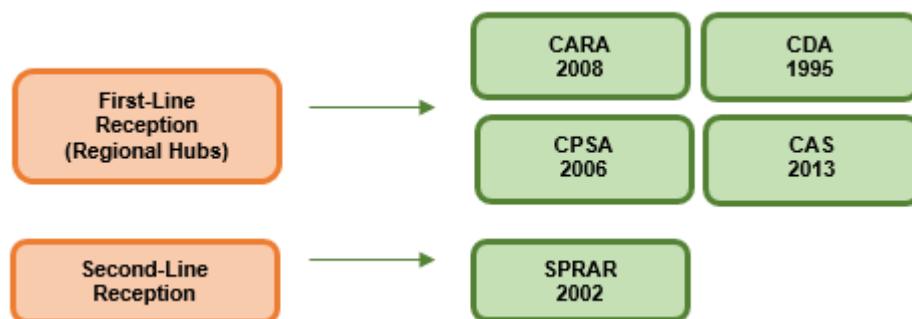


Short overview of the Italian reception system

In Italy, there is no uniform reception system. LD 142/2015 has amended the Procedure Decree 25/2008 and has repealed the previous Reception Decree 140/2005 (with the exception of the financial provisions), without substantially modifying the previous reception system. Articles 20 and 21 of the Procedure Decree, respectively on reception and administrative detention, have also been repealed by LD 142/2015.

The reception system is in theory distinguished between first reception and second reception.¹



Upon arrival, asylum seekers and migrants may be placed in the following first reception centres:

- Centres for Accommodation of Asylum Seekers (**CARA**). CARA were established in 2008 and replaced previous identification centres;²
- Accommodation Centres (**CDA**), created in 1995 for general purposes of accommodation of migrants and also used for asylum seekers;
- First Aid and Reception Centres (**CPSA**), created in 2006 for the purposes of first aid and identification before persons are transferred to other centres;
- Emergency Reception Centres (**CAS**), introduced in October 2013 upon the launch of the *Mare Nostrum* Operation in response to the increasing influx of sea arrivals in Italy.³

At the same time, temporary reception centres have also been established for persons returned to Italy under the Dublin Regulation through specific projects.

According to LD 142/2015, first reception is guaranteed in the governmental accommodation centres in order to carry out the necessary operations to define the legal position of the foreigner concerned.⁴ It is also guaranteed in the temporary facilities, specifically set up by the Prefect upon the arrival of a great influx of refugees, due to unavailability of places in the first and second level accommodation centres.⁵ Indeed, accommodation in temporary reception structures is limited to the time strictly necessary for the transfer of the applicant in the first or second reception centres.⁶ LD 142/2015 provides also first aid and

accommodation structures⁷ and clarifies that the current governmental reception centres (CARA) have the same functions of CPA.⁸

According to the Italian Roadmap the first reception centres (CARA/CDA and CPSA) are turning into Regional Hubs, which are reception structures where the applicants will formalise their asylum requests through the form C3. Generally the asylum seekers can stay in these centres for a period ranging from 7 to 30 days and thus ensure a fast turnover of guests.

Second-line reception is mainly provided under the System for the Protection of Asylum Seekers and Refugees (**SPRAR**). The SPRAR, established in 2002 by L 189/2002, is a publicly funded network of local authorities and NGOs which accommodates asylum seekers and beneficiaries of international protection. It is formed by small reception structures where assistance and integration services are provided. In contrast to the large-scale buildings provided in CARA, CDA, CPSA and CAS, SPRAR is composed of over 430 smaller-scale decentralised projects as of May 2015.

SPRAR accommodates those destitute asylum seekers that have already formalised their applications. Therefore, asylum applicants already present in the territory may have access directly to the SPRAR centres.⁹

Coordination and monitoring

The overall activities concerning the first reception and the definition of the legal condition of the asylum applicant are conducted under the programming and criteria established by both National and regional Working Groups (*Tavolo di coordinamento nazionale e tavoli regionali*).¹⁰ In first and second accommodation centres special reception services are ensured to vulnerable asylum seekers.¹¹

Without prejudice to the activities conducted by the Central Service of the SPRAR, the Civil Liberties Department of the Ministry of Interior conducts, also through the Prefectures, control and monitoring activity in the first and second reception facilities. To this end, the Prefectures may make of use of the municipality's social services.¹²

Moreover, the LD 142 has introduced a more protective norm concerning the trafficked asylum seekers who can now be channelled to a special programme of social assistance and integration under Article 18(3-bis) of LD 286/1998.¹³

The Minister of Interior adopted on 4 August 2015 a Directive on the implementation of activities aimed to control the managing bodies of reception services for non-EU citizens,¹⁴ transmitted through the Circular 11209 of 20 August 2015 to all Prefectures. Specifically, the directive aims to strengthen the control system on the subjective requirements of the bodies managing reception centres and to set out specific clauses aiming at protecting the overwhelming public interest in preserving legality and transparency.

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- 1. Article 8 (1) LD 142/2015.
 - 2. Article 20 LD 25/2008, replacing the Centri di identificazione with the CARA; Article 9 LD 142/2015.
 - 3. Their legal basis is now provided in Article 11 LD 142/2015.
 - 4. Article 9(1) LD 142/2015.
 - 5. Article 11(1) LD 142/2015.
 - 6. Article 11(3) LD 142/2015.
 - 7. Article 8(2) LD 142/2015.

Article 9(3) LD 142/2015.
Article 14 LD 142/2015.
Article 9 (1) LD 142/2015.
Article 17(3) (4) LD 142/2015.
Article 20(1) LD 142/2015.
Article 17(2) LD 142/2015.
Available at: <http://bit.ly/21VEjkD> [1].

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Links:

[1] <http://bit.ly/21VEjkD>