

**Europe face-to-face.** The migration crisis dominates headlines in the media right now. Many people think that such problem is one of the most important for the future of the EU. According to Eurobarometer 2016, about 48% of EU citizens indicated the migration crisis as the most topical problem.<sup>1</sup> The media coverage can frame the migration as something extraordinary, but the historical perspective clearly stipulates that it is not a new phenomenon. For example, between 1861 and 1961 more than 25 million Italians moved from their country.<sup>2</sup> According to the FRONTEX in 2015, 1.8 million refugees arrived in Europe. This is a lot, compared to 280 thousand in 2014. However, this is not so much, compared to 1.3 million Syrians taken by Jordan (where 6 million residents), 1.4 million - Lebanon (where 4.5 million people live) and more than 2 million by Turkey, which became the subject of negotiations between Ankara and Brussels in order to prevent further flow of migration towards European countries.<sup>3</sup>

In various European countries the talk about invasion is on the line. Overall atmosphere has deteriorated very recently, and unfortunately the media do not help to understand the phenomenon of migration which increases fears. Broadcast news and video are mostly negative. Often the media spread inaccurate news. People are scared. On-the procession of Islam? Shortage of jobs? Loss of identity? Security issues? Increased crime? This is a very important questions that cannot be simplified, but they do not take into account the other side of the coin - the serious problems of those who are forced leave their country. According to the UN data, the number of refugees today is more than during the WWII and overseas 65 million people.<sup>4</sup>

Growing rejection of migrants by wide part of population (often with a lack of rational bases) contributes to the rise of political parties that put in the center of their agenda the issue of immigration, sometimes pursuing political campaign with clearly xenophobic tone. Terrible terrorist acts in the heart of Europe added fuel to the fire of a difficult situation by launching a dangerous immigrant identification mechanism — Muslim is a potential terrorist.

Despite the wave of problems (real or fictional) some the most realistic political leaders understand that this phenomenon is global, and it needs serious and long-term political governance. Given the fact that migrants are already in Europe, the possible way out is to integrate them at all levels. This is not about multiculturalism which has already shown its limitations, but it is the integration of representatives of different cultural world into the culture of the country of arrival. Italy as the first line country in Europe to deal with migration flows demonstrates the legal and social outcomes that can act as an example of the policy of integration.

---

<sup>1</sup> Standard Eurobarometer 85. First Results. Spring 2016. P. 4.

<sup>2</sup> Ciuffoletti Z., Degl'Innocenti M. L'emigrazione nella storia d'Italia, 1868–1975: storia e documenti. Firenze: Vallecchi, 1978

<sup>3</sup> Risk Analysis for 2016. Frontex. P. 17

<sup>4</sup> Figures at a Glance [Electronic source] // UNHCR. URL: <http://www.unhcr.org/figures-at-a-glance.html>

**Legal aspects of migration.** In recent years, the Italian governments have tried to arrange a broader reflection on migration politics in the EU. *Migration compact*, submitted by the government Renzi in 2016, has become a new word in migration policy. Rome sent some general proposals to Brussels approach to the migration crisis, based on three fundamental lagging assumptions. First, the migration to Europe should be considered as a structural phenomenon that cannot be resolved by extraordinary measures. Secondly, it is necessary to work with the causes of migration flows, integrating the external measurement of migration policy with a look beyond borders of Europe. And finally, from the point of view of Italy the key is the African context because they should be the main interlocutors in launching the multi-level exchanges between Europe and African countries.<sup>5</sup> According to Statistic of 2016, the first place among sailing in Italy occupies by the citizens of Nigeria (21%) and Eritrea (11%).

Italy has a long-established experience in handling migration flows. The sign of a change in the approach to the issue of migration has become the creation of the Ministry of Integration and Cooperation in 2011. This was the first attempt to withdraw this question from the exclusive competence of the Ministry of the Interior and give it broader dimension. And it already brought fruits: only in 2017, it took up about 130 thousand applications from asylum seekers<sup>6</sup>.

According to article 1 of the Refugee Convention 1951, the person is considered as “refugee” when it satisfies the following criteria: “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”<sup>7</sup> It is obvious that the transformative changes made the existing security mechanism to some extent outdated that forced the EU to take additional legal measures to ensure the human right defence of asylum seekers. Such measures include *subsidiary protection* status and *humanitarian protection*. “Protezione sussidiaria” can be granted if person under the fear of death penalty, torture or any other punishment or inhuman and degrading treatment; serious and individual threat to the life or identity of a civilian in his homeland as a result of violence.<sup>8</sup>

---

<sup>5</sup> Migration Compact: Contribution to an EU strategy for external action on migration [Electronic source] // URL: [http://www.governo.it/sites/governo.it/files/immigrazione\\_0.pdf](http://www.governo.it/sites/governo.it/files/immigrazione_0.pdf)

<sup>6</sup> Dati asilo 2016–2017 [Electronic source]. URL: [http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/dati\\_asilo\\_2017\\_.pdf](http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/dati_asilo_2017_.pdf)

<sup>7</sup> Convention Relating to the Status of Refugee, 28 July, 1951. // URL: <https://www.unhcr.org/3b66c2aa10>

<sup>8</sup> Decreto legislativo № 251/2007 [Electronic resource]. URL: [http://www.gazzettaufficiale.it/atto/serie\\_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=2008-01-04&atto.codiceRedazionale=007G0259&elenco30giorni=false](http://www.gazzettaufficiale.it/atto/serie_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=2008-01-04&atto.codiceRedazionale=007G0259&elenco30giorni=false)

The decision on the granting of a status is taken by the Territory Real Commission for the Recognition of International Protection (Commissione territoriale per il riconoscimento della protezione internazionale). Based on the Commission's provision of the subsidiary protection status the "questura" gives the residence permit (permesso di soggiorno) for up to 5 years with the possibility of renewal for the applicant<sup>9</sup>. It is important to note that the status of subsidiary protection may be terminated or may not be extended if the circumstances that caused the applicant's divisions no longer exist or have changed significantly and, therefore, protection is no longer required.

"Protezione umanitaria" is the legal institute which is not obligatory for states but Italy has it in the national legal system. The status can be granted upon the satisfaction of the following conditions:

- 1) alien who is refused refugee status or beneficiary of subsidiary protection, but in respect of which there has been established the need for protection of a humanitarian nature, as well as in the event of termination or withdrawal of the status of international protection by the National Law Commission
- 2) a foreigner who cannot be expelled or returned to the country risk of persecution based on race, gender, language, citizenship, religion, political beliefs, personal or social conditions, and the risk of being sent to another state in which he will not be charged.
- 3) A foreigner who can present to the "questura" the document justifying the serious personal reasons of impossibility to apply for the administrative expulsion
- 4) an alien in respect of whom during the provision of power social services of local authorities revealed cases of violence or exploitation as well as a real threat to its further safety due to attempts to get out of the influence of the perpetrators of the above due to statements made during preliminary investigations or litigation
- 5) a foreigner who is a victim of labor exploitation who has submitted a complaint filed with the police or cooperated in a criminal case brought by the employer's.<sup>10</sup>

To sum up, we can say that in the conditions of massive influx of migrants, Italy has developed a special three-level system of international and humanitarian protection, which allows persons who are not entitled to refugee status, to be a beneficiary of subsidiary protection, and persons not covered by these two types of international protection - take advantage of humanitarian protection.

---

<sup>9</sup> Decreto legislativo № 18/2014 [Electronic resource]. URL: <http://www.gazzettaufficiale.it/eli/id/2014/03/07/14G00028/sg>

<sup>10</sup> <https://www.asylumineurope.org/reports/country/italy/content-international-protection/status-and-residence/cessation-and-review>

**Integration policy – recognition of qualification.** Recognition of the qualification held by refugee is the very important part of integration policy regarding the social inclusion of asylum seeker. In line with the stipulation of the Lisbon Convention, Italy has adjusted its own legislation in terms of refugee qualification recognition by introducing Legislative Decree 251/2007 Art. 26 comma 3a:

«For the recognition of professional qualifications, diplomas, certificates and other foreign qualifications by holders of refugee status or subsidiary protection status, the competent administrations must identify appropriate evaluation, convalidation and accreditation systems which allow qualification recognition as stipulated by Art. 49 of the Presidential Decree n. 394 of 31 August 1999, even in the absence of certification on the part of the State that in which the qualification was awarded, in cases where the interested party demonstrates the impossibility of obtaining such certification».

Furthermore, the Direzione generale per lo studente, lo sviluppo e l'internazionalizzazione della formazione superiore (General Direction for students, development and higher education internationalisation) of MIUR, inside its “ Procedures for access to foreign students requesting visas for higher education courses for 2018-2019”, has invited Italian higher education institutions to «recognise cycles and periods of study conducted abroad and foreign study qualifications, with a view to entering higher education, proceeding with university studies and obtaining Italian university qualifications (Art. 2 Law 148/2002)» e «to make all necessary effort to introduce internal procedures and mechanisms to evaluate refugee and subsidiary protection holder qualifications, even in cases where all or part of the relative documents certifying the qualifications are missing».

Italy is the part of the European Council project “European Qualifications Passport for Refugees”. The European Qualifications Passport for Refugees is a document providing an assessment of the higher education qualifications based on available documentation and a structured interview. It also presents information on the applicant’s work experience and language proficiency. The document provides reliable information for integration and progression towards employment and admission to further studies. It is a specially developed assessment scheme for refugees, even for those who cannot fully document their qualifications.

The procedure of recognition of academic qualification for refugees without documentation implemented in the following steps<sup>11</sup>:

<b>1. Prepare a "Background paper"</b>	A "reliable statement" which can be used to:
--	--

<sup>11</sup> <https://www.universitaperrifugiati.it/en/linee-guida-riconoscimento-titoli-rifugiati.aspx>

	<ul style="list-style-type: none"> <li>• Detail the completed educational path, study titles included;</li> <li>• Detail the professional background, professional qualifications, work experience and further skills included;</li> <li>• Documents and other proofs supplied by the applicant (if available);</li> <li>• Outline any additional information about: <ul style="list-style-type: none"> <li>○ Educational system;</li> <li>○ Educational institution;</li> <li>○ Academic program;</li> <li>○ Quality assurance;</li> <li>○ Other relevant information. .</li> </ul> </li> </ul>
<p><b>2. Assess academic credentials based on the "background paper"</b></p>	<p>Check and confirm the information collected through the background paper</p>
<p><b>3. Prepare the following steps</b> (if applicable)</p>	<p>Further steps could be, for instance:</p> <ul style="list-style-type: none"> <li>• <b>Organize an exam/ test</b>, to prove the acquired knowledge, competences and skills;</li> <li>• <b>Organize an interview</b>, with an experts' commission who could ask specific questions to the applicant to gather additional background information;</li> <li>• Use an <b>affidavit</b>, a document declared as official by a legal authority</li> </ul>
<p><b>4. Complete the evaluation procedure</b></p>	<p>The evaluators will establish the outcome of the evaluation based on the purpose identified. The final outcome may be used for admission purposes to a new study cycle or to continue studies already started.</p>
<p><b>5. Deliver an official document</b> (if applicable)</p>	<p>The document states:</p> <ul style="list-style-type: none"> <li>• The decision taken about the recognition, based on the purpose of the evaluation; and</li> <li>• The validity period.</li> </ul>

**Conclusion.** The policy of integration should become the new way of dealing with migration influx. The policy of multiculturalism has already demonstrated the lack of ability to ensure safety of both migrants and local population. The recent terrorist attacks provided the instability and some political steps to build new borders which contradicts with the principles of Schengen.

The special position of the Italian Peninsula in the Mediterranean the sea and the political situation in the countries on the other side (Libya, Egypt and the Maghreb countries) made Italy as a country of paramount importance in regional migration flows. The situation in Italy is different from the situation in other European countries primarily by the fact that Syrian refugees a much smaller and much stronger noticeable presence South African Sahara. That is why the Italian experience of migration management is very important to understand. Apart from internationally obliged mechanism of refugee protection, Italy has the subsidiary and humanitarian protection mode to ensure the fulfilment of the principles of human rights.

The recognition of qualification is the substantial step in the politics of integration. The importance of different projects facilitating such process can provide the added value for national-migrant relations, ensure the social inclusion of refugees and break the very dangerous stereotypes about Muslim migrants as a sources of unsafety for Europe.