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*Illustrations by Antonio Esposito*

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*The Ministry of the Interior and the International Organization for Migration can not be considered legally accountable for the accuracy, the completeness or the usefulness of this information.*

# *Introduction to Italy*

Handbook of civic orientation for international protection seekers



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# *Geography, history and population of Italy*

Italy extends over an area of 301.333 sq. km. On the west, it borders with France, Switzerland and Austria on the north, and on the east with Slovenia. Italy extends between the Alps and the Mediterranean Sea; it is surrounded by the Ligurian Sea, Tyrrhenian Sea, Ionian Sea and the Adriatic Sea plus its many islands are also part of its territory: Sicily, Sardinia and many smaller island groups.




## Territory

- 23% is flat lands
- 42% is formed by hills
- 35% is composed of mountains

## Climate

In the North it is cold (the climate varies from alpine to sub-continental). The south is warmer.

The territory is divided into twenty regions. Five of these regions have a special status, namely, they decide with more local powers and with greater autonomy from the Central government: Val d'Aosta, Trentino - Alto Adige, Friuli Venezia Giulia, Sicily and Sardinia.

Italy's northern regions are Piedmont, la Valle d'Aosta,

Lombardy, Trentino Alto Adige, Friuli Venezia Giulia, Veneto, Liguria and Emilia Romagna; central part of Italy is consisted of Tuscany, Umbria, Lazio and Marche. In southern Italy, there are Abruzzo, Molise, Campania, Apulia, Basilicata and Calabria. Finally, there are Sardinia and Sicily, creating insular part of Italy.




## Historical Outline

- After centuries of separation and foreign domination, the history of contemporary Italy commences on 1861, when almost all of Italy unified under the guidance of Garibaldi and the King of Sardinia, Vittorio Emanuele II.

From 1915 until 1918, Italy was involved in the First World War. Immediately after the war, the fascist party came to power in 1922, led by Benito Mussolini who imposed a period of dictatorship in Italy that lasted twenty years and involved the country in World War II on the side of Nazi Germany. The defeat of Germany, Japan and Italy in the second World War by side of the British, American, French and Russian Allies, thanks also to the partisans of the Resistance movement, made the liberation from fascism possible (25th of April is celebrated even nowadays).

## Birth of Italian Republic and Constitution

- (In 1946, at the end of World War II) the Italians were called upon to decide in a referendum between Monarchy and Republic. The majority of Italians chose the Republic (June 2nd).
- In 1948, the Constitution of the Italian Republic was issued. Its first article states that "Italy is a democratic republic founded on work" and all its further articles consistently ban discrimination based on gender, race or religion.

## Population

The Italian population today is about 60 million. The population density is very different from region to region because of the phenomena of moving to the big cities. Between 1960 and 1990, about 6 million people moved from the South o the Northern big cities.

## Language

For quite a long time, the Italian language existed only in written form: people in various regions and towns, communicated in their local dialects. Today most of Italians speak Italian and their local dialect. In some Italian regions, alongside with Italian, several foreign languages officially co-exist, such as French in Val d'Aosta, German in Trentino Alto Adige, Croatian in Molise, Albanian in some parts of Sicily and Calabria, Greek in Puglia and Slovenian in Friuli Venezia Giulia.

## Religion

The Italian Constitution states that every citizen is free to practice a religion of his or her choice. The Italian state is a secular state and has no official religion. However, 88% of Italians are Catholic. The Catholic Church exists for almost two thousand years. The Pope, Head of Catholic Church and sovereign state of the Vatican city, is at the same time the Bishop of Rome and a reference point for one billion Catholics worldwide. The Catholic Church enjoys a special relationship with the Italian State: In the Concordat accord, the relationship between Church and State had been stipulated, with acknowledging a special position of the Church, with application of the accord onto the legislative area as well.

## Marriage

In order to marry, a man and a woman must:
be of legal age; freely express their consent; not already married; be capable of discernment

Marriage may be celebrated in two kinds of ceremony

- **Civil**, which is performed by the Registrar of a municipality (by a Mayor or his representative).
- **Religious**, which is performed by a Catholic priest. Catholic marriage is also considered valid as the civil marriage: In this case, the religious ceremony must be completed by readings of some articles from Civil Code. As for civil regulation of the said marriage, the very act of marriage must be sent to an officer of Registrar, competent for its transcription.

## Family

During the last century, family in Italy has dramatically changed

Until World War II, it was characterized by: centralization of power in the role of the father, who controlled his wife, children and grandchildren (extended family) and a rigid separation of roles between men and women.

With the reform of Family Law (1975) a process of transformation of the family, begun:

- now, the father does not have all the decision power, and both husband and wife have the same rights and duties.
- family is essentially a nuclear one (composed by parents and children only.
- roles tend to be overlapping: men perform tasks previously reserved for women and women accomplish tasks previously reserved for men.

## Children

**Natural children** are those born to unmarried parents. Natural children have the same rights as legitimate children. Until recently, a birth of a child out of wedlock was considered shameful. Today, however, children born in non de facto relationships are more frequent (i.e. by unmarried people).

**Legitimate children** are born within a marriage. Both parents perform authority to children, namely, they undertake all the decisions for their development, education and instruction. In any case, if parents are not able to provide a favourable family environment for their physical and psychological growth, Juvenile court (the one that deals with minors with less than 18 years of age) may decide to entrust the children to Social Services. The **entrust** is temporary. After some time, a minor may be:

- reintegrated into the family of origin if it is able to follow his/hers growth;
- adopted by another family.

## Separation and Divorce

From 1970 in Italy, a dissolution of marriage with divorce, became possible. The marriage can be dissolved in the presence of serious reasons listed by law. In any case, the court, before granting a divorce, has to attempt reconciliation between the spouses; it is, however, possible to obtain dissolution of marriage (divorce) and then remarry in a civil ceremony, but only 3 years after legal separation.

# *Italian economy*

## Agriculture

Production in Italy mostly consists of: grapevines (Italian wine is very famous), olives (production of “extra virgin” oil), citrus fruits (oranges, lemons), legumes (peas, be-

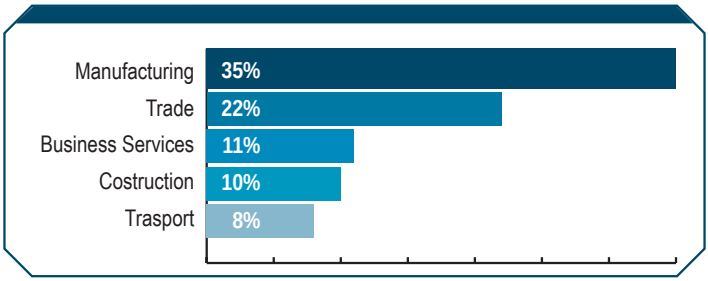
ans), vegetables (eggplant, zucchini) and fruit in general. On the other side, production of cereals (like corn and wheat) is small.

## Livestock breeding

Mainly, cattle are bred to produce milk and cheese. In addition, chickens are bred, as well as sheep, goats and rabbits for meat production.

## Industry

Businesses operating in industry are 3.5 million and employ about 14 million people. The industrial sectors are:




In Italy, small businesses are dominant, (95% of firms have less than 10 employees). Only 2600 Italian companies operate with more than 200 employees.

## Tourism

Tourism is an area of great importance for the Italian economy, although many years ago, Italy had the primacy of foreign visitors per year. In 2007, foreign tourists who visited the country, amounted to 43.700.000, so that Italy became fifth in the world, after China, USA, Spain and France in tourism.

# *Italian culture*

Having been the seat of the Roman Empire and of Catholic Church, a meeting point of many civilizations of the Mediterranean, a centre of many artistic movements from ancient times, Italy is one of the main cultural centres of Europe.
**Literature**: first literary works in Italian are dated around 1200 AD. Among the great Italian writers, there are Dante Alighieri, Francesco Petrarca, Giovanni Boccaccio, Niccolò Machiavelli, Alessandro Manzoni, Giacomo Leopardi, and more recently, the winners of the Nobel Prize for Literature: Giosuè Carducci, (1906), Gra-

zia Deledda (1926), Luigi Pirandello (1934), Salvatore Quasimodo (1959), Eugenio Montale (1975) and Dario Fo (1997).

## Arts

Italian art embodies all the works produced in Italy, from ancient to recent times. In Roman times, Italy was the centre of art and architecture. In the medieval period, it was the centre of Gothic art, until the explosion of the Renaissance (1500). Everybody considers Florence as the Italian capital of arts, being home to major museums and to great artists: Giotto, Raffaello, Michelangelo, Leonardo, Caravaggio and many others. Among the contemporary artists, it is more than sufficient to mention the most famous ones like De Chirico and Modigliani.

## Cinema

The history of Italian cinema began in early 1900, but only after the Second World War, the Italian cinema had its great development. The cinema of the post-war period is considered one of the best for the history of Italian cinema, with major awards around the world, particularly with movies from the period of neorealism. Even now, many authors of Italian cinema, like Vittorio De Sica, Federico Fellini, Sergio Leone, Pier Paolo Pasolini, Michelangelo Antonioni and Dario Argento, in United States are considered "masters" of movie art. Italian cinema was awarded with 47 Oscars, including those for a best film or a best foreign film:

1948: "Sciuscià" by Vittorio De Sica.
1950: "Ladri di biciclette" by Vittorio De Sica.
1957: "La strada" by Federico Fellini.
1958: "Le notti" di Cabiria by Federico Fellini.
1964: "8 e 1/2" by Federico Fellini.
1965: "Ieri, Oggi , Domani" by Vittorio De Sica.
1971: "Indagine su un cittadino al di sopra di ogni sospetto" by Elio Petri.
1972: "Il giardino dei Finzi-Contini" by Vittorio De Sica.
1975: "Amarcord" by Federico Fellini.
1990: "Nuovo Cinema Paradiso" by Giuseppe Tornatore.
1992: "Mediterraneo" by Gabriele Salvatores.
1999: "La vita è bella" by Roberto Benigni.



Federico Fellini

## Theatre

The birth of Italian theatre dates back to the period of the Romans; in that period, Roman theatre took its inspirations from Greece. In modern times, between 1600 and 1700, Commedia dell'Arte was developed. A great author of 1700 was Carlo Goldoni. In recent times, the theatrical tradition has had among its leading exponents, besides Nobel-prized Luigi Pirandello and Dario Fo, authors such as Eduardo de Filippo .

## Music

Music has always been a tradition in Italy, so that many words related to the musical world are Italian in all countries of the world. Among great Italian musicians, one always remembers, perhaps the greatest one: Giuseppe Verdi. Among the most famous opera singers are Caruso, Pavarotti and in present times, Bocelli. Many Italian performers are known everywhere in the world and have won several gold and platinum award discs for having sold more than a million copies of their songs around the world. Those most famous abroad, are Zucchero, Jovanotti, Vasco Rossi, Laura Pausini and Eros Ramazzotti.

# *System of the Italian State*

The Italian Constitution, which is the fundamental law of the country, states that:

1. **Italy is a Democratic Republic:** this means that a government represents Italian citizens and therefore, the government must be elected by people of the country;
2. **Italy is a parliamentary democracy:** citizens indirectly participate in government through elected representatives who further elect parliamentary deputies and senators and who form the Parliament.

Citizens may also be entitled to direct forms of decision by means of referendums.

**The government must have the confidence of the Parliament** and the powers of the state are separated, namely, they are assigned to different, yet independent organisations.

**The powers of the Italian State are:**

- **Legislative power**, has the power to make laws is entrusted to the **PARLIAMENT;**
- **Executive power,** has the power to implement and enforce laws is entrusted to the **GOVERNMENT;**
- **Judiciary power** has the power of enforcing laws and punishing those guilty of crimes, and is entrusted to **JUDICIARY ORGANIZATIONS.**

## Parliament

The Parliament is composed of two chambers: The Chamber of Deputies has 630 members and the Senate 315 members.
The laws are passed, when voted on by the majority of deputies and senators and subsequently signed by the President of the Republic.

## Government

It consists of a Prime Minister and ministers appointed by the President of the Republic. For their work, they are responsible to the Parliament.
**The Prime Minister** directs and coordinates the policy of governmental ministers.
Each **Minister** deals with an Administrative area of the State (for example, with defence of Italian territory, or health, or foreign trade). Each Minister is assisted by the **Secretaries** of State.

## Judiciary system

It consists of judges. To ensure the independence of judges, the Constitution provides that judges are subject only to the law and obliged to apply the law impartially in all legal procedures, without favouring anyone.
Legal procedures can be:
***Civil*** code procedure (disputes between private citizens and between private people and government, for example between a tenant and a proprietor for unpaid rent).
***Criminal*** code procedure, which concern crimes committed against the values and assets of the society as a whole.
Against decisions of courts, an appeal is possible. One can also make an appeal against a decision of the Supreme Court.

## President of the Republic

The Head of the Italian state is also Chief Army Commander and President of Superior Council of Magistracy. He represents the Italian nation. He is elected by Parliament and remains 7 years in his position.
Due to the sensitivity of his role, the President of the Republic cannot be tried for civil or criminal violations done during the exercise of his functions.
He can be put in a state of charge only when his acts violate the oath of allegiance to the Republic, or after accomplishing serious acts against the principles of the Constitution.

# Local organizations

Local organizations are **Regions, Provinces** and **Municipalities**. They represent democratic forms of government of citizens on a local level.

## Regions

Regions are the institutions that ensure a meeting of interests of State and those of local authorities (Municipalities, Provinces).
Each Region has its statute (a small Constitution) indicating principles of its organization.
Region has the power of:

- determining the main interests to defend and develop in the region;
- make laws in certain areas of expertise (eg. in health and education);
- decide on organization and operation of its offices.

As same as the State does, each Region has its **President** that represents a **Regional Junta** which exercises executive power and is consisted of a President, **Councillors** and of a **Regional Council** which has the power to make laws that apply in the very region.

## Provinces and municipalities

Provinces carry out an important role, especially regarding environment and local territory. Municipalities deal with activities of kindergartens, social care, roads, city planning and traffic.
Since a Municipality is also a place of one's residence, in order to enjoy services offered by municipalities, you must sign up in their Register Office (becoming a resident).
Like Regions, Provinces also have a President and each town has its Mayor; they both have a Junta and a Council elected by citizens.

# Prefectures and police stations

### *(in Italian: "Preffetture" and "Questure")*

They are important institutions for foreigners.
**Prefettura** is a local organization of the Ministry of Interior and it is also a representative office of the Government in each province. In 1999, it was transformed into "Ufficio territoriale del Governo (Utg)" (Territorial Governmental Office).
At each Prefecture/UTG, there is a single Desk for certificates granting permission for immigration of foreign workers.
**Questura** is the representative of Ministry of the Interior in a certain territorial area.

The Department of Public Safety ensures application, management and organization of all activities of the State Police in the Province. At every Questura, there is an Office for foreigners, for issuance and renewal of residence permits.

## Citizens' rights

Italian Constitution guarantees to Italian citizens and foreigners present in Italy, a series of freedom that can be restricted only in cases provided by law (usually after an order of judiciary organs):

- **Personal freedom ( freedom of movement and action)**: is the freedom to do what one wants to, but in full respect of other people and laws.
- **Freedom of residence**, namely a right of everyone to have a personal private sphere (eg. a house) where a person establishes a location for business and interests.
- **Freedom and privacy of correspondence**: people are free to communicate by any means (telephone, fax, email, etc.) and nobody has the right to know the content of communication.
- **Freedom of movement and of stay:** namely the freedom of citizens to establish their residence or place of business where they want to, on Italian territory.
- **Freedom of assembly.** An assembly is defined as a meeting of several people in one place, established by its organizers to meet a common interest. When the meeting is a public place, you need to make a statement to the police station at least 3 days before.
- **Freedom of association -** All citizens are free to associate for purposes not prohibited by the law. The associations can have religious purposes, political, common ones, etc. Associations of military character are absolutely prohibited.
- **Freedom of religion -** It is a right to profess a religion in public or in private sphere, to make religious propaganda and to worship, but only if this does not go against the morality or general rules or the rights guaranteed to other citizens
- **Freedom of expression** and taking responsibility for what is declared (eg. if someone distributes false information)
- **Press freedom**, that is, to publish a paper, a book, or a newspaper.

## School system

The Italian school system is organized in four systems of schools that change depending on age of those who attend them.

1. **Nursery**, destined for children from zero to 3 years. To register, an application must be made to the Municipality of residence. Children are admitted after examination of compiled questionnaires and of family conditions. To attend them, a contribution in a form of expenditure is necessary, determined according to family income.

2. **School of early childhood**, for children from 3 to 5 years. It can be state-managed, municipal or private.
3. **First cycle (6-14 years)** First cycle includes **primary school** of five years and **secondary school** of a three-year duration.
4. **Second cycle (14-19 years)** Second cycle includes the system of high schools with a five years' duration and the education system and vocational training, at least of four years' duration.

While the first cycle and the first two years of the second cycle are part of the **compulsory education**, the compulsory education (15-18 years) is characterized by a choice between the continuation of the alternative routes to secondary school with diversified education and training.

## University

After completion of a secondary school, with possession of a "High School Diploma" it is possible to enrol to a University in order to take a degree.
Two types of university degrees are possible:

- **three-year first level degree (3 years)**: more technically and work-oriented;
- **masters' degree as a second level of five years' duration (5 years)**: offers a broader preparation.
- **postgraduate studies (PhD, Masters, skill courses, etc....) complete the path to high education.**

## Vocational training

Regions who prepare annual vocational training programmes, manage their organisation. The attendance is usually free, and in some cases, there is a small fee. To be eligible, one must possess a good knowledge of Italian, having finished compulsory school and be at least 15 years of age. The offer of study courses in Italian regions varies. All Regions organize vocational training inspired by the following general criteria:

- vocational training includes a part with theory, which takes place in a classroom and, often, even a part of practice, which takes place at the workplace;
- some courses issue a degree, which is indispensable for carrying out of certain professions;
- other courses only issue "certificates of attendance" that enrich the professional curriculum;
- in some cases, a small monetary compensation is given according to the time spent for training, or a flat-rate scholarship.

At the end of course, an exam is required. After passing it, a certificate is obtained, that permits to people to register as unemployed with a newly acquired qualification.

## Housing system

**In order to rent a house**, one has to write and sign a contract indicating:

- duration, monthly sum (a fee) that the tenant has to pay;
- notice period if the landlord or tenant wish to terminate the contract before expiry;
- obligations relating to maintenance costs, or to the common costs of the property (building) in which the lodge is located.

The parties to the contract are: a house owner and a tenant.

The price paid is the rental **"canone di affitto"**.

The contract of rent must be **registered in the Office of Register**.

To register the contract it is necessary to pay a registration tax: tenant and owner pay it in half.

### There are 5 types of contracts:

1. **Free Contract** with a period of four years, renewable for further 4 years with an option for the homeowner and tenant to determine the rent in a free manner.
2. **Negotiated Contract agreement** with duration of 3 years, with a rent lower than the average market price, defined by trade union agreements concluded with the intervention of the municipality.
3. **Term lease** cannot last more than 18 months. The rent is regulated by agreements between tenants' trade unions and those of owners of the apartments.
4. **Contract for university students** established in the municipalities with universities on their territory, between the Firms for Right to Education, students' associations, trade unions, tenants' and home-owners' associations.
5. **Short-term lease (Contratto uso foresteria)**, aimed for companies or private people in possession of a VAT number, who use their lodgings for work.

## Down payment or deposit

When signing the contract, the tenant must pay the owner a sum not exceeding three months' rent (a deposit).

## Subsidies for accommodation

The Minister of Public Works manages a National Fund for access to rented homes. The available amount is determined annually.

An application for the allocation of housing assistance must be submitted in the Municipality of residence.

## Premature recess from the lease contract

Owner of the house can give a premature **cancellation** in case of a need to vacate the apartment.Tenant can ask the interruption of the contract in advance:

- this is possible, if the clause was foreseen in the contract;
- for serious family reasons or moving away (in this case, regardless of the contract clauses );

In both cases an advance notice of 6 months must be given.

## A notice to quit

Eviction is the measure by which the court orders to a tenant to vacate the apartment. There are four types of evictions:

1) **eviction because of cessation of a lease** (the contract has expired but Tenant does not want to leave the apartment);

2) **need for eviction** (Owner needs the apartment, before expiry of contract, but Tenant does not want to leave it);

3) **eviction for the arrearage** (if Tenant does not pay the rent);

4) **eviction for failure of contractual obligations** (for example illegal subletting, kinds of usage that differ from the agreed one).

## Buying a house

To buy a house one has to sign two contracts:

- **agreement** (Contract which lists all the conditions: method of payment, a declaration that there are no mortgages, etc.).
- **purchase agreement** has to be written by a notary.

For purchasing of a house, a **bank loan** is usually asked. To grant a loan, a bank requests some guarantees (employment contract or presence of a guarantor who assumes financial responsibility if by chance the person seeking the loan, cannot repay).

## Public Housing

They are houses built by the government in order to give everyone a chance to have accommodation.

- They are leased or sold to persons in difficult economic situation (low income, homeless people, etc.)
- In order to obtain a public lodge, a request has to be submitted to the Technical Office of the Municipality;
- Foreigners can get it on equal terms with Italians;

## Reception Centres

- Those are structures that host foreigners and distribute free food to those who cannot afford to pay these costs by themselves;
- They can be hosted only for a limited time;
- Municipalities, Provinces, Regions and voluntary associations, run the reception centres.

# *Social services system*

"Social Service" includes all free services that municipalities make available to those most in need to resolve problems of their living. People in distress can apply to **Public Social Service**. Within each Social Service, there are sections for: **adults in need, elderly people, minors, disabled people.**

## Their location and the way of applying to the Social Service

There is a Social service for each **Municipality** (or for each district, in big cities).
Assistance is furnished according to certain criteria applicable to everyone, for example, number of persons in one's family, annual income, etc.
Persons in situations of hardship receive assistance in this manner.
Social assistants prepare individual projects to overcome integration difficulties and intervene in all cases not covered by social security system and health care system.
Foreigners with valid residence permit can receive assistance of social services just as Italian citizens can.

## Transports

- Transports are **public services** guaranteed to all citizens in each Italian city;
- To use public transport you need to pay a ticket or obtain a subscription.

# Italian legislation regarding Immigration

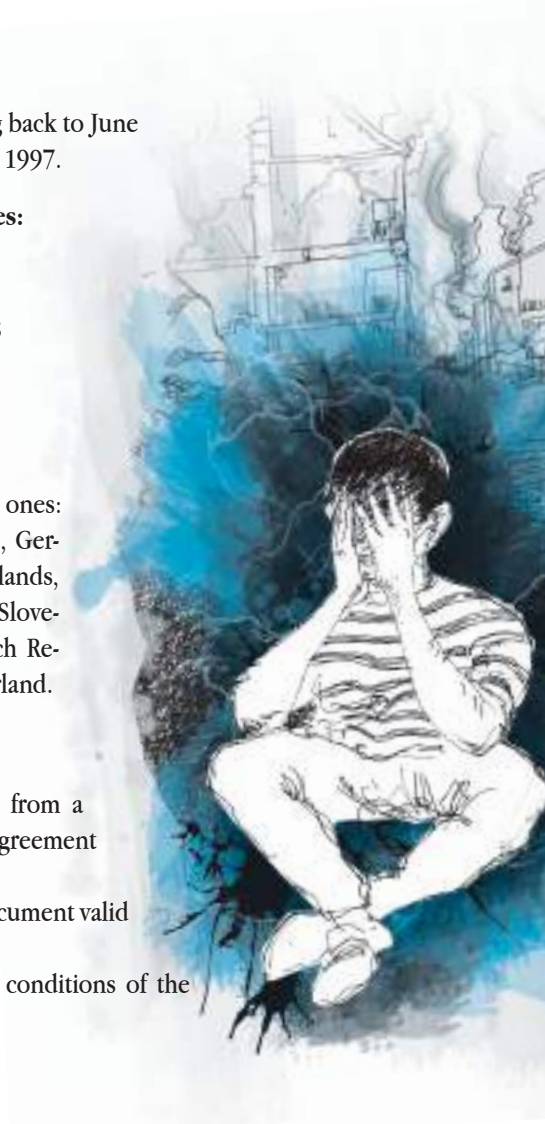
## *Entering Italy*

Italy accedes to Schengen agreements dating back to June 14, 1985 and entered into force October 26, 1997.

**Schengen zone of free movement provides:**

- abolishment of internal borders between member countries;
- reinforcing controls at external borders;
- a common visa system for entrance;
- free movement within the area for up to 90 days.

Schengen area countries are the following ones: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, Iceland, Norway, Slovenia, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary, Malta and Switzerland.



### Entry to Italy:

To enter into Italy, a foreigner originating from a country not being part of the Schengen agreement must submit on the frontier:

- a passport or other recognized travel document valid for border crossing;
- documents justifying the purpose and conditions of the stay.

This should also include:

- a valid visa for entry or transit;
- an absence of any alert in Schengen Information System (SIS) regarding the person in question;
- that he is not being considered dangerous to public order, national security or international relations of Italy or other Schengen states.

## Procedure for recognition of international protection

According to Article. 1 of the Geneva Convention, a refugee is someone who:

*"... in 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 citizenship and is unable, or unwilling, because of this fear, to seek protection of this country... "*

In Italy, **all migrants** are entitled to access the procedure for recognition of international protection.

### Special cases and unaccompanied minors

**If you are in one or more of these situations:**

you are a minor under 18 - expecting a baby - you are a disabled person - you are in age - have been subjected to torture, rapes or other serious forms of psychological, physical or sexual violence - you are a single parent with minor children.

Then you can apply to the centre. In particular, **if you are under 18 years of age and you find in Italy alone**, warn operators of the centre, because, according to law, being a minor, you are entitled to be housed in facilities appropriate to your age and condition and to have a guardian - a person who will help you during your stay in Italy. It is also possible, if you want to, an action to trace and locate your family. In order to verify your age, and only with your consent, you will have to undergo a special examination (x-ray pulse), or other tests in the centre or in the nearest hospital. For any other problem or for more information, speak with the operator.

## Access to the procedure

Application for international protection is to be presented in person at the police office in Italy at the border, or in the office of the competent police station (Questura). The request is individual. Only in case when there are minor children accompanying the said person, the protection is extended to them as well.

Before formalizing a request for international protection, you are going to be identified, or you will be photographed and your fingerprints will be taken (photo-signalling). You will also be asked to furnish your details (name, surname, date of birth, nationality).

## WARNING!

Verify that your data is correct, because the data provided during the identification are those which will be displayed on all documents and residence permits. Giving false information is a criminal offence and can create problems and make process much longer and delay release of the documents.

When submitting the application, you will be informed of the procedure, rights and duties during the procedure, schedules, means to accompany the application with relevant information for its examination. The Police will deliver to you an informative leaflet containing those indications.
At all stages related to submission of the application, a presence of an interpreter is guaranteed, of the language you indicated, or of other language you understand, or if this is not possible, in English, French, Spanish or Arabic.
Once the application is received and after the interview, the police must then issue a



### CONFIDENTIALITY:

The information you provide to the persons involved in the procedure for examining the application for international protection, cannot be disclosed or released to the authorities of your country of origin and may not be shared with other people in the centre or outside the centre. The operators involved in any capacity in the procedure, are sworn by law to privacy.

verbal statement of foreigners applying for recognition of refugee status under the Geneva Convention" (Model C3) that you will have to sign, and you will be given a copy of it, alongside with copies of the attached documentation. You will have to attach all the documents in your possession, including your passport, and if you want, you might add a note about your story.
Upon receipt of application for international protection, Questura initiates the procedures for determining the Member State responsible for examination of the application (Dublin Regulation II). An Office called Dublin Unit determines the competence to examine the application. If the authority is of a different Member State, you will be informed in writing of the decision, also indicating the mode of appeal. You will then be transferred into territory of the Competent state. (See below).
Check with the interpreter that the information in the C3 model is correct. If you find an error, ask for its correction before signing. The C3 model is transmitted to the Commission with all attachments, so any discrepancies could affect your credibility during the interview.



**WARNING!**

Legal entry into Italy is allowed to those holding a passport and a visa and can only occur through the special border crossing for that purpose.
Those who enter Italy illegally, or without proper documents, or with false passport, are taken to court. If you submit a request for international protection, **the process is suspended**. If you are enjoying international protection or humanitarian protection, the judge pronounces a sentence not to prosecute and **archiving** of the case. The fact that you have been reported **does not affect the procedure**. If any form of protection is not recognized, a punishment with a fine of 5.000 to 10.000 € is applied, or an expulsion. In this stage, **a lawyer (free of charge)** will be assigned, if you do not have a trusted one, and he will follow the proceedings and to whom all concerning communications will be furnished. The name, address and telephone number of the lawyer are reported in the copy of the complaint which will be delivered to you

## Reception

If it turns out that the competent country is Italy, Head of Police Dept. orders that you should be hosted at a "Centro Accoglienza" - (CARA), (a Reception Centre for Asylum Seekers) and will issue to you a certificate certifying that you are an applicant for international protection.



**WARNING!**

The said certificate or any other card issued in the reception centre, do not constitute proof of identity and are not a substitute for a residence permit.

**You may be sent to CARA when:**
a) It is necessary to verify or determine your identity or nationality because you do not dispose of identity documents, or have submitted forged or falsified documents. In this case, you will be housed in the Centre for a period necessary to fulfil the procedure and in any case, for a period not exceeding 20 days;
b) If you have applied for asylum after having evaded or attempted to evade border controls;
c) If you have applied for asylum after being stopped in circumstances of illegal residence.

In these two cases (b and c), you will be hosted by the Centre for a period not exceeding 35 days from submission of the application. In all cases (a, b and c), after expiration of the period in question, you are entitled to receive a **residence permit lasting three months** and renewable until the definition of your demand is reached. You can

ask to remain on the centre until the decision about your request for international protection. If you decide to leave the centre after 20 or 35 days, you need to give to the police an address or a telephone number for all communications regarding the procedure. It is very important to communicate to the Police any movement, for the sake of notification of all notices relating to the procedure. Without this communication, Questura and the Commission cannot inform you about the day of the hearing and cannot notify you the result. In addition, the commission may decide without making an interview, i.e. will base their decision on documents attached to your application.



**With the permit, you can:**

Sign up with the national health system, have a health card that allows access to all treatments.You can access to Italian language courses or other courses.
If after 6 months of submission of application for international protection, a decision about your request still has not been made, you are entitled to work regularly until the definition of your procedure. The renewed permit will contain this information, but cannot be converted into a permit for work purposes.You cannot travel outside of Italy. You cannot ask for family reunification.

During the reception period, leaving Centre is possible within daylight hours.
If you need to stay out of the centre for more than a day because of relevant personal reasons, or for reasons relating to examination of the application, you may ask the "Prefetto" for a temporary permission to move away from the centre, subject to compatibility with the timing of the procedure for examination of the application.
Moving out without a justified reason, results in termination of conditions of reception and the Commission will decide according to the documentation in its possession.
In course of the day and in set times, you may receive visits by Italian citizens, or foreigners residing legally in Italy, with prior permission by Prefecture.
Representatives of UNHCR can also enter, as well as your lawyer or representatives of organizations and institutions for the protection of refugees authorized by the Ministry of Interior.

## Examination of application

Decision on the application for international protection is the duty of a body called **Territorial Commission** consisting of 4 members:

- 2 from the Ministry of Interior,
- 1 representative of the municipality (or province or region)
- 1 UNHCR representative.

The hearing shall be convened by "Questura" (Police) in writing.
The Commission may decide to omit the interview when they think they have sufficient evidence to decide on the application status in relation to the applicant's records.

**Rights in relation to the interview**
In each stage of the previous hearing, an applicant may submit documentation to the Commission and statements in their original language.
In front of the Commission, the hearing will take place with help of an interpreter for the language you specified in the C3 model.
During the hearing, you can obtain help at your expense, by a lawyer.
You can ask to apply to audition with one member of the Commission only, or with a single member of the Commission of your sex. You can ask to postpone the hearing for reasons of health certified by a public health care facility, or by a physician affiliated with "Service Sanitario Nazionale" (National Healt Service) (SSN), or for other serious reasons. In certain cases, you can request assistance from support staff that provides the necessary assistance.



### Withdrawal of the application

In case the applicant decides to withdraw the application before the hearing at the Territorial Commission, the withdrawal is formalized in writing and communicated to the Commission. It will declare, further on, the termination of the proceedings

## Obligations of Applicant

An applicant must appear personally before the Territorial Commission.
He also has the obligation to deliver documents in his possession, relevant for the application.
If the applicant, although legally invited, does not attend to the hearing without having asked for postponement as described above, the Commission shall decide according to the documentation in its possession, or shall issue a decree of unavailability.

The Commission will ask you standard questions regarding:
your personal and family data; your travel itinerary to Italy; religious and ethnic affiliation, etc.; membership in political parties, the role played and activities; any periods of detention and prison conditions; reasons why you left your country; problems you may encounter if you return; and further elements that you intend to report, or if you think that during the interview some significant elements did not emerge, you can ask to add them.

The examination of the application is carried out on an individual basis and provides for the assessment of the situation in the country of origin, the documentation submitted, personal circumstances (gender, age, social status, etc.) that induced you to leave your country and where you do not want, or cannot return.
In particular, the hearing gathers information about:

d) those responsible for the persecution
e) the reasons for persecution
f) any subject in the country of origin that might provide protection.

Your credibility is evaluated as well. It is important that you are honest about all aspects of your story.
During the interview, you must tell the truth and cooperate with the Commission, responding accurately to all questions. Remember that any problem you had in your country even in a period prior to the decision to leave may be important.

## Minutes

What you say during the hearing is written on a sheet (called minutes) that will be delivered to you at the end of the interview. You are read the translation and then you are asked to sign it. You can refuse to sign the minutes and the reasons for your choice will be transcribed. However, the commission will also decide on your request for international protection.

## Criteria for decision

After the interview, the commission evaluates everything you've said, documents you produced, your personal situation for which you are or may be subject to a risk of persecution or serious harm, reasons and those responsible for persecution or serious harm, taking into account the situation of your country of origin. The examination of applications for international protection is accomplished on individual basis.
In this regard, each application is reviewed in light of accurate and current information about the general situation prevailing in your country of origin and, where appropriate, of the countries you travelled through, elaborated by the National Commission based on data provided by UNHCR, Ministry of Foreign Affairs, or acquired by the Commission.

## Recognition of protection

In particular, the Territorial Commission correlates all these elements with criteria established by national and international standards, in particular with the Geneva Convention where a refugee is a person *"(...) fearing of being persecuted for reasons of race,*

*religion, nationality, membership of a particular social group or political opinion, cannot or will not, because of this fear, seek the protection of this country (...) ".*

For the evaluation of **recognition of refugee status**, the acts of persecution must be sufficiently frequent and severe as to constitute a violation of fundamental human rights. They must also take form of physical or mental violence, legal, administrative, judicial or police measures and actions, disproportionate and discriminatory impediments of the applicant to the means of legal protection. Police issues a permit valid for 5 years which is renewable.

For the purposes of **granting of subsidiary protection**, as a serious harm for a person, are considered death penalty, torture or inhuman or degrading and inhuman treatment, serious threat to life or person arising from indiscriminate violence in situations of armed local or international conflict. Police issues a permit valid for 3 years, renewable subject to verification whether still exist some of the conditions that led to the recognition.

For the purposes of **recognition of humanitarian protection**, in case the Territorial Commission intends not recognizing to you some kind of international protection, but believes that serious humanitarian reasons might exist, it will transmit the acts to the Head of Police Dept. for the issuance of a permit on humanitarian grounds. Police issues a permit valid for 3 years, renewable subject to verification whether still exist some of the conditions that led to recognition.

For the purposes of evaluation of an application for international protection, as responsible factors of the persecution or serious harm, are considered:
a) State; b) parties or organizations controlling the State or any consistent part of its territory; c) non-governmental subjects, in case the responsible factors from the letters a) and b), including international organizations, are unable or unwilling to provide protection against persecution or serious harm.

## Ticket or travel document

In the case of a positive outcome of your procedure, or if the Territorial Commission decides that you are eligible for a residence permit for asylum, a subsidiary protection or a humanitarian protection, you can apply for the ticket or travel document, or some kind of document authorizing you to travel without visa into the countries of the Schengen area and stay there for up to 90 days.

## Refusal

The Commission can deny any form of protection to you and **reject the application for international protection as evidently unfounded**, when there is an apparent lack of conditions for international protection, namely, when the application was filed solely to delay or prevent the execution of an expulsion or refoulement.

If the Commission rejects your request for international protection, you will have 15 days to file a complaint with the competent Court. In this case, you will need to seek assistance of a lawyer and you can apply for free legal aid, or apply with a request that your legal fees are paid by the Italian State. If you do not appeal within 15 days, you will be notified of the deportation order requiring you to leave Italian territory within five days.

**If you have been admitted to the centre according to the letter a) of paragraph ACCEPTANCE** (i.e. when it is necessary to verify or determine your identity and/or nationality, because you do not have identity documents, or have submitted forged or falsified documents), an appeal automatically suspends effectiveness of the measure. Within 15 days after notification of the decision, you can choose to stay or leave Centre. With presenting to Questura a copy of the appeal deposited at the Court, you can choose to prolong your stay in the Centre and ask for a temporary residence permit for asylum.

**If you have been admitted to the centre according to the letters b) c) paragraph RECEPTION** (i.e. have applied for asylum after having evaded, or attempted to evade border controls, or you have applied for asylum after being stopped in terms of illegal residence) **and the Commission rejects your request for international protection, or if your request has been rejected as evidently unfounded**, an appeal does not suspend effectiveness of the deportation order. When serious and reasonable grounds exist, you will however, be able to ask the court, together with filing the appeal, for a suspension of the measure.

If the request for suspension of expulsion is accepted, you can choose to stay longer in the centre, or request a temporary residence permit for asylum. In a case where a request for suspension of the contested measure is rejected, you will have to leave the country within 5 days.
If you do not do so, you will be expelled.
With the help of a lawyer, you will be able to appeal against the deportation order.

## Expulsion of foreigners with illegal stay

**Types of expulsion:**
1) by disposition of the Ministry of Interior for reasons of public order or national security;
2) by disposition of Prefect against a foreigner who:
- evaded border controls and was not immediately expelled;
- did not ask permission to stay within the time allowed by law, or, when the residence permit is revoked, or cancelled, or expired more sixty days, and there was no any application for its renewal;
- one is considered, by law, usually dedicated to criminal trafficking, or usually lives of profits of criminal activities or belongs to some Mafia-type associations;
3) released by **court** against a foreigner convicted of a grave crime (enslavement, robbery, smuggling of drugs, injuries and other) and is considered by law as socially dangerous person;
4) decided by **court for a period not shorter of five years**, instead of **imprisonment up to a maximum of two years**, when conditions for suspension of probation are not satisfied.

**Validation of the expulsion:**
The Head of Police Dept. shall **within forty-eight hours** after its adoption, issue a measure to deport the person to the border, through a competent **Magistrate of peace on the territory**; this measure cannot be executed before the validation by the court. **The hearing for the validation** takes place with a necessary participation of a defence advocate. By means of a motivated decree, the court shall provide for the validation within **subsequent forty-eight hours.**

**Appeal against the deportation order:**
Against a deportation order, can be presented an appeal to the magistrate of peace of the place in which the authorities ordered the expulsion.
The term is sixty days from the date of the expulsion order.
Magistrate for peace accepts or rejects the appeal and decides within twenty days from the date of the appeal.

**Execution of the expulsion:**
The expulsion is **always** performed by the Head of Police Dept. **with a police escort to the border.** When the expulsion with escort to the border, or a rejection, cannot be accomplished immediately, **The Head of Police Dept. provides that the foreigner be detained for a strictly necessary period at the closest centre of Identification and Expulsion (CIE).**

**Detention at Centre for Identification and Expulsion (CIE).**
A detention in CIE is issued by Head of Police Dept. and sent within 48 hours to a Magistrate of Peace responsible for validation, who must decide within next 48 hours.

**The measure ceases to have any effect if the deadline for decision has not been respected. Duration of detention:**
The validation involves staying in the centre for a period of thirty days. If there are serious difficulties in ascertaining of the identity and nationality and for preparation of travel documents, at the request of Police, Judge may extend the period for additional thirty days and afterwards for further sixty days.
The overall maximum period of detention cannot exceed one hundred and eighty days.

**Order to leave the territory.**
If is not possible to hold the foreigner in a Centre for Identification and Expulsion, The Head of Police orders a foreign national to leave the territory of the State within five days. The order is given in writing, and contains an indication of the consequences of illegal, even repeated stay, in the State.

**Failure to obedience to order to leave the territory.**
A foreigner who, without a justification, remains illegally in Italy, not obeying to order given by Head of Police, shall be punished by imprisonment **for one to four years in the following cases:**

- when the expulsion or refoulement were ordered because of illegal entering into territory of the state;
- for not having asked permission to stay or have not declared his presence in the State within the prescribed period;
- because the permission of stay was revoked or cancelled.

The penalty of imprisonment from **six months to one year** if the expulsion was ordered because the residence permit has expired by more than sixty days and its renewal has not been requested, or if the request for a residence permit was refused. In any case, a new deportation order to the border takes place, with police escort to the frontier, for the reasons of violating the order of expulsion released by the Head of Police.

## Dublin

According to European legislation (**Dublin II Regulation**), you cannot freely decide the state in which to seek refuge, therefore one of the countries will be competent for examination of your application, according to the following example:
- first state in which you have been identified;
- country that issued you a residence permit or visa;
- in case you are an unaccompanied minor in Italy, the country in which there is a regular member of your family.
- country where one of your family members is located, and who was recognized as a refugee, or has applied for asylum.

The verification of the competence of Italy to examine the application for international protection will not be made by the police in the centre; it provides to interview you and fill out a form and send it together with all documentation, to a special office at Ministry of Interior in Rome (called "Dublin Unit"). This office will contact the same one in the country where you have been identified and, based on criteria established by law and available facts, will decide which one of the two offices should examine your application for international protection.



Under **family** members are considered to be:

- your husband or your wife;
- a person with whom you have a stable relationship, if the host state equalizes it to a marriage;
- your minor children, if they are financially supported by you and are not married;
- if you are under age and unmarried, your father, your mother or guardian.

The above situations are only the most frequent ones; there are other criteria to determine the jurisdiction.

Therefore, for purposes of a correct decision, it is important that you provide all necessary information and relevant documentation. Remember that you are entitled to know about all data that are transmitted to the "Dublin Unit" and, in case they are not correct, to have them corrected.

The procedure takes a long time, but during the period necessary to determine whether Italy is the responsible country for examining the asylum application, your status on the Italian territory is still that of an asylum seeker, so you will have access to reception centres.
The decision will be communicated to you in writing and will be justified. In case of a positive outcome, or in which Italy is the responsible country for examination of your application, you will be convened to the Territorial Commission for an interview and will follow the normal procedure. In case of a negative outcome, when another country, and not Italy, has to consider your application, a decision of transfer to another country, besides a motivation, will include also an indication of means and terms for appealing, i.e. a necessary manner and timing for presentation of the complaint, as well as an indication of the competent court (Regional Administrative Tribunal of Lazio region, within 60 days and President of the Republic within 120 days from notification of the decision). The law determines that you can seek assistance of a lawyer. If you are unable to pay a lawyer, you can apply for free legal assistance (legal aid paid by the state).

## In summary

Present your request for international protection at the border police or to police authorities of the place where you dwell;

You will be identified by photo-signalling (fingerprints and photography);
If you are identified in other countries adhering to the regulation c.d. Dublin II, a procedure starts to determine in which one of these, your request for international protection should be examined;
A police officer, with the help of an interpreter of the language you indicated, completes the form C3 used to formalize your request for international protection and to which you attach all the documents you have and if you like, a memo;

If the competent country is Italy, a competent Territorial Commission for examination of your application will call you. You will have a hearing in which you will tell the story why you have left your home and will answer questions in order to provide all relevant information for the decision. An interpreter of the language you specified in the model C3 will be of help to you;

Territorial Commission may decide to grant to you:

- refugee status; police will issue a permit of stay valid for 5 years, and renewable. You can apply for a travel document;
- subsidiary protection; a police station will issue a permit valid for 3 years and renewable. You can then ask for a travel document;
- issuance of a residence permit requested from Questore for humanitarian reasons, valid 1 year and renewable. You can then ask for a travel document;

The Commission may decide not to grant you any form of protection and may decide subsequently to deny your request. You can appeal against this decision to the Court, with the help of a lawyer who may request the suspension of the expulsion, if the suspension is not a predicted measure. You can apply for free legal aid;

Throughout the period between the request for international protection and the decision of the Commission, and in some cases of the Court, your condition on the Italian territory will be under a form of an asylum seeker and you have a set of rights associated with this condition, including health care and a right to education.

## After approval of international protection

If you hold a residence permit as a result of recognition of refugee status, subsidiary protection or humanitarian protection, you will be recognized an equal treatment as Italian citizens in civil rights, judicial protection of rights and legitimate interests, in relations with public authorities and access to public services, to the extent and manner provided by law. In addition to a residence permit, you will be required to obtain certain documents in order to access services offered by the region.

## Registering in register office

The Register Office is a record containing personal information of residents of a Municipality. It deals with activities required to maintain the register permanently updated.

It is necessary to register at the Register Office in order to make a record of the **residence** useful for finalizing some important administrative procedures:

- request for release of an **identity card**, or a personal identification document which can be used in Italy. Warning: The identity card issued by the Mayor, does not entitle a foreigner to stay in the state territory, but must always be performed in conjunction with the residence permit;
- renewal of residence permit;
- establishing the authority of Police and Prefecture to whom you are going to apply for further administrative procedures;
- request for issuance of a CE long term residency card for long-term residents;
- application for citizenship;
- request for family reunification;
- request for access to a lodge of public accommodation system ("public housing");
- access to social, educational and cultural services of the Municipality.

**Establishing residency and having an identity card also serves for:**

- request for release of a health card, or a document that permits you access to cures offered by the National Health Service, and choice of a physician;
- request for release of a **Fiscal Italian number (Codice Fiscale)**: it is a "number" uniquely identifying each person, as it contains information regarding name, date and place of birth of a person. You have to apply for it, in order to be able to work and to take advantage of some important services. It is issued free of charge by local Inland Revenue office;
- ask the Department of Motor Vehicles of the province you live in, for any information regarding a **driving license**: if you have a driver's license from your country of origin and want to know how to apply for its conversion and/or recognition of the same, you can ask for information in those offices;
- a request for a **Court's certificate of Convictions** that enhances knowledge of finalized criminal convictions and of certain existing measures against a person, and a **Certificate of pending charges** containing details of any on-going criminal proceedings.

## Right to education

You can attend schools, training courses, Italian language courses, etc. if you obtained a qualification in your country of origin, or otherwise in a country other than Italy, you should contact the International Social Service of Rome (Servizio Sociale Internazionale di Roma (SSI) - via degli Scialoja, 18- 00196 phone 06 48 84 640 / 06 48 84 640 / fax 06 48 17 605- www.serviziosocialeinternazionale.org). If you want to attend a university course, you can contact the Secretary of the of University.
Remember that in Italy the law provides for **COMPULSORY EDUCATION** for children, both with regular and irregular stays, and also **PROHIBITS WORK of minors under 18 years of age. The law PUNISHES those who engage minors for work.**
(See following pages for more details).

## Right to health

Your duty is to enrol into National Health System and obtain all rights to the assistance as those of Italian citizens, that is, preventive medicine, general medicine, specialist visits and tests, hospitalization, pharmaceutical services, etc.). In order to sign up, you must go to an ASL and your residence permit, social security number, certificate of residence, will be sufficient to you.
(for more information, see subsequent chapters).

## Right to work

If you hold a residence permit, you are entitled to enjoy equal treatment reserved for Italian citizens with respect to employment, self-employment, membership of professional associations, vocational training and for training in workplace.

## Right to family union family reunification

A right to maintain or regain the unity of the family is recognized in different ways to holders of residence permits for refugees (asylum) and to holders of residence permit for subsidiary protection. If you have a political refugee permit (valid for 5 years), you need not demonstrate any requirement for housing and income. If you have a permission of stay for subsidiary protection (i.e. with the validity of 3 years), you must demonstrate the availability:

a) of an **accommodation** considered habitable and compliant with hygienic and sanitary standards required by law;
b) a minimal annual **income** arising from legitimate sources and not lower than a certain threshold determined by law;
c) **health insurance or other suitable** means to ensure coverage of all risks

in the country in favour of an elderly parent with more than 65 years of age, or its inclusion in the National Health Service, after having paid a contribu tion. The payable amount is decided by Ministry of Health and Ministry of Economy and Finance.

**Family reunification: for whom it is requested**

The reunification may be asked for these family members:

a) spouse (wife or husband) not legally separated and of age equal to, or gre ater than eighteen years;
b) minor children, including those of the spouse, or born outside of marriage, unmarried, provided that the other parent, if existing, has given consent;
c) adult dependent children, if for objective reasons they cannot provide for their essential needs of life, because of their state of health (total disability);
d) dependent parents, if they do not have other children in the country of origin or provenance, or parents older than 65 years, if other children cannot maintain them for documented serious health problems.

## Family reunification: the procedure.

The demand for **Nulla Osta (Certificate granting permission)** for family reunification; complete with all necessary documents, should be submitted to **Single Desk for Immigration (Sportello Unico per l'immigrazione)** at the local Prefecture office, in charge for the place of residence of the applicant.
This application may be presented via Internet: one must log into ***www.interno.it*** and start up the electronic procedure from there.
In order to apply with your request, you can get the assistance of national associations representing employers, trade unions and authorized associations for access into the electronic system.

Single Desk for Immigration, after obtaining a favourable opinion by the Police for foreigner's entry into the national territory and after having verified that income, accommodation and sanitary criteria meet the requirements of the law, proceeds with issuance of a Nulla Osta (Certificate granting permission).
Authorisation to family reunification shall be issued within one hundred and eighty days from the request.

**Entry visas for family reunification/familiare al seguito (accompanying family member)**

Once the authorization is granted to family reunification, the family, subject of the Nul-

la Osta certificate, shall present itself at a respective Italian Representative diplomatic Office and request visa for entry in Italy, by presenting these documents:

- visa application form;
- recent passport-sized photograph;
- passport or other travel document valid and with maturity of not less than th ree months after visa expiry;
- Nulla Osta not older than 6 months, issued by side of the Single Desk for Im migration (acronym in Italian: SUI);
- civil status documents testifying family ties;
- in case of minors, the other parent should also give its written consent to reunification.

A Visa application for family reunification must be submitted within 6 months of the date of issue of Nulla Osta.

**Preconditions for relatedness**

The issue of a visa for a family member who obtained Nulla Osta, is subject to actual **investigation by Italian Consulate, confirming that the evidence of kinship or marriage or the minor age or health condition of the person requesting the visa, are authentic.**

If the family relationship, on which the application for family reunification is based, cannot be documented in a certain manner, or when there is a reasonable doubt on the authenticity of documents, diplomatic missions ensure the issuing of visa on basis of **DNA evaluation** (Deoxyribonucleic acid), at the expense of the concerned persons.

**Permit of stay for family reasons**

The reunited family member is entitled to a residence permit for family reasons that provide access to social services, enrolment in courses of study or vocational training, registration as unemployed, a dependent or self-employed work, provided that exists the minimum age criteria for conduct of work activities.

Residence permit for family reasons has **the same duration as the permit of foreign family member in possession of the conditions for reunification, and is renewable together with the latter one.**

## Renewal of residence permit

Within **60 days before expiry** of a residence permit, you should request its renewal by applying to the associations entitled to electronic procedure for the renewal of residence permits, and to the Police.

While you are waiting for a new permit, you are issued a **slip (cedolino)** certifying your

request or the renewal. With the said slip, you'll continue to enjoy same rights acquired with the permit, such as birth registration and services of National Health System.

**Non-renewal of residence permit**

- A Foreigner remaining in the State when the residence permit has expired for **more than 60 days and has not applied for its renewal**, is expelled and receives an order to leave the State within 15 days;
- In case of **refusal to renew** an expired residence permit, Head of Police Dept. (Il Questore) permits to a foreigner a time period not exceeding **15 work days**, to present himself to the police on the indicated border and to voluntarily leave the territory. If the foreign person does not leave the territory within this period, he/she will be expelled with police accompaniment to the border.

## Exclusion, revoke and termination

Refugee status and subsidiary protection are **denied** when there are reasonable grounds for believing that a foreigner has committed crimes against humanity, war crimes, a serious violation in Italy or abroad, and when he is deemed a danger to public safety and state.

**Withdrawal** of refugee status or of subsidiary protection is used if a beneficiary commits an offence for which is also foreseen an exclusion, or when the recognition was determined by the facts presented in a wrong way, or he has resorted to false documentation.

**Cessation** of recognized status is declared on individual basis, when the foreigner has availed of a protection of another country, or has acquired citizenship by returning to his country of origin and when the circumstances that led to the recognition, ceased, and no serious humanitarian reasons exist anymore, which might prevent his return to the country of origin.

## Citizenship

The articles 9, par. 1, letter e) and 16, par. 2 of L. 9, par. 1, letter e) and 16 par. 2 of Law 2 91/1992, provide that a refugee, in compliance with the rules of entry, residence and registration in Registrar, can acquire citizenship after five years of legal residence in Italian territory. This requirement must be continuous and present at the time of application.

In addition to the residence, it is essential to prove to be economically self-sufficient; while not explicitly required by law, a judicial interpretation by side of Council of Mi-

nisters has remained constant.
A minimum annual income or tax returns of the previous 3 years, attesting the adequacy of financial resources.
Parameters of reference, established annually by the Budget Law, and usually not lower than the amount of the welfare payments, amount now to 8263,31 per one unmarried applicant; amount is increased to 11,362,05 in presence of a spouse and of further 516,00 for each dependent child.
Another requirement is knowledge of Italian language and knowledge of fundamental principles of Italian state system.

Instances of election or statements, purchase, repurchase, cancellation or granting of citizenship, are presented to the responsible Prefect of the area, upon payment of a contribution amounting to 200,00 (art. 12 L. 94/2009). For submitted documentation, a facilitation is foreseen: instead of certificates issued by foreign authorities (birth certificate and certified extract from the criminal record), you may submit personal affidavits (declarations made in presence of two witnesses at the court).

### Discrimination on racial, ethnic, national or religious basis

Discrimination is any conduct which directly or indirectly, creates a distinction, exclusion, restriction or preference based on race, colour, nationality or ethnicity, religious beliefs and practices, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise of human rights and fundamental freedoms in other areas of public life. For example, as an act of discrimination is considered: Anyone who refuses to provide goods and services or provides them in unfavourable conditions and whoever, due to the fact that you are a foreigner, does not enable you to have access to employment, housing, education, social services. An employer also performs an act of discrimination, with treating you differently and in disadvantageous manner, because of your affiliation, race, religion or ethnicity.
REMEMBER that you can denounce those who commit acts of discrimination against you.



## *Paid employment*

Paid employment is governed by a contract where an employee provides an employer with its intellectual or manual activity and in return receives money (wages or salary). "Rules" that both parties must respect, are indicated in Collective Bargaining Agreement (Contratto Collettivo Nazionale - CCNL)), which can be modified in favour of the employee by contract.

The contract provides for rights and obligations for both parties.
By the employer, the principal obligation is to pay the established salary (i.e. the one

specified in the contract of employment), which also includes family allowance (if applicable), withholding tax (IRPEF) and social security contributions (for pensions and health care). In addition, the employer must pay the indemnity for cessation of job contract and special allowances. The main obligation of an employee is the work performance.

In addition to the Collective Bargaining Agreement, the Constitution of Italian Republic, Civil Code and Law N° 300 of 1970, or Statute of Workers' Rights, govern a paid employment.
The *Constitution* provides rights:

- *to receive a compensation* proportional to the work done;
- *to equality*: prohibits any discrimination on grounds of sex, race, language, religion and political ideas;
- *to welfare*: in cases of maternity, sickness, accident, old age and unemployment;
- *to health and safety at work*;
- *to one day-off every week and a period of paid leave each year*: if an employment contract does not provide for paid holidays, or weekly rest period, it is not valid;
- *to freedom of organization*, trade union activity and to strike;
- *to study, for student workers* (up to 150 hours per year);
- *to protection of privacy and dignity.*

Foreign workers with a valid residence permit have the same rights and same duties as those provided for Italian workers.
Foreign workers have the ability to obtain, together with the contributions, sick pay and maternity benefits, unemployment benefits, mobility allowance, family allowances and pensions.

## Contract

The rules contained in the Constitution, Civil Code, Statute of workers' rights and other laws, have been made according to a contract of full-time and permanent employment:

- *full-time,* because it does not involve any reduction of number of hours provided by law;
- *permanent*, because it does not provide a cessation of employment.

A contract based on permanent and full-time, gives more safety to an employee (in particular, regarding aspects of termination of employment) and, therefore, it is the most engaging for an employer.
In fact, this contract is used mainly by medium-large firms that need many workers for a long period, while for employers who are engaged in small business, or on short-term

basis works, it might not be convenient.

The contract of work can be preceded by a trial period. At the end of this probationary period, an employee could be fired without the obligation for the employer to communicate the reason for dismissal. Since the position of the worker being tested, is very weak, laws provide that:

- the end date of the test period should be written in a contract signed by the employee at the time of recruitment, otherwise the worker is considered permanently employed from the very beginning;
- a dismissed employee during the probationary period is entitled, however, for a paid leave and an indemnity for cessation of job contract (liquidazione);
- trial period cannot last more than 6 months. After this period, the worker is dismissed, or definitely engaged.

## Duties

A worker should be assigned specific tasks, called duties (mansioni); different types of tasks correspond to different categories of workers. The more the jobs are important and difficult, the higher the level of the category, and higher the pay. Main categories start from the lowest one:

**workers; skilled workers; employees; managers; directors.**

After a number of years, a worker obtains the right to move to a higher category, to perform tasks predicted for that group and to obtain a corresponding increase of his pay.

**The law does not allow to an employer to make "steps back" in career of a worker:**

- if employee is engaged to perform certain tasks, no one can then assign to him any lower task;
- a worker cannot be assigned duties lower than those required for his category;
- a worker may be assigned to duties higher than those provided for his category for a limited period and then should return to lower tasks, but:
    - during this period, he is entitled to receive a pay corresponding to higher task levels;
    - if not carried out, the duties different from a substitution of absent workers, allocation of tasks becomes final after more than three months have passed.

## Payroll

Together with the pay (which is usually monthly) to an employee must be given a document called "payroll", which is composed of:

- a pay indicating a fee due to the employee;
- a monthly pay in euro, including the one for the holiday period;
- a fee in euro called "thirteenth month pay" or "additional month pay", which is called so, because it is added to the pay provided for 12 months of the year;
- the euro value of the indemnity for cessation of job contract (liquidazione), i.e. the part of remuneration which is not given immediately, but is put aside and handed to worker at the end of the employment relationship;
- deductions paid to the INPS social security;
- withholding taxes paid to Tax system;
- any allowance for the household, namely, an amount entitled for an employee who proves that he has family to care for; to get this sum, the worker must make an application to the employer or the National Institute of Social Security and Welfare (INPS).

The pay slip must be signed by the employer (or his representative), and this is very important because it permits the employee to check if the belonging sums are really paid.

## Working hours

The normal working time is 8 hours per day, 40 hours per week. If this limit is exceeded, it is called overtime and is regulated differently, namely:

- at least 10% must be paid above the normal pay;
- it cannot last more than: 2 hours per day, 12 hours per week, 80 hours every 3 months, 250 hours each year.

In summary, you cannot work more than:

- 10 hours a day (8 plus 2 normal working overtime);
- 52 hours a week (40 of normal work, plus 12 of overtime).

These limits cannot be overcome even if a worker is to ask.
Night work, which takes place between 10 pm and 7 am for at least 7 hours, is particularly difficult and dangerous for workers; the law, therefore, sets limits and safeguards for it:

- it should be paid more than normal work;
- before introducing night work in his company, an employer must consult the trade unions, inform workers and provide adequate security systems;

- it cannot be done for more than 8 hours per day;
- it cannot be done by pregnant women, or women with children under 1 year of age.

Work done on Sunday and work on holidays should be paid more than those accomplished in other days.

## Termination of employment

Termination of an employment relationship may be:

- by side of employee, for:
  - resignation (requiring a written notice by the employee);
  - dismissal for a right cause, justified by the conduct of employer (not requiring notice);
  - not being able to turn back to work due to illness, maternity or military service;
  - impossibility and force majeure;
- by side of employer for:
  - failure to pass the probationary period;
  - dismissal for a right cause, a cause that is so serious as not to allow the continuation of employment relationship, even under temporary form;
  - dismissal for justified cause requires written notice by the employer.

An employer cannot dismiss a worker for:
marriage (one full year from the announcement of the marriage); pregnancy (pregnancy from its beginning till one year of age of the child); accident or prolonged illness; sickness; military service or call to arms; election for public office (eg. as a deputy, or a municipal councillor, etc.); strikes; acting as union leaders.

## Indemnity for cessation of job contract (liquidazione)

At the end of the employment relationship, employer must pay an amount, called "liquidazione" or "indemnity for cessation of employment", which allows to worker to cope with loss of wages with more tranquillity. Normally, liquidiazione is paid at the end of the employment relationship, but if a worker works for more than 8 years in the same company, and needs a special medical treatment, or wants to buy a house, he may request from the employer, even if the employment is not yet finished, to pay him in advance a portion (no more than 70%) of the cash accumulated up to the said date.

**Other types of contracts**

Onto the classic form of employment, ***full and permanent time***, other types of employment contracts are added. For example:

- fixed-term contract. However, if an employment relationship continues after the expiry of the period, a worker is entitled to an increase in salary, and, if it continues for more than 20 days (or 30, in some cases), the employment contract is considered as of a permanent type;
- part-time job. It is a job that is not done for 8 hours a day (or 40 or a week) but for a limited time;
- work through an employment agency. Companies that need workers can ask other companies specialized in providing work force, called work force supply companies. These workers are employed by work force supply companies and shall be paid by them, but they carry out their activities with other firms (called companies-users).

## Self-employment

The Constitution provides for freedom of economic initiative: this means that everyone is allowed to initiate an economic activity, however:

- it must not be harmful to society;
- should not be dangerous;
- must not violate basic rights of persons.
- for many activities, precise permissions are necessary, because they concern important areas, or require special skills.

Self-employed work for any act of sale of its goods or services, must:

- pay a tax called IVA (VAT, Value Added Tax) by means of paying of a portion of the sale price to the Tax office;
- issue an invoice, which is a document indicating data of seller and buyer, goods being sold, its price and payable VAT; otherwise, the sale is illegal.

Within 30 days of the start of his activity, a self-employed worker must sign into the register for the VAT number that identifies him and allows to the tax authorities to control if he pays the VAT.

When working as a self-employed:

- a worker does not receive orders from customers (i.e. those who require his work);
- risks of the activity (for example, losses) are borne by the worker: client pays the fee only if the worker fulfils the required result;
- a customer can terminate a contract at any time and for any reason; if the worker has already begun the implementation of the work, the client must reimburse his expenses and pay him a sum for the portion of work performed and for loss of earnings.

## Creation of a business company

There are organizations that help in starting up self-employment.
These organizations help in preparation of a business plan, help in understanding whether it is feasible from the economic and financial aspect and offer free support for start-up of activity. For example in Rome:

- Chamber of Commerce of Rome, from Monday to Friday from 8.45 am to 12.30 and from 13.30 to 15.00, Via Capitan Bavastro 116, room 208, phone 06-52082835, fax 06.52082875;
- BIC (Business Innovation Center), Monday to Friday from 15.00 to 18.00, an appointment must be booked by calling at 06.803680), via Casilina 3/T;
- Caritas desk for the creation of a business, opened Monday to Friday from 14 to 17, via delle Zoccolette 17.
- CNA (National Artisan Confederation), "Tradurre l'Impresa", dedicated to immigrants only, opened from 15.00 to 18.00 on Monday, Tuesday and Thursday from 10.00 to 13.00 and from 15.00 to 17.00, Via Ostiense 131/L, scala C, floor N° 5, phone 06.570151, email: tradurreimpresa@cnapmi.com
- Migra Coop., Monday to Friday from 9.00 to 13.00 and from 14.00 to 18.00, Piazza F. De Lucia, phone 06.40500796, email: service@legacooplazio.it.

## Trade Unions

Workers are "weaker" subject than employers, and for this reason, they often organize themselves or join trade unions to defend their rights. Trade unions finalize the National Collective Labour Contracts (CCNL) with associations of employers. Individual contracts concluded by trade union or associations' members, may contain terms different from those of the CCNL, only if they are more beneficial to the employee. Best known trade unions are CGIL, CISL and UIL.

## Employment Centres

Employment services offer guidance or job search and placement to migrant workers as well.

- **Guidance:**
  - information about labour market (for job seekers and job specifications);
  - individual interviews with help in defining of work projects;
  - skills assessment (what are your strengths and weaknesses for a certain job);
  - information about other job services.

- **Placement:**
  - official registration of your employment status (hired, dismissed, unemployed);
  - registration into the list of unemployed persons;
  - list of companies seeking workers;
  - job offers;
  - special assistance, defined as "targeted employment" for people in distress (eg, disabled).

- Vocational training
- Services for self-employment and creation of a company
- Economic aid
- Services for the protection of the rights

If you are unemployed: ask for the inclusion on the Register list. Only in this way you obtain a right to receive:

- unemployment benefits, that is, a fee equal to a portion of your salary prior to loss of the job;
- assistance during the first six months: that is, discussions and proposals of new jobs.

**The way to obtain the services**

For information about the offices of Job Services, you can call the switchboard of the province, or region of residence, or consult their websites.

Offices providing information on offered services are:

- Employment Centres
- Informagiovani (Youth Information Agency): www.informagiovani.it
- Trade Unions (CGIL, CISL, UIL)
- Desk of Study Advisory
- Female Entrepreneurship Observatory
- The EURES network of Euro-advisers: promoted by the European Union, with branches in all EU countries; its role is to assist people wishing to work in EU countries different to the one of ones' residence

## Italian social security system

The social security protection is extended to all citizens who are in need and unable to work. In particular:

- every citizen unable to work and cannot maintain himself, has the right to social assistance;
- all workers, in case of accident, sickness, old age, are entitled to financial protection.

Social protection covers workers (in all situations that may reduce or cancel their ability to work), and even people unable to work and cannot support themselves.

## Protection of workers

Workers may have their ability to work diminished, because of:

- non-business risks - such as maternity, illness, old age, greater economic needs arising from family responsibilities, etc.
- occupational hazards - occupational accident, sickness, involuntary unemployment, suspension from work, etc.

In order to provide employees with the means to address these risks with confidence, an employer is legally obligated to pay sums of money (**contributions**) in favour of the worker: contributions must be paid to social security institutions (INPS, INAIL, etc.) These funds provide for social security benefits, such as retirement pension, disability pension, maternity allowance, family allowances, etc.

## Pension

At the end of his career, an employee becomes entitled to an **occupational pension**. The pension is calculated on basis of employee's contributions paid during working life.

An occupational pension (paid after a certain number of years of employment) is linked not only to age, but also to accumulated level of paid contributions: a person is entitled to a pension after having paid at least 35 years of contributions and is at least 58 years old, or when she/he paid contributions for at least 40 years.

There is **old-age pension** payable after having passed a certain age: once this age is reached, it is believed that a person is no longer able to work. A right to old-age pension is granted after having paid at least 20 years of contributions. The retirement age is **65 years for men and 60 for women.**

Contributions are part of the salary and are obligatorily paid to a public body established for this purpose Istituto Nazionale di Previdenza - **INPS (National Social Security Institute)**. Contributions permit an entitlement to a pension.

## Work accidents and occupational diseases.

Protection against work accidents and occupational diseases is a competency of **INAIL (Istituto Nazionale per l'Assicurazione contro gli Infortuni sul Lavoro - National Institute for Insurance against Workplace Accidents)**, which is responsible for veri-

fying and certifying injuries. To **Servizio Sanitario Nazionale - National Health Service**, health care is conferred.
A right to assistance (economic and health based) arises in all cases of work injury due to a violent event at work, which cause death, temporary or a permanent, total or partial disability and absence from work for at least 3 days.
An employee is entitled to receive money even if the disability was caused by his unwise and negligent behaviour and even when the accident occurred "by his own fault."

## Protection against unemployment

Unemployment has to be protected in case of **dismissal** (when an employer ends the employment relationship), and in case of **resignation**.
The benefit is financial and consists of a bonus. The right arises if you have paid contributions for at least two years.
The request must be filed within 68 days after the end of employment relationship and the amount of money is payable for a maximum period of 180 days.

**Wage Complement at INPS, (Cassa Integrazione Guadagni)**, manages benefits payable to a worker:
a) in case of suspension from work (if the causes are not on employer's side, but attributed to difficulties in the market), this protection is provided when it is certain that the worker will return to his work; an employee receives an indemnity during a period of three months, amounting to 80% of salary;
b) in case of industrial renovation or conversion or a corporate crisis in a certain branch; the compensation cannot be taken for more than two years.



# Safety at workplace

- **Safety at work shall consist of overall measures adopted by the employer, by his collaborators and workers, who act to prevent accidents and diseases and protect workers, including people outside of the company and of local environment.**
- **Measures to safeguard security of workers are created in order to reduce the chances of injury of employees or freelancers.**

First, it is the **Constitution** that protects workers by means of a series of fundamental principles.
***These principles are then put into practice by laws:*** *Civil Code, Criminal Code, Statute of Workers' Rights Act (May 20, 1970, L. n. 300).*

## *Italian Constitution*

- *Art. 1.* ***Italy is a Democratic Republic based on WORK.***
- *Art. 35.* ***The Republic PROTECTS WORK in all its forms and applications***
- *Art. 38.* ***Workers have the right to be secured and assured by adequate means for their needs, in case of accident, sickness, disability and old age, involuntary unemployment.***

### Legislative Decree 81/08

**This decree** accepts European Directives on Safety and Health Protection of Workers, **coordinating it into a single legislative text** and strengthening the already foreseen penalties against those who do not respect regulations.

### Article 1 - Purpose

"ensure uniformity in the protection of workers in national territory... even with regard to gender, age and condition of women workers and immigrant workers."

### Art. 28

Employer must **identify risk factors** in his company and must estimate their extent.

**Employer shall:**

- Appoint a person responsible for Work Security;
- Have a responsible physician for monitoring the situation and for health protection;
- Ensure safety and health of workers in all aspects related to work;
- Assess occupational hazards;
- Evaluate the choice of machinery and the preparation of the workplace;
- Organize the services of protection and prevention;
- Maintain equipment in compliance with the normative;
- Write a list of occurred occupational accidents and prepare a report on each of them;
- Arrange first aid, fire fighting and evacuation;
- Inform workers and allow their participation;
- Supervise the observance of the rules and regulations.

**Workers' Rights**

- refuse to continue working in an emergency situation (serious and immediate);
- abandon the workplace or danger area in case of a danger (serious and immediate one);
- undergo medical examinations for reasons related to occupational hazards.
- be informed and trained on the risks and preventive measures adopted by the company in relation to safety measures.

**Duties of workers**

- appropriate usage of machines and other instruments;
- wearing personal protective equipment and safety equipment (gloves, hats, shoes, etc.).
- reporting (to the executive, manager etc.) any work situation that poses a grave and immediate danger, as well as any defect in protective systems;
- complying with the rules of health protection;
- follow prescribed instructions for the task;
- respecting and not removing danger signals;
- taking care of their health and safety and that of other people in the workplace;
- undergo screenings, healt

**Supervising organizations**

- ISPESL Istituto Superiore Prevenzione e Sicurezza sul Lavoro;
- SPSAL Servizio Prevenzione e Sicurezza in ambienti di lavoro;
- Assicurazione;
- INAIL Istituto nazionale per l'Assicurazione contro gli Infortuni sul Lavoro.

**Work Accident**

Work injury means **a reduced working capacity caused by a violent cause in the course of work.**

**Accident report**

Worker shall:

• **Immediately** inform the employer that an accident happened, despite being it even a small one, because its consequences may not appear immediately, but after a certain lapse of time.

Employer shall:

• report an injury with more than three days' prognosis to Inail (and to the Authority of Public Safety) on a proper form and attaching a medical certificate, within two days after the date when he was informed.

In the event of a fatal accident, the employer must make a declaration by telegraph (or fax) within 24 hours from the accident itself.

In the agricultural sector, to make a report is an obligation of the physician who is the first one to provide cure to the injured person. For agricultural workers hired for an indefinite period, rules provided are identical to those of industrial sector.

## Occupational disease

An occupational disease is **caused by harmful actions that accumulate over time and reduce the working ability of affected person.**

Report procedures

- The employee shall undergo examination by a physician who issues a certificate;
- The employee must give notice to the employer within 15 days;
- The employer shall submit the complaint within 5 days (alongside with a medical certificate)

What should we do?

- Injuries can be prevented by adopting a series of measures to reduce risks, and we can keep informed.
- We can protect ourselves by wearing the devices and protective equipment

**Personal Protective Equipment (DPI in Italian)**

Any equipment designed to be worn and held by a worker to protect him against one or more hazards for endangering safety or health at work, and any addition or accessory designed for that purpose (art. 74, paragraph 1 of Leg. Decree April 9, 2008, n. 81).

**Risk warnings**
**Mandatory warning of hazards and risks are obligatory for an employer.**
**The Employee is obliged to respect and not remove/move the signals.**
**Signalling sign are used to:** warn of a risk and/or danger; prohibit conduct and/or actions likely to cause danger; prescribe certain behaviours for safety.

**Action to be taken in case of accident**
Workers who are subject of an accident at work, must:

- medicate themselves, using the products in the first aid kit or in supplied medication packs, or go to the emergency room for treatment of the case;
- report the incident immediately to the manager or colleague who will notify the person in charge.

## Rescue an injured person

- It is necessary to furnish first aid and seek assistance by calling emergency number 118;
- Do not move away, do not move or lift the injured person, to avoid worsening of his condition;
- Avoid crowds at the accident site in order to facilitate relief work

**Beware of the MOVEABLE LADDERS!**

- Before use, always check their integrity, stability and function of the scale;
- The ladder must be long enough (it should remain free at least one meter above the rung of the ladder on which the feet rest);
- A sufficient inclination must be given
- If it is not bound to top, the ladder should be held in its position on the floor, by another person;
- The ladder must be used by one person at a time;
- Do not ever lean over to reach items out of your reach (possibly, go down of the ladder and position it onto another place);
- Pick up and move only the objects that can be held with one hand;
- The ascent and descent should be made with the face turned toward the ladder;

## Electrical hazards



***Injuries due to electrical causes in the life and work places are still a rather significant phenomena***
***A person can be traversed by electric current because of:***

- **direct contact** between the person and parts of electrical equipment;
- **Indirect contact** between the person and conductive parts of electrical equipment, which, as a rule, are not under tension, but receive it due to a fault.

**Be careful with plugs and all electrical contact equipment and tools or machines. Do not touch the person who is accidentally in contact with an electric discharge.**

## Manual handling of loads

*In general, we talk about risks associated with handling of loads where their weight is **exceeding 3 kg.***

- You should move objects in the area between shoulder height and that of the knuckles of the hands (arms straight at your sides)
- If you have to put up an object, you should avoid arching your back. Use a stool or a suitable ladder
- Makeshift equipment must not be used (chairs, stacks of packages) to store or collect materials from the shelves, but specific ladders that comply to the standard
- For heavy weights and long distances, capable handcarts must be used, adequate to the weight to be carried;
- If possible, the weight should be divided equally between two hands

## Risk of fire 

In case of fire, two situations can occur:

- a fire of a small size, neutralized with a simple use of a fire extinguisher. In this case, the staff (if any), intervenes directly on the fire. However, please advise the Fire Department (VV.FF.)
- a fire of large size. In this case it is necessary to launch the evacuation signal and alert Fire-fighters. In any case, never endanger your own safety to rescue property or structures.

Three conditions have to occur simultaneously for a fire accident:
Presence of fuel (petrol, wood, paper); Presence of oxygen/air; Minimum temperature not lower than that of ignition temperature.
If just one of the three combinations fails, the fire goes out. Therefore, there are three chances for extinguishing of a fire:
Exhaustion of the fuel; Lack of oxygen; Lowering the temperature of the whole quantity of fuel, below that of ignition.

**Methods of fire extinguishing**

The extinction of the fire is obtained by cooling, removal of fuel and suffocation.
These actions can be obtained individually or simultaneously with extinguishing agents, chosen according to the nature of the fuel and the size of the fire.
Not all substances can be used in various types of fire!

## Portable means of fire extinction



**Fire extinguishers** are devices containing gas, powder or foam that can be projected onto a fire under the action of internal pressure.
In many cases, they are the means for an immediate turning off the fire in its very beginning.

*Application of regulations on ban of smoking*



The Law n. 3 of 16.01.2003. reiterates the prohibitions already in place and extends the ban in all enclosed areas except those of private users, or not opened to public and those reserved for smokers and labelled as such. It is a duty of everyone to comply completely with very rigid rules banning smoking.

# *Personal hygiene*

***Wash your hands often, remains the golden rule of preventive health care!*** *In particular, if the worker has to handle or touch food, he is required to wash his hands:*

- Hands should be washed well before handling any food, especially after touching animals, after using the toilet, after touching the ground, plants, dirty objects or having attended crowded places (buses, hospitals, schools and gymnasiums..), after sneezing or blowing your nose;
- Hands should be washed even when you switch from the preparation of one type of food to another. The healthiness of a food may be compromised by contact with hands that have previously touched an unclean food;
- The hands must not be dried on clothes or aprons or towels used several times;

## Nourishment

The term Food borne Illness means an acute illness linked to the consumption of food. Food borne diseases are: intoxications, infections or infestations. A poisoning occurs in several ways:

- after eating toxic substances naturally present in certain plants (eg. in mushro-

oms), or in certain animals;
- after eating products of metabolism (toxins) produced and released by microorganisms (eg. bacteria, algae) that live and multiply in food;
- after eating substances toxic to humans, together with food.
- It is important to remember that bacteria or viruses present in food often do not cause any visible changes of appearance, smell and taste of food. For this reason it is not enough that food looks good and that its taste and the smell does not seem altered.
- The most frequent causes of food-transmitted diseases are: inadequate cooking of foods, uncertain provenance of the food, excessive time elapsed between the preparation and consumption, contamination of equipment and finally, improper maintenance of temperature.

**Behaviour of the personnel to ensure food security:**
- Personnel working in contact with food must wear a "hairnet in order to contain the hair and wear a light-coloured surcoat" (art. 28 DPR 327/80); the obligation to wear a hairnet is not mandatory for personnel in service and house kinds of work.
- For each worker there must be a two-compartment cabinet, one for work clothes and another for street clothes (art. 28 DPR 327/80)
- Personnel will keep doing everything possible to prevent contamination of food with which it comes into contact; they should treat carefully their personal health and in particular, should pay attention to washing hands, nails and hair:

## *It is prohibited*

- to smoke in rooms where you work, or where the food is deposited;
- wear rings, bracelets, watches and clothing other than that of work;
- wipe your hands on the shirts;
- cough or sneeze on food;
- eat food and/or beverages during food processing;
- hold and nourish animals.

**Waste management**

Waste material must always be considered as hygienically risky. A waste container has to be equipped with a lid with opening by means of a pedal, so you do not need touching it with your hands each time when throwing something away. Waste must be removed frequently, in order to avoid that it becomes object of attraction and development of insects, bacteria, virus or other pest animals.

# National Health Services



## *What does Health mean?*

The concept of health has been defined in 1948 by the World Health Organization - WHO and this formulation is still the basic definition of the term.

> *"Health is a state of complete physical, mental and social well-being and not merely an absence of disease or infirmity."*

## Right to health

In Italy, defence of health as a fundamental right of an individual and of collective interest, is guaranteed by the National Health Service (SSN).

The right to health is provided for in Article 32 of the Constitution, which states:
*"The Republic protects health as a fundamental right of individual and collective interest and guarantees free medical care to indigent persons".*

**National Health Service (SSN)** was introduced in Italy by Law N° 833/78 (better known as Health Reform), is a set of structures that ensure the protection of health

and provide health care to all citizens, both Italians and foreigners.
Foreign citizens residing in Italy with a regular residence permit, have the right to health care, as same as Italian citizens do. Besides to persons registered in Health registers, health care is guaranteed to dependent and regularly resident family members as well.

## SSN:

- is a public system of **universalistic** approach, which provides health care to all citizens, irrespective of gender, residence, age, income and employment;
- it is financed by general taxation, direct revenues, health tickets and paid health services;
- it is present on two institutional levels: Ministry of Health and Government at the central level, and Regions implementing Regional Health Plans.

The organization of health services is borne by the Regions and for this reason; **it varies from region to region**: it is necessary to verify, on residence basis, the procedures for local health services. Despite moving from one region to another, people continue retaining their right to health protection throughout all Italy.

## What does SSN ensure:

Health care is divided into:

- **primary:** which includes services to which a citizen accesses directly on the territory of the country (general practitioner, paediatrician, etc.);
- **secondary and tertiary:** which includes services to which citizens access through their general practitioner.

## The services of SSN on the territory of the state

The main local units which provide care services are:
**Hospitals; Local Health Units (ASL)** whose services are free.

Certified private hospitals have been added **recently into the system of SSN:** despite their nature, they provide services **according** to the principles of the SSN and its tariffs. Citizens freely choose which structure and physician they will opt for, between public and private affiliated health system.

**Hospitals**
Hospital offers a free service called Day-Hospital, a hospitalization and emergency hospitalization through the emergency service.

Hospital care is provided mainly by public structures (approximately 61% of the total) and is guaranteed both to admitted and external patients.

## Local Health Units (ASL)

A Local Health Unit is a complex of hospitals, clinics, counselling centres and offices that provide for the health of local people.

**ASL:**
Represent Regions at local level; they carry out disease prevention and health promotion activities through information, education, vaccination, food control and control of animal health.

Among the services offered by ASL, there is also an activity of **family counselling (consultori familiari).**
They were established by Law of July 29, 1975, N° 405, and are meant as family support services and education for responsible parenthood, mainly aimed at the health of women and couples. The characteristic of Family Counselling is its teamwork activity: in fact, in family counselling, psychologists work, social and health care assistants, midwives, obstetricians and paediatricians.

## Registering with the National Health Services

Regular foreign residents, enrolled in the SSN, have the same obligations and rights like Italian residents:

- to choose a family physician and paediatrician;
- to carry out surveys and examinations set by their physician;
- to be hospitalized;
- to ask for recipes;
- undergo surgeries.

**All foreign persons, owners of a valid residence permit, are required to register to the SSN**. Their residence permit should be one of the following types:
self-employed, employed or seasonal worker; entry to the lists of unemployed persons; family reasons; political asylum, international protection, or a request for international protection; awaiting adoption, foster care; acquisition of citizenship.

- Public health care is free for those who joined National Health Service, but for some services it is necessary to pay a ticket, a sum of money as a part of cost-sharing.

Paid services are: Analysis; Medicines; Specialist visits

- The following categories of people can be exempted of paying the ticket **(esenzione):** unemployed persons; disabled persons; elderly people

**How an exemption from payment of the ticket is obtained?**
By presenting a request to an ASL, accompanied by a certification of a physician or hospital specialist and by one's the health card.ASL issues a card that permits multiple recipes, up to a maximum of 6 packs of the medicine required for the disease.

## Warning!

The legislation on exemptions can vary. For more information about the current system of exemption and documentation to be submitted, you may contact your family doctor or pediatrician.**Those who did not join the SSN, should pay for care provided by public service.** Prices can be high.

**How one registers with SSN?**
The Registration for the National Health Service is accomplished in offices of an ASL, in the place of citizen's residence or a habitual residence, by submitting following documents:

- **a copy of a valid residence** permit or the slip of the request for renewal;
- **a certificate of residence** or alternatively, a self-declaration regarding one's actual residence;
- a copy or declaration of one's tax code.

In the moment of registration:
- a personal health card is delivered, which entitles its beneficiary to use some of the affiliated health services, just like Italian citizens;
- With a prior consultation of a list of available physicians, one chooses an affiliated family doctor or paediatrician for further free cures. The name of the doctor is reported on the health card.

**Period of validity of SSN enrolment**
Registration for the SSN is valid until the expiry of the permit of stay.

**When does the enrolment in the National Health Service cease?**
- When the permit of stay expires, unless you present a request for renewal, or an already renewed permit;
- If the permit of stay is revoked or cancelled, unless one proves the filing for an appeal;
- In the event of expulsion;
- In case of cessation of conditions for belonging of a foreigner to some of compul-

sory categories enrolled in SSN, (for example: end of cohabitation for dependent family members; conversion of a residence permit of stay in a permit which does not foresee a compulsory membership in SSN; termination of employment or enrolment in Job Centres for a foreigner who does not hold a residence permit).

## Health Care Card




The Health Care Card is a magnetic card, which in addition to personal data (name, surname, date and place of birth), contains also one's tax code on it.
In this card, the tax code as a readable alphanumeric code, is also printed on the back (bar-code) and on the magnetic strip, for optical or digital reading.

There are also clearly marked indications that qualify it as European Health Insurance Card for Illness.
The Health card is **valid throughout the country.** It should be presented every time you buy medicines or book a consultation with a specialist.
**It is valid for 5 years,** unless otherwise indicated by the Region/ASL office.
By time close to its expiry, the Inland Revenue will automatically send a new card; it, nevertheless, remains valid as a tax code.

**It does not replace the health card that remains valid for receipt of benefits provided by the SSN.**

**Health card for a newborn child**
For those born from January 1st 2006 and onwards, after the tax code is given by the Municipality or by an office of the Inland Revenue, a Health Card valid for one year, will be sent automatically. At its expiration, upon receipt of the data sent by the competent ASL, you receive your new card with a standard validity period.

**Health booklet**
- It is a personal document, certifying the registration of citizens in the SSN.
- It provides for assistance by the national public health system (to Italians and foreigners with a residence permit), namely, an access to national health services.
- It bears a code, **"an assisted code"** (automatically assigned by the Region, which identifies the beneficiary in question), the name of the doctor and any kind of a possible exemption from payment of the ticket.
- It is free of charge and of **immediate release.**

- It gives the right to receive the following benefits:

a family doctor or paediatrician - hospital treatment free of charge at public and affiliated hospitals - pharmaceutical care - general medical ambulatory care - medical specialist visits - medical home visits - vaccinations - blood tests - X-rays - ultrasound - medicine - assistance for rehabilitation and prosthetics - other benefits provided on basic levels of assistance.

## General practitioner

A Professional who provides general medical care.
General practitioner (or family doctor) has the following tasks:

- visiting patients in their office or at home, when the health of the patient does not permit him to go to the doctor's office;
- prescribes medicines on a form called a recipe;
- prescribes analysis and specialist visits;
- proposes hospitalization;
- issues certificates (eg. certificate of good health).

**Paediatrician**

A doctor who looks after children, visits them regularly and monitor the growth, prescribes their medication, tests and specialist visits.
Subscribers to the SSN system can choose a paediatrician for children from 0 to 14 years of age.

**Emergency Medical Service**

It is a service that is completely free, active at night, on weekends and public holidays. In serious and urgent cases, a request for first aid medical service in hospitals is more preferable.

## First Aid

Colour codes for the First Aid:
**RED: life danger cases.**
Treatment of these patients is a priority and they do have priority over others.
**YELLOW: cases with serious injuries and possible alteration of one or more vital functions (consciousness, breathing, circulation).**
Assistance is provided by medical personnel as quickly as possible.
**GREEN: cases where the patient's life, although being critical, is in danger.**
Assistance is provided after the treatment of the most urgent cases.
**WHITE: cases where patients have minor issues that could be met by a physician, a physician on duty or in specialized ambulatory clinics.**

Waiting time could be very long because the staffs needs to address the most urgent cases first.

In short: **FOR THE PROTECTION OF MY HEALTH:**

**1. I have to sign up for the SSN:**

- go to the nearest ASL;
- bring proof of residence, the tax code and the copy of the permit of stay.

At the ASL, I can: choose a primary care physician; obtain my health booklet
For information on Health Card call 800.030.070

**2. In case of illness and/or indisposition, I have to:**

- call my family doctor;
- go to the First Aid, only if necessary.

**3. In case of an injury, accident, serious trauma or serious illness, I have to:**

- call 118;
- go to the nearest first aid emergency room.

## Some useful information for your health

This text was written to provide some useful information for your well being. We want also to inform about some behaviours that, being already harmful to your health, constitute as a violation under the Italian laws.

**SIMPLE RULES TO FOLLOW to prevent virus infection** (eg. influenza):

- Wash your hands often with soap and water and maintain your personal hygiene.
- Do not trade items, clothing, blankets, etc. with other persons.
- When you yawn, cough, or sneeze, cover your nose and mouth with a handkerchief.
- Keep your accommodation clean and tidy.
- Ventilate the room during the day.

## Lifestyles

Leading a regular life helps preventing diseases and disorders. Following a series of irresponsible acts may be the most common cause of illnesses of varying severity.

**a) SMOKE**

HEALTH RISKS: In addition to tobacco, a cigarette contains many components, and at every puff, during combustion, **more than 4000 chemicals are emitted**. Among the most dangerous is **tar** containing carcinogenic substances that are deposited in lungs

and respiratory tract and irritants, which promote infection, chronic bronchitis and emphysema. **Nicotine** is also an alkaloid that affects the nervous and cardiovascular system and causes addiction.

Remember:

- Smoking can cause cancer, cardiovascular and respiratory diseases!
- During pregnancy, smoking has many adverse effects on the foetus and is the largest risk factor for low birth weight, can cause miscarriages and complications during pregnancy. Quitting smoking during pregnancy prevents also asthma in children.
- If you smoke and you are a parent, or you have regular contact with children, you should avoid smoking because indirect smoking can cause lung infections in infants, irritation to eyes, coughing and respiratory problems and increased risk of ear infections and asthma attacks.
- In any case, indirect smoking is harmful to those around a smoker.

In Italy, smoking in interior public places, is forbidden: such as offices, schools, shops, public transport and in bars and clubs and in any place where you see a ban sign.
**Those who transgress can be punished by a fine as indicated in the signs.**

**b) ALCOHOL**

HEALTH RISKS: Contrary to what is commonly thought, alcohol is not nutritious (like proteins, carbohydrates or fats, are) and its abuse is toxic to the body and its functions.

Alcohol can cause direct damage to cells of many organs, including liver and central nervous system, and can provoke addiction superior than that of best known substances, or illegal drugs. It can also be a deciding factor for violent behaviour, or attitudes even within family, and can interact with many drugs (it is especially dangerous if combined with sedatives, tranquilizers, anxiolytics and hypnotics).

**Pregnant and lactating women should stop drinking, because:**

- Alcohol passes through placenta and reaches the foetus
- arrives into the baby through breast milk

If you decide not to drink, you can have:
fewer health problems; if you are pregnant, you will have more probabilities of having a healthy baby; less weight gain; more money available; more control and more fun

Always remember that alcohol is not a nutrient and that its abuse can cause damage to health and do not forget that:

1. Alcoholic beverages make us gain weight

2. There is no safe amount of alcohol or advisable level
3. If you really want to drink, it is better to give priority to low-alcohol beverages (wine or beer), avoiding the spirits
4. If you drink, do it always with main meals and never on an empty stomach
5. Drink moderately, and in any case, if you have drunk, avoid walking on the roadside, or driving
6. Avoid mixing of two different types of alcoholic beverages
7. Pay attention to the interaction of drugs and alcohol (always consult your doctor)
8. No alcohol during pregnancy, lactation, childhood and under 16 years of age, or in case of disease and overweight
9. Frequent memory lapses or forgetfulness, loneliness or depression, some discomfort or guilt, searching for a drink just after the wake up, are signals for an alarm.

**c) SEXUALLY TRANSMITTED DISEASES**

Sexually transmitted infections differ very much one from another, but they all have a common route of transmission, that may not be the only one, precisely that of sexual intercourses. Infections are a major cause of acute illnesses that can lead to serious immediate consequences, or chronic problems. It must be said that some of these can cause significant psychological distress that should not be underestimated. Other infections affecting the reproductive system, can cause sterility and infertility. There are more than thirty diseases which can be caused by sexual contact. Most of these are caused by bacteria and are curable; others are caused by viruses and therefore may have more severe and irreversible effects, such as hepatitis and AIDS (HIV).

For preventing the emergence of more complex problems through early detection, please check with your doctor without fear when you think you have had an unprotected intercourse, or when you notice some undefined symptoms.

We remind you also that many religions do not allow sex before marriage and therefore, intercourse with one's wife, or with a regular partner, would be preferable.

## VIOLATIONS

Below is a list of offenses you could easily run into, not knowing that certain actions, according to Italian law, are considered crimes.

DRUNKENNESS

Art. 688: *anyone caught in a public place or open to the public, in a state of obvious intoxication, is punishable by a fine from € 51,00 to € 309,00*

In the Criminal Code, drunkenness is treated as a cause which excludes attribution (ability to understand and will), like in case of drunkenness deriving from unforeseeable circumstances or force majeure, or as a cause that does not exclude or diminish

the attribution, such as deliberate or negligent drunkenness; when drunkenness is planned in order to commit a crime or to prepare an excuse for it, penalty is increased. Habitual drunkards can be admitted to nursing home and housing custody (art. 221 of the c.c.).

ABUSIVE SLAUGHTER AND RISK FOR HEALTH

Killing animals not subjected to health checks and then eat them, can be very dangerous to health, because many diseases can be transferred from animals to humans through their food. Similarly, slaughtering an animal in an unclean place can be a health hazard.

UNAUTHORIZED SALE OF CIGARETTES

Tobacco products are distributed in Italy under the category of monopoly goods, whose production, distribution and sale, are subject to state control. Therefore, their production and distribution is permitted only under license issued by state monopolies. Anyone who sells various kinds of tobacco without authorization, shall be punished by a fine; anyone who buys any kind of tobacco for sale from an unauthorized person, is punishable with a fine as from art. 8 (law dt. 01/03/1951, n. 27).

USE AND SMUGGLING OF DRUGS

Production of drugs, its manufacturing, refining, selling, offering for sale, cession, distribution, transportation, exchange or shipment in transit, delivery for any purpose, is punishable by imprisonment from 6 to 20 years, and a fine of 26.000 to 260.000, (art. 73, paragraph 1 DPR October 9, 1990, N° 309); penalties are increased if such substances are delivered to a minor, if offer or sale occurs in, or close to schools, youth communities, barracks, prisons, hospitals, care facilities and rehabilitation centres of addicts. With the same punishment shall be punished everybody who imports, exports, buys, receives in any capacity, or otherwise unlawfully holds: narcotic or psychotropic substances which are clearly intended **not exclusively for personal use** (Art. 73 paragraph 1 lett. a) D.P.R. 1990, n. 309).

In cases where the amount does not exceed **limits set by law**, i.e. in cases of **personal use**, person unlawfully importing, exporting, purchasing, receiving for any reason or holding narcotic or psychotropic substances, is subject to one of the following administrative sanctions:

1. suspension of driver's license, certificate of professional competence for driving a motorcycle and a certificate of fitness to drive mopeds, or ban do obtain said permits for a next period of up to three years;
2. suspension of license to carry firearms, or prohibition of obtaining it;

3. suspension of passport and any other equivalent document or prohibition of obtaining them;
4. suspension of residence permit for tourism or prohibiting of obtaining it to a non-EU citizen (art. 75 Presidential Decree 1990, N° 309).

If these behaviours are carried out by a **foreigner**, the police will also report them to the Questore, for the scope of evaluation of renewal of residence permit (art. 75 paragraph 8 DPR October 9, 1990, N° 309).

The person concerned, in case relevant conditions are met, is invited to follow a treatment plan, a social rehabilitation and education program, or other customized information in relation to his specific needs (75 par. 2).

After ascertaining of these facts, the police reports to the Prefect, who, if deciding that investigation was justified, calls the concerned person for an interview and assessment of possible administrative penalties. Failure to submit to the interview implies application of administrative penalties.
Against the decree with sanctions imposed by the prefect, a complaint can be filed to a Judge of Peace, within a period of 10 days from the day of notification.
In cases where the conduct constitutes an administrative offense, and when in terms of manner or circumstances, it may endanger public safety, a concerned person already sentenced for crimes against person, property, or by standards of current Consolidation Act, or by Traffic norms, is subject to one or several following measures:
1. obligation to report at least twice a week at the office of State Police or at the command of Carabinieri;
2. mandatory return into living place within a certain time of the day;
3. prohibition to enter certain public places;
4. prohibition to leave the place of residence;
5. obligation to appear in specifically indicated office or police station in the times of entry and exit of students from schools;
6. ban of driving of any type of motor vehicle.

Where a person fails to comply with these measures, shall be punished by imprisonment from 3 to 18 months.

BRAWL
The Article 588 of the Italian Penal Code punishes with *fine of up to € 309,00 persons involved in a fight.*
*If someone gets killed in a brawl, or bears a personal injury, the sentence for the mere*

*fact of participation in the brawl, is imprisonment from 3 months to 5 years; the same penalty applies if death or personal injury occur immediately after the brawl, as a result of it.*
A brawl is the mutual exchange of violence between several people. A responsibility for an offence of brawl exists even in a case of throwing stones or sharp objects liable to offend.

SEXUAL VIOLENCE
The Article 609-bis of c.c. determines *"Whoever, by force or by threat or abuse of authority, forces someone to commit or suffer sexual acts, shall be punished by imprisonment from 5 to 10 years".*
*The same punishment is applicable to a person inducing someone to commit or suffer a sexual violence, abusing of a physically or mentally conditioned person, a victim at the time of the fact, or misleading the victim to be guilty in order to replace another really guilty person"*
The punishment is imprisonment for 6 to 12 years, if the rape is committed against a person who has not completed 14 years of age, with the use of weapons or alcohol, narcotics or drugs, by a person disguised as a public official, etc.

**Valorising of culture of origin and its use as instrument of integration**

It is already known that a person, when starting to live in a foreign country, is taken by anxiety when confronted with a problem of being accepted by others, that she/he feels as different – and in parallel – with a problem of accepting them. With hardships and difficult moods, she/he often lives in a conflict with the own identity.

Most of the foreigners, in fact, enter into original identity crisis as soon as they begin to acquire more and more elements of Italian culture. For this reason, it is important that immigrants become aware of this phenomenon.
Through a good appreciation of culture of the country of origin, they will be able to overcome this crisis and become psychologically and emotionally healthy persons.
It is important that immigrants discuss this phenomenon between them; at this stage, staying in contact with the country of origin, or with their community in the host country, could make a good contribution to the acquisition of such knowledge.
In particular, cultural initiatives contribute positively to a recovery from identity crisis. Of course, in order that these opportunities occur, it is necessary that immigrant create cultural associations, or participate in those having immigrants for members; Another opportunity could be the one offered by cultural mediators working in schools with Italian and foreign children. Foreign children do not want to appear different from Ita-

lian children and therefore, often grow up with a personality conflict. Enhancing their culture and their language has a great meaning for them.
Typical cuisine of the country of origin can become a facilitator in socializing with people of the host country, as well as traditions, habits and customs; through music and art in general, it is possible to communicate more easily with universal language.
When these cultural elements of the country of origin are used as means of cultural exchange and mutual enrichment of knowledge, they become instruments of integration. In this way, there is no fear regarding something different, because immigrants learn how to be known and accepted by the community. Fear and ignorance create major problems in communication between the "different."

It is very important to accept the different: this is the way of learning to open ourselves and become more tolerant and understanding.

**Psychological distress and integration**

In addition to material needs, there are also those linked to needs of socializing.
In one's country of origin, the needs for socializing was fulfilled by family, religion, culture, friends and rules of society.
We generally are not aware of these needs, but when there is a major change, such as changing of the country, they are suddenly felt in a form of depression and anxiety. Family, friends, our culture and social rules are far away and suddenly we feel unimportant and alone.
Consequently, an immigrant who arrives in Italy mainly driven by economic need, almost always experiences a strong psychological distress in form of depression, emptiness, loneliness and anxiety.
**This is an experience common to all people who change country of living.**
When we hide it, it increases and we began to think that this is a real disease. For example, anxiety and distress are often confused with heart problems. Depression is confused with chronic fatigue or some other disease. So an immigrant begins to search for a solution and, targeted to health services, goes to a first aid service, begins making visits, analysis, whereas it would be enough to talk to someone: usually, in fact, it is sufficient that someone listens to our suffering, so that it vanishes or reduces significantly.