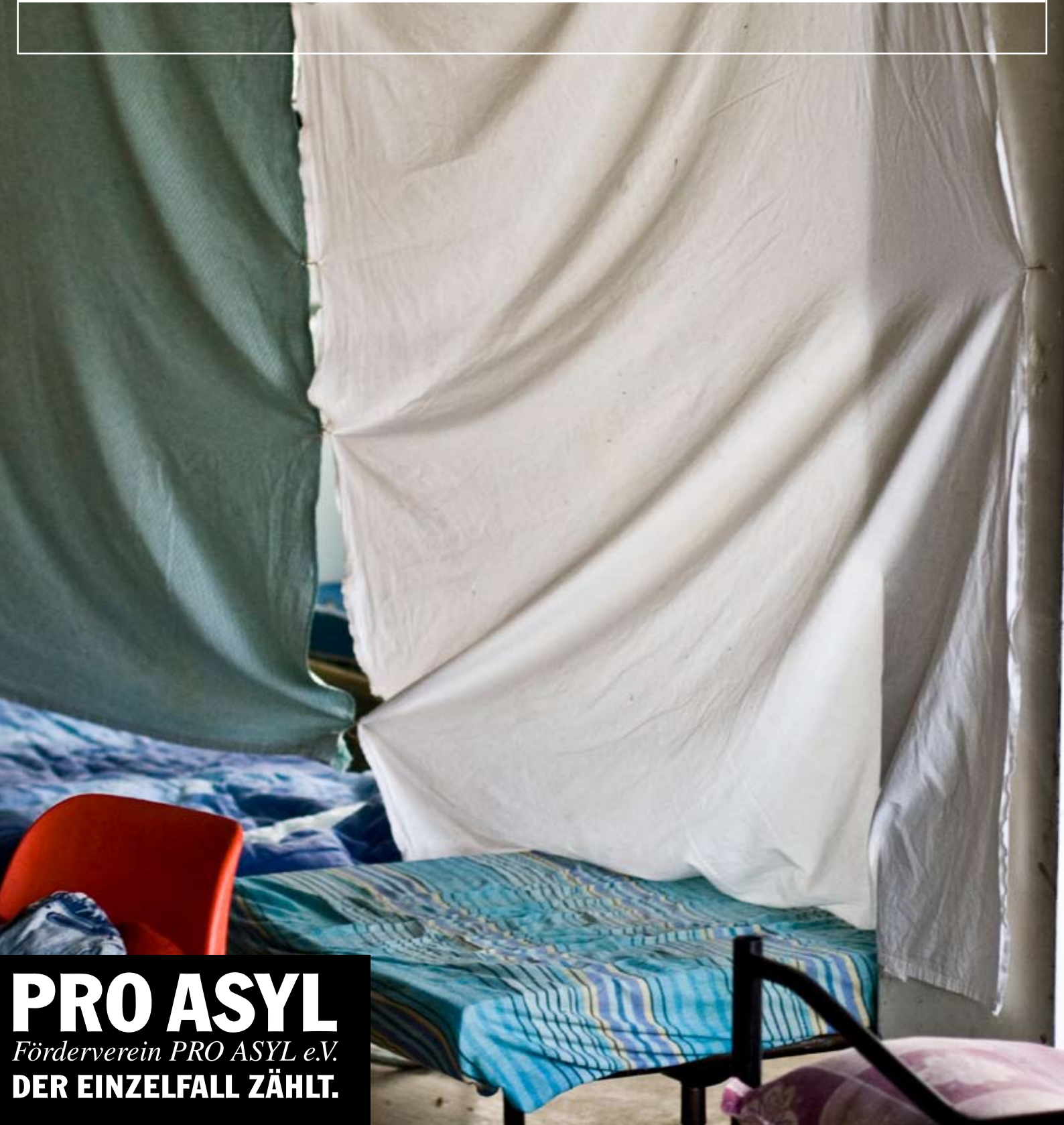


The Living Conditions of Refugees in Italy

A Report by Maria Bethke & Dominik Bender



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DER EINZELFALL ZÄHLT.

Imprint

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Cover photograph: For many residents of *Anagnina*, one of the occupied houses, the only way to gain some privacy is through hanging cloths and bed sheets between the mattresses.

Photos: *Shirin Shahidi*
Photos on pages 14, 15 & 18: *Rocco Rorandelli, Patrizio Cocco, MEDU*
Layout & Graphics: *Shirin Shahidi*

Foreword

This report documents the extremely difficult living conditions of asylum seekers and persons with protection status in Italy. This documentation focuses on the situation in Rome, however, similar problems are known to exist in other Italian cities.

This description of the circumstances under which people live aims to contribute to an improvement of the situation. Those who are politically responsible in Italy are obliged to create a sufficient number of humane accommodation facilities and adequate integration measures. This report, however, may not be used as an excuse to evict refugees from the provisional accommodation mentioned as these are the only places for those who would otherwise be homeless.

Until Italy complies with its obligations, we hope this report will help to persuade other EU countries to refrain, for the time being, from deporting refugees to Italy. This has already been directed by some German courts, for example the administrative courts in Darmstadt, Cologne, Weimar, Kassel, Frankfurt and Minden, and by the European Court of Human Rights (ECHR). We are not alone in finding that the conditions for refugees in Italy are degrading. Other refugee and human rights organizations have come to the same conclusions.

Bernd Mesovic
PRO ASYL

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* The sections of the text marked in red are hyperlinks. In the PDF version of the report they will take the reader directly to the named references. These links are listed on the final pages of the report. The web addresses can be entered into a browser although we would recommend that the free PDF version is downloaded from www.proasyl.de, and the links followed through clicking on the active hyperlinks in the text.

The Research Trip to Rome and Turin in October 2010

In the following report we detail our findings on the day to day reality of recognised refugees, persons with subsidiary or humanitarian protection status, asylum seekers as well as those whose asylum claims have been unsuccessful, in Italy, specifically Rome and Turin. The report is the result of a one week visit to the two cities between the 16th and 24th of October 2010. Other than the authors, participants included:

- Federica Benigni, researcher of migrant issues and translator/interpreter German/Italian
- Shirin Shahidi, Photographer
- Yonas Bahta, translator/interpreter of Tigrina and Amharic/German

Due to the location of the research sites and the available interpreters we were able to gain particular insight into the lives of individuals originating from Eritrea, Ethiopia and Somalia. In this report we will focus on the following:

1. The reception system for asylum seekers and persons with protection status
2. Living conditions in some of the occupied buildings and on vacant land in Rome
3. The conditions of those without any shelter
4. Access to the health system and employment market
5. The situation of people returned to Italy under the Dublin II Regulation
6. Unaccompanied minors seeking asylum without access to the protection system for minors in Italy

It should be noted that most of the asylum seekers from the countries of origin considered are granted some form of protection (and as a consequence a legal right to remain). Relatively few individuals are granted refugee status. More are granted subsidiary protection and others a humanitarian protection unknown in German law. In total some form of protection status is granted to a number considered acceptable by the majority of interviewees.¹ In contrast, however, the reception conditions are far from satisfactory.²

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¹ In this report, individuals granted any form of protection by the state will be referred to as "persons with protection status".

² A further German language description of the reception conditions is provided by the November 2009 report by the 'Schweizerische Beobachtungsstelle für Asyl und Ausländerrecht' titled "Rückschaffung in den 'sicheren Drittstaat' Italien" [available here](#). In the near future the 'Schweizerische Flüchtlingshilfe' will publish a report following a research trip to Milan and Rome on www.fluechtlingshilfe.ch.

Questo dossier documenta le difficili condizioni di vita di richiedenti asilo e di persone bisognose di protezione internazionale in Italia. In primo luogo la documentazione riporta la situazione nella città di Roma. Problematiche simili si riscontrano anche in altre città italiane. I dati qui riportati vogliono contribuire ad un miglioramento della situazione per coloro che ne sono direttamente colpiti. Ai responsabili politici in Italia è richiesto di istituire finalmente un numero sufficiente di alloggi dignitosi e opportunità integrative. L'uso improprio del presente dossier come pretesto per attuare lo sgombero degli alloggi provvisori visitati e qui menzionati non è permesso. Essi sono infatti gli unici alloggi di cui dispongono i soggetti in questione, i quali altrimenti sarebbero costretti a vivere in strada. Fino a quando l'Italia adempirà i suoi doveri, speriamo che grazie a questo dossier altri stati europei siano dissuasi per il momento dall'attuare espulsioni verso l'Italia. La condanna delle espulsioni verso l'Italia è stata proclamata già in passato da alcuni tribunali – per es. i tribunali amministrativi di Darmstadt, Weimar, Colonia, Kassel, Francoforte e Minden così come la Corte Europea dei Diritti dell'Uomo – come unica via di uscita per rifugiati e richiedenti asilo da una condizione già precaria. A considerare tale situazione in larga parte lesiva della dignità umana di una persona, non siamo i soli. Tali riserve sono condivise anche da numerose organizzazioni che si occupano di diritti umani e rifugiati.

Dieser Bericht dokumentiert die äußerst schwierigen Lebensbedingungen von Asylsuchenden und Schutzberechtigten in Italien. Der Schwerpunkt der Dokumentation liegt auf den Zuständen in Rom. Ganz ähnliche Problemlagen sind aus anderen italienischen Städten bekannt. Die Schilderung der Lage der Betroffenen soll zur Verbesserung beitragen. Die politisch Verantwortlichen in Italien stehen in der Pflicht, endlich eine ausreichende Zahl an menschenwürdigen Unterbringungs- und Integrationsplätzen zu schaffen. Der Bericht darf nicht als Vorwand für eine Räumung der besichtigten provisorischen Unterkünfte herangezogen werden, die das Einzige sind, das die Bewohner, denen ansonsten die Obdachlosigkeit droht, haben. Bis Italien seinen Verpflichtungen nachkommt, hoffen wir, dass dieser Bericht dazu beiträgt, dass andere EU-Staaten bis auf weiteres von Abschiebungen nach Italien absehen. Letzteres haben bereits einige Gerichte – z.B. Verwaltungsgerichte in Darmstadt, Köln, Weimar, Kassel, Frankfurt, Freiburg und Minden sowie der Europäische Gerichtshof für Menschenrechte – in manchen Fällen als den einzigen derzeitigen Ausweg aus der prekären Situation gesehen. Mit dem Befund, dass die Zustände größtenteils menschenunwürdig sind, stehen wir nicht allein. Er wird auch von anderen Flüchtlings- und Menschenrechtsorganisationen geteilt. Eine deutschen Version des Berichts kann kostenlos [hier](#) oder auf www.proasyl.de heruntergeladen werden.

Warkani waxa uu dhukumentari ka bixinayaa nolosha aad u adag ee ay ku noolyihiin dadka ku sugan Itaaliya ee qaxoontinmada sugaaya iyo kuwa loo aqbalya qaxoontinimadaba. Dhukumenterigu waxa uu xooga saarayaa duruuf nololeedka Rom iyada oo dhibatooyin u eegi ka jiraan magalooyin kale oo ka mid ah wadanka Itaaliya. War bixinta laga bixinayo dadka ay samayso xaladani waa in ay noqoto mid qayb ka qadata xaga is bedelka wanaaga. Siyaasiyiinta haysa mu, suuliyadda Dwalada Itaaliya wax saaran waajib ah in ay guryo ku filan dadka ahna guryo u qalma biniadminimada iyo meelo la qabsashada wadanka suuro gelineeysa u furto. War bixintani ma ah in lagu soo gabado oo la burburiyo guryaha ku meel gaarka ah taasoo halis gelinaysa dadak ay hesato duruufani kuna qasbayso debejiifka. Ilaa inta ay Itaaliya ka soo baxayso Masuuliyadeeda waxa aan rajeynaa in ay tusaale u noqoto wadamada kale ee reer yurub ee ka tirsan EU da in ay ilaa go, aan danbe joojiyaan dibucelinta itaaliya. Xaakino iyo Maxakabado sida Magalada Darmstad, Köln, Weimer, Kassel, Frankfurt iyo Minden sidoo kale Maxakabada Yurub ee xaquuqda dadka ayaa u arka falalkan qarkood in ay yahiin sida keli ah ee lagaga bixi karo xaladan adag. Xogogaalnimada aan ka hayno in ay xaalada inteeda badani tahy mid ka baxsan biniadminimada ma aha mid anga noo gaar ah ee waxa nala qabaa Ururada lamaha qaxoontiga iyo Ururada xaquuqada qaxoontiga.

ይህ ጽሁፍ በጣም አስቸጋሪ የሆነውን የስደተኞች ሁኔታ በጣልያን ሃገር በተለይ ደግሞ በሮም ከተማ ይገልጻል በዚህ ጽሁፍ የተነሳ እዛ የሚኖሩት ስደተኞች ህይወታቸው አደጋ ላይ መውደቅ የለበትም ይህ ጽሁፍ እንደምንገነዘብ ሆኖ የስደተኞቹ ጊዜያዊ መኖርያ መኖሪያ ወይም ስደተኞቹ ከዛ መባረር የለባቸውም፣ ሃገር ግን መሆን ያለበት በዚህ ጽሁፍ የተነሳ ስደተኞች እንዲታገዙና የስደተኞች ጉዳይ ተጠሪ የሆኑ ባለ ስልጣኖች ሃላፊነታቸው ስለሆነ ከነሱ የሚጠበቅባቸውን ስራ እንዲፈጽሙ ነው፣ ማለትም በቂ የሆኑ የሰው ልጅ ሊኖርባቸው የሚችሉ ቦታዎችን መጠለያዎች እንዲሰሩ ጫና እንዲፈጠር ነው ሌላውም የዚህ ጽሁፍ መልእክት ሌሎቹ ዩኤድሮፓ ላገሮች እነዚህ መሰረታዊ ሰብአዊ መብቶች እስካልተማሉ ጊዜ ድረስ ወደ ጣሊያን መልሰው ስደተኞችን እንዳይመልሱ ማድረግ ነው ስደተኞችን ስለመመለሱ ጉዳይ ባለፉት ጊዜያቶች አንዳንድ ከፍተኛ ፍርድ ቤቶች ለምሳሌ Darmstadt, Weimar, Köln, እና Minden ታላቁ Strassburg ላይ የሚገኘው የሰው ልጆች ተጣባቂ የ አውሮፓው ፍርድቤት ባሁኑ ጊዜ ጣልያን ውስጥ ያለውን መጥፎ የሆነ የስደተኞች ኑሮ በመታዘብ ስደተኞችን ወደ ጣሊያን መልሶ አለመመለሱን እንደ አንደኛ አማራጭ አድርገው አጽድቆውታል በጥናቱና በዚህ ጽሁፍ መሰረት እንደተገለጸው አሁን ያለው የስደተኞች ሁኔታ በጣም መጥፎና የሰው ልጆችን መብት የማይጠብቅ እንደሆነ እኛ ብቻ ሳንሆን ሌሎችም ለስደተኞች የሚከራከሩ ማህበሮች ያረጋገጡት ነው

دا راپور په اټالیا کی د پناه وړونکو د زوند د سختو شرایطو په هکله دی • په ځانگړی توگه په روم کی د هغوي په هکله دی • دي ته ورته مسایل د ایتالیا په نورو ښارونو کی وجود لري • د پناه وړونکو د حالاتو وضاحت، هیله ده چی اصلاح منځته راولي • داتالیا سیاسي مسؤلین باید په کافي اندازه مناسب ځایونه او پندغالی جوړ کړي • دا گذارش باید دهغو ځاینو دترلو وسیله ونه گرځي، له کومو څخه چی لیدنه شوي وه، ځکه چی بله سرپناه نه لري • تر هغه پورې چی اټالیا خپل مسؤلیت پوره کړي نه وي، هیله ده چی نور اروپای هیوادونه کډوال بېرته اټالیا ته ستانه نه کړي • یو لړ محکمو لکه د دارمشتات اداري محکمه ،د کولن، وائمر، منډن او د بشري حقوقو ځانگړی محکمی دمهال دا یواځینی لار گڼلي • دا یواځی زموږ نظر نه بلکه، گڼو د بشر دحقوقو او د کډوالو موسیساتو غوښتنه هم ده •

መክንያት ናይቲ ዑቁባ ዶኩመንትታት ምትሓዝ ነዚ መሰረት እቲ ዝከፈአ ናይ ዑቁባ ዝሓተቱ ናይ ሰብአዊ መሰላት ናይ ምክልኻልን እቶም ኣብ ኢታሊ (ጢልያን) ወኸአ ብፈላይ እቶም ኣብ ሮማ ዑቁባ ዝሓተቱ እዩ፡ እዚ ኮነ ኢልካ ዝተገበረ ኣይኮነን ነቶም ዑቁባ ሓተቶም ዘለዉ ኣብ ሽግር ክወድቁ ተባሂሉ ኣይኮነን፡ እዚ ናትና ዕላማና ኣይኮነን ኣብ ሓደጋ ክነውድቀኩም፡ እዚ ከም ምስጥር ኢና ንሕዞ እምበር ከም መፈራርሂ ኣይኮነን ክንጥቀመሉ፡ ነቶም ዑቁባ ዝሓተቱ ብዝተኸለሉ ንሕና ንጥቅምኹም ክንሕግዘኩም እዩ እቲ መደብና፡ ነቶም ኣብ መንግስታዊ ዘለዉ ሓለፍቲ ኢታልያውያን ናይ መናባብሮ ስደተኛታት ክግሓዩኹን ቡቁዕ መምበሪ ናይ መሃብ እዩ ከምኡ ካኣ ናይ መናባብሮ መሰል ናይ ምሃብ፡ ወካኣ ንካልእ ኣይሮፕዮውያን ድምልከተን ኣካላት ናብ ጢልያን ከይመልስዎም፡ ካልኣት ከም ጀርመን መንግስቲ ዝመሰለን ሰብአዊ መሰላት ዝሕልዩን ይፍጸማ ኣሎዎ፡ እቲ ብዓይኒ ሰብአዊ ድረኣ ንሕና ጥራይ ኣይኮነን፡ ካልኣት ውን ናይ ሰብአዊ መሰል ተጠባብቅቲ ከም ዝረኣ ንፈልጥ ከምኣብነት ናብ ስደተኛታት መሰል ተወክልቲ ናይ ሰብአዊ መሰላት ብሪጊታት ዝካላኸሉ ነዚ ውን ከም ናተን ገረን ዝጠባብቃሉ ኣለዎ፡፡

Farsi

این گزارش نشاندهنده شرایط بسیار سخت زندگی متقاضیان پناهندگی در ایتالیا میباشد. محور اصلی این گزارش در باره شرایط زندگی پناهندگان در شهر Rom میباشد. در شهرهای دیگر ایتالیا شرایط مشابهی وجود دارد. -نشان دادن این شرایط میتواند به تغییر آنها کمک نماید. مسئولین سیاسی کشور ایتالیا موظف هستند که بالاخره تعداد کافی محل اقامتی با شئون انسانی آماده نمایند. این گزارش نباید بهانه ای باشد برای بیرون کردن پناهندگان از این مکانهای اقامت موقت، که تنها مکانی هستند که آنها میتوانند از خطر آوارگی در امان باشند. ما امیدواریم که تا زمانیکه کشور ایتالیا به وظیفه خود در مقابل پناهندگان اقدام نماید، کشورهای دیگر اروپایی از اخراج پناهندگان به ایتالیا صرف نظر نمایند. دادگاه عالی اروپا برای حقوق بشر و دادگاههای شهرهای دارمشتات، کلن، و بیمار و میندن تنهاراه را صرف نظر از اخراج پناهندگان به ایتالیا میبینند. این شرایط پناهندگان خلاف شئون انسانی بوده و ما به تنهایی مخالف این مسئله نیستیم. این نظر از طرف سازمانهای حقوق بشر و طرفدار پناهندگان حمایت میشود.

French

Ce rapport démontre les conditions de vie extrêmement difficiles des demandeurs d'Asile et des réfugiés au statut de protection accordée en Italie. La présente documentation met son accent sur la situation à Rome. Néanmoins, des conditions analogues ont été rapportées dans d'autres villes italiennes.

La description de la situation de vie de ces personnes est censé d'apporter à une amélioration de celle-là. Les responsables politiques en Italie sont obligés de, enfin, créer un nombre approprié de projets intégratifs et d'hébergements adéquats. Ce rapport ne doit pas mettre en danger les personnes concernés - par exemple en l'invoquant pour une évacuation de leurs hébergements provisionnels, leurs seuls refuges qui les préserve d'une vie dans la rue.

Jusqu'à ce que l'Italie fait face à ses obligation, on espère que les autres pays européens dispensent de l'expulsion vers l'Italie. Plusieurs tribunaux - les tribunaux administratives de Darmstadt, Weimar, Kassel, Francfort, Fribourg, Cologne et Minden ainsi que la Cour Européenne des Droits de l'Homme - l'ont déjà décidé en dernier recours pour sortir les personnes de leur situation précaire. Nous ne sommes pas seules à constater des conditions dédaigneuses. Cet avis et partagé parmi d'autres organisations de droits de l'homme et de protection de réfugiés.

Arabic

"يهدف هذا التقرير إلى عرض ووصف الظروف المعيشية الصعبة للغاية لطالبي اللجوء والحماية في إيطاليا، وخاصة في عاصمتها روما. ولا يهدف هذا التقرير بأي حال من الأحوال لتعريض الأشخاص المعنيين للخطر. كما أنه لن يُستخدم كسبب في ترحيلهم من أماكن إقامتهم المؤقتة. بل إنه يهدف أولاً وقبل كل شيء لمساعدتهم: سواء كان ذلك عن طريق زيادة الضغط على الجهات المعنية في إيطاليا لضمان إنشاء مساكن كافية لإيواء كل اللاجئين والتي تضمن لهم العيش بكرامة ولضمان إدماجهم في المجتمع، أم كان ذلك عبر المساهمة في إقناع البلدان الأوروبية الأخرى بعدم إبعاد اللاجئين إلى إيطاليا. وقد تم تبني هذه الخطوة الأخيرة من قبل بعض المحاكم - كـ بعض المحاكم الإدارية في دارمشتد، فيمر وميندن وكمحكمة العدل الأوروبية لحقوق الإنسان - باعتبارها الحل الوحيد للوضع الحالي الصعب. ولا تعتبر نتيجة هذا البحث التي أثبتت أن وضع اللاجئين في إيطاليا غير إنساني جزئياً الأولى من نوعها. بل قد تم إقرارها أيضاً من قبل جهات أخرى."

1. The Reception System for Asylum Seekers and Persons with Protection Status

Asylum seekers who arrive on boats in southern Italy are, as a rule, housed in reception centres referred to as CARA (Centri di Accoglienza per Richiedenti Asilo)³ either for the duration of the asylum procedure or for six months, the maximum period. After a few months, once the asylum procedure has been completed, they lose the right to any sort of accommodation. If the asylum procedure takes longer than six months the individual must leave CARA prior to receiving a decision on his or her claim. Regardless of whether their asylum claim results in a positive or negative decision, or whether it is still pending, the majority of those leaving CARA become homeless. As a result of their homelessness, notifications about decisions fail to reach asylum seekers whose cases were still pending when they left.

The state-run “Protection System for Asylum Seekers and Refugees” SPRAR (Sistema di Protezione per Richiedenti Asilo e Rifugiati), is supposed to work with local partners across Italy to accommodate and integrate persons with protection status and, in part, those seeking asylum. In reality the system is totally overburdened. As set by decree, it only provides 3.000 places despite the fact that the number of asylum seekers arriving in 2008 was around 31.000 and in 2009 around 17.000.⁴ The waiting list for SPRAR places even (and particularly) in the densely populated areas is so long that a significant number of persons with protection status have no realistic prospect of being housed in these projects.⁵ In their Annual Report Doctors for Human Rights (MEDU) detailed that in November 2009 in Rome alone, 3.426 people were on the official waiting

Research sites included:

- A house in Via Revello in Turin (*Casa Bianca*), occupied by homeless Somali and Ethiopian nationals.
- The former Somali Embassy in Via dei Villini in Rome, occupied by homeless Somali nationals.
- An office block in Via Arrigo Cavaglieri in the district Romanina on the outskirts of Rome (named after the nearby metro station *Anagnina*), occupied by Somali, Eritrean and Ethiopian nationals.
- An office block in Via Collatina in the suburbs of Rome, in the district Tor Sapienza, occupied by homeless Eritrean and Ethiopian nationals.
- A vacant lot used mainly by Eritrean nationals in Via delle Messi d’Oro, in the Roman suburbs, also called *Comunità la Pace* or *Ponte Mammolo*, after the nearby metro station.

list for accommodation in state housing.⁶ The number of asylum seekers in Italy has diminished dramatically following the agreement with Libya and the virtually complete closing off of the sea route by boat from Libya. However, as NGO partners confirm, the routes into the EU have already shifted. A large number of the “boat people” now go through Greece

Unlike in Germany, Italy offers only a few publicly funded accommodation options for persons who have been dismissed from the first reception centres.

– the number of arrivals in Puglia and Calabria, for example, has risen dramatically. It is therefore unlikely that the number of asylum seekers, and/

3 Children and young people registered as “unaccompanied minors” are accommodated in specialised youth centres until they reach adulthood. See Section 6 for details of the situation for minors who for a variety of reasons are not housed through this system. In January 2010 *Doctors without Borders* published a report about the situation within CARA as well as other reception and detention centres. See also the report by Maria Bethke on the state structures for the reception of asylum seekers in “Sempre in Giro – Immer unterwegs”, *documentation for the 13th European Asylum Rights Conference 2010 in Palermo*, page 32 ff.

4 I numeri dell’accoglienza. *Compendio statistico dello SPRAR Anno 2009*, page 5. In 2009 18% of those in SPRAR accommodation were recognized refugees, 27% persons with a subsidiary protection status and 23% persons with a humanitarian protection status. 32% were asylum seekers who were not accommodated through CARA.

5 See also Christopher Hein of the Italian Refugee Council in the weekly *L’Espresso*, edition 49 9/12/2010, page 77.

6 *Annual Report 2009 of Doctors for Human Rights (MEDU)*, page 6. It can be assumed that the real numbers are even higher.



Interior of the occupied office block *Anagnina*

or persons with protection status, will fall to the number of places available through the SPRAR system.⁷

Furthermore, the opposite scenario, whereby the number of available places increases to a level which guarantees at least persons with protection status accommodation, is currently totally unrealistic. In fact, the number of SPRAR spaces available in 2009 was reduced from that of 2008.⁸ Local partners who implement SPRAR projects do so voluntarily and, in contrast to Germany, there is no obligation for councils to make a given number of beds available. We were also informed of one SPRAR project in which employees had not received wages for a matter of months and which could not even guarantee food for those living in the home.

⁷ Following the riots in North Africa in February 2011 alone, several thousand people came via the Mediterranean to Italy. It is likely that this year the number of asylum claimants will increase significantly.

⁸ Because of the large numbers of arrivals in 2008 an additional 1.500 emergency spaces were created through SPRAR. Despite the high levels of homelessness the spaces are being cut down again. Compare with footnote 4.

Apart from the SPRAR system there are individual local communes and private projects which can provide accommodation. However these can be considered more a “drop in the ocean” than a means of ending mass homelessness. In part these are night shelters. Such emergency accommodation is not usually considered a “permanent address” as such, which in turn automatically excludes people from the health system – see Section 4 of this report.⁹

The places in the SPRAR system are only available to residents for six months. After this they must leave the accommodation. The average length of stay is under six months.

Statistics by the Italian Ministry of Interior show that after leaving SPRAR accommodation less than half of former residents secure work and accommodation. In 2009 only 42% of those leaving

⁹ Some private charitable organisations avoid state funding to maintain their independence from government criteria. This allows them to give residents the possibility of remaining longer than the six months prescribed by the Ministry of Interior, for example.

Legal Reactions

Suspension orders of German administrative courts regarding Italy:

VG Minden, 22/06/2010, 12 L 284/10.A
VG Minden, 28/09/2010, 3 L 491/10.A
VG Darmstadt, 09/11/2010, 4 L 1455/10.DA.A(1)
VG Minden, 07/12/2010, 3 L 625/10.A
VG Weimar, 15/12/2010, 5 E 20190/10 We
VG Cologne, 10/01/2011, 20 L 1920/10.A
VG Cologne, 11/01/2011, 16 L 1913/10.A
VG Darmstadt, 11/01/2011, 4 L 1889/10.DA.A
VG Kassel, 12/01/2011, 7 L 1733/10.KS.A
VG Frankfurt, 17/01/2011, 9 L 117/11.FA
VG Freiburg, 24/01/2011, A 1 K 117/11
VG Frankfurt, 07/02/2011, 7 L 329/11.FA
VG Meiningen, 24/02/2011, 2 E 20040/11 Me

The above decisions are available through www.asyl.net. Under the [country information on Italy](#) there are current updates and reports on possible future developments.

In addition, the following provisional measures have been made by the European Court of Human Rights:

ECHR on 12/06/2009, 30815/09, D.H. v. Finland
ECHR on 15/07/2009, 37159/09, H.A.U. v. Finland
ECHR on 14/01/2010, 2303/10, S.I.A. v. Netherlands & Italy
ECHR on 01/10/2010, 56424/10, A.A. v. Sweden

SPRAR projects were able to do so. Thirty percent left after the maximum stay of six months with neither work nor accommodation, that is to say, straight into homelessness and destitution. The rest left for disciplinary or otherwise undefined reasons.¹⁰ As a consequence of the shortage of reception spaces the majority of persons with protection status are left to fend for themselves, as are those who have not completed the asylum procedure within six months. A state funded system providing the minimum requirements of accommodation and subsistence support is nonexistent. Those affected – including rejected asylum seekers – have no option but to rely on themselves for survival. Only very few manage to find work. As a result, the majority find themselves fighting for survival for many years.

This report focuses on the living conditions in Rome. In Turin we found similar conditions, which can also be found across other Italian cities.

¹⁰ [Statistics available here](#), page 50.

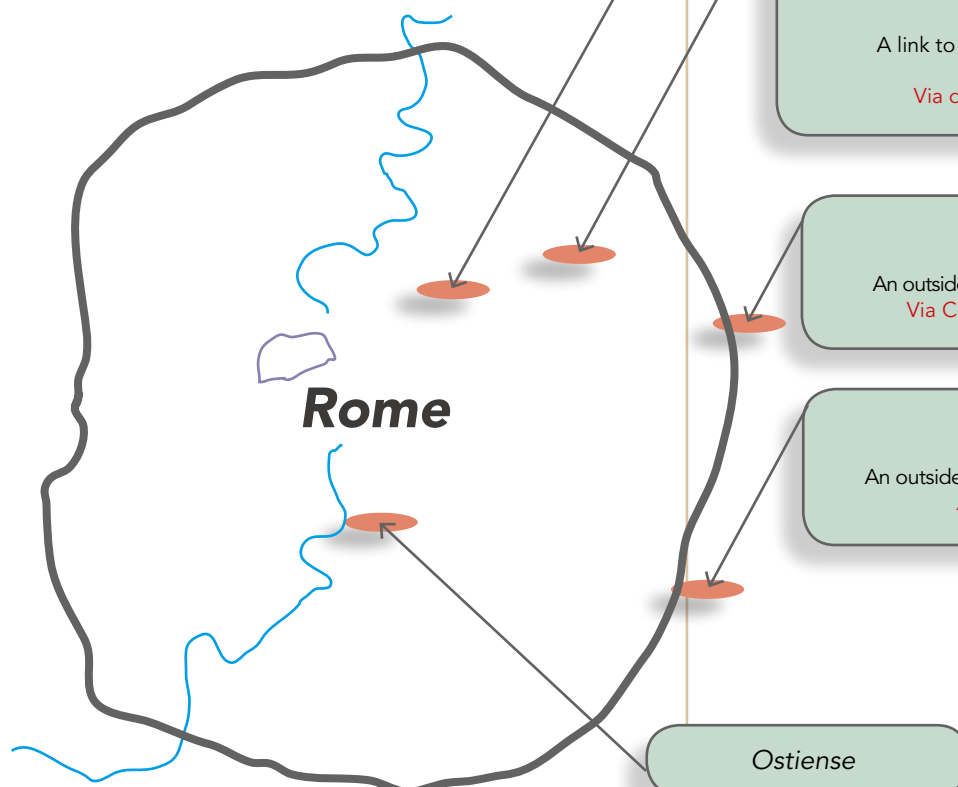
For many residents in the occupied building *Anagnina*, hanging sheets and cloths between mattresses is the only way to get any privacy.



2. Living Conditions in Some of the Occupied Buildings and on Vacant Land in Rome

As described by the homeless persons with protection status and rejected asylum seekers, and confirmed by our NGO partners, they spend their days trying to ensure their basic needs are met. They are almost constantly looking for free food, clothes, sanitary facilities or somewhere to sleep. Religious organisations in both cities – Rome and Turin – are able to meet some of the need for food. However, the less capable (that is to say the more vulnerable such as children, single parents and the sick) have explained that they are disadvantaged and for that reason miss out on essentials. In terms of accommodation, non-state providers are stretched to the limit. This has resulted in affected individuals squatting in empty buildings or vacant lots.

The internet sites “Google Street View” and “Google Maps” make it possible to see some of the buildings and vacant lots close up. In addition, some sites can be seen on “Youtube” (see page 15 and 18). The links to these internet sites are marked in red in the boxes and can be accessed via the hyperlinks. This will enable the reader to get a more complete image than would be possible solely through the photographs.



The former Somali Embassy

Exterior view of the former Somali Embassy in Via dei Villini:

[Somali Embassy – Google Street View](#)

Comunità la Pace or Ponte Mammolo

The entrance to the vacant land in Via delle Messi d’Oro shows huts built from wood and corrugated iron:

[Via delle Messi d’Oro – Google Street View](#)

With the help of Google Street View you can walk around the area “virtually”, and where possible look into the interior.

A link to a bird’s eye view of the hut settlement is available here:

[Via delle Messi d’Oro - bird’s eye view](#)

Collatina

An outside view of the house in Via Collatina:

[Via Collatina - Google Street View](#)

Anagnina

An outside view of the house in Via Arrigo Cavaglieri:

[Anagnina - Google Street View](#)

Ostiense

2.1. The Occupied Office Blocks *Collatina* and *Anagnina*

At time of research (October 2010) between 400 and 500 people were living in the two houses on Via Collatina (district Tor Sapienza) and Via Arrigo Cavaglieri (district Romanina). Residents reported that as the weather becomes colder the number would rise to around 1.000 people.

The design of the houses is that of office buildings. As such there are very few toilets and no shower facilities. On the first floor of the building on Via Arrigo Cavaglieri approximately 250 people live in what was once an open plan office. There is one functioning toilet and sink. The cooking facilities are improvised.

Electricity and cold water are available most of the time, but not reliably so. Warm water is not available in either of the buildings and the central heating does not work. Several windows do not close; still residents try to prevent the rooms from cooling down to seven or eight degrees in the autumn and winter by using electric heaters. The open plan nature of the space means that there are no partitions separating women from men, families from single individuals, young people from adults or healthy individuals from the sick.

The only furniture is mattresses and bed frames, tightly packed together in rows. Those who don't have mattresses sleep on pieces of cardboard or blankets on the floor.

"If you have five pieces of cardboard you are a rich man among the homeless."

M.H., 26, from Somalia

Most people in the buildings are men but there are also couples and single parents with very small children, pregnant women and unaccompanied minors. There are also the sick and invalids.

Some residents report that the Italian authorities have taken children into care as the conditions in the buildings are so unsuitable and because their parents could not provide alternative accommodation for them.¹¹

¹¹ In Via delle Messi d'Oro (Section 2.3) we also met a mother whose children were housed separately without her having had the opportunity to remain with them.

Improvised sleeping arrangements in the occupied office building *Anagnina*





Above: view of the occupied office block in Via Collatina
Below: the only toilet on a floor with approximately 250 residents



Kitchen in the occupied office block Anagnina



“After I left the reception centre people from my community invited me to go to Rome with them. We all went with the hope that in this big metropolis we could at least meet our basic needs.

As soon as we arrived in Rome we realised we were wrong. In this city there is a subculture of destitution and misery for refugees.”

H.B. from Somalia was 14 when he arrived in Italy

Despite this the authorities responsible for child protection have no clear systematic strategy. There are many children in the buildings, including those who go to school and whose situation must be known to the authorities, but no intervention occurs. At the same time the parents live with the worry of knowing that occasionally children are taken into care and families are separated.

There is no postal service in the places described above. People returned under the Dublin II Regulation, whose only possibilities for shelter are in the places described, cannot provide a correspondence address even if their court cases

in Germany or other deporting countries are still ongoing.

The office building in Via Collatina is clearly in danger of collapse. The residents report substantial damage to the foundation caused through ground water leakage.



The garage of the former Somali Embassy, now the bed- and living room for about 50 people

Below: interior of the rooms in the former Somali Embassy



2.2. The Former Somali Embassy in Via dei Villini

Well over 100 people live in the former Somali Embassy, near the main train station Termini. Despite the lack of running water, electricity, central heating or sanitary facilities many more are expected with the onset of winter.

Around 50 people who did not find space in the main building are sleeping in the open garage. Here, as elsewhere in the buildings described, mattresses are lined up one against the other and those who do not have mattresses use cardboard. In winter the temperatures in the garage fall so low that residents fear freezing to death. Interviewees report that in recent years three residents have died under these conditions.

The hygienic conditions are even more dire than those in the office buildings, due to the lack of running water. The only “cooking facilities” are tin cans or other metal containers in which alcohol is lit in order to warm up a pan.

At the time of publication (03/2011) the living conditions of persons with protection status staying in the former embassy in Rome have triggered hefty political controversy.¹²

As long ago as 2004, when far fewer people lived

¹² See the [Commentaries of the Italian Refugee Council CIR](#) and the [Organisation of Doctors for Human Rights MEDU](#) as well as the [documentation by the website www.rassegna.it](#).

A violent sexual attack in the Embassy provided the authorities the opportunity to clear the building again and close it permanently. Replacement accommodation was not provided. Consider [taz of 28/02/2011](#) as well as [La Repubblica of 27/02/11](#).

“In Rome I stayed in the Somali Embassy. I slept on the floor, I didn’t even have a warm jacket for the winter. It was incredibly dirty, there were no toilets and there were cockroaches everywhere. Even now I gag when I just think about it.”

M.A. from Somalia was 14 when he was in Italy

in the former embassy, the UNHCR reported: “In the former embassy’s current state of degradation – even more striking in the middle of an elegant neighbourhood – fights often break out at night over a blanket or a sleeping spot inside the garage.”¹³



“Cooking Facilities”

¹³ Laura Boldrini, UNHCR Italy: [Former Embassy Now Home to Desperate Somalis in Rome](#). Consider also [New York Times of 31/10/2004](#).

Videos & other photos:

At the end of October 2010 the Italian journalists Carlo Ruggiero and Fabrizio Ricci released a film about the former Somali embassy showing footage of the building and interviews with residents. The original is available [here](#) and a version [with English subtitles here](#).

The Italian newspaper La Repubblica also released [photos of the inside of the building as well as the garage](#) on 12 November 2010. The photos were taken on the night of 12 November when police cleared the building. When it became clear that there was no reason to detain the residents and that they clearly had nowhere else to go, they were let back inside.

For further photos of the former Somali Embassy click [here](#) and [here](#). In addition further reports on the conditions were published in [Frankfurter Rundschau on 31/1/2011](#) and in [taz on 25/1/2011](#). There is also an older report from [10/4/2007 by Spiegel Online](#).

2.3. *Comunità la Pace, also Known as Ponte Mammolo, in Via delle Messi d'Oro*

The occupied buildings described above and many similar ones provide shelter, albeit miserable, to well over 1.000 people. However there are many who cannot find shelter in these buildings. As a result more than one hundred other people have built temporary settlements on vacant land in Via delle Messi d'Oro.

The living conditions on this plot of land are similar to those of a slum. The huts are improvised from stone, corrugated iron, boards and plastic sheets. They offer inadequate protection, particularly during cold times of the year.

The paths are not surfaced (see photo). Rubbish lies everywhere because there is no functioning rubbish collection system. The smell of it pervades the area.

Nearly all the residents originate from the Horn of Africa and almost all are under 30 years of age.

Among them are families with children and babies. In the whole area there is only one toilet hut. It was built by the residents themselves and isn't connected to running water or the sewage system. The sewage pipe runs into an open hole.

Apart from this facility residents use bushes and hedges. The only shower, also constructed by residents, is not working because there is

no running water. The residents usually wash outside their huts with water that they have collected from public fountains.

Many residents suffer illnesses. We were told that those who can still move try to make their way to medical outposts of charitable organisations or, in particularly serious cases, seek

emergency care at a state hospital. However there are a number of people who are too weak to make the longer journey from the outskirts of Rome to these sites.

Similar problems surround the task of obtaining food. Because the residents are not entitled to any social assistance and have no real access to the labour market, they are nearly all destitute and reliant on charity handouts from soup kitchens. However, the settlements are far from the centre of Rome, so, sick individuals don't manage to make the journey.



2.4. Other Temporary Settlements on Vacant Land

The organisation Doctors for Human Rights (MEDU) has been providing medical assistance to Afghan refugees around Ostiense station for years. The organisation has documented the severe conditions in their Annual Report of 2009.¹⁴ On page 39 of the report the organisation states (German translation by the authors, English translation by Susanna Thomas):

“MEDU considers it irresponsible that for years dozens of asylum seekers and persons with protection status are forced to live in the centre of Rome in a settlement in which conditions are inferior to every other refugee camp in the world. According to international standards refugee camps established in humanitarian crises have to have one sanitary facility per 20 people and access to water taps which are not more than 150m from the shelter. Furthermore they have to provide at least 3.5m² of space within the accommodation provided. However, there are no sanitary provisions for the refugees in the district of Ostiense, among whom there are particularly vulnerable individuals, including many minors. They are forced to sleep in tents in very close proximity to one another (often packed to double or triple the intended capacity) and there is often no access to any sort of potable water.”

Our interviewees told us that the majority of people living in the buildings and vacant lots have gone through an asylum procedure. We were also told that some living there await an asylum procedure without any access to an initial reception facility (CARA). They did not lodge their asylum claim at the (sea) border, instead doing so

inside the country at a police station. It can take several weeks to months for their applications to be registered.¹⁵ During this period they are not entitled to accommodation in CARA or other projects. Paradoxical though it sounds, they must, at the time of making the asylum application, provide an address for the application to even be accepted.¹⁶ The living arrangements described in this report provide no suitable address.

“After a while they kicked us out of the reception centre Caltanissetta (Sicily) and left us to fend for ourselves. As we left they said ‘Try to go to other European countries, we don’t want you here’.”

A.J. from Somalia was 14 when he arrived in Italy

We were told that these difficulties and the terrible living conditions, well known among asylum seekers, have encouraged some of those affected to avoid applying for asylum in Italy and instead to continue on to another European country to apply for asylum.

¹⁵ An asylum application is only considered lodged when the form “C3” has been completed and signed. Compare the [Handbook for Asylum Seekers in Italy](#), published by the Italian Ministry of Interior, page 159.

¹⁶ Consider also Maria Cristina Romano: [The Italian Asylum Procedure - Some Problematic Aspects](#): “Access to the procedure is sometimes a problem also for asylum seekers who have entered the country and wish to apply at the central police office of the town where they live. Especially in big cities, such as Rome and Milan, it can happen that they have to wait several months before their application is formalised, and during that time they do not have any reception or other facilities for asylum seekers (such as healthcare). Of course this makes the people vulnerable and easily accessed by organised crime.”

¹⁴ [Available here.](#)



Refugee settlements near Ostiense station

Ostiense

The Italian state TV channel RAI aired a report about a settlement of Afghans near Ostiense station on 30/10/2009. The [film is available here](#).

Footage of another settlement of Afghan nationals in the same district of the city was released in a film in July 2010. The original video can be found [here](#) and [with English subtitles here](#).

The two videos are in Italian, so we have provided a translated transcript in Annexes 2 and 3.

For more images of the situation at station Ostiense please [click here](#).

3. The Conditions of Those without Any Shelter

There are a number of other shelters of the type described in Section 2. In total it appears that several thousands of persons with protection status or rejected asylum seekers are living in occupied buildings or on vacant lots in the greater area of Rome. As has been confirmed by the NGO colleagues we spoke to, given their number these individuals have no alternative to such kinds of shelter. In addition, there are an unknown number of people who live without any shelter at all, for example in Termini Station or in the open, in tunnels, sewage systems¹⁷ or under bridges. To understand the extent of the housing crisis, it should be noted that thousands of individuals who should be returned to Italy under the Dublin II Regulation are currently in other European countries. Because of the regulation they cannot establish themselves in these places, but through their absence they alleviate the problems surrounding the precarious “reception arrangements” in Italy. The numbers can be estimated from the numbers of Dublin II transfers to Italy (2007: 1.027, 2008: 1.308, 2009: 2.658 people).¹⁸

Those living in the occupied buildings and on the vacant lots with whom we spoke complain bitterly about their living conditions. However they emphasise that the conditions in these places are a lot better than life on the streets. They have expressed the fear that drawing too much attention to their poor living conditions could result in these places of last resort being closed down without alternatives being made available. (The clearance, at short notice, of the former Somali Embassy by the police in November 2010 proves that these fears are not unfounded.)

People who live in the open are vulnerable to nightly attacks and thefts. Women and young people in particular are unprotected and vulner-

able to sexual assaults. Nearly all of those we spoke to who had spent some time at Termini Station reported or intimated that at some point they had been the subject of a sexual assault.

Those we spoke to were hesitant to tell us much about the likelihood of finding shelter in the occupied buildings. From those who later fled to Germany we know that not every attempt to find shelter in the occupied buildings or vacant lots is successful. Some Somali women and young people reported that they could not get into the former Embassy and that they therefore had to deal with the significantly more difficult conditions of life on the street.

In answer to our question whether they had tried to get a space in one of the SPRAR housing facilities, many of our interviewees in Rome responded that they regularly went to the relevant offices but the response was always that they should come back in a few weeks or months. This was because all the places were occupied for the foreseeable future. Not one person that we asked had been accepted.

“Every night between three and four o’clock security officials came by and moved along those sleeping on the streets. Vehicles with water tanks also came and sprayed the streets, as well as those who were sleeping there.”

Z.S. from Eritrea was 14 when he was in Italy

¹⁷ See *SZ (Süddeutsche Zeitung)* 05/04/2009: “Flüchtlingskinder in der Kanalisation entdeckt – Italien ist erschüttert”.

¹⁸ The [statistics on Dublin transfers are available here](#).

4. Access to the Health System and Employment Market

Living on the streets, in vacant lots, occupied buildings or in private or church-run facilities for the homeless carries a further consequence that can threaten one's existence.

Those living in these places cannot provide a suitable permanent address.¹⁹ A permanent address – *residenza* – is a pre-requisite for access to state health services. Persons with protection status are entitled to this state benefit, however the *tessera sanitaria* – health insurance card – is only issued by the authorities if a permanent address is provided. The permanent address must be a real address and the

authorities are entitled to verify that the applicant does in fact live at that address. A further difficulty exists in that the health insurance card can only be requested in the same commune as that where the stay permit was issued. The permanent address as well as the office of one's doctor all have to be located in this area.²⁰

"In my opinion animals have a better life than asylum seekers. I never want to go back there, only over my dead body. I nearly died in Italy. For days I had nothing to eat, and I keeled over in the middle of the street. I woke up in a hospital. They gave me some glucose tablets and sent me back onto the street."

A.Y. from Somalia was 15 when he was in Italy

Interviewees were:

- Cristina Molfetta, Mirtha Sozzi & Fredo Oliviero, *Ufficio Pastorale Migranti*, Turin
- Lawyers Gianluca Vitale & Mariella Console, Turin
- Monsignore Giancarlo Perego, *Migrantes*, Organisation of the Catholic Church, Rome
- Silvia Agostini, employee at a local integration project of the Italian state reception system *SPRAR*
- Chiara Peri, *Centro Astalli*, Jesuit Refugee Service Rome
- Jürgen Humburg, *UNHCR Rome*
- Lawyer Caterina Boca & asylum advisor Anna Clara De Martino, *Centro Ascolto di Via delle Zoccolette*, Caritas Rome
- Daniela Di Rado, *CIR*, Italian Refugee Council
- Approximately 80 Somali, Eritrean and Ethiopian nationals with various legal statuses who live in Turin and Rome, including many "Dublin returnees", that is to say people who were returned from another European country to Italy at least once.

All those we spoke to were aware of this system. They knew when and where they could apply for a health insurance card. Some of them had succeeded thanks to charity organisations who provided fictional addresses or thanks to Italian friends who pretended that the individuals lived with them. Each of these arrangements was reliant on the good will of the given commune authorities who voluntarily neglected to check the address provided. We were told that after the electoral victory of the Lega Nord in one northern Italian city, the authorities cracked down on this practice of providing "fictitious addresses" so all those who had obtained a card in this manner were deprived of it again.

¹⁹ Not having a permanent address can also become problematic in a lot of communes where the stay permit will not be extended without it. As a result many persons with protection status run the risk of becoming "illegal". See *PRO ASYL Newsletter on Italy from January 2011*.

²⁰ In some cities the authorities tolerate "fictitious addresses" to a limited extent, that is to say they provide health insurance cards for homeless people who provide an address of a friend or an NGO (not that of an occupied building, however). The people who wish to benefit from this unofficial tolerance of the authorities, but who are no longer in the area in which their stay permit was issued, first have to convince the police station (Questura) in that area to change their stay permit.

In the buildings we spoke to parents of small children and to persons who were injured in accidents. They had stay permits but could only access emergency treatment during childbirth or following an accident. All follow up treatment was denied due to their lack of evidence of a permanent address. Some charitable organisations provide supplementary assistance in addition to the state health system. But their capacity is far from sufficient to deal with the large numbers of people who are without adequate health insurance. Not all of these organisations have a budget to provide

“When a person does not have a roof over his head, has no opportunity to go to school, no opportunity to feed himself, no opportunity to get work, no legal status and is not free, then it would actually be better if that person were dead.”

M.N. from Somalia was 15 when he arrived in Italy

Many of our interviewees described traumatic experiences in their countries of origin, during their journey and during their stay in Italy. Many described symptoms consistent with Post Traumatic Stress Disorder but none were receiving psychological or psychiatric treatment. Due to a lack of health insurance they had no access to such treatment and further did not live in the stable conditions necessary for therapy. Even those who had previously been diagnosed



Views of the toilets and wash rooms in *Comunità la Pace* in Rome and *Casa Bianca* in Turin

medicine or have sufficient medical equipment, instead relying on a limited number of medically trained voluntary support workers working a few hours a week. Under these conditions no qualified treatment of illness is possible.²¹

with Post Traumatic Stress Disorder in another European country and who had been receiving (sometimes also medicamentous) psychiatric treatment were unable to continue such treatment after being transferred to Italy.

²¹ People without papers who live in Italy can get provisional health insurance. The STP (Stranieri Temporaneamente Presenti) entitles irregular migrants to emergency treatment. For people with the right to remain, according to reports from our interviewees, there is care in cases of emergency but not a provisional health insurance card. They are referred to the general health service, to which they have theoretical access, even if practical access is barred due to their lack of a permanent address.



View of *Comunità la Pace*, also known as *Ponte Mammolo*, in *Via delle Messi d'Oro* in North East Rome

The annual statistics report of 2009 for SPRAR lists 17 places in the whole of Italy providing accommodation for people needing psychiatric treatment.²² However, NGOs have told us that only five places actually exist and that the remainder are still in the planning stages. Regardless of whether there are five or 17 places available, at the time of research, as well as in response to a query in June 2010, all were full to capacity. Therefore, should a traumatized individual be returned under the Dublin II Regulation, for example, there would be no appropriate accommodation available.

Those who do not have a permanent address will have great difficulty finding legal, socially insured employment. Most of the affected individu-

als who do find employment work in insecure conditions with no employment contracts and often find themselves exploited. They are not insured in the case of unemployment or injury at work. In one of the occupied buildings a resident reported that he had broken his spine through an accident at work and was seriously disabled as a result. As a homeless person he had no access to medical treatment, apart from the emergency treatment in the few days after the accident, nor access to accident insurance.

²² I numeri dell'accoglienza. *Compendio statistico dello SPRAR, anno 2009*, page 43. There are two projects in Rome and one in Turin. The project of the Italian Refugee Council, which has four places, is presumably that which is referred to by the German authorities when justifying deportation decisions by stating there are specialised reception centres for traumatized asylum seekers in Italy.

“The conditions in Rome were worse than the conditions in Somalia. For that reason I do not want to go back to Italy under any circumstances. I would rather go to Somalia than be sent back to Italy.”

M.A.H. from Somalia was in Italy for over a year

5. The Situation of People Returned to Italy under the Dublin II Regulation

The occupied buildings as well as the settlements in Via delle Messi d'Oro appear to be sought out by a significant number of people who are returned to Rome-Fiumicino under the Dublin II Regulation.²³ By 2004 the UNHCR in Rome described the former Somali Embassy as "Dublin House", since it is the kind of housing that is typical for those transferred back to Italy from another European country.²⁴

Because they have no right to accommodation or support for subsistence, those affected, if they are lucky, are given a train ticket at Fiumicino airport and then left to their own devices.²⁵ The oft-cited preferential treatment of the Dublin II returnees is practically nonexistent: according to official reports of SPRAR, 12% of returnees in 2008 and 2009 were handed over to a SPRAR project, while 88% were left homeless. In 2008, of a total of 1.308 Dublin II returnees, 148 were taken into a SPRAR Project. In 2009, of 2.658



returnees around 314 people were given accommodation.²⁶

None of the refugees we interviewed had received help in the (re)issuing of stay permits. The same police authority that issued the original stay permit (*permesso di soggiorno*) to the returnee during his or her first stay in Italy is generally the same police authority responsible

for providing a new stay permit, and if appropriate, a travel document.

For the majority of those that arrived by boat these authorities will be in southern Italy. They must therefore make their own way to this area, without money for the ticket, and wait several weeks

for the document. According to our interviewees, they also have to pay a fee of €100 for the reissuing of the document. While some adult men have undertaken this journey and managed to get the money for the reissuing of the document, particularly vulnerable people such as women with children, young people and ill persons remain without papers after their return.²⁷

23 It is slightly different for those who have ultimately been refused permission to stay in Italy and who are obliged to leave the country. They run the risk of being detained before deportation to their country of origin. If a legal case is to be made the border police have to be informed immediately. Those who have not yet submitted an application for asylum in Italy at the point of transfer are treated as asylum seekers and can reside in CARA accommodation for the duration of the asylum procedure. Those who leave Italy before their asylum procedure has been decided or while still in CARA accommodation lose their entitlement for CARA accommodation.

24 "As early as 2000, some people had started spending a few nights at the former embassy before moving on to other countries. But since last year, the building has become 'Dublin House', a permanent abode for those who have been sent back to Italy from other European countries." Laura Boldrini, UNHCR Italy: [Former Somali Embassy Now Home to Desperate Somalis in Rome](#).

25 The NGO Arciconfraternità (Acf) is responsible for the assistance to the "Dublin returnees" at Fiumicino airport (at other airports there are also NGOs who have taken on this role; in Milan it is Caritas, previously the Italian Refugee Council CIR). In theory they should have access to all those returned. In practice this does not appear to be the case. None of the returnees we spoke with knew of the advice centre in Fiumicino. For those who had refugee status in Italy and were not returned under Dublin II but on a different legal basis, Acf has no responsibility.

26 The statistics of the Dublin II returnees to Italy are [available here](#). The number of people taken in under the SPRAR projects is taken from their last Annual Report: [Rapporto annuale dello SPRAR Anno 2008-2009](#), page 83, and [Rapporto annuale dello SPRAR Anno 2009-2010](#), page 81. The number of accommodated returnees is not ascertainable from the SPRAR report of 2009/2010. It is, however, around 4% of the total of 7.845 taken in under a SPRAR project, so around 314.

27 Acf at the airport can provide train tickets to the questura. The fact that all our interviewees who undertook the journey did so without a ticket indicates that they never had any contact with Acf.

6. Unaccompanied Minors Seeking Asylum without Access to the Protection System for Minors in Italy

During our research we encountered a number of people who were obviously minors, living without a responsible adult. In response to our question of why they did not live in one of the reception facilities for unaccompanied minors available throughout Italy, many of them responded that, according to their Italian documents, they were adults.²⁸

Some of them had provided their correct age during their asylum application, but were not believed. Others reported their ages had been determined by visual age assessments, described as especially superficial during the winter of 2008, when there were particularly high numbers of arrivals. Some had undergone age assessments based on x-rays of the bones in their wrist, which had estimated an earlier date of birth than was the reality.

A number of these young people also confirmed that they had deliberately provided a higher age to the authorities. Their justification for this was either that they wanted a quick asylum procedure as an adult and to be granted the right to work, or a fear of being separated from their peer group on account of their youth. These justifications were known and confirmed by our interlocutors within the NGOs.

Furthermore they confirmed that minors – so long as they are registered as such – are usually accommodated and protected by law from deportation (in contrast to German law). In practice this bar to removal of a minor means the asylum procedure is conducted with insufficient thoroughness. As a result once the individual

becomes an adult he or she is suddenly faced with the question of how to secure his or her right to remain.²⁹

Many young people also place such a high value on being able to work (which in reality is often only a theoretical

possibility) that they forego accommodation in the youth centres. This is understandable when taking into account those whose journey was paid “on tick” and who now have to pay back relatives, community members or smugglers as soon as possible. None of the affected people were willing to talk about the consequences if the money was not returned.

In contrast, many young people detailed their fears of being separated from the group with whom they landed in southern Italy or Lampedusa. This was particularly evident in those who, on their journey through the Sahara and Libya, were continually left behind by the smugglers because they were too weak or without means to keep up.

“A person who spoke both Somali and Italian had to give all our details after our arrival. There was no other way. The information was noted on a paper, which was tied around our wrists. The information on my paper was incorrect.”

H.M. from Somalia was 14 when he arrived in Italy

28 Even in the reception centres for those registered as minors, there are worrying reports – at least in 2009. See the report by PRO ASYL and Borderline Europe: *“Wir haben nichts zu verbergen’ – Eine Reise auf den Spuren der Flüchtlinge durch Süditalien”*, in particular page 63. See also the report of the Human Rights Commissioner of the European Council, Hammarberg, of his *research trip between the 13th and 15th of January 2009*, in paragraph references 75 and 76.

29 In some cases it is possible to transfer a minor’s stay permit to a stay permit for an adult. This possibility of transfer is limited by preconditions that most of the persons affected don’t meet. For example, they are required to have lived in Italy three years before reaching legal age. This excludes all those who arrived when they were 16 or 17 years old. See also the study on UAMs and guardianship in Italy by A. Furia/G. Gallizia: *Closing a Protection Gap. National Report 2010-2011*, page 63.

View through the entrance gate in *Comunità la Pace*

Under no circumstances did they want to be separated from the group with whom they had recently made the particularly dramatic part of their journey – the crossing of the Mediterranean.

The rumour in Libya, that it is more difficult to be a refugee as a minor than as an adult, had played a role for all the young people we interviewed who had “made themselves older”. Many later realised that the opposite was the case and regretted their decision to give a false date of birth, but did not see any way to change it with the authorities.



Annexes

Annex 1

Translation of a video about the former Somali embassy by the Italian journalists Carlo Ruggiereo and Fabrizio Ricci, October 2010 (German translation by Dominik Bender, English translation by Susanna Thomas)

Link to the original video in Italian

www.rassegna.it/video/2010/10/29/554/roma-i-fantasmi-dellambasciata-somala

Link to the version with English subtitles

www.youtube.com/watch?v=CD8abCOFysA

"The Ghosts of the Somali Embassy"

By Carlo Ruggiero & Fabrizio Ricci. Rome, October 2010.

00'35" We are in Rome, only a few feet away from Porta Pia, on the road Via dei Villini. We are on a road with plenty of greenery and palatial buildings in the Victorian style, of embassies and diplomatic headquarters. On this road, at number 9, is the Somali Embassy, or rather what is left of it. The Embassy was closed in 1991 after the government in Mogadishu collapsed. Since then there has been neither a Somali Consulate nor Embassy.

01'12" The Embassy building is falling to pieces. Over the years it has become a retreat for Somali migrants in Rome. Apart from Somali nationals no one is allowed to go inside the Embassy. Taking photos or filming is not allowed. The reason for this is that the residents are afraid the photos would get back to their country of origin and their relatives would see in what conditions they live in Europe. We were told that in the last few years no European has set foot on Embassy land. Therefore we are giving our camera to a Somali who has offered to film for us.

01'33" [Handing over of the camera]

01'43" He leaves us with the camera. When he comes back he shows us what there is to see.

02'14" In the Embassy there are dozens if not hundreds of people. The majority are recognised refugees or those who have been granted some sort of humanitarian protection. There is no water, no electricity and no gas. It is a desperate situation from a health and hygiene perspective but particularly from a humanitarian perspective.

02'33" [Snippets of conversation]

03'14" It should be said that this footage is only of a specific part of the whole building. The residents have told us that the footage does not even show the places where the conditions are worst

03'26" [A resident describes how they cook at a facility using alcohol]

04'05" [Blending into the interviews]

04'10" [First person] "Have you seen the Somali Embassy? If you want to see it you can. There is no electricity. Not one room has electricity. There is no bathroom, no toilet. If someone needs to use the toilet they go on the road. Or you do your business in a plastic bag. We have extra bags for that in the Embassy."

04'45" [Second person] "At the moment a lot of us are living in the Somali Embassy here in Rome, without gas, without water, in the middle of rubbish. No one feels responsible for this situation. Those who don't battle their way through and find some other sort of accommodation are forced to come to the Somali Embassy and live among rubbish and excrement. The situation is intolerable, something has to change!"

05'07" [Third person] "The Somali refugees in Rome either sleep on the streets or in the Somali Embassy. The Embassy is a terrible place. For those who are sick, even if it is something as easily treatable as a headache, there is no medical provision."

05'18" [First person] "Never in my life would I have dreamt that such living conditions could exist in an embassy. It is a dark place, a very very dark one."

05'37" [Third person] "I came to Italy in 2008. I experienced the terrible conditions in which my countrymen, who have also fled, live here. Our family and relatives allowed us to flee Somalia because there is war. We were forced to be on the run to avoid the constant violence. I came to Italy so that my life would change; I was looking for safety, which I cannot find in Somalia. I was looking for medical treatment and the opportunity of an education. I would never have imagined that instead I would find myself once again in such a miserable situation. I have completed my education in Somalia and would have liked to go to university here, but that is not possible. If you are always worrying about getting something to eat and finding somewhere to sleep then you can't even begin to think about university."

06'10" [Second person] "I left my country because of the many problems and I specifically came to Italy because historically Italy has had good relations with Somalia. I hoped for a better life here, which is the reason I undertook a very long journey. On the journey I was in situations in which I was treated like an animal. And then I found absolutely none of what I had hoped for. Absolutely nothing."

06'26" [Blending in of scenes from the film "Somalia: A State of Need" by Irin Film]

06'53" [Continuing with the second person] "I left Somalia in 2007 and arrived in Italy in 2008. On my journey I went through Ethiopia, the Sahara, Sudan and Libya. I got to Italy on a boat. It was a terrible journey. In Sudan I was even imprisoned, but I managed to flee. In Libya I was also imprisoned. But in the end I got out of there as well."

[End of interviews]

07'13" Many of the Somali migrants intend to move on to northern Europe. But they are all "Dubliners" – those who, under the Dublin II Regulation, are forced to keep returning to Italy. The regulation provides that a person must submit their application for asylum in the European Country in which they first entered. To travel onwards the permission of the Italian state where the asylum application was made is required. But without a fixed address the chances of such permission are nil. Those affected are thus trapped in Italy.

07'43" [Second person] "They granted me refugee status and consequently a permit to stay. That was in the reception centre in Crotona. As soon as I got these two documents I was told I should leave because they were no longer responsible for me, I should look after myself. The only other thing I got was the train ticket from Crotona to Rome. Of course when I arrived here I knew no one and knew nothing. I didn't find anyone who could have given me a helping hand. So I slept on the street for a while, here at Termini Station and later found refuge in the Embassy."

08'04" [First person] "I asked 'Where shall I go with this train ticket?' They told me 'Go to Europe'. I asked 'And what should I do in those other countries?' They said 'We don't have anything for you here'. And that's a fact: they don't have anything for anyone. So they give you a ticket with which you can leave. That's how I came to Norway."

08'34" [Second person] "I went to Holland. There they took me in for a while. I had a roof over my head, I was given food and the possibility to live in a way worthy of a human being. But a few months later the police came to me and informed me that I have to go back to Italy because they had found my fingerprints from Italy."

08'47" [Third person] "I was once in Switzerland. There I learnt what the rights of a refugee are, what the rights of a human are. In general Italy has a good reputation. But the situation of refugees here is a lot worse than in the rest of Europe. There is a saying in Somalia, which is 'It is like a grown man but with a very small head'."

09'08" [Second person] "Italian politics have completely failed when it comes to refugees. That is evidenced alone in the fact that I have been here for two years but still haven't had the opportunity to learn the Italian language. A refugee has to have the opportunity to attend an Italian course and to learn how one lives here. But the conditions in which we live do not allow that. All that when we are political refugees, not animals? We can't continue living like this. Politics should feel responsible for us at last."

09'31" [Third person] "Politicians talk a lot about how they are taking our problems seriously. But that's not true. The living conditions for refugees are a lot worse here than in other places."

09'40" [Second person] "I have done everything possible so that my daughter could come to Italy. Her health is very bad. But I didn't manage to get an entry visa for her. I have come to the point that I am seriously considering whether to return to Somalia. Because it can't go on like this. I am here, living in very bad conditions and my family is in Somalia and cannot come here. None of it makes sense. I'm going back even if there is war there."

10'02" [First person] "For about four days I have been in Rome [again] and have eaten exactly four times. This morning I haven't had breakfast. Not even a cup of tea. Last night before going to bed I couldn't wash or clean my teeth. Now I'm talking about food and hygiene but the most urgent thing I need is a roof over my head. After that I can look around for food, for work and opportunities to educate myself. The most important thing is somewhere to sleep. Sleeping on the street all the time drives me to despair."

[End titles: on behalf of rasseгна.it]

Annex 2

Translation of a film about the vacant lot occupied by Afghan nationals near Ostiense train station, shown on the national TV channel RAI (German translation by Dominik Bender, English translation by Susanna Thomas)

Link to the original video

www.rai.tv/dl/RaiTV/programmi/media/ContentItem-4740693d-db2f-4074-994b-4586bdac46fa.html

“The Black Hole of the Afghans”

“The problem is that I have no work, no home, and no food. It’s no life.” Ibrahim is an Afghan but we are not in Kabul. The pit in which we find ourselves has been renamed “Ground Zero” by the people who live there. Sunk into the ground, dark and invisible, only feet away from the lit up homes of Rome, it has been home to about 50 people for way too long. They live in barracks made from bits of wood and plastic.

Suleiman is luckier than the others. He lives in a tent. “What did you do in Afghanistan before you came to Italy?” “I was a mechanic.” “And why did you come to Italy?” “Because of the problems in Afghanistan.” “What problems?” “I came here because of the war. But I don’t know what I am supposed to do now.” – “I came to Italy in 2008.”

They come to the pit in small groups. They all have papers, they have all been granted asylum but they are scared and intimidated. They fled war and hoped for a better life. “This is no life. You feel like an animal. We should be treated as human beings here in Italy.”

Night falls and it gets cold. Someone starts to cook. The people know that they can’t remain here. Next week the area is to be cleared. A shadow disappears into the darkness. Kabul is here.”

Annex 3

Translation of a video by the Italian journalists Carlo Ruggiero and Antonia Fico about another vacant lot near Ostiense station occupied by Afghans (German translation by Dominik Bender, English translation by Susanna Thomas)

Link to the original video

www.rassegna.it/video/2010/07/15/491/ostiense-afghanistan

Link to the version with English subtitles

www.youtube.com/watch?v=ARGNMc9RcYQ

“Ostiense, Afghanistan”

By Carlo Ruggiero & Antonio Fico. Rome, July 2010.

00’36” [First person] “This is our kitchen. This is where we prepare our food. This is the room in which we sleep. Here on the wall is the Afghan flag. We made a little mosque room so we could pray here. We come here up to five times a day to pray.”

01’17” [Alberto Barbieri, representative of Doctors for Human Rights, MEDU] “Our organisation, Doctors for Human Rights, has been observing the situation of the Afghan refugees around Ostiense station

for more than four years. Since then we have witnessed the dramatic deterioration of sanitary and hygiene conditions and overcrowding. These are living conditions which affect people who are particularly vulnerable due to their long and difficult journey. They are conditions which are found in the centre of Rome and which affect hundreds of Afghan refugees. The people are asylum seekers as well as those who already have a [protection] status. Those affected include a significant number of minors. The living conditions found here are intolerable.”

02'05" [First person] “This here is our only sanitary facility. There is this little hose, which comes out of the water canister. Because there is no other facility we shower here. The water cannot be drunk. The water has to be brought from far away, about a kilometre and a half away. It is not drinkable as it says on the canister in different languages. In Farsi and Pashto it says ‘The water is not clean, you cannot drink it’”. He says he was previously a lorry driver (...) then he came to Italy.

02'57" [Alberto Barbieri] “To get here the refugees have to go through a number of other countries. The last stop before Italy is Greece from which they come to Italy, hidden in ferries. They mainly hide under or in the lorries, taking enormous risks.”

03'11" [Second person] “Pakistan-Iran-Turkey-Greece-Italy was my route. I have been living like this for four - five months.”

03'23" [Third person] “I have been living here for about a year. There is no water or food for us. There are many problems. I would say that in this place alone, there are about 50 people who are close to madness. They can't take it anymore.”

03'38" [Alberto Barbieri] “In the winter the most frequent illnesses are respiratory problems which have come to the fore with the cold. Throughout the year, but particularly during the summer we see skin diseases, which are related to the bad hygiene conditions and the bad water provision. You have to imagine that these are people who leave their countries of origin in a very good state of health. The illnesses we see in these people are not illnesses they have brought with them, but that are related to the life they are living here.”

04'06" [First person] “Some of the boys have been here two, even three years. When they go to the authorities to get documents, they are given a letter that they should come back in six months. No one even looks at them. Some people go ten times, sometimes after two months and after six months. Many never get anything. And then working is impossible. Despite the fact that even without knowing Italian they could at least do manual labour. In this area there are people who have skills: mechanics, pizza makers, cooks. But they don't have documents.”

04'51" [Alberto Barbieri] “About a month and a half ago they cut off the running water to the area. Consequently the health of most people living here got worse in light of the summer heat.”

05'05" [First person] "Here, the owner of this new building has told us that we are not getting any water from him because it is his. For them it's about the plot here being uninhabited."

05'16" [Third person] "I was told by an Italian 'Just leave here at last'. I ask myself where I am supposed to go. I know that some people keep trying to get into the reception centres."

05'38" [First Person] "They want us to leave. But if we leave where should we go? Then we're standing in the middle of the road with nothing."

06'19" [Flavio Tannuzzini, volunteer MEDU] "Our campaign to bring water with the caravan and with our own water canisters is more of a symbolic action because the water runs out very quickly. It's now showing what a bad initiative it was to cut off the water supply. But it still weighs heavier that these people are not given a roof over their heads. They are nearly all political refugees and political refugees should be given accommodation. To cut off the water supply on top of everything is a crime against humanity."

06'53" [Alberto Barbieri] "We are in the centre of Rome, one kilometre from the Colosseum, and we are in a refugee camp which does not even meet the basic standards of the United Nations for refugee camps. It's absurd but in the refugee camps in Darfur or Pakistan the minimum standards are better implemented than here in Ostiense."

07'28" [End titles screenplay: "After a number of official calls the Network for the Protection of Refugees occupied the building of the Social Department of the Municipal Administration on 16/07/2010. In response 150 residents of the camp were moved to three reception centres. The network asked that there be a round table meeting in September to solve the crisis of the Afghan refugees."]

Note: The solution was only of a temporary nature to the extent that even before winter people once again found themselves homeless at Ostiense station.¹

¹ See report in the Italian Newspaper [La Repubblica](#) and the [Roma Daily News](#).

List of Hyperlinks

Videos & Photographs:

Footage of Ostiense, camp of Afghan nationals:

- original version, www.rassegna.it/video/2010/07/15/491/ostiense-afghanistan
- version with English subtitles, www.youtube.com/watch?v=ARGNMc9RcYQ
- a film by state broadcasting channel RAI, www.rai.tv/dl/RaiTV/programmi/media/ContentItem-4740693d-db2f-4074-994b-4586bdac46fa.html
- further photos showing the situation at Ostiense station, www.mediciperidiritiumani.org/galleria_fotografica_roma.htm

Footage & photos from the former Somali Embassy:

- original version, www.rassegna.it/video/2010/10/29/554/roma-i-fantasmii-dellambasciata-somala
- version with English subtitles, www.youtube.com/watch?v=CD8abCOFysA
- Photos of the interior and the garage of the Embassy, La Repubblica on 12 November 2010, http://roma.repubblica.it/cronaca/2010/11/12/foto/somali_sgomberati-9051767/
- further photos showing the inside of the former Embassy, www.flickr.com/photos/57258320@N05/sets/72157625641254388/ sowie www.flickr.com/photos/57258320@N05/sets/72157625719047215/
- Newspaper articles about the former Somali Embassy:
 - FR on 31/1/2011: www.fr-online.de/panorama/das-roemische-elend/-/1472782/7142574/-/index.html
 - taz on 25/1/2011: www.taz.de/1/archiv/digitaz/artikel/?ressort=sw&dig=2011%2F01%2F25%2Fa0091&cHash=29de90c709
 - Spiegel Online on 10/4/2007: www.spiegel.de/politik/ausland/0,1518,476144,00.html
 - taz on 28/2/2011, <http://www.taz.de/1/politik/europa/artikel/1/somalische-botschaft-geraeumt/>

Footnotes:

Footnote 2:

- http://www.beobachtungsstelle.ch/fileadmin/user_upload/pdf_divers/Berichte/Bericht_DublinII-Italien.pdf
- http://www.fluechtlingshilfe.ch/asylrecht/eu-international/schengen-dublin-und-die-schweiz/asylum-procedure-and-reception-conditions-in-italy/at_download/file

Footnote 3:

- regarding CARA and other reception and detention centres, Report by Doctors without Borders January 2010, www.storiemigranti.org/IMG/pdf/Al_di_la_del_muro.pdf
- report by Maria Bethke on the state structures for the reception of asylum seekers in "Sempre in Giro – Immer unterwegs", documentation for the 13th European Asylum Rights conference 2010 in Palermo, http://www.diakonie-rlw.de/cms/media//pdf/arbeitsbereiche/teilhabe_und_integration/migration_und_flucht/publikationen/Asylrechtstagung_Palermo_Doku_13_4_2011.pdf, page 32 ff.

Footnote 4:

- Compendio statistico dello SPRAR, anno 2009, www.serviziocentrale.it/file/server/file/1%20numeri%20dell%27accoglienza%202009.pdf, page 5.

Footnote 5:

- <http://espresso.repubblica.it/dettaglio/in-italia-diritti-umani-negati/2139856>

Footnote 6:

- 2009 Annual Report, Doctors for Human Rights (MEDU), www.mediciperidiritiumani.org/camper_diritti_2009.pdf, page 6

Footnote 10:

- statistics from the Italian Ministry of Interior, [www.serviziocentrale.it/file/server/file/1%20numeri%20dell%27accoglienza%202009\(3\).pdf](http://www.serviziocentrale.it/file/server/file/1%20numeri%20dell%27accoglienza%202009(3).pdf)

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- statement by Doctors without Borders (MEDU), www.mediciperidiritiumani.org/comunicato_21_dicembre.htm
- documents from the internet portal rassegna.it, www.rassegna.it/speciali/222/i-fantasmii-dellambasciata-somala
- taz on 28/2/2011, <http://www.taz.de/1/politik/europa/artikel/1/somalische-botschaft-geraeumt/>
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Footnote 13:

- Laura Boldrini, UNHCR Italy: Former Embassy Now Home to Desperate Somalis in Rome, www.unhcr.org/419a246f4.html
- New York Times on 31/10/2004, <http://query.nytimes.com/gst/fullpage.html?res=9B03E4DC113DF932A05753C1A9629C8B63>

Footnote 14:

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Footnote 15:

- Handbook for Asylum Seekers in Italy, www.interno.it/mininterno/export/sites/default/it/assets/files/16/0104_SPRAR_Vademecum.pdf, page 159.

Footnote 16:

- Maria Cristina Romano: The Italian Asylum Procedure - Some Problematic Aspects, www.legalaidboard.ie/lab/publishing.nsf/content/The_Researcher_June_2009_Article_6

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Footnote 22:

- see footnote 4

Footnote 24:

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Footnote 26:

- statistics on the Dublin returns to Italy, www.cir-onlus.org/Dati%20unita%20dublino%202007-2009.htm,
- Both annual reports of SPRAR, www.serviziocentrale.it/file/pdf/Rapporto_annuale_SPRAR_Anno_2008-2009.pdf, pages 57 & 83 as well as,
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http://borderline-europe.de/downloads/italienbroschuere_weboptimiert_2009.pdf
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Interviewees:

- Cristina Molfetta, Mirtha Sozzi & Fredo Oliviero, *Ufficio Pastorale Migranti*, Turin, www.migrantitorino.it
- Monsignore Giancarlo Perego, *Migrantes*, Organisation of the Catholic Church, Rome, www.migrantes.it
- Silvia Agostini, employee of a local integration project working within SPRAR the Italy wide reception system, www.serviziocentrale.it
- Chiara Peri, *Centro Astalli*, Jesuit Refugee Service Rome, www.centroastalli.it
- Jürgen Humburg, UNHCR Rome, www.unhcr.org
- Lawyer Caterina Boca & asylum advisor Anna Clara De Martino, *Centro Ascolto di Via delle Zoccollette*, Caritas Rome, www.caritasroma.it/Cosafacciamo/Ascolto/CDAPERstranieri.aspx
- Daniela Di Rado, CIR, Italian Refugee Council, www.cir-onlus.org

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