for the financial and administrative management.

Section 2

Take up of Reception Facilities: Factors determining access to the different types of facilities

(Maximum 4 pages)

This Section of the Synthesis Report aims to investigate which categories of applicants for international protection are entitled to reception facilities (standard or specific) and whether, on specific occasions/for specific reasons, authorities exclude such entitled applicants from reception facilities. It will map the competent authorities who decide on the allocation of applicants to (different) reception facilities, and will more specifically, provide an overview on what factors influence the allocation to accommodation. Such factors may, for example, relate to the capacity of centres, existence of a dispersal mechanism (for purposes of burden-sharing as to evenly distribute the costs throughout the country), the stage/type of procedure, profile of the applicant, duration of proceedings or any other factors. It will also be investigated whether Member States take into account the specific needs of vulnerable groups of applicants when deciding on allocation.

Q6. Please provide a short overview of which applicants for international protection are entitled to reception facilities provided by the State. Please complete Table 2 below:

All categories of asylum seekers (Dublin cases, foreign unaccompanied minors, vulnerable categories) are entitled to reception facilities, except for the case described in point Q7.

As shown in the table below, not all asylum seekers are accommodated in standard reception facilities (some of them are accommodated in specific facilities). In Italy, the reception system is quite complex: major centers (CDA/CPSA and CARA) are integrated by the territorial network (SPRAR). But there are also metropolitan reception facilities, and special structures for cases of emergency (like those activated during the so called “Arab Spring”). Furthermore, under certain circumstances which will be described below (see Q9), asylum seekers may be sent to Identification and Expulsion Centers (CIE). For a comprehensive overview of the different types of reception facilities provided to applicants for international protection, see Section 1.

Table 2 Categories of applicants entitled to reception facilities

Different categories of applicants depending on type/stage of procedure	Entitled to reception facilities (Yes/No)	Are these applicants entitled to standard or specific reception facilities?
Applicants under Dublin II	Yes	Standard
Applicants in admissibility procedures	Yes	Standard
Applicants subject to accelerated procedures	Yes	Specific
Vulnerable groups of applicants (with	Yes	Specific

specific psychological/medical assistance needs)		
Unaccompanied minors awaiting decision for international protection	Yes	Specific
Unaccompanied minors who have exhausted the procedure for international protection and are awaiting return	Yes ¹⁵	Specific
Applicants who have lodged an appeal procedure	Yes, but only if unable to engage in an occupation.	Standard
Applicants who have lodged a subsequent application	Yes (see above. In Italy, the appeal automatically activates the application review process, therefore there is no need to lodge a new asylum application)	Standard
Applicants who have received a positive decision on their international protection application	Yes ¹⁶	Standard
Applicants who have exhausted the procedure for international protection and who are awaiting return	No	-
Other (e.g. applicants from other EU Member States, families with children with an irregular migrant status, applicants from safe third countries of origin etc. Please specify)	-	-

Q7. From the aforementioned categories of applicants who are entitled to reception, can any be excluded from reception facilities for particular reasons (e.g. because the applicant has sufficient financial means, or because the applicant has misbehaved in a reception facility, or any other reasons)?

Yes. According to art. 5, par. 2 and 7 of the Legislative Decree no. 140/2005, all asylum seekers without means of subsistence (for themselves or their family) are entitled to government reception facilities. Access is also allowed to applicants authorized to remain in Italy, but only for the period in which they are not allowed to work or cannot work due to health problems.

The Prefecture – Territorial Office of the Government assesses the lack of means of subsistence

¹⁵ Foreign minors cannot be returned, except for reasons of public order and State security (the Juvenile Court is responsible for these cases). Unaccompanied foreign minors may, however, be returned through the assisted return procedure, aimed at granting the right to family reunification. This measure is adopted as a result of a specific investigation initiated and carried out by the Committee for foreign minors in the country of origin, and only if the Committee believes that this meets the interests of the child. Assisted return is ordered by the Committee for foreign minors and is executed by accompanying the minor to his/her family or to the competent authorities of the country of origin. For further information, please refer to the study *Unaccompanied Minors. Assisted Return. International Protection. Second EMN Italy Report* published in 2010 by EMN Italy, and available on the EMN website <http://emnitaly.it/pb-05.htm>.

¹⁶ The period of stay within the Protection System is as follows: six months in case of refugees, beneficiaries of subsidiary or humanitarian protection; six months from the date of notification of the Territorial Commission's decision recognizing international protection, if the beneficiary entered the SPRAR as an asylum seeker. An extension can be requested.

(for a reference period not exceeding six months), based on criteria related to the permit for tourism and defined by the Directive of the Ministry of Interior pursuant to art. 4, par. 3 of the T.U.I. (Consolidated Act on Immigration).

Access to reception facilities is possible from the time of the submission of the asylum application and is guaranteed provided that the applicant demonstrates that he/she submitted the application within the period prescribed by art. 5, par. 2 of the T.U.I. (i.e. within eight days from the entry into the national territory). In case the applicant is a regular resident in the country for other reasons, the aforesaid period shall run from the occurrence of the reasons given in the application.

Recourse to the competent Regional Administrative Court against a decision refusing the reception measures is allowed.

With regard to asylum seekers, revocation of reception measures is defined by art. 12 of the Legislative Decree no. 140/2005 and relates to no-showing at the assigned facility, or leaving the reception centre without due notice by the beneficiary. The expulsion from a reception centre may also occur in cases of impossibility of continuation of the stay, due to serious and repeated violations of internal rules.

Q8. a) Does your (Member) State carry out an assessment of vulnerability which could result in assignment to special reception facilities for vulnerable groups of applicants?

Yes. Reception is carried out in consideration of the needs of asylum seekers and their families, and in particular vulnerable people. The SPRAR provides specific reception services for applicants with special needs: minors, disabled elderly, single parents with minor children, persons who have been subjected to torture and other forms of violence, persons with mental or psychological problems. The CARA centers are also able to provide assistance, by means of adequate medical care, to the elderly, pregnant women and people with physical or psychological problems related to sexual violence, torture, ill-treatment and/or suffering from diseases.

The definition of “vulnerable group” is contained in the Legislative Decree no. 140 of May 30, 2005 implementing the Directive 2003/9/EC which lays down minimum standards for the reception of asylum seekers in Member States. Art. 8, par.1 of the Decree, in fact, states that “The reception is carried out in consideration of the needs of asylum seekers and their families, and in particular vulnerable people like children, disabled, elderly, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence.” According to the Decree of the Ministry of Interior of July 22, 2008 (Revision and Updating of the Guidelines for the Verification of the Proper Management of the FNPSA funds), vulnerable groups include those who need specialist and/or prolonged health care and domestic assistance, as well as people with disabilities, even temporary ones. Pregnant women are included in this category only if single.

Q8. b) If yes, please indicate whether the assessment of vulnerability is:

- a) Obligatory and laid down in law* Yes
- b) Standard practice*
- c) Optional*

Q9. Which authority/(ies) carry responsibility for deciding on the allocation of applicants for international protection to different reception facilities?

With the exception of people accommodated in a CARA or detained in a CIE, any asylum seeker

without means of subsistence can be allocated in a SPRAR center, as regulated by law (Leg. Dec. no. 140/2005, Leg. Dec. no. 25/2008 art. 20, Leg. Dec. no. 159/08). For the purposes of allocation in a SPRAR center, the Police Headquarters (Questura), after receiving the asylum seeker's application which declares "lack of means of subsistence", forwards it to Prefecture. The latter, in turn, assesses the lack of sufficient means of subsistence and – after having checked the availability, following the process defined by the Head of the Department for Civil Liberties and Immigration of the Ministry of Interior – asks the Central Service of the SPRAR for an accommodation. The Prefecture will then dispatch the applicant to the new facility, sometimes by making use of the means of transportation provided by the centre itself. Expenses are borne by the Prefecture.

If accommodation is not available, the asylum seeker may be temporarily assigned to a CARA centre¹⁷ (assignment to this type of Reception Centre is always compulsory in cases provided for by law). Art. 20 of the Legislative Decree no. 25 of January 28, 2005 lays down the cases in which the applicant for international protection is sent to these facilities.

Different, however, is the case of detention of an applicant for international protection in an Identification and Expulsion Centre (CIE), which occurs if the latter has already been notified with an expulsion or refusal order, or when the application for international protection was submitted after conviction for one of the crimes listed in art. 380, par. 1 and 2 of the Code of Penal Procedure, for crimes related to drug trafficking, sexual freedom, smuggling of migrants towards Italy and from Italy towards other countries, recruitment of persons into prostitution and sexual exploitation, employment of children in illegal activities. Asylum seekers who fall under the exclusion clauses laid down in article 1F of the 1951 Geneva Refugee Convention (that is, persons who have committed crimes against peace, a war crime or a crime against humanity; those who have committed a serious non-political crime outside the country of refuge, or those who have been guilty of acts contrary to the purposes and principles of the United Nations) are also subject to detention in the CIE centers. Art. 21 of the Legislative Decree 25/2008 implementing the EC Directive 2005/85 as amended by the Legislative Decree 159/2008, sets the grounds for the detention of asylum seekers in CIE centers. If the detention is already in progress, the Quaestor may call for its extension to the monocratic judge for a maximum period of 30 days - if necessary for the completion of the asylum procedure.

Q10. How do these authorities allocate applicants to different types of reception facilities?

Please state whether one of the scenarios below, or a combination thereof, are applicable to your (Member) State and briefly describe:

i) Capacity;

Your (Member) State assigns applicants for international protection according to capacity, e.g. your (Member) State monitors occupancy rate of each reception centre and assigns applicants accordingly.

ii) Dispersal Mechanism;

Your (Member) State applies a dispersal scheme which defines how many applicants each reception centre at national/regional/local level ought to receive (either in percentages or based on a specific quota).

iii) Type of asylum procedure;

¹⁷ For further reading on the subject, please refer to the study *Establishing Identity for International Protection: Challenges and Practices* (2012), edited by EMN Italy and available on the EMN Italy website <http://emnitaly.it/rs-30.htm>.

Your (Member) State takes into account the type of asylum procedure and assigns applicants accordingly to a specific reception facility. For example, one or more of the below is applicable to your (Member) State:

- *Applicants who fall under the Dublin II Regulation are accommodated in specific reception facilities;*
- *Applicants subject to accelerated procedures are assigned to specific reception facilities;*
- *Etc.*

iv) *Stage of asylum procedure;*

Your (Member) State takes into account the stage of the asylum procedure and assigns applicants accordingly to a specific facility. For example, one or more of the below is applicable to your Member State:

- *Applicants during the admissibility procedure - when a (multiple) application is assessed for admissibility or when a Dublin examination is carried out – are temporarily placed in specific initial/transit reception facilities;*
- *Applicants who are awaiting a first instance decision are placed in specific reception facilities;*
- *Applicants who have lodged an appeal procedure are transferred to specific reception facilities;*
- *Failed/rejected applicants for international protection are transferred to specific reception facilities.*

v) *Profile of the asylum applicant;*

Your (Member) State takes into account the profile of the applicant for international protection (e.g. special needs, nationality, or specific motives underpinning the application) and assigns applicants accordingly to a specific reception facility.

vi) *Duration of the asylum procedure;*

Your (Member) State moves applicants for international protection from one facility to another after a certain time period has elapsed.

vii) *Other criteria (e.g. family composition)?*

Please describe

The SPRAR evaluates all requests for accommodation based on the actual availability and the characteristics of applicants. The criteria taken into account are: the date of the application, the characteristics of applicants (family or single person; single women or men; single-parents; minors, whether with the family or unaccompanied), their vulnerability, the type of residence permit and the location from which the reports came. Waiting time depends on the availability of accommodation and the number of applications received¹⁸.

Being a territorial network, the SPRAR promotes the dispersion on the Italian territory, thus facilitating assistance and socio-economic integration.

Q11. Is the process for assignment of applicants to different reception facilities:

a) Laid down in legislation;

¹⁸ www.serviziocentrale.it/file/pdf/manuale.pdf.

b) Outlined in soft law/guidelines; Yes

c) *Not outlined in official documents, but there is a standard practice in place*

Q12. Provided there is sufficient capacity, does your (Member) State offer the applicant a choice for reception facility/location?

No.

Q13. a) Does your (Member) State provide for a possibility to relocate applicants for international protection to different reception facilities after initial assignment to a reception centre?

Yes.

Q13. b) If yes, which of the below criteria are applied, or a combination thereof, for relocation to a different reception centre:

- i) *Capacity/bed management issues*
- ii) *Change in family profile (e.g. birth of a child)*
- iii) *Medical or special need reasons*
- iv) *Incidents at centers which may require transfer to alternative accommodation*
- v) *Time limits (procedural-driven)*
- vi) *Programme for voluntary return to the country of origin*
- vii) *Any other reasons?*

Assignment to the chosen facility is subordinated to the actual residence of the applicant in that structure, unless the latter is transferred to another centre. This relocation can be ordered, for justified reasons, by the Prefecture – Territorial Office of the Government of the area where the facility accommodating the applicant is located.

Relocation may be ordered for various reasons: a change of the family status (like the birth of a child) or medical reasons (if the applicant is in need of specific treatments that can be only provided in a facility for vulnerable groups). Relocation can also be motivated by disciplinary reasons which prevent the applicant from staying in the reception centre.

Furthermore, the transition from the first to the second reception phase (where available) is marked by specific procedural requirements, which may also affect any relocation decision. For example, staying at a CARA centre is allowed only until the determination of the applicant's status, but this does not exclude that the foreign national (once become beneficiary of international protection) may subsequently benefit from the SPRAR network, or access projects of second reception.

Section 3 Quality: National Legislation on Material Reception Conditions

The Synthesis Report will review Member States' national legislation on basic material reception conditions (i.e. the provision of food, clothing, and financial allowance) that relate to the nature of the experience of being accommodated in a reception facility. Additionally, the Synthesis Report aims to provide an overview on some other quality criteria that relate to the nature of the experience of being accommodated in a reception facility, such as the available surface per applicant, the supervision rate (number of staff per applicant), and the possibility of leisure activities. Furthermore, to provide a more comprehensive overview of non-material reception conditions, a table is included in the Annex which will map additional rights

granted to applicants for international protection in the (Member) State's reception system as laid down in national legislation. Member States are kindly requested to fill out table 1A in Annex 1 for this purpose.

Q14. According to national legislation in your (Member) State, what are applicants for international protection who are accommodated in reception facilities entitled to in terms of the following reception conditions:

- a) Food;**
- b) Clothing;**
- c) Financial allowance.**

Please briefly describe your national legislation in relation to aforementioned material reception conditions and make reference to the relevant provisions in national legislation.

The guidelines for the reception in the SPRAR facilities are contained in the aforementioned "Operational Manual" edited by the Central Service (Q5) in harmony with the provisions of the Legislative Decree no. 140 of May 30, 2005 and its annexes¹⁹.

Food includes breakfast and two main meals. Its distribution varies according to the type and organization of the reception facility: it can be arranged internally, if within the collective centre there is a kitchen (according to the provisions laid down by local health authorities) or externally, usually by means of food stamps or through a catering service which delivers meals to the centre. Apartments, instead, operate in complete autonomy, usually through the direct distribution to the beneficiaries of either cash contributions for the purchase of food or pre-paid food stamps. Finally, some facilities (both collective and divided into apartments) implement the direct distribution of food.

Provision of clothing and footwear can be carried out by means of either direct distribution (purchase of new clothing and/or agreements with used clothes centers – in this case, clothes must be in good conditions and sterilized) or cash contributions and/or shopping vouchers. The same applies to products for personal hygiene. Some facilities provide a cash contribution for small personal expenses (the so-called "pocket money"), which is commensurate with the number of family members.

As regards the CARA (Presidential Decree no. 303/2004 – Legislative Decree no. 25/2008) and CDA (L. 563/1995) centers, the services provided are the following:

- 1) Assistance to the person
 - Linguistic and cultural mediation
 - Information on legislation
 - Barber service
 - Laundry service
 - Socio-psychological support
 - Organization of leisure time
 - Italian language teaching
 - Local Counselling
 - Information on assisted voluntary return programs
- 2) Health care
- 3) Cleaning and environmental hygiene services
- 4) Maintenance of the structure and its facilities.

Q15. Please indicate in Table 3 below for each type of reception facility in place in your (Member) State: the available surface per applicant (in square meters); the supervision rate (number of staff per applicant); and specify whether applicants have the possibility to take part in organised leisure activities.

The minimum requirements are based upon the experience gained by the National Asylum Programme established in 2001 and later merged into the SPRAR system, as well as the Legislative Decree no. 140 of

¹⁹ www.serviziocentrale.it/?Normativa&i=8&s=17.

May 30, 2005 implementing EC Directive 2003/9 which lays down minimum standards for the reception of asylum seekers in Member States, and the Ministerial Decree no. 308/2001 on minimum structural and organizational standards for residential facilities, pursuant to art. 11 of law no. 328 of November 8, 2000²⁰.

The centers must be located in inhabited places and easily accessible via public transport (thus allowing access to local services). They must have adequate and sufficient sanitation facilities in relation to the beneficiaries (an average of 1 every 6) and proportionally higher based on the number of beneficiaries wherever there is a mixed presence of men and women. The number of rooms is also proportional to the guests: a maximum of 4 people per room in medium-sized collective centers, and 2-3 people per room in the apartments.

In addition to bedrooms and bathrooms, the centers have spaces for socialization and group activities. Depending on the size of the centre, there is at least one recreation area with TV.

In Italy, neither the surface in square meters nor the number of staff per applicant are specified by law. With regard to the recruitment of the staff, however, the law requires specific professional profiles (social worker and/or psychologist; professional educator; linguistic and cultural mediator; legal counsellor and/or lawyer).

Table 3 Other quality criteria for reception facilities that relate to the applicant's experience of being accommodated in a reception facility

<i>Type of accommodation</i>	<i>Available surface per applicant in square meters</i>	<i>Supervision rate (number of staff per applicant)</i>	<i>Possibility of leisure activities? Yes/No. If yes, briefly describe</i>
<i>Collective initial/transit reception centres</i>	Not available	Not available	According to the contract signed with the Prefecture, each operator is required to allow the guests the opportunity to engage in leisure activities such as reading books, newspapers and magazines; playing board games; sports; workshops, etc.
<i>Collective open reception centres</i>	Not available	Not available	According to the contract signed with the Prefecture, each operator is required to allow the guests the opportunity to engage in leisure activities such as reading books, newspapers and magazines; playing board games; sports; workshops, etc.
<i>Special reception centers or facilities for vulnerable groups (e.g. victims of torture or specific vulnerable female applicants)</i>	For information concerning the SPRAR, please refer to the description contained in the preamble.		
<i>Special separate reception centers for unaccompanied minors</i>			

²⁰ www.serviziocentrale.it/file/pdf/manuale.pdf.

<i>Private houses or flats: arranged and paid for by competent authorities</i>			
<i>Private hotels: arranged and paid for by competent authorities</i>	Only in case of emergencies.		
<i>Individually arranged accommodation such as houses, flats, hotels and/or possibilities of staying with friends and/or family</i>	Data not recorded by the authorities, because individually managed by applicants.		
<i>Other premises for the purpose of accommodating applicants for international protection which are arranged and paid for by the competent authorities</i>	Not available	Not available	According to the contract signed with the Prefecture, each operator is required to allow the guests the opportunity to engage in leisure activities such as reading books, newspapers and magazines; playing board games; sports; workshops, etc..

Q16. Has your (Member) State developed guidelines or a handbook in relation to the reception offered to applicants for international protection?

Yes. The SPRAR has developed a series of operational manuals containing useful guidelines for the organization of the System's reception facilities hosting asylum seekers and other categories of beneficiaries. Below is a detailed list of the manuals prepared by the SPRAR:

- Operational manual for the activation and management of reception and integration services for applicants and beneficiaries of international protection ([pdf](#));
- Operational manual – update of November 2011, Legal counselling ([pdf](#));
- Operational Manual - Update of September 2010, Reception of applicants for and beneficiaries of international protection with mental illness ([pdf](#));
- Manual for SPRAR Database Users ([pdf](#));
- Single Handbook for SPRAR Reports ([pdf](#)).

In addition, several studies and guidelines on the Central Service and the Protection System, as well as forms and other approved local projects are available for download on the dedicated web page of the Documentation Centre of the SPRAR²¹.

Q17. What control mechanisms are in place to ensure that reception conditions are provided according to the standards specified in national legislation or other protocols/regulations?

As already mentioned in Section 1, the Central Service – the operational structure created by the Ministry of Interior with the Law no. 189/2002 and entrusted by agreement to the National Association of Italian Municipalities (ANCI) – is in charge of disclosing information, providing counselling and technical assistance, promoting and monitoring the reception conditions of applicants for international protection. In addition, the SPRAR produces detailed annual reports on the Italian reception system for asylum seekers. It also provides updated statistical summaries including all the local projects started during the period under

²¹ www.serviziocentrale.it/?Documenti&i=7.

review. These documents are also available for download on the web page of the Documentation Centre of the SPRAR, together with useful examples of good practices drawn from successful local projects.

The CDA and CARA are organized by the Central Directorate for Immigration and Asylum Policies of the Ministry of Interior. The Prefectures monitor and manage these centers through agreements with local contractors (institutions, associations or cooperatives). Starting from 2013, special mixed Commissions have been created in each Centre with the participation of representatives of the partners of the “Praesidium” project²², with the purpose of monitoring the compliance with management standards.

Q18. Has there been a public debate about the quality of reception facilities in your Member State in the period from 2008 onwards - to date?

(Yes/No). If yes, please describe the parties involved and their main arguments.

The public and political debate focused on the heterogeneity of the different reception systems and the consequent fragmentation of the various paths of integration aimed at facilitating the social inclusion of asylum seekers. Such debate was particularly intense in 2011, when the amount of landings due to the political turmoil in North Africa led to a significant increase in the number of applications for international protection (tripled compared to the previous year). This deeply affected the whole Italian reception system. From the very beginning, several organizations have been involved in order to overcome the state of emergency (UNHCR, IOM, the Italian Red Cross); additionally, by Order no. 3933 of the President of the Council of Ministers of April 13, 2011, the Department of Civil Protection was commissioned to carry out all the necessary actions to deal with the emergency. Reception of applicants for international protection continued to be carried out by the Central Service of the SPRAR, but the coexistence of these two systems has led to a diversification of operations and a stratification of the reception systems.²³ In response to the need to combat irregular migration, several measures have been implemented to strengthen the cooperation between the Central System and the Civil Protection, such as, for example, the monitoring of attendance and services provided by the various reception facilities, through the use of the SPRAR database.

Q19. Does primary research exist in your Member State, evaluating the quality of reception facilities?

(Yes/No). If yes, please indicate the source and the outcome.

Numerous studies on the quality of reception facilities have been conducted by the Italian academic community and third sector organizations involved in assisting asylum seekers, mostly at a local level.

At the institutional level, the publication in 2007 of the Report of the Commission on the evaluation and strategies regarding immigration detention centers, chaired by Ambassador Staffan De Mistura, is also noteworthy²⁴. This Report became the basis for a review of the reception and detention system as a whole, with particular attention to vulnerable groups such as asylum seekers.

Subsequently, Doctors Without Borders conducted an investigation on the various types of reception centers for immigrants and asylum seekers, (“Beyond the Wall”, published in January 2010)²⁵. This study revealed the difficulty of large reception facilities in guaranteeing individual paths of assistance, as well as the persistence of a welfarist or emergency approach. Small Centers, instead, were found to be more efficient in taking care of applicants.

The Report on the state of human rights in prisons, reception and detention centers for immigrants in Italy,

²² The project, operational since 2006, is aimed at strengthening reception in order to deal with migration flows by sea, which are affecting the Southern border of Italy. The project was launched by the Ministry of Interior, in collaboration with the International Organization for Migration (IOM), the Italian Red Cross (CRI) and, since 2008, with Save the Children Italia.

²³ EMN Italy (edited by), Annual Policy Report 2011. Cf. <http://emnitaly.it/rs-29.htm>.

²⁴ www.interno.gov.it/mininterno/export/sites/default/it/assets/files/1/2007131181826.pdf.

²⁵ www.medicisenzafrontiere.it/Immagini/file/pubblicazioni/ITA_abstract_aldila_muro.pdf.

edited by the Extraordinary Commission for the Protection and Promotion of human rights of the Italian Senate (published in March 2012), is of particular interest²⁶. According to the Report (p. 122-123): “the UNHCR, while expressing its appreciation for the improvements made to the first reception system, highlighted several problematic issues in need of a permanent solution. The ordinary reception system should have a sufficient number of allotments available, in order to be able to flexibly respond to extraordinary migratory pressures. The ordinary accommodation capacity, in fact, is still insufficient”.

In general, all the studies have highlighted the need to overcome a reception system being managed in few large facilities, and follow the decentralized approach of the current SPRAR system, with small reception projects spread throughout the country. The model suggested by multiple sources, therefore, is that of the so-called “integrated reception”, to be carried out in cooperation with local authorities and the social sector.

The National Coordinating Committee, which was established to overcome the North-Africa emergency, gathered on April 24, 2013. During this meeting, in order to provide continuity and full implementation of the commitments undertaken in both the Joint Document signed by the Regions, the UPI (Union of Italian Provinces) and the ANCI on July 25, 2012 and the “Guidelines for overcoming the North-Africa Emergency” – which was countersigned during the Joint Meeting on September 26, 2012 – it was agreed to prepare a new guideline document for the transition to the ordinary management of unplanned migration flows (applicants/beneficiaries of international protection and unaccompanied foreign minors).

The new document adopted at the next meeting of May 8th – which was sent to the Joint Conference in order to confirm the agreement – sets the following lines of action:

- standardizing reception systems for applicants/beneficiaries of international protection present in Italy in order to make them similar to the SPRAR model (which is considered a best practice also at a European level), thus providing the country with a “system” that, with its ordinary means, is able to respond even to unplanned migration flows;
- implementing short-term reception centers (HUB) in close collaboration with the SPRAR, as a first priority;
- making the National and the Regional Coordinating Committees as permanent inter-institutional instruments of governance, as already tested during the “North-Africa Emergency”.

Section 4 Flexibility

The Synthesis Report will analyse the flexibility of reception facilities in (Member) States vis-à-vis the fluctuating and/or sudden influxes of applicants for international protection. (Member) States are asked to provide figures or estimations on the total number of applicants entitled to reception, the total number of applicants accommodated in reception facilities, as well as figures or estimations on the maximum capacity and average occupation rate of reception facilities. (Member) States are asked to describe whether they have experienced any (disproportionate) pressure on their reception systems during 2008-2012 and are asked to provide an overview of the different flexibility mechanisms that they have in place and/or have applied. The Synthesis Report will aim to identify good practices of (Member) States in handling (disproportionate) pressure on their reception system, and where relevant, reference will be made to the use (and effectiveness) of flexibility mechanisms.

Q20 Please fill out the national statistics in Table 4 below:

Table 4 National statistics on flexibility

	2008	2009	2010	2011	2012
Total number of	34.145	17.670	10.050	34.115	17.350

²⁶ www.cestim.it/argomenti/25cpt/2012_commissione_straordinaria_senato_rapporto_diritti_umani_carceri_centri_accoglienza.pdf.

applicants entitled to reception					
Total number of applicants accommodated in reception facilities	Not available	CPSA 2.216 CDA & CARA 12.179	CPSA 405 CDA & CARA 9.511	CPSA 56.612 CDA & CARA 25.162	CPSA 7.451 CDA & CARA 10.159
Maximum number of applicants that could be accommodated in reception facilities	Not available	6.443	4.373	5.116	5.516
Average occupation rate in reception facilities	N.a. Usually, available accommodations are fully occupied during the year.				

Q 21. Please describe any pressure that your (Member) State may have experienced in relation to the reception of applicants for international protection during the period 2008-2012 and briefly explain possible reasons for such pressure. (Note that annual statistics from Eurostat on the number of applications for international protection, first decisions, etc. over the years 2008-2012 will be incorporated in the relevant section of the Synthesis Report. Hence, if relevant, you may refer to a period of pressure by comparing the number of applications with the capacity of your (Member) State's reception system).

Statistics from Eurostat show that during the period 2008-2012 the number of applications for international protection was not consistent, because deeply influenced by the geopolitical context. Forced migration flows, by their very nature, are in fact very unpredictable and particularly changeable.

While in 2008 the applications submitted were 31.145, in 2009 they dropped by 16,475 units, a number in stark contrast to the upward trend of the previous years. This decrease can be attributed to the restraining policies implemented in the Strait of Sicily between Italy and Libya, and particularly the practice of rejections at sea, which led to a sharp decline in landings. The downward trend continued in 2010, when asylum applications were just above 10.000. In 2011, the events of the so-called "Arab Spring" greatly affected the national asylum system, so much so that applications submitted during the year more than tripled (34.115), recording a flow comparable only to that of 2008, in the middle of the emergency landings. Entry flows decreased by 49% during 2012, the last year available.

On the basis of statistical data, 2008 and 2011 were the years with the highest migratory pressure towards Italy.

After all, Italy's location makes it particularly exposed to flows of asylum seekers from the Mediterranean basin. Favourable weather conditions, as well as certain political circumstances in the countries of origin, make the phenomenon of landings along the Southern coasts recur cyclically. In order to cope with this situation and ensure access to applicants for international protection, various kinds of flexibility mechanisms in the reception system have been developed over the years. We will examine them in the following paragraph.

Q 22. Which flexibility mechanisms are foreseen and/or have been used in case there are shortages or surpluses in reception facilities? Please answer this question by indicating in Table 5 below whether any of the below mechanisms exist in your Member State and whether they have been actually used:

Table 5 Flexibility Mechanisms

EMN Focussed Study 2013:
The Organisation of Reception Facilities for Asylum Seekers in different Member States

Type of mechanism	Does this exist in your (Member) State? (Yes/No)	If yes, please describe	Has this mechanism been used? (Yes/No) If yes, please describe
Early warning mechanism (including any software programmes monitoring capacity and occupancy in reception facilities)	Yes	The SPRAR database allows the monitoring of attendance, available allotments, services provided and characteristics of the beneficiaries, in order to manage the reception network.	The database is used on a daily basis.
Additional reception centers acting as buffer capacity	Yes	In case of extraordinary migration flows, Italy intervenes with special measures, such as the creation of new allotments and the increase of the budget for reception activities.	This mechanism has been used on several occasions. For example, within the SPRAR, by the Order of the President of the Council no. 3965 of September 21, 2011 and law no. 26 of November 23, 2012, 2.400 additional allotments (made available by local authorities) have been funded in favour of applicants for international protection.
Emergency plans			
Budget flexibility (to in-or decrease the budget when necessary)			
Employing more case-workers to speed up decision-making	The decision-making process regarding international protection is not connected to the reception system, as it is managed by different authorities.	-	-
Fast-tracking procedures	Yes	The Directive on Asylum Procedures and its implementing Decree introduced the “priority review” cases which, while maintaining the necessary assessments of the applications in question, are characterized by a certain procedural streamlining.	This is the case of applicants accommodated in CARA centers, as per art. 20 of the Legislative Decree no. 25/2008.
Application of different standards/modalities of reception conditions in emergency situations	Yes	In emergency situations, reception can also be arranged in hotel facilities.	Such modality of reception was used for the management of migration flows

			during the “Arab Spring” in 2011.
Provision of financial vouchers/allowance to cover costs of private accommodation	No	-	-
Review for specific categories of applicants who obtain priority access to reception	Yes	Priority access to reception facilities is guaranteed to vulnerable groups. This is an ordinary practice, and is not necessarily due to emergency situations.	Ordinary practice.
The use of excess space for other purposes	No	-	-
Other?	-	-	-

Q 23. Please indicate best practices in handling (disproportionate) pressure as well as ability to adjust to fluctuating numbers of applications over time. Where possible, please refer to the use (and effectiveness) of any of the aforementioned flexibility mechanisms.

The management of the North-Africa Emergency is a recent example of good practice adopted by Italy in case of very large flows of asylum seekers. In 2011, Italy introduced a specific form of protection for refugees entering the country as a result of the political instability of the so-called “Arab spring”, which deeply affected the area of North Africa and the Maghreb and caused new migratory flows along the Mediterranean route. In case of “humanitarian emergencies, conflicts, natural disasters or other particularly serious events in countries outside the European Union”, it is provided for that the President of the Council of Ministers may adopt measures of “temporary protection”²⁷ (a mechanism already adopted, for example, during the Kosovo crisis of 1999).

As regards, specifically, the reception system and the operational management of new migratory flows, the Council of Ministers, in extraordinary session, proclaimed the state of humanitarian emergency (DPCM of February 12, 2011²⁸). The subsequent Order of the President of the Council of Ministers of February 18, 2011²⁹ established “urgent civil protection measures to address the state of humanitarian emergency in Italy in relation to the exceptional inflow of immigrants from North African countries, as well as manage the inflow of citizens from non-EU countries”.

The “Plan for the Reception of immigrants” is the official document defining the operational response to the emergency by the National Civil Protection System. The objective of the Plan was to provide initial reception, ensure an equitable distribution of the beneficiaries throughout the territory and provide assistance to refugees. To this end, the Plan – effectively implemented since April 15, 2011 – defined the procedures and responsibilities assigned to the various actors involved: the Department of Civil Protection, Regional Administrations and Autonomous Provinces, Local Authorities and other members of the national system. This document proposed a decentralized model of reception in order to ensure assistance – in dedicated facilities – to a maximum of 50.000 immigrants who entered Italy between January 1st and April 5th 2011. It also established that health care and basic assistance were also to be provided to foreign nationals who arrived later on.

Various regional plans for the implementation of assistance measures at the local level derived from this National Plan. The distribution on the national territory was based on the principle of equitable distribution

²⁷ Art. 20 of the Legislative Decree 286/98, “Misure straordinarie di accoglienza per eventi eccezionali”.

²⁸ www.protezionecivile.gov.it/resources/cms/documents/DPCMdel1222011AfflussocittadiniNordAfrica.pdf.

²⁹ [www.interno.it/mininterno/export/sites/default/it/assets/files/21/0253_ordinanza_18_febbraio_2011.pdfhttp://212.14.136.135/dipim/site/it/documentazione/pubblicazioni/Asilo/Pubblicato il DPCM 5 4 2011 permessi t emporanei 6 mesi prot umanitaria.html](http://www.interno.it/mininterno/export/sites/default/it/assets/files/21/0253_ordinanza_18_febbraio_2011.pdfhttp://212.14.136.135/dipim/site/it/documentazione/pubblicazioni/Asilo/Pubblicato%20il%20DPCM%205%204%202011%20permessi%20temporanei%206%20mesi%20prot%20umanitaria.html).

and modularity, by dividing the number of expected migrants in multiple groups of 10 thousand units to be assigned to the different regions, according to the so-called “d factor” (i.e., the percentage of total population in each region compared to the national total, based on data from Istat - 2010 Census).

After the definition of the action plan (which included a census of immigrants landed in Italy and the activation of emergency facilities), the Decree of the President of the Council of Ministers of April 5, 2011³⁰ authorized temporary protection (by issuing a residence permit for humanitarian reasons, valid for 6 months) in favour of citizens from North-African countries arrived in Italy from January 1, 2011 until midnight of April 5, 2011.

Further orders of the President of the Council of Ministers were issued in order to improve the national strategy. The state of emergency was subsequently extended by providing extraordinary reception and assistance services, in order to continue protecting the North-African refugees involved. During the hearing of November 27, 2012³¹, Minister Cancellieri outlined the reception measures implemented as of that date: just over 2.000 people were hosted in the Sicilian Reception Centre of Mineo, and more than 6.200 in first reception centers and centers for asylum seekers (CARA, CDA, CPSA).

On September 26, 2012 the government, the regions and the local authorities countersigned the “Guidelines for overcoming the North-Africa Emergency”, a document containing lines of intervention and financial planning³². The Order of the Head of the Department of Civil Protection (OCDPC) no. 33 of December 2012³³ declared the end of the state of humanitarian emergency, and the return to the ordinary management by the Ministry of Interior and the other competent authorities.

³⁰http://212.14.136.135/dipim/site/it/documentazione/pubblicazioni/Asilo/Pubblicato_il_DPCM_5_4_2011_per_messi_temporanei_6_mesi_prot_umanitaria.html.

³¹www.interno.gov.it/mininterno/export/sites/default/it/sezioni/sala_stampa/interview/Interventi/2099_500_ministro/2012_11_27_senato_diritti_umani.html.

³² EMN Italy (edited by), *Annual Policy Report 2012*, Rome, 2013.

³³www.protezionecivile.gov.it/jcms/it/view_prov.wp.jsessionid=E33146F58F376C1DBEADE963A766DCF8?contentId=LEG37002.

Section 5
Efficiency
(Maximum 2 pages)

The Synthesis Report will provide an overview of the costs of the current reception facilities provided in the (Member) States, as well as the median and interquartile ranges of the duration of an applicant's stay and average occupancy rate in reception facilities. In Table 6 below, Member States are requested to fill out information on the total costs of reception, split up in direct and indirect costs, and Dublin and non-Dublin cases. (Member) States are kindly asked to also explain what is covered by such costs.

The aim is to start collection of such statistics to gain an insight into what is covered under the total costs of reception in different Member States. The Synthesis Report will not aim to compare reception costs between Member States due to the complexity involved (e.g. Member States include different services under costs).

Q24. Please fill in the national statistics Table 6 below (please provide figures or, if not possible, estimates thereof):

Table 6 National Statistics on Efficiency

	2008	2009	2010	2011	2012
National budget allocated to the reception of applicants for international protection	The reception system for applicants of international protection does not allow a breakdown based on the costs incurred in favour of asylum seekers or beneficiaries of refugee status/subsidiary protection. The same applies to indirect costs, because the items of expenditure falling within public services provided to asylum seekers (such as education or health care) cannot be evaluated individually. For a detailed analysis of the available funds, please refer to the following paragraph (Q25), which contains a review on the topic at the national level.				
Total costs of reception					
Total direct costs					
Total indirect costs					
Total costs of reception including Dublin cases					
Total costs of reception excluding Dublin cases					
Inflow of new applicants to reception facilities	n.a.	n.a.	n.a.	n.a.	n.a.
Inflow/return of applicants who have temporarily left a reception facility	n.a.	n.a.	n.a.	n.a.	n.a.
Outflow of applicants from reception facilities, who do not return later	n.a.	n.a.	n.a.	n.a.	n.a.
Share of applicants in reception facilities who have received a	n.a.	n.a.	n.a.	n.a.	n.a.

final decision on their application					
Median³⁴ range of an applicant's stay	n.a.	n.a.	n.a.	n.a.	n.a.
Interquartile³⁵ ranges of an applicant's stay	n.a.	n.a.	n.a.	n.a.	n.a.

Q25. Are cost (estimations) available for the flexibility mechanisms used in your Member State (see Question 22)?

As already highlighted, the reception of asylum seekers in Italy is based on specific integration projects implemented at the local level and funded through the National Fund for Asylum Policies and Services (FNPSA). During 2011-2013, the Ministry of Interior has approved 151 projects, for a total expenditure of almost €35 million a year (80% funded by the FNPSA and 20% by local authorities), divided into 3 categories of beneficiaries:

- Psychiatric cases € 453,988.23 (local authorities) - € 1,476,017.39 (FNPSA)
- Vulnerable cases € 2,282,682.22 (local authorities) - € 6,972,183.65 (FNPSA)
- Ordinary cases € 7,956,422.88 (local authorities) - € 26,719,354.15 (FNPSA).

Additional services and complementary activities were offered at no additional cost by local charitable organizations.

Furthermore, starting from the period 2008-2013 the European Refugee Fund - FER III (established by Decision 573/2007/EC) was no longer used for the institutional reception activity (now being carried out by the SPRAR), but for complementary and integrative activities, in addition to the above-mentioned funds.

The following funds have been allocated between 2008 and 2013:

- For 2008, €2,821,520.30 (€7,088,000.00 allocated for emergency measures);
- For 2009, €4,470,815.00;
- For 2010, €7,202,618.28;
- For 2011, €8,224,535.43 (€11,616,000.00 allocated for emergency measures);
- For 2012, €6,992,321.00 (€5,000,000.00 allocated for emergency measures).
- For 2013, €6,858,797.00 (estimate that needs to be confirmed by the European Commission).

In addition, each year the Ministry of Economy may also distribute a percentage of the “Eight per Thousand” of the Personal Income Tax (IRPEF) to support extraordinary assistance measures for refugees. In 2011, the funds for the assistance of refugees amounted to €12,826,864.06. The following year, however, these funds – initially equal to about 145 million euro – were assigned to the Civil Protection (for the increase of the fleet of fire-fighting aircrafts) and prison building.

A different item of expenditure is represented by asylum seekers admitted to Reception Centers for Asylum Seekers (CARA) for the following reasons: identification purposes (20 days maximum); avoidance of border controls; irregular stay; submission of the asylum application after the expulsion or refusal (35 days max.). The Legislative Decree no. 25 of January 25, 2008, implementing Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status, determined that the costs of this reception activity, starting from 2008, amounted to €12,218,250.

³⁴ The median is the numerical value separating the higher half of the distribution of the lower half (middle value).

³⁵ The interquartile ranges refer to the value of the first quartile (25 percentile) and the third quartile (75 percentile) in a distribution.

As regards indirect costs, the items of expenditure falling within public services provided to asylum seekers (such as education, health care, etc.) cannot be evaluated individually. Furthermore, with the exception of the CARA, the SPRAR centers also host refugees and beneficiaries of subsidiary and humanitarian protection, and the CDA/CPSA host the broader category of migrants. With regard to costs, breakdowns by type of beneficiary are not available, not even for Dublin cases. Therefore, estimating the total planned expenditure for the reception of asylum seekers is impossible.

Q26. What is the tolerance time for extended stay of applicants in reception facilities who have already received a final decision on their application?

The periods of stay within the SPRAR facilities are the following: six months in case of refugees and beneficiaries of subsidiary or humanitarian protection; six months from the date of notification of the Territorial Commission's decision granting international protection, if the beneficiary entered the SPRAR as an asylum seeker. An extension of the period of stay for beneficiaries of subsidiary or international protection may be granted in exceptional circumstances (duly motivated), also in relation to integration processes already started or demonstrable needs.

In the case of a negative decision by the Territorial Commission, for the duration of the appeal proceedings the applicant for international protection may remain accommodated; the same applies in the event that his/her physical condition does not permit him/her to engage in an occupation, pursuant to art. 11, par. 1 of the Legislative Decree 140/05.

With regard to the CARA, however, since these centers are dedicated exclusively to asylum seekers, they must leave the facility once their status has been defined.
An extension can be requested.

Section 6
Conclusions
(Maximum 2 pages)

This Section will outline the main findings of the Study and present conclusions as to what extent the organisation of the reception system impacts on the flexibility, efficiency, and quality of reception facilities.

Q27. Please summarise the organisation of reception facilities in your (Member) State, indicating main strengths and weaknesses (please specify any evidence for these findings)

The development of the Italian reception system is strongly linked to the practical experience gained over the last decades, mainly due to Italy's proximity to areas affected by conflicts – a factor which caused a large and often sudden and unexpected increase - and decrease - in the number of arrivals (See Q21 and Section 4).

The Italian current reception system has been developed to cope with the alternation between “calm” periods and periods characterized by “substantial migratory flows”; thanks to its flexibility, it is capable of responding to particular migratory pressures and the need to support reception with integration services.

The current reception system consists of two parallel subsystems, with an additional subsystem that is activated in case of emergency: large reception centers (CDA, CPSA, CARA) are run by the central authorities, while the vast network of the social and private sector headed by the SPRAR – which is coordinated by the ANCI – develops and carries out small and medium projects, by providing specific services and individual paths of reception and integration. In addition to these two systems, which constitute the so-called model of “integrated reception”, there is a third parallel system, managed by the Civil Protection, but only in the event of a declared emergency situation (for details on the reception system, please refer to Section 1).

The main strength of the national reception system lies within its heterogeneity and extreme flexibility. However, these characteristics also represent its main challenge from an organizational standpoint, since EU legislation requires an even greater flexibility. Furthermore, evaluating and controlling the range of services offered in the various centers – as well as the fragmentation of the paths of integration – is quite a complex task. Moreover, extraordinary situations, which Italy must often deal with, make financial planning very difficult.

Q28. Please summarise whether your (Member) State has experienced pressure on its reception facilities (in terms of both in-and outflow, and duration of the processing time of applications) and indicate what measures have been most successful in handling such pressure

As a result of its geographical location, Italy is particularly exposed to strong and often unpredictable migratory pressures, which clearly affect the whole reception system. In order to deal with this situation, a flexible reception system ensuring international protection to asylum seekers has been developed. It is able to carry out its functions during humanitarian emergencies (even through extraordinary measures), and is based on both the possibility of issuing specific financial and organizational measures, and, on the other hand, the presence of a vast network of organizations and sectors of various nature which can be quickly activated during a crisis. In this regard it is worth noting the involvement of the third sector and volunteering entities, which are able to quickly react to unexpected migration dynamics. In particular, the distribution of asylum seekers across the country is a very effective measure.

As described in Section 4, between 2008 and 2012 Italy experienced alternating periods of growth and decline, partly as a consequence of the migration policies implemented during that period – a good example of which is the specific form of protection for the refugees who entered the country during the so-called “Arab Spring” in 2011 (see point Q23). At the same time, a modular organizational structure was realized thanks to the involvement of the national Civil Protection. This guaranteed – in addition to health care and first reception – an equitable distribution of the beneficiaries throughout the country, thus avoiding saturation in some specific areas.

The “Italian system” has been perfected through the strengthening of voluntary reception initiatives by the social sector, which have been increasingly supported by the state (especially the Ministry of

Interior) as well as by local and regional authorities. The effectiveness of the reception system can be improved in the light of the innovative and interesting elements introduced during the “North-Africa Emergency”, such as the regional (and even provincial) burden sharing; the involvement of the Regions; the creation of “embryonic” mechanisms for national and local monitoring, etc.

The complexity of the problem and the heterogeneity of interventions highlight the need for coordination, at both the national and regional level, in order to ensure synergy between the various initiatives, enhance positive experiences and avoid overlapping of similar or identical initiatives.

Q29. Please describe best practices in controlling costs of reception facilities whilst ensuring quality (maximum half a page)

In a country like Italy, where the intensity of migration flows varies over time, the reception system is structured and flexible, and involves many organizations which carry out projects of different nature and size. In this context, ensuring uniformity and equality in the provision of services in all the reception facilities is a major challenge. For these reasons, along with the reception system itself, cost planning also needs to be flexible, in order to ensure the provision of extraordinary services and accommodations in case of necessity (in addition to ordinary measures).

As described in point Q3, the evaluation of the quality standards of the services provided in the large “initial” reception centres (CPSA, CDA, CARA, CIE) is conducted by the Prefecture – Territorial Office of the Government, whereas the SPRAR projects are monitored by the Department for Civil Liberties and Immigration (through the Central Service).

Annex 1 Reception Conditions in different Reception facilities

Please fill out the table below concerning the rights granted to applicants for international protection as laid down in national legislation in different reception facilities.

Table A1.1 Reception conditions in different reception facilities

	Collective initial/transit reception centers	Collective open reception centres	Special reception centres/facilities for vulnerable groups	Special separate receptions centers for UAMs	Private houses or flats ³⁶	Private hotels ³⁷	Individually arranged accommodation ³⁸	Other premises	Comments
Food	X	X	X	X	X	X		X	All reception facilities provide food through canteen services, food stamps or direct food distribution.
Clothing	X	X	X	X	X	X		X	Provision of clothing is carried out by means of direct distribution (purchase of new clothing and/or the signing of agreements with used clothes centers – in this case, clothes must be in good conditions and sterilized) or through cash contributions

³⁶ Arranged and paid for by competent authorities.

³⁷ Arranged and paid for by competent authorities.

³⁸ E.g. houses/flats/hotels and/or staying with friends and family.

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									and/or shopping vouchers.
Financial allowance		Only in some collective centers managed by the SPRAR	X	X	X	X			Some of the SPRAR projects provide a cash contribution for small personal expenses, which is commensurate with the number of family members.
Emergency health care	X	X	X	X	X	X	X	X	Urgent health care is guaranteed to all foreign nationals, including irregular immigrants.
Medical care	X	X	X	X	X	X	X	X	Asylum seekers and their families included in reception services are automatically registered in the Italian National Health Service. Registration is compulsory.
Psychological care	X	X	X	X	X	X	Asylum seekers who live independently can use the psychological services of a counselling centre (for free) or those of the nearest local health authority (the first sessions are free, then a ticket needs to be paid). There are several free health	X	Psycho-social assistance is provided in both the CARA and the SPRAR centers. Furthermore, many organizations provide free psychological assistance to asylum seekers and refugees.

							services throughout the territory which are managed by private social organizations and reserved to asylum seekers and refugees.		
Free legal assistance	X	X	X	X	X	X	In order to obtain free legal aid, if the applicant lives alone, his/her income must not exceed €9,296.22. This amount increases proportionally in the case of cohabitation with other family members.	X	Free legal advice is provided by reception centers and also by various associations operating in the territory. People in financial difficulty can get legal aid at state expense.
Interpretation services	X	X	X	X	X	X	Cultural mediators are now a reality in many public offices (immigration offices of the police headquarters, municipalities and districts, one-stop shops for the public, schools, hospitals, etc.). Any migrant, including those who are not staying in reception centers, can use the services provided	X	Cultural and linguistic mediation is available in the various reception facilities, but service provision (languages available, times, etc.) may vary according to the project.

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							by this professional figure.		
Access to education	X	X	X	X	X	X	X	X	The right to compulsory education (6-16 years) is always guaranteed.
Access to vocational training			X	X	X	X	X	X	Asylum seekers over 18 have the right to access to vocational training courses.
Access to employment (after which period of time?)			X	X	X	X	X	X	The asylum seeker can work after 6 months from the filing of the application. The residence permit is labelled "Asylum request – this permit allows the holder to engage in an occupation, pursuant to art. 11 of the Leg. Dec. 140/2005"; it has a validity of 6 months, thus allowing the applicant to work until the end of the examination procedure.
Other? Please add	-	-	-	-	-	-	-	-	-