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UNSETTLED

Solidarity networks, coping strategies, resistance in contemporary urban areas

The case of 300 african refugees between Itay and Hamburg

*A Elisabetta,
che mi ha preso per mano e mi ha fatto diventare quello che sono.*

Mi riesce difficile ringraziare tutte le persone che mi hanno aiutato, nei 9 mesi di ricerca, stesura, rilettura e correzione della tesi, e durante tutto il periodo degli studi, in due paesi diversi e spesso in una lingua che non era la loro (e nemmeno la mia). Tuttavia, provo comunque a farlo.

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Foreword

Forced migrations from North Africa and Middle East towards Europe in the last years led to a humanitarian emergency in many developed countries, mainly ascribable to the historical systemic North-South unbalance. However, after the struggles of 2011 and the consequent emergency migratory flows, international migration axes moved and changed considerably, overcoming specific linear routes and fanning out in the South-East direction. Within this picture, European Union is placed at the highest point of a triangle and represents the destination of migratory fluxes from centre and north African, Middle-East and Asian countries in societal, economical transition or implicated in civil wars, often characterised by an instable political situation. This phenomenon revealed all the weaknesses of European Communitarian and National Policies in managing (emergency) migratory waves and brought to a more and more frequent repulsion of individuals and increasing externalities from central areas towards the peripheral zones of the European Union. The fields of public lodging and dependence on State's assistances and aids are the most critical and perceivable aspects at the urban dimension, as well as the most urgent matters in order to rethink the whole public policy set with regards to new urban populations with migratory backgrounds. Recent experiences showed how integration processes are mainly guided through pre-defined paths, as a result of a governance of migratory issues centred on national and urban security. Besides, the lack in the management of public expenditures produced strong unbalances across EU Member States' national welfare systems, which users seem to become dependent on (if not "addicted" to) instead of progressively finding their own path towards autonomy.

This work deepens the *asylum seekers and refugees' urban question* in Italy and in Germany, which are historically two main destinations of

international migrations among EU Member Countries. In Italy, the overcharge of institutional assistance structures and the deregulated entrance of private social actors in migrant's integration and assistance programmes are the direct consequences of the weakness of national migration policies; in particular, an eventual single unequivocal policy at the national level has been put aside by several disorderly buffer actions and initiatives proposed by NGOs, associations and social enterprises, which play nowadays a warrant role of some otherwise constitutionally foreseen services. Moreover, the massive recourse to the national welfare system increased the impoverishment process of some users (who became dependent on it), nullifying the achievement of personal autonomy and arousing further marginality pockets - which concentrate into those "poor urban areas" where the income level of the resident population and the number of public services are under the average. In Germany, on the other hand, the possibility to access the national welfare system (one of the strongest in Europe, but also one of the most unequal) produced the so called *welfare tourism* effect, attracting consistent waves of already disadvantaged foreign populations in search of better life conditions. However, the low demand of unskilled labour created a new class of unemployed persons, whose accessibility to public welfare and labour policies still remains an illusion (as in the case of new Member States' migrants, for which the federal government provided a temporary working permit of six months, or for asylum seekers, to whom temporary residency permits of eighteen months are more and more often given [see Paragraph 2.3.2, p. 59]). Specifically in the field of housing and working policies, measures adopted by governments or local authorities to manage the accessibility of migrants to adequate lodging solutions or to regular jobs are rarely efficient and mostly underestimated. The current historical framework depicts housing autonomy as "unattainable" for various segments of the urban population (youths, students, young couples, elders), particularly for those who already live "at the margins" of urban societies: the supply of social housing solutions is often insufficient, while modern housing policies are frequently obsolete. On the other side, the difficulties in finding a regular, proper work push more and more often migrants to enter the black labour market or to recur to illegal coping strategies in order to provide a minimum income for the survival.

These aspects even worsen and become particularly serious in contemporary urban areas, where the regulation of the accessibility to public policies for migrant populations is ambiguous and fragmented; strategies or guidelines at the international level are lacking as well. Informal (or illegal) solutions tackle in this frame the weaknesses of local and national policies.

The focus of this study is a group of 300 African refugees, who escaped Libya during the 2011 civil war. Refugees lived for almost two years in Italy and experienced the marginality and exclusion in some Italian towns, before they decided to move to Hamburg (Germany); there, however, in accordance to international asylum laws (see Paragraph 2.2.1, p. 51), they have been excluded from any public assistance programme. Among all matters, the most urgent was to find a temporary or a stable accommodation. The national reception systems (from emergency recovery to self-sufficiency) constituted the main problem for this group of asylum seekers, both in Italy and Germany. The unsuitableness of housing solutions for migrants, and particularly for asylum seekers and refugees, did nothing but foster exclusion episodes, marginalization effects and a new resurgence of request for security and racist feelings, especially in urban areas but also (this is the most worrisome aspect) on the media and in the public opinion. A multitude of project visions at the local level (not always transparent though) pulled alongside and overcame the incompetence of public policies, and increased the proliferation of *ad hoc* solutions, aiming to face exclusively the emergency character of the situations. How would it be possible to shift from emergency to ordinary management, in order to prevent such problematic situations? Which actors should be involved in the construction and development of assistance policies addressed to migrant populations, besides the public, in urban areas? NGOs, the third sector and social enterprises seem so far the best-fitting solutions for this role; however, the consistent wastefulness of public resources and the non-fulfilment of attended results suggest a re-thinking of such a bipartisan partnership model, as well as an increase in monitoring the implementation of different projects. From the perspective of the public decision-maker, new reforms, the revision of migratory, housing and working policies at the structural level and the adoption of flexible and temporary policies to tackle emergencies is desirable. Within this frame, the network of non-institutional

actors could evolve towards a wider, multilateral model, supporting, implementing and completing already existing policies and projects, without replacing the public power.

Starting from a theoretical dissertation on the situation in Milano (Italy) and Hamburg (Germany), the work aims to critically reflect on the role of urban planning in the management of emergency populations, considering their coping strategies and investigating the spatial representation of daily places of some members of the Lampedusa-Hamburg group. The evaluation of the several effects on the urban and social fabric of the two cities should encourage the proposal of more effective, innovative guidelines in the direction of an eventual (and surely wished) revision of the public tools for governing immigration in urban areas.

*Soy una raya en el mar
Fantasma en la ciudad
Mi vida va prohibida
Dice la autoridad*

*Solo voy con mi pena
Sola va mi condena
Correr es mi destino
Por no llevar papel*

*Perdido en el corazón
De la grande Babylon
Me dicen el clandestino
Yo soy el quiebra ley*

Manu Chao, Clandestino, 1998

part I



A close-up view of the Za'atri camp for Syrian refugees as seen on July 2013, from a helicopter carrying U.S. Secretary of State John Kerry and Jordaninan Foreign Minister Nasser Judeh.

Source: U.S. State Department photos

Chapter one
A world of refugees

1.1 The evolution of geopolitics and the new waves of emergency migration

At the beginning of 2011, *The Guardian* published an updated interactive timeline on the topic of Arab Springs, monitoring the situation of the struggles and protests in 17 different Middle-East countries¹; at this day, searching on the newspaper's website the keywords "Arab spring" something like 3.428 results are found. It seems now evident how the geo-political circumstances occurred across the Arab countries (particularly in North-Africa regions) and the related consequences strongly entered into the public debate in the whole world, and especially in the European Union. "2.0 protests", "Arab Spring", "overthrow of ancient regimes" are concepts widely rooted into the collective imagination of western societies. On the one side, if not for geographical proximity, due to a general interest about turbulent changes which run over eastern or middle-eastern societies till then considered exotic and far, but which demonstrated instead to have some typical westerly traits; on the other side, for a crescent fear towards a possible invasion of forced migrants escaping wars, in addition to the already problematic migratory waves investing the European continent. Emergency migrations are the direct consequence of protests and riots in Tunisia, Libya, Sudan and Mali, Syria. A trend which is far away from diminishing, as international organisations are registering a continuous and alarming increase in the number of international refugees and so called IDPs (Internally Displaced Persons): the United Nations High Commissioner for Refugees (UNHCR) states

¹ <http://www.guardian.co.uk/world/interactive/2011/mar/22/middle-east-protest-interactive-timeline>

that in the last year the number of refugees reached 9,8 million, with 23.000 people per day who were forced to leave their homes due to conflicts and persecutions. Today, 15 million people are classified as refugees (Amnesty International, 2013), the 80% of whom is hosted by developing countries. From a typically theoretical viewpoint, refugees distinguish from traditional migrants under two fundamental aspects: the reason of the migration and the contacts and relationships with the countries of origin. If, in fact, the so called economic migrants are persons who move from one region, place, or country to another, in order to improve their living standard (Collins Dictionary, 2013) and who maintain therefore connections with their countries of origin², including relatives and member of the local civil societies, refugees are “individuals or families who have been forced to flee their country of origin or habitual residence because of persecution, war, or violence [...] and cannot return home or are afraid to do so” (UNHCR, 2013). While changing the premises of the migration, migratory paths changes as well. But most of all, the docking into arrival countries or societies changes radically, from a juridical, political, social and spatial point of view. Under the juridical aspect, it is interesting to observe that an effective evolution on asylum matter in the European legal framework did not correspond to the crescent interest and attention about international protection, leaving *de facto* decisional and legislative power to the single national governments and omitting a binding common strategy at the European level (see Chapter 2). At the same time, the political legitimization of States’ sovereignty declined more and more through principles of control of political borders and of securitisation of internal migrations, with the realisation of identification and detention centres for those migrants who are considered dangerous for the State’s security. Sandro Chignola observed in 2010³ that the European juridical space has been delocalised: it bended inward and polarised around airports, railways or maritime stations and identification centres in the principal European cities, where processes of registration

² A typical example are international remittances: a twine of economic function and socio-cultural dimension, as a consequence of long-term, “family strategy” investment of migratory processes (from the speech delivered by Paolo Boccagni at Centro Studi Medi, in occasion of the summer school in “sociology of migrations”, Genoa, 4 July 2013).

³ <http://www.meltingpot.org/La-frontiera-addosso-Cosi-si-deportano-i-diritti-umani.html#UeUfDm22DgB>

and identification of migrants are simplified, but where secondary effects such as exclusion, impoverishment and underground living subsist as well. In the current sociologic debate refugees fill an undefined space, as a consequence of the diverse contradictions which characterise this kind of population. If asylum seekers are often compared to irregular migrants, due to the transience and indefiniteness of the juridical status in which both illegal aliens and asylum seekers with a hanging request find themselves, the specificity of the different situations characterizing a new (under certain aspects) phenomenon, for instance in numerical terms and geographical provenience, are also recognised. Emergency migrations in international studies are often associated to some issues such as the crescent number of female migrations, their evolution and their emancipation from family migration processes (Andall, 2003); the progressive categorisation and stereotyping of migrants in western societies common language; the integration of refugees (and particularly of asylum seekers) into seasonal work or black labour market and their difficult tutelage (Avola, 2009); repatriations, circular or secondary migrations (Angenendt, 2007; Reyneri, 2007); victimisation of asylum seekers and legitimisation of persecution (Ambrosini, 2008) to force entrance possibilities in a determined country. However, studies of emergency migratory waves do not often take into account the repercussions and consequences that these fluxes cause on urban contexts, and the new challenges that European cities' governance would have to face. The increase in the movements of populations seeking for a refuge from wars, famines and natural catastrophes in the main urban agglomerations (often without living the national territory where they use to live in, becoming IDPs or climate refugees) must confront with the frequent violations of human rights by numerous governments, in name of the control of immigration policies (Amnesty International, 2013). Millions of migrants are dragged into mistreatment and exploitation by those against-migration policies, with effects such as human traffic, prostitution, exclusion from employment policies (and consequent long-term unemployment or recourse to illegal labour market employment solutions), homelessness and lodging vulnerability. Some externalities are measurable and spatially visible, and marginalisation and exclusion of such a new type of migrants are an aspect which urban planning and governance should necessarily take care of. Firstly because, as

it has already been said, being substantially alone and isolated from their countries of origin's societies, asylum seekers push themselves towards urban agglomerations in search of lodging and work, with the idea that the spatial concentration of real estate and labour markets would make their eventual admission to this kind of services easier. Secondly, mass migrations towards urban centres are the direct consequence of the two possible diverse outcomes of the refugee status acknowledgment process: with the achievement of the international protection in fact, an asylum seeker becomes a refugee, and he or she is juridical assimilated into the host society and is therefore free to move across the national territory in search of his or her identity⁴. In this *independence gaining* process, urban agglomerations constitute a concentration of opportunities, since [nowadays] networks of towns are forming and cooperating across frontiers, and new relationships between towns are required to meet the challenges facing EU territories (ESDP, 1999); if the refugee status is denied, asylum seekers become instead an illegal alien into the national territory and flow into towns to find more widely developed solidarity or ethnic networks or a new starting point for their migration path (resettlement, UNHCR), but also to better confuse themselves among urban populations without being recognised, stopped or controlled by the police, or to hide into big cities' interstitial spaces.

1.2 Numbers and data⁵

The last three years have been marked by the highest number of asylum requests in over a decade: according to UNHCR statistical yearbooks, the number of refugees in concern of UNHCR passed from 10,5 million in 2010 to 10,4 million in 2011, and to 9,9 million in the past year. Although a diminution has been noticed (-4,8%), these numbers are far away from those registered at the beginning of 2000s. If yearly variations in UNHCR's concern populations (see Table 1 and relative graph, "Yearly variation of people in concern of UNHCR, 2001-2011",

⁴ An exception is constituted by the "internal division principle" of the German asylum law (Landesinterne Verteilung, AsylVfG §50), see chapter 1.3.2.

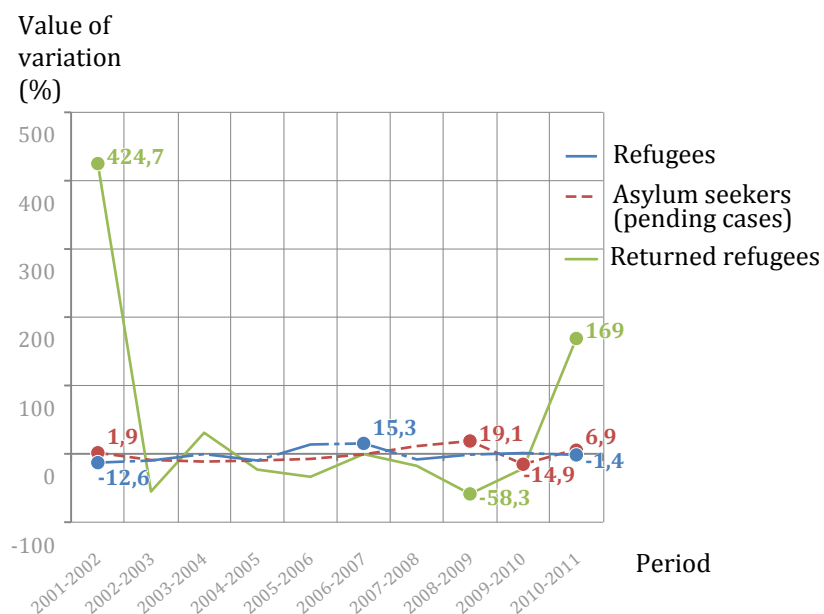
⁵ The following paragraphs refer mainly to the data provided by the statistical section of UNHCR. For a more in-depth analysis see in particular UNHCR, 2012.a; UNHCR, 2012.b; UNHCR, 2013.

p. 28) are taken into consideration, it is clear how the increases in the number of asylum seekers (pending cases, i.e. not yet awarded with refugee or other status, nor denied) and returned refugees registered in the period 2007-2008 is constituting an alarming problem for national governments. If, in fact, the number of refugees remains more or less stable⁶, the variations registered in the annual number of asylum seekers and returned refugees tell us about two fundamental aspects of emergency migrations. The first one, related to asylum seekers, is pursuant to the trends registered in 2011 and highlights the strong increase of pending asylum requests (see Table 4, Column “Variation (%) in pending cases 2010-2011”, p. 34); it confirms clearly the inappropriateness of both reception and demands testing systems and their laboriousness, and underlines indirectly the decisional discretionary of each hosting country. The second aspect, concerning instead repatriations, expulsions or voluntary returns, is even more interesting, because it stresses two very current and somehow unexpected concepts regarding modern migratory waves: on one side, restriction policies against the entrance of migrants into national territories (or in favour of their repulsion), are in contradiction with the right to mobility granted by international treaties (see Paragraph 2.1, p. 45); on the other, the so called return migrations towards the countries of origin or towards first migration countries have been increasing from the advent of the economic crisis and the changes in migrants’ expectations and migratory routes, whether the migrants are individuals or families.

⁶ Percentage variations on the total number did not overtake the +/- 15% in the whole first decade of 2000s, registering the highest peaks in concurrence to the big waves of forced migrations (UNHCR, 2013).

Table 1. Yearly variation of people in concern of UNHCR, 2001-2011

Period	Refugees	Asylum seekers (pending cases)	Returned refugees
2001-2002	-12,6%	+1,9%	+424,7%
2002-2003	-9,5%	-8,8%	-54,9%
2003-2004	-0,2%	-11,3%	+31%
2004-2005	-9,5%	-9,4%	-22,9%
2005-2006	+14%	-7,3%	+33,6%
2006-2007	+15,3%	-0,5%	-0,4%
2007-2008	-7,9%	+11,6%	-17,4%
2008-2009	-0,9%	+19,1%	-58,3%
2009-2010	+1,5%	-14,9%	-21,4%
2010-2011	-1,4%	+6,9%	+169%
TOTAL NUMBER (in thousands)	10.400	987	876



Source: UNHCR 2012.a

If it is true that the 80% of the total refugee population⁷ is hosted by Developing Countries (the 48 Last Developed Countries provide asylum to 2,3 million refugees) and that more than 4,7 million refugees (45% of the total refugee population) reside in countries with less than USD 3.000 per capita, the trend of the last years shows a clear increase in asylum demands submitted to industrialised countries: in the 44 industrialised countries, some 443.700 asylum applications were submitted in 2011, while 479.300 (+8%) in 2012. A final consideration on such global trends should be spend about the composition of emergency migrating population. In 2011, 48% of the total number of refugees were women, often travelling alone or with children (i.e. less than 18 years old), whose percentage reaches instead the 46% of refugees and the 34% of asylum seekers, as confirmed also by the demographic indicators of the refugee populations of the 8 countries with the highest number of refugees in Europe (see Table 2, Column “Demographic indicators”, p. 31). The problems related to displaced women and children tackled already in the 1970s into the debate on international migrations, which treated for a long time the issue of migration mainly as an individual and male phenomenon, regardless from gender or family-based viewpoints. The presence of migrant women, children and families though, radically changed the fundamentals of studies and reports about migratory processes, regarding particularly the diverse steps of the migration paths, the risks to which such a vulnerable population is subjected, the reception and lodging criteria and the consequent integration strategies. In particular, in those hazardous emergency situations such as after the Libyan conflict or during the Syrian civil war, the stress put on the issue of first reception of refugees and on the refugee camps widely entered into the public debate, increasing the attention towards personal and humanitarian emergencies (a worrisome problem is, among others, rape⁸) which add to the tragic event of the escape.

1.2.1 Countries of origin and hosting countries

As already said, the main countries of origin of “European” refugees are Middle-East or African countries in which (in the middle of the

⁷ Including IDPs, climate refugees, returned refugees and returned IDPs.

⁸ <http://edition.cnn.com/2013/06/26/world/meast/syria-refugees-child-brides>

1990s, but also more recently) some political transition processes, regime changes, civil wars or diffused violence have been happening (see Table 2, “Top 10 countries of origin”, p. 31). In particular, UNHCR statistical office’s time series show, starting from 2008, a crescent increase of asylum requests of persons whose countries of origin are located in Central or Northern Africa, among others Nigeria, Mali, Tunisia, Somalia and Eritrea. Percentages of refugees coming from countries hit by ethnic conflicts (such as Kurds coming from Turkey), politic-ethnic based conflicts (such as Bangladeshi and Pakistani minorities) or countries which have been -or are still- theatres of wars and revolts (Syria, Iraq, Yemen, Libya) still remain consistent. If it is true that the largest number of refugees is hosted by neighbouring countries or by countries belonging to the same geographical area of the above mentioned countries of origins, it also clear how EU28 and Schengen countries (if considered as one single national entity) are only second to Pakistan (see Table 3, “Top 10 hosting countries”, p. 32). However, if the yearly variation between 2011-2012 is taken into account, the increases in the percentage of refugees hosted by Schengen countries becomes pretty evident.

Table 2. Top 10 countries of origin

Country of origin	Number of refugees (end 2011)	of whom in Germany	of whom in Italy
Afghanistan	2.664.400	30.400	
Iraq	1.428.300	50.400	
Somalia	1.077.000		7.800
Democratic Republic of the Congo	491.500	5.600	
Viet Nam	337.800	24.900	
Eritrea	252.000		10.900
Serbia (and Kosovo)	161.363	122.300	
Turkey	139.778	97.900	
TOTAL AMOUNT	6.552.141	331.500	18.700
	% ON EU28	57,43	3,23
	% ON SCHENGEN AREA	62,93	3,55

Country of origin	of whom in EU28	of whom in Schengen Area	Demographic indicators (age groups)*		
			< 18	18-59	60+ >
Afghanistan	72.000	54.000	49%	48%	3%
Iraq	115.400	103.500	43%	51%	6%
Somalia	60.800	44.200	52%	47%	1%
DRC	17.000	17.000	55%	40%	5%
Viet Nam	33.600	33.600	-	-	-
Eritrea	24.200	26.300	72%	25%	3%
Serbia (and Kosovo)	139.200	139.200	7%	59%	34%
Turkey	115.000	108.900	33%	64%	3%
TOTAL AMOUNT	577.200	526.700			

Sources: UNHCR 2012.a

* The percentage refers to the number of refugees for which demographic data are available

Table 3. Top 10 hosting countries

Country of asylum	Number of refugees (end 2011)	Number of refugees (end 2012)	Variation (%)
Pakistan	1.702.700	1.638.500	64.200 (-3,77)
Islamic Republic of Iran	886.500	868.200	18.300 (-2,06)
Syrian Arab Republic	755.400	476.500	278.900 (-36,92)
Germany	571.700	589.700	18.000 (+3,14)
Kenya	566.500	565.000	1.500 (-0,26)
Jordan	451.000	302.700	148.300 (-32,88)
Chad	366.500	376.700	10.200 (+2,78)
China	301.000	301.000	-
Ethiopia	288.800	376.400	87.600 (+30,33)
USA	264.800	262.000	2.800 (-1,05)
United Kingdom	193.500	149.800	43.700 (-22,58)
United Republic of Tanzania	131.200	101.000	30.200 (-23,01)
Italy	58.000	64.800	6.800 (+11,72)
Schengen Area	1.225.300	1.271.600	46.300 (+3,77)
EU28, Liechtenstein, Norway, Switzerland	1.438.000	1,435,500	2.500 (-0,17)

Source: UNHCR 2012.a

Considering instead the main destinations for number of submitted asylum requests (see Table 4, “Top 10 destinations for number of asylum requests”, p. 34), it has to be noticed how six of the first ten national states are EU Member States or belong to the Schengen area. In this case the absolute percentage values represent respectively the 32% and the 31% of the total amount of submitted asylum requests in 2011. The result of asylum acknowledgment procedures assumes here a particular relevance, in confirmation to the current incapability in facing emergency migratory waves and to some rejecting policies against illegitimate asylum seekers, put into use by several different countries, among which many belong to the European Union (see Paragraph 2.2, p. 48): percentages of pending cases variations between end 2010 and end 2011 show an increase (except Canada and UK) in the number of still-open applications, while in all the countries in concern but Ghana and the US the number of rejected requests overtakes consistently the number of positive decisions, often doubling their number. This increase, beside slowing down acknowledgment procedures for international protection, has the direct effect of overcrowding identification centres, as well as of worsening the living conditions of the guests/prisoners. To these externalities must be added a non-directly related, non-verified effect: having been denied the international protection, asylum seekers find themselves into a juridical limbo, waiting to be repatriated. However, repatriations happen only in few cases (with regards to the total amount), turning *de facto* the asylum seekers who succeed to remain in the country into illegal aliens, without any visa, work or residency permit. Theoretically, this should encourage the recourse to non-official integration channels and foster the formation and the strengthening of informal migrants networks (see Paragraph 1.3, p. 38); and yet this hypothesis occurs rarely in the case of asylum seekers, as they are mostly isolated individuals or family units, without relatives, ethnic or national networks to lean on.

Table 4. Top 10 destinations for number of asylum requests

Country of destination	Number of asylum requests (2011)	Pending (end 2010)	Decision (during 2011)			
			Positive		Rejected	Otherwise closed
			Convention Status	Complementary protection		
South Africa	106.904	170.702	6.803	-	37.150	-
USA	76.000	6.285	23.512	-	11.941	42.515
France	52.100	48.576	8.190	2.454	63.757	-
Germany	45.700	51.991	7.089	2.557	23.717	9.970
Italy	34.117	4.076	1.803	2.526	16.995	-
Sweden	29.600	10.633	2.870	7.961	28.729	4.748
Belgium	26.000	18.283	4.151	1.320	26.404	1.834
UK	25.500	14.881	8.299	1.720	21.802	4.304
Canada	24.985	51.031	12.983	-	16.122	5.152
Ghana	20.123	749	4	-	-	8.236
EU28	380.738	275.315	39.247	32.747	235.149	52.695
Schengen Area	370.393	273.493	37.478	35.406	216.436	61.182
TOTAL AMOUNT	1.192.160	926.015	152.429	86.691	698.202	190.636

Country of destination	Pending (end 2011)	Variation (%) in pending cases 2010-2011
South Africa	219.368	48.666 (+28,50)
USA	11.721	5.436 (+86,49)
France	49.240	664 (+1,36)
Germany	62.680	10.689 (+20,56)
Italy	13.525	9.449 (+231,82)
Sweden	18.138	7.505 (+70,58)
Belgium	19.006	723 (+3,95)
UK	16.907	2.026 (-13,61)
Canada	41.852	9.179 (-17,99)
Ghana	12.632	11.883 (+1.586,51)
EU28	283.713	8.398 (+3,05)
Schengen Area	284.142	10.649 (+3,89)
TOTAL AMOUNT	1.032.924	

Source: UNHCR 2012.a

1.2.2 New migratory routes

Tables and numbers presented till now do outline a clear and specific migrations geography towards the centre of Europe. It is interesting though to spend some considerations about incoming migratory routes and some matters which are (more or less) directly connected. Countries of origin (or transit countries) of migration flows towards Europe are those already mentioned countries in which political transitions, limited protests or violent struggles, civil wars are occurring (see Picture 1, “International migratory routes, regime changes and local struggles”, p. 36). The International Centre for Migration Policy Development (ICMPD) identifies five different migratory routes entering the European continent, four of which cross Saharan or Sub-Saharan Africa to enter Europe from the South-Southwest direction (the fifth route, the East Mediterranean Route, enters Europe from Turkey and the Balkan peninsula). Cities marked as *crossroads for transnational migratory routes* are the main landing places of such routes, but also the first contacts for migrants with urban centres in continental Europe, as well as the starting points for further migrations among the Member States (mostly along the European Continental Route, marked in black into the picture). Interesting is to notice how the most of those cities are directly located on the Mediterranean basin, particularly in Italy, France and Spain (and Canary Islands): big or small coastal urban centres which have been reported in the last years’ news as the main gateways towards Europe, but more often sadly remembered as places for the internment of migrants or for the collection of the corps of those who did not succeed in reaching the aspired destination⁹. A further consideration must be spent on the means of transport. If it is true that entrances in Europe occur mainly by sea or by land, it must be observed how the higher and higher economic accessibility of plane transportation changed radically the migratory routes’ scenario, thanks to the crescent offer of low fare lines and tickets and low costs airlines. In the case of forced migration particularly, the number of asylum seekers who enter into an EU Member Country by plane,

⁹During the period 1988-2011, some 18.673 migrants died in the attempt of reaching Europe; 6.226 are the certified victims in the only channel of Sicily (source: www.fortresseurope.blogspot.de).

Picture 1. Map of main international migratory routes, regime changes and protests of refugees
see pp. 160-161 for the enlarged image



Sources: liMes, noborder network, UNHCR 2012

using a regular business or touristic visa, has been growing, as showed by the many air routes connecting African and Middle-East countries to central Europe (marked in yellow in the picture). Some direct or indirect indicators are given, for example, by the opening of asylum seekers reception centres in proximity of airport hubs (as the first aid and reception centre in Varese, near the Milanese airport hub Malpensa) or by the number of asylum requests submitted directly after landing (see Table 5, “Statistic of airport procedures in Germany (1993 - 2002)”, Paragraph 2.3.2, p. 60). Crossing the data of the geo-political Italian magazine *liMes* and of *noborder network* association (related to the riots of refugees and asylum seekers across European reception centres and to international refoulement cases occurred in the last years), a series of alarming data emerges quite clearly. The first one is connected to protests or hunger-strikes of refugees and depicts a high concentration of such events in cities or places located directly on the Mediterranean sea, or at least belonging to Mediterranean countries, where reception or internment camps are mostly placed. This statistic confirms the difficult situation in managing the huge number of refugees and asylum seekers who transit these routes (prevalently at a State policy level) and strengthens the idea on the degrading conditions in which many several migrants daily live¹⁰. And yet, it is not a case if the rest of the riots happened in those centres laying on the so-called European Continental Route, on which inner European migratory flows insist. Finally, verified international refoulement cases can be directly connected to the issue of illegal disembarkations and of detention in reception centres. If, in fact, this kind of events have not been certified into European continental countries, the same did not happen in Mediterranean countries or, as in the case of Hungary, along the oriental borders of the EU. Riots and refoulements do not only state the complex situation of Mediterranean or border countries in the management of emergency migratory flows and in the reception of a large number of asylum seekers, but rather reveal a diffused unease inside national States which is still circumscribed to the

¹⁰ Many international associations and NGOs already denounced the conditions in which asylum seekers live into first aid, reception and detection centres. However, reports and documentary evidences have been often underestimated by the media and by government representatives. For a more in-depth analysis see *Arcipelago CIE*, MEDU 2013.

peripheral areas of the European Union. The same spatial effect which occurs, at the local scale, into many urban centres of some Member States' major cities.

1.3 On the meaning of being a refugee in a foreign city

Although the common image of refugees is still related to large camps and emergency tent cities, the reality is that only one-third of the world's 10,5 million refugees now live in camps, while more than half of them live in urban areas (UNHCR, 2013). Unlike a closed (and controlled) camp, cities present obvious opportunities to stay anonymous, a matter which particularly concerns those migrants who do not want to or are afraid of being identified. The refugee dilemma clearly arise into urban centres: on the one side, the need for reception and support policies and the will to make money and build a better future; on the other, the scepticism towards hosting countries, institutions and societies. The two faces of the same coin, which make refugees and asylum seekers more vulnerable (to exploitation, arrest and detention, for example) and more excluded from host societies and local labour markets, increasing feelings of estrangement and untruthfulness, if not hostility. Such feelings are indiscriminately addressed both to people and places. The refugee (or the asylum seeker) is basically alone. With respect to some years ago, the type of urban refugee has radically changed: it is not more about young men who are used to adapt themselves and to move individually (by choice or necessarily), but rather about women, children, elderlies. Their dispersion through the urban fabric make difficult to locate, identify and control them (in numerical and statistical terms, but also for those aspects related to health, security, legality), with the consequent multiplication and fragmentation of services providers, both at the urban and local scale¹¹. The construction of trustfulness relationships for an asylum seeker does not follow a unitary path; it is though a very provisory and aleatory process, submitted to the times of bureaucracy and to

¹¹ At the urban scale NGOs, associations and foundations operating in a city (or in a network of cities) should be mentioned: they provide social and legal assistance, and struggle for refugees and asylum seekers' rights and political representativeness. At the local scale instead, district or inhabitants committees, churches and other religious institutes play a fundamental role as suppliers for the most urgent needs of refugees and asylum seekers populations.

the juridical acknowledgment, which rarely correspond to the life times to which asylum seekers should withstand in many European urban areas. The untruthfulness of asylum seekers translates into the alienation towards a city's physical spaces designated to host them. In the first place, the spatial fragmentation and dispersion of asylum seekers' benchmarks (central police station, reception centres, charity centres, religious institutes) disables their possibility to live inside static and secure geographical boundaries; they are forced to continue searching their own spaces in a city which perception may change depending on the migrant's physical, psychological and juridical status (the asylum seeker *does not know* where to go). Secondly, the flaws into national asylum seekers' reception systems abstract the refugees from the places they daily live, making them always more dependent on external helps and labelling them as guests (i.e. temporary users) of those places they are strangers to, without any possibility to play an active role. This means, from a merely spatial viewpoint, that asylum seekers are often wandering in cities without a goal, pushed out from reception centres during the day and not knowing what to do, being excluded from urban centres and from working, social, political and public life city nodes, with some related effects such as marginalisation, vagrancy, mendicancy and deviant behaviours, invisibility (the asylum seeker *has no place* where to go). From the individual and psychological perspective, this wandering sharpens frustration, resignation for one's personal conditions, anger and untruthfulness towards institutions and the civil society, alienation, loss of personal dignity and self-confidence. Thirdly, the combination of the two previous factors of spatial and social exclusion bind up asylum seekers in those places offering a shelter, but which constitute as well the only valid option (not a free choice), preventing migrants to find their personal places in a city (the asylum seeker *cannot go everywhere*), intended here as possibilities for individual regain and success construction. In this framework, an important role is played by those spatial devices which foster migrants' integration from the very moment of their arrival in hosting countries' cities. Such devices, already defined as *arrival cities* (Saunders, 2010) or *arrival spaces* (Saeidimadani, 2012), would result fundamental for new urban populations with migratory backgrounds, due to the differentiation of the functions they offer, to the heterogeneity and the flexibility of the spaces, to the diverse

populations (or ethnic groups) living there and for the networks that these populations build and constitute. Nevertheless, they are not yet entered into public discussions (Saeidimadani, 2012:24); neither did they enter into the debate about the relationships between urban planning and public policies and the paths towards housing autonomy of new urban population with migratory background. The arrival in and the access to this typology of spaces must not be intended as a migrant's final goal, but rather as a possible first step towards more stable and convenient solutions, which would better mirror the newcomers' ideal of autonomy. The importance of the *arrival spaces* has to be found exactly in their provisional and temporary nature: the access to or the exclusion from such spaces in fact, does not precondition the success or the failure of migrants' autonomy and integration process. On the contrary, they constitute a first, provisional shelter in which a migrant can build his/her personal social and solidarity networks (Saunders gives a particularly insightful definition of arrival cities, indicating them as *immigrant gateways* or *communities of primary settlement*). The accessibility to these spaces is fundamentally based on parental and ethnic networks, which are often too weak if not inexistent in the case of refugees and asylum seekers. Moreover, the access of emergency migrants to this particular kind of spaces is highly conditioned from the very different temporalities in which they live¹² and from the precariousness of their working and lodging conditions; their difficulties in accessing whichever *arrival space* and their consequent dependence from predefined, specific service-oriented systems is then obvious. Lacking those [informal] systems for institutional and normative regulation and the collective structures for interaction and production [of social capital] (Saeidimadani, 2012:27) specifically directed to refugees and asylum seekers, it seems currently necessary and urgent to rethink public reception, assistance and integration policies with regards to the primary needs of these (under certain aspects) new urban populations. Access to public (or controlled price) housing, social and medical care, issuance of working permit and access to education¹³ are the elements which contribute to achieve a first

¹² Juridical temporality, period for the achievement of a residency or of a working permit, temporary transit in a given city or country, durability of the sojourn in reception structures and so on.

¹³ From the press communiqué of Lampedusa-Hamburg group, May 2013.

level of autonomy and to regain refugees' personal dignity they feel to have lost during their escape. The frequent lack of strategies at the urban level strengthens the need of rethinking the whole local services and welfare system, and underlines the importance of locally centred networks in filtering the accessibility to information and in building up a more or less productive social capital (BMAS, 2010).

The trends which show that always more refugees and asylum seekers will be living in European cities are not a prevision anymore, but rather a given fact, which deserves therefore its place into (local) public administrations' political agenda.

What does it mean for a city to host a refugee? Firstly, to take into consideration the different set of problems occurring from the very arrival of asylum seekers into cities until their complete autonomy, with regards to the juridical, economic and social aspects of the integration processes. Also, to reform and extend the services supply to the whole urban fabric, foreseeing the economic, social and spatial effects at the local scale. Finally, to propel the creation of informal networking activities and the collective use of hangout places, to encourage the free movement and the share of information (see Chapter 4).

part II



Source: European Commission

Chapter two

**(Non)Inhabitants:
Prisoners of the fortress Europe**

2.1 International rights and asylum

The concept of exile is deeply rooted into Western civilisations since the first political struggles in Greek *polis*, when some individuals were forced to abandon their home towns and to ask asylum (intended here in his first ancestral meaning, i.e. a place where people facing persecution could seek refuge and protection, whether by a sovereign authority, a foreign country, a church or sanctuary or general religious institution) in rival cities and societies. Until 1848, exile has always been declined through political meaning, identifying those ethnic or social groups that disagreed with the state's political orientations¹ or were unwilling in their home societies. In the second half of the 19th century -with the first revolutionary republican movements in Europe- the term refugees starts to label those people (plotters, rebels, idealists and nationalists) who, having opposed or having refused the geopolitical system of their home countries, were persecuted by the government and were obliged to escape. The difference from the "ancient" meaning of exiled persons is that, in such an historic moment of stabilization of national states' legitimacy and within the creation of a new geography through political borders, the concepts of sheltering and protection, integration in host societies and guarantee of enforceable rights is strongly stressed. However, the persons described so far with the terms *exiled* or *refugees* are predominantly educated and cultured people, coming from the upper classes and strongly engaged in those intellectual conspiracy élites which took position (often secret-

¹ Sassen indicates, among others, protestants banished from France in XVII century; nobles escaping the French Revolution; Polish patriots; Spanish, Portuguese and Italian exiles; German, Austrian, Slovakian and Hungarian rebels after the (failed) 1848 riots (Sassen 1999:43,44).

ly) against regimes or absolute monarchies. Their number remained therefore scarce, insufficient to produce emergency situations as those we are used to experience nowadays, and their migratory path, although coercive, followed indeed free choice mobility criteria: the main destinations were those cities or countries, which at that time adopted liberal policies towards emigrants' rights. It is with the big (in terms of the population involved) riots of the late 19th century and the First World War that refugees started to emigrate through waves; they could not be considered any more as *active resources* (Sassen, 1999:46) for the host societies, but rather as a vulnerable and high-varied population, made of different class structures (heritage of the immigrant's home societies) and needy of *ad hoc* policies for an effective integration and assimilation process. The high number of evacuees changes the rules and the treatments of immigrants. Although legally different from other types of migrant populations (and therefore owners of different enforceable rights), refugees started to overlap to and to be undistinguished from economic migrants, with such marginalisation and stereotype effects which are still present today: in the era of capitalism the lack of manpower is not more sufficient to welcome newcomers, and the life conditions of (political) refugees and immigrant workers resemble more and more each other (Sassen, 1999:46). In this phase of stabilisation and strengthening of modern States sovereignty, forced migrations assumed a consistent relevance in socio-spatial terms. Mass movements cannot be evaluated or foreseen, and refugees are no more useful for domestic policy purposes (Ambrosini, 2009:6), but rather constitute a heterogeneous and extremely vulnerable group of people begging for their right to a better living. Waves of incomers affected mainly Western developed countries, with regards to the historical unbalance north-south and west-east, as many nationals of those countries oppressed by war, poverty and social injustice searched for their shelter in more stable or growing economies. This *bottom-up globalisation process* (Ambrosini, 2009:7) stresses the urgency to adopt international directives for the shared management of refugees and general immigration policies. In 1948 the UN General Assembly adopted the Universal Declaration of Human Rights, to tackle the negative effects which caused (but also resulted from) the Second World War by pragmatically influencing the evolution of international rights towards a more open and liberal

model of welcoming and integrating escaping populations. Although being not a binding instrument (it is not an international treaty), the Universal Declaration of Human Rights constituted a fundamental pillar for the stipulation of international treaties, for the enactment of national laws and constitutions and for sub-nationals and regionals agreements for the safeguard of human rights. For the historic moment in which it has been conceived (after World War II, during the stabilisation of the Soviet Bloc), the Universal Declaration of Human Rights affirms and ratifies the freedom of movement through national States' borders (Art. 13). The concept of refuge remains here unclear, though it is explicitly indicated in Art. 14 c.1: "*Everyone has the right to seek and to enjoy in other countries asylum from persecution*". This gap would be filled only in 1950 with the European Convention on Human Rights -which is binding and sanctioning for the subscriber countries-, which prohibits the further transfer of refugees towards any country in which they could be repatriated or submitted to inhuman or degrading abuses (principle of *non refoulement*²). Ten months later, in July 1951, the UN Convention relating to the Status of Refugees entered into force in Geneva (with 145 ratifications and later accessions or successions); it defines the parameters to recognize who is a refugee and who is not, and sets out the rights of individuals and the responsibilities of the country that grant asylum. Legal procedures against those refugees unlawfully entered in the host country are banned (Art. 31), as the arrival destination (though provisional or unwilling) constitutes the final goal (and the end of the distresses) of the exiled migrants, who would undertake from here on the path to the acknowledgment and legalisation of their status in the arrival country - if this is, on the one side, a grant for immunity, it does not often translate into a linear and effective welcoming and integration process, as it has been recently experienced after the Arab Spring. With the change of international geopolitical scenarios and the progressively embitterment of the Cold War (and later on, with the dissolution of the Soviet Bloc), the temporary and geographical limitations for welcoming refugees related to the only dramatic experience of the World War II were finally removed from the UN Convention relating to the Status of Refugees in

² The principle of *non refoulement* affirms the prohibition of expulsion of refugees or their return (refoulement) into a non-safe country.

1967. Having embodied both the fundamentals of the Universal Declaration of Human Rights and of the European Convention on Human Rights, the UN Convention relating to the Status of Refugees became effectively the main international juridical instrument for asylum legislations. Nevertheless, these legal tools caused in the long term period a progressive closure of national borders to “regular” migratory waves, and a discharging of countries’ responsibilities with regards to the management of refugees, increasing the mismatch between national State management and international fallouts (as in the case of Europe, between Mexico and US, or in the Israeli settlements in the occupied West Bank). The topic of immigration is becoming more and more a problem tackled by authoritarian and securitarian measures.

2.2 EU and the grant of refugees’ rights: a common policy or a system for disencumbering responsibility?

On the spatial perspective, in order to understand the local effects generated by forced migration waves in Europe, the European framework in asylum matters has to be taken into consideration. Though some common instruments and legislations are provided and adopted by single countries, the picture still remains fragmented and presents many contradictions: Member States are in fact usual to differently consider the political and humanitarian situations in asylum seekers’ country of origin, so that a given national could eventually be recognised as a refugee in one country and be refused in another one. It is the case of Greece, towards which some EU Member Countries do not consider suitable to transfer immigrants, as they may be submitted to degrading treatments or event to a further repatriation in the country they escaped from³, considered safe by the Greek government. The reasons here are mainly political, and have to be found in the will of keeping a strong national sovereignty on the matter of immigration and asylum, and in the “protection” of nationalised welfare system, on which a correct management of immigration forcedly weigh.

³ The principle of the safe third country excludes repatriation or expulsion procedures towards those countries in which exists a concrete possibility of non-application of *non refoulement* principle, or in which migrants could be persecuted for their ethnic origins, religious or political belief, or could be tortured or submitted to inhuman and degrading treatments.

“The European Union shall [...] maintain and develop the Union as an area of freedom, security and justice, in which the free movement of persons is assured in conjunction with appropriate measures with respect to external border control, asylum, immigration and the prevention and combating of crime.”

*Amsterdam Treaty, 10 November 1997
Article 2*

The effect is an increase in border surveillance and national security prevention policies. In this sense, the ratification of the Schengen Agreement, which led to the creation of Europe's borderless Schengen Area in 1995, pushed Member States to establish *Frontex*, an international cooperation police network for the supervision of European borders. Born with the aim to tackle criminal organisations to hold illegal traffic towards the European Union, this surveillance corps has been strongly criticized for having adopted restraint measures against migrants (illegal aliens, but also refugees) through some instruments such as detention and/or rejection at national borders. The unconstitutionality and arbitrariness of such a system became pretty clear during the 1990s Balkan Conflict. For those asylum seekers escaping regional wars and ethnic violence the so called *temporary protection* has been introduced in the international protection legal framework: it foresees a duration up to three years, or until the suspension of the conflict and the consequent return in the country of origin. In 1994, UNHCR defined this measure "a flexible and practical instrument to ensure international protection, since it gives a concrete response to the emergency situation, but at the same time, it endorses the return to the safe country of origin as the most suitable, convenient and desirable solution". A new and provisional figure of refugee is therefore recognized, whose only residual granted right is the mere survival (Marchetti, 2008:8). In this framework emerges dramatically the phenomenon of spatial and territorial dispersion of refugees and asylum seekers, whose path for the application of asylum requests and consecutive reception does not happen coherently: the need to move for seeking better opportunities (in absence of "local" alternatives) pushes refugees towards the exercise of their freedom of movement - with all the consequences related to it. For instance, in the first 1990s the big discrepancies in the treatment and reception of refugees among the different Member States (in terms of law and practical management) reinforced the tendency to migrate towards Northern European countries for the so called *asylum shopping*. The contradiction between freedom of movement and of national States sovereignty constituted to all extents the base for the 2003 Dublin Convention as a repressive instrument against itinerant applications for international protection.

2.2.1 Dublin II (2003)⁴

In order to tackle effectively the practice of itinerant applications for international protection, Member States adopted two diverse strategies which flew later into the Dublin Convention: prevention and deterrence (Schuster, 2009:38). The first one aims at reducing the number of asylum seekers who enter the European territory, reinforcing external borders and enhancing the surveillance, as in the case of *Frontex*; if, on the one side, this strategy constitutes an attempt to keep refugees far from Western Countries' borders, it causes on the other side a concentration of asylum demands in those adjacent countries of origin or in safe third countries (regionalisation of asylum seekers' reception, Marchetti, 2008:15), which are also the ones most hit by the crisis and which welfare and reception systems are not strong enough to grant the full exercise of refugees' rights or a regular implementation of asylum procedures. The second strategy tends to persuade new incomers that their eventual stay in one of the European countries would not be stable enough to ensure the construction of a successful future. The reduction of the number of asylum applicants instead of the safeguard of those who do have the right for international protection is a *lose-lose* strategy: migrants will continue the struggle for their acknowledgment and right of residence in Europe and will fuel internal migration waves through Member States, in their desperate search for a place where to find a shelter. If the Dublin Convention and the *Eurodac* system are effectively two mechanisms to free national states from asylum demands and from asylum seekers (Schuster, 2009:38), they did not solve at all the problem of *asylum shopping* and of the lack of a unified, shared system for the acknowledgment of asylum seekers within Member States.

Dublin Convention revolves around the cornerstone that asylum demands should be presented in that Member State a) in which a member of the Asylum seeker's family already resides⁵, b) which has released a visa or a residence permit for the migrant, c) the asylum seeker entered in without having been asked for any kind of document, d) in which

⁴ The Dublin II Regulation has been recently implemented in Dublin III, without any substantial change.

⁵ A "family" is composed by the asylum seeker, his wife/her husband and the (minor) children.

the asylum seeker submitted for the first time his/her asylum request. These principles deny therefore the right of refugees to choose which country they want to live in, allowing Member States to appeal to the safe third country clause in order to reject asylum seekers to non-EU countries and entrusting with heavy obligations first arrival countries or the so called *boundary sectors* (such as, for example, Greece, Italy and Spain), where States are often not equipped for sustaining and protecting properly asylum seekers. Paradoxically, such a principle is based on two prerequisites: the first is that asylum seekers are intended to submit their request for international protection immediately after having entered the first safe country (a notion pretty arbitrary and subjective); the second assumes that all Member States which adhered to the Convention offer a same minimum standard in the management of asylum seekers and of their applications, in order to avoid differences in treatment which may possibly encourage migrants to move inside the EU. To completion to this praxis and to ease the implementation of Dublin Convention guidelines (i.e. the transfer of migrants from one Member State to another) the concept of “first entrance point” is stressed: through the *Eurodac* system, fingerprints of migrants are collected in their first contact place with the territory of a Member State; if a correspondence is eventually found in the database of another country, asylum seekers will be send back to it. Such a system does not take into account all the irregular situations which migrants and asylum seekers may live in, since they could have spent months or years in a country, have built ethnic or solidarity networks, have been culturally and linguistically integrated without however having ever submitted an asylum request. Rather, it seems that this method is being used by Member States to avoid and discharge their responsibilities in the examination of asylum applications, a matter which has been even criticized by UNHCR⁶ as unequal in preventing legal right and well-being of asylum seekers. This led, finally, to an uneven distribution of asylum demands and asylum seekers within Member States.

2.2.2 The current situation (2011)

Currently, at the local level, in the whole EU the public debate about

⁶ <http://www.refworld.org/cgi-bin/tehis/vtx/rwmain?docid=49c0ca922>

the reception of refugees and the acknowledgment of asylum seekers' rights is increasing: although it remains difficult to find reliable, updated official statistics⁷, it can be argued that the matter of refugees entered strikingly into public agendas, especially with regards to public local institutions. Exclusion, marginalisation and vulnerability of such a class of migrants become suddenly visible and perceived by the public opinion. In conjunction to this particular moment of economic and social crisis, a return to voluntary forms of solidarity and assistance and a stronger civic engagement are registered (particularly in towns), thanks also to the several activities and struggles for human rights carried on by NGOs and to the crescent attention of religious institutions on the matter⁸. However, if the entire EU is taken into consideration as a mosaic of several different national States, the non-correspondence between the universe of voluntary, local interventions and activisms in the diverse towns of Member States and the lack of a shared European strategy emerges clearly (as confirmed by the European legal framework), as it is subjected to the single States' sovereignties. Indicative of such a trend are, for instance, seas surveillance and international agreements with southern and western shores' Mediterranean countries for immigration limitation policies (tackling the politically labelled illegal or criminal immigration), which had the secondary effect to prevent asylum seekers from reaching European countries (Marchetti, 2008:15) and, in many cases, even from leaving their country of origin; it is the case, for instance, of the Memorandum of Understanding signed in June 2011 between Italian government and the National Transition Council of Libya, aiming at stopping emergency migratory waves immediately after the 60.000 people exodus caused by the war⁹. If, on one side, sovereignty of single states prevails on eventual communitarian binding directives, on the other side it must be observed how Europe in its whole "is trying to adopt

⁷ In order to have a more complete framework, unofficial reports, studies and publications from associations, foundations and NGOs (on which this thesis is especially based) would give an approximated quantitative evaluation on submerged migratory phenomena, and must be therefore taken into account.

⁸ <http://www.guardian.co.uk/world/2013/jul/08/pope-globalisation-of-indifference-lampedusa>

⁹ <http://www.mei.edu/content/migration-agreements-between-italy-and-north-africa-domestic-imperatives-versus>

a communitarian system on asylum matter, which general principle is the harmonisation of services, in terms of guarantees and quality". Such a principle introduced the concept of *European citizenship*, which is however put into discussion "when talking about refugees, above all in moments of crisis or emergency". This demonstrate how heterogeneity within EU is yet strong and difficult to uproot: "the idea that the travel of refugees is completed once they arrived into the *Fortress Europe* persists, while the effective application of rights in and through the Member States still remains an open question"¹⁰.

2.2.3 Conclusions

The commitment to international protection is often an unwanted burden, and the right of asylum is more and more granted following convenience criteria of single Member States. The European system results under many aspects inefficient (mostly in juridical and economical terms), unjust and creating enormous human costs (Schuster, 2009:37), in terms of rejections, repatriations and detentions, and personal traumas and dramas; moreover, the non-implementation of European norms is still an insurmountable difficulty, being yet assigned to the governments of each Member State and subjected therefore to the contingent political orientations and influences. The discretion of this refugees reception and acknowledgment system seems to allow a selection of asylum seekers based on the nationality and on the provenience of migrants: national States are willing to stay strong and reach, attractive and able to manage incoming migratory waves, so that only healthy and useful migrants would have the permission to enter and to nourish *Fortress Europe* system (Sassen, 1999); a system which eliminates dangerous or undesirable redundancies through mechanism of control, expulsion or detention, and pushes migrants to the fringes of society, in hidden corners and crevices of European cities (Schuster, 2009:52). New geographies and new migratory paths within Member States arise, as well as new urban hybrid spaces, between integration and acknowledgment and marginalisation and invisibility. Finally, the problem of human traffic continues to be unsolved and, in such a terroristic and aggressive vision of migratory process, overlaps

¹⁰ Adaptation of the interview with Chiara Marchetti, 9 April 2013.

to regular migrations, with a consequent extension of the problematic issue to refugees waves: without deeply knowing their rights, a consequence to the refusal of asylum demands is the increase of the number of irregular refugees which remain on national territories in conditions of extreme vulnerability and with a high risk of marginalisation and exclusion. A current and alarming phenomenon, which becomes evident for its dramatic nature when the entire populations of *invisible* citizens in European cities are taken into account. The matter of refugees is a challenge for urban governance, which assistance measures are not granting a full success to the process of autonomy and integration of such a population.

2.3 The acknowledgment of international directive in Italy and Germany: legal aspects

This picture is sadly confirmed in its fragmentation by a further, deeper examination of the legal frameworks in Italy and Germany (the two reference countries of this research). Laws and recommendations adopted in time by the two countries highlight the detachment of national legislations from common strategies and directives at the European level, which are often acknowledged through *ad hoc* provisions but do not take part in a wider and organic bill on asylum matter. Furthermore, a very substantial aspect which is common to both of the countries is the attention given (sometimes even obsessively) to the correct application of Dublin Protocol, to detention and expulsion criteria, to securitarian policies and migratory fluxes control.

2.3.1 Italy

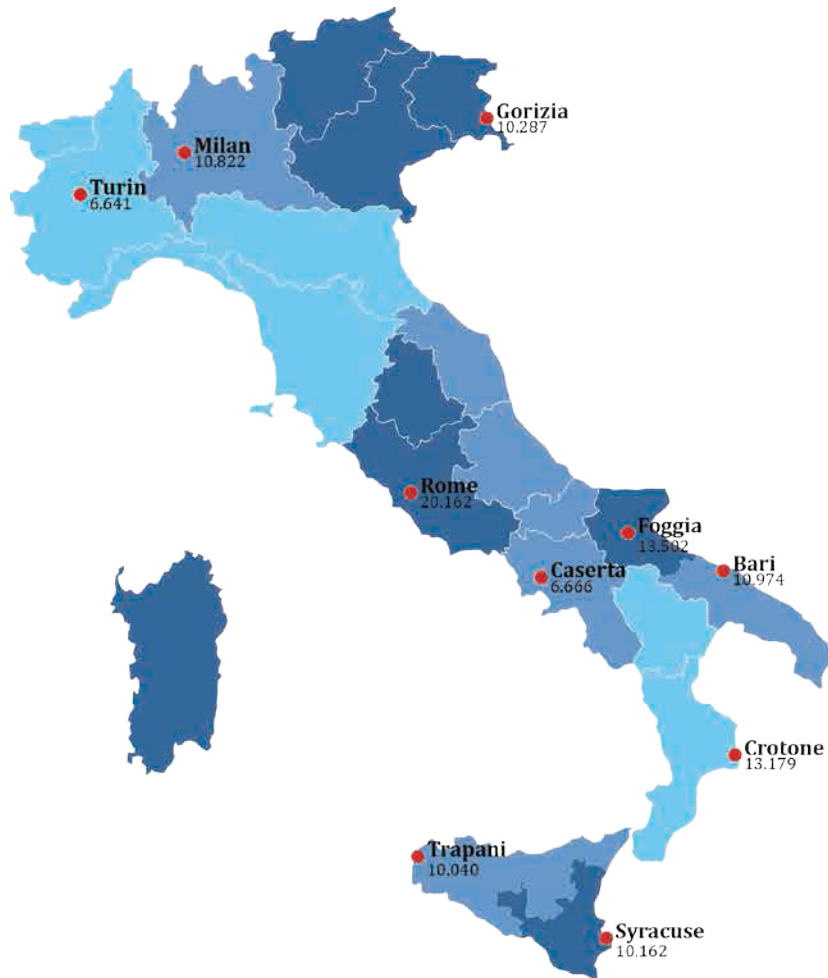
Although the Constitution grants to those foreigners, to whom the country of origin prevents *the effective and full use of democratic freedoms granted by the Italian Constitution, the right of asylum in the territory of the Republic* (Principi Fondamentali della Costituzione Italiana, Art. 10), Italy is the only EU Member Country without an organic legislation on asylum matter (Marchetti, 2008:23). This lack contributed in the course of time to the emission of *ad hoc* provisions, bounded to the current (at the time) political sentiment or to relatively -if not extreme- emergency situations. Three are the main laws that regulated

the matter of immigration through time in Italy, while two legal instruments directly acknowledge international and European Directives in asylum matter. The first one dates back 28 February 1990 (law n. 39, so called Martelli law) and constituted a first attempt in the adaptation to international guidelines and to communitarian directives in the field of *immigration, definition of the status of refugee, organisation of migratory flows from abroad, clarification of entrance and rejection procedures, residency permit in Italy*. However, the control of migratory flows were here declined by quantitative parameters, based rather on economic criteria such as the prevision of productive and occupational demands of the Country; this vision do not evidently consider any possible variation on the social and economic aspects of international politics, which could effectively increase the mobility of workers (as in the case of new Member States' nationals, for example Bulgarian and Rumanian searching for a job in consolidated Western-European labour markets) or of asylum-seekers (escaped from the North African or Middle-East regions). And in fact, after substantial changes occurred on the international geo-political assets in the 1990's, a reform of the immigration law became necessary in Italy. In 1998, legislators Livia Turco and Giorgio Napolitano fostered a new, broader law concerning the whole matter of immigration, which flowed into the so called Consolidated Act on the Matter of Immigration: the Act has a wide prescribing character, and tries to regulate even the social aspects which may be related to migration phenomena. On this legislative instrument burdened the modifications introduced by the law 30 July 1998, n.189 (promoted by two -at that time- influential personalities of the Italian right scene: ministers Umberto Bossi and Gianfranco Fini). The reformed law insists on some securitarian policies to increase entries prevention activities, and to tackle (in a quite repressive way, indeed) the status of illegal alien through the facilitation of deportation mechanisms. This progressive evolution of the legal body towards a more and more controlled and repressed framework affected, directly or indirectly, also the reception of refugees, since the most of them entered the country illegally. A long time may also occur from the moment of the arrival and the submission of the asylum request by asylum seekers, since the inadequate knowledge of their rights pushes the migrants to hide away for the fear of repressions or further deportations. For this reason, in November 2007 and in Jan-

uary 2008 two Legislative Decrees (DL 251/2007 and DL 25/2008) were issued: they acknowledged European norms in asylum matters and tried to conform concretely to the diverse procedures applied by each Member State in examining demands and granting international protection, aiming at a unique shared model.

On the sole topic of asylum, the current legal framework (that is, the combination of the diverse clauses and provisions concerning asylum in the legal framework mentioned above) is mainly disciplined by the law n. 189/1998 (Bossi-Fini), which predicted concretely the creation of seven (currently ten) Territorial Commissions for the acknowledgment of refugee status; the impossibility to petition against denials, and the simplification for expulsion procedures against rejected asylum seekers (referring particularly to the conceptions of safe third country, country of origin and transition country); the annulment of the Art. 1 Par. 7 of law n. 39/1990 (Martelli), which provided for the sustenance of asylum seekers an economic supply, and the foundation of the National Fund for Asylum Services and Policies; the strengthening of the national System of Protection for Asylum Seekers and Refugees (SPRAR). Furthermore, following the English model, Italian law introduced the use of Identification Centres (CIE) to host those asylum seekers subjected to forced restraint, and the splitting of asylum procedures into simplified procedure (for those who are hosted in such centres) and ordinary procedure (for all the others) (Marchetti, 2008:25). On these very last points in particular, many uncertainties arose during the years: reportages, documentaries and interviews high-lightened the coercive character of the detention in these centres, in which regulations similar to prison rules are effectively in force, and the life conditions of hosted migrants are alarming and degrading. The DL n. 25/2008 facilitated the transition from Identification Centres to Refugees Shelter Centres, the introduction of the suspension of expulsion during petition and the abandoning of the dualistic procedure, in line with international standards.

Picture 2. Jurisdiction of the ten Territorial Commissions and number of asylum requests (period 2005-2011)



The ten Commissions are: Gorizia (for Friuli-Venezia Giulia, Veneto and Trentino Alto Adige regions); Milan (for Lombardy region); Rome (for Lazio, Sardinia and Umbria regions); Foggia (for the provinces of Foggia and Barletta-Andria-Trani); Syracuse (for the provinces of Syracuse, Ragusa, Caltanissetta, Catania); Crotona (for Calabria and Basilicata regions); Trapani (for the provinces of Agrigento, Trapani, Palermo, Messina, Enna); Bari (for the provinces of Bari, Brindisi, Lecce, Taranto); Caserta (for Campania, Abruzzo, Molise and Marche regions); Turin (for Valle d'Aosta, Piedmont, Liguria, Emilia-Romagna and Tuscany regions).

Source: *Ministero dell'Interno, 2012*

In conclusion, the Italian juridical framework seems extremely fragmented and incomplete, lacking in stable and organic provisions which could regulate forced migration fluxes, both in “every day”, “normal” situations and during emergencies (a fact widely proved by the most recent happenings related to the so called Emergency North Africa). Such legislative disorder translates on the decisional and administrative aspects into an overlapping of competences, roles and different actors involved, producing incomprehension and misunderstanding effects, distrust, anger, isolation and marginalisation of refugees towards institutions. The act of concealing and making themselves invisible, hiding in the recesses a city offers; the spatial dispersion, with regards to the Territorial Commission of competence for the examination of the asylum request, towards regional or local labour markets; the progressive criminalisation of sustenance activities, and the consequent stigmatization of migrants which may follow: all these issues may be directly related to the difficulties to refer to one single and effective legislation for the regularisation and integration process of migrants at the national level.

2.3.2 Germany

On the other side, Germany experienced (as one of the first country in Europe) a huge process of immigration, due mainly to its internal division between the West- and the East Block. In the years immediately after World War II, consistent waves of refugees crossed the border between the DDR (*Deutsche Demokratische Republik*, East Germany.) and the *Bundesrepublik Deutschland* making Germany *de facto* the first European country for the number of refugees, reaching 438.000 in 1992 (On the whole, Germany admitted almost 70% of all asylum seekers registered in the European community in 1992, Hailbronner, 1994:160). Such a historic background heavily contributed to the progressive evolution of the German asylum law as it is nowadays, and to the strengthening of some main fundamental principles: the political connotation of asylum, the safe third country principle, border rejection and detention of migrants, the control of national borders and the legitimacy and temporality of residence permits for asylum seekers are the most representative examples.

Table 5. Statistic of airport procedures in Germany (1993 - 2002)

Year	No. of asylum applicants arriving at a German airport	No. of applicants falling under Sec 18a para.6 of the Asylum Procedure Act (airport procedure)	Applicants processed through the Court		
			Processed	Approved*	Rejected*
2002	882	584	222	18	196
2001	1.209	930	185	8	184
2000	1.092	687	348	24	347
1999	1.305	740	504	62	436
1998	1.700	1.189	422	53	344
1997	2.262	1.625	429	74	367
1996	4.301	3.770	399	35	348
1995	4.950	4.213	284	59	223
1994	2.581	2.378	166	23	139
Jul-Dec 1993	979	772	221	104	104

Source: Van Gelder 2003

* includes an overlap from previous year.

The right of asylum in Germany is basically regulated by the German Constitution (*Grundgesetz* §16), which makes explicit the political nature of asylum for Germany and circumscribes the legitimacy of asylum applications to certain geographic and politic criteria. Refugees who entered Germany via another EU Member State or through a so-called “safe third country”¹¹ cannot apply for an asylum demand. This article expresses pretty clearly the discretion of German asylum law: on the one side, in fact, the mere political nature of asylum right remains unclear on humanitarian emergencies¹², which determination remains a decision taken by the *Bundesrat* (the German Federal Assembly) for each single national; and on the other, the determination of the safe third country is based on parliamentary decisions as well, contingent to a determined historical moment. Normally in EU, the choice of which State should be safe or not is supported by investigations on the socio-political situation of a country which are the most updated as possible, and are made (and become effective) at a national level: for Germany, country such as Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Norway, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom, but also Ghana and Senegal are for example deemed safe country of origin (*AsylVfG* §19). In order to reject an asylum application under the safe third country clause, an asylum seeker must have had actual contact with the territory of the safe third country and must have had the opportunity to apply for asylum there. A simple transit is therefore sufficient to meet this requirement (Hailbronner, 1994:162). The safe third country clause -for a country such as Germany which geo-

¹¹ By definition, safe third states include members of the European Community, the Council of Europe, and countries guaranteeing the application of the UN Convention relating to the Status of Refugees (1951) and the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950). (Hailbronner, 1994:161).

¹² Persecution is considered to be political if it causes specific violations of rights to the individual that, due to their intensity, exclude that person from the general peace framework of the state unit. Not every negative measure carried out by the state represents persecution relevant to asylum – even if it is connected to one of the personal characteristics specified. It must involve a specific violation of a legally protected interest and be of such intensity that it excludes the affected person from society (Federal Office for Migration and Refugees, *BAMF*, 2011).

graphical position does not allow huge incoming waves of migrants to reach the country by sea, as in Italy- is part of a more wide strategy of borders control and securitization, remaining yet in line with international laws about asylum matters. Such a strategy translates into a pretty repressive policy, which increases the authority of the police in the management of asylum seekers and aims to:

- control the number of incoming migrants in Germany, independently from their origins or conditions (in accordance to the principle of the safe third country, AuslG 1990), through the collection of biometric data (i.e. fingerprints) and the introduction of stringent checks measures. This enhancement of borders surveillance arouse however the number of asylum seekers entered illegally in the country and contradicts the principle of the safe third country intended in its whole as shared bilateral and multilateral agreements between neighbouring EU countries (Hailbronner, 1994:177);
- tackle human traffic through the already mentioned strengthening of borders' control and through the obligation to apply for asylum at the moment of the arrival in Germany, at the police station or at the foreigners' office of the municipality (AsylVfG §13). This provision, although in charge of controlling the legitimacy of asylum requests and to accelerate their application procedure, does not tackle directly human traffic violations, nor controls (new or consolidated) submerged migratory paths. On the contrary, it pushes migrants to hide from what represents "the public"(in terms of spaces, activities, reference to institutions) for the fear of being caught as illegal aliens and being expelled from the country;
- reject (almost automatically) unfounded or illegitimate asylum requests, against a constant increase of the applications for international protection. With regards to this matter, the German legislation strongly stresses this "fight for legitimacy", introducing the two controversial concepts of *wirtschaftsflüchtlinge* (economic refugee) and of *asylmißbrauch* (abuse of asylum), which circumscribe unfounded asylum requests to economic reasons, even in the case in which the migrant aims to escape a general emergency situation or an armed conflict (AsylVfG §30.2);
- expel irregular migrants, having the repatriation procedures been accelerated. However, sometimes the decisions are based on summary judgements which do not (or only partially) fulfil the harmonisation

standards of Schengen Agreement and of the Dublin Convention. It is the case of asylum seekers whose application has been judged manifestly unfounded. In these cases, the possibility to appeal to the Administrative Court is provided, but only within the first week from the communication of the administrative order of expulsion; if the appeal is rejected¹³, the migrant has one week to leave the country (AsylVfG §33);

- detain migrants who have been judged dangerous for the law and order or asylum seekers whose claims have been rejected (AsylVfG §47-48). Departure centres have been established for rejected asylum seekers who cannot be sent back to their countries of origin since they lack travel and identity documents. In order to be able to deport these people a status of temporary detention or pending deportation was created¹⁴ (van Gelder, 2003:5);

- a top-down approach in managing asylum seekers and refugees' spatial dispersion in a hierarchical way, based principally on personal data and vital statistics, through the decision of regions (*Länder*) first and provinces then. The nation-wide distribution system EASY (*Erstverteilung von ASYlbewerbern*) is used to determine which reception centre is responsible for accommodating asylum seekers and aims at balancing the territorial concentration of migrants and refugees, regardless from their countries of origin or individual expectations. The Asylum Law (*Asylverfahrensgesetz*, AsylVfG 1992) provides two articles for the redistribution inside the country (*Landesinterne Verteilung*, AsylVfG §50) and for the spatial limitations (*Räumliche Beschränkung*, AsylVfG §56).

Although Germany provided during the years an appropriate law on asylum matter, the management of incoming refugee fluxes is questionable

¹³ In the period January-May 2013, 25.587 asylum requests were submitted to German Government. 3.936 (15,4%) were granted with the status of refugee; 10.222 (39,9%) were declined (Federal Office for Migration and Refugees, *BAMF*, May 2013).

¹⁴ This requires a judicial order which has a limited duration of 18 months. If there exists no realistic chance of the deportation order being completed, then such detention must be ended immediately (van Gelder, 2003:5). However, this practice would allow authorities to store undesired or rejected asylum seekers in these camps for an unlimited period, giving them a temporary residency permit (*Duldung*) which specifies the camp as the migrant's habitual residency address and does not allow working, scholastic or healthy integration, until "voluntary departure" or forcible deportation.

and far from being virtuous. The strong political connotation which marks the label of asylum seekers overwhelms in some cases the intrinsic meaning of international protection treaties, with particular regards to the freedom of mobility and to the right of accessibility to work and lodgement. The hierarchical, authoritarian control on territorial and spatial dispersion of migrants (once obtained the status of refugees) invalidates the spontaneous creation of ethnic solidarity networks (as it happens in the case of economic migrations instead) and harms individual freedoms in the name of national security. Such a repressive policy is rooted back into some historical factors, which remain pretty actual indeed. Germany has always been one of the most important receiving countries with regards to asylum seekers; however, the economic and social crisis which many safe countries and historical migration destinations are nowadays experiencing rose Germany to a sort of “promised land” in economic matters, for the accessibility to better work opportunities and with regards to the solid national welfare. Moreover, as a direct consequence of the first factor, a crescent affirmation of nationalist feelings (if not racist or xenophobe) has been registered throughout all Europe; this legitimates somehow a national politic oriented to boundaries’ enclosure and control, and a sort of classification of migrants in desirable or undesirable refugees based exclusively on religious or ethnic criteria. Finally, a European binding framework on international protection matters is still missing, and transnational guidelines are not strong enough to push Member State to adopt a shared (or at least most possibly conformed) legislation in order to address the reception of asylum seekers at a communitarian level.

*Emotions and reactions, punishments
and rewards, defeats and victories: in
Europe is everything local. We shared the
markets, but not our hearts and future.*

*Giuseppe Severgnini (journalist and writer)
14 October 2013*

*Chapter three***Sharing funds without sharing a common policy:
EU financing asylum-oriented projects**

Redistributive policy should aim at freeing Member States from those burdens which may (or will) have repercussions on the entire European Union. The example of asylum seekers' reception constitutes in this case a particularly valid pretext to meditate on communitarian funds allocation mechanisms with regards to the implementation of burden-sharing policies throughout Member States. As already discussed in Paragraph 1.2.2, the current migratory routes insist more regularly on some Member States than others; these countries should therefore strive -before others- for the implementation of reception policies. And yet, the problems deriving from the lack of effectiveness in policy development are still widely diffused throughout Europe; they are not only restricted to the countries in which migrants firstly arrived or entered the EU, as subtended instead in the notorious and criticized Dublin II Regulation, but rather have become a matter for the whole European Union. In the following chapter the financing instruments of European Refugee Fund (ERF) and other communitarian funds will be briefly and critically discussed, as well as the way in which such economic tools are acknowledged by national governments (specifically in Italy and Germany) and the network of actors involved in the management of the funds and of the projects financed.

3.1 European financing for asylum policy

The legal fragmentation and the consolidation of different authoritarian positions from national States in asylum and, more in general, in immigration matters highlight the lack of a common vision at the European level. The production of a strong, clear and extensively applied legislation on the whole EU territory, remains in fact rather a willingness commitment, a utopian and unattainable dream subject-

ed to a multitude of specific and contextual decisions and to the local interests of each Member State. To partially overcome this impasse, several different communitarian financing instruments were created, in order to promote a “balance of efforts” in receiving and bearing the consequences of displaced persons by allocating common European funds to those projects that help with the reception, integration and repatriation of asylum seekers, refugees and displaced persons at the national, regional and local level (Theilemann, 2005:808), as well as to rise responsibility- (or burden-) sharing initiatives, both within and between EU Member States. The instrument which embodies this vision at best is the European Refugee Fund (ERF), first established in October 1999 at the Council meeting of Justice and Home Affairs Ministers in Tampere, Finland. The Council called for the establishment of financial reserve for the implementation of emergency measures to prove temporary protection in the event of a mass influx of asylum seekers: the ERF was one of the first asylum-policy measures adopted on the basis of the Amsterdam Treaty as well as an early step towards a common asylum system, allocating resources proportionately to the burden on each Member State by reason of their efforts in receiving refugees and displaced persons (Theilemann, 2005:817). The ERF has been disbursed in several phases¹, the last one covering the period 2008-2013 with a budget of EUR 628 million to support the efforts of Member States in receiving refugees and in guaranteeing access to consistent, fair and effective asylum procedures. Funds are mostly addressed to emergency measures but also to long-term resettlement programmes throughout EU with the participation of UNHCR and local NGOs, in order to finance improvements of reception accommodation infrastructures, structures and training to ensure access to asylum procedures, legal and social assistance, measures to support the empowerment and acquisition of skills by refugees, resettlement and relocation (i.e. intra-EU) operations (European Commission, 2013). Member States enforce ERF-financed projects through annual programmes, integrated into a long-term, multiannual programming, which is based in its turn on yearly disbursements of the fund.

¹ ERF has been disbursed in three phases: ERF I (2000-2004) with a common budget of EUR 200 million; ERF II (2005-2010) amounting to EUR 315 million. EUR 628 million were disbursed for the last period, ERF III (2008-2013).

However, the funds have been consistently reduced in the last years, causing some negative fallouts about the financing to each Member State (see Table 6, Column “Variation (%) 2012-2013”, p. 70) and the consequent implementation of national annual programmes: the ERF is in fact disbursed according to one fixed element (a minimum amount is allocated to each Member State each year) and one proportional, based on the absolute numbers of refugees Member States have had to deal with over the previous three years.

This proportional assignment method of funds is obviously more helpful to those Member States with the major number of received refugees, but does not take into consideration the most recent events and routes changes in the field of forced migrations. The example of refugees from North Africa (i.e. coming from Maghreb and North Africa, who lived the struggles of the Arab Spring) and the shortage of financial resources for their reception mirrors to a certain extent how the allocation of funds penalised those Mediterranean countries which received the majority of forced migrations incoming fluxes in Europe, although they still remain seconds to other northern and central European countries by the absolute number of refugees (such as Germany, France, Sweden and United Kingdom, for example). Obviously, this does not justify the serious inefficiencies of some Mediterranean countries’ reception systems, but it nullifies indeed these countries’ policy effectiveness in asylum seekers accommodation. The following table shows in fact a clear unbalance in ERF allocation in the period 2008-2013, where major disbursements are concentrated in those countries with the highest absolute number of refugees (they also received the highest number of international protection application submitted in Europe during 2012): in the lead Sweden, United Kingdom, France and Germany. Allocation trends seem to be confirmed by the percentage variation between 2012-2013: the proportional distribution system of ERF rewards those countries with the highest number of received refugees and submitted protection applications, with increases up to more than 30% of the previous year’s budget, while all the reductions are registered in southern European countries.

Table 6. Distribution of EU funds and number of asylum requests in Central and Mediterranean MSs

Country	Refugees and asylum seekers (end 2012)	Asylum requests (end 2012)	European Refugee Fund 2013 (in EUR)	Variation (%) 2012-2013
France	267.750	97.643	15.409.818	10,28
Germany	675.297	77.651	14.520.721	32,3
Greece	38.283	17.338	3.163.323	-21,2
Italy	79.109	17.352	6.858.797	-1,9
Malta	9.015	2.211	1.147.615	-9,8
Portugal	680	299	490.358	1,97
Spain	7.300	2.579	1.584.966	-2,32
Sweden	110.886	43.826	17.173.400	9,2
United Kingdom	168.681	36.522	13.643.432	0,7

Country	ERF 2008-2013 (in EUR)	EIF 2008-2013 (in EUR)	EU Return Fund 2008-2013 (in EUR)	External Borders Fund 2007-2013 (in EUR)	Total financing 2007-2013
France	69.400.430	64.309.121	68.881.097	116.220.276	318.810.924
Germany	65.079.984	95.777.079	28.309.298	76.099.991	265.266.352
Greece	21.938.521	20.764.418	125.143.967	207.816.755	375.663.661
Italy	36.087.198	148.679.574	43.800.714	250.178.432	478.745.918
Malta	6.621.089	3.834.397	4.492.408	70.441.716	85.389.610
Portugal	2.818.591	17.733.594	7.905.551	23.948.902	52.406.638
Spain	9.524.834	112.395.024	73.748.258	289.394.768	485.062.884
Sweden	93.342.104	17.232.267	19.722.186	10.887.663	141.184.220
United Kingdom	67.982.769	121.430.261	98.912.689	-	288.325.719

Source: http://ec.europa.eu/dgs/home-affairs/financing/fundings/index_en.htm

If, on one side, such a funds disbursement system appears to be fair and logic, some uncertainties still remain regarding the efficiency of ERF in financing and further implementing concrete projects. The effective use of funds in the diverse investment sectors is often unclear: in the period 2000-2004 only 51% of the total ERF money dispensed was allocated to reception measures, while 28% and 21% were respectively allocated to integration and repatriation measures (DG Justice and Home Affairs, 2003:6). Such numbers arise some doubts about the legitimacy of whether or not to use common funds to finance initiatives and projects not strictly ascribed to the original nature of the fund, for instance regarding the implementation of repatriation initiatives driven by Member States and financed through ERF. In the second place, as already discussed, the allocation of European funds confirms the will to foster community-oriented policies towards territorial control and borders reinforcement: observing columns six and seven of Table 6 it is evident that the sum of ERF and Integration Fund² is in most all cases much lower (about 50%) of the sum disbursed to finance repression-oriented policies (columns eight and nine, European Return Fund and External Border Fund³).

European funds and their allocating mechanisms are therefore the result of a process of “priorities definition”, conceived in communion by the Member States but based instead on the particular interests of each national State. Theilemann (2005:821) pinpoints three possible effective ways to address the unequal distribution of protection seekers within EU Member States: the harmonization of national legislations (*sharing policy*), the physical burden-sharing (*sharing people*) and the financial burden-sharing (*sharing money*). While Member States seem too far to reach or even to consider the first two possibilities (the sovereignty and the interests of each national state prevails

² The European Fund for the Integration (EIF) seeks to grant comparable rights, responsibilities and opportunities for all non-EU immigrants; the last disbursed funds cover the period 2007-2013 with a budget of EUR 825 million (EUR 57 million are addressed to the implementation of Community Actions).

³ The European Return Fund (RF) allocates EUR 676 million for the period 2008-2013, seeking to improve return management and cooperation between EU countries and countries of return. The External Borders Fund (EBF) aims to establish financial solidarity between Schengen countries by supporting the implementation of common standards for the control of the EU's external borders.

on the potential implementation of a common legal system, with the consequent frequent cases of people rejected at national borders, often intra-EU), the third way has been instead willingly applied for its redistributive nature and for the versatility of the instruments employed. However, its “zero sum logic” characterisation⁴ (Theilemann, 2005:808) causes two main effects: the first one is a consistent lack in management transparency, particularly in the start-up phase of the projects financed, which leads to some ambiguities in the interpretation of the rules; the second one is the limitation of the funds’ redistributive impact and hence their effectiveness as burden-sharing instruments. In conclusion, it seems that such funding system remains stronger on symbolism than on substance (Theilemann, 2005:821).

3.2 The allocation of funds in Italy and Germany

In this frame, an in-depth analysis should be spent with regards to Italy and Germany. The two countries -focus of this study- present some specificities in comparison to other EU Member States. Italy is in fact frequently under the investigation of human rights associations and of international committees for its failure in receiving migrants, as well as for the persistence of racist and xenophobic behaviours and for the diffusion of imprisonment and arrest as precautionary measures (Amnesty International, 2013); it is though the first country in Europe for the number of disembarkations (see Table 7, “Clandestine disembarkations in South Italy, second half of 2013”, pp. 73-74) and for the number of protests and struggles (see Picture 1, “International migratory routes, regime changes and local struggles”, Paragraph 1.2.2, p. 33) among migrants and asylum seekers. Germany is instead the first European country for absolute number of refugees (675.297 refugees estimated by the end of 2012), with more than double the number of people awarded with international protection in France, the second among European hosting countries. The next paragraph will give an overview on the amount of European funds the two countries can benefit from, and on the subjects in charge of the management of projects financed through ERF and other funds, by considering the last years’ trends.

⁴ i.e. the allowance to allocate free grant funds throughout the regions of the European Union.

Table 7. Clandestine disembarkations in South Italy,
second half of 2013

Date	Number of shipwrecked persons	Number of deaths	Place
02/07/2013	227	-	Lampedusa
03/07/2013	80	-	Lampedusa
09/07/2013	559	-	Lampedusa
26/07/2013	53	31	Lampedusa
28/07/2013	92	-	Lampedusa
04/08/2013	102	-	Siracusa
08/08/2013	103	2	Lampedusa
10/08/2013	100	6	Catania
	57	-	Siracusa
17/08/2013	95	-	Pozzallo (Ragusa)
	195	-	Lampedusa
19/08/2013	77	-	Lampedusa
	100	-	Aci Castello (Catania)
	150	-	San Lorenzo (Siracusa)
	15	-	Siculiana (Agrigento)
20/08/2013	336	-	Porto Empedocle (Agrigento)
	50	-	Ognina (Siracusa)
	200	-	Lampedusa
23/08/2013	125	-	Siracusa
24/08/2013	116	-	Lampedusa
	99	-	Portopalo di Capo Passero (SR)
28/08/2013	354	-	Siracusa
29/08/2013	70	-	Portopalo di Capo Passero (SR)
31/08/2013	130	-	Reggio Calabria
	110	-	Acireale
01/09/2013	180	-	Siracusa
14/09/2013	359	-	Siracusa
	170	-	Reggio Calabria
20/09/2013	420	1	Siracusa
21/09/2013	94	-	Lampedusa
	124	-	Portopalo di Capo Passero (SR)
23/09/2013	184	-	Lampedusa
24/09/2013	181	-	Siracusa
25/09/2013	398	-	Lampedusa
	111	-	Lampedusa
	86	-	Porto Empedocle (Agrigento)

26/09/2013	155	-	Reggio Calabria
	117	-	Pozzallo (Ragusa)
27/09/2013	67	-	Pozzallo (Ragusa)
	230	-	Lampedusa
30/09/2013	250	13	Scicli (Ragusa)
03/10/2013	463	-	Lampedusa
	500	366	Lampedusa
	117	-	Siracusa
05/10/2013	155	-	Siracusa
06/10/2013	201	-	Pozzallo (Ragusa)
08/10/2013	250	-	Catania
	141	-	Pozzallo (Ragusa)
11/10/2013	210	-	Trapani
	118	-	Porto Empedocle (Agrigento)
12/10/2013	177	-	Siracusa
	206	34	Malta
	183	-	Lampedusa
	72	-	Lampedusa
14/10/2013	150	-	Lampedusa
	152	-	Pozzallo (Ragusa)
	92	-	Portopalo di Capo Passero (SR)
	11	-	Cornino (Trapani)
21/10/2013	250	-	Siracusa
22/10/2013	150	-	Siracusa
24/10/2013	150	-	Lampedusa
25/10/2013	201	-	Lampedusa
	400	-	Lampedusa
	80	-	Lampedusa
	95	-	Lampedusa
29/10/2013	246	-	Pozzallo (Ragusa)
	102	-	Lampedusa
	60	-	Lampedusa
30/10/2013	108	-	Trapani
	300	-	Trapani
	226	-	Porto Empedocle (Agrigento)
	199	-	Catania
31/10/2013	161	-	Lampedusa
	317	-	Lampedusa
03/11/2013	200	-	Lampedusa
TOTAL AMOUNT	13.164	453	

Sources: Sky tg24, Repubblica, lastampa.it

In terms of number of refugees hosted in the State territory, the two countries present a substantial difference, amounting to some 600 thousand units (a consequence of post-unification incoming fluxes in Germany, after 1990). However, the gap between Germany and Italy diminishes consistently if yearly submitted asylum applications are taken into consideration: in the first case the ratio is 8/1, in the second it drops to 4/1. The rate of negative decisions is high in both countries: less than 75% of asylum applications submitted in Italy in 2012 and almost 50% of the applications submitted in Germany were rejected. According to these data, a more consistent disburse of ERF in Germany seems justifiable; and yet, annual percentage variations register a big disproportion in the allocation of monetary resources explicitly addressed to asylum policy: while in Germany an yearly increase of 12%, 23% and 32% was registered in the period 2010-2013, in Italy the allocation of European budget has progressively reduced of 9% and 2% in the two-year period 2011-2013, constituting a slowdown in the implementation of reception measures for asylum seekers and refugees (see Table 8, "Allocation of ERF in Italy and Germany, 2008-2013", p. 77). In this sense, an interesting fact is constituted by the number of positive decisions for asylum applications in 2012: in Italy some 6.627 applications (on a total number of 17.352 applications submitted, 38%) were awarded with complementary protection status, in Germany 8.376 applications were awarded with the same type of international protection (on a total number of 77.651 applications submitted, 10%). Complementary protection, although not being equal to the status of refugee, allows the free movement of international protection owners throughout Schengen Area and constitutes the juridical heart of the matter of the Lampedusa-Hamburg group (see Chapter 4) in the litigation between Italian and German governments. It is in these cases that discrepancies deriving from the European funds' allocation system become evident; the potential EUR pro capita (calculated dividing the ERF by the number of complementary protection status decisions, year 2012) is settled to EUR 1.044 in Italy and to EUR 1.309 in Germany. A difference which is about to increase: if the number of incoming persons would remain steady in 2013, the potential EUR pro capita would decrease to EUR 1.034 (-10 €) and raise to EUR 1.733 (+424 €) in Germany. The number of protection seekers received insists (in Italy) on inadequate and scarcely

implementable reception accommodation infrastructures, due more to the lack of funding than to political willingness. Finally, in Italy and Germany the political line towards communitarian investments is based on the strengthening of repatriation procedures and of borders control, confirming a broadly diffused trend in the EU. Considering the amount of the assigned Return Fund and of the External Border Fund, the sum increases considerably (see Table 6, Columns “European Return Fund 2008-2013” and “External Borders Fund 2007-2013”, p. 70), while the ratio between the two countries is a clear countertrend with respect to what has been observed so far: Italy receives almost double the funds addressed to repatriation programmes than Germany, and almost four times of those designated to finance borders control. The definition of investment priorities of burden-sharing financial instruments in favour of securitisation and push-out policies can only be an alarming signal for Europe.

Table 8. Allocation of ERF in Italy and Germany, 2008-2013

Year	Italy	Germany
2008	2.821.520	6.868.880
2009	4.471.406 (+58%)	15.872.002 (+131%)
2010	7.202.618 (+61%)	7.951.006 (-50%)
2011	7.740.535 (+7%)	8.895.463 (+12%)
2012	6.922.321 (-9%)	10.971.910 (+23%)
2013	6.858.797 (-2%)	14.520.721 (+32%)

Source: http://ec.europa.eu/dgs/home-affairs/financing/fundings/index_en.htm

3.2.1 National authority boards for the management of European funds in Italy and Germany

At the national level, the financial management of European funds is transferred to the Home Office in Italy (*Ministero dell'Interno*) and to the Federal Office for Migration and Refugees in Germany (*Bundesamt für Migration und Flüchtlinge*, BAMF). In Italy, Ministero dell'Interno allocates financial contributes to single local governmental authorities (eventually associated or forming a consortium) by opening a public call in which projects and demands for economic contributes are publically submitted. Such project proposals are conceived within the scope of the national System of Protection for Asylum Seekers and Refugees (SPRAR⁵) and aim at the realisation and implementation of integrated reception projects financed through public funds, till the reaching of the soil of available economic resources. At a more practical and territorial scale, local authorities cooperate with the subjects of the third sector. The bureaucratic administration of EU funds which are allocated in Italy is therefore organised into three different governance levels and through a plurality of very different actors: for this reason, DM 22 July 2008 sets the minimum amount of available places into integrated reception structures, realised through EU funding and allotted to the national protection system SPRAR⁶, to 70%. An interesting fact in the Italian case is the confluence of diverse financing instruments into a single national fund for asylum: the fund is composed by a draft budget that Ministero dell'Interno addresses to migrants, displaced persons and refugees (the budget is set to EUR 5,16 million, based on the estimates of 2002); by the annual assignments of ERF; by the eventual private contributes or donations. Since 2013, the different types of funds merging into the national fund are kept divided, identifying for each branch of provenience a specific priority investment field: while national funds and private donations are directly redirected to SPRAR system, ERF are addressed to finance com-

⁵ The SPRAR protection system is a collective public body, characterised by a multilevel governance and constituted by those local authorities with voluntarily take charge of the implementation of reception accommodation policies and projects. It is supported by the local governmental authorities' network (ANCI) and by UNHCR Italy.

⁶ With DM 17 September 2013, SPRAR's accommodating capacity has been fixed to some 16 thousand places (increasing the current capacity of 13 thousand places).

plementary and integrative actions to strengthen the reception of asylum seekers and refugees. The projects are approved after an in-depth analysis of a commission (composed by representatives of civil and immigration services, ANCI and Union of Italian Provinces, UNHCR Italy) and monitored in their implementing phases through a financial statement and a written report, directly presented to the management authority. Nevertheless, some factors undermine the efficacy of such a management system: on the one side, the progressive decrease of the funds, the obsolete estimates on which the distribution is effectively based, the explicit reduction of the fund-raising and borrowing capacity to private donations, which are not computable and programmable, and the destination of a minimal part of the funds to the implementation of SPRAR's reception projects, to this point the most critical and vulnerable. On the other side, the fragmentation of funds' beneficiaries tends to the externalisation of services and allows the entrance of profit-oriented organisations in a decisional structure which seems weak and inappropriate for the management of relatively few funds in relation with the high number of potential beneficiary subjects.

In Germany, the management of European funds is regulated by a direct partnership between the Bundesamt and those subjects which concretely promote the projects. In the German case the importance of multi-sectorial partnerships (between local and territorial authorities, NGOs and religious or laic associations) is seen as well as a key-factor for the success of projects financed through European funds and resulted in the past years useful and efficient (BAMF, 2013.b:3), even if there is a stronger centralisation of decisional power in institutional subjects with regards to funds' disbursement activities. BAMF is finally responsible both of the financial management and of the implementation of each *jahresprogramm* (annual programme): the open call for project financing is published on the internet directly on the website of the Federal Office, which is called to pronounce on the forcefulness of presented projects, with the only support of regional offices to which asylum matters at the regional level are delegated. In Germany in fact, refugees and the so-called pendent asylum seekers are hierarchically redistributed throughout the country (following the principle of *Landesinterne Verteilung*, AsylVfG §50, see Paragraph 2.3.2, p. 59), once that their asylum procedure has been accepted; regional authorities, such as the governmental departments or the public authorities

of each Land (*Landesministerium* or *Behörde*), become responsible for the accommodation and integration of refugees or pending asylum seekers, entering the actors' network with a hinge role of intermediary conveyances for funds, know-how and quantitative/qualitative information.

The different organisation in managing, distributing and monitoring European funds at the national levels mirrors two diverse "territorial developments" of asylum policy: hierarchical spatial dispersion in Germany finds its glare into a centralised management of project financing, whose resources' allocation to local governmental authorities is rigidly defined by the Federal Office directly. In Italy, where asylum seekers scatter informally (and often illegally, as they have residence duty for the whole duration of the evaluation of asylum procedures) throughout the national territory, local actors networks must be able to grant a better distribution of funds onto the most effective and best localised projects, in terms of number of reachable potential users. And yet, the continuous admittance of third party actors in these locally-based networks often produced situations of black or hidden financing through favouritism mechanisms, and brought some authors to coin the term of "market of refugees" (see Paragraph 4.1, p. 96).

3.2.2 Outdated projects and new local networks

The European social charter, open to the signatures in 1961 in Turin and revised in Strasburg in 1996⁷, identifies in its 31 articles some guidelines to ensure the rights of European populations (broadly speaking, intended here as inhabitants physically living on EU territory) in accordance with the European Convention on Human Rights, one of the fundamentals for the European asylum system. Some articles underline the basic substance of social and economic rights in Europe: the rights guaranteed by the Charter concern all individuals in their daily lives, particularly regarding the working, housing and assistance dimensions. National governments which ratified the treaty put efforts into taking measures to promote access to employment, housing [...] and medical assistance for persons who live or risk living in a situation of social exclusion or poverty (Art.30, "The right to pro-

⁷There are currently 47 signatory countries, while 43 of them already ratified the treaty.

tection against poverty and social exclusion”), by assuring an as high and stable level of employment as possible and providing appropriate vocational guidance, training and rehabilitation to workers (Art.1, “The right to work”). Furthermore, a special effort should be put by governments in fighting misleading propaganda relating to the topic of migration and in promoting cooperation between social services (public and private) both in emigration and immigration countries (Art. 19, “The right of migrant workers and their families to protection and assistance”). Finally, the Charter promotes the access to housing of an adequate standard, preventing or reducing homelessness, and demands the Parties to take measures to make the price of housing accessible to those without adequate resources (Art. 31, “The right to housing”). Even though such guidelines should be applied regardless from the conditions in which citizens/workers do live, it is interesting to consider if and how the projects financed through European Funds do recognise these proposals, being them to all extents some concrete attempts to foster the implementation of empowerment and assistance policies addressed to vulnerable populations, among them refugees and asylum seekers, and in general to all the third-country nationals living inside the European Union.

In the period 2008-2013, Italy and Germany financed through EU funds three projects each. The nature of the projects, the type of financing and their management structure are quite similar: in both countries in fact, one project is explicitly oriented towards social or psychological assistance of asylum seekers living in vulnerable conditions, and financed through the ERF; a second project is financed with EIF and addressed to cultural and civic integration of migrants in general, through some learning activities of language or working skills; finally, a third project is focused on the support of voluntary return initiatives for non-EU nationals towards their countries of origin, and it is financed through RF. The total budget disbursed by the two countries to finance these projects amounts to EUR 3.025.564 (with a total EU contribution amounting to EUR 2.154.460, the 71%, see Table 9, pp. 82-83).

Table 9. Projects financed through EU funds

ITALY	
Title	Beyond Vulnerability II
Managing Authority	CRS - Caritas
Fund	ERF
Period	9/8/2010 - 30/6/2011
Amount	EUR 150.000 (75% EU contribution)
Description	The project aims to foster social and economic integration of asylum seekers, in particular of the most vulnerable or excluded groups. Caritas contacted local networks, companies and training bodies to offer a broad range of services. Some 727 asylum seekers received support.
Title	Our Italian Language
Managing Authority	Università per stranieri di Perugia
Fund	EIF
Period	26/2/2010 - 30/6/2011
Amount	EUR 899.890 (75% EU contribution)
Description	149 language and civic education courses were set up in more than 50 cities in 10 different Italian regions. A total of 2.390 non-EU nationals participated in the courses (1.837 of them passed the final exam).
Title	PARTIR II: Assisted voluntary return for migrants living in vulnerable conditions
Managing Authority	International Organisation for Migration
Fund	RF
Period	1/7/2010 - 30/6/2011
Amount	EUR 1.400.000 (75% EU contribution)
Description	The project supports with practical assistance the entire return and integration process (with an allowance of EUR 400) of vulnerable non-EU migrants to their country of origin. 208 people and 139 migrants were respectively assisted in their return and reintegration in origin countries. The IOM monitored the effective implementation of the project.

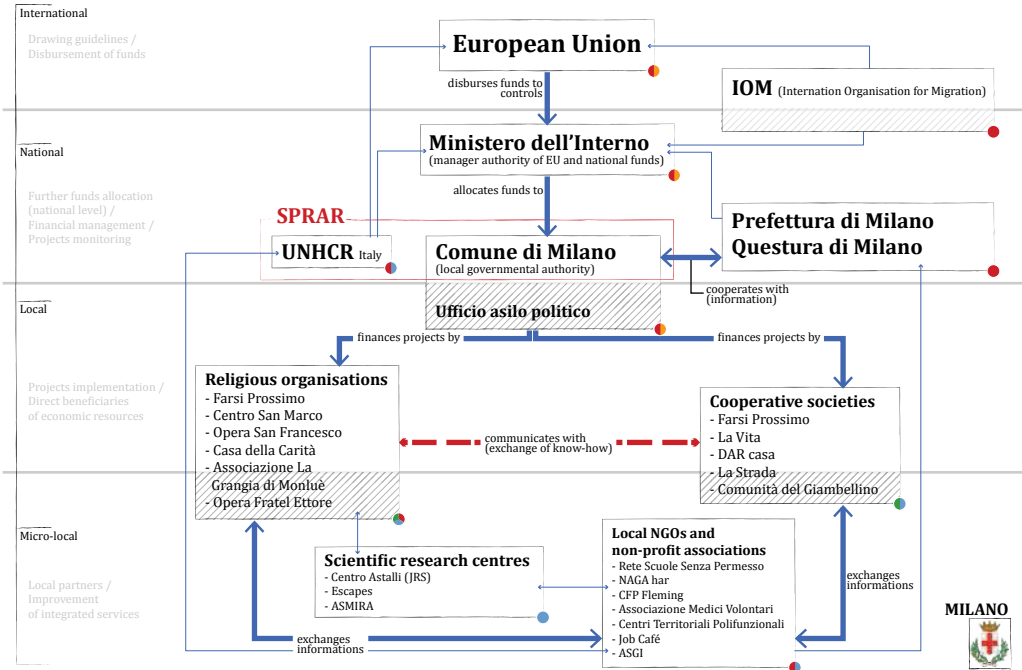
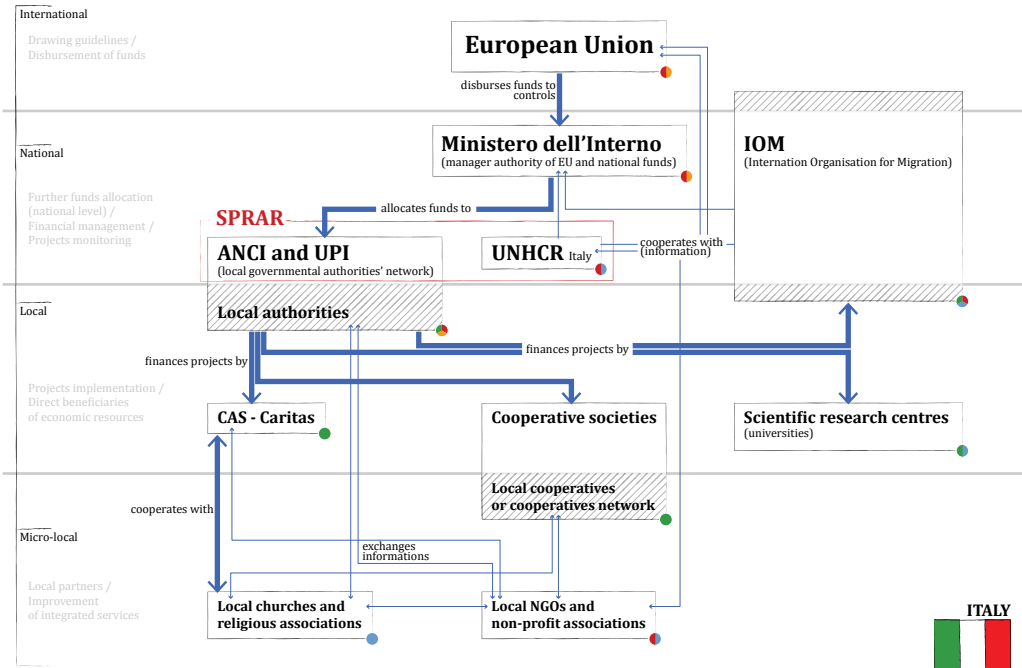
GERMANY	
Title	Psychological research and model out-patient clinic for refugees
Managing Authority	UNI Konstanz
Fund	ERF
Period	1/1/2008 - 31/12/2010
Amount	EUR 411.866 (50% Eu contribution)
Description	Some 80 refugees were first examined and then treated during the project, which provided both practical and scientific results, disseminated around Germany and throughout the EU. The NGO "vivo" supported the operation.
Title	Your fire brigade - our fire brigade! Towards open cooperation
Managing Authority	Deutscher Feuerwehrverband
Fund	EIF
Period	1/4/2011 - 31/3/2012
Amount	EUR 116.822 (75% EU contribution)
Description	The project tackled the barriers by strengthening the inclusion of non-EU immigrants and host communities into local fire service structures, in order to foster civic engagement, introduce the concept of volunteer work and increase intercultural awareness among fire-fighters and trust among non-EU immigrants.
Title	AUS!Wege: Begleitung und Unterstützung von freiwilliger Rückkehr
Managing Authority	Diakonie Köln
Fund	RF
Period	1/12/2009 - 30/11/2010
Amount	EUR 49.966 (50% EU contribution)
Description	The project aims to provide advice and support to non-EU national wishing to return to their home countries, in particular for returnee children and their parents and for people returning to Africa. A website was also established to provide further information.

Source: European Commission, DG, Home Affairs

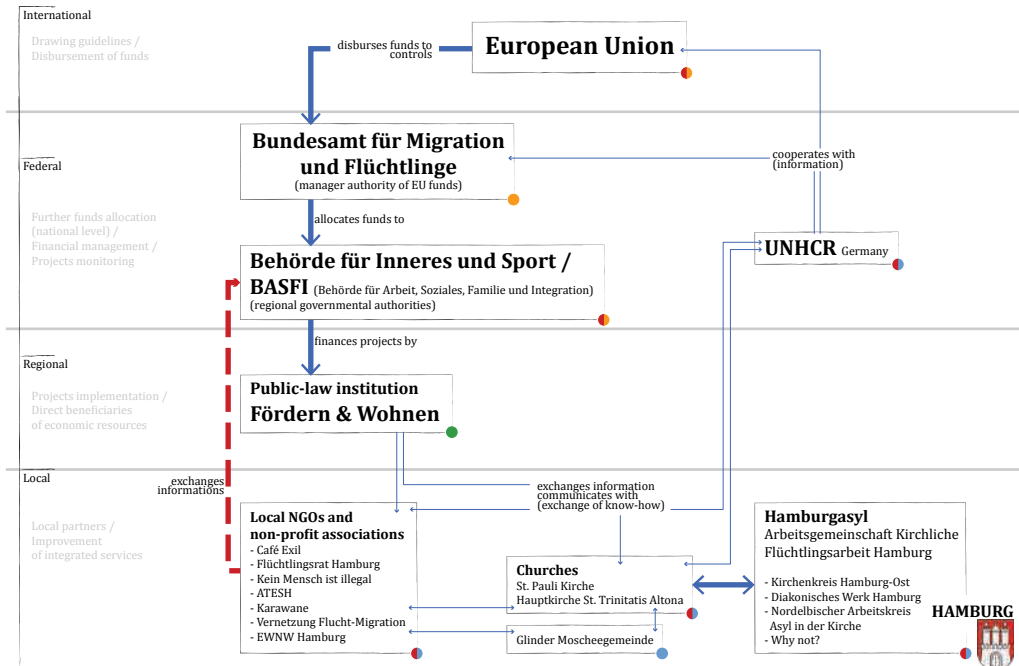
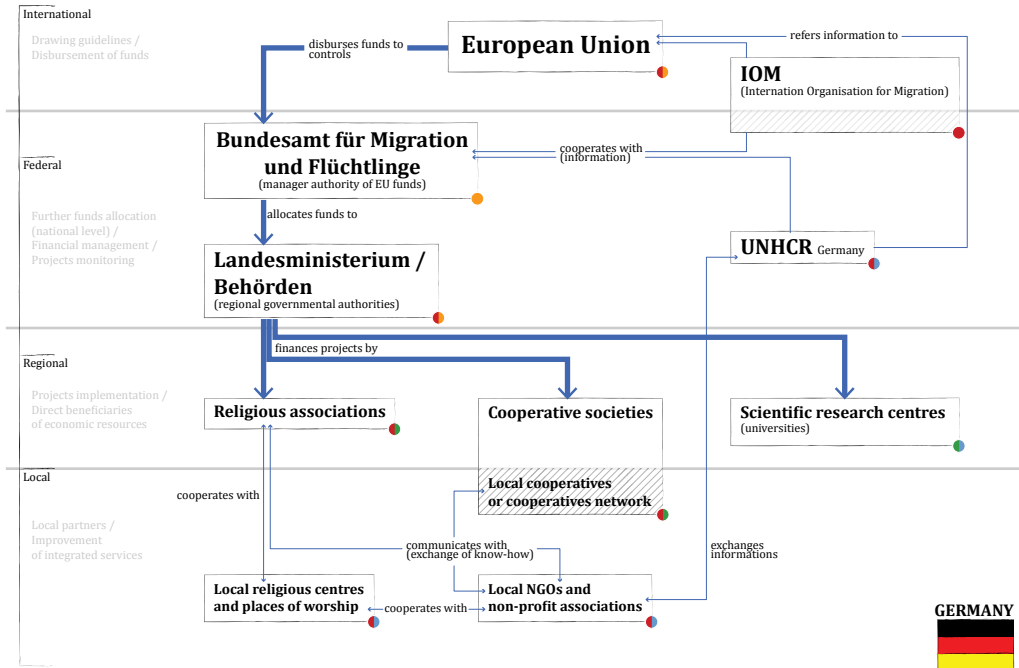
http://ec.europa.eu/dgs/home-affairs/financing/fundings/example-of-projects/index_en.htm#/c_

Some considerations emerge from the analysis of the projects financed through EU funds. Firstly, the projects seem to mirror some consolidated and paradigmatic certainties, following precise schemes of integration/assimilation processes in hosting societies; language courses, strengthening of civic engagement, public (or public-oriented) assistance programmes for the most vulnerable parts of foreign populations do not present any mark of innovation, but rather retrace successfully outdated experiences regardless of socio-demographic changes and economic conditions of both hosting societies and potentially beneficiary citizenry. Secondly, in line with the European financing mechanisms and the current trend for funds allocation, the lack of proactive integration initiatives seems evident: the projects examined are oriented towards repressive or passive assistance policies regarding the access to social public services. Moreover, the sectorial characterisation of the positive-inclusive dimension of projects enfeebles their effectiveness, as two fundamental aspects for the success of integration and autonomy-gaining paths are not even taken into consideration, that is free access to labour and housing markets. Finally, observing the actors involved in the projects' implementation phase, a series of conventional subject - active for a long time in the reception of asylum seekers and refugees - comes up beside the institutional actors. These networks allow and introduce a reasoning about the externalisation of asylum-oriented services towards third subjects, which constitute *de facto* the key-factor (but often also one of the major criticalities) of reception accommodation and integration policies of asylum seekers and refugees.

Picture 3. Actors network for the implementation of refugees' reception accommodation projects (Italy, Milano)
 see pp. 162-163 and pp. 164-165 for the enlarged images



Picture 4. Actors network for the implementation of refugees' reception accommodation projects (Germany, Hamburg)
 see pp. 166-167 and pp. 168-169 for the enlarged images



The previous diagrams (see Pictures 3 and 4, pp. 85-86) are an attempt to retrace the networks of the actors involved in the implementation of reception accommodation policies and projects addressed to asylum seekers and refugees and to the provision of related integrated services, in the two case studies of Italy-Milan and of Germany-Hamburg. The result of this analysis is very interesting and far to be taken for granted. The relationships among the actors at the diverse institutional and territorial level of the networks are often hierarchical, vertically organised and subsidiary; it has been opted therefore to maintain the pyramidal structure that the networks assume, distinguishing the different levels of "territorial relevance" (from an international to a local scale) and the roles that the actors play into each network. For a major clearness, the roles have been grouped into four main tasks or functions: economic/financing, practical implementation of projects, exchange of information and/or know-how, monitoring. Finally, the type of relationship between actors is showed by two diverse lines: the thicker lines mark a strong and binding relationship (due, for example, to financing or cooperation activities while implementing a strategy or a project), while the thinner ones indicate a less structured, voluntary and independent partnership (for instance in the case of information or scientific data exchange). The arrows' direction reveals instead the nature of the relationships: subordinate partnerships are mono-directional (from the stronger to the weaker actor), while collaborative partnerships go in both directions. In the two analysed cases, both funds allocation and partnerships do happen in a hierarchical way at the European and at the local level (communal in the Italian case, regional in the German case).

In Italy, the actor who holds the strongest decisional power with regards to the management of refugees and asylum seekers reception-oriented projects is a legally formalised collective actor, composed by those local governmental authorities which voluntarily join the SPRAR protection system; it is the direct manager of the funds dispensed by the Home Office ministry and could be as well a potential beneficiary of such funds, if some local authorities (which are part of it) do implement concretely a project. The case of Milan confirms such an "overcrowding" of governmental structures in charge of the allocation of funds, of the management of the whole communal reception accommodation system and of the monitoring and observation of the

projects implementation.

The German model is until here very similar to the Italian one. The hierarchical structure of the relationships is kept at the national, regional and local level, though with a substantial difference: the key-actor connecting federal institutions to local subjects may vary from a Land to another and the available funds are directly proportioned to the amount of projects that this subject will finance. This method recalls the rigorously numerical management of the German reception model, particularly with regards to the refugees and pendent asylum seekers dispersed throughout Germany on the basis of the principle of the redistribution inside the country (*Landesinterne Verteilung, Asyl-VfG §50, see Paragraph 2.3.2, p. 59*). Regional authorities in charge of the economic management of funds are those which maintain the strongest position in decisional networks and, in the case of Hamburg (being the city an autonomous Land as well⁸), they are even located inside the city's boundaries.

At the lower level, regarding the main actuators of local and regional reception accommodation policy and projects, the structure of the actors involved and of the partnerships among them is very similar in both national models. There is here an opening towards a plurality of subjects and third actors of various nature (religious organisations, cooperatives, scientific and research centres), to which, however, does not correspond a presence of strong horizontal partnerships. The difference between Italy and Germany emerges when looking to the typology of the relations existing between these subjects and the local and regional governmental authorities, particularly evident in the networking structures to which the cities of Milan and Hamburg belong: while in Milan the projects' promoters act by virtue of an agreement stipulated with the local authority after a public call selection, in Hamburg city-state the Behörde implements reception accommodation projects through a direct, monopolistic agreement with a public law institutions (which is, in Hamburg's case, *fördern & wohnen*). In practical terms, the city of Hamburg is the employer and only sponsor of the projects, whose realisation is in charge of *fördern & wohnen*; this subject plays a hinge-role between the institutional/managerial level

⁸ The only three *Stadtstaaten* among the 16 German Länder are Hamburg, Bremen (and Bremerhaven) and Berlin.

and the numerous networks of local associations and, besides, it tries to avoid ethnic-religious conflicting situations, both in the construction of the network and in the realization phase of the projects.

In the Italian and Milanese cases, the previously mentioned lack of horizontal partnerships is obviated by the vivaciousness of predefined networks at the very local level - even though with more attention to integrated service rather than to assistance projects. For this reason, partnerships and networks at a local and micro-local levels are more thick and cohesive: associative subjects constitute the hyphen between cooperative societies and religious organisations (horizontally) and the reference point for international organisation and human rights watch bodies (locally). Although maintaining a detached and mono-directional relationship with local governmental authorities (in Milan case, the municipality itself and the police bodies), these subjects play a fundamental role for multi-level and multi-sectorial partnerships between the policy-makers in the upper levels of the decisional network and the actors directly involved on the territory. On the contrary, in the German-Hamburger case, the strongly hierarchical and vertical organisation of the decisional structure grants a better monitoring and communication among the different level of governance: the involvement of associative subjects and the creation of networking initiatives at the local and micro-local scale do not happen by need, but rather for the will of mutual support and aid and to foster communication and relevant information-exchange activities. Multi-level partnerships are granted by the hinge-figure of the public law institution.

Concluding, a few observations could be spent in order to evaluate where the decisional power is concentrated in the two national (and urban) models, and to understand which kind of partnerships do contribute at best to the success of networking. In Milan (and, generally speaking, in Italy) the strongest decisional power lies somewhere between the national and the local level, in the subjects constituting the SPRAR protection system and in the actors which concretely promote and realise the projects: it is here that the strongest and most powerful relationships, in terms of policy-making and financing, polarise. However, the success (or the partial failure) of reception accommodation policy depends more and more often on the expansion of the network at the micro-local level, where a multitude of subjects ensure a bet-

ter monitoring for the projects' implementation, due to their ability to build up a deeper knowledge and a direct, personal interrelation with refugees and asylum seekers, i.e. the final beneficiaries of the whole process.

On the other side, in Hamburg (Germany) all the decisional power is concentrated in the hands of the owners of the financial resources, thanks to more centralised monitoring and communication activities between the Federal Government and the regional governmental authorities, which are the direct promoters of reception accommodation policy and projects. The efficiency of such a model is directly linked to the central role that the subjects (or the single subject, as in Hamburg's case) implementing the projects play, while its success is mainly due to the ability of these subjects to relate with existing local networks, often actively and independently operating on the territory.

However, these two models highlight as well a series of contradictions. If, on the one side, the widening of the decisional network towards a multitude of actors could attract a various range of ideas, solutions and know-how (which possibly results in a better diversification of services offered during the reception accommodation process), on the other side it may cause a worsening in the dispersion of the economic resources, a fragmentation of the positive effects of the policy activity and, consequently, a more difficult process of monitoring and evaluation, both from national authorities and international organisations. In this sense, the centralisation of decisional power into a limited number of actors directly connected to governmental entities can increase the transparency and efficacy of monitoring and controlling processes, but it remains relentlessly dependent from the current political orientation, and anyway less accessible to self-organised, independent subjects and to bottom-up networks.

3.3 De-responsibility of States and institutions

The current legislative framework and the partnerships' structures analysed so far point out a progressive and alarming de-responsibility of institutional subjects. In particular, by the side of national States for what that concerns legislative aspects, and by the side of public regional and local authorities in the policy and projects' implementation phase. This loss of decisional power, which is clearly evident from

the networks' analysis, has been already studied in its peculiarities and defined "hollowing-out" (Jessop, 1994), that is the divesting of institutions' responsibilities, upwards to supranational organisations, downwards to local governments and outwards to third actors, both voluntary or for-profit subjects. The decentralisation and reorganisation of responsibilities compromise the ability of public institutions to protect the most vulnerable and economically weak sections of society (Edgar et al., 2002:51) and hide a serious political and social disinterest: at the communitarian level, passing through the national, down to the local level, where negative externalities of the different reception accommodation systems concentrate in a clear and measurable way. If, in fact, the likelihood of the adoption of a European [reception accommodation infrastructures] Agenda remains remote, as well as the possibility to create a common policy at the European level (Edgar et al., 2002:22), at the local level the partial loss of decisional power from public institutions and authority boards has obvious social and spatial repercussions, which would be systematically overcome through civil solidarity and social cohesion, independent mutual-aid processes, valorisation of the social capital, bottom-up empowerment of disadvantaged populations, informal solutions, resistance and agency activities. Such coping strategies are mostly rooted in the pre-existence of strong community ties in which social cohesiveness is characterised by a stock of social capital and in which reciprocal arrangements are pervasive; they demonstrate clearly the complex interrelation between "structures" and "agency" (Edgar et al., 2002:88). The next chapters are an attempt to confirm this theoretical assertion through the investigation of the effects that reception accommodation policies have had on the individual and on the collective dimension of a representative sample of the Lampedusa-Hamburg group, referring particularly to their personal experiences.

part III



Krieg, Flucht, Entrechtung

Genug ist genug!

Aufenthalt nach § 23

ALSTER



We are here to stay! Public demonstration in the streets of Hamburg city centre,
2 November 2013

Photo by Rasande Tyskar

Source: <http://www.flickr.com/photos/rasande/10630844433/sizes/o/in/photostream/>

*Chapter four***Once upon a time, in a faraway country...
The story of 300 african asylum seekers
between Italy and Germany**

Reception of refugees and asylum seekers in urban contexts is becoming a more and more urgent problem to face with, both for the European Union as an institution and for each Member State. However, a progressive stand-off and the de-responsibilisation of institutions (at the very different scales of governance) is currently regrettably happening. The recession of governmental and institutional authorities produces a misunderstanding in the definition of the right to the city of refugees and (especially) of asylum seekers, and negatively affects not only the use of places and spaces, but also the access to the services provided in a given territory. If, on the spatial perspective, this dissention often translates into a precise demarcation of the course of actions and of individual life-spaces of asylum seekers, it is at the governance level that the most discrepancies between theory (i.e. what is defined by law or addressed through guidelines) and praxis have to be found. In such an emergency and, to a certain extent, paradoxical framework, appropriate answers in policy construction are in fact lacking at the communitarian level and seem to be ineffective at the national one: they co-finance and address projects, but do not foresee a widespread diffusion of shared and coordinated best practices throughout the Union - or, at least, of their peculiar positive characteristics. For this reason, what is meant to be a "best practice" happens to be implemented locally and is strongly interconnected to the specific characteristics of a place and to the subjects acting there; it is more an adaptation, a resistance activity against the "bad-working system" rather than a positive example which spreads out from the combination of the availability of economic resources and good local governance. In this sense, a challenge for the European cities is not only to foster such practices, but also to institutionalise them, in order to monitor their efficacy and produce some valid outputs for the repe-

tition of successful local initiatives in other national contexts. In many cases, services addressed to asylum seekers are more or less informally offered and do constitute a best practice themselves, effectively tackling the lack of institutionally-driven policies at the national and local level. Sharing local experiences to foster the exchange of positive practices and to stimulate the creation and cooperation among local, regional, national and international networks could be useful to overcome the impasse and the stillness of institutional bodies, which are often oriented towards the political and the media aspects of the matter, avoiding to take a strong and authoritative (in some cases neither authoritarian) position. The reduction of the distance between governance and empowerment activity is probably the first step to take for the implementation of efficient policy and projects oriented to their direct beneficiaries; to point out the successful elements and exportable factors of each local practice is firstly useful to the cities, being them the most attractive geographical centres for asylum seekers and the direct spatial expressions of the issues they claim for.

In this chapter, through an empirical investigation conducted between September and December 2013 with the group of refugees “Lampedusa-Hamburg”, the issues arisen by the presence of asylum seekers in urban contexts will be shaped, as well as their needs, the answers of public institutions and the practical solutions which derive from agency activities and from empowerment processes, through informal channels and with the support of the social and associative local fabric.

4.1 Is it really a simple matter of housing? Needs and expectations of refugees in urban areas

The percentage of refugees and asylum seekers insisting on urban systems reached in the last years some significant peaks up to the 60% of the total number of emergency migrants (UNHCR, 2013). This data reflects the trends of the global geographical dispersion of forced migrants towards the main urban centres and metropolitan regions, and becomes more relevant if it is considered with regards to the European Union territory, characterised by a polycentric structure of cities of small and medium dimension. The fluxes of mass migration towards Europe have their final destination in urban systems, soared to ter-

ritorial aggregations of economic, social and environmental performances (OECD, October 2012) and to concentrations of working and housing opportunities, as well as to centres for the formation of (ethnic or national based) social and solidarity networks. The allocation of refugees and asylum seekers across national territories follows a proportionally based system in many EU Member Countries: basically, the number of refugees who live into a particular geographical region is proportional to the resident population. In the two reference cities for this study, some 7.638 refugees are estimated to live in Hamburg¹, while 2.083 to live in Milan². However, these numbers are almost certainly underestimated, as an entire segment of this population escapes official census and statistics, due to the high mobility rate and to the semi-legal conditions in which many individuals are constrained. In such an unclear picture of a phenomenon which, nevertheless, still remains consistent, national reception and public welfare systems are often not able to provide the access even to those basic services which are directly foreseen by international protocols and ratified into national legislations. The most adopted solution have been the much-discussed declaration of an emergency situation - and the fragmented and deregulated management which characterised it, starting from the very first reception phase. In Italy for instance, during the so-called North-Africa emergency (a bunch of norms and regulations released to tackle the massive arrivals of emergency migrants from Northern African regions, started in February 2011 and closed in March 2013) the role of local administrations has been often overpassed in favour of non-transparent private treaties. Some authors coined the definition of “market of refugees”, to indicate the complex system of public-private partnerships which ended up to finance profit-

¹ Following the national internal displacement principle (*Landesinterne Verteilung*, AsylVfG §50), Hamburg is committed to take on the responsibility of the 2,55% of all refugees whose asylum procedure has been awarded with international protection in Germany. Sources: Statistisches Amt für Hamburg und Schleswig-Holstein; adaptation of the interview with Uwe Holtermann (*fördern & wohnen*), 9 July 2013.

² In Italy, the division of refugees is regionally based; territorial dispersions into Lombardy region made the data concerning Milan city region rough and assumptive, as there is necessarily a part of “submerged population” who escapes official statistics. Moreover, no institution (or institutional actor) supplies trustworthy and updated statistics; for a deeper comprehension of data see Alliata di Villafranca V., Lovison M., *Le strutture di accoglienza in Lombardia*, in “Rapporto 2011. Gli immigrati in Lombardia”, Fondazione ISMU (Milano, 2011).

oriented projects proposed by private investors. The humanitarian and individual dimension in the reception of asylum seekers went lost during the hasty massive and generalised supply of prime services (such as food and lodging) and pocket-money, to which corresponded, on the other side, a revitalisation of privately-owned old buildings and structures in which refugees and asylum seekers excluded from state aid programmes³ did lodge (such as, for example, empty hotels, abandoned rural buildings previously dedicated to agritourism, empty holiday houses, peripheral apartment complexes, crumbling and decaying settlements). Institutional de-responsibilisation and the unclarity of the relationships among the subjects (whether or not) officially in charge for the management of accommodation reception projects in urban centres is not only an Italian contradiction. In Hamburg and in many other German cities, the debate about refugees and rejected asylum seekers arose when the incapability [or impossibility] to provide any evidence to their right to an adequate housing [...] made the claim of any other right unattainable (Appadurai, 2011:68). The acquisition of a dwelling and the possibility to work constitute the most urgent and fundamental aspects for the integration of refugees and asylum seekers in the social fabric of European cities, and return periodically a priority in political agendas. Moreover, the housing question sharpens particularly during the coldest seasons and after the winter emergency programmes, but it occurs again and again under newer shades and gradients: emergency solutions to homelessness situations, search for decent housing conditions, discrimination on renting markets, often between nationals of the same country (Tosi, 2010:361); investment on the “family house”, house as a good reflecting one’s social status (Golinelli, 2008). They all mirror how the access to an adequate housing is almost always connected to the exclusion from the local labour markets and to long-term unemployment. Changing perspective, it can be argued that some effects such as labour market marginalisation and the concentration of immigrant employment demands on the black labour market (particularly into the agricultural, construction

³<http://espresso.repubblica.it/dettaglio/chi-specula-sui-profughi/2192935>

or personal care assistance sectors⁴) actively concur to increase the uncertainty of asylum seekers in ensuring a certain grade of stability and worsen their dependence on public assistance programmes. Finally, the enforcement of refugees and asylum seekers' rights and the compensation of their primary needs are shaped by a multitude of different factors which lie outside of the mutual interrelation housework: elementary and everyday needs (such as shower, wardrobe, ticket for public transports, pocket money) and services framing a more well-structured, long-term integration process (i.e. professional training, education, social and health assistance) should be supplied by the very first moment of the reception of asylum seekers, and be directly provided by institutional reception accommodation infrastructures, without further externalisation processes. In this way, the repercussions on the social and economic local fabric could be better monitored. The exclusion of refugees and asylum seekers populations from a determinate offer of services makes them *inhabitants without a city* (Appadurai, 2011): their fragility, exclusion and marginalisation are partially due to the estrangement from first aid or first reception centres, and to the excessive state aid level which arises. The one who is less autonomous and resourceful (but also the one who understands the possibility to take advantage out of such a situation) enters a spiral of assistance which makes him/her dependent from determined centres or services suppliers, preventing the migrant from realizing a full emancipation and autonomy-gaining path. The trend of exiting from institutional channels of assistance to search informal (housing, working, welfare) solutions and the role that policy decisions had on this process are the central aspects of the empirical research conducted on the Lampedusa-Hamburg refugees group.

4.2 Lampedusa-Hamburg: one way ticket?

In March-April 2013, an estimated number of 300 African refugees started to live in the streets of Hamburg, in Northern Germany.

⁴ These sectors are called "labour intensive" and are labelled as heavy, dangerous, less paid, precarious and penalizing, being moreover largely fuelled by submerged economy (from the speech delivered by Avola at *Centro Studi Medi*, in occasion of the summer school in "sociology of migrations", Genoa, 3 July 2013).

Originating from sub-Saharan countries, they have been working in Libya and fled to Italy in 2011, before further migrate towards Germany. Their history, although anguished and particular, highlights some problematic key-points of asylum seekers' integration processes in urban areas: the invisibility and the several hiding places in urban areas against the will of (social) visibility and self-representativeness; the uncertainty of juridical status and the consequent repetition of vulnerable situations (exclusion from services, non-consciousness of one's rights); the spiral of marginalisation that triggered upon the most fragile aspects of the integration path, above all concerning the labour and the housing markets; the risk of homelessness, the adoption of illegal solutions (black work, pushing, squats, self-construction of unhealthy shacks); the spatial exclusion and the loss of the right to the city (intended as a set of places formally of institutionally regulated).

In the next paragraph the history of these refugees will be discussed, the method and the result of about two months of empirical research and investigation presented. The expected results are *a)* the collection of information directly from the persons in concern, without any filter imposed by the press or by any other media, *b)* the privileged access to some particular information, firstly the "unheard voices of refugees"⁵ and *c)* the construction of a comparable geography of the places that refugees live in Hamburg and Milan.

The aim of this part of the work is to find some correspondence with (or to openly refute) the theoretical notions presented in the previous chapters. The current situation of the practice observed in Hamburg -although unconventional- perfectly mirrors the collapse of a strictly hierarchically managed planning system (top-down decision making model) while facing urgent issues and requests which have been set and raised with a bottom-up approach.

⁵ With this term, the Refugee Studies Centre indicates "the need not only for articulation but also for dialogue/conversation; the difference between having voice and being heard" (<http://www.rsc.ox.ac.uk/events/rsc-international-conference-2014>).

"We are the Refugees coming from Italy with international protection but no rights. We survived the NATO bombings and the civil war in Libya, to be homeless in Italy. Thousands of us are now in Germany in the same conditions: no housing, no access to social help, no access to the job market. We demand a political solution: "We are here and we don't go back!". We want the right to make a living here in Germany. If we had found possible conditions in Italy we would stay there. There was no possibility to handle anymore. Italian government in the beginning of 2013 closed the programs of reception - the so-called Emergency North Africa - throwing the people basically on the street. 400-500 euro were given to each refugee with the suggestion to go away. Where? To northern Europe. The problem is now on a European level, being Germany one of the most powerful states, decision maker for the migrations and asylum policies in Europe. The Dublin System -with the rule that the Refugees "belong" to the first country in Europe they arrive- is aimed to deny the right of the Refugees to choose where they want to live. The same ideology that's behind the Residenzpflicht. We join the struggle the Refugees in Germany are bringing forwards since almost 20 years within the German asylum system. The fight is one. We demand our rights as recognized refugees:

- the Dublin system must be ended*
- housing, social and medical care*
- working permit and access to education*

Here in Hamburg we were accommodated in a camp for homeless people during the winter period.

This camp was closed beginning of April and we were pushed to the streets again. Our actual situation is catastrophic. We don't want to live in the streets and forced to street prostitution, drug dealing or other criminal acts. We unite, call for solidarity and demand our rights!"

Lampedusa-Hamburg

online press communiqué, May 2013

4.2.1 They are chasing us⁶

Since the beginning of spring 2013, a group of African refugees became quite famous in Hamburg (Germany). They all lived and worked in Libya, where they migrated from their countries of origin (mostly sub-Saharan countries) for different reasons: some of them escaped poverty, ethnic or religious conflicts; some others left their homelands for the Libyan dynamic labour market. Their history mirrors the situation of many other African migrants: they worked in Libya as bricklayers or home builders, and someone even succeeded in running his own business and opened a store in Tripoli, or in Misurata. Within the “Arab springs” of 2011, black Africans in Libya have been persecuted by state and mercenary militias, and asked to take the side of the government against the rebels, if they would have wanted to remain and to work in the country. At that moment, many migrants escaped the country to land in Italian island Lampedusa; there, they entered the so called North-Africa emergency (an assistance programme provided by Italian authorities), they settled in Sicily or further migrated and scattered across Italy. They lived on the streets or in recovery centres, they entered and left SPRAR protection system and struggled for their survival in many Italian cities, claimed for their rights and for the achievement of international protection. Once North-Africa emergency ceased in winter 2013⁷, Italian government provided a pay-out of EUR 500 for each North-Africa emergency migrant, relieving from the management of this population. Facing a particular vulnerable situation, marked by a worsening in Italy’s economic crisis and by the increase of unemployment rates and labour markets instability, many migrants left Italy towards Northern Europe. In Hamburg, since March 2013, some 300 refugees came from Italy in different moments. Once these “Italian refugees” became aware about their consistent number and about their same socio-juridical conditions, they started to claim their rights as a unit, using the name of Lampedusa-Hamburg group,

⁶ Andreas, representative of the Lampedusa-Hamburg group in the Sankt Pauli Church, about the police controlling black African migrants in Sankt Pauli district (Hamburg, 15 October 2013).

⁷ The North-Africa declaration of emergency has been one of the longest governmental urgency plans undertaken in Italy to face the massive arrival of forced migrants; it lasted almost two years and led to the receiving of some 62.554 third country nationals in the Italian territory.

to recall their previous migratory experiences and the movement-axe between Italy and Germany (the name assumes an implicitly contesting significance against European asylum policy, here referred to the movement restrictions that asylum seekers and refugees encounters in Member States). With the help of some associations and national organisations, they started to increase their visibility in public spaces and entered strongly into the public debate. If this claiming activity progressively built the fundamentals for a large participation of social partners and for a diffused solidarity among civil society, it also increased without limitation the attention of press and media, causing several episodes of misjudgement which compromised the agency activities of the refugees. The clearest example is the media-altercation carried on by the German press about the EUR 500 pay-out, accusing (erroneously) the Italian government to encourage the further migration of refugees towards Northern EU countries. Actually, the socio-economic situation in Italy could not eventually favour neither the realisation of individual affirmation's ambitions nor the autonomy-gaining paths of refugees; many of them undertook a second migratory path, based in this case on "economic survival strategies" rather than on the fear about one's safety. This discrepancy between forced and economic migration is at the base of the rejection that German government decided against this particular group of refugees, who therefore receded to the previous (temporary) condition of asylum seekers they already experienced in Italy.

It is here interesting to observe how the absolute dependence on Italian administrative infrastructures (for the acknowledgment or the extension of the right of asylum in Europe) triggered a progressive adulteration of the expression "circular migration", if referred to this group of refugees. This term generally describes a particular form of migration which allows a certain grade of mobility between two countries: "circular" indicates in fact the opportunity to travel between the country of origin and the destination country, under the safeguard of human rights (Rathgeber, n.d.). However, in the case studied, we assist to an expansion of the definition of "circular migration". The migratory paths of these refugees happened across four countries at least: country of origin (such as Mali, Ghana, Nigeria, Senegal and Ivory Coast), country of departure (Libya), country of landing in the EU (Italy), final destination country (Germany). To this geographic dilation

corresponds a fragmentation of the diverse temporalities that the refugees experience: the partial rights of temporary migrants, and their wishes for a stable future and for an individual affirmation into the arrival society are in this case indivisible from one's juridical status and from the period of stay in a country. The guarantee of the basic rights, in particular the right to housing, to work (and the consequent rights of workers), to education and to health assistance (Rathgeber, n.d.), become some very urgent matters, whose coverage and planning differ from the regular welfare provision.

The Lampedusa-Hamburg group is aware of this particular situation of "uncertain physical stay" and expresses therefore its opinion frankly: the refugees do want to stay in Germany to find a job; they came in Hamburg from Italy (once being awarded with international protection) in search of their full independence. "We did not survive the Libyan war to die in the streets of Hamburg": it is their motto, what do they want to impart to the German society. In six months, they demonstrated many times in the streets of the city and made them visible, avoiding to lie down in the city's lairs. They have not been afraid to be seen, recognised, approached in the public spaces or to talk with other people, with the inhabitants asking about their stories, their matters. The refugees organised a camp, a noticeable white tent on the Stein-damm in St. Georg, near the central station, which worked (and still works) as a collecting point for clothes, nourishments, public transport tickets, offerings.

The solidarity towards this group of refugees has been expressed in other way too. At the beginning of June the priest of the church in Sankt Pauli decided to open the deaconry's doors to some 80 refugees, who are living there since then. Other refugees found a shelter in the St. Trinitas church in Altona, in a Mosque (Glinder Moschee Hamburg) or in some temporary accommodations. With the help of the associative network of the city, sustained from the voluntary organisation for migrants' integration and co-helped by anti-fascist and anti-racist collectives, Lampedusa-Hamburg organised a series of initiatives to claim for their rights, following a collective-agency model, involving many actors among the local society without religious or political distinctions. Demonstrations, communitarian lunches, open assemblies, public announcements and even a football tournament with banners

supporting asylum right⁸ are some of the initiatives voluntarily carried on by the refugees as a single strong, recognisable collective actor. The requests they claim for are the same they demanded since their first landing in Italy (or, following an as much political as hypocrite definition, into the European Union): right to stay, right to work, right to housing. Such urgent and significant matters are common to all European countries which are the destination of international migratory fluxes, but are often neglected for more consensual control and repressive policies, carried on by each Member State. Ignoring the claim for these issues means to deny the gaining of the full integration and autonomy that these Libyan refugees could not find in Italy as well.

⁸ Banners have been exposed in Millerntor Stadium during the match Sankt Pauli - SV Sandhausen on the 25 October 2013, see Picture 6.

Picture 5. Demonstrations against German asylum law in Hamburg (2013)



Protests against Paragraph §23 of German Immigration Law (AufenthG), regulating the residency permits of immigrants. Pictures were taken during some demonstrations in support of Lampedusa-Hamburg refugees, on the 8 June and the 2 November 2013.

Picture 6. Solidarity in public places



The banners have been exposed in Millerntor Stadium, in Sankt Pauli district, during the match Sankt Pauli - SV Sandhausen (25 October 2013). After the football match some 5.000 people gathered on the streets near the stadium and demonstrated with the refugees of Lampedusa.

Source: <http://sanktpaulimafia.blogspot.de/2013/10/>

The current situation, in November 2013, sees a decline in the process of socio-spatial affirmation of the Lampedusa-Hamburg group: despite the overall attention remains high and is focused on the events regarding the group and the social support and solidarity are still constant, in post-electoral Hamburg⁹ it has been finally agreed to face the question head on: the Hamburger senate voted for a widespread control procedure in order to ascertain the personal data and profile of each African refugee living in the city, with the non-declared aim to make a census “for public security reasons” and to dispose their eventual expulsion. Controls have been often carried on by plain-clothes police officers, who literally waited the refugees out of the church perimeter. Three effects are directly connected to the merely political decision taken by the senate, and deserve to be considered more in depth. The first is the refusal of the refugees (as a group) to reach a political compromise or to accept *ad hoc* solutions, but rather to maintain the focus on the request of their full rights, strengthening their agency activity through new “alliances” and initiatives. The second effect is the weakening of the institutional actor, if not at the political level, regarding its influence in the policy-making process, due to the clear ruptures between many social parties and the line adopted by the senate, with a creation of a factual police state (an example among others is the renunciation of many local police stations to take part in the manhunt, and the consequent recourse to other cities’ police forces, with a consistent increase in the management costs of the operations). The third one is the constraint and the reduction of individual spaces which refugees were subjected to, turning from guests to prisoners of the churches and places in which they found a shelter. Particularly, this condition sharpened the spatial circumscription that asylum seekers population experienced in their migratory path and especially during the acknowledgment process of their condition of refugees: it is the product of a spatial control policy based on the dualism of authorization (*what is allowed*) vs. repudiation (*what is forbidden*) (see Paragraphs 1.3, p. 38 and 4.3, p. 125).

⁹ The national elections for the *Bundeskanzler* took place on the 22 of September, with the clear victory of the CDU (Christian Democratic Union) led by Angela Merkel.

Table 10. Lampedusa-Hamburg group: the history of events

Date	What did happen?
February 2011	After the civil war hit Lybia, many black African workers escape the country to reach EU, entering often the Union from the italian island of Lampedusa
February 2013	A group of about 300 refugees decides to migrate towards northern European countries, after they received an Italian residence permit and an economic supply of 500€
March 2013	The refugees reach the city of Hamburg (DE) and enter the municipal winter programme
15 April 2013	The winter programme ends; African refugees cannot enter public accommodations and live on the street
16 May 2013	Four Africans (member of the Lampedusa-Hamburg group) send a letter to the Senate of Hamburg to explain their situation and the problem they have to face
29 May 2013	First politic discussion in the Senate: without a shared political solution, the refugees can only be sent back to Italy
2 June 2013	The Nord Church and the Diakonie Hamburg take the distances for the decision of the city administration
4 June 2013	The North Church Sankt Pauli gives to some 80 refugees the possibility to sleep inside the church. Civil society, soacil groups and the left party claim for the acknowledgment of international protection for the African refugees
8 June 2013	First public protests and demonstrations to support the refugees in Hamburg. International protection could eventually be recognised if the refugees accept to clear their names and countries of origin
13 June 2013	An unsuccessful proposal for a six mounths residence permit is denied by the right wing of Hamburger Senate
11 July 2013	With an open exhibition ("Wir wollen unser Leben zurück", we want our lifes back) the refugees try to explain to the public their personal histories, the current situation, their needs and expectations
17 August 2013	More than 2.500 people go on the street to support the refugees in their claim of "Bleiberecht" (right to stay)
21 September 2013	In Hamburg's Thalia Theater Elfriede Jelinekes presents a musical together with the African refugees i Hamburg, on the theme of emergency migration
27 September 2013	The refugees with their personal histories are part of the exhibition of Santiago Sierra
28 September 2013	The Hamburg Senate denies the refugees the possibility to enter again the winter programme. Sankt Pauli church asks the permission to locate heated containers in its property. The answer is negative: if the refugees clear their names, personal histories and countries of origin, the athorities would provide them with an accommodation

Date	What did happen?
11 October 2013	The police strengthens the control of black African people in the districts of Sankt Georg and Sankt Pauli. Ten refugees of the Lampedusa-Hamburg group are identified through photo and fingerprint, and brought to the Municipal Authority for Immigration. At the evening, will be set free again
12-15 October 2013	Many demonstrations against police controls take place in Hamburg: some of them are peaceful, some others become riots between the activists and the police
16 October 2013	Refugees confirm with an open letter to mayor Scholz thair fear about being resettled in Italy. They do not have anything against a normal document control
18 October 2013	Lampedusa-Hamburg group accuses the Senate of racist behaviour and takes distances from the riots of the past week
20-22 October 2013	Respectively 170 and 500 people try to block the traffic by peacefully occupying Dammtor station and a crossroad in the inner city. The slogans are "Lampedusa is everywhere", "Stop racism" and "Kein Mensch ist illegal" (no man is illegal)
23 October 2013	The parties' representatives discuss in the Senate an official position concerning the refugees matter. SPD (social democratic party) confirms that the position of the Senate (i.e. no admittancy for the "Italian" refugees) is legally correct. The left wing protests against this decision
24 October 2013	The Senate decides to stop police controls; public local authorities confirm their will to identify the refugees, not to resettle them. The district of Altona allows the Nordkirche to locate heated containers
25 October 2013	After the match Sankt Pauli vs. SV Sandhausen some 5.000 fans go on the streets to protest against the racist asylum politics of the SPD fraction in the Senate
29 October 2013	First conflicts among the refugees: some of them would be ready to cooperate with Hamburg Senate
2 November 2013	A few thousand of people (non official sources estimate a number between 5.000 and 10.000) go on the streets to demonstrate support to the Lampedusa-Hamburg group. The protests are sustained by many associations from all over Germany
12 November 2013	The Municipal Authority for Immigration announces that more than 60 African refugees gave their names to be identified and registerd in the German asylum system (only the half of them, however, did it spontaneously)
14 November 2103	Eight containers are located near Sankt Pauli Kirche; they can host up to 24 people. Other accommodations will be provided in Ottensen

Source: http://www.ndr.de/regional/hamburg/lampedusa141_page-1.html

4.2.2 *Ich will deutsch lernen* - I want to learn German

The most important phase of the research in order to access some refugees' personal information has been the collection of individual experiences, by empirically entering the daily-life dimension of refugees in Hamburg and talking directly with the members of the Lampedusa-Hamburg group. The migrants' perspective assumes in my work a particular relevance: it validates not only the theoretical assertions, inferred by the literature or by some interviews with experts in the field of refugees reception, but it represents as well the very first and uncorrupted (i.e. non-modified) significance of the migrants' voices. Avoiding misinterpretations or manipulations -which may incur when relying just on press or media sources- is necessary to be able to retrace the direct experience that asylum seekers have (or have had) of a specific urban contest, to comprehend their understandings, to face problems from their perspective, to get familiar with their coping strategies, needs and expectations. In the case of Lampedusa-Hamburg refugees, my interest was particularly focused on the spatial dimension of these matters: which could be the places that refugees live, in order to cover their daily needs? The interviews and the collection of refugees' speeches took place in a very delicate moment for the group (see Table 10, "Lampedusa-Hamburg group: the history of events", pp. 109-110), i.e. in the period after the 24 of October 2013, when the police started to control and identify the black African immigrants in the area around the church. In this same period, a continuous flow of journalists, the always more crescent visibility on the media, the "garrison" of the church by anti-fascist and anti-racist groups to hinder police control operations, are some of the factors which literally upset the regular lifestyle that the refugees achieved with extreme strain in the past few months. As already said, the case of Hamburg had an unusual impact on national and international media. However, for this research's purposes, such a strong visibility of the refugees (both physical and on the media) undermined the possibility to freely approach them, and to get information or to ask deliberately for an interview. Moreover, from November 2013, the deacon banned cameras, microphones and journalists from the church area, controlling *de facto* the flow of information from the church (and its inhabitants) outwards. The increasing attention turning around the Lampedusa-Hamburg aroused in the

refugees a strong sense of alienation, affecting both the relationships among them and towards the media, towards the representatives of social groups and towards the civil society; visibility is in clear contradiction to vulnerability and marginalisation, two conditions the refugees already experienced while in Italy and at their very first arrival in Germany (the image of “invisible asylum seekers” is at the centre of many sociologic and anthropologic studies related to refugees and their daily life in urban contexts; for a deeper understanding see, for instance, Ambrosini, 2008; Edgar, 2002; Marconi, 2010). The exposure to the streets, the emphasis on the public opinion, the demolition of traditional communication barriers between immigrants and natives, the desperate need of support and representativeness of refugees are some of the factors that initially fostered the approaching and the dialogue with the correspondents of the press and of the major radio and television broadcasting stations. However, they degenerated into an uninterrupted flow of subjective, partially modified and contradictory information, losing to a certain extent the trust and willingness of refugees to release communiqués. The erection of a barrier between the refugees and the outside world is therefore a vary comprehensible and predictable aspect, whose aim is to maintain the integrity and to avoid conflicting situations inside the group.

In order to overcome such a “communicative mistrusting” barrier, I opted for a more personal and direct variation of the classic qualitative interview, which derives from anthropologic and ethnographic studies. Abandoning the role of the scientific researcher and starting to be involved in teaching German language to a class of foreigners¹⁰ allowed me to play a role for the refugees they would be more confidential with: while staging a performance which modified the perception of my personal being (Goffman, 2009:19), I faced and crossed their mistrusting barriers and gained their confidence and willingness to talk about themselves. Such method would moreover allow the researcher, who finds himself into a closed, determined spatial-temporal field, to observe the circumstances and to follow the natural determination of events (Goffman, 2009:99), eventually incrementally

¹⁰ The lessons took place every Tuesday afternoon, from 4 to 7 p.m., inside the *Jugendzentrum* of the church or in the near *Kölibri*, a district cultural centre in Sankt Pauli. The classes were composed by a variable number of refugees, normally from 3 to 8 persons each class.

arranging his approach towards the object(s) of study. I therefore established a real “social contact” with the interviewees, which implies not only a transaction of information, but rather a reciprocal knowledge and trustfulness. The collection of information and personal data about the members of the Lampedusa-Hamburg group happened to become a “communicative event”, not only circumscribed to the verbal aspects (beside linguistic and paralinguistic behaviours it includes, in fact, kinesics and proxemics actions of the persons concerned)(Fideli, 1996:72). The exploration of the cognitive frame or, as defined by Schutz (1932), of the “vital world” of the interviewee entails the interviewer to face arguments “as soon as they spontaneously emerge during the conversation”; he may also avail himself of a long list of the themes that have to be touched, with the possibility to modify both their nature and sequence, “following the thread of the conversation and the eventual strays of the interviewee” to talk freely about a topic or “to introduce some new ones” (Fideli, 1996:74). Such a method has been strongly stimulated by the use of the German language as a learning instrument and as a vehicle of personal information regarding the refugees’ histories, basic needs, uncertainties and doubts, wishes and expectations. The conversation has been eased through language exercises, games, drawings or other graphic materials.

The categorisation of the material collected during this experience (October-November 2013) took place only in a further moment of re-elaboration and reflection: in the backstage, costumes and parts of one’s personal façade can be reviewed and corrected from mistakes. [...] Here the performer can relax, he can let his mask fall, he can abandon his role and divert from the play (Goffman, 2009:105). In fact, being the focus of the research the personal histories and experiences of the refugees, which constitute a very fragile matter for them to remember or to talk about, it has been decided for a more playful and involving approach, which the interviewees could feel more comfortable with, having in the meantime the possibility to learn or to have fun. In this way, the reconstruction of one’s personal reminders totally happened without restraints, under the form of an open dialogue: some details stood out evidently, some others were deliberately omitted. On the infidelity and the ambiguity of the answers collected, it has to be noticed how the dramatic succession of events experienced by the refugees always evokes something that escapes from the researcher’s

farsightedness and comprehension, because it may constitute a psychological or affective injury or a denigrating episode, which the interviewees would like to remove.

Picture 7. *Wir alle spielen Theater*: German classes as empirical research method



Pictures were taken during one of the German classes held with the refugees of Lampedusa-Hamburg, in the *Jugendzentrum* of Sankt Pauli evangelical church, in Hamburg (12 November 2013).

Photos: Pietro Bartesaghi

4.2.3 Little talks with Lampedusa-Hamburg

The collection of Lampedusa-Hamburg members' personal information happened under the form of personal histories and experiences. The collection of migrants' biographies (Saeidimadani, 2012:74) constitutes a very interesting aspect of the willingness and openness of refugees to talk to strangers, as well as a product with an important documentary value. During every speech I had the occasion to carry on, I attempted to talk about two main topics, which cover a fundamental (and, to a certain extent, fragile) aspect in the refugees' daily existence: their working experiences and expectations and the places they lived or they would like to live in. This process of *implicit codification* of inputs and information that the migrants almost unobstructedly transmitted, turned often into spontaneous explorations of the psychological and emotional sphere of individuals; herewith, I could establish that *social contact* which made me understand the human and moral limits these refugees are subjected to and empathize (also wistfully) with their personal experiences, unattended expectations, current fears and future wishes. Thanks to these Joycean "streams of consciousness", I have been able to access some important information, such as their ideas whether to stay in Germany or to come back to Italy, where and how to find a job or a stable accommodation, their opinions about the group and the conflicts arising, their political orientation. I could even comprehend to which extent the motivation they showed could positively (or negatively) influence their strategies of integration and of building opportunities: the most willing and forward-looking refugees put a special attention and a particular commitment in learning the language and asking about the current situation; they gladly converse (in English, French, German or even in Italian) and clearly explain their viewpoints, as they want to prove that, from their side, a concrete investment on their future in Germany and on their integration process really exists. It is during these moments that I could collect the most delicate and personal information, letting them freely speak¹¹ about their job, accommodation, family, about the marginalisation and the vulnerability they are experiencing

¹¹ Trying from time to time to lightly redirect the conversation on the topics I wanted to know more about.

(or they already had experienced elsewhere). However, knowing their chronicles, wishes and expectations (see Appendices III, "Unheard voices". pp. 171/178) was not enough for the purposes of this research, since the connection to the city and its spaces was totally missing.

To this end, during one of the German classes I experimented a participative and playful approach, through which I could finally work on the information previously collected on the basis of an effective spatial localisation. I therefore brought to the class a big map of Hamburg city (80x80cm), on which I pointed out some landmarks which the refugees could easily recognise -the church in Sankt Pauli and the Mosque in St. Georg, Steindamm protest camp, Berliner Tor and others-, and 13 different play-cards indicating some verbs that the refugees learned during the past weeks of classes. I asked them to show me where would they go to¹², if they have to accomplish those tasks. The frame which resulted is, to a certain extent, quite predictable. It pictured however some important indications for a deeper understanding of the most delicate aspects, which partially emerged from the collection of biographies, particularly regarding work. Moreover, it clearly showed to which spatial restrictions the refugees are constraint in Hamburg - and, in comparison, in Milan.

¹² A particular difficulty I had to face was the uncomfortableness of the refugees with mapping tools: whether I assumed mapping as a totally elementary and cognitive representation process, the refugees with whom I played the game were absolutely not accustomed to using maps as instruments for spatial representation.

Picture 8. Mapping together the daily-life of refugees



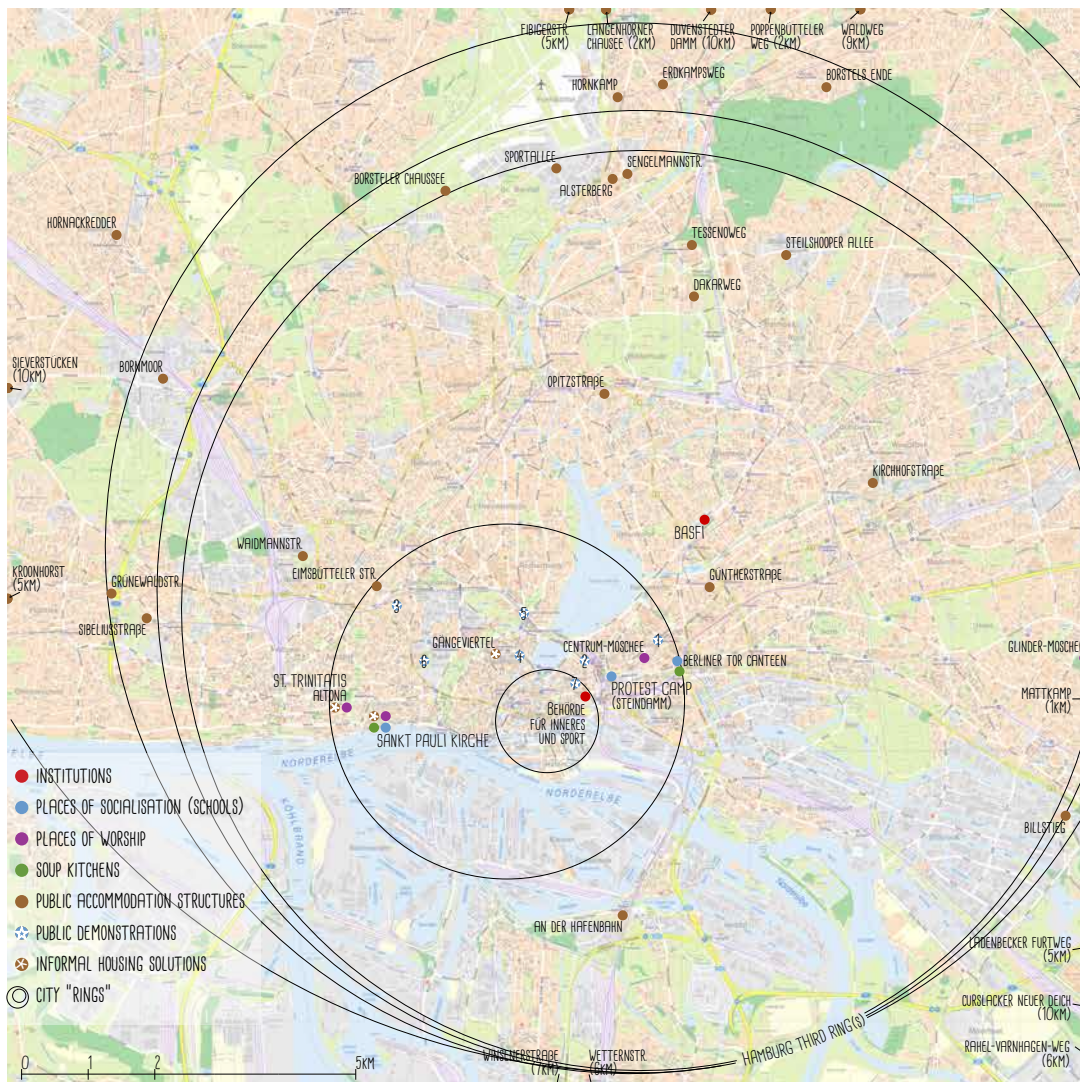
Refugees were asked during a lesson to show their spatial knowledge of Hamburg: using 13 playcards with the German verbs that the refugees already learnt and a big map of Hamburg, the students tried to spatially locate their daily-life experiences in the city.

Photos: Pietro Bartesaghi

4.2.4 Where do I ...? The daily places of refugees in Hamburg and Milan

The following paragraph is an attempt to reflect upon the exclusion from, or the gravitation around, some places that the forced migrants daily live in Hamburg and in Milan. The most indigent [and marginalised] populations search in the big cities new ways to claim space and voice: to the [spatial] concentration of richness [and resources], some opposite concentrations of poverty and lack of freedom do correspond (Appadurai, 2011). The spatial exclusion of asylum seekers and refugees (being it an effect of specific spatial control policies or of discrimination and social estrangement) provokes the formation and proliferation of poverty pockets in urban areas. Such spatial concentrations of marginality and vulnerability do not become, in the cases studied, proper ghettos, but rather do constitute a punctual series of places dislocated following a specific (although questionable) criterion, and are more or less far from the city centre. On the other hand, the appropriation of space and the claim for a urban citizenship overcome the spatial control devices and policies, creating a geography of places -whether are they invisible or visible- which often coincides with the very central areas of metropolitan and urban regions; that is, with those places which securitisation and control dictate the creation of such devices and policies. The spatial dimension of the two “opposite powers” in the management and the governance of refugees in urban contexts (i.e., structure and agency), is ascribable to four main spatial arrangements in the cases of Hamburg and Milan (see Picture 9, pp. 120-121).

Picture 9a. “Refugees’ places” in Hamburg



The picture shows the different places that refugees and asylum seekers normally live in Hamburg. While public reception accommodation structures are in many cases located outside the city centre (sometimes they are not even in the map), informal, solidarity housing solutions contribute to the “return to the city centre” of forced migrants populations.

Source: fördern&wohnen, passage GmbH, Statistikamt Nord

Picture 9b. “Refugees’ places” in Milano



The picture shows the different places that refugees and asylum seekers normally live in Milano. A particular attention has to be given to the spatial disposition of “institutional places”, which tend to push this population out of the city centre, and the “informal places”, which lead instead to a spatial re-appropriation of the inner city.

Source: *Comune di Milano, NAGA har, Espresso.it, Repubblica, Corriere della Sera Milano*

In both cities the *places of control*, that is the offices of governmental authorities in charge for the management (in legal-juridical terms and with regards to the implementation of assistance policies) of asylum seekers and refugees, are located in the very central areas of the cities, into a hypothetical “first ring”. The most accessible parts of the cities, the most served by the public transportation system and/or characterised by the high density of person-oriented services do not cover any further need of forced migrants except from their identification and their documents renewal procedures. Yet this is a very important aspect for the legal stay of migrants in a country, but it is also a strong and hierarchical instrument of control.

It is possible to identify a “second ring”, more distant but still into the city centre, in which *places of socialisation* are located, i.e. canteens, job-seeking or vocational training centres, language schools or aid centres. These places constitute the reference points in which forced migrants spend the most of the day. They are mostly independent, uncontrolled places (local associations for human rights and NGOs), and in any case they do not belong to those dedicated services provided by reception accommodation and integration policies - such as, for example, municipal job-seeking centres. Such places are fundamental for the beginning and the stabilisation of agency activities as well as for the claim of rights of forced migrants. It is here that asylum seekers and refugees feel protected and less vulnerable, and are therefore more willing to socialise and to dialogue. The creation of strong social bonds, the strengthening of individuals into a group identity, the political debating and the enlightenment of collective issues could not take place anywhere else;

A more peripheral “third ring” characterises the localisation of those *places of alienation*, which correspond to the first (public) reception accommodations in which asylum seekers and refugees effectively live. These places are the very direct, concrete and tangible consequence of the processes of expulsion from urban centres through the use of institutional reception and lodging policies. Among others, some related effects are the spatial dispersion along (or outside) the borders of urban areas and the overwhelm of assistance structures from particularly needy populations (see Table 11, “Reception accommodation centres and number of beds”, pp. 123-124).

Table 11a. Reception accommodation centres and number of beds (Milano)

District	Name	Beds
Zona 1	Casa di Accoglienza San Marco	15
Zona 2	Centro Polifunzionale Sammartini	70
	Casa della Carità	10
	Accoglienza Progetto Arca	121
Zona 3	Casa delle Famiglie	30
	Appartamenti per l'accoglienza Marta Larcher	18
Zona 4	Alloggi La Strada	28
	Casa di Accoglienza La Grangia di Monluè	23
Zona 5	Centro Polifunzionale via Ortles	70
	Centro di prima e seconda Accoglienza Saponaro	350
Zona 6	Housing Sociale Giambellino	24
	Pensionato delle Rose	10
Zona 7	Centro Polifunzionale via Novara	90
Zona 8	Centro Polifunzionale via Giorgi	30
	Centro Polifunzionale via Gorlini	60
Zona 9	Centro Polifunzionale via Testi	50
	Villaggio delle Misericordie	120
Other municipalities	Casa di Betania	13
	Casa Onesimo	14
	Casa Itaca	6
TOTAL NUMBER OF BEDS*		1.152

Source: *Luci a Milano 2012, ISMU 2012*

* Accommodation structures are normally gender-separated. The total beds in female structures amount to 134 unities, while 1.018 beds are available in male structures.

Table 11b. Reception accommodation centres and number of beds (Hamburg)

District	Name	Beds	
HH-Altona/ Eimsbüttel	Kroonhorst	267	
	Sieversstücken	324	
	Sibeliusstr.	232	
	Eimsbütteler Straße	151	
	Grünwaldstraße	25	
	Waidmannstraße	127	
	Bornmoor	186	
	Hornackredder	22	
HH-Mitte/ Harburg	Mattkamp	360	
	Hinrichsenstraße	136	
	Hafenbahn	166	
	Wetternstraße	170	
	Winsener Strasse	271	
HH-Nord	Hornkamp	83	
	Langenhorner Chaussee 321	80	
	Sportallee	88	
	Borsteler Chaussee 299	46	
	Sengelmannstrasse	252	
	Tessenowweg	240	
	Dakarweg	216	
	Alsterberg/ Suhrenkamp 40	260	
	Erdkampsweg	64	
	Opitzstraße	330	
	Güntherstraße	173	
	Fibiger Straße	213	
	HH-Wandsbek/ Bergedorf	Billstieg	860
		Waldweg	168
Steilshooper Allee		216	
Poppenbütteler Weg		192	
Duvenstedter Damm		246	
Borstelsende		90	
Kirchhofstwiete		47	
Ladenbeker Furtweg		160	
Curslacker Neuer Deich 80		480	
Rahel-Varnhagen-Weg	287		
TOTAL NUMBER OF BEDS		5.894	

Source: fördern und wohnen 2013

* The total number of beds is comprehensive of the beds addressed to asylum seekers, refugees, resettlers and homeless persons.

Finally, an apart consideration deserves to be made, regarding the informal practices for the appropriation of spaces. They are defined by some self-representativeness activities and practices of resistance. In this case, the right to the city of forced migrants expresses through a politic of dissent towards the institutions, intended here broadly speaking not only as the public decision-makers but also as that bunch of moral and behavioural regulations formally codified. We assist here to an “overbearing return to the city centre”, defining a clear geography of places in which such coping strategies take place. These *places of empowerment* do not ensure though the success of the integration of forced migrants, neither in urban areas nor among hosting societies. On one side, they could be a potential for the fostering of socialisation processes and for the construction of such *arrival spaces* to which forced migrants cannot accede in the first phase of their migration (e.g. the informal places of worship in Milan), or they could raise the visibility and the collective voice of a specific ethnic or social group, as for example the protest camp in Steindamm, Hamburg. On the other side, the occurrence of a further and sharper marginalisation, the risk of entering a spiral of vulnerability and the exacerbation of discriminatory episodes are often connected to the physical presence of forced migrants in this places - as it happened, for instance, during the occupations of some vacant building or the settle of illegal camps in Milan and in other Italian cities.

Nevertheless, the concealment and the erasing processes of migrants' settlements prevent their socio-territorial integration: “to accept the ineluctable visibility of immigrants would mean to recognised their right to be [in a place], as to be means both to see and to be seen” (Baron). Visibility and invisibility, access to and period of stay in first accommodation reception centres, possibility to enter the labour market or to attend state vocational training programmes, availability of health care and person-oriented services, social assistance, economic support (pocket money), creation of social connections, access to education and learning the language are some factors which may determine the vulnerability ration of forced migrants in urban areas.

4.3 The criticalisation of the right to the city

From the investigation conducted on (and with) the refugees of Lampe-

dusa-Hamburg, four main critical points deserve to be considered in depth, as they may constitute a cause of reflection for the development of further researches on the topic of the empowerment of refugees in urban areas. These reflections regard, in fact, the policy of exclusion which refugees and asylum seekers are subjected to, in European metropolitan regions in general, and in Hamburg and Milan in particular.

4.3.1 Objects in space

The first point I would like to underline is the negative repercussion that the indefiniteness of the juridical status may cause in the use of spaces and places and, consequently, on the integration process of asylum seekers. And in fact, this aspect is far from being a pure juridical or legal matter. The political choice to include asylum seekers and refugees in, or exclude them from, a determined range of services and facilities (first of all, housing, work and health assistance) directly affects their vulnerability. The unconsciousness regarding one's juridical status and consequent rights sharpens the socio-spatial marginalisation of a particularly fragile population. Picture 10 (pp. 128-129) shows the different moments that asylum seekers experience after their arrival in the European Union. From the moment of their very first arrival in a Member State in fact, asylum seekers are to all extents irregular migrants: they do not have any access neither to public nor to private accommodations, any possibility to get some health care or to enter the labour market¹³. A fundamental role is, in this moment, played by parental or amicable networks: acquaintances can not only provide a first, decent accommodation, but also introduce the newcomers into an already-build network, through which they would be able to grow their personal social capital - see the concepts of *arrival cities* (Saunders, 2010) or *arrival spaces* (Saeidimadani, 2012) in Paragraph 1.3, p. 38. On the other side, however, informal solutions are in this moment very common, as they constitute flexible and variable coping strategies to provide some independence to the migrants. This phase constitutes a sort of limbo for migrants: exposed to a strong judgmental arbitrary and discretionary and to total uncertainty about their

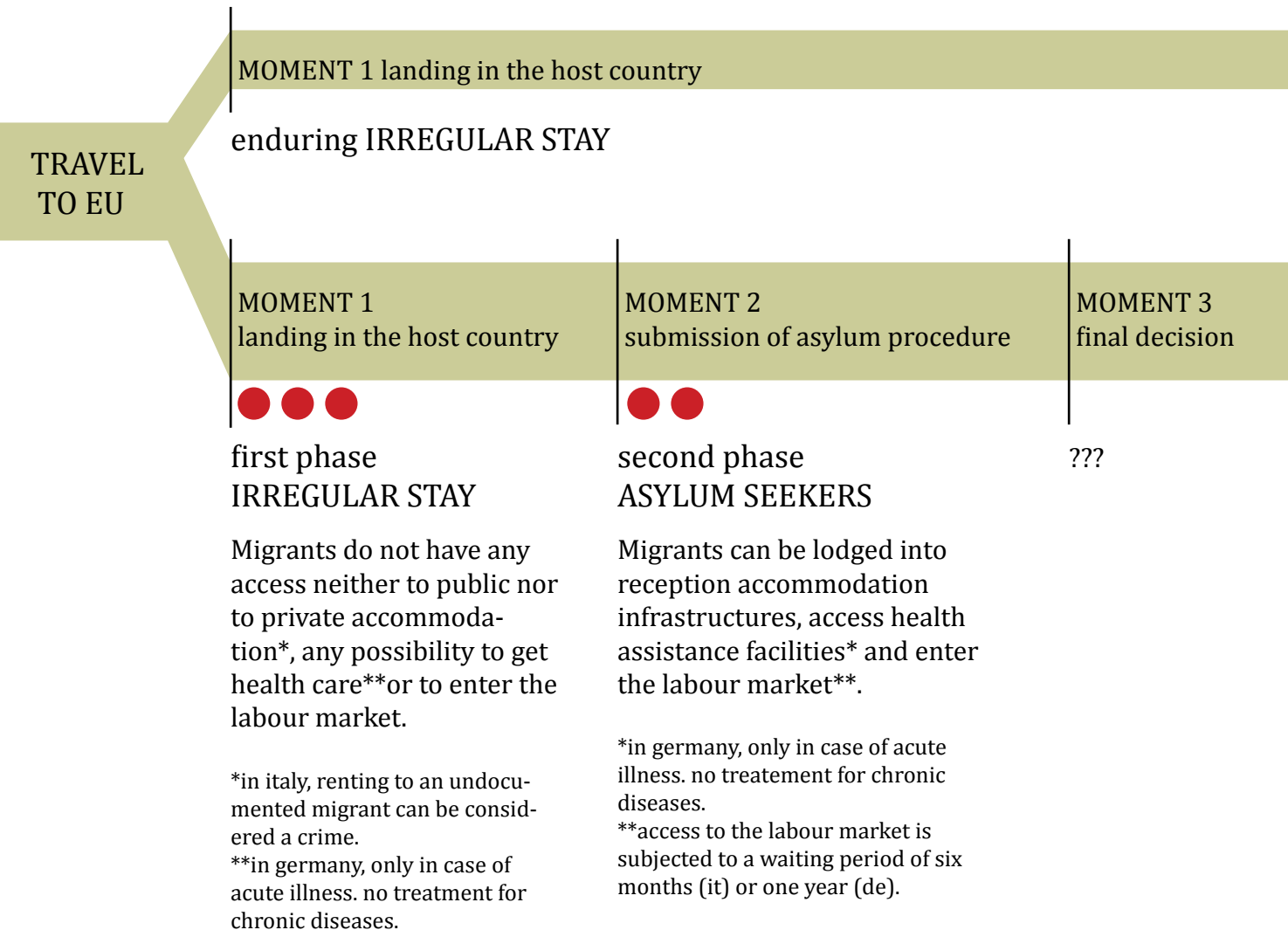
¹³ In Italy, renting an apartment to an undocumented migrant can be considered a crime. In Germany, irregular migrants can access medical treatments only in case of acute illness; no treatments for chronic diseases are foreseen.

enforceable rights, the recourse to informal or illegal solutions may be the only way to self-sufficiency. To this matter, unbalances in the offer of support/assistance must be added: assistance services can highly differ from a place to another (often also in the same country or even region) and are normally focused only on the international protection acknowledgment procedure.

This impasse can be partially overcome (though temporally) by submitting a request for international protection: the migrant becomes now an asylum seeker, and enters a protection programme which, independently from the final decision, may last up to six months. In this period asylum seekers can be lodged into reception accommodation infrastructures, access health assistance facilities and enter the labour market. However, this provisory juridical status implies a spatial constriction into public reception accommodation structures, located in less desirable and attractive areas or directly outside the major urban centres, and a consequent absolute dependence from public assistance programmes or from social protection. In fact, in almost the entirety of cases, the period of stay in public reception accommodation structures and the unclear juridical conditions prevent migrants from finding a job, and provoke a progressive loss of individual autonomy; being a simple object located in a space (Fontanari, 2013:4) debilitates the capability of self-affirmation of migrants, nullifying their integration paths and the achievement of their autonomy. In this phase territorial dispersion happens for the most of cases, as well as the entrance in the black labour market - they are symptoms of the desperate research for new places and opportunities.

Finally, the last turning point along the acknowledgment procedure for international protection is the moment of the decision. If, in case of a positive decision, the asylum seekers become refugees and gain comparable rights to those of the natives (except from the right to vote), in case of negative decision they recede to the *Moment 1*, i.e. to the irregular condition experienced at the first landing in EU. In this case, the basic rights of “aspiring” forced migrants are not granted anymore: excluded from reception accommodation infrastructures, from the labour market and from health care provision, the solution that many rejected asylum seekers take is to try to remain into the Member State as illegal aliens.

Picture 10. Timeline showing the different status of forced migrants and related accessibility to public services



Sources: Kessler (2010), interviews with Chiara Marchetti (9 April 2013) and Italo Siena (NAGAHar, 2 May 2013)

vulnerability ratio
low ●
medium ●●
high ●●●

POSITIVE DECISION
(international protection)

●
third phase (a)
REFUGEES

Migrants can access public accommodation, health care and enter the labour market. Their rights are comparable to those of natives, except from the right to vote.

the times to ask for the attainment of citizenship are quicker, with respect to other types of migrants.

However, international protection by itself won't neither solve the actual problems nor complete the integration process of refugees.

NEGATIVE DECISION

●●●
third phase (b)
REJECTED ASYLUM SEEKERS

Rejected asylum seekers* cannot access reception accommodation infrastructures, enter the labour market or be provided with health care.

in this sense, the denial for international protection brings back the migrants to the moment 1, when they arrived in the hosting country but did not entered yet any international protection programme.

*in germany, the state of "duldung" (tolerated) allows migrants to access public accommodations (although only federal first reception centres) and to enter the labour market. the residency permit is, in this case, independent from the migrants' job and circumscribed only to a certain territory.

4.3.2 Destitution constraints

The continuous and undefined change of the juridical status, with the progressive gain or loss of benefits, rights and duties, pushes forced migrants into a spiral of marginalisation (second point) which is particularly difficult to lessen, and in any case very different from the one which economic migrants may incur in. This vicious circle results once again from the weakness of the juridical status of forced migrants, and can be represented as follow:

marginality in the labour market > discrimination in the rent market > dependence on public assistance policies > poverty (deviancy) > destitution.

(Kessler, 2010; Tosi, 2010)

The most immediate effects, and the most urgent while facing the new urban question and the socio-spatial injustices related to it (Secchi, 2013:5), are the risk of homelessness and of rough-sleeping solutions (squats, self-construction of shack) and the incurrance of illegal situations on the working perspective (such as the entrance in the black labour market, drug dealing, etc.). Referring to some estimations of Fondazione ISMU, in 2009 about the 14,2% of immigrants in Italian Lombardy region did live in precarious accommodations, as working places, first reception accommodation structures or in shacks or illegal squats. An incomplete and approximate estimation, which would raise if Southern Italian regions would be taken into consideration. It is true that, in the last years, a reduction in the number of squats and makeshift shelters have been registered (Tosi, 2010) especially in Northern Europe, but the number of asylum seekers and refugees or immigrants with an unclear juridical status who recur to these types of housing solutions still remains alarming: failed asylum seekers and other undocumented migrants appear at increasing rates among roofless people and in low-threshold homelessness services. People who had been accepted as refugees and who were awaiting asylum assessments were also appearing in homeless populations, particularly within urban areas (Pleace, 2010:144).

4.3.3 Abgestellt im Nirgendwo

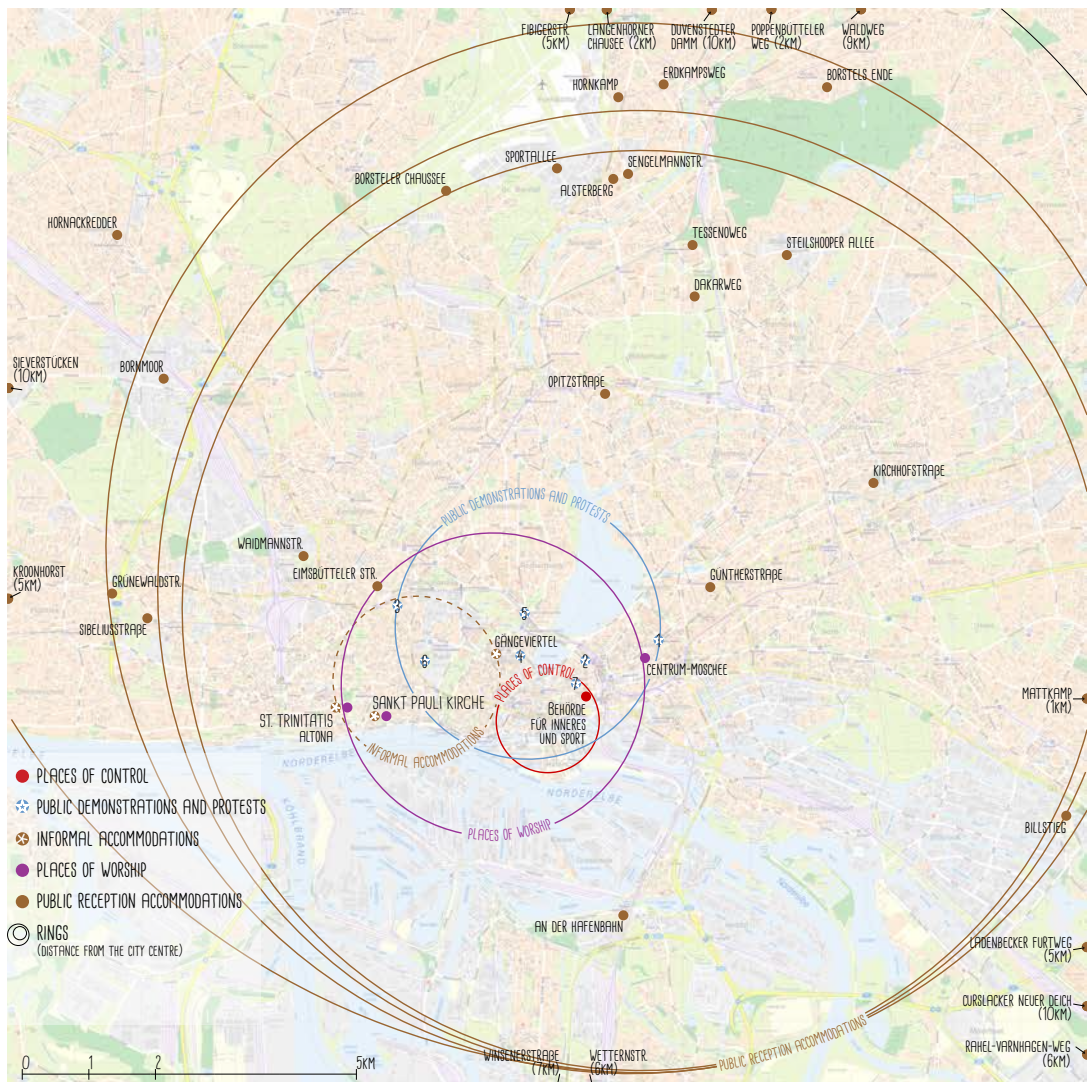
The exclusion from the labour market, the consequent marginalisation and discrimination on the rent market and the progressive sharpening of the vulnerability of asylum seekers has some obvious and well defined spatial repercussions (third point). Being citizens without a city means not to own a set of codified places, freely accessible and formally or institutionally regulated, to customise through some aggregative practice of socialisation or of spatial appropriation. The claim for such places happens in two different and opposite ways, which mainly derives from the dual contrast visible/invisible which we already spoke about.

On the visible side, the claim for such spaces becomes a practice of resistance, of (generally collective, rarely individual) protest against the institutional actors, against public decision-makers promoting the application of prohibitions and of constringent legislations. Collecting consensus, dispatching non-filtered information, claiming for collective rights are some actions which normally take place during the day, in very visible and crowded places. An example is the map of dissent (see Picture 11a, p. 133), where the places in which Lampedusa-Hamburg group carried on its public (and shared) agency activity are indicated.

On the invisible side instead, a sort of geography of submerged places exists, and it mainly coincides with the spaces of the daily-life (intended here in its dualism house-work) of forced migrants in contemporary metropolitan areas. Such spaces are ascribable to reception accommodation centres, generally located at the most peripheral areas or directly outside the cities, or to those places of alienation in which asylum seekers hide themselves, and which they try to take possess of through informal practices of places appropriation. Some examples in this sense could be squatted condominiums, public spaces for collective activities (parks, squares, some sections of language schools), semi-public places (churches, mosques or other places of worship), occasional markets and local fairs (informal economy), abandoned dismissed and empty areas, in or out the city. In these cases, places can correspond to entire districts or parts of the city (ghettoization) or with degrading abandoned areas squatted by forced migrants (as in the case of “submerged” Milan, see Picture 11b, p. 134), but also with

those parts of the city with increasing depopulation and real estate disinvestment trends, which asylum seekers and refugees struggle to leave once they have settled down there.

Picture 11a. Map of dissent, Hamburg



The picture shows the spatial contrast between the outwards de-localisation of daily centres and public accommodations for refugees and asylum seekers and the “practices of dissent”, which happen in the central areas of the city - beside the municipal authority seat. Public demonstrations took place on 8 June, Sankt Georg (1); 17 August, Hbf Nord (2); 14 October, Rote Flora (3); 17 October, Gänsemarkt (4); 20 October, Dammtor (5); 25 October, Millerntor (6); 2 November 2013, Hbf Süd (7).

4.3.4 A challenge for urban planning

In such a framework, it appears evident how the take on the responsibility of refugees and, in particular, of asylum seekers by contemporary urban systems, and consequently by urban welfares, does constitute a challenge for urban planning and city governmentality (fourth point). At the first place, in order to rethink the whole planning and provision of services for the so called urban vulnerable populations - too often, in fact, we assist to a cataloguing of social groups on the basis of the problems that they may cause to a specific urban contest, and of the adoption of a paternalistic, generalising and clumsy assistance model, which disable individual empowerment possibilities. Secondly, in order to soften those Durkheimian structural policies towards a more user-oriented model, which could be used not only to tackle emergency situations. Thirdly, the story of Lampedusa-Hamburg mirrors a current diffused trend, particularly alarming, which goes towards an always diminishing responsibility of the public actors, both at the juridical level, through the rejection and the non-reception of forced migrants (instead opting for the implementation of new policies of integration), and at the management level, with the progressive externalisation of assistance services and the use of localisation criteria to the detriment of the universalistic principle of welfare systems (Alietti, 2011).

part IV



Civilians rest in a hangar at the Bab Al-Salam border crossing in Azaz, August 2012. The refugee flow to Turkey has grown as fighting has worsened around Syria's biggest city, Aleppo.

Photo by Youssef Boudlal/Reuters

Source: <http://pri.org/stories/2012-09-14/tensions-rising-turkey-over-syrian-refugees>

*Chapter five***In|formally protected: planning assistance devices in contemporary governance**

The story of the Lampedusa-Hamburg refugees offers the spark to reflect more systemically upon how forced migrants (will) reframe and impact the current urban question in Europe.

The notion of “urban question” was first popularised through Manuel Castells’ work (1972), and has later been debated among other urban researchers, such as Lefebvre and Saunders (Brenner, 2000:362). In my investigation, I did not intend this expression as the understanding of the spatial characterisation of a city, but rather as referred to the role of urban regions as sociospatial arenas in which the matter of forced migrants is dealt with, and eventually solved. In this sense, my personal approach to the *asylum seekers and refugees’ urban question* was to comprehend the impacts that the populations with a forced migratory background have, in general, on the govern of the city, and in particular on the socio-economic grain of European cities. The arbitrariness and the fragmentation of the action of government directly influence the accessibility to some parts of contemporary cities, whether their nature is public (parks, squares, streets) or private (apartments, reception accommodation centres, churches or other places of worship); these spatial repercussions are circumscribed and measurable, but complicate, from a less “material” viewpoint, the admittance of asylum seekers and refugees to the local labour markets, the access to social protection and to welfare distribution policies, the interrelation with the places of (political and decisional) power and the actors related to them, the appropriation and the formation of invisible infrastructures (ethnic, relatives or amicable bonds) and of social capital, the public expression of dissent and the practices of resistance in the urban space, the cohesion with social groups or institutional actors, the relationship with antagonist groups or factions. Broadly speaking, I believe that all these aspects shape the *asylum*

seekers and refugees' urban question, and that they roughly correspond with the various steps that forced migrants go through during their integration processes and for the appropriation of their self-sufficiency and their urban consciousness.

Foreigners are not all alike (Secchi, 2013:42), but the structuration of fear and of securitisation devices in European cities generally enfeebles the efficacy of immigration policies: it breaks solidarity and crumbles society [...], letting [new] intolerance systems emerge (Secchi, 2013:22). The non-acceptance of "the other", the proliferation of new racist and fascist orientations and sentimentalisms are some factors which contribute to the strengthening of the refuse and rejection of asylum seekers, perceived as a menace for the hosting societies: the solution of internment camps, with the possibility to territorialise and, at the same time, control refugees within a defined space (Marchetti, 2006:54) generally far from the city centre, becomes a direct representation of the spatial removal and territorial control of undesired populations, even in such a historical phase characterised by economic and humanitarian crisis. And yet, rethinking the management of emergency situations becomes more and more a matter which regards not only the populations with a migratory background: the so called IDPs (Internally Displaced Persons) and the increasing number in forced migrations consequent to natural or climatic calamities (climate migrations) are some examples which concern not only underdeveloped Southern countries, but also some regions of the developed ones. In this sense, a camp in Bangladesh is not completely different to those so called "new towns" developed in the periphery of L'Aquila, a medieval city in central Italy affected by a severe earthquake in 2009. Here as well, the analysis of coping strategies could give some interesting indications. In fact, the "study of the everyday" shows some paradoxes in the functioning of the welfare state: policies aiming to the most equal distribution possible of the well-being seem to repress differences among individuals and social groups, to stiffen economy and society into obsolete interpretation rules, without considering the innovation that may arise from the participation of individuals to the construction and the practice of the city (Secchi, 2013:61). If, on one hand, the universalistic character of welfare policies could bring to a depraved model of exclusion, in which services would result drastically inaccessible to some groups, on the other hand, the localistic

differentiation of welfare interventions risks to create (as it already happens) clear unbalances among Member States (and even among different regions within a same country), and a consequent geographical attraction (or repulsion) of some places in comparison with others. According to Lefebvre, the tension between global integration and territorial redifferentiation leads to an “exploded space”, in which the relations among the actors at different territorial levels are continuously rearranged and reterritorialised: this localisation process emphasises the need to build a typology of welfare based on the actual demand, on the definition (preferably) by an institution of what its clients need. Deliberative democracy requires a reappropriation of space, intended as the central objective of political struggle, and compels to the reconnection with those populations who live the space and express their needs in it. In the near future, it will be necessary to develop more democracy, reducing inequalities in space (Brenner, 2000; Sennett, 2003; Secchi, 2013).

The aim of this last chapter is to critically review the four main aspects about the exclusion of forced migrants presented in the previous one, broadening them out and generalising their contents towards some more extensive and theoretical reflections.

5.1 Casual relations and contrasting welfare

The attention given to the different juridical aspects and legal status that migrants experience in their migratory paths is a very particular matter, which mainly refers to forced migrants. The characterisation of what happens in the different “phases” that asylum seekers and refugees go through during and after the judgement of their asylum application (hiding oneself, adaptation, integration, assimilation, etc.) marks a series of specific devices and strategies of relation with the urban environment. It is true that the relationship of asylum seekers with the urban space and with its active subjects mirrors the connection between those specific strategies and the juridical status of migrants at that precise moment; on the other hand, however, the increasing diffusion in the use of such strategies among other populations with migratory background (and, more recently, among native family units at risk of deprivation) underlines the importance of new phenomena of adaptation to and of relation with contemporary urban

contests in redefining dependent-relationships among social groups and public institutions. The construction of micro-relations based on non-intentional, informal or casual contacts (Jane Jacobs, 1961) is a solidarity mechanism which works outside any institutional framework and which should cover a specific moment in the construction process of social policies.

In the case of asylum seekers and refugees, the negotiation for the access and the adaptation to the arrival society, to an unknown urban area and its structures, constitutes a fundamental experience (Korac, 2010:132): the accessibility to *arrival spaces*, the creation of a collective identity, the admission to a codified system of economic or social capital production are some efforts to overcome (or to bypass) the lack of rights and the indefiniteness of migrants' juridical conditions. Public policies should therefore focus not only on *the right to gain a place*, but also (especially) on *the process to gain it*, as it constitutes a bottom-up instrument to build active integration and self-sufficiency, as well as a way out of the dependence from public assistance and from primary needs help, based on the concept of biological surviving (Marchetti, 2006). In this sense, the characterisation of housing as primary need reduces the housing question to the simple supply of a shelter, with all the meanings of precariousness and temporality that the term may assume. The misinterpretation of the importance of this question allows the proliferation of (geographical) restraint, concealment and repulsion criteria, hiding the problem from the very first, definition phase of public interventions' priorities. Internment excludes *a priori* the possible integration of asylum seekers and refugees in the social and economic grain of cities (Marchetti, 2006) and contributes to the augmentation of public assistance programmes' dependence. A place (or an individual) legally undefined foster the creation of undefined roles (Fontanari, 2013:4), debilitates the construction of intra-group social bonds and of bridging social capital, implicitly endorsing the primary recourse to the easiest solution possible, the illegal/informal one.

Rethinking the construction and production of local welfare systems is urgent, and requires a more user-oriented approach. The planning and production of welfare interventions which follows a universal approach difficultly considers contexts' specificities; it is a good way to spare resources, and necessitates for this purpose an excellent functioning and a constant monitoring and control, but it may also lead to

excessively standardised solutions. On the other hand, an *ad hoc* treatment would be inapplicable, for the misuse of resources in some places and the creation of strong unevenness towards others, where the same resources are instead lacking. Nonetheless, this differentiation occurs at the different territorial scales: the matter of asylum seekers clearly shows, in fact, how different nations, regions and even cities could be considered as places of inequalities exacerbation.

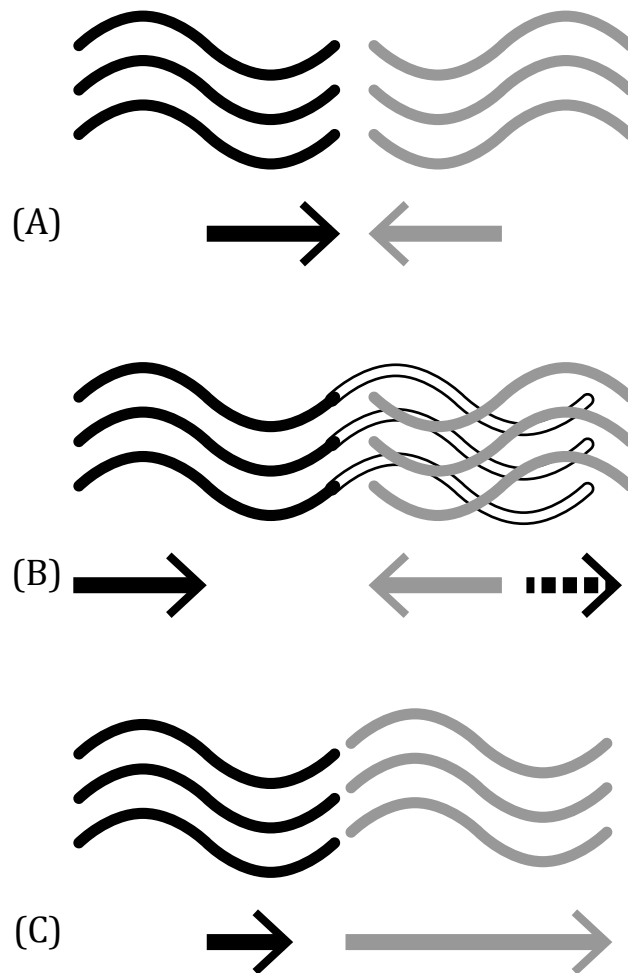
The current situation sees a progressive increase in local municipal authorities' competence in the welfare matter, to which a real augmentation of economic and cognitive resources did not correspond: the reduction of public expenditures contracted investments and interventions on the social state, and the percentage of resources addressed to it (Paini, 2012). Without spendable resources, decentralisation is inefficient, as shown by the example of the externalisation and privatisation of asylum seekers and refugees' dedicated services (see Paragraph 4.1, p. 96). Such a frame calls for a necessary reform of localisation criteria (a "third way"), contextualising public welfare interventions. A very costly approach indeed, whose attention to the very first phase of problem setting and understanding could translate into implementable and long-term sustainable person-oriented solutions.

The task of the local level is to be able to put directives into practice, especially in the construction and implementation of welfare services, which are forcedly interconnected to the people in need and their life-places: if the social question tends to be defined more and more as a localised dimension connected to the negative symptoms characterising specific places (Augustoni, 2011:28), intervening with a non-assistance approach, encouraging self-organisation and legitimising the production of drop-in services relating to the unexpressed demand becomes fundamental. "Reducing the threshold" (Bricocoli, 2003) means to abandon a too general, hierarchic and forcedly shared (or transferable) model of social policies production¹, which is not able to understand the essence (i.e. the urban question) of the different territorial contests.

¹ In this sense, with "production" I intended the planning phase of a service or policy, the moment of "setting the targets" and of finding the eligible social groups who may access or not specific assistance programmes, the evaluation and the understanding of socio-economic repercussions.

Such a model of “contrasting welfare” (see Picture 12, p. 145), conceived to tackle emergency situations, is neither farsighted nor sustainable. For two reasons at least: the first one is that this type of interventionism addresses to the problem rather than to the solution ; in this sense, for instance, the increasing number of places available in the Italian SPRAR system will not solve the problem of disembarkations and the reception modes of asylum seekers in Lampedusa, but rather it would temporary plug an otherwise tragic situation. The second one is that a merely assistance-oriented model always lets some systemic leaks and holes, which complicate the reception of those populations or individual who succeed in passing through, and who inevitably resort to informal or illegal coping strategies (see Paragraph 4.3.1, p. 126) or enter the so called “spiral of marginalisation” (see Paragraph 4.3.2, p. 130 and 5.2, p. 146).

Picture 12. Contrasting welfare and “passing through” effect



The scheme represents the different approaches of welfare-related services production, referring to emergency situations. The first approach (A) is authoritarian, as it contrasts emergency situations without finding a sustainable solution to the problem. This typology of assistance difficultly covers the actual demand for public services, letting some holes in the system in which individuals would be able to “pass through” (B). A person-based approach in the production of assistance services (whether they are public or not) would follow instead one potential user through the achievement of self-sufficiency (C).

5.2 Some elements for a more democratic governance

The possible exclusion of asylum seekers and refugees from local housing and labour markets must surely be attributed to a very specific political choice, rather than to the construction and implementation of (more or less declared) policies and strategies of exclusion. It is, as well, a direct consequence of emergency criteria on which immigration policies are often based (and, in particular, which characterise local integration strategies): the measurement of the spatial concentration of foreigners and of the density of their housing, the ratio migrants/natives in many districts of European cities, the setting of a “tolerance threshold” of a determined territory are some concepts which influence planning criteria; public or private intervention’s approaches tend in fact to assimilate “immigrants” to the wider categorisation of “poor and excluded” populations. These policies intended (or still intend) integration in a reductive sense, that is as a social alarm deriving from the gravitation of immigrants on a specific territory and social fabric (Golinelli, 2008), emphasizing its traits of emergency, provisory and temporality. The housing question (or the working, educational, health ones) sharpens periodically, but it is never treated in its integrity: all the social relations and the collective or individual cultural implications are *de facto* excluded from local policies’ planning process. The definition of intervention strategies for problem solving is based on incomplete data and provisional estimations; the implementation of real policies and projects follows instead an emergency-oriented approach, in which efficacy is measured in terms of urgency (here and now). It seems evident how the discrepancy between the construction of policies (following national and international directives) and their practical implementation (necessarily anchored to local specificities) is determining an elbowroom in which public action becomes unclear, undefined and not measurable, not yet a codified instrument for the valorisation of spontaneous coping strategies, and therefore neither systemic nor transferable. A progressive and linear implementation of assistance policies loses its potential of “help towards autonomy”, assuming instead the traits of a set of emergency measures to tackle deprivation. When public policies are not able to efficaciously intervene, systemic holes arise: they constitute the main access points to informal circuits, from which it would result particularly difficult to

detach, and which worsen an eventual resume of “formalised” independence-gaining paths. In the case of asylum seekers and refugees, this concept is explicitly represented from the return into an illegal status (see Paragraph 4.3.1, p. 126) and from the entrance in a spiral of marginalisation (see Paragraph 4.3.2, p. 130).

How to exit from the vicious circle²? Assuming that, to tackle the spiral of marginalisation, informal illegal solutions (at least not attributable to a rational or institutional planning model) are taken in many cases, it is interesting to reflect upon some possible strategies of intervention and of policies construction, which regard the approach of public power towards the informal city³. Considering the following definition,

“the informal is just not an image of precariousness, it is a compendium of practices, a set of functional urban operations that counter and transgress imposed political boundaries and hierarchic economic models. The hidden urban operations of the most compelling cases of informal urbanisation [...] need to be translated into a new political language with particular spatial consequences. This will lead to new interpretations of housing, infrastructures, property and citizenship, and inspire new modes of intervention in the contemporary city”.

(Teddy Cruz, 2012)

We can therefore assume, in the given case, that policies facing the informal city should foster firstly housing and labour intensive strategies, directing them towards the development of local communities and towards the acceptance of the role of the “unplanned”, in order to free vulnerable population from the risk of poverty and detriment.

Pieterse identifies here three main lines of actions, that could be undertaken when planners have to project into fragile, vulnerable contexts; they imply *a*) the construction of sustainable infrastructures (local, social infrastructures and regional, bio-physical ones), *b*) the

² The following consideration are the result of a reflection happened after the speech delivered by Edgar Pieterse at *Technische Universität München*, in occasion of the public conference “Metropolis Nonformal - Anticipation”, Munich, 20-23 November.

³ With informal cities I do not consider only the unplanned physical environment, but also and in particular I refer the adjective informal to the diverse infrastructures and service, social relations and self-produced economies, as well as to coping and empowerment strategies of its inhabitants.

implementation of inclusive economies (integration of formal competitiveness to informal economies) *c)* and the adoption of the just spatial form (i.e. adopting a spatial organisation to overcome differences instead of exacerbating them). In the case of asylum seekers and refugees, the comprehension of the role of *arrival spaces* as the first, fundamental moment in migrants' integration path, the provision of services and land, the monitoring and control of the situation's evolutions, the use of scale-up, participated upgrading processes (instead the eradication of the informal from the urban fabric), the mobilisation of (economic and social) resources are some strategies, line of actions that would be able to define a more *democratic governance* approach. Moreover, such an approach could definitely animate popular movements, symbolisms and practices to foster bottom-up urban transformations, reduce spatial inequalities inside urban regions and the unbalances in accessing both public and private livelihood assets from urban poor.

Recalling Secchi, "in the near future, it will be necessary to develop more democracy, reducing inequalities in space" (2013: 78) and to reconnect urban development regulatory frameworks to the socio-economic reality.

5.3 A rupture with urban governance

In Paragraph 4.3.3 (p. 131), among others, the spatialisation and de-territorialisation of the places that asylum seekers and refugees live in urban contests have been discussed. The periphery (with the negative connotation characterising the word) and the estrangement from the city centre and its services, the districts and the blocks previously inhabited by historical migratory waves, the degrading and the dismissed areas are those places constituting the *urban geography* of asylum seekers and refugees. The orientation of migrants towards the less attractive sectors (and places) of housing and labour markets is a consequence of discriminatory factors and policies, which define a state of structural weakness, or *new migrant penalty* (Alietti, 2011). As already observed, the exclusion of those populations who seem unattractive for a city and its economy produced two principles element of rupture with the spatial, socio-economic and solidarity grain of contemporary urban areas.

The first one, with the progressive diffusion of externalisation and privatisation procedures, is a remarkable change in dedicated services planning criteria: from the attention to the quality and the transferability of a more person-oriented approach, to the rational calculation of the business' economic sustainability distinguishing the entrepreneurial approach of supplying companies. The most direct consequences to this process are an increasing standardisation, the lack of innovation and of dialogue with the users, the delocalisation of structures in lower positional-valued areas; the very direct users are moreover subjected to an always increasing dependence from these services and to stricter forms of control (spatial, economic, social). All these elements aim to increase revenues in detriment of the quality of services, through the diminution of (management, localisation, control, maintenance) costs. In 1977, reflecting upon the role of national States, Foucault reasoned whether it would be better for a public government to engage for producing richness rather than to build for the population a "daily-life, labour-oriented environment" (Foucault, 2010:33). Quite a simple question indeed, whose answer seems far to be conceived by contemporary governmental bodies.

The second one is the proliferation of coping strategies, which do not cover just the housing aspect, but, on the contrary, they assume a fundamental role in the economic survival of the migrants, as well as in bridging practices for the construction of community awareness and social capital. The stiffening of immigration policies, the progressive standardisation of services and, on the other hand, the increasing dependence of migrants from national welfare states cannot but foster the production of irregularities (Associazione Naga, 2005); particularly on the labour market, but not only, irregularity is kept within certain limits, as it is part of a relevant economic circuit which goes parallel to the formal one (see Table 12, "Submerged economy ratio on formal economy in EU Member States", p. 151).

In order to mend this rupture, the most adequate approach seems to come, once again, from the transversal reading of the paradigmatic actions which could be undertaken with regards to the informal dimension of urban areas. In fact, if eradication and denial are parts of the security policy sets and do not seem to be able to solve the problem (they rather move away, or temporary erase it), it seems urgent to shift towards an improvement- or anticipation-oriented approach.

This radical change of perspective in the implementation of local strategies considers the use of undefined non-codified instruments, and recognise the importance that hybrid, self-made and still developing solutions (learning by doing) can assume in the wider range of institutional poverty and destitution tackling actions.

Hybrid solutions could be a meeting point for informal adaptations and formal policies: it is not a denial of the illegality, but rather an acceptance of the non-institutional role that the informal dimension plays in contemporary cities. Denial, eradication, tolerance and formalisation, externalisation and privatisation do kill the informal dimension of cities before to understand their potentials in empowerment and self-sufficiency gaining processes. Instead of trying to give a real, measurable dimension to the informal phenomenon, including it into the assistance services and policies planning frame, contemporary cities seem to focus on its non-sustainability, elusiveness and prejudicial meanings, whether accepting or refusing them.

Table 12. Submerged economy
(estimates) as % of GDP

Country	Average estimations		Extremes
	Min	Max	
UK	6,8	13	7-14
Germany	8,7	15	4-14
the Netherlands	9,6	13,6	5-14
France	11,4	14,6	4-14
Spain	11,1	23,1	10-23
Italy	17,4	27,3	20-26
Greece	29,4	39	29-35

Source: Reyneri 2004

5.4 Challenging future planning

The double-tension recalls a new model for the policy construction, more inclusive and flexible. Adopting the concept of “hybrid solutions” means to open the planning phase of services, and to include self-production and solidarity entities in it, not only with regards to the matter of immigration. To accept the role that informal networks and actors cover within a framework of increasing privatisation of services and estrangement from the real dimension of the users’ demand would legitimate the recourse to coping strategies for the daily-life survival of different types of populations, as a return to local solidarity and to the adoption of more sustainable and collectivistic lifestyles.

In this sense, regarding the construction of welfare policies, it seems that the localisation and valorisation of territorial specificities could more effectively contrast the negative effects showing at the local level (Alietti, 2011). However, on the other side, the case investigated in this work clearly highlights the necessity to come back to a universalistic model for the distribution of welfare services, in order to avoid treatment discrepancies and balances in spatial terms, both at the regional and international levels.

In this framework, non-governmental actors play a hinge-role for the connection among the different governance levels and cover the eventual lack in public (or public-private) services supply: as already discussed in paragraph 3.2.2 (p. 80) in fact, it is the spontaneousness and the vivaciousness of pre-existent local network among associative subjects that constitute the bridging element between horizontal partnerships and international organisation, i.e. between a strictly local and an international, upper level of decision making. Non-governmental actors are the key-point for the success of multi-level and multi-sectorial partnerships, being directly involved on the territory; many [contemporary] ideas of emancipation and justice recognise them an essential role within the elaboration both of new global governance and local democracy models (Appadurai, 2011:60). The practical know-how of these subjects should call for their involvement not only among the networks of actors implementing projects or initiatives, but also in a previous, preliminary phase of problem setting and policy set definition and planning. Contemporary urban planning adopts an authoritarian approach, calls back to the assumption of re-

sponsibilities and to the implementation of problem-solving strategies: by taking a specific situation for granted, without spending time to deeply understand its peculiarities, aspects and territorial declinations, the risk to propose wrapped, *ad hoc* solutions remains high. It is the result of a rational elaboration process which is totally avulse from the reality of the territories in which the problem shows.

In this sense, the networks among the various actors (both institutional or non-governmental) involved at the lower levels of governance and their relations with the international actors challenge the current planning model to adopt a more cooperative and shared approach. The reflections on asylum seeker and refugee populations, particularly the story of Lampedusa-Hamburg group which I examined in the past months (see Appendices III, “Unheard voices”. pp. 171/178), underlines the importance of international cooperation in the contrast and in the buffer of negative effects of migratory phenomena, and in the implementation of a more structural and systemic resolution (i.e. non-emergency) against the distortions in reception and assistance infrastructures addressed to populations with migratory backgrounds. In this last digression it appears extremely obvious how the success of such strategies is first of all a political matter, whether national or international. And yet, city governance seems to avoid a certain political commitment, rather opting for a more passive and static approach, where procrastination and the choice not-to-decide assume a particular political relevance. At the international scale, this indecision and the lack of practical, codified experiences which may constitute the know-how to build a strong theoretical background, invalidating the development of cross-boundaries, international initiatives, which could more effectively and positively tackle the problem of forced migration since its early beginning; as long as (national, regional) governments won't jointly decide to move towards a positive-inclusive model and to abandon authoritarian and securitisation projects, it is difficult to foresee a near, concrete change. In this frame, the urban planning discipline could reascertain its role of *institutional mediator of uneven geographical development* (Lefebvre), and mobilise space and population in productive terms; however, the commitment for a take on moral and professional responsibility of urban planning still remains an unresolved aspect.

Conclusive remarks

Intercontinental forced migrations and the analysis of their effects on European urban areas is a quite recent phenomenon, and it is undoubtedly new within the urban planning discipline. The reception of asylum seekers is, in fact, part of a wider disciplinary category, rather related to political sciences, as demonstrated by the history of events of the Lampedusa-Hamburg refugees, who are the objects of this research. To the initial lack of theoretical argumentations, with which I had to face at the beginning of this work, some further changes followed while treating and deepening such an extensive and hybrid topic: the implementation of 343/2003 Council Regulation in the so called “Dublin III Regulation” (19 July 2013); the substantial increase of economic resources addressed to SPRAR protection system in Italy (DL 30 July 2013); the tragic shipwreck in Lampedusa (3 October 2013), which pushed European institutions to proclaim the adoption of new communitarian measures; the partial closure of the Lampedusa-Hamburg story, with the acceptance of the *Duldung* from some members of the group (12 October 2013) and the consequent authorisation of Hamburg’s Senate to lodge them into container homes (26 November 2013). It appears now evident how these transformations in the state of the art (though not substantial) partially adulterated some prerequisites and early reflections of this work. Finally, the sample of 300 refugees, on which the empirical research is based, does not entirely mirror the complexity and the urgency of the problem. However, I believe that the impossibility of a generalisation of this topic derives from the material lack of reliable statistical data, which is mainly due to the disinterest and the carelessness to understand the concreteness of a current phenomenon, which is taken into consideration only by some fields of research. The cyclic repetition of the *asylum seekers and refugees’ urban question* imposes to urban planning to take on the re-

sponsibility of understanding this “modernity problem” and to propose newer, effective solutions, through a more qualitative multidisciplinary approach from the very initial phase of problem setting.

It is here that this work shows its potential: it is an attempt to comprehend a present, actual argument, by analysing an ongoing case study which is far to be concluded (in this sense, the case of the Lampedusa-Hamburg group has an elbowroom for urban planning which still has to be defined); to bridge some subjects among them akin, such as urban planning and sociology, ethnography, jurisprudence, which often lack a multidisciplinary approach in understanding an ample and hybrid theme like incoming forced migratory flows into European urban regions. In this frame, I assume that the role of the planner is to fill the gap between these subjects and to grasp the problem in its entirety, in order to evaluate (or, better, to anticipate) its effects on contemporary urban fabrics.

Appendices

Enlarged pictures

Picture 1. Map of main international migratory routes, regime changes and protests of refugees

Picture 3. Actors network for the implementation of refugees' reception accommodation projects (Italy, Milano)

Picture 4. Actors network for the implementation of refugees' reception accommodation projects (Germany, Hamburg)

Unheard voices

Kwadwo

Andreas

Amar

Isa, Mohammad, Moutala

Brides

Mohammed

Mubarak

Agyie, Ismail

Ilke

Essential laws

International treaties

The Universal Declaration of Human Rights (10 December 1948)

The European Convention on Human Rights (3 September 1953)

The Convention Relating to the Status of Refugees (22 April 1954)

Schengen Agreement (1995)

Council Regulation (EC) No 343/2003, or Dublin Regulation (18 February 2003)

Italian laws and regulations

La Costituzione della Repubblica Italiana (27 December 1947)

Legge Martelli (28 February 1990, n. 39) - and modification of DL 30 December 1989, n. 416

Legge Turco-Napolitano (6 March 1998, n. 40)

Legge Bossi-Fini (30 July 2002, n. 189)

DL 19 November 2007, n. 251

DL 28 January 2008, n. 25

DL 30 July 2013

German laws and regulations

Grundgesetz für die Bundesrepublik Deutschland (GG, 23 May 1949)

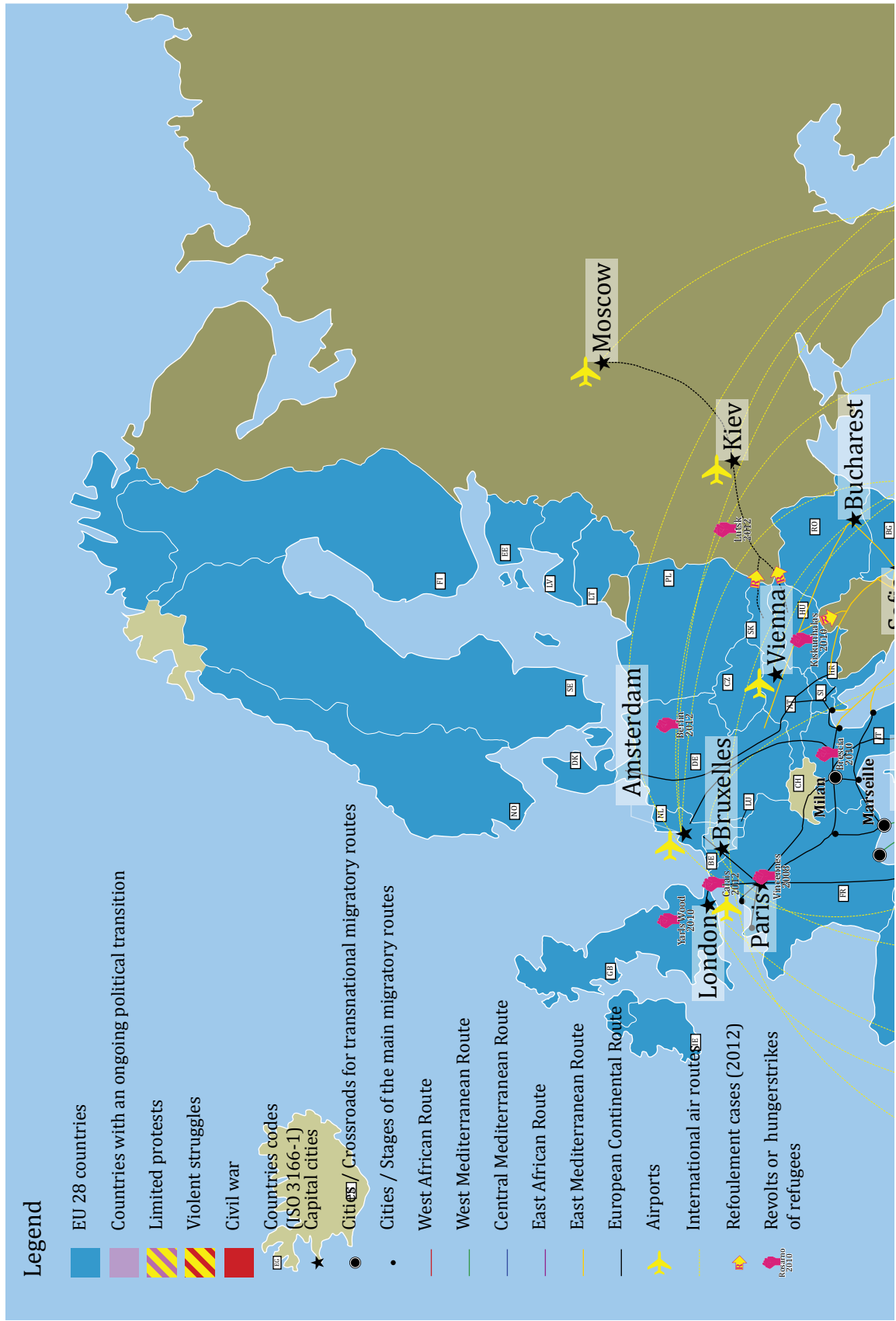
Asylverfahrgesetz (AsylVfG, 26 June 1992)

Gesetz zur Neuregelung des Asylverfahrens (AsylVfGNG, 26 June 1992)

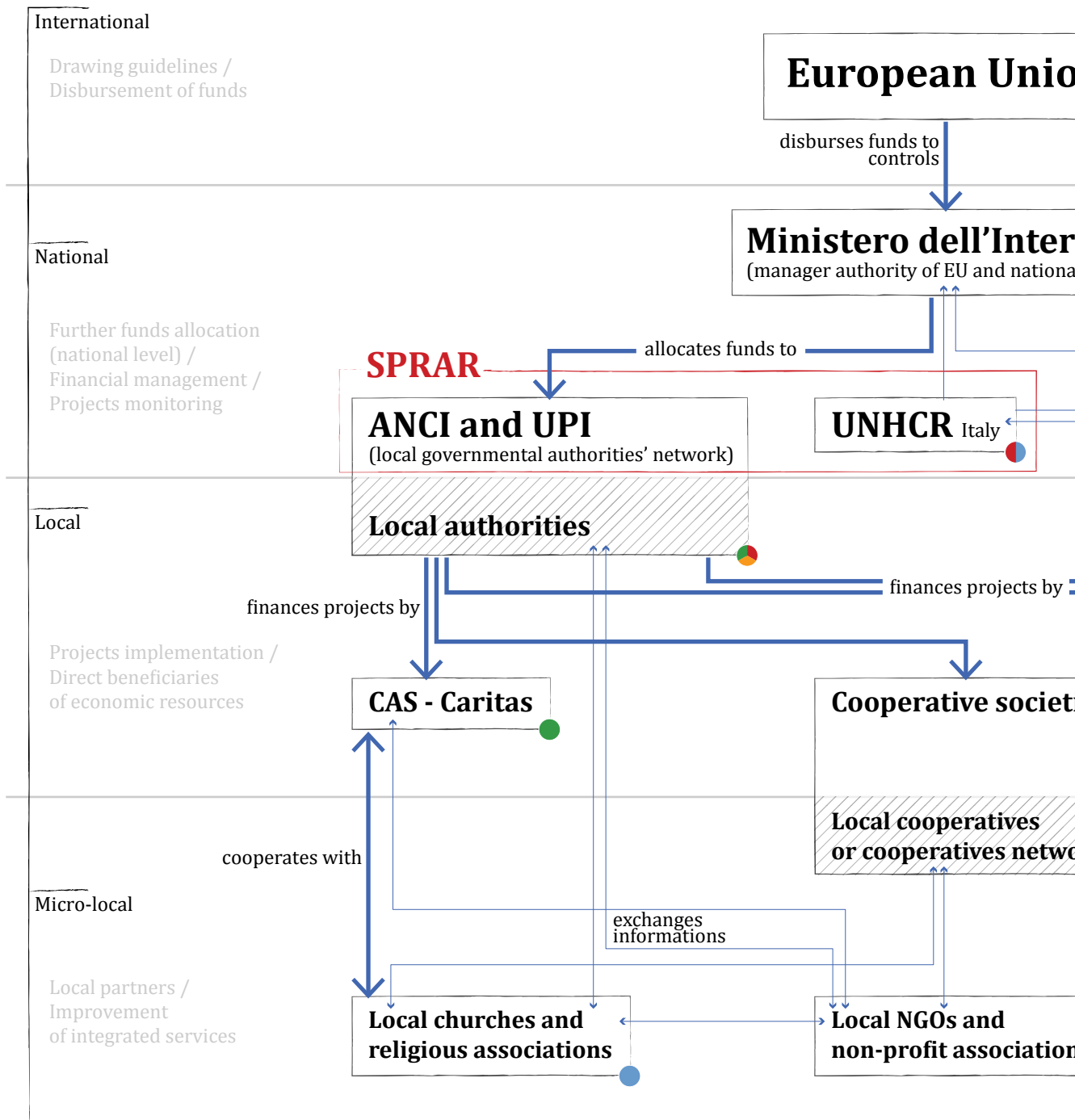
Asylbewerberleistungsgesetz (AsylbLG, 30 June 1993)

Verordnung zur Neufassung der Asylzuständigkeitsbestimmungsverordnung (AsylZBV, 2 April 2008)

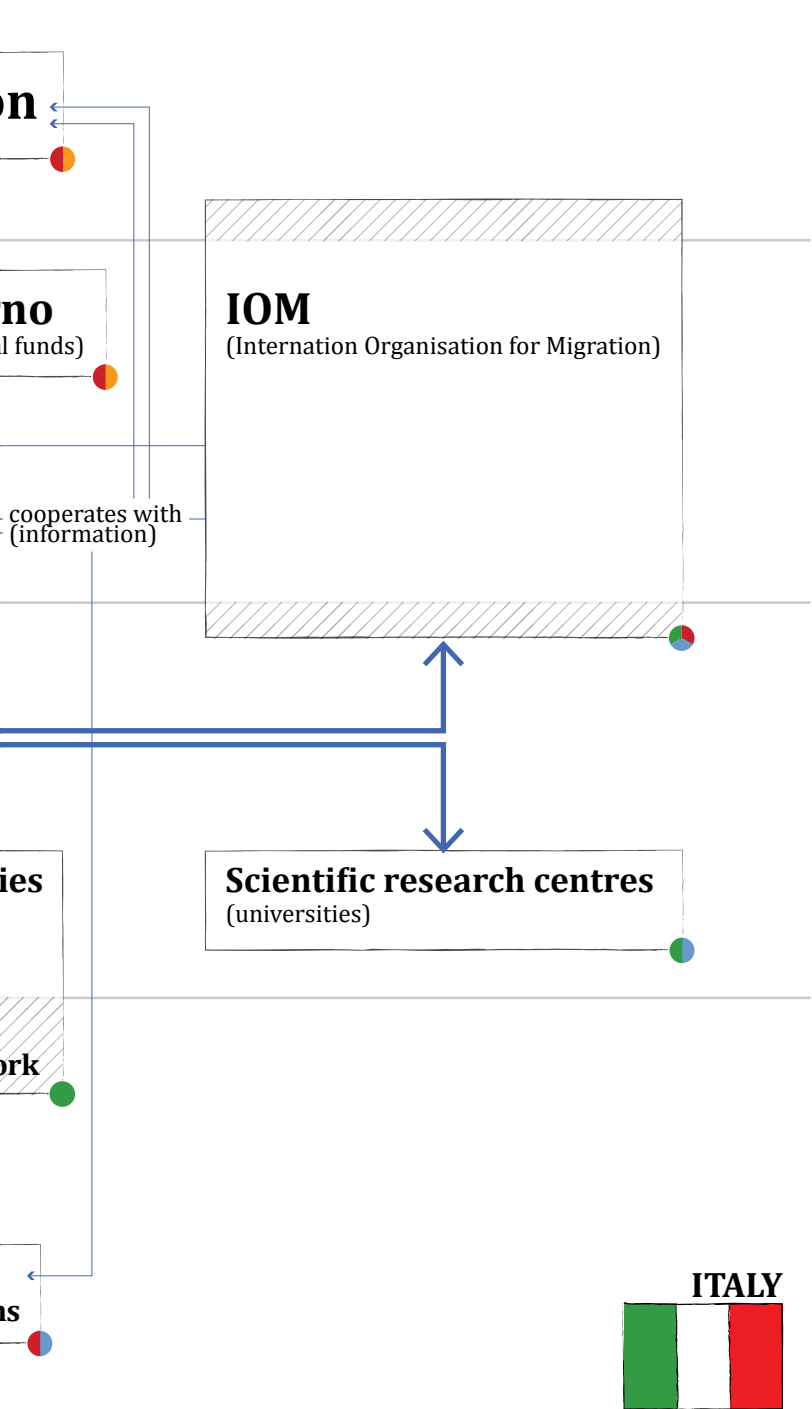
Picture 1. Map of main international migratory routes, regime changes and protests of refugees





Picture 3a. Actors network for the implementation of refugees' reception accommodation








Migration projects in Italy







ACTORS

- Actor (or plural actor, union of different subjects) 
- Multi-level agency (of an actor or a part of it) 

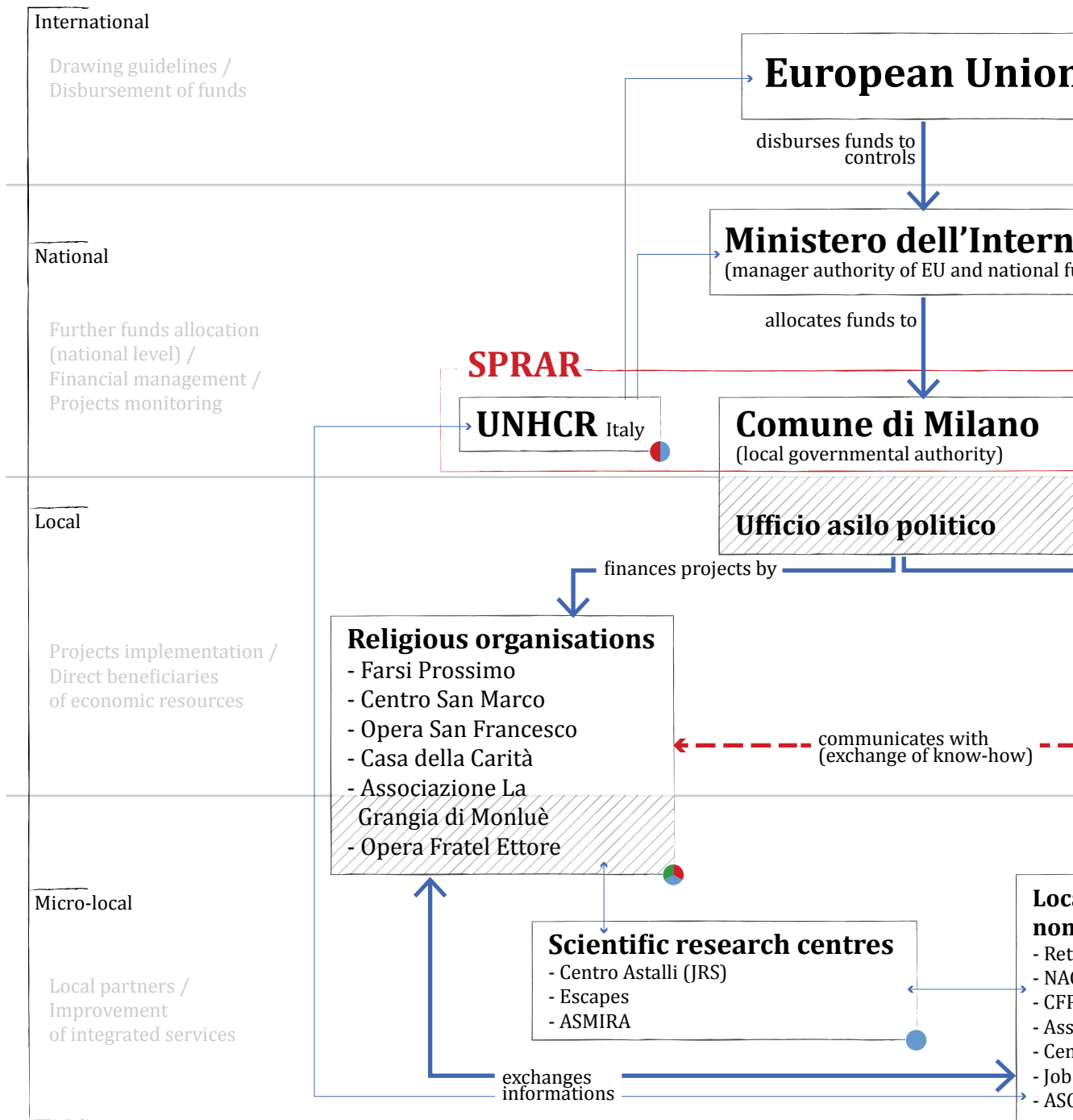
PARTNERSHIPS

- Strong, binding partnership (financing, cooperation) 
- Voluntary, independent partnership (monitoring, exchange of information) 
- Missing link (partnership) 
- Subordinate, underling relation (mono-directional) 
- Complementary, cooperative relation (bidirectional) 

ROLES/FUNCTIONS

- Economic/financing 
- Practical implementation of projects 
- Exchange of information and/or know-how 
- Monitoring 

Picture 3b. Actors network for the implementation of refugees' reception accommo



Migration projects in Milano



ACTORS

- Actor (or plural actor, union of different subjects)
- Multi-level agency (of an actor or a part of it)

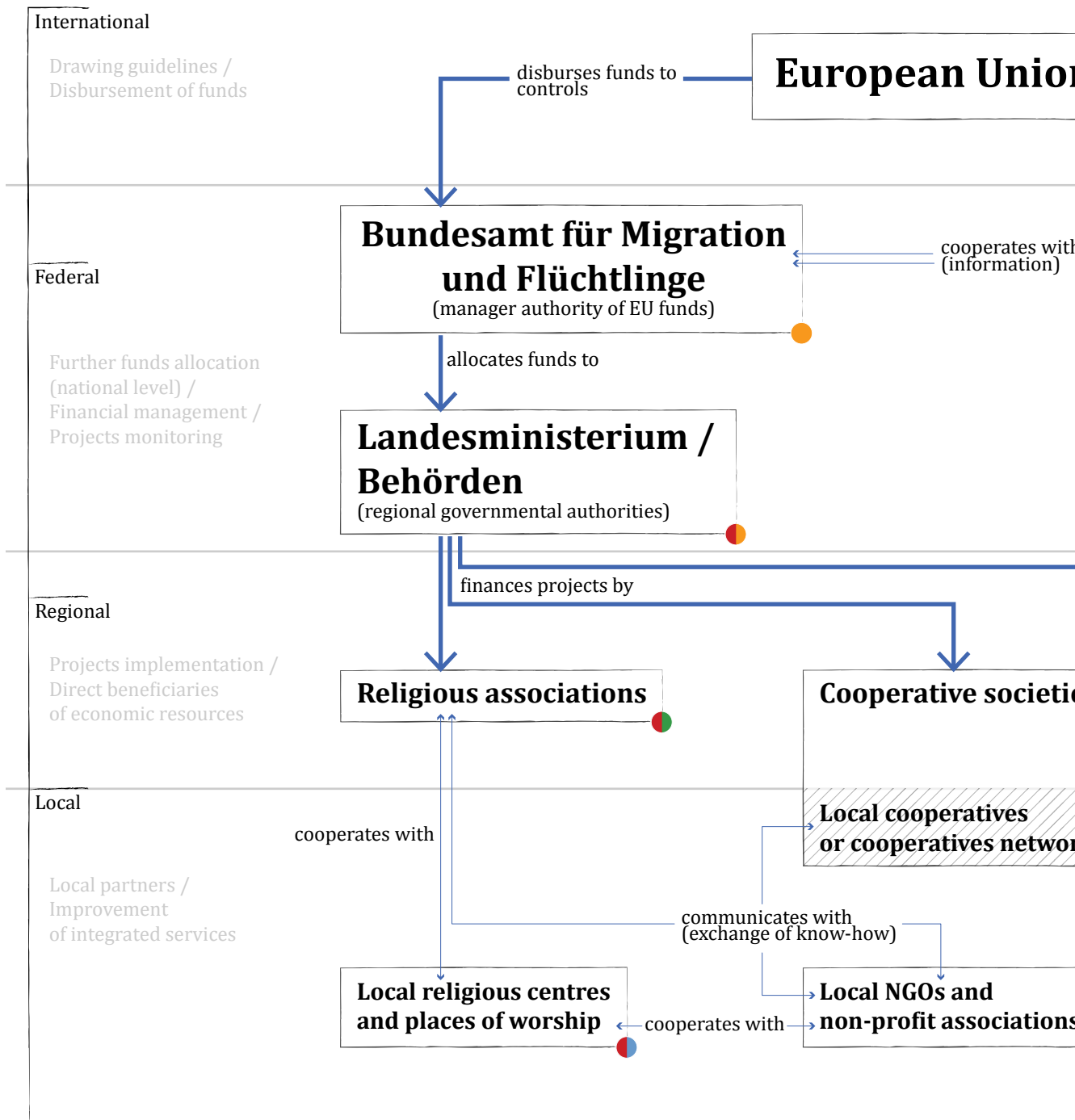
PARTNERSHIPS

- Strong, binding partnership (financing, cooperation)
- Voluntary, independent partnership (monitoring, exchange of information)
- Missing link (partnership)
- Subordinate, underling relation (mono-directional)
- Complementary, cooperative relation (bidirectional)

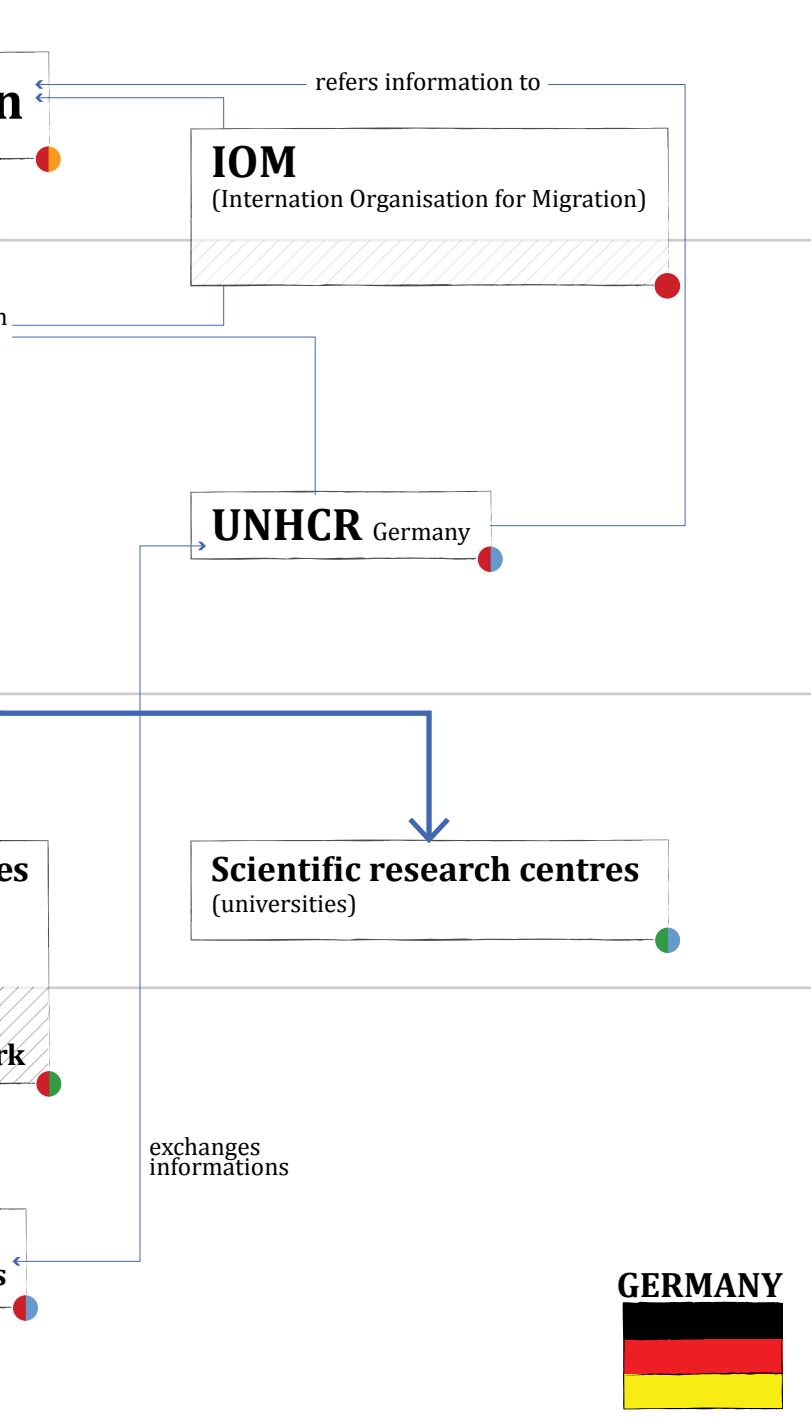
ROLES/FUNCTIONS

- Economic/financing
- Practical implementation of projects
- Exchange of information and/or know-how
- Monitoring

Picture 4a. Actors network for the implementation of refugees' reception accommodation



Migration projects in Germany



ACTORS

- Actor (or plural actor, union of different subjects)
- Multi-level agency (of an actor or a part of it)

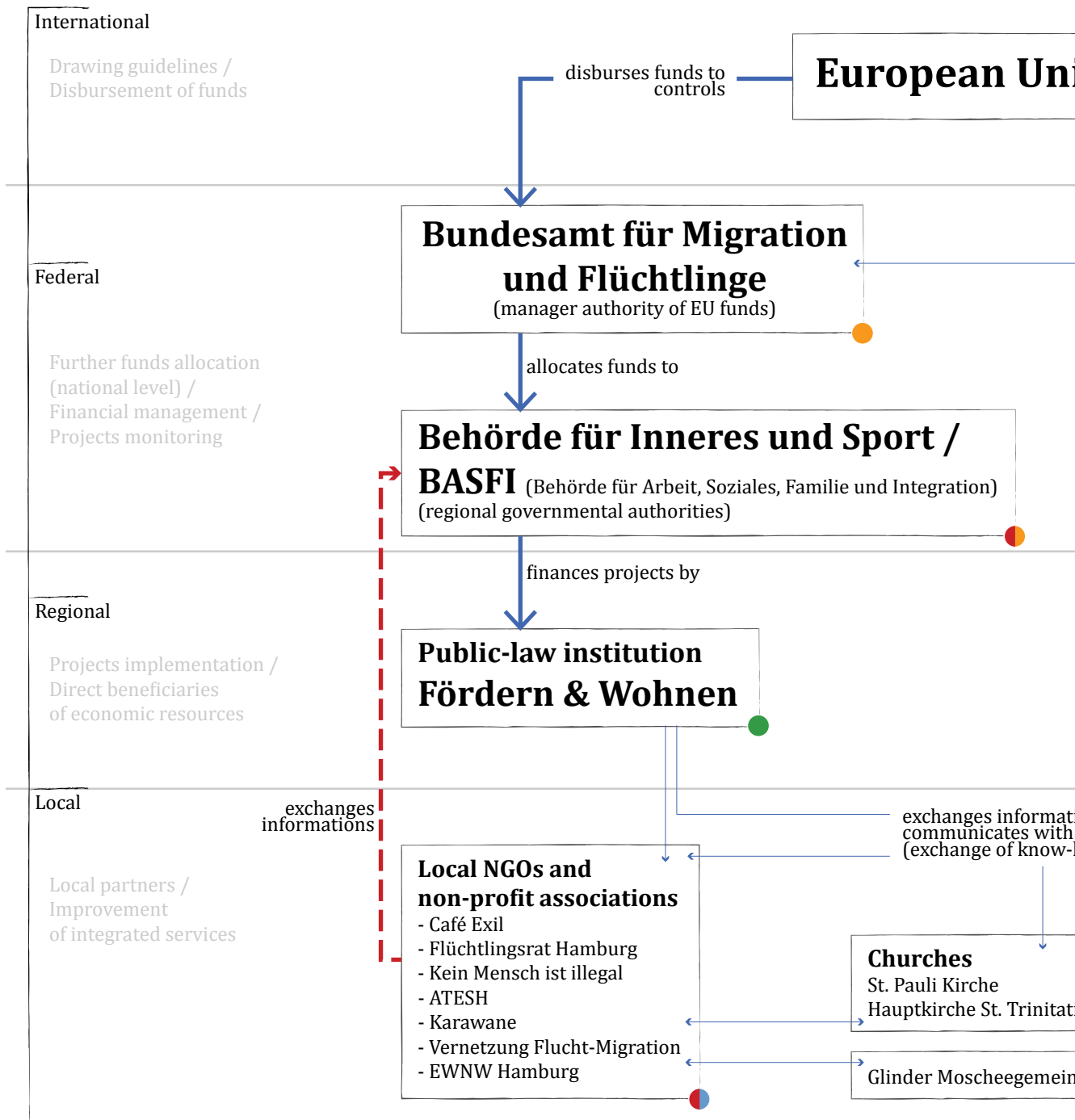
PARTNERSHIPS

- Strong, binding partnership (financing, cooperation)
- Voluntary, independent partnership (monitoring, exchange of information)
- Missing link (partnership)
- Subordinate, underling relation (mono-directional)
- Complementary, cooperative relation (bidirectional)

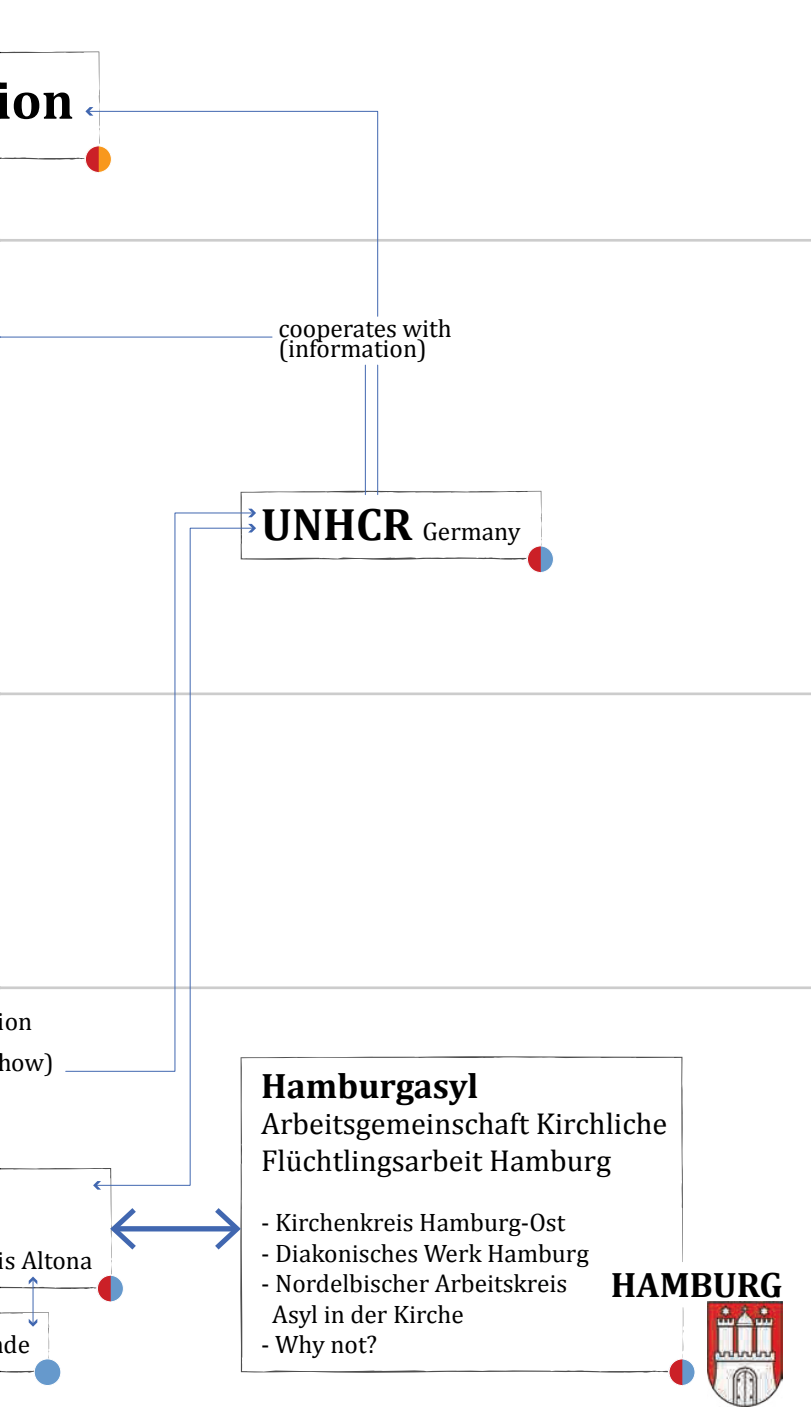
ROLES/FUNCTIONS

- Economic/financing
- Practical implementation of projects
- Exchange of information and/or know-how
- Monitoring



Picture 4b. Actors network for the implementation of refugees' reception accommo








Information projects in Hamburg







ACTORS

- Actor (or plural actor, union of different subjects) 
- Multi-level agency (of an actor or a part of it) 

PARTNERSHIPS

- Strong, binding partnership (financing, cooperation) 
- Voluntary, independent partnership (monitoring, exchange of information) 
- Missing link (partnership) 
- Subordinate, underling relation (mono-directional) 
- Complementary, cooperative relation (bidirectional) 

ROLES/FUNCTIONS

- Economic/financing 
- Practical implementation of projects 
- Exchange of information and/or know-how 
- Monitoring 

Unheard voices

Ethnographic reports of the little talks with the Lampedusa-Hamburg refugees

Kwadwo

Representative of the protest-movement *Lampedusa-Hamburg*

17 June 2013, Protest-camp in Steindamm, St. Georg district

He explains to me why do the refugees are protesting so manifestly in the centre of Hamburg: the migrants want to raise up their voices against the misleading information that have been given by the media about their status, about the reasons that led them in Germany, about their living conditions and expectations. The white tent at the beginning of the Steindamm, near the central station, is not just an Info point for the people interested in the histories and claims of this group of refugees who came from Italy a few months ago; it is rather an instrument for the socialisation of migrants, a place where to exchange information, to discuss together and to gather against social injustice. The refugees are at the moment excluded from any type of integration process in German society: they are unemployed, although allowed to work

in Italy; they are homeless and some of them have been hosted by a church in Sankt Pauli; they cannot communicate with or be joined by their families, who they left almost three (or more) years ago, once they emigrated to Libya (before escaping the country towards Europe); they do not have any money or source of income, and should eat whatever they find or is given (again, mostly by the church). They meet every day, around 7 p.m., to discuss and decide which common line to adopt towards the German institutions and with the helping organisations.

Kwadwo and the other migrants come mostly from Senegal, Mali, Nigeria and Ghana, and they are not afraid to speak with the people passing by. On the contrary, they care very much to show their documents (once they discovered I was Italian, I have been showed personal ID cards, passports, the card of the dormitory in Hamburg, several different cards from assistance services or charity NGOs they referred to, once they were living in Italy) and tell their situation, if not their personal story and migration towards Germany.

At the moment they mostly need primary sustenance goods, such as water, some food to distribute among the bystanders, clothes or money. Flyers, paper, notebooks or any writing material is also collected: another sign of their need to express themselves.

...

Andreas

Responsible for the management of the refugees in St. Pauli Nordkirche
Wednesday, 26 June 2013. Sankt Pauli Kirche, Pinnaasberg 80

Andreas comes from Ghana. He came in Italy after having escaped from Libya two years ago. He arrived in Milan and lived in Gorgonzola (MI) into a lodgement provided by the municipality. He did not like how he and his friends were treated in this centre: he defines the relationships with the managers of the place as authoritarian and coercive. He did not receive neither help (indications and information about laws in Italy, about the place he and his friends were living in) nor material support (for example, public transportation tickets or clothes), except from the EUR 70 per month foreseen by the law. In a few months he never saw a social assistant, a representative of UNHCR or some volunteers of local NGOs to speak with- he says they were not allowed to enter the camp. He has a very strong personality and is aware and interest-

ed about the political situation in many European countries, especially with regards to asylum matters; he has the makings of a leader.

He tells me about his "Italian experience", confirming many doubt and reflection I already made in the past months: for the convocation in the central police station (Questura), the communications arrive always late to the people in concern, or at least just a day before the appointment; it often prevents them to reach the meeting place in time (which is a serious problem for the acknowledgment of asylum request). In his opinion, this is due mainly to the prohibition of using mobile phones and computers: how should I organise my daily life? He assumes that this was a preventing measure to avoid the communications between migrants, which could eventually degenerate into organised forms of protest or demonstration inside the camp.

...

Amar

About 27-28 years old, from Nigeria
Sunday, 14 July 2013. Trintätskirche, Altona

Searching for a theatre play that should have been organised by the refugees for the Ramadan, I came to the Trintätskirche in Altona where a meeting of refugees was about to take place instead (the indications I got were false:

the play was at the evening, the people I asked misunderstood the word “event”, thinking about the public discussion they held each Sunday). Near the church I met Amar, a Nigerian guy of about 27-28 years old. He escaped from Libya where he was a bricklayer, arrived in Italy in Lampedusa and lived in a camp in Cremona. He continues to say that the life he lives “is not life”, complains about the impossibility to find a work in Europe: “I could make my money in Nigeria, or in Libya, but it is impossible to come into the European employment system for us”. He thinks that work is the most important thing for a refugee: he spent the last two years finding a way for sleeping and eating, and he felt bad about not doing anything else. Working is the basis to improve one individual; besides, he never experienced sleeping on the streets, because “an Arab man must have a proper accommodation, and to get one you have to do your job”. A proper job. He is very disappointed seeing some friends of him selling drugs on the streets, but he understands that they have no choice (“sometimes you want to eat something good and tasty, and you need money for it”). He thinks that, at the moment, these meetings are very important for him and his friends: since they can’t work or accede a public accommodation or enter the welfare system, the only way they have to get empowered and informed is to meet regularly, in order to exchange infor-

mation. He would like to have something else to do, but for the moment he likes to meet his friends to share common problems and trying to find solutions (while we are discussing, he calls a friend via mobile phone to hurry him up for the meeting). He tells me about the beginning of his second migration, i.e. the moment when he decided to leave Italy. Without a job and living in bad condition in the camp, one day the police came with the documents of all refugees and a box full of money. They have been given EUR 500 and told that they could leave Italy for every country they would have liked in Europe: Denmark, Spain, Germany. Amar decided to come to Hamburg, where he now lives since 5 months. At the beginning he slept in parks, now with other refugees he stays at the St. Pauli Kirche (where also Andreas lives). “We have many problems, many problems man”.



Isa, Mohammad, Moutala

First attendees of German classes

Tuesday, 15 October 2013. Sankt Pauli Kirche, Pinnasberg 80

I met this group of refugees the week after the police started to control their documents, and to bring some member of the Lampedusa-Hamburg group to the police central station for identification procedures. At that time, their idea about what to do and the feelings

they shared about the current situation were certainly confused. They nevertheless took part at the German lesson and shared, before or after it, some of their thoughts.

Isa is a 23 years old guy from Niger. He lived in Milan, in viale Monza, in a private apartment with some friends of him. He speaks a broken English and a little bit of Italian. He laughs all the time, but he does not seem really interested in sharing deeper opinions about the situation of the refugees in Hamburg, or about his personal experiences. His difficulties in learning the language could be a serious barrier to overcome.

Moutala is about 27 years old, and comes from Ghana. He lived in Naples, where he learned to speak Italian with the southern dialect (he greets me in Neapolitan, "we cumpà"). He moved than to Milan, lived in via Assietta (in a dormitory which is property of and managed by Comunità di Sant'Egidio) and worked for a while as a painter or as waiter in a restaurant. He thinks that in Germany is not so easy to find these types of work.

Mohammed is 25. He lived in Conegliano, near Treviso. He found Italians more supportive than Germans, and thinks to go back to Italy to avoid further controls and abuses from the police. He told me quite frankly that an ordinary job obtained informally (i.e. on the black labour market) in Italy is better than to wait forever to be allowed

to stay in Germany, searching for a job there. He thinks he'll have better opportunities if he gains an extension of his *permesso di soggiorno* in Italy, and meditates on the possibility to go back.

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Brides

From Ghana

Tuesday, 29 October 2013. Sankt Pauli Kirche, Pinnasberg 80

Brides is about 28-30 years old. When I first him, he is fixing the rear wheel of a bicycle. He lived in the refugee camp of Castelvetro (near Palermo, Sicily) for one year and 7 months, without a real possibility to find a job in Sicily - or anywhere else. On the 28th of February, 2013, when Italian government decided to close the North-Africa emergency, he finally left the camp. He slept for two weeks on the streets doing nothing, as his homeless condition strongly affected his attempts to find a job; he did not want to beg for money, though. In March he finally decided to leave Sicily to come to Germany.

He remarks that the provision of a lodgement does not correspond at all to the coverage of the actual needs of refugees. Brides thinks that Italians are nice people: he started to consider his life safe once he landed in Lampedusa. But from that very moment, his needs radically changed.

In the church some Germans are play-

ing instruments and singing together with the refugees.

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Mohammed

25 years old

Tuesday, 12 October 2013. Sankt Pauli Kirche, Pinnasberg 80

Mohammed is 25 years old and has learnt a very good German during his first few months of stay in Hamburg. He understood the potential that learning a language offers to foster one's integration into the host society. Mohammed thinks that Italians are more friendly and open than the Germans, but he would like to stay here because of the better opportunities the labour market offers. He is currently visiting often his lawyer, in order to understand what to do to renew his documents: in a week he is going to travel to Italy, to Vicenza, where he will try to get an extension for his Italian documents. He still have some friends/relatives in Conegliano (Treviso) who could host him for a while. He does not know yet if to remain in Italy (after having obtained the extension of international protection for two more years) or to come back to Germany: in the first case, he assumes that he has better possibilities to enter the labour market (although illegally, he already work as painter, bricklayer and waiter in a restaurant); in the second case,

he understands that the economic and social situation in Italy is difficult, and that would be a reason for him to come back to Hamburg, even if "Germany has in this last month become hostile, I don't see any future perspective here". This indecisiveness is very difficult to overcome, even with the help of a lawyer (refugees are eventually supported by public lawyers or by associations): Mohammed does not know for sure if he can come back to Germany, and how - by now, he planned to travel to Italy by bus, in order to avoid controls and identity checks on the way south.

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Mubarak

Supports the unity of the group

Tuesday, 12 October 2013. Sankt Pauli Kirche, Pinnasberg 80 (Hamburg)

The week before I spoke with Mubarak, two important events happened, undermining the unity of Lampedusa-Hamburg group. The first one is the need of some to come back to Italy, either to renew their documents or to remain there¹ (they may have better chances to enter -although illegally- the labour market). The second one is the choice of some members to accept the solution offered by the Senate, i.e. to gain the status of *Duldung*. Mubarak

¹ It is the case of Mohammed, who left Hamburg to Italy in order to try to renew his documents.

showed a clear position with regards to these matters.

He tells me that the previous week some people (“about 5 or 6 members, not many of us”) decided to go back to Italy. They have the necessity to renew their *permesso di soggiorno* before it expires, travelling back to the country they left to come to Germany. This new, temporary migration is a big risk for them: having lost their legal right to remain in Germany, the only way they could travel back to Italy is by bus, in order to have better possibilities not to be stopped or controlled². “I do not know what do they want to do after having reached Italy: some of them told me they want to come back here in Hamburg, some others just have had enough to waste their time doing nothing, and would try to find a job in Italy, where they have been recognised (at least) as temporary refugees. What about me? I suffered a lot to come here in Germany, spent my time in struggling for a job and a proper accommodation. I ended up to be unemployed and to live in a church. Of course I think about going back to Italy, where I already know the places I can go to and the language; but I won’t give up with Germany until I see that I objectively have no possibilities here. Neither I want to accept the

solution which the Senate is offering to us. I want to stay here legally, to gain my complete independence and the right to work. Do you see what is happening here (indicates the place in which a tent for common activities was located)?” In the empty space left, some containers will be placed, in order to lodge the refugees who accepted the solution of the *Duldung*: “these people renounced somehow to fight for their complete rights, and many of us do not want to share the space of the church anymore with them. We are not fighting against each other”, but this seems to be the first fracture in the group of Lampedusa-Hamburg. “I do not want to give my documents to the German authorities, I do not accept to be controlled anymore, I already gave my fingerprints and personal information. I just want to be free, and *Duldung* is not a solution. It is a trap, and it won’t change our situation any better.”

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Agyie, Ismail

“Tolerated” Lampedusa-Hamburg
Tuesday, 19 November 2013. Sankt
Pauli Kirche, Pinnasberg 80

Agyie and Ismail come from Ghana. They have been in Hamburg since February-March: they came in Germany together from Pordenone, in North-East Italy. They do not speak any word of German; today is their first German

²The trains would be anyhow controlled by the DB Bahn ticket inspectors, while flying means to have one’s name entered into an international controlling-or checking- system.

class. Their biggest problem with the language is the pronunciation, so we spend almost half of the class to introduce those “impossible German sounds” they are not able to repeat. They say Italian it’s easier to learn, since it is “more harmonious, and people are helpful: if they see that you don’t understand, they will speak lower and clearer. It took a while for us to learn Italian, but we could make us understand and ask what for we wanted. Here is different, but we want to learn the language for our future”. They tell me that they accepted the *duldung*: a solution that does not fit perfectly to their expectations, but they have enough to fight for nothing and to fear police controls while they are on the streets. “At least, we know that we are allowed to remain in Germany, legally speaking”. “Do you have any idea of the right you got with the *duldung*, if you’ll got a public accommodation, a work, ...?” - I asked. No, they don’t. Till now they live in the containers outside the church.

After the class, they tell me they planned to fly back to Italy in January, in order to renew their documents. They are not even sure they will get new ones: some refugees did the same thing, successfully; some other travelled to Italy and never came back to Hamburg. They try to call their friends who still live in Italy, or to call the lawyer who was responsible for them in Pordenone, but it is very difficult to foresee what it will

happen to them, due the their particular situation.

Before I leave the church, we agree that the next week I will call in Italy to directly ask for information. From their side, they are in charge of collecting a list of question from all the group of Sankt Pauli refugees for me, to be asked to the lawyer at the phone.

...

Ilke

Inhabitant of Sankt Pauli

Tuesday, 26 November 2013. Sankt Pauli Kirche, Pinnasberg 80

WIR SIND ZUM ENDE! - Some containers have been settled in front of Sankt Pauli church, and occupied by 24 refugees. Some others have been placed in Altona, and will host a similar number of Lampedusa-Hamburg members. But many members of the group travelled back to Italy, moved to other German cities, or simply left the church without coming back. There’s no more 80 refugees around the church, as it happened at the beginning of this story. Ilke is a volunteer who lives near the church, and from June she support the refugees working almost full-time. “The circle is closed. I am happy for the guys, they can finally take back their individuality and privacy. The last months were intense, precarious, insecure: I gave them a lot of my time and efforts, but I learned so much from them. We don’t

know what is going to happen tomorrow”, but we can still reflect upon these months, upon the history of Lampedusa-Hamburg group and the rights they claimed for.

The church - It has been a shelter for the refugees, the first point in which they could “build their collective identity and pour the basis for a future -although provisional- in Germany. The refugees have been lodged at the first floor [the church has a balcony], where nobody else could access, in order to preserve that minimal division between the public space of the church and the private, individual space of their «bedrooms». However, they have been continuously disturbed from the pipe organ, the choir, the Mass. In summer they could wait outside, but having your spaces dependent on others’ times is not easy”.

The containers - “In the containers they do have at least a door and the keys to close it; they can leave their stuff inside, sleep all day long, if they want to. Finally a more domestic dimension, although we cannot speak properly of a home”.

The rift - And yet, the misinterpretation of information caused again some unpleasant episodes, “especially between francophone, who are not able to understand a mix of English and German (nobody speaks French here). The whole story of the *Duldung* -whether it is good or bad, it depends to one’s personal opinion- has been sustained

by the disclosure of wrong or partial information. Even some social parts, politically against the acceptance of the *Duldung* gave wrong indications to the refugees. And this obviously caused a rift inside the group: refugees started to mistrust some persons, to lose confidence in the group. Who got the *Duldung* has been labelled as weak and sympathiser of the institutions, because he accepted to be controlled and registered again in order to access some specific rights, to which the other just can’t. Who did not get the *Duldung* remained loyal to his principles of protest and of claim for the totality of rights, but does not have now an health insurance or the possibility to search for a regular job”.

Europe (and Italy) - “I believe that this story is almost at its end, although we still don’t know a certain conclusion. What I am sure about, is that it has shacked the fundamentals of the European asylum system, which is unequal and inhumane. Italy, which has its responsibilities, cannot afford to welcome refugees on the base of the European reception system for asylum seekers and refugees. Soon or later, it will be declassified like Greece, in which it is no more possible to repatriate failed asylum seekers [from Germany]. When this will happen, Germany and other European countries will have to take on their responsibilities. Then, the European asylum system would probably change”.

Essential laws

International treaties

The Universal Declaration of Human Rights (10 December 1948)

Article 13.

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

Full text: <http://www.un.org/en/documents/udhr/index.shtml>

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The European Convention on Human Rights (3 September 1953)

1950 original version: http://www.echr.coe.int/Documents/Collection_Convention_1950_ENG.pdf

Full text (and protocols): <http://conventions.coe.int/Treaty/en/Treaties/Html/005.htm>

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The Convention Relating to the Status of Refugees (22 April 1954)

Article 31. refugees unlawfully in the country of refugee

(1) The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

(2) The Contracting States shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

Full text (1951 Convention and 1967 Protocol): <http://www.unhcr.org/3b66c2aa10.html>

Schengen Agreement (1995)

Official website: <http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/schengen/>

EU website: http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/133020_en.htm

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Council Regulation (EC) No 343/2003, or Dublin Regulation (18 February 2003)

EU website: http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/133153_en.htm

Full text (pdf): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:050:0001:0010:EN:PDF>

Dublin III Regulation, 26 June 2013, full text (pdf): <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:180:0031:0059:EN:PDF>

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Italian laws and regulations

La Costituzione della Repubblica Italiana (27 December 1947)

Principi fondamentali, Art. 10

L'ordinamento giuridico italiano si conforma alle norme del diritto internazionale generalmente riconosciute.

La condizione giuridica dello straniero è regolata dalla legge in conformità delle norme e dei trattati internazionali.

Lo straniero, al quale sia impedito nel suo paese l'effettivo esercizio delle libertà democratiche garantite dalla Costituzione italiana, ha diritto d'asilo nel territorio della Repubblica secondo le

condizioni stabilite dalla legge.

Non è ammessa l'estradizione dello straniero per reati politici.

Official website: <http://governo.it/Governo/Costituzione/principi.html>

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Legge Martelli (28 February 1990, n. 39) - and modification of DL 30 December 1989, n. 416

Art. 1

(5) [...] lo straniero che intende entrare nel territorio dello Stato per essere riconosciuto rifugiato deve rivolgere istanza motivata e, in quanto possibile, documentata all'ufficio di polizia di frontiera. Qualora di tratti di minori non accompagnati, viene data comunicazione della domanda al tribunale dei minori competente per territorio ai fini della adozione dei provvedimenti di competenza. Qualora non ricorrano le ipotesi di cui al comma 4, lo straniero elegge domicilio nel territorio dello Stato.

Il questore territorialmente competente rilascia, dietro richiesta, un permesso di soggiorno temporaneo valido fino alla definizione della procedura di riconoscimento.

(7) Fino alla emanazione della nuova disciplina dell'assistenza in materia di rifugiati, in sostituzione di ogni altra forma di intervento di prima assistenza prevista dalla normativa vigente,

nei limiti delle disponibilità iscritte per lo scopo nel bilancio dello Stato, il Ministero dell'interno è autorizzato a concedere, ai richiedenti lo status di rifugiato che abbiano fatto ingresso in Italia dopo la data di entrata in vigore del presente decreto, un contributo di prima assistenza per un periodo non superiore a quarantacinque giorni. Tale contributo viene corrisposto, a domanda, ai richiedenti di cui al comma 5 che risultino privi di mezzi di sussistenza o di ospitalità in Italia.

Full text (pdf): http://www.asgi.it/public/pars-er_download/save/legge.28.febbraio.1990.n.39.pdf

...

Legge Turco-Napolitano (6 March 1998, n. 40)

TITOLO II, CAPO I, Art. 4 Ingresso nel territorio dello Stato

(3) [...] l'Italia, in armonia con gli obblighi assunti con l'adesione a specifici accordi internazionali, consentirà l'ingresso nel proprio territorio allo straniero che dimostri di essere in possesso di idonea documentazione atta a confermare lo scopo e le condizioni del soggiorno, nonché la disponibilità di mezzi di sussistenza sufficienti per la durata del soggiorno.

TITOLO II, CAPO II, Art. 10 Disposizioni contro le immigrazioni clandestine

TITOLO II, CAPO II, Art. 11 Espulsione amministrativa

(1) Per motivi di ordine pubblico o di sicurezza dello Stato, il ministro dell'Interno può disporre l'espulsione dello straniero anche non residente nel territorio dello Stato, dandone preventiva notizia al Presidente del Consiglio dei ministri e al ministro degli Affari esteri.

TITOLO V, CAPO III, Art. 38 Centri di Accoglienza. Accesso all'abitazione

(1) Le Regioni, in collaborazione con le Province e con i Comuni e con le associazioni e le organizzazioni di volontariato, predispongono centri di accoglienza destinati ad ospitare, anche in strutture ospitanti cittadini italiani o cittadini di altri Paesi dell'Unione europea, stranieri regolarmente soggiornanti per motivi diversi dal turismo, che siano temporaneamente impossibilitati a provvedere autonomamente alle proprie esigenze alloggiative e di sussistenza.

(2) I centri di accoglienza sono finalizzati a rendere autosufficienti gli stranieri ivi ospitati nel più breve tempo possibile.

(3) Per centri di accoglienza si intendono le strutture alloggiative che, anche gratuitamente, provvedono alle immediate esigenze alloggiative ed alimentari, nonché, ove possibile, all'offerta di occasioni di apprendimento della lingua italiana, di formazione

professionale, di scambi culturali con la popolazione italiana, e all'assistenza socio-sanitaria degli stranieri impossibilitati a provvedervi autonomamente per il tempo strettamente necessario al raggiungimento dell'autonomia personale per le esigenze di vitto e alloggio nel territorio in cui vive lo straniero.

(4) Lo straniero regolarmente soggiornante può accedere ad alloggi sociali, collettivi o privati, predisposti, secondo i criteri previsti dalle leggi regionali, dai Comuni di maggiore insediamento degli stranieri

TITOLO V, CAPO IV, Art. 40 Misure di integrazione sociale

Full text: <http://www.camera.it/parlam/leggi/98040l.htm>

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Legge Bossi-Fini (30 July 2002, n. 189)

CAPO I, Art. 3 Politiche migratorie

(2) [...] sono annualmente definite, entro il termine del 30 novembre dell'anno precedente a quello di riferimento del decreto, sulla base dei criteri generali individuati nel documento programmatico, le quote massime di stranieri da ammettere nel territorio dello Stato per lavoro subordinato, anche per esigenze di carattere stagionale, e per lavoro autonomo, tenuto conto dei ricongiungimenti familiari e delle misure di protezione temporanea eventualmente disposte ai sensi dell'articolo 20.

CAPO I, Art. 17 Determinazione dei flussi di ingresso

(1) [...] Nello stabilire le quote i decreti prevedono restrizioni numeriche all'ingresso di lavoratori di Stati che non collaborano adeguatamente nel contrasto all'immigrazione clandestina o nella riammissione di propri cittadini destinatari di provvedimenti di rimpatrio.

CAPO I, Art. 27 Centri di accoglienza e accesso all'abitazione

CAPO II, Art. 32 Procedura semplificata

(1-bis) [...] Il richiedente asilo non può essere trattenuto al solo fine di esaminare la domanda di asilo presentata. Esso può, tuttavia, essere trattenuto per il tempo strettamente necessario alla definizione delle autorizzazioni alla permanenza nel territorio dello Stato in base alle disposizioni del testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero, di cui al decreto legislativo 25 luglio 1998, n. 286, nei seguenti casi:

- a) per verificare o determinare la sua nazionalità o identità, qualora egli non sia in possesso dei documenti di viaggio o d'identità, oppure abbia, al suo arrivo nello Stato, presentato documenti risultati falsi;
- b) per verificare gli elementi su cui si basa la domanda di asilo, qualora tali elementi non siano immediatamente disponibili;

c) in dipendenza del procedimento concernente il riconoscimento del diritto ad essere ammesso nel territorio dello Stato.

- (2) Il trattenimento deve sempre essere disposto nei seguenti casi:
- a) a seguito della presentazione di una domanda di asilo presentata dallo straniero fermato per avere eluso o tentato di eludere il controllo di frontiera o subito dopo, o, comunque, in condizioni di soggiorno irregolare;
 - b) a seguito della presentazione di una domanda di asilo da parte di uno straniero già destinatario di un provvedimento di espulsione o respingimento.
- (1-*quater*) [...] sono istituite le commissioni territoriali per il riconoscimento dello status di rifugiato. Le predette commissioni, nominate con decreto del Ministro dell'interno, sono presiedute da un funzionario della carriera prefettizia e composte da un funzionario della Polizia di Stato, da un rappresentante dell'ente territoriale designato dalla Conferenza Stato-città ed autonomie locali e da un rappresentante dell'ACNUR.
- (1-*sexies*) [...] Gli enti locali che prestano servizi finalizzati all'accoglienza dei richiedenti asilo e alla tutela dei rifugiati e degli stranieri destinatari di altre forme di protezione umanitaria possono accogliere nell'ambito dei servizi medesimi il richiedente asilo privo di mezzi di sussistenza.

Full text: <http://www.camera.it/parlam/leggi/02189l.htm>

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DL 19 November 2007, n. 251

Full text: http://www.interno.gov.it/mininterno/site/it/sezioni/servizi/legislazione/immigrazione/0986_2008_01_05_Dlgs_19_11_2007_n.251.html

...

DL 28 January 2008, n. 25

Art. 3 Autorità competenti

- (1) Le autorità competenti all'esame delle domande di protezione internazionale sono le commissioni territoriali per il riconoscimento della protezione internazionale, di cui all'articolo 4.
- (2) L'ufficio di polizia di frontiera e la questura sono competenti a ricevere la domanda, secondo quanto previsto dall'articolo 26.
- (3) L'autorità preposta alla determinazione dello Stato competente all'esame della domanda di protezione internazionale in applicazione del regolamento (CE) n. 343/2003 del Consiglio, del 18 febbraio 2003, e l'Unità Dublino, operante presso il Dipartimento per le libertà civili e l'immigrazione del Ministero dell'interno.

Art. 4 Commissioni territoriali per il riconoscimento della protezione internazionale

Art. 8 Criteri applicabili all'esame delle domande

(1) Le domande di protezione internazionale non possono essere respinte, ne' escluse dall'esame per il solo fatto di non essere state presentate tempestivamente.

(2) La decisione su ogni singola domanda deve essere assunta in modo individuale, obiettivo ed imparziale

Art. 20 Casi di accoglienza

(3) Nel caso di cui al comma 2, lettera a), il richiedente e' ospitato nel centro per il tempo strettamente necessario agli adempimenti ivi previsti e, in ogni caso, per un periodo non superiore a venti giorni. Negli altri casi il richiedente e' ospitato nel centro per il tempo strettamente necessario all'esame della domanda innanzi alla commissione territoriale e, in ogni caso, per un periodo non superiore a trentacinque giorni. Allo scadere del periodo di accoglienza al richiedente e' rilasciato un permesso di soggiorno temporaneo valido tre mesi, rinnovabile fino alla decisione della domanda.

(4) La residenza nel centro non incide sull'esercizio delle garanzie inerenti alla sua domanda, ne' sulla sfera della sua vita privata, fatto salvo il rispetto delle regole di convivenza previste nel regolamento di cui al comma 5, che garantiscono comunque la facoltà di uscire dal centro nelle ore diurne. Il richiedente può chiedere al prefetto un permesso temporaneo di allontanamento dal centro per un periodo di tempo diverso o superiore a quello di

uscita, per rilevanti motivi personali o per motivi attinenti all'esame della domanda, fatta salva la compatibilità con i tempi della procedura per l'esame della domanda. Il provvedimento di diniego sulla richiesta di autorizzazione all'allontanamento e' motivato e comunicato all'interessato ai sensi dell'articolo 10, comma 4.

(5) Con il regolamento di cui all'articolo 38 sono fissate, le caratteristiche e le modalità di gestione, anche in collaborazione con l'ente locale, dei centri di accoglienza richiedenti asilo, che devono garantire al richiedente una ospitalità che garantisca la dignità della persona e l'unità del nucleo familiare. Il regolamento tiene conto degli atti adottati dall'ACNUR, dal Consiglio d'Europa e dall'Unione europea. L'accesso alle strutture e' comunque consentito ai rappresentanti dell'ACNUR, agli avvocati ed agli organismi ed enti di tutela dei rifugiati con esperienza consolidata nel settore, autorizzati dal Ministero dell'interno.

Full text: <http://www.camera.it/parlam/leggi/deleghe/08025dl.htm>

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DL 30 July 2013

Modalità di presentazione delle domande di contributo da parte degli enti locali che prestano servizi finalizzati all'accoglienza dei richiedenti e dei titolari di protezione internazionale ed umanitaria, triennio 2014-2016. Linee

guida e modelli di domanda.

Full text: <http://www.gazzettaufficiale.biz/atti/2013/20130207/13A07254.htm>

...

German laws and regulations

Grundgesetz für die Bundesrepublik Deutschland (GG, 23 May 1949)

Art. 16a

(1) Politisch Verfolgte genießen Asylrecht.

(2) Auf Absatz 1 kann sich nicht berufen, wer aus einem Mitgliedstaat der Europäischen Gemeinschaften oder aus einem anderen Drittstaat einreist, in dem die Anwendung des Abkommens über die Rechtsstellung der Flüchtlinge und der Konvention zum Schutze der Menschenrechte und Grundfreiheiten sichergestellt ist. Die Staaten außerhalb der Europäischen Gemeinschaften, auf die die Voraussetzungen des Satzes 1 zutreffen, werden durch Gesetz, das der Zustimmung des Bundesrates bedarf, bestimmt. In den Fällen des Satzes 1 können aufenthaltsbeendende Maßnahmen unabhängig von einem hiergegen eingelegten Rechtsbehelf vollzogen werden.

(3) Durch Gesetz, das der Zustimmung des Bundesrates bedarf, können Staaten bestimmt werden, bei denen auf Grund der Rechtslage, der Rechtsanwendung und der allgemeinen politischen Verhältnisse gewährleistet erscheint, daß dort weder politische Verfolgung

noch unmenschliche oder erniedrigende Bestrafung oder Behandlung stattfindet. Es wird vermutet, daß ein Ausländer aus einem solchen Staat nicht verfolgt wird, solange er nicht Tatsachen vorträgt, die die Annahme begründen, daß er entgegen dieser Vermutung politisch verfolgt wird.

(4) Die Vollziehung aufenthaltsbeendender Maßnahmen wird in den Fällen des Absatzes 3 und in anderen Fällen, die offensichtlich unbegründet sind oder als offensichtlich unbegründet gelten, durch das Gericht nur ausgesetzt, wenn ernstliche Zweifel an der Rechtmäßigkeit der Maßnahme bestehen; der Prüfungsumfang kann eingeschränkt werden und verspätetes Vorbringen unberücksichtigt bleiben. Das Nähere ist durch Gesetz zu bestimmen.

(5) Die Absätze 1 bis 4 stehen völkerrechtlichen Verträgen von Mitgliedstaaten der Europäischen Gemeinschaften untereinander und mit dritten Staaten nicht entgegen, die unter Beachtung der Verpflichtungen aus dem Abkommen über die Rechtsstellung der Flüchtlinge und der Konvention zum Schutze der Menschenrechte und Grundfreiheiten, deren Anwendung in den Vertragsstaaten sichergestellt sein muß, Zuständigkeitsregelungen für die Prüfung von Asylbegehren einschließlich der gegenseitigen Anerkennung von Asylentscheidungen treffen.

Entire law: <http://www.gesetze-im-internet.de/gg/index.html>

Full text (pdf): <http://www.gesetze-im-internet.de/bundesrecht/gg/gesamt.pdf>

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Asylverfahrensgesetz (AsylVfG, 26 June 1992)

Art. 13 Asylantrag

(1) Ein Asylantrag liegt vor, wenn sich dem schriftlich, mündlich oder auf andere Weise geäußerten Willen des Ausländers entnehmen lässt, dass er im Bundesgebiet Schutz vor politischer Verfolgung sucht oder dass er Schutz vor Abschiebung oder einer sonstigen Rückführung in einen Staat begehrt, in dem ihm die in § 60 Abs. 1 des Aufenthaltsgesetzes bezeichneten Gefahren drohen.

(2) Mit jedem Asylantrag wird sowohl die Zuerkennung der Flüchtlingseigenschaft als auch, wenn der Ausländer dies nicht ausdrücklich ablehnt, die Anerkennung als Asylberechtigter beantragt.

(3) Ein Ausländer, der nicht im Besitz der erforderlichen Einreisepapiere ist, hat an der Grenze um Asyl nachzusuchen (§ 18).

Art. 19 Aufgaben der Ausländerbehörde und der Polizei

(1) Ein Ausländer, der bei einer Ausländerbehörde oder bei der Polizei eines Landes um Asyl nachsucht, ist in den Fällen des § 14 Abs. 1 unverzüglich an die zuständige oder, soweit diese nicht bekannt ist, an die nächstgelegene Aufnahmeeinrichtung zur Meldung weit-

erzuleiten.

(3) Ein Ausländer, der aus einem sicheren Drittstaat (§ 26a) unerlaubt eingereist ist, kann ohne vorherige Weiterleitung an eine Aufnahmeeinrichtung nach Maßgabe des § 57 Abs. 1 und 2 des Aufenthaltsgesetzes dorthin zurückgeschoben werden. In diesem Falle ordnet die Ausländerbehörde die Zurückschiebung an, sobald feststeht, dass sie durchgeführt werden kann.

Art. 30 Offensichtlich unbegründete Asylanträge

(1) Ein Asylantrag ist offensichtlich unbegründet, wenn die Voraussetzungen für eine Anerkennung als Asylberechtigter und die Voraussetzungen für die Zuerkennung der Flüchtlingseigenschaft offensichtlich nicht orliegen.

(2) Ein Asylantrag ist insbesondere offensichtlich unbegründet, wenn nach den Umständen des Einzelfalles offensichtlich ist, dass sich der Ausländer nur aus wirtschaftlichen Gründen oder um einer allgemeinen Notsituation oder einer kriegerischen Auseinandersetzung zu entgehen, im Bundesgebiet aufhält.

(3) Ein unbegründeter Asylantrag ist als offensichtlich unbegründet abzulehnen, wenn

1. in wesentlichen Punkten das Vorbringen des Ausländers nicht substantiiert oder in sich widersprüchlich ist, offenkundig den Tatsachen nicht entspricht oder auf gefälschte oder verfälschte Beweismittel

gestützt wird,

2. der Ausländer im Asylverfahren über seine Identität oder Staatsangehörigkeit täuscht oder diese Angaben verweigert,

3. er unter Angabe anderer Personalien einen weiteren Asylantrag oder ein weiteres Asylbegehren anhängig gemacht hat,

4. er den Asylantrag gestellt hat, um eine drohende Aufenthaltsbeendigung abzuwenden, obwohl er zuvor ausreichend Gelegenheit hatte, einen Asylantrag zu stellen,

5. er seine Mitwirkungspflichten nach § 13 Abs. 3 Satz 2, § 15 Abs. 2 Nr. 3 bis 5 oder § 25 Abs. 1 gröblich verletzt hat, es sei denn, er hat die Verletzung der Mitwirkungspflichten nicht zu vertreten oder ihm war die Einhaltung der Mitwirkungspflichten aus wichtigen Gründen nicht möglich,

6. er nach §§ 53, 54 des Aufenthaltsgesetzes vollziehbar ausgewiesen ist oder

7. er für einen nach diesem Gesetz handlungsunfähigen Ausländer gestellt wird oder nach § 14a als gestellt gilt, nachdem zuvor Asylanträge der Eltern oder des allein personensorgeberechtigten Elternteils unanfechtbar abgelehnt worden sind.

Art. 33 Nichtbetreiben des Verfahrens

(1) Der Asylantrag gilt als zurückgenommen, wenn der Ausländer das Ver-

fahren trotz Aufforderung des Bundesamtes länger als einen Monat nicht betreibt. In der Aufforderung ist der Ausländer auf die nach Satz 1 eintretende Folge hinzuweisen.

(2) Der Asylantrag gilt ferner als zurückgenommen, wenn der Ausländer während des Asylverfahrens in seinen Herkunftsstaat gereist ist.

Art. 47 Aufenthalt in Aufnahmeeinrichtungen

(1) Ausländer, die den Asylantrag bei einer Außenstelle des Bundesamtes zu stellen haben (§ 14 Abs. 1), sind verpflichtet, bis zu sechs Wochen, längstens jedoch bis zu drei Monaten, in der für ihre Aufnahme zuständigen Aufnahmeeinrichtung zu wohnen. Das Gleiche gilt in den Fällen des § 14 Abs. 2 Nr. 2, wenn die Voraussetzungen dieser Vorschrift vor der Entscheidung des Bundesamtes entfallen.

(2) Sind Eltern eines minderjährigen ledigen Kindes verpflichtet, in einer Aufnahmeeinrichtung zu wohnen, so kann auch das Kind in der Aufnahmeeinrichtung wohnen, auch wenn es keinen Asylantrag gestellt hat.

(3) Für die Dauer der Pflicht, in einer Aufnahmeeinrichtung zu wohnen, ist der Ausländer verpflichtet, für die zuständigen Behörden und Gerichte erreichbar zu sein.

(4) Die Aufnahmeeinrichtung weist den Ausländer innerhalb von 15 Tagen nach der Asylantragstellung möglichst schriftlich und in einer Sprache, deren

Kenntnis vernünftigerweise vorausgesetzt werden kann, auf seine Rechte und Pflichten nach dem Asylbewerberleistungsgesetz hin. Die Aufnahmeeinrichtung benennt in dem Hinweis nach Satz 1 auch, wer dem Ausländer Rechtsbeistand gewähren kann und welche Vereinigungen den Ausländer über seine Unterbringung und medizinische Versorgung beraten können.

Art. 48 Beendigung der Verpflichtung, in einer Aufnahmeeinrichtung zu wohnen

Die Verpflichtung, in einer Aufnahmeeinrichtung zu wohnen, endet vor Ablauf von drei Monaten, wenn der Ausländer

1. verpflichtet ist, an einem anderen Ort oder in einer anderen Unterkunft Wohnung zu nehmen,
2. unanfechtbar als Asylberechtigter anerkannt ist oder ihm unanfechtbar die Flüchtlingseigenschaft zuerkannt wurde oder
3. nach der Antragstellung durch Eheschließung im Bundesgebiet die Voraussetzungen für einen Rechtsanspruch auf Erteilung eines Aufenthaltstitels nach dem Aufenthaltsgesetz erfüllt.

Art. 50 Landesinterne Verteilung

(1) Ausländer sind unverzüglich aus der Aufnahmeeinrichtung zu entlassen und innerhalb des Landes zu verteilen, wenn das Bundesamt der zuständigen Landesbehörde mitteilt, dass

1. nicht oder nicht kurzfristig

entschieden werden kann, dass der Asylantrag unzulässig, unbeachtlich oder offensichtlich unbegründet ist und ob die Voraussetzungen des § 60 Abs. 2 bis 5 oder Abs. 7 des Aufenthaltsgesetzes in der Person des Ausländers, seines Ehegatten oder seines minderjährigen ledigen Kindes vorliegen, oder

2. das Verwaltungsgericht die aufschiebende Wirkung der Klage gegen die Entscheidung des Bundesamtes angeordnet hat. Eine Verteilung kann auch erfolgen, wenn der Ausländer aus anderen Gründen nicht mehr verpflichtet ist, in der Aufnahmeeinrichtung zu wohnen.

(2) Die Landesregierung oder die von ihr bestimmte Stelle wird ermächtigt, durch Rechtsverordnung die Verteilung zu regeln, soweit dies nicht durch Landesgesetz geregelt ist.

(3) Die zuständige Landesbehörde teilt innerhalb eines Zeitraumes von drei Arbeitstagen dem Bundesamt den Bezirk der Ausländerbehörde mit, in dem der Ausländer nach einer Verteilung Wohnung zu nehmen hat.

Art. 56 Räumliche Beschränkung

(1) Die Aufenthaltsgestattung ist räumlich auf den Bezirk der Ausländerbehörde beschränkt, in dem die für die Aufnahme des Ausländers zuständige Aufnahmeeinrichtung liegt. In den Fällen des § 14 Abs. 2 Satz 1 ist die Aufenthaltsgestattung räumlich auf den Bezirk der Ausländerbehörde beschränkt,

in dem der Ausländer sich aufhält.

(2) Wenn der Ausländer verpflichtet ist, in dem Bezirk einer anderen Ausländerbehörde Aufenthalt zu nehmen, ist die Aufenthaltsgestattung räumlich auf deren Bezirk beschränkt.

(3) Räumliche Beschränkungen bleiben auch nach Erlöschen der Aufenthaltsgestattung in Kraft bis sie aufgehoben werden.

Full text (pdf): http://www.gesetze-im-internet.de/bundesrecht/asylzbv_2008/gesamt.pdf

Entire law: http://www.gesetze-im-internet.de/asylvfg_1992/index.html

Full text (pdf): http://www.gesetze-im-internet.de/bundesrecht/asylvfg_1992/gesamt.pdf

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Gesetz zur Neuregelung des Asylverfahrens (AsylVfGNG, 26 June 1992)

Entire law: <http://www.gesetze-im-internet.de/asylvfgng/index.html>

Full text (pdf): <http://www.gesetze-im-internet.de/bundesrecht/asylvfgng/gesamt.pdf>

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Asylbewerberleistungsgesetz (AsylbLG, 30 June 1993)

Entire law: <http://www.gesetze-im-internet.de/asylblg/index.html>

Full text (pdf): <http://www.gesetze-im-internet.de/bundesrecht/asylblg/gesamt.pdf>

...

Verordnung zur Neufassung der Asylzuständigkeitsbestimmungsverordnung (AsylZBV, 2 April 2008)

Entire law: http://www.gesetze-im-internet.de/asylzbv_2008/index.html

Bibliography

Agustoni A., *Abitare e insediarsi*, in "Ismu, Tredicesimo rapporto sulle migrazioni 2007", FrancoAngeli (Milano, 2007), pp. 165-183.

Agustoni A., *Abitare e insediarsi*, in "Ismu, Dodicesimo rapporto sulle migrazioni 2006", FrancoAngeli (Milano, 2006), pp. 165-184.

Agustoni A., *Abitare e insediarsi*, in "Ismu, Undicesimo rapporto sulle migrazioni 2005", FrancoAngeli (Milano, 2005), pp. 203-224.

Agustoni A., *I vicini di casa. Mutamento sociale, convivenza interetnica e percezioni urbane nei quartieri popolari di Milano*, FrancoAngeli (Milano, 2003).

Agustoni A., Alietti A., *Migrazioni, politiche urbane e abitative. Dalla dimensione Europea alla dimensione locale - Rapporto 2010*, Fondazione ISMU (Milano, 2011).

Agustoni A., Alietti A., *Società urbane e convivenza interetnica. Vita quotidiana e rappresentazioni degli immigrati in un quartiere di Milano*, FrancoAngeli (Milano, 2009).

Alietti A., Cabras M., Lorenzoni D., Verardi R., *Milano, Stadera: abitare i luoghi delle differenze*, Istituto Ecopolis/FrancoAngeli (Milano, 1998).

Ambrosini M., *Immigrazione irregolare e politiche di contrasto: retoriche e realtà*, in "Mondi Migranti, 3/2009", FrancoAngeli (Milano, 2010), pp. 177-184.

Ambrosini M., Marchetti C., *Cittadini possibili: Un nuovo approccio all'accoglienza e all'integrazione dei rifugiati*, FrancoAngeli (Milano, 2008).

Amnesty International, 2103, *Annual Report*.

Andall J., *Gender and Ethnicity in Contemporary Europe*, Berg Publisher (London, 2003).

Angenendt S., *Zirkuläre Migration*, SWP-Aktuell (Berlin, April 2007).

Appadurai A., *Democrazia profonda: governamentalità urbana e orizzonte della politica*, in *“Le aspirazioni nutrono la democrazia”*, et al. (Milano, 2011).

Associazione Naga, *Abitare la città invisibile. Rapporto 2003-2004*, Osservatorio NAGA - Gruppo Medicina di Strada (Milano, March 2005).

Associazione Naga, *Richiedenti asilo e rifugiati: panoramica su normativa e prassi*, (Milano, November 2012).

Avola M., Consoli M.T., *Il fenomeno migratorio nell'Europa del Sud. Il caso siciliano tra stanzialità e transizione*, FrancoAngeli (Milano, 2009).

Balbo M., *Social and spatial inclusion of international migrants: local responses to a global process*, SSIIM Paper Series, Università IUAV (Venezia, 2009).

Behörde für Arbeit, Soziales, Familie und Integration, *Hamburger Integrationskonzept*, (Hamburg, 23 November 2012).

Blangiardo C., *L'immigrazione straniera in Lombardia: La dodicesima indagine regionale*, Fondazione ISMU (Milano, 2013).

Bosswick W., *Development of Asylum Policy in Germany*, European Forum for Migration Studies, Bamberg, in *“Journal of Refugee Studies”*, Oxford University Press (Oxford, 2000).

Bottero B., Delera A., Dentis E., Ferraresi G., Gaetani G., Golinelli C., Spagnoli L., *Housing: Inchiesta sull'edilizia residenziale nel comprensorio Milanese*, Quaderno n.3 del Dipartimento di Programmazione, Progettazione e Produzione Edilizia, Politecnico di Milano (Milano, 1987).

Brenner N., *The Urban Question as a Scale Question: Reflections on Henri Lefebvre, Urban Theory and the Politics of Scale*, on the *International Journal of Urban and Regional Research*, Joint Editors and Blackwell Publishers (Oxford, June 2000), Vol. 24, n. 2, pp. 361-378.

Bricocoli M., *Abbassare la soglia*, in Molinatto P., Ronconi S., *“Sostegno tra pari e servizi a bassa soglia”*, Edizioni Gruppo Abele (Torino, 2003), pp. 87-101.

Bundesamt für Migration und Flüchtlinge, *Aktuelle Zahlen zu Asyl*, (Nürnberg, 2013.a).

Bundesamt für Migration und Flüchtlinge, *Europäischer Flüchtlingsfonds: Einjähriges Programm 2013*, (Nürnberg, 2013.b).

Café Exil, *DUBLIN II - Regulation and Asylum in Germany*, (Hamburg, 2012).

Cottino P., *La città imprevista. Il dissenso nell'uso dello spazio*, Elèuthera (Milano, 2003).

- Council of Europe, *The European Social Charter*, (Strasbourg, 3 May 1996).
- D'Abundo A., *Sprachlos in Berlin*, on *der Freitag*, Nr. 41, 10 October 2013, p. 22.
- Dente B., *Le decisioni di policy*, Il Mulino (Bologna, 2011).
- Edgar B., Doherty J., Meert H., *Access to housing. Homelessness and vulnerability in Europe*, The Policy Press (Bristol, 2002).
- Fideli R., Marradi A., *Intervista*, in *“Enciclopedia delle Scienze Sociali”*, Istituto della Enciclopedia Italiana (Roma, 1996), pp. 71-82.
- Finger E., *Letzte Zuflucht*, on *DIE ZEIT*, Nr. 30, 18 July 2013, p. 52.
- Fontanari E., Gennari L., *I CIE: anomalia giuridica che diventa norma-le*, independent press (2013).
- Foucault M., *Sicurezza, territorio, popolazione. Corso al Collège da France (1977-1978)*, in *Campi del sapere*, Feltrinelli (Milano, 2010).
- Gag M., *Integration of refugees into the European educational and labour market: Requirements for a target oriented approach (EduAsyl)*, passage gGmbH (Hamburg, April 2012).
- Gag M., Schroeder J., *REFUGEE MONITORING: Zur Situation junger Flüchtlinge im Hamburger Übergangssystem Schule / Beruf*, passage gGmbH (Hamburg, May 2012).
- Goffman E., *Wir alle spielen Theater*, Piper (München, 2009), pp. 19-23, 99-128.
- Golinelli M., *Le tre case degli immigrati. Dall'integrazione incoerente all'abitare*, Fondazione ISMU/FrancoAngeli (Milano, 2008).
- Haase M., *Abgestellt im Nirgendwo*, on *Jungle World*, Nr. 32, 8 August 2013, pp. 10-11.
- Hailbronner K., *Asylum Law Reform in the German Constitution*, American University International Law Review (Washington, 1994).
- Havlicek T., *Geteiltes Willkommen*, on *taz.nord*, 11 October 2013, p. 21.
- Kaeschbach M. (Representative for FDP in the Free and Hanseatic City of Hamburg's Senate), *Drucksache 20/8306*, (Hamburg, 11 June 2103).
- Kaeschbach M. (Representative for FDP in the Free and Hanseatic City of Hamburg's Senate), *Drucksache 20/8669*, (Hamburg, 23 July 2103).

Kessler S. (Jesuit Refugee Service), *Destitution of forced migrants in Europe*, presentation for the Conference "From destitution to empowerment: an EU Agenda for change", 20 February 2010, London.

Korac M., *Integration and How We Facilitate it: A Comparative Study of the Settlement Experiences of Refugees in Italy and the Netherlands*, SAGE Journals (London, 2003), in *Sociology*, Vol. 37, n.1, pp. 51-68.

Korac M., *Politiche, agency e dialogo interculturale. Esperienze dei rifugiati dei conflitti jugoslavi in Italia*, in "Mondi Migranti, 3/2009", FrancoAngeli (Milano, 2010), pp. 127-150.

Marcetti C., Solimano N., *Immigrazione. Convivenza Urbana. Conflitti Locali*, Angelo Pontecorboli Editore (Firenze, 2000).

Marchetti C., *Un mondo di rifugiati: Migrazioni forzate e campi profughi*, EMI – Editrice Missionaria Italiana (Bologna, 2006).

Marconi G., *Not just passing through: international migrants in cities of "transit countries"*, SSIIM Paper Series, Università IUAV (Venezia, 2010).

Ministero del Lavoro e delle Politiche Sociali, *Le politiche abitative per gli immigrati in Italia: Rapporto finale*, Fondazione CENSIS (Roma, August 2005).

Ministero dell'Interno, *Quaderno statistico per gli anni 1990-2011*, (Roma, 2012).

Molfetta M., Sacchi P., *ABITARE E RELAZIONI CON IL TERRITORIO: Ricerca delle percezioni significative e modalità di stare nelle diverse realtà abitative e territoriali da parte di alcuni rifugiati e titolari di protezione internazionale in Piemonte*, (Torino, June 2013).

Möller A., Hajduk A., Demirel P., Schmitt H., Fegebank K., Duge O. (Representatives for GAL in the Free and Hanseatic City of Hamburg's Senate), *Drucksache 20/2742*, (Hamburg, 31 January 2012).

Novak C., *Migranti nelle città: quartieri ghetto, dinamiche abitative e politiche della casa*, CROCEVIA Working Paper (online publication, 23 March 2006).

Paini F., Sensi G., *Tra il dire e il welfare: Lo stato sociale nel mare della crisi. Esperienze e idee per un nuovo welfare equo e partecipato*, Altra Economia Soc. Coop. (Milano, Settembre 2012).

Pleace N., *Immigration and Homelessness*, in "Homelessness Research in Europe: Festschrift for Bill Edgar and Joe Doherty", Eoin O'Sullivan (Bruxelles, 2010), pp. 143-162.

Rathgeber T., Schröder T., *Zirkuläre Migration – Ansätze zur Regelung durch die Europäische Union*, Forum Menschenrechte Positionspapier (Berlin, n.d.).

Reyneri E., *La vulnerabilità degli immigrati*, in Saraceno C., Brandolini A., “*Disuguaglianze economiche e vulnerabilità in Italia*”, Il Mulino (Bologna, 2007).

Rolnik R. (United Nations’ Special Rapporteur), *Right to adequate housing*, UN Report (9 August 2010).

Saeidimadani M., *Arrival space: Der schmale Grat zwischen Erfolg und Scheitern migrantisch geprägter Räume*, HCU Hamburg/Politecnico di Milano (unpublished master thesis, October 2012).

Sassen S., *Migranti, coloni, rifugiati. Dall’emigrazione di massa alla fortezza Europa*, Feltrinelli (Milano, 1999), pp. 25-30, 43-46, 58-67, 72-76, 101-104, 131-147.

Schneider C., Özdemir C. (Representatives for *die Linke* in the Free and Hanseatic City of Hamburg’s Senate), *Drucksache 20/7540*, (Hamburg, 16 April 2013).

Schuster L., *Dublino II ed Eurodac: esame delle conseguenze (in)attese*, in “*Mondi Migranti*, 3/2009”, FrancoAngeli (Milano, 2010), pp. 37-56.

Schwarzer A., *Lampedusa an der Elbe*, on *Jungle World*, Nr. 30, 25 July 2013, p. 5.

Secchi B., *La città dei ricchi e la città dei poveri*, Laterza (Bari, 2013).

Sennett R., *Respect in a world of inequalities*, Norton ed. (New York, 2003).

Servizi per Adulti e Politiche per l’Immigrazione, Comune di Milano, March 2012, *Luci a Milano: Elenco strutture di accoglienza sul territorio Milanese*.

Spörrle M., *Kirchenasyl reicht nicht*, on *DIE ZEIT*, Nr. 30, 18 July 2013, p. 52.

Statistisches Bundesamt (Bevölkerung und Erwerbstätigkeit), *Bevölkerung mit Migrationshintergrund: Zahlen und Fakten*, (Wiesbaden, 2011).

Statistisches Amt für Hamburg und Schleswig-Holstein, *Statistik informiert ...Bevölkerung mit Migrationshintergrund in den Hamburger Stadtteilen*, (Hamburg, 6 August 2012).

Thielemann E.R., *Symbolic Politics or Effective Burden-Sharing? Redistribution, Side-payments and the European Refugee Fund*, *Journal of Common Market Studies* (Oxford 2005), Vol. 43, n. 4, pp. 807-824.

Tosi A., *Immigrati e senza casa. I problemi, i progetti, le politiche*, FrancoAngeli (Milano, 1993).

Tosi A., *Case e città*, in "Socialità e inserimento degli immigrati a Milano. Una ricerca per il Comune di Milano", FrancoAngeli (Milano, 2000), pp. 136-153.

Tosi A., *Le condizioni abitative*, in "Dieci anni di immigrazione in Lombardia. Rapporto 2009", Osservatorio Regionale per l'Integrazione e la Multiethnicità (Milano, 2010), pp. 353-364.

UNHCR, *2011 Statistical Yearbook*, (Geneva, 2012.a).

UNHCR, *A year of crisis: Global Trends 2011*, (Geneva, 2012.b).

UNHCR, *Asylum Trends 2012: Levels and Trends in Industrialised Countries*, (Geneva, 21 March 2103).

Van Aken M., *Rifugio Milano: vie di fuga e vita quotidiana dei richiedenti asilo*, Carta (Roma, 2008).

Van Gelder A.L., *Overview of Germany's Asylum System*, Uniya Jesuit Social Justice Centre (Sidney, February 2003).

VV. AA., *International migrants and the city*, UN-HABITAT and dP IUAV (Venice, 2005).

VV. AA., *Rapporto 2012. Gli immigrati in Lombardia*, Fondazione ISMU (Milano, 2013).

Zetter R., *La securitizzazione e le politiche europee in materia di asilo e rifugiati*, in "Mondi Migranti, 3/2009", FrancoAngeli (Milano, 2010), pp. 7-25.

Webography

International and national institutions and organisations

Official website of *United Nations High Commissioner for Refugees (UNHCR)*

<http://www.unhcr.org/cgi-bin/texis/vtx/home>

Official website of the *International Organization for Migration (IOM)*

<http://www.iom.int/cms/home>

Official website of the *International Labour Organization (ILO)*

<http://www.ilo.org/global/lang--en/index.htm>

Official website of the German Federal Office for Immigration and Refugees (*Bundesamt für Migration und Flüchtlinge, BAMF*)

<http://www.bamf.de/DE/Migration/AsylFluechtlinge/asylfluechtlinge-node.html>

Official website of Italian Ministry of Home Affairs (*Ministero dell'Interno*)

<http://www.interno.gov.it/mininterno/export/sites/default/it/temi/asilo/>

Official website of Hamburg's Public Authority for Work, Social, Family and Integration (*Behörde für Arbeit, Soziales, Familie und Integration, BASFI*)

<http://www.hamburg.de/basfi/>

Official website of SPRAR Protection System (*Servizio Centrale Ministero dell'Interno*)

<http://www.serviziocentrale.it/index.php>

Important data and statistics

Website of the *European Commission DG Home Affairs, Refugee Fund*

http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/refugee-fund/index_en.htm

Official website of the Statistic Office for Hamburg and Schleswig-Holstein (*Statistisches Amt für Hamburg und Schleswig-Holstein*)
<http://www.statistik-nord.de/>

Official website of *ORIM*, Regional Monitoring Unit for Integration and Multiethnicity (Lombardy Region, Italy)
<http://www.orimregionelombardia.it/index.php>

Official website of *Fondazione ISMU* (Initiatives and Studies on Multiethnicity)
<http://www.ismu.org/>

Official website of *Jesuit Refugee Service*
<http://www.jrs.net/?L=EN>

Official website of Italian Information Centre on Racism and Discrimination (*Centro d'Informazione su Razzismo e Discriminazioni in Italia, CIRDI*)
<http://www.cirdi.org/>

Foundations

Official website of *Pro Asyl* (DE)
<http://www.proasyl.de/de/>

Official Website of *Hamburgasyl*, Hamburg (Germany)
<http://www.hamburgasyl.de/start.html>

Official website of the *Italian Council for Refugees*
<http://www.cir-onlus.org/index.php?lang=it>

Official website of the *Italian Consortium of Solidarity (ICS)*, Refugees Office
<http://www.icsufficiorifugiati.org/>

Official website of *Casa della Carità Foundation*
<http://www.casadellacarita.org/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/1>

Associations

Website of *noborder network*
<http://noborder.org/>

Website of *Karawane*, Association for the Rights of Refugees and Migrants
<http://thecaravan.org/>

Official website of the Italian Association for Juridical Study on Immigration (*Associazione per gli Studi Giuridici sull'Immigrazione, ASGI*)
http://www.asgi.it/home_asgi.php?

Website of *ASMiRA*, Association for the Studies on Migration, Refugees and Statelessness
<http://associazioneasmira.wordpress.com/>

Website of *Centro NAGA har*, daily centre for refugees and asylum seekers in Milano (Italy)
<http://www.naga.it/index.php/centro-har.html>

Website of *escapes*, Lab of Critical Studies on Forced Migration (Milano, Italy)
<http://users2.unimi.it/escapes/>

Information

i-Map, Interactive Map on Migration (UNHCR, EU Commission, Frontex)
<https://www.imap-migration.org/index.php?id=38>

Link to 2013 Annual Report, *Amnesty International*
<http://www.amnesty.org/en/annual-report/2013/essay>

Official website of *Corriere dell'Immigrazione*, online newspaper on the topic of immigration
<http://www.corriereimmigrazione.it/ci/>

Official website of *MELTING POT EUROPA project*, for the promotion of citizenship's rights
<http://www.meltingpot.org/>

Filmography

Bos, Emiliano; Nicol, Paul, *Mare deserto*, RSI (Switzerland, 2012).

Cannito Francesco; Cusani, Luca, *Il rifugio*, Diwan Film (Italia, 2012).

Fanizza, Giuseppe; Kunkl, Andrea, *Immaginari di Confine - Mare Nostrum*, (Italia, 2007).

Liberti, Stefano; Segre, Andrea, *Mare chiuso*, ZAlab (Padova, 2012).

Mazzillo, Sebastiano, *Abitare. Un film sull'integrazione abitativa*, Synergia (Milano, 2010).

MEDUonlus, interview on RAI News, on air on the 11 July 2012.

Available under the link: <http://www.youtube.com/watch?v=-ajn5za-L0k>

Mencherini, Stefano, *Mare Nostrum* (Italia, 2003).

NPO, *De migrant als motor van de economie*, IKON (Netherland, 2011)

Available under the link: <http://arrivalcity.net/video/>

Presi Diretta, *Respinti*, on air on RAI 3 on the 6 September 2009.

Available under the link: http://www.rai.tv/dl/RaiTV/programmi/media/ContentItem-d7b-c61b1-21d5-4731-8032-2645b9d7d3e1.html?p=0&refresh_ce

Schillaci, Rossella, *Altra Europa*, AZUL film (Torino, 2011).

Vicari, Daniele, *La nave dolce*, Indigo Film (Roma, 2012).

A handwritten signature in black ink, appearing to read "Gerd Billa". The signature is fluid and cursive, with a prominent initial "G" and a long, sweeping underline.

Hamburg, 2 December 2013