



Rights are not an expense..

Lunaria

Rights are not an expense

Rights are not an 'expense' is a research/action-based project conducted by Lunaria about public expenditure linked to immigration in Italy. We produced three reports:

The first one, ***An inhuman cost***, *Public spending to combat illegal immigration*, looked at national and EU funding used to implement **rejection policies**.

The second one, ***Segregation at a price***. *The cost of 'traveller camps' in Naples, Rome and Milan*, drew up an estimate of the **public funding involved in running Roma camps** in three major Italian cities.

The third one, ***Rights are not an 'expense'***, explores the social cost of immigration in Italy and studies public investment to promote reception and social inclusion policies for migrants in Italy.

The english summary of the reports are available on line here:

http://www.lunaria.org/wp-content/uploads/2013/07/Inhuman_cost.pdf

<http://www.lunaria.org/wp-content/uploads/2013/10/segregation.pdf>

http://www.cronachediordinariorazzismo.org/wp-content/uploads/rights_are_not_expense.pdf

Why?

In 2013 there were more than **4 million, 387 thousand** foreign nationals residing in Italy, amounting to **7.4%** of the total population residing on national territory. Over 85% of them come from countries that lie outside the EU.

More than **1 million, 700 thousand** are in possession of a regular permit to stay (short term), while more than **2 million** are classified as permanent residents (long term resident).

The relationship between immigration, the economic system and welfare is used by some political movements and parties to fuel intolerance and hostility towards those who were born abroad.

We must then attempt to analyse it in the most systematic manner possible to orient the public debate (and public policies) on the correct way.

Questions

With our research we have set out to answer **three main questions**:

- does immigration really represent a **'risk'** for the sustainability of our economic and welfare system?
- Is there some **unequivocal empirical foundation** for the discriminatory measures adopted at a local level which seek to limit foreign citizens' access to certain social services?
- And, lastly: are the migration and immigration policies implemented to date **the best and most 'sustainable' solution** in terms of the **stability of public funding**?
- Based on the data and information collected, we have answered all the above questions in the negative.

Obstacles

The issue is a complex one:

- the **fragmentation of responsibilities** among various Ministries
- the **lack of transparency** in the management of resources mentioned in the budget
- the **limited number of financial reports** available
- the **reluctance of the relevant authorities** to provide detailed data

make it difficult – according to the Italian Court of Auditors – to compile an exhaustive record of public resources allocated to policies aimed at combating illegal immigration.

Sources

The research is based on the analysis of :

1. official documentation issued by Italian, EU and international institutions:

- budgetary statements and documents
- Budget plans of main relevant European Funds
- laws
- regulations
- guidelines
- directives
- reports
- Parliamentary acts

2. reports published by research centres and civil society organisations.

The “rejection” policies: the object

The object of our analysis

- the Italian system for combating illegal immigration;
- the public spending on sea and land border control;
- the deportation policies;
- the resources allocated to the running of Identification and Expulsion Centres (CIEs)
- the cooperation policies with tertiary countries to prevent illegal immigration.

These are in fact the main areas covered by legislation on illegal immigration in Italy, an approach which is largely influenced by the European Union (EU) agenda.

The rejection system: the priorities

Since the '90s, and particularly since the adoption of the first organic law on the subject in 1998 (L. 40/98), Italy developed a system of migratory policies **the foremost priority of which is to control and contain migratory flows.**

- Closing and militarising land and sea borders,
- deporting and pushing migrants back to their countries of origin,
- building detention centres geared at making expulsions more effective,
- developing cooperation and readmission agreements with migrants' countries origin and
- tightening the mechanisms of legal entry into Italian territory

are the fundamental facets of these policies.

The rejection system: the “results”

However, **the targets of these measures were not met:** between 1986 and 2009 more than **one million six hundred thousand foreign nationals (1,661,291)** were issued with a residence permit through various ad-hoc “regularizations” **after entering** the country.

This number appears even more significant when compared to the number of “**illegal**” immigrants **detected within Italy by law enforcement authorities: 576,861** between **2005 and 2012**, in a decreasing trend in the course of time (119,923 in 2005 and only 35,872 – less than half the number – in 2012).

Among 2005-2012, the total percentage of **migrants expelled from the national territory** (turned back at the border or issued with expulsion orders) amounts to **40.5%** of those detected by the Police lacking permit to stay.

The rejection system: the “results”

Figures bear witness to the fact that there is in Italy **an extremely high number of migrants living on Italian soil without a residence permit** who will remain invisible until they are given a chance to **regularise their status.**

There is then a **big gap** between

- how policies to combat illegal immigration are **represented and sold to the public** by governments,
- the **procedures adopted** to implement them
- and the **concrete results** achieved.

The rejection system: the expense

On the basis of our research, in **Italy funding for reception and social inclusion policies** accounts for **0.017%** of overall public spending, as opposed to the **0.034%** that goes towards rejection policies.

Among 2005 and 2012 ordinary funding for reception and social inclusion policies for immigrants average around **123.8 million euros** a year, approximately **half** of that which goes towards rejection policies – around **247 million euros** a year.

The rejection system: the expense

Between **2005 and 2012** Italy has spent **at least 1,668 billion €** of national and EU resources for

- the **control of external borders,**
- the development of **technological devices** to improve migrants' surveillance and identification,
- the implementation of **repatriation programmes,**
- the management of the irregular migrants' centres,**
- the **cooperation against irregular immigration with Third Countries.**

The rejection system: the expense in detail

Table 8 Public funding for policies to contrast illegal immigration

Type of funding	Reference period	National funds	EU funds	Total	Average yearly funding
European Fund for External Borders	2007-2012	165,545,212	166,303,269	331,848,481	55.308.080,17
PON	2000-2006	55,540,173	55,540,173	111,080,345	15.868.620,71
European Repatriation Fund	2008-2012	34,654,527	26,099,691	60,754,219	12.150.843,80
CIE, CPSA, CDA, CARA	2005-2011	1,013,968,194	0	1,013.968,194	144.852.599,14
Cooperation with Third Countries	2005-2012	117,675,520	33,387,087	151,062,607	18.882.825,88
TOTAL		1,387,383.627	281,330,220	1,668,713,847	247,062,969.70

Source: Lunaria (ed.), An inhuman cost. Public spending to "tackle illegal immigration"

The rejection system: the expense in detail

331.8 millions € for the external borders' control;

111 millions € have been spent for new technologies, identification and communication systems within the “Security for the Development of Southern Italy” National Operational Programme;

60.7 millions € have been allocated through the European Repatriation Fund,

over 1 billion € earmarked for the building, functioning, management and upkeep of Identification and Expulsion Centres (CIE), First Aid and Shelter Centers (CPSA), Hosting Centres (CDA), Asylum-seekers and Refugees Hosting Centres (CARA);

151 millions € have funded immigration cooperation projects with Third Countries.

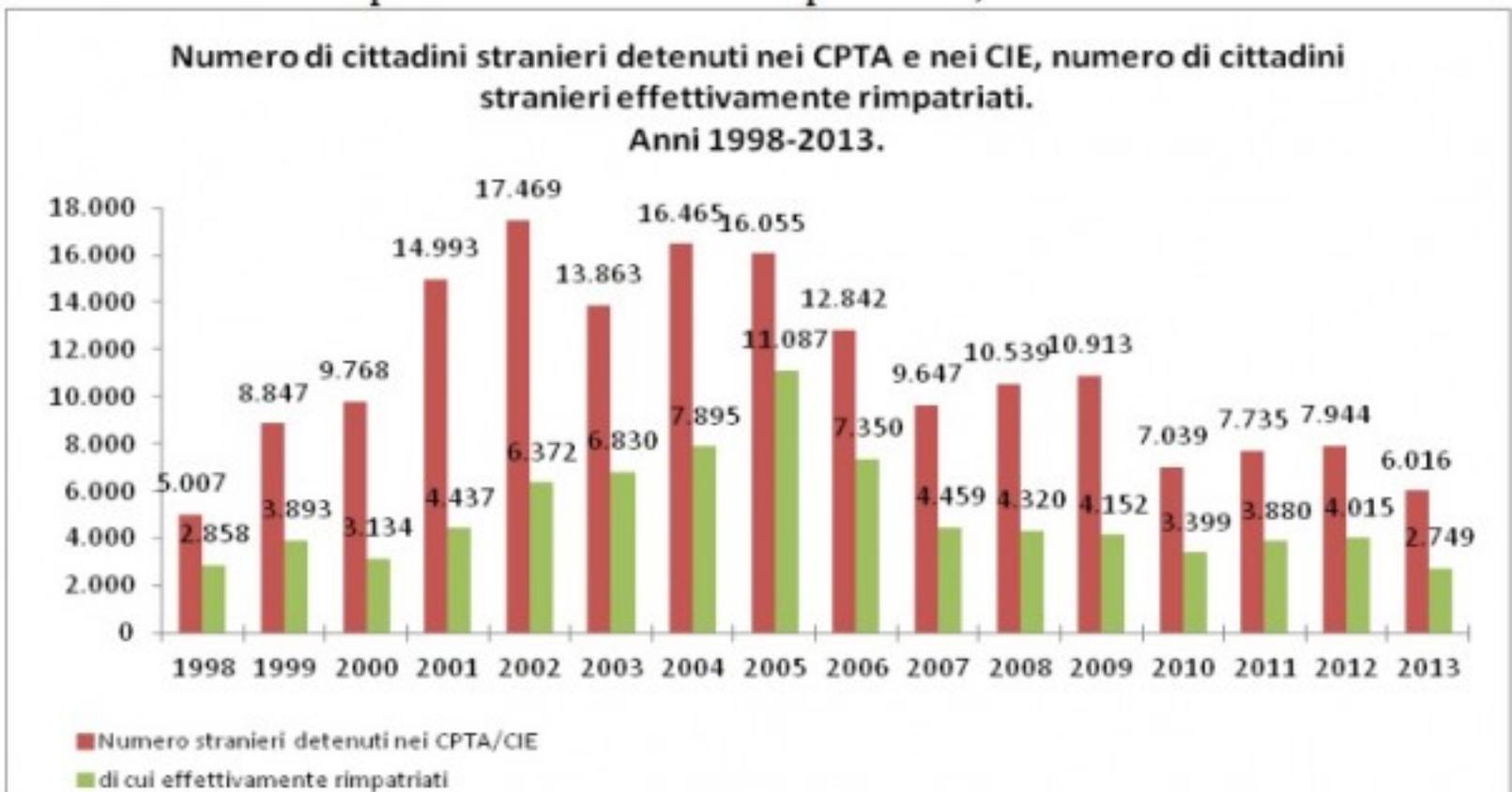
The rejection system: the expense

Finally we have estimated in **55 millions €** the **minimum annual cost for outfitting, management, maintenance and security of Identification and Expulsion Centres (CIE)** in the case all centers are open and available to guarantee **8.100** “places”.

This is not actually the case because just **5 centers of 11** structures monitored on 2011 are functioning .

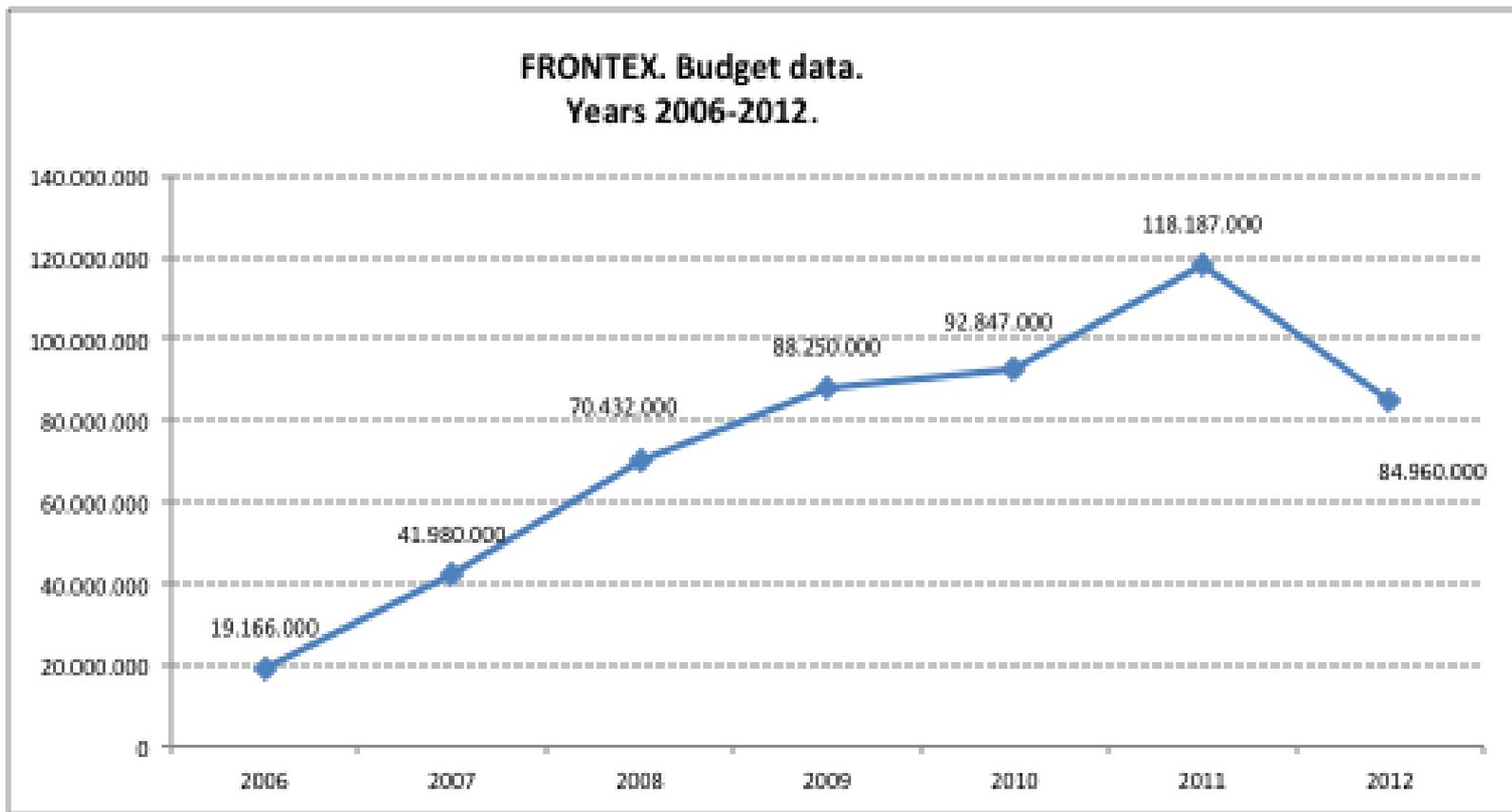
The CIE's system: the results

Among 1998 and 2013 175.142 immigrants have been detained in Cie but just 80.830 persons have been repatriated, the **46,2%** of the total



FRONTEX budget

Data proposed do not consider the budget of the European Agency FRONTEX



Recommandations

The **very limited success** of repressive policies aimed at contrasting illegal immigration suggests that it would be advisable to **review, as soon as possible, the entire body of law regulating entry and residence for foreign nationals** in our country.

The priorities of migration and immigration policies **should be reversed**, placing full and unfettered respect of the fundamental human rights of migrants at the top.

Recommendations

The **administrative detention system of Cie** plays a minor role in effectively contrasting illegal immigration but at the same time **exposes migrants to serious violations of their fundamental human rights** that are unacceptable for a State abiding by the rule of law.

Shutting down CIE is urgent, possible and advisable, also in terms of clamping down on wasteful spending.

Recommendations

Until their closure, Lunaria recommended:
to **reduce the maximum length of detention in CIE** bringing it back from 180 to 30 days,
to **identify foreign nationals** interned in Italian **prisons** within the prisons themselves, without sending them to CIE.

To **avoid** issuing public tenders for the running of CIE that, **because of the low pro die/per capita budget fixed**, make it impossible to provide the services needed to guarantee the dignity and human rights of detainees.

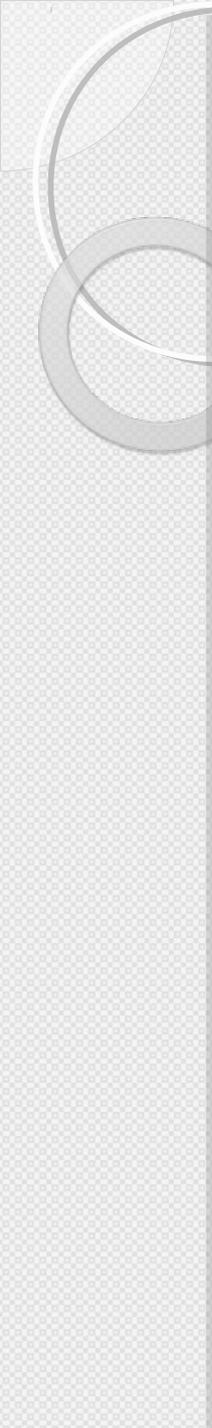
Recommandations

It would be advisable to:

- **Increase channels for legal entry** into the country, for both work and study purposes;
- Open “**humanitarian corridors**” for refugees;
- **Introduce *ordinary and personalised mechanisms* to regularise the status of migrants**, making it possible for a permit to stay to be granted when a person can prove that he or she is integrated in the Italian society;
- **Minimise the risk of falling back into illegality** for documented migrants, partly by extending the duration of residence permits;

Recommandations

- **Limit forced repatriations** as much as possible, as recommended by EU Directive 2008/115/EC;
- **Adopt a coherent agenda on the right to asylum** at national and European level;
- **Guarantee effective access to asylum procedures** for migrants rescued at sea;
- Ensure that migrants living in our territory on a stable basis **can fully enjoy citizenship rights**, by reforming Act 91/92 on citizenship and granting them the right to vote in administrative elections.
- **Rejection is too expensive, inhuman and inefficient.** Investing in hospitality, social inclusion, safeguarding of people rights is what is needed.



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