

ITALY



MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION
INTER-MINISTERIAL COMMITTEE FOR HUMAN RIGHTS

ITALY'S CONTRIBUTION

Italy's Contribution

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Following your query, Italian Authorities are in a position to provide the following contribution (1,962 words).

Introduction

In accordance with Arts.3 and 36 of Legislative Decree No. 25/2008, the Border Police Office and the *Questura* are competent to receive the application for international protection. Art.10 of the aforementioned Decree provides that upon submitting the application, the Police Office competent to receive it, informs the applicant: of the procedure to be followed; of his/her rights and duties during the procedure; and of the times and means at his/her disposal to supplement the application with the elements useful for the exam. To this end, this provides the applicant with a specific information brochure.

The Office also informs the applicant that, when coming from a country of origin considered safe pursuant to Article 2 bis, the application may be rejected pursuant to Art. 9, paragraph 2bis. The article concerned continues by instructing the National Asylum Commission to draw up an information brochure. This last obligation is to be added to the information that foreigners must receive in relation to the obligations deriving from EU Regulations 603/2013 (Eurodac) and 604/2012 (Dublin III).

It should be also noted that the information manual referred to in Article 10, paragraph 2, of Legislative Decree No. 25/2008, as well as Article 15 of Presidential Decree No.21/2015, is prepared by the National Asylum Commission with the collaboration of UNHCR.

Moreover, the "Practical guide for applicants for international protection in Italy" is available online (in Italian and eleven other languages): <https://www.interno.gov.it/it/temi/immigrazione-e-asilo/protezione-internazionale/practical-guide-applicants-for-international-protection-italy>.

Issues at stake

1. Upon arrival of migrants along the maritime borders, the USMAFs-Maritime, Air and Border Health Offices (where present) and/or the Local Health Authority carry out a screening aimed at identifying any health-related emergencies and/or vulnerabilities that require specific and prompt protected pathways.

2. From the point of view of assistance to migrants, in addition to the staff of the managing body, intended to ensure material assistance services, health, socio-psychological, as well as cultural mediation, there are also staff from International Organizations such as UNCHR and IOM that, on the basis of funded projects, ensures the performance of all support activities to the information and timely identification and reporting of vulnerabilities.

3. In this regard, it should be noted that the Department for Civil Liberties and Immigration-Ministry of Interior has co-financed with FAMI 2014-2020 funds, the ADITUS project carried out, in collaboration with the IOM, for the implementation of information services to migrants arrived by sea, with particular reference to "victims of trafficking and unaccompanied minors".

- This project provides for the implementation of early identification and assistance to victims of trafficking in places of disembarkation and at hotspots; the promotion, among local institutions and operators of first aid and reception, of knowledge about the phenomenon of trafficking in human beings and the protection measures provided for by current legislation, as well as prevention and protection interventions - including psycho-social - in favor of migrants exposed to forms of labor exploitation and other forms of abuse. The activities of the project follow those already realized with the projects Assistance and Praesidium, both co-financed by the Department under reference.

4. Since November 2017, again as part of the actions of the "ADITUS" project, a capacity-building action has also been launched, with the involvement of the Prefectures, concerning the implementation of training courses on the issues of "human trafficking" and support for operators involved in the management of the phenomenon of trafficking and exploitation. In support of this initiative, on October 27, 17, this Department issued a circular letter to the Prefectures in which they were called upon to play the role of "collector" of the various bodies managing the reception centers active on their territory, with interventions to raise awareness and involve the recipients in training activities.

5. The Aditus project, which started on January 1, 2017, ended in December 2019. In view of the positive results achieved by the project, it was deemed possible to continue its activities and on 20 December 2019 an ad hoc invitation was sent to IOM to submit a project proposal, which was approved and admitted to funding.

6. It is also worth mentioning that UNHCR, as part of the three-year AMIF programming (01/01/2017 - 31/12/2019) and through the MULTI ACTION SUPPORT project, has supported the Ministry of the Interior on the mixed flows management.

7. In particular, the support to the Italian authorities concerned dissemination of information regarding the access to asylum procedures; consolidation of control mechanisms, ensuring an adequate and effective transition to the new monitoring system; definition of standardized procedures for the identification and referral of people with special needs (torture, sexual and gender-based violence, single-parent families, disabled, elderly, LGBTI, etc.), aimed to the general strengthening of management of vulnerable cases; the improvement of the protection of UAMs, through an effective protection of their rights in the context of reception.

8. Moreover, UNHCR has submitted a new project proposal, accepted for funding, which is currently undergoing the process aimed at the conclusion of the Agreement with this Department, which also provides for training activities for staff involved in arrivals by sea, land and air, in the different phases of identification, referral and response and protection of persons seeking and holding international protection, with an approach sensitive to age, gender and diversity.

9. However, it should be highlighted that, during 2020, the UNHCR activities continued on the basis of the previous planning.

10. In particular, since January 2020 UNHCR staff has regularly attended the landings in Sicily (Messina, Pozzallo, Augusta and Trapani) and Puglia (Taranto), supporting the information activities and identification of people with specific needs.

11. Concerning Lampedusa, the UNHCR staff ensured that the aforementioned activities were carried out with a stable presence at the port. Because of the COVID 19 emergency, presence at the hotspot was suspended in March, but resumed in June, in compliance with the main COVID rules.

12. In addition, during the quarantine period on board the ships, migrants also receive qualified assistance from the staff of the Italian Red Cross in the manner described below.

13. Finally, between October 2016 and December 2018, Save the Children and the Italian Refugee Council have run two projects aimed to identify vulnerable minors at landing and border-crossing points. Based on an agreement with the Ministry of Interior, Save the Children has continued offering assistance, protection and legal information to vulnerable children beyond the expiration date and until December 2020, without costs for the administration. At the end of this period, it has signed a renewal agreement to pursue its activities until the end of 2021.

14. Primary attention was devoted to the health security of all third country nationals arriving at sea or land as well as to health security of asylum seekers and beneficiaries of protection accommodated in first and second line reception centres. Since the beginning of the pandemic, it has been stressed the importance to provide information to migrants and asylum seekers, through liaison with the managers of the reception centers, on the respect of anti-Covid provisions, using cultural mediators and written information including the material specifically prepared by international organizations, such as IOM and UNHCR.

15. In this regard, during the quarantine provided for people arrived in the national territory, the UNHCR staff (in agreement with the Department under reference) has distributed to the Prefectures in Sicily, Puglia, Calabria and Sardinia regions, as well as to the Prefectures involved in land arrivals, an information package containing a flyer and two videos on international protection, with specific focus on minors, which have been developed thanks to AMIF projects. During the Covid emergency (especially in the period March-June), when mobility was severely reduced, the use of information material was guaranteed through telephone and in-person follow-ups organized by UNHCR with Prefectures and managing bodies.

16. Compatibly with the epidemiological emergency, the continuation of support activities by international organizations was guaranteed.

17. In addition, without prejudice to the implementation of all necessary preventive measures to contain the Covid-19 virus, as well as the maximum liaison with local authorities, a psychological first aid service was also ensured in order to assess the physical and psychological health conditions of migrants who have experienced traumatic events following a shipwreck, with the help of psychologists and cultural mediators from the team of *Médecins Sans Frontières* (MSF).

18. In order to prevent and avoid the spread of the Covid-19 virus among newly arrived migrants at border, whether land or maritime, specific procedures were put in place according to the Ministry of Health decrees and guidelines. According to the *Interim Operative Guidelines for the management of*

facilities with persons who are highly vulnerable and at risk of marginalization (published by INMP), third country nationals who have just arrived irregularly at the border undergo a nasopharyngeal swab performed by the local health authority to determine whether that person is positive for the Covid-19 virus. Depending on the outcome of the swab, third country nationals undergo quarantine and isolation measures adopted both in specific facilities or in quarantine-boats.

19. In order to carry out the abovementioned measures, a special Agreement was stipulated with the Italian Red Cross on May 9, 2020, supplemented by subsequent Addenda.

20. Apart from preventive health services, the aforementioned Convention provides for, *inter alia*, personal services including linguistic-cultural mediation, also aimed at health activities, social assistance, identification of vulnerable people and psychological support. In applying quarantine and isolation measures, due attention was put on the personal conditions of the subjects (i.e., age, sex, any condition of vulnerability or need of assistance).

21. Specifically, information is provided on:

- the role of the ICRC, both at the general level and during quarantine;
- right to health, health information with specific behavioral focus on Covid-19, using the information material disseminated by WHO and IFRC (International Federation of Red Cross Societies);
- right to family unity and information regarding the "Restoring Family Links" service;
- the situation of Covid-19 in Italy;
- international protection, what it means to ask for international protection and what are the reasons for which it is recognized;
- labor exploitation and human trafficking;
- Specific information on the rights of minors and unaccompanied minors;
- Specific information on sexually transmitted diseases (STDs) and hygiene for women and girls;
- in the presence of specific users: mother-child educational activities in the presence of very young children, according to the age and weight of infants;
- geographic information and first approach to the Italian language.

22. Furthermore, the Italian Ministry of Interior called upon the attention of the Prefectures on already financed 18 AMIF projects, dedicated to the protection of the health of applicants and beneficiaries of international protection in a condition of psycho-sanitary vulnerability, developing specific programs of assistance, treatment and rehabilitation, also of long duration. Some of these projects, by means of specific financial integrations, have foreseen interventions aimed at contrasting the spread of the pandemic within the migrant population such as, for example, the performance of serological/swamp tests.

23. With circular letter, dated 21 October 2020, specific instructions to address to the Prefectures of the places of disembarkation, as well as to the Italian Red Cross and the "*Grandi Navi Veloci*" Society (which award the quarantine boats contract service), have been given to ensure that the places available on quarantine boats were reserved with priority for adult migrants and families, excluding unaccompanied foreign minors who spend quarantine in reception shelters on the territory.

Conclusion

Italian Authorities take this opportunity to reiterate their firm willingness to continue cooperating fully and extensively with UN Special Procedures Mandate-Holders and other relevant international mechanisms. Once additional information is made available, we will promptly share it.