MIGRATION, RECEPTION AND ANTI-RACISM
CHARTER OF COMMITMENTS FOR CANDIDATES AT THE EUROPEAN ELECTIONS

a. The current situation
>Borders
>Repression
>Returns
>Externalisation (and use of European funding)
>Illegalisation
>Confinement
>Criminalisation of solidarity

b. Fields of action for reception and for coexistence
>Employment and environmental conversion
>Schools
>Health care
>Residence

c. Networks and organisations of natives and migrants

d. Communication and cultural resistance

e. A European horizon

a. THE CURRENT SITUATION

BORDERS

1. Despite an absence of real emergencies in numerical terms, European immigration policy has hinged on the externalisation of controls and returns and on the closure of its external borders: land borders - particularly along the Balkan route - have been militarised and those at sea have been sealed through the *de facto* abolition of search and rescue operations.

2. For this reason, the European Union and the governments of its member states are responsible for the fate of the people who no longer manage to flee countries on the other shore of the Mediterranean, or who are returned to Morocco, Turkey and, even more so, Libya, where they risk death or "unimaginable horrors" – as a recent UN report describes the acts of torture, reduction into slavery and rapes that have been documented in Lybian camps where people are held captive.

3. In Italy and in Europe, governments and EU institutions are pleased by the decrease in arrivals, which conceals both the number of victims who lose their lives at sea and the meaning of the economic and partnership agreements with countries that keep migrants in conditions of denial of freedom, when they are not subjected to torture and inhumane and degrading treatment.

4. Bilateral agreements with third countries, and particularly operational cooperation agreements with the self-styled Libyan coastguard which were approved with a large majority by the Italian Parliament, have marked a

continuous move away from respect for people's fundamental rights that are enshrined in national constitutions and international conventions, starting from the right to life and the related duty to safeguard it for which state agents are responsible.

5. The militarisation that has been deployed even at Europe's internal borders by building walls, making border controls harsher in frantic fashion and criminalising people who help refugees who seek to exercise their own inalienable right to move, produces a rhetoric of invasion that activates mechanisms of racist categorisation and nationalistic claims.

REPRESSION

6. The inevitable consequence of the European Union's closure, of its transformation into a fortress, of its war against migrants and refugees, is an increase in authoritarianism, repression and exclusion within it, not just against migrants, but also against a growing part of its population which is gradually impoverished and marginalised. Immigration policies are used for purposes of public order and restriction of individuals' freedom that cannot be achieved without methods and procedures that violate legality and the principles of humanity and solidarity that are references for constitutions and for the very framework of rights that the EU shares. At the national and European levels, these policies are being used to assert a state power which is becoming increasingly difficult to oppose.

7. The growing strictness in material and symbolic terms of the EU's borders in the name of "security" (see the Frontexit campaign) - which aims to safeguard political, social and economic privileges based on centuries of colonial and post-colonial exploitation - is feeding a proliferation of sovereignty-minded discourses, of erection of internal borders, of identity-based retreats which erode the integrity of the democratic system from within, while they fragment the citizenship with racist rhetoric and xenophobic politics that aim to transform frustration into revenge against a scapegoat. Migrants and refugees thus become the object of an experimentation in the restriction of freedoms and rights which is gradually affecting European citizens as well.

8. The Dublin Regulation - with its mechanism designed to block migrants in the countries they first enter at the EU's external borders to prevent so-called secondary movements, that is, mobility towards other countries in the Union that could make it possible to move away from an emergency situation - represents a mechanism to push people back to the EU's periphery that contributes to limiting the mobility of women and men who are on the move and to justify repressive and containment measures adopted against them.

RETURNS

9. The European Commission and its agencies - firstly Frontex, which was recently named the European Border and Coast Guard agency - have enacted return policies and operations undertaken at the level of member states in violation of their own constitutional principles, whose sovereignty has been violated. In accordance with the indications in the European Agenda on Migration, implemented by the Italian governments that have been in force since 2015, memoranda of understanding have been struck between police authorities, thus circumventing the necessary parliamentary scrutiny.

10. State sovereignty has been violated, in particular insofar as Italy and Greece are concerned, through the decisions adopted by the EU Council in 2015 on the so-called "hotspot approach", which has created extraterritorial places of confinement that lack legal bases, both in internal and international law. Three years after it was established, the Moria camp on the Greek island of Lesbos - where, to Europe's shame, even children attempt suicide - represents the clearest outcome of this mindset leading to concentration in camps.

11. In Italy, the immigration and security decree introduced by Matteo Salvini[1], the interior minister, reverses the gradual closure of Identification and Expulsion Centres (CIEs) that was achieved thanks to struggles by anti-racist and solidarity movements and the continuous protests and revolts by detainees. Under the previous government, the Minniti-Orlando law decree had begun enacting the opening of Holding Centres for Repatriations (CPRs) in each of Italy's regions; the current government has increased the maximum length of administrative detention to 180 days, doubling it, and it is concretely proceeding to open new centres and to re-open old CIEs.

12. The *Assisted Voluntary Returns and Reintegration* procedure managed by the United Nations' International Organization for Migrations (IOM) in collaboration with several member states adds to the coercive measures of forced returns and expulsions through the removal of people who are marginalised, vulnerable or who have been refused asylum, protection or a right to stay.

EXTERNALISATION (AND USE OF EUROPEAN FUNDING)

13. Return policies are developed in combination with policies for the externalisation of both controls and the "management of flows" heading towards the EU, that are delegated or imposed upon third countries. From the Rabat process to the Cotonou agreement and the Khartoum process (at a European level), passing through bilateral military agreements (like, for example, the one signed between Italy and Niger), up until the formulation of the IOM's *Global Migration Compact*, we are witnessing the gradual transfer beyond the EU's borders of control and "selection" operations, for the containment and management of human mobility. In a first phase, these externalisation practices were entrusted to bilateral agreements and "control" clauses introduced in wider arrangements for the provision of development funds, but these have gradually turned cooperation in the "migration management" field into the priority.

14. In this sense, the agreement with Turkey (2016) that the EU would like to repeat with other neighbouring countries represents an innovation in externalisation policies, involving direct financing and the formalisation of returns, even towards a country which – like Libya – has not ratified the 1951 Geneva Convention on Refugees.

15. The creation by the EU of an "emergency trust fund for stability and addressing root causes of irregular migration and displaced persons in Africa" in 2015 reveals the EU and its member states' will to interfere in African

---

[1] Law Decree no. 113 of 4 October 2018 – "Urgent provisions concerning international protection and immigration, public security, and measures for the functionality of the Ministry for Internal Affairs and for the organisation and functioning of the National Agency for the the administration and destination of goods seized and confiscated from organised criminal activities".

countries' social and economic policies, viewed as instruments to manage human mobility. This is added to by the direct and indirect pressure exerted by European countries, led by Germany and Italy, to compel the countries which look onto the Mediterranean like Tunisia to host extra-European places of detention in their territories that are comparable to hotspots, in such a way as to also externalise access to procedures to apply for international protection and for the examination of asylum requests. In the same way, OFPRA, the French agency which is the counterpart of Italy's territorial commissions [for the granting of international protection], has already organised missions in Niger for the analysis and selection of asylum candidates.

ILLEGALISATION

16. Denials of entry visas, of requests for international protection, to issue and renew residence permits - without applicable readmission agreements with the governments in countries of origin - are equivalent to condemning people to illegality, particularly in countries where this "juridical status" has been institutionalised. The decrease in typologies of protection and the growing strictness of the criteria imposed to grant it only increase "irregularity".

17. Administrative complexity increases the number of people who are in a position whereby they cannot regularise their position in the national territory, which contributes to a further rise in exclusion, vulnerability and instability. This is the foundation of the perception of insecurity which opens the way for the implementation of repressive measures and for the possibility of perpetually mobilising racist and xenophobic forces to maintain or expand support for their policies, using migrants for electoral profiteering.

18. In Italy, by preventing asylum seekers from obtaining residence, the immigration and security decree *de facto* obstructs registration in job centres and, alongside the abrogation of humanitarian protection, this will create new layers of irregularity, further promoting irregular employment and exploitation.

19. Illegality forces people into an irregular life, sometimes at the margins of legality – begging, makeshift shelters, illegal occupations and squatting, irregular employment, prostitution – and it may push them towards criminal milieux: drug dealing, theft and robberies, low-level involvement in rackets, the creation of new Mafia-like syndicates, etc. This process nourishes insecurity among the native populations, rekindling racism and the demand for order off which antidemocratic forces feed. It is a system that has already been tested, which amplifies the forms of exploitation that exist in the thousands of rivulets of illegal work that often descend into slavery, which is in continuous expansion in several sectors of the economy.

CONFINEMENT

20. Hotspots have failed to fulfil the objectives envisaged by the relocation mechanism. In Moria refugees stay for a length of time that is sometimes longer than two years, in poor hygienic and sanitary conditions, some of them forced to sleep on the beach or in the street, with the terror of being sent back to the country they came from. 23% of the people who are in Lesbos or in other centres on the Greek islands have experienced a denial of personal

fredom on the basis of their illegal entry into the country (which in theory cannot apply to refugees), sometimes for longer than a month. Organisations like Rights Europe have denounced cases of arbitrary detention and serious violations in Greek and Italian hotspots alike.

21. While structures for confinement (like former CIEs) remain operative, reception structures are gradually taking on the characteristics of places of detention, marked by dispersal around the territory in isolated places or by the direct or indirect restriction of freedom of movement.

22. The management by *prefetti* [local government envoys responsible for security, among other functions] which has been dominant in Italy since 2015 (and began in 2011 through emergency management for which the Civil Protection authority was responsible) has made it possible to detach reception from a territorial outlook and from the jurisdiction of municipal authorities; it has disincentivised virtuous pathways to promote encounters and solidarity; it has transformed reception centres into bodies which are detached from the social fabric; and it has nourished dynamics of rejection and mistrust.

23. Forms of reception that do not have inclusion as their purpose - in Italy, the models of CARAs (Asylum Seeker Reception Centres) and hotspots - condemn their guests to inactivity or irregular employment, they "educate" them to be passive, they are humiliating for people who experience them, and they foster the resentment of those people who observe them and consider the detained people privileged because they are kept inactive with the state paying for their expenses.

24. The context of emergency and the will to normalise forms of reception towards a lowest common denominator limited to procedures of control, dispersal and the management of passive bodies translates into the dismantling of SPRAR centres (of the System of Protection for Asylum Seekers and Refugees) and of the efforts developed by associations, civil society and local administrations to rethink inclusion pathways in terms of reciprocal solidarities, suited to specific contexts rather than generalised as one-size-fits-all models.

CRIMINALISATION OF SOLIDARITY

25. NGOs that undertake search and rescue operations in the central Mediterranean have been subjected, in Italy and in Europe, to a judicial and media persecution and to the growing restriction of their scope for action. Specious charges have tarnished their actions, leading to a drastic decrease in the economic support that allows their activities to continue. People who were treated as "heroes" or "benefactors" until two years ago are now being treated as equivalent to traffickers of human beings, defined as such using different nuances and meanings, all of which are negative, as facilitators, push factors or *buonisti* [the Italian version of do-gooders, bleeding hearts].

26. At the European level, the Directive defining the facilitation of unauthorised entry, transit and residence (2002/90/EC) envisages penal sanctions for anyone who "facilitates" migrants' irregular entry, transit or residence. In Italy – already under the Gentiloni government – removal measures like the *DASPO urbano* [banning people from specific locations in cities for security purposes, derived from stadium bans for hooligans] and the *foglio di via* [order to leave and stay away from a specific town or city] have been used to

keep activists who support migrants away from the places where they undertake their activities.

27. The incremental criminalisation of solidarity towards migrants thus becomes an instrument of repression and deterrence also against those citizens who, either individually or collectively - in the name of the principles of equality and respect for both the precepts laid down by the Constitution and by international law - oppose repressive and discriminatory measures, as well as those that limit or violate fundamental rights.

b. FIELDS OF ACTION FOR RECEPTION AND FOR COEXISTENCE

EMPLOYMENT AND ENVIRONMENTAL CONVERSION

28. There is no prospect for the inclusion of migrants other than through employment for at least one of the members of every family unit. Only integration through work – accompanied by training paths capable of making them aware of their rights (fair wages and hours in relation to the National Collective Employment Contract, etc…) - enables a continuing relationship with natives that is fundamental to learn the language, understand their mentality, know their habits and attain both acceptance and legitimation. Employment must provide a dignified income and hence the possibility (which is often currently denied to migrants and natives alike) of having a home, relations with neighbours and social bonds. However, regular employment, necessary as it is, is not enough any longer. The many cases of discrimination in places of work and between colleagues show the need for intermediate bodies, especially trade union representations, to implement and promote the development of pathways for positive relations in such a way as to prevent the creation of hierarchies founded on people's nationality of origin.

29. Finding work for those who have recently arrived cannot be simply left to the market. It requires a positive action by the institutions which must intervene in the same way for both migrants and natives due to a fundamental principle of social justice and not to nourish a feeling of exclusion and rivalry between unemployed people. An effective policy to oppose poverty and unemployment must provide a common ground for integration, to avoid drifting towards a war pitting poor against poor. For this purpose, there is a need for general investment plans for the purpose of promoting employment, and to definitively set aside austerity policies that have proved a failure.

30. Moreover, such plans are entirely justified by the need to speed up the fight against climate change in every field, through a wholesale environmental conversion of the productive system. Experiences like the one in Riace [in Calabria], which have been reproduced by several local councils, show that the inclusion of the people who arrive can promote an entire territory's recovery.

31. This is why there is a need to delve deeper into the connection between migration, climate disasters and environmental plundering, in order to unhinge the distinction between "economic migrants" and people who have a right to asylum, as well as bringing out the concrete geopolitical and predatory responsibilities of transnational corporations and governments –

not just European – against which adequate mobilisations may be promoted alongside environmental movements.

32. At the same time, it is necessary to develop and deepen the analysis of how a process of environmental conversion of the productive apparatus, which is indispensable and urgent if we are to save the planet from an imminent environmental catastrophe, does not just offer the concrete prospect of employment for a large number of unemployed people and migrants, but it also makes it possible to envisage a route for the regeneration of the environment, of the economies and of the community of countries from which most of the migrants come, by also opening the way for concrete prospects to return for those who wish to do so. This is obviously on condition that a common effort is undertaken to restore peace and coexistence in those territories.

SCHOOL

33. Another fundamental instrument for inclusion is school, because children and young people are more resistant towards practices of exclusion. Moreover, through the school, initiatives to promote inclusion reach families more easily, particularly in those communities where women are subjected to strong mechanisms keeping them isolated at home.

34. Crowded classrooms with an excessive presence of migrant children and youths, especially if they are newcomers and do not know the language of the country where they have arrived or its basic notions, may constitute a factor leading teaching to deteriorate and undermining schools' inclusive function. After illegalisation of status and the display of forced inactivity imposed by confinement, this situation constitutes a further element that may feed feelings of rejection and resentment among the population. Therefore, there is a need for adequate support by a sufficient number of support teachers, cultural intermediaries and interpreters. There is also a need to report and punish cases involving the creation of situations of apartheid like those that have happened in Italy – from Adro to Monflcone, from Lodi to Pisa – in which ministerial circulars, ordinances and mistaken interpretations of the laws that are in force have been used to exclude children from essential school services.

HEALTH CARE

35. Another problematic feature is the degradation of the psycho-physical conditions of people who are migrating, particularly when they are isolated, excluded or they have left the reception system. Access to health care and to adequate forms of guidance, alongside education and employment, represent vectors for reception and facilitate pathways towards inclusion by fighting marginalisation, invisibilisation and forms of "deviance" that are linked to fragile living conditions. The new norms introduced in Italy by the new "Salvini decree" on immigration and security and the cuts to health care for people who cannot register with the national health service [Servizio Sanitario Nazionale] because they do not have a regular residence permit, make access to health care even harder, harming both specific individuals and public health. In fact, while it is proven that refugees generally reach Europe without carrying specific diseases – despite the injuries and traumas they often suffer during detention and their journey – marginality favours the

surfacing of transmissible pathologies that are linked to poverty, which may affect the entire collectivity.

RESIDENCE

36. To facilitate access to the world of employment and services, to health care and education, it is fundamental to develop pathways and claims in support of the assignment of residence rights. Their denial, which, in Italy, will affect people who will not have access to the few forms of protection envisaged by the immigration and security decree, will produce further conditions of exclusion, especially for the most vulnerable subjects.

c. NETWORKS AND ORGANISATIONS OF NATIVES AND MIGRANTS

37. So far, the organisations involved in the field of solidarity have mainly operated in four separate fields: rescuing lives and supporting attempts to cross borders by land and by sea; reception, both in the SPRAR system and in CAS centres that are not run for profit; employment insertion; campaigns and mobilisations against racism and exclusion. Connections, both direct and "strategic", that is, political, between these four realities have been insufficient, whereas it is urgent to promote them as much as is possible. Moreover, it is often the case that they are activities "for" migrants, rather than alongside migrants.

38. At the same time, the scale, value and reach of efforts deployed by citizens throughout the EU - as carriers of a spirit of solidarity and of a will to act for the common good even under extreme circumstances – deserve recognition as examples of social resilience to abuses committed by states. There is a need to create networks and provide protection at an institutional level to the people - whether native or migrant – who resist policies that degrade the grounding of democracy and the human and social environment in both their respective countries and the Union as a whole.

39. Each problem of a political, social or cultural order can no longer be treated in isolation from the theme of migration and the presence of migrants, regardless of whether it concerns work, schools, health, housing, civil and social rights, viewing migrants not as a separate category but as a part of a whole. It is important to take into account an overall horizon encompassing the relations between migrants and refugees and native citizens, as well as the necessary political, human and cultural solidarity that can determine a common political horizon and project rather than relations of dependence on assistance.

40. The organised reference points for the networking of solidarity are, in order: associations, the media, (individual journalists rather than the different outlets), school, politics (single politicians, or candidates, rather than the organisations to which they belong), some churches and communities of a faith character, and a part of Academia.

d. COMMUNICATION AND CULTURAL RESISTANCE

41. The political and media contexts that serve to build up hatred and indifference - not just towards refugees and people who support them, but also towards the very laws and conventions that enshrine a duty of solidarity and to rescue people, as well as the right to asylum - show that a sort of cultural resistance, that passes through schools, contact with citizens and the production of a continuous stream of counter-information, has become an essential necessity.

42. There is also a need to analyse and oppose the use of a racist ideology that is consciously drawn from colonial and fascist policies by groups from the far right that are becoming increasingly grounded in territories, bringing their arguments into schools, factories and the most deteriorated neighbourhoods.

43. At the same time, there is a need to oppose all those forms of institutional racism that allow social and political forces, local organisations and administrations, to enact policies of criminalisation and apartheid towards migrants as well as of intimidation and repression towards citizens acting in solidarity, even while using language that appears to be less violent.

44. In certain European states, these far right groups have found some institutional help and the possibility to disseminate their views. The general advance of neo-fascist and racist groups that threaten to form blocks of influence in the Union represents a field of work around which cooperation and exchange must be sought with European anti-fascist scholars, associations and groups that are often not very interested or competent on themes of migration and reception.

e. A EUROPEAN HORIZON

45. The effort, struggles and mobilisations to impose a radical change in the outlook of migration policies must at least have a European dimension, pointing the way for the creation of a network of solidarity capable of gradually extending to all the countries from which migrations originate.

46. Moreover, it is already clear that none of the present governments and realistically the future ones in EU member states – and least of all the Commission, in its current and future compositions – will be ready to change the track they are advancing down in the field of migration policies unless they are subjected to growing pressure by a popular movement in favour of welcoming and receiving newcomers in every way, which, to a large degree, still need to be thought up and established.

47. There is a need for movements, citizens and their elected representatives in the European Parliament to become aware of the centrality of migration policies and of their need to be framed within policies for the environment, employment, social justice and the safeguarding of human rights. This is why representatives who are elected to Parliament must commit to participate in struggles to create safe and legal routes of passage, to plan a European search and rescue mission in concertation with NGOs, to enact credible refugee redistribution plans which consider people's needs and wishes, where possible, a reform of the asylum system, a radical review of the Dublin Regulation to restore freedom of movement and the Schengen area, policies of genuine cooperation with third countries, democratic control over the EU's agencies, mechanisms for transparency and the strengthening of the European Ombudsman's role. The creation of such safe and legal route of passage should not be exclusive, nor should they be used as a pretext to close

off other means of entry into European territory and of accessing asylum procedures. They must not contribute to furthering policies of externalisation of EU policies beyond its borders but, rather, they should work towards normalising people's mobility as they seek to improve their prospects.

48. There is a need for movements, citizens and their elected representatives in the European Parliament to ask the EU institutions and the European Ombudsman to act in order to restore margins of action for humanitarian organisations and civil society, in such a way as to safeguard the possibility for non-institutional actors to be actively present in the Mediterranean, at the land borders and in all the places of confinement and denial of fundamental rights where they may exercise their function to promote compliance with the rule of law and respect for human rights, solidarity and equality, maintaining the 1999 UN Declaration on Human Rights Defenders as a reference.

49. We will also ask the candidates for the European Parliament to commit to put an end to the ambiguity contained in the European Council's Directive defining the facilitation of unauthorised entry, transit and residence (2002/90/EC), which typifies facilitation of migrants' illegal entry as a criminal offence even when there is not any financial gain involved. People who provide humanitarian assistance to refugees and migrants cannot be criminalised; rather, they should be helped and protected.

50. We feel that it is necessary to adopt an outlook that is not just European but global, by carefully observing the work undertaken to draft it and the process that is underway in relation to the Global Compact for Migration, monitoring states' enactment of the common commitments assumed by the international community that considers "human mobility as an engine for sustainable development processes", as is stated in the New York Declaration for Refugees and Migrants adopted on 17 December 2016 by the United Nations General Assembly.

51. The divisions over the ratification of the Global Compact on Migration that have also emerged within the European Union reveal a regressive project pursued in several countries, starting from the United States, to avoid recognition of the fundamental rights of migrant people and, more generally, of the application of international law. This is why we feel that, regarding this document, - although it contains some worrying points due to the possible prevalence of actions to oppose migrations over the general recognition of the structural nature of migrants' mobility – it is important to pursue a mobilisation of European civil society, to intensify the provision of information and to ask candidates for the European Parliament to clearly assume their responsibilities.

First signatories
Osservatorio Solidarietà – Carta di Milano
Associazione Diritti e Frontiere (ADIF)
Laudato Si' – Un'alleanza per il clima, la Terra e la giustizia sociale
Casa della Carità "A. Abriani" di Milano
Rete dei Numeri Pari
Un ponte per
Il razzismo è una brutta storia
Costituzione Beni Comuni

European Network Against Racism
Fondazione Arché
Associazione Mamme a Scuola