Seeking asylum in Italy: assessing risks and options
Eleanor Paynter

In Italy, uncertainties inherent in the asylum system affect asylum seekers’ motivation, decisions and well-being.

Beginning in 2014, Italian authorities established ‘centres of extraordinary reception’ (CAS) across the country as an emergency measure to house asylum seekers. Intended as a temporary solution to a nearly fourfold increase in arrivals by sea between 2013 and 2014, these centres, which are often situated in repurposed buildings (former hotels, gyms or schools), have since housed a majority of asylum seekers, often for periods longer than the few months intended by the State and expected by the asylum seekers.

Language lessons are an important component of Italy’s reception system, though modes of instruction and rates of attendance vary widely. The decision to participate reflects asylum seekers’ varying views of how best to invest energy during the reception period. In interviews that I conducted at CAS between 2017 and 2019, residents – primarily young men from Sub-Saharan African countries, reflecting trends in Mediterranean migration – described their hope that learning Italian would prepare them for post-reception life, for example by enabling them to find work, and that attending classes would demonstrate their commitment to integration. Although they knew that their asylum claims depended on their account of having to flee their home countries rather than on how well they adopted Italian customs, they assumed that demonstrating good citizenship could only help their chances. At one centre in the southern region of Molise, staff – who mediated asylum seekers’ communications with lawyers and other officials – praised those who regularly attended language classes or who helped out around the centre, praise that asylum seekers often interpreted as an added reason to hope for a positive decision.

Residents also often attempted to identify patterns in decisions about who was granted protection, for instance in terms of nationality, age and month of arrival. This was to try to make sense of an opaque system and changing regulations. Moreover, recognising patterns reassured those who fitted the perceived profile for a positive outcome, and it enabled others to adjust the decisions they made about the options available to them while they waited.

By mid-2018, however, following national elections, the general sense among the CAS residents was that asylum officials were increasingly denying claims, regardless of nationality. Multiple CAS residents whose applications had been rejected described feeling that these denials were also a rejection of the commitment they had made to integrating.
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To the asylum seekers, the asylum system seemed increasingly arbitrary, with decisions more clearly linked to political will than to the merits of their individual cases. They were also well aware of the anti-immigrant sentiment that shaped media coverage of their presence in Italy and their interactions with some local residents, both of which they felt had worsened since the elections.

One interviewee explained that he did not realise when his appeal was rejected that this decision was final. When he had entered Italy, multiple appeals were possible. While he was awaiting status determination, however, the law had changed. For him, like many others in his position, it seemed absurd that his chances for a successful claim could change so radically while he awaited a decision. To several other residents, the number of denials and their seemingly unfounded nature made waiting seem pointless. Some decided not to wait for their appeals to be heard and opted instead to leave the CAS while it seemed possible to do so. Without resources, and unable to return to their home countries, many of them made their way to larger cities with more established migrant networks and communities. Becoming undocumented was a decision none of the men took lightly but one they felt became necessary when left without other realistic options.

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Adaptable asylum systems in Portugal in the context of COVID-19

Angela Moore and Periklis Kortsaris

COVID-19 has provided a new entry point for conversations about the adaptability of asylum systems. The swift, constructive approach taken by Portugal to ensure the rights of asylum seekers during the pandemic offers a protection model for others to consider.

COVID-19 poses a number of challenges to asylum systems. What happens when asylum systems are unable to operate in accordance with accepted processes and modalities? What if interviewers and decision-makers cannot meet asylum seekers or come to the office? How can asylum systems cope if compliance with established timelines is impossible, and there is no clear indication of when the situation will be ‘back to normal’, or how long the transition to a ‘new normal’ might last? What solutions can States identify and prioritise in order to safeguard the rights of asylum seekers and ensure that they are not penalised for a situation that is entirely beyond their (or anyone’s) control while also ensuring that public health is protected? How can interim measures contribute to avoiding the accumulation of backlogs at all stages of the refugee status determination (RSD) process?

The question of adaptability in the face of challenges such as these is raised in the Global Compact on Refugees and is an integral part of the vision for its Asylum Capacity Support Group. In the context of the COVID-19 pandemic, Portugal very quickly identified a novel approach to the challenges it faced. In late March 2020, the country’s Council of Ministers issued Order No 3683-B/2020 to temporarily regularise the residency status of all foreign citizens who had filed a request of residence or asylum as of 18th March 2020, the day a national state of emergency was declared in Portugal. The validity of this legal residency was initially until the end of June, and subsequently extended to the end of October.

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