

**IMMIGRATION-THE PROBLEM
TO BE SOLVED**

Chapter from a MA thesis about immigration
to the EU countries

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**1. What is immigration, who is an immigrant?
Some alarming data¹**

The word “immigrant” appears around 1789 to describe an alien who moved from one established society to another. Most people in developing countries live and die in their birthplace. Because some of them want to improve their economic or political well being, they overcome the pain of breaking family and community ties. They are “pushed” from their home country by poor circumstances of economy or by political persecution and they are “pulled” to another country by political or economical opportunities.

The demographic imbalance between developing and industrial states maintain the push/pull pressures of international migration. The population of the Earth was 5.6 billion in 1994 and the world’s work force was 2.5 billion strong. Over 95% of the world’s population and work force growth occurs in developing nations, where 3/4 of the population live.

In the early 1990’s at least 100 million migrants and refugees lived outside their countries of citizenship/about 1/2 are in the industrialized countries.

¹ All data, in the following paragraph, are from “Population bulletin, Population Reference Bureau”, Washington, D.C., vol. 49, No. 2, September 1994.

About 25 million legal and illegal workers, immigrants, and refugees live in Western Europe, about 25 million are in North America, about 2 million are in the industrial Asian nations. The migrants send 70 billion dollars back to their countries of origin every year.

Although these immigrants represent a small percentage of the world's population, they are a growing share of the work forces in industrial countries, where many of them move and where native populations are growing slowly or even declining.

Countries in developed European countries, enclosed Italy, have the slowly growing societies that may need immigrant labor for economic and demographic reasons. But their societies have often troubles to absorb immigrant populations and communities. Keeping up with the growth of immigrants is a real challenge for both developed and also developing countries, where in addition to creating more jobs for the flows of youths who join the work force regularly, developing nations must also find non-farm jobs for many migrants leaving rural areas; create jobs for women and others not now in the work force.

Today's migration from developing to industrial countries began with demand/pull recruitment, as employers in industrial countries recruited workers. For example the southern European "guestworkers" recruited to work in post/World War II Germany. These countries /hosts/discovered that emigration areas often depended upon another country's labor market. Both are source of income when emigrants send back part of their earnings as remittances and as a source of jobs for workers who are underemployed at home.

2. Case of Italy²

Italy was a country of emigration until the 1980th. About twenty seven million of Italians left Italy between 1876 and 1987. Fourteen millions went to the other European countries, six millions to the North America, five millions to the South America.

² All data, in the following paragraphs, are from "Commissione per le politiche di integrazione degli immigrati, Primo rapporto sull'integrazione degli immigrati", Il Mulino, Bologna, 2001.

This situation changed over the course of the last twenty years. Since the mid 1970s, Italy has lived a continuous growth in its immigration statistics. And only, as was also the case of Spain, Greece and Portugal, Italy started to regulate the inflows from Africa, Latin America and Asia. Unfortunately it began only in the late 1980s. Ugo Melotti in this sense speaks about an Italian “anomalous case” in the early 1970s, which changed into an “exemplary case” in the 1980s and which has been a “model case”, of the evolution on the phenomenon, from the began of the 1990 s.

He stresses on “push factors”, political conflicts, economical crises but “pull factors”, more favourable economical, social or cultural conditions, play other main role in actual immigration trends.

Italy is considered a demographic bomb because of its highest absolute migration growth. This growth represents almost 1/4 of the growth of 15 EU countries and 1/3 of 11 counties of EMU. Nevertheless Italy shows the general symptoms of the last ten years of immigration: growth of illegal immigrants and refugees as a consequence of European immigration policies and changes in living standards in ex communist countries and political and environmental changes in the countries of the so called Third countries; growth of migrating women; participation on immigration of non traditional ethnical groups like Tamils; growth of number of countries which are directly involved in migration process, some of them are both emigration and immigration countries, like Portugal or Poland; two directed immigration, direction south/north and east/west; spread of black economy.

2.1. Foreign Population in Italy-statistics

According to the National Institute of Statistics (INSTAT) 986 thousand foreigners were legal residents of Italy in January 1997. 206 thousand came from industrial countries and 780 thousand from developing countries. Italian Caritas, however, estimates, that there are about 400.000 irregular immigrants in the country. That means, that the part of the total population of Italy that is foreign rises to more than 2.6 %. According to the same source there were, in Italy, 1 million 23 thousands legal residents in January 1998. These numbers shows, that it is a average rate when compared with other European states. However, the total number of immigrants in Italy is smaller than the number of Italians who live abroad. About 2 million Italians lived out of Italy in 1990.

In 1997, 87.1% of the legal foreigners in Italy were non-European citizens. And only 9.6% of them were from highly industrialised countries. The majority of immigrants came from developing countries; 38.9% from Europe; 28.8% from Africa; 14.1% from Asia; 17.8% from Americas.

The statistic dates indicate that the number of foreigners in Italy, measured according to the residence permits, rose by 374 thousand persons from 1992 to 1998. The year average of increase is about 7.9%. Only from 1995 to 1996 it rose by 104,203 persons, it is an increase of 10.5% in one year. Considering the dates of register office in communes where immigrants reside, the number of immigrants rose by 456 thousand (an annual average by 75,917 persons), it means an annual average growth of 10.8%.

From 1995 to 1996, the number of foreign population from EU states fell by 7.3% while the number of non-EU Europeans rose by 14%. The number of Africans and North and South Americans rose by 18.8% and 28% respectively, the number of immigrants from Asia fell by 5.7%.

2.2. Regional distribution of immigrants in Italy

Italy can be divided into four geographic areas, each with a different density of foreigners and various primary reasons for why immigrants move there.

About 50% of all resident foreigners live in the highly industrialised north, 30% are in the centre of the country, the south hosts 12% of foreign population (it is mostly an agricultural area geographically close to Albania). The fishing industry and agriculture of the island of Sicily and Sardinia have attracted 8% of immigrants in Italy.

This geographical distribution of immigrants in Italy reflects a fundamental difference in the labour market in the four regions. There is not only a difference between an industrial North and agricultural South with predominantly-informal economy. There is also a distinction between rural and urban areas. Jobs in the service industry one can find in cities. As regards the type of contracts immigrants receive, they are regular in the industrial sector but often temporary in the service and agricultural sectors.

Seasonal workers in the agricultural sector in the southern and central regions mostly from North Africa, predominantly from Morocco and Tunisia. It is true, that Italians see employment during the harvest season as unattractive, but immigrants are attractive for agricultural employers because they are cheap and they can hardly complain, if they are irregu-

lar, about reduced wages or worsened working conditions. This is also a case in small-scale fishing industry on Sardinia and Sicily. Although many Italians lost the interest in such a work and they left the South for work in industrial north, immigrants are competitors for those Italians in the south who decided not to move.

2.3. Italian Migration Policy

The Italian Constitution in article 10, paragraph 2 provides guidelines for Italian immigration legislation. But only recently the rule, "*the legal status of the foreigner in Italy is regulated by legislation in conformity with international norms and treaties*", has been addressed by formal legislation.

The Constitution says that laws, regarding immigration, must be limited, meaning that administrative interference in immigration and immigrant's lives should be minimised and Italian laws must abide by international laws and conventions concerning foreigners.

For tens of years the immigration was addressed only by executive directives. The first important one was the very strict Royal Decree of 1931 and 1940. Their regulations governed entry, residence, movement, and deportation of foreigners but ignored their civil rights.

Also after the 2WW and after the new Constitution was approved there was little consideration given to the long-term planning and management of immigration. Only ministerial memoranda were issued on this issue. Some regulations on labor migration were issued, by the Ministry of Labor in 1963, to reduce illegal immigration, which, at that time, was marginal.

It was only in 1986 that a comprehensive immigration law addressed immigration policy because it was clear that Italy had become a destination of significant migration. The law made an attempt to regulate labor inflows, immigrant employment and contained the regularisation campaign: those who arrived before a certain date-the period was extended several times-could receive legal working papers if employers applied on their behalf. Unemployed foreigners were entitled to register in the official employment list. These changes enabled immigrants to apply for residence permits. In this way 188,000 illegal immigrants were regularised during 1988.

Although immigrant's legal status on the labor market was regulated, it was criticised for being too bureaucratic and complicated.

The current immigration policy is based on the so-called Martelli law no. 39 of 1990 as well as on the decree no. 489 of 1995 which means the

attempt to bring Italian migration policy into line with other European state's policies. In November 1995 decree on the regularisation of immigrants was issued and most recently the Law on the Regularisation of Immigration and Living Conditions of Foreigners no. 40, ministerial decree no. 286 and presidential decree were passed in 1998 to find a better control of entry and residence of foreigners in Italy. It means to comply with the Geneva Convention of 1951 and the New York Protocol of 1967.

The main goals of the Martelli law were to implement a fairer refugee policy and to better control the entry and residence of foreigners in Italy. Therefore the inter-ministerial decree was issued in 1990 to restrict the inflow of foreigners, introduce penalties for previous illegal residence in Italy and to put in place stricter border controls.

The decree granted some new rights to foreigners and had a strong focus on regularisation. Thanks to this change sanctions on employers that had illegal workers were eased.

In addition the most recent law no. 40 of 1998 for the first time guarantees the right to family reunification as well as to start a new family in Italy, it strengthens certain basic civil and social rights for immigrants, including the right of political association, suffrage rights for local election and public services. A new temporary status for the protection of civil war and natural disaster refugees was established and those who have worked in Italy for minimum of five years may now get a permanent visa.

Conclusion – looking for the way to solve common problems

Although Italy has been one of the main constructors of European integration, it was, for a long time, reluctant to work towards a common European migration and asylum policy.

But the crisis in Albania had a particularly large effect on Italy's migration inflows. In just one year the number of Albanians in Italy grew by 84.3% and other groups of immigrants from China, Senegal, Filipino, Romania contributed to the high numbers in migration statistics. Therefore Italy has taken some proactive steps in the last years by attempting to convince its northern EU partners of the need for a common EU Mediterranean policy and the Italian government, after a time of inability to join the Schengen Area, (it signed the Schengen Agreement in November 1990) came into compliance with the requirements of the Schengen Treaty. (1. April 1998)

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