TALLINN UNIVERSITY OF TECHNOLOGY

School of Business and Governance

Department of Law

Centre for Asia-Pacific Studies

Antonella Emanuela Cuomo

"IMMIGRATION" TO THE EU AS EXEMPLIFIED BY ITALY:
SIZE OF PHENOMENON, REGULATORY AND POLITICAL PRACTICES.

Bachelor Thesis

Supervisor: Lecturer Vlad Vernygora

Tallin 2017

Tallinn 2017

I declare I have written the bachelor's thesis independently.

All works and major viewpoints of the other authors, data from other sources of literature and elsewhere used for writing this paper have been referenced.

Antonella Emanuela Cuomo

……………………………

(signature, date)

Student's code: a156154

Student's e-mail address: antonella.e.cuomo@gmail.com

Supervisor: Lecturer Vlad Vernygora

The thesis conforms to the requirements set for the bachelor's theses

………………………………………………

(signature, date)

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ABSTRACT

The aim of this Paper is to provide an overview of the immigration flows in Italy and the importance of a common European policy on immigration.. During last decades, Italy has seen its evolution from a country of emigration to a country of immigration, gathering in a constant emergency status. The main claim of this study is related to the analysis of the immigration policies , i.e. those strategies implemented in order to facilitate the integration of citizens of third countries who in the EU. Whether the need to regulate the inflows can be considered legitimate to guarantee EU citizens the right to security, migration policy cannot be reduced to a security-speech, control and containment. The study goes through a discursive analysis of European Law and Treaties regarding refugees status, immigration`s management and the lack of international relations agreements. Referring to the examples gave by the United Nation and other countries who had deal with the same issue. Finally this paper analyses the latest development on immigration and new migrants-driven integration policies in Italy, focusing on the 'Agreement of Integration' as the main system introduced for immigrants.

Keywords: Immigration flow, refugees, political cooperations, emergency status, European, Union, United Nations, European Policy, integration.

INTRODUCTION

The Mediterranean Sea is an easy area to navigate and it has been a crossroads for the greatest civilization during last centuries. However, the countries bonder it have had serious problems of political instability. Historically and for many reasons, the predominant direction for migrants of this vast region to move along is from the south to the north. These days do not change the trend, and many people leave the northern part of Africa for Italy, identifying it as a door to Europe, through which France and the Nordics could be reached.

Once the migrants get to the Sicilian coast, they find medical and psychological support by staff of the United Nations High Commission for Refugees (UNHCR) who immediately assist and help them. The help provided by the Italian country, allow them to stay for a long period as 'refugees' waiting to be reunited with their families that live in another European country. Sometimes, this long stop is used by some of them as starting point for roads of criminality. Since 2011 until now, Italy is under constant pressure of migratory flows. In 2016, there were 181,436 foreigners landed on our coasts: more 18% than in 2015 and more than 7% over two years ago. In Italy, the 90% of thefts and pickups are carried out by immigrants (Istat Datas 2017).

The Italian Interior Minister, Marco Minniti, has exposed the problem of migration flows at a recent press conference. To the question how many irregular foreigners have been traced by law enforcement in recent years, Minister Manniti (2017) replied in this way: "The number has varied over time. Has reached a peak of about 100,000 units per year, the latter are only those that the Forces of the Order tried to send them home". The Interior Minister continues saying: "It is difficult to dismiss an irregular person immediately, there are no procedures, first you need to have a relationship with the country that needs them, this will take a long time" (Manniti 2017). This paper sheds a light on one side of the problem: the illegal immigration from several African regions.

The Italian example is making a huge impact on the whole European Union (EU) in terms of illegal immigration-related policy making. On 18 October 2013, Italy took part in the operation Mare Nostrum promoted by the EU but this project is no longer sustainable by the Italian forces only. The European Agency 'Frontex' has slowly taken distance, leaving Italy alone in managing the humanitarian emergency case. The EU's Member States have a long tradition of receiving immigrants since the second half of XX century. Lately, the typology of migrants' flows, their patterns and combinations were diversified between the countries of departure and arrival.

At European level, it emerges a convergence that shows the limitation of policies in incoming foreign flows and, at the same time, the will to implement integration and legislative protection measures for those immigrants who are already residents. Immigration represents one of the most controversial and difficult phenomena that the EU society is facing because on one hand, there is a moral obligation to one regardless of immigrant nationalities policy of solidarity and, on the other hand, there are certain requirements regarding the protection of public order and safety.

Considering the above, the main claim is related to the analysis of the *immigration policies* (or *migrant policies*), i.e. those strategies implemented in order to facilitate the integration of citizens of third countries who are resident in the EU. Whether the need to regulate the inflows can be considered legitimate to guarantee EU citizens the right to security, migration policy cannot be reduced to a security-speech, control and containment. Rather, it is likely to be more productive if it is operated on a balance between two elements: the regulation of flows and the inclusion of migrants, without losing sight of what should be the cornerstones of a comprehensive migration policy, namely, the respect of people's rights and the recognition and the promotion of diversity.

Finally, in recent years, it has been understood the importance of a common European policy on immigration. Nevertheless, is this common policy really implemented in every Member State? Why cannot countries like Italy implement apply those policies successfully? In adition, how does this issue get addressed to the EU's Member States separately?

This paper analyses how the EU-originated directives have been transposed into practice in Italy, the entity's key Member State in regards of immigration, using the methodology of

process tracing and normative discourse analysis, at detecting the evolution of migration-related policy-making process. The methodology consists of different approaches such as the historical, political, EU and Italian normative because they allow to identify and to evaluate the best sources for a better understanding of the evolution of the phenomena. Moreover, this work has mainly on a framework searching levelIt is a well-known fact that Italy has a long history of migration, in particularly its bigger southern island, Sicily. It has always been the land of encounter of distant and different people. During last decades, around 1970s, Italy has seen its evolution from a country of emigration to a country of immigration and the country lives in an emergency status given by its perpetual unpreparedness in facing this social problem and how the EU has to deal with this problem in a way a little dismissive.

In the first chapter, this paper analyses the long way how the EU and its predecessors have handled the matter, a path that has arguable been characterised by the attempt to co-exist of the public interest and the defence of the prerogatives of the signatory nations. The policy of permanent balancing is distinctly attributable to the rules contained in the Treaty of Rome (1957), which did not provide for the European Economic Community (EEC) any specific jurisdiction on immigration policies. The main goal of the Treaty was explained primarily with economic objectives of its various signatory countries for creating a single European market and not for a common legislation in regarding to migration flows.

The EEC invited the reluctant member states in using of European immigration policies, but they have continued to fail to comply with these laws because of worried to lose the powers to which they were entitled. It should point out that on some issues remain a jealous claim of powers and prerogatives by European national states, leading to heightened differentiation of legal regimes, i.e. the admission of foreigners into their territorial spheres and the granting of citizenship. The fact that the phenomenon of migration is now thought no more in the conceptual framework of the nation state but in the wider framework within the EU, it does not mean that it leads to a full reversal of the categories of thought applied to migration.

Paradoxically, while globalization of markets, deregulation and open borders are the issues that dictate the pace of the economic debate on the global scale, the typical logic of a nation-state (in defending its national sovereignty), is deeply permeate on the thought that on

immigration is needed. Even today, the immigration as a process is governed in a highly sophisticated and confusing way: in some parts, by individual states through the local legislation and, in other parts, by the EU as a whole. In addition, there are particular issues that are sharing the competences, i.e. the signatory countries may take their own initiatives, but only if they are not manifestly contrary to the general guidelines.

The second chapter of this paper focuses on the analysis of the most important institutions of the immigration matter such as asylum, the refugees conditions, taking as a sample the Italian case, the protection of human rights in Europe and the work of non-governmental organisations such as the UNHCR. The United Nation (UN) was created by the UN General Assembly in 1950 and it began its operations on 1 January 1951. According to the mandate assigned to it by the UN (2016), the UNHCR is responsible for providing and coordinating international protection and material assistance to refugees and other categories of persons under its jurisdiction, engaging in the search for durable solutions to their plight. To provide protection and assistance, UNHCR is involved around the world, directly or through governmental or non-governmental partner agencies, in programs that cover both areas of activity.

The third chapter analyses the latest development on immigration and new migrants-driven integration policies in Italy, referring on the "Agreement of Integration" as the main system introduced for immigrants in seeking for a job with the introduction of passing a language test as a requirement for the issue or renewal of the ordinary residence permit. However, this analysis will be studied partially because the issue of immigration and integration in Italy is constantly changing.

In conclusion, the paper shows the status of citizens of third countries residing in the EU and, the rules that can facilitate or hinder their inclusion, in order to assess the degree of their effective protection and integration within the EU laws with a particular focus on Italy which is still far in compliance and application of integration rules.

1.ORIGINS OF COMMUNITY POWERS

1.1 The issue of immigration as addressed in the Treaty of Rome

The EU, as we know it today, was 'born' from the initiative of six countries – France, Italy, Belgium, Netherlands, Luxembourg and the Federal Republic of Germany – which, since 1950s framed up a number of first so-called 'communities'.

As part of the system of the Treaty of Rome, the EEC had not been given any formal competence in matters of immigration policies. Therefore, anything that could relate to the entrance on the allocation and the work of non-EU citizens remained the exclusive competence of the entity's Member States (Nascimbene 2009, p.95). In this context, the legal situation and the related rights of immigrants also varied significantly from country to country.

The explanation for the absence of any authority on the part of the supra-national institutions, resided primarily in essentially economic purpose that animated the project of European integration, with the primary objective of creating a single economic market. It was therefore felt the need to give the general Community responsibilities.

Arose from this resolute stance effort of the founders are committed to eliminating barriers to the free movement of EU workers, this means that the Member State remained completely free to adopt rules on the treatment of third-country nationals. Among the basic principles of the Treaty of Rome for the construction of the common market they were included the elimination of obstacles to the free movement of goods, persons, services and capital, but the freedom of movement of individuals was more difficult to implement because, indeed, was impacting on Member States' sovereignty. In theory, the definition of free movement of persons would have to be applicable to nationals of third countries but, from the beginning, it was only limited to those typical of the States. Articles 52 and 59 of the EEC relating to the freedom to provide services, in fact, made reference to EU citizens and, although Art.48 EEC

on free movement of workers did not have any kind of reference to nationality, it is read as a function of next two. Although in the second paragraph of Art. 59 of the EEC (for which the Council had to extend the rules on freedom to provide services to non-EU citizens in the Community), was made no clear reference to those who came from a third country, this rule was never applied.

The lack of attention to the issues of immigration from third countries, was partially justified by the fact that the labour force in the States, at least initially experience EEC, it was mainly from Community sources. The arrival, however, of citizens from different nationalities as well, began to sense the urgency of solving the social and political problems that the phenomenon of emigration brought with it. So the European Commission, while respecting the competences of the Union, has repeatedly interested in immigration issues conscious of the problems that Member States would have to face. The European Union has moved on two different fronts: on one hand, trying to solve the problems of the working treatment reserved for newcomers, their integration and that of their families, on the other hand trying to give life to some form of coordination fight illegal immigration.

The interventions of the Community in the field of immigration were justified (since there are no real rules about it) on the basis of the prerogatives that the Treaty attributed to the Commission on social policy. The instruments used were, however, opinions and recommendations which did not involve any obligation for action by Member States. Beyond all considerations on the division of powers, the signatory countries must, however, ensure a differentiated treatment to refugees and stateless persons.

Theoretically, the EEC, using Art.100 by EEC (OJEU 24.12.2000), could claim the right to intervene more effectively in immigration policy. In fact, the article proposed to initiate a rapprochement of the legislation of the Member if the existing legislative differences had been such as to hinder the creation or functioning of the common market.

1.1.1 The first Community legislation on immigration

One of the first Community legislation on immigration was the resolution concerning a social action program taken in 1974 by the European Council, which in 1976, was followed by a second Resolution. In 1983, the European Parliament adopted a further resolution calling

on the Council and the Commission to prepare proposals "on the harmonization of visa policies and the rights of aliens" (OJEU184 1983). The Commission in 1985 with the White Paper stressed the need for coordinated action on issues entrance, residence, employment of third-country nationals and on visas. The Commission's attempt to expand its powers in immigration clashed, however this program was never implemented and the Commission itself chose to leave a good deal of action to cooperation between Member States. The attitude of the member countries, combined with the lack of specific rules defining the decision-making powers of the Community prevented, Union, to take more effective legal instruments capable of obliging Member States to implement the rules it drafted.

1.2 From the single act to the European Schengen Agreements

1.2.1 The Single European Act

On 1 July 1987, the Single European Act (SEA came into force, which marked a retreat of the EU's position on immigration. In two declarations attached to the Act, in fact, Member States emphasized their exclusive right to take the measures deemed necessary with regard to immigration from third countries, declaring himself ready to cooperate in promoting the free movement of persons, in particular as regards the entry, movement and the residence of nationals of the third countries. With the single Act was reaffirmed, the principle and the will to get to the free movement of persons Europe Community and third countries (non-EU was the only one to recognized the right of entry as those of residence and work were reserved exclusively for EU citizens). So the promotion of free movement of persons was implemented, at least initially, at the intergovernmental level in particular through the establishment of discussion forums and working groups that are proposed, in particular, to solve the problem of the strengthening of controls at the external borders of the Community. The establishment of political relations and administrative networks among states, who were

born for resolutions of these issues, took place mostly away from the EU's institutional framework as neither the European Parliament nor the Court of Justice exercising control of such bodies. This paper want also to remember, as a result of the work, the 1990 Dublin Convention determining the State responsible for examining applications for asylum. According to this Convention jurisdiction of examining the application for asylum he was given to the State where, who demanded, had made entry. EU Member States were using for their choices, a EURODAC database which allowed, through the comparison of fingerprints, to identify who crossed an external border of the Community.

1.2.2. The Schengen Agreement, The European Council of Tampere, The enlargement of the EU

The Schengen Agreement, in force since 1985, promotes the free movement by doing away with the systematic checks on persons at the internal borders of the "Schengen area" made without reasonable suspicion. The agreement is part of the so-called "Schengen acquis" - which is a legal framework evolving - to which each Member State must comply, adopting or adapting national laws to allow for persons in charge of border controls, law enforcement activities and national security to work effectively.

The Schengen Acquis establishes a set of compensatory measures agreed among the European countries that allow free movement of persons across internal borders. Among these compensatory measures - and at the same time to strengthen the internal security of the Schengen States and intensification of the external border of the Schengen area - there is the establishment of common rules on external borders, visas and judicial cooperation police.

The central technical element of cross-border cooperation is the computer system of joint research, the so-called Schengen Information System (SIS). It began as a principal tool for the facilitation of border controls, customs cooperation, judicial and police and for the exchange of a set of common information in order to protect the free movement of persons, and at the same time share information on people who, for example, was not allowed to enter or stay in

the Schengen area or who are wanted for arrest or surrender purposes. According to this Convention jurisdiction of examining the application for asylum he was given to the State where, who demanded, had made entry. The EU Member States were using for their choices, a EURODAC database which allowed, through the comparison of fingerprints, to identify who crossed an external border of the Community.(Acquis Schengen 1985).

The first years of the XXI century was marked by an important development of the European Community with the enlargement of the Covenant to 10 other countries (at the Copenhagen summit on 12-13 December 2002 to extend the Agreement is ratified, then made formal by the Treaty Athens of 16 April 2003). The entry into the Union of new States brought with it numerous problems including one that stemmed from the extension of the status of Community national who until then was seen as the stranger from which to protect themselves. It poses to legislators, the problem of a true integration of newcomers that they might be also extended to their rights and obligations comparable to those enjoyed by EU citizens old. To this end, the EC urged a strengthening of cooperation between States with the desirable establishment of an EU common instrument for the solution of the issue.

1.3 Subsequent development

1.3.1 The Communications Policy

The reference to the development of a comprehensive approach in the management of immigration policy was also present in the following the Seville European Council (22 June 2002), Thessaloniki (19-20 June 2003) and the Hague Programme created by the European Council's work 2004. Specifically, the Hague program deals with citizenship, asylum and immigration, border management, integration, the fight against terrorism and organized crime.

Although the European Communities exercised the power conferred by the Amsterdam Treaty, "adopting a number of Community measures on immigration, the role was still too strong in this sector, Member States and the Community encountered considerable difficulties

in imposing its role" (COM 184 2005).

The reasons for these impediments were to be found not only in the distrust of the states, unwilling to delegate some of their powers to the Union, but also in a number of legal and institutional constraints of the Treaties. There were many obstacles to the development of Community policies for Europe. To this end, the Council underlined the need and importance of a genuine common European policy on immigration and asylum defined, again, distinct but closely related to the realization of a European area of 'freedom, security and justice'.

The program also was reaffirmed the need to concentrate joint efforts to achieve management of migratory flows that were agreed with the countries of origin and transit, a rational policy of integration of those migrants legally resident in the Union and to agree "resolute action" to combat illegal immigration and human trafficking. The Council underlined that the integration of migrants imply both rights and duties of the migrants as well as the host society, and in particular the recognition of basic human rights and a strong commitment against racism and xenophobia. This was expressed in the conclusions of the Councils of Vienna (1998), Tampere (1999), Laeken (2001), and the Communications Commission (COM (2000) 757 of 22/11/00) on a Community immigration policy (COM (2001) 387 of 11/07/01) and on an open method of coordination between Community policy on immigration.

It is interesting to read, in the Communication to the Council and the European Parliament containing the six-monthly review of the "roadmap" for the creation of an area of "freedom, security and justice in the EU", which is the budget that the Commission did of these efforts. It was said to believe that, thanks to the renewed commitment expressed in Seville, most of the objectives could be achieved. However, he observed that, while that adhered to the issues of external border control, all actions were making their path. For other areas, in particular for the legal regulation of immigration, there was a risk that, because of the strong contrasts between Member States, to reach the result could not be more of the "lowest common denominator". To overcome this risk, the strategy that the Commission intended to take was in a phased approach (step by step strategy, European Union Global Strategy).

The handover of the Greek Presidency to that of Italy, at the end of the first half of 2003 was marked by some passages of great interest. First, on June 3 it was published two Commission

Communications on immigration: to the Parliament and the Council in view of the Thessaloniki Council, "on the development of a common policy on illegal immigration, exploitation and trafficking human beings, external borders, the return of illegal immigrants, with a special focus on immigration, integration and employment"(COM (2003) 323).

The latter in particular, brought to light the most neglected of the milestones identified in Tampere; the integration of legal immigrants in the target company. In the document, the issue of integration of migrants was analysed not only in a legal and political context but also in reference to the Lisbon Strategy, the goal that the EU had given in 2000. The text was identified a link between achieving the objectives of economic growth and integration of immigrants, based on the consideration that their entry into the labour market on the one hand appeared healthy for the market itself (considering the steady population decline typical of Western societies) and for the other it represented the essential element for real integration of newcomers into the host society.

In the text, in fact, it said that immigration policies should be guided by a "multi-sectorial approach that takes into account not only the economic and social aspects of integration, but also on issues related to cultural and religious diversity, citizenship to participation and political rights "(COM (2003) 315,par. 3.2). By *multi-sectorial approach* the Union intended to turn his efforts to develop policies designed to integrate migrants into work, school and social life. These proposals in the Communication was reiterated the invitation to Member States, so that you come to a harmonization of national legislation on the acquisition of citizenship and a uniformity in the methods for his contribution. Also it was treated a new political problem, one related to the transfer of 'civic citizenship' for non-citizens permanently residing in the State.

This subject was in fact clothed importance known that the matters of access to citizenship and the rights it gave (in particular freedom of entry into the territory of the State and political rights) were responsibility of the state, foundation of his sovereignty. The advent of the European Community (which was based on the rights of free movement within the Union and the right to vote in local elections and to those of the European Parliament in place of residence) implied a decline of the sovereignty of each State.

1.3.2. The Hague Programme

Five years later, the Hague Programme of November 2004, and the Council of the Action Plan and the Commission in June 2005, represented the general framework of the immigration and asylum policy for the next five years. The program aimed to strengthen the Union's role in the construction of "freedom, security and justice". The goals of closer integration contained in the draft Constitution, which the program was intended to reflect the ambitions, took on new importance in the prospects of the Lisbon Treaty.

In the program, in fact, it postulated a comprehensive approach that included all phases of migration, the underlying causes of the phenomenon to the entry and admission policies, from integration to those of repatriation. This approach, therefore, required an analysis and an equal commitment of both the Community institutions as the individual Member States, since it came to matters of shared competence. There was the awareness of the link between immigration and promotion of fundamental rights. Immigration and asylum policies concerning himself, in fact, vulnerable groups such as asylum seekers, and their fundamental rights need of special protection. This explained the transformation of the European Monitoring Centre on Racism and Xenophobia in the Fundamental Rights Agency.

Equally important was the role of supervision and control that the Plan meant giving national parliaments, especially the activities of Europol.

In the program, there were in fact mentioned:political asylum and borders;the establishment of a European common asylum; legal migration and the fight against undeclared work; the integration of third-weights; partnership with countries of origin and transit for the adoption of return and readmission measures; the management of migration flows; border controls; the adoption of a common policy on visas; combat illegal immigration (OJEU 2007, L53).

In the all points mentioned, definitely legal migration was the most complex challenge that the Union could collect within the immigration and asylum policies (subject that still remained for the Member States as subtracted from the co-decision procedure).

MINI-CONCLUSION

With the succession of numerous treaties, the EU has sought to reach a common policy which would effectively resolve the issue of immigration, through the definition of its powers on the one hand, and the growth of its decision-making powers on the other. However if this interest has led to a definition of common minimum standards, there remain the difficulties arising from the numerous resistances opposed by the Member States balking at being defined in their skills.

It sought to define more precisely its EU prerogatives, on the one hand, and those of the Member States on the other. But this was not simply a work so much that even today, there are doubts especially in the interpretation of certain rules, uncertainties have slowed down if not blocked the way to a concrete "communitarisation" of such a complex topic as precisely immigration.

These uncertainties have taken advantage those Member States which persist in keeping the management in key areas of immigration policy as the management of flows, or the determination of the incoming quotas for employment purposes.

In recent decades, political, social and economic have now shown that it is no longer possible for individual states to provide for themselves in the resolution of problems associated with the phenomenon of immigration. The abolition of border controls, for example, has made it necessary to interstate cooperation on issues such as the removal and repatriation of illegal immigrants. While the EU Member States have become aware of the seriousness of the immigration issue and have accepted the idea of a "communitisation" of the policies related to it, the other too much and too many are the signatory countries will, from have to be harmonized. This is the challenge that the EU has set itself; give different voices to reach a unified immigration policy that is truly effective.

2. THE COMMON POLICY

2.1 Fight illegal immigration

In recent years, illegal migration and phenomena related to trafficking of human beings, have greatly exacerbated the point becoming one of the problems more difficult to solve for the EU. Of course, the phenomenon was not unknown and had been on focus of initiatives by the European Community many times. Since the end of the Cold War and especially after the conflicts in the former Yugoslavia, groups of migrants have poured in Western European countries with the intention to actually remain illegally.

The lawlessness perspective was, for most of the newcomers, the only possible reality because of increasingly restrictive measures on entry and stay of the Member adopted. In general, the more the immigration phenomenon was spreading then more member countries closed their borders. In fact, the regulatory restrictions on inflows, certainly did not represent the best answer to the problem because once rejected migrants still remained illegal entry alternative in the country. This type of entrance was: 1) through circumvention of controls at borders; 2) illegally crossing the access passes; 3) by submitting false travel documents. The impact of illegal character was, therefore, not only in the entrance (with the violation of domestic legislation which regulated access to foreigners), but also in illegal stay. This violation was recorded in case the stranger persisted in the territory of a State in the absence of a valid residence permit.

From these cases, it is clear how the concept of illegal immigration is very broad and includes a number of legal situations and in fact different. Therefore, technically, it is irregular immigrants who enter a territory illegally and remains, that also who has entered regularly but during the time of permanence the documents will expire loosing all the rights.
They are in fact both considered irregular migrants who have expired the periods of validity of residence documents, such as those in gainful employment which is not authorized by the

visa or residence permit.

Next to the clandestine and illegal immigration crimes, in recent years, there were established in international law and EU more specific concepts like the "smuggling of human beings" and "human trafficking". The first referred to the assistance provided to foreigners for illegal border crossing and so facilitate illegal entry into a country, the second is presupposed a willingness to use a person regardless of that this had arrived in the country illegally or legally. Once inside then, most of these foreigners, had no difficulty in finding a job illegally. Irregular immigration passed, so even through the struggle to employers who hire illegal workers.

The problem of illegal immigration in the European Union appears, therefore, very complex and since the jurisdiction of the matter is shared between the individual states on the one hand and the Union on the other, there are real difficulties in managing the phenomenon. In fact over the years there were many transformations of the legal bases adopted both by the Member States as by the Union. In general, the input regulation of foreigners, border controls, of residence permits and visas is still left to its case law in each country.

However, the Amsterdam Treaty of 1999 has introduced clear Community competence in an area which until then was the exclusive responsibility of individual states or of their cooperation. In fact, "the Council the competence to adopt measures in the field of 'immigration and illegal residence, including repatriation of illegal residents ". (Art. 63, par. 3B TEC (Treaty Establishing the European Community).

Before that, these skills were the subject of intergovernmental cooperation under the Title VI of the Maastricht Treaty on European Union. Nowadays is it possible to find those in the Treaty of Establishing the EU.

2.2 Immigration flows management

The immigration flows management policies are one of the topics of greatest interest in the political agenda of all countries that are having to deal with the regulation of the phenomenon

of migration. The decision of the entry of foreigners in the territory is a skill that has remained firmly under the control of state sovereignty. For this reason will be very hard to determinate a common policy between Member States, because no one accept any limitation.

For example States considered themselves more capable of governing the admission phenomenon of citizens of third countries for reasons of work, based on a greater ability to evaluate their own national market. Many State feel stronger and powerful than others. This argument does not seem to hold up fully when you consider the growing illegal immigration increased and the increasingly widespread practice of amnesty made by many member countries needed to incorrect assessments of the needs of the labour market.

The immigration policies implemented by a single State inevitably have an impact on other Members, the management of migration flows, nowadays and in the future, will inevitably require a joint strategy of all EU countries. However, Community management of flows, it appears difficult to implement because of the deep **social-economic-political** differences that are reflected on the policies followed by each individual state.

There are significant diversification of the "type" of these flows but also on the factors encouraging migrants in the choice of entering in a country rather than in another. The most important percentage of revenue immigration in one country is for business purposes and is based on predictions that each country makes its needs and possibilities.

Those who respect the legal standards are a very small portion. In fact, states are legally obliged to welcome the stranger prior possession by the migrant, of certain requirements that vary from one national legislation to another. This category include: immigration due to family reunification and also those "forced" migration that States must accept compliance with international obligations such as asylum seekers and refugees.

Obviously there is a third type of "flow" that completely illegal one , which includes both those migrants who cross the border illegally, and those already in the territory with an expire residence permit. The immigration policies of a State are obviously influenced by the level of attraction for the migrants.

The geographic factor is the first of attraction; the proximity and accessibility are a primary source of attraction for the regular immigration that also for those irregular. In fact it is no coincidence that Italy, with its geo-morphological characteristics is the country, of the EU

with the highest attraction for immigration flows.

Another attractive element is the presence in the State of firmly established immigrant communities. "The presence of fellow constitutes a reason to call for both: regular migration and the irregular one" (Gozzini 2005).

In this case, the countries with a longer tradition of immigration, such as France and Germany, are certainly more vulnerable than those of most new immigration such as Italy and Spain. It is no coincidence that a large part of inflows in Italy, you do not allocate the territory, but it is directed towards other EU countries. The economic reasons are of great importance in the choice of an immigrant, for example in decisions affecting the structuring of the jobs market its one state and the availability of jobs.

Finally, of great importance are the legal and administrative factors and generally all the standards of a country on the entry, stay, admission for refugees or asylum seekers.
The complexity of the flow types and the specificity of each country lead to understanding how migration policy is jealously guarded as a prerogative of sovereignty by the Union Members. As a counter to the strategy of the Community institutions of the limit placed by the absence, in the Community treaties, of a clear competence in the matter and set force may be the complexity of the same.

The Tampere European Council stressed the need to adopt "a more efficient management of migration flows at all stages" (COM(2002) 703), taking into account human rights and pivoting on cooperation with countries of origin and transit. In the Communication from the Commission of 2002 on the integration of the migration policy in relations with third countries, was identified as a strategy in the long run, the immigration directly in the migrants' home countries because "the reduction of poverty and the creation of jobs reduce the pressure on "survival migration" (COM(2002) 703).
In the Hague Programme, after repeating that the decision on the number of migrants from third countries who could be admitted to each Member, for business reasons, remained of responsibility of national authorities, the Commission proposed to "establish a balanced approach to migration management by developing a common immigration policy which addresses legal migration at Union level, while strengthening law enforcement efforts to *illegal migration*'.

Actually implementing a regulatory policy on quotas or on migratory flows appears a prospect difficult to achieve, because in the EC and EU Treaties, there is no reference to that effect. So the EU has no power of legislation and this allows member countries to be free from any constraint and to regulate the field at will. It is no coincidence that a proposal to establish Community shares for workers, advanced by the Italian government during its six-month presidency of the European Council (July-December 2003), was harshly criticized by some EU countries that did slip the discussion until a later date .

There is no doubt that the challenge that the European institutions will have to face in the near future will be the coexistence of state sovereignty and supranational cooperation to seek common solutions on rules of admission, residence and removal of aliens, phenomena that are not possible resolution for a single State but that if addressed jointly, are more likely to be solved.

2.3 International migration and political cultures

"The different political culture has influenced considerably migration policies of the three main immigration European countries (France,Germany and the United Kingdom) that even for this were long-time quite distinct in terms of both the immigration policy as a whole tight, ie the rules on the admission of immigrants, both the policy for Immigrants, that is, the criteria for their integration" (Melotti 1992).

The same can be apply in Italy as well. Before proceeding, it is therefore appropriate briefly to recall the political cultures of these lands and how they relate to migration policies.

The case of France: is in fact the European country where immigration is the oldest and acquitted more complex roles. The migration policy of France has long been characterized by its Ethnocentric assimilation.rather ethnocentric compared to other countries considered, being a state that has always been identified as a great homogenous nation.

The name of "assimilationist" with which many scholars usually define the French politics, is due to the fact that immigrants, in order to integrate fully into the country, tend to assimilate

French culture, setting aside their original identity to be considered by the indigenous as "good French".

France is a country that tends to incorporate the immigrant so much that it transfers not only the language but also the culture itself and therefore the French mentality, but Britain, on the other hand, tends to recognize the cultural diversity of the ' Immigrant, accepting it, provided that the latter recognizes the authority of the viceroy or the British governor.

Britain's political project, such as the French one, is a kind of continuation of colonial policy, which, while for France,A "assimilationist" approach through a direct type of government, for Great Britain was characterized by a "differentialist" approach and an indirect government.

In Germany immigrants were evaluated according to the Gastarbeiter model, "workers Guests, "individuals whose stay in the country was determined solely by work commitments and only for a limited period of time. Thus, there was a rotation system for foreign workers who planned to return home when their performance had exhausted.

We can take as example also other countries outside the EU, such as Costa Rica. Its ethnic background is a mixture of groups, where there are contributions of indigenous populations, the Spanish settlers and African-Caribbean. We can distinguish three cultures related to the mode of being of Costa Ricans: that his Central Valley, typical peasant farmers, the pampas guacazteca and the Afro-Caribbean province of Limón. In the field of education, 94% of the population is able to read and write and many universities in the country have arisen particularly oriented to the study of nature and biodiversity. Costa Rica has developed considerably medicine, especially the one prior, in urban areas and rural areas.

According with UNHCR: "the year 2014 will mark the 30th anniversary of the Cartagena Declaration on Refugees of 1984 . Over the past 30 years, the regional co-operation and solidarity, exemplified in the Declaration, have been shown to be effective in addressing long-standing and new situations of forced displacement in the Americas.

Although the number of asylum seekers and refugees in the sub-region Latin America remain relatively stable, it is expected that in 2014 could rise because of the increasing violence by new criminal entities in the Americas region.

Central America is affected by high levels of violence perpetrated by non-state actors illegal. This is having an impact on the protection of the population and is causing new

displacement." (Cartagena Declaration 1984, Research Paper A.Cuomo 2016)

"For operations in Latin America, the Office has planned a number of activities leading up to the Declaration anniversary in November 2014, and will work towards the establishment of a renewed regional framework for the next decade, building on the 2004 Mexico Plan of Action." (Mexico Plan 2004, Research Paper A.Cuomo 2016)

This Plan of action will improve the refugee's condition such as : phylum, territorial protection, refoulement , give them medical insurance ; and also UNHCR is working not only about governmental and bureaucracy aspects but also such as regarding the social aspects for example the naturalizations , the social integrations .
In central America and Mexico the level of criminality it's very high and this could be a risk for the whole populations.

"The main priority of the Office in Costa Rica is the process of local integration, especially job placements. To help refugees and asylum-seekers to find jobs and become less dependent on assistance, the Office will further develop alliances with private companies and chambers of commerce. UNHCR is also working on naturalization and nationality issues as part of the overall solutions strategy in the country."(Mexico Plan 2004 - Research Paper A.Cuomo 2016)

Costa Rica faced immigrant situation since 1972 following the earthquake that struck the Nicaragua, and the afterwards the armed conflict and economic reason pushed Nicaraguan to escape from them country to move in Costa Rica.(Agenzia Espanola de Cooperaciòn internacional AECI).

Sicily is facing the same situation since the beginning of 90's when migration flows undertook the so-called "Route of the Mediterranean" Spread across the "Mare Nostrum" from Africa, Asia and the Middle East to Europe. The phenomenon of immigration by sea has increased in tandem with the closure of the borders of the European states following the adoption of a system of visas particularly restrictive for poor countries .
Integration, in this context, necessarily presupposed an assimilation to the culture of the nation.

2.4 Refugees Issues

According to United Nations, Refugees lie at the heart of world politics and yet scholars of international relations have generally bypassed the study of refugees, and forced migration. Bridging the divide between refugee studies and international relations United Nations drew up a worldwide project.

This project attempts to bridge the divide, exploring a range of ways in which refugee protection and other aspects of forced migration interact with world politics and it is divides into a number of sub-themes:

- International cooperation and burden-sharing;

- UNHCR and institutional change;

- Implementation in world politics.

Bearing the weight of the emergency it would be easier if you had the certainty that they are building the foundation to manage the flow of migrants planned with medium and long-term policies.The facts show that in Europe it took months and months of negotiations just to decide how to divide 20 thousand immigrants. This scenario is constantly creating a social panic In Italian society.

The lack of International Relation and communication provide a multiplicity of issues. A simple step could be, through an adequate governance communication, a special push for a policy that discourages the departures from the Libyan coast, a way not to feed this obscene trafficking and this factory of illusions. And even more backlinks you should remember and address the problem that is at the root, that is corrupt, inept and violent governments that dominate much of Africa and force their people into poverty and misery.

Of course, the solutions are not that easy, but if you do not set properly the problem, the solution will necessarily be wrong. At the next European summit there will be no agreement on the "units" of refugees and it is not expected any significant agreement even in the future.

At this point, Italy has remained essentially alone for what concerns the initial and constant reception of migratory flows from Libya. The main objectives of the Dublin III Convention, however, were prevent asylum shopping (i.e. the practice of presenting

simultaneously the most asylum applications in different EU member states to increase the chance of a positive response) and reduce the number of applicants asylum "in orbit", i.e those that are transported from one member state to another. To achieve these objectives, the Convention established that refugees would have the opportunity to submit a request for asylum in the first country of arrival only, who is seeking to enter illegally into another country will be sent back.

2.4.1 Refugees Emergency in Italy: Italian or European issues?

In the last months the theme of migrants returned in the central Italian political debate and in the European one.However, many political and social forces seem to be confused about the size of the problem and what are the real tools available to address it.

The contemporary wars fought in the battlefields of Afghanistan, Syria and South Sudan as well as all of the most serious international crisis have produced millions of refugees and displaced persons.Those who cannot or will not, because they fear being persecuted, avail himself of the protection of their country, are requesting asylum elsewhere as protected by various forms of international protection, including the recognition of refugee status.

For this reason, the first countries in the world for number of refugees received are mostly not from developed countries, general from places on the border of Afghanistan and Syria (1.6 million Pakistan, Lebanon 1.1 million, 982,000 Iran, Turkey and 824,000 Jordan 736,000) followed by neighboring countries to Sudan and South Sudan (Ethiopia 587,000, 537,000 Kenya, Chad and Uganda 454,000 358,000). (UNHCR Statistical YearBook 2015)

Given the substantial number of refugees received, in the relatively small size of countries with a small population the relationship between refugees and residents in the area is very high.To get an idea the proportion in Italy is "from 8.5 to 15 million refugees".(UNHCR Statistical Yearbook 2015).

In the last few years it has also been a source of heated debate both in Italy and in Europe the need to redistribute evenly refugees among EU member states.In Europe the leading

country for the number of refugees is France (238,000) followed by Germany (200,000), the UK (126,000) and Sweden (114,000).

In Italy welcomed the refugees are 76,000, just over one out of every 1,000 inhabitants. If one considers, however, the ratio between refugee population and to occupy the first place in Europe and sixth in the world is Malta, with 23 refugees per 1,000 inhabitants, while the second is Sweden with 12 refugees per 1,000 inhabitants.(UNHCR Statistical YearBook 2015)

Whatever the indicators used to determine the redistribution system at European level, it is clear that Italy would not be the country to benefit more from the allocation.
The European Union does not directly manage the crisis because there is no real European policy on migration from third countries not conditioned to national constraints.

Since the member countries have been unwilling to delegate to the European Union national powers in this area, the management of non-EU migrants has remained the responsibility of each individual state.Under the obligations of European states to control their borders and the growing EU legislation on migration within the Union, in 2003, it came into force on the Dublin II Regulation (reworked in 2013 as the Dublin Regulation III), which gives the burden of demand management of asylum seekers to the first country of entry in Europe.

The Convention was also introduced to "empower" the Member States on the EU border areas and push them to lend greater effort to control its borders.This measure, which has inevitably affected the countries bordering the Mediterranean, was necessary for the widespread practice among the transit countries of migrants let pass without identification to avoid to take responsibility, as indeed happened in the case of the jihadists that have hit Paris and that they had passed in Italy.

Italy itself has been repeatedly accused of not respecting the provisions on asylum, most recently by Joachim Herrmann, Bavarian Ministry of the Interior in the summer of 2014 has accused Italy of not record personal data and fingerprints of all refugees to allow them to seek asylum in another country of the Union.

In 2011, because of the revolution in Tunisia and the subsequent war in Libya, the number of migrants landed on Italian shores altitude reached 62,692, a defined level "exceptional" by the Italian government, which came to declare the Emergency North Africa (ENA).

In this state of emergency, alongside the standard system were established the extraordinary reception centres (CAS), or pensions, gyms, sports halls, community and other facilities accredited by the prefecture that host migrants in exchange for a consideration of approximately 45 euro per day.

Among the causes of the failure of the places in the ordinary reception centres delays are defendants in process management.According to the law, applicants should be housed in temporary accommodation centres for the time necessary to obtain recognition of the status, not over 35 days. In reality because of bureaucratic red tape and difficulties to include them in the second reception centres, applicants may remain in these facilities for over a year, thus removing place for newcomers.

The Emergency was closed North Africa with a decree of February 28th, 2013 and then re-open in 2014, when, because of the war in Syria and the situation in Libya, the number of migrants arriving by sea has almost tripled (170,100) compared to the exceptional level of 2011 defined.

Now a question arises spontaneously, at what levels must be addressed the emergency? First the emergency should be addressed at international level, because to have a permanent solution is necessary to address the problem at its root, and the root of the problem are those serious international crises that generate refugees and displaced persons.
This means intervene to stabilize the situation not only in the transit countries, such as Libya, but also and especially in those of departure.
According to data on the landings of Frontex, in 2014 most of the migrants were from Syria, Eritrea, sub-Saharan Africa, Afghanistan, Mali, Nigeria and Somalia. The emergency should start to be addressed by these places.

The second level is the Europe. As with other issues involving security in defense, for the extra-EU migration management among member countries there is neither a common strategy or a shared policy.As for the other issues on which there is an agreement, each state has to manage alone the situation with the resources and the means it has available, forgetting that unity is strength.

Before Schengen, no one would have ever imagined being able to reach such a level of freedom of movement within the area, but now we see only the advantages. Assuming that

every decision of this nature requires sacrifices, sitting at the European table of negotiations we should stop focusing our efforts on what we lose by delegating part of our powers to a supranational body, but begin to focus on what we would gain by working together.

The third level is the National one. In Italy the state of emergency has become structural due to a short-sighted management of migration. Tortuosity and red tape, high costs and mismanaged funds and generally a little programmatic approach based only ever state of emergency, has turned in our country the extraordinary in the ordinary and in this state each landing can only represent a new emergency.

2.4.2 The protection of human rights in Community Law

The Treaties establishing the European Communities did not provide specific provisions in the matter, unless limited references to particular situations, such as, for example, the principle of free movement of persons, and the principle of no-discrimination on grounds of nationality and gender, inherent, however, only to employees and agents entrepreneurs within the EU.

On closer inspection it is instrumental rights to the purposes of the Treaties, and thus protected to the extent that are necessary to the realization of primarily economic purposes (customs union, economic and monetary union, single market) at the base of the EU. Soon, however, "the incidence of life in EU has become evident on position of individuals and their prerogatives, and it was felt the need to protect the individual from interference caused by the application of EU Law". (Squire 1996,p.268.)

The pushes in this direction came, primarily, from the internal systems of some Member States, particularly from Italian and German Constitutional Court. But within the Community, a key role was played by the ECJ. In fact, in a first stage, the Luxembourg Court has refused to exercise effective control on the respect of fundamental rights in the Community: in the judgments of the 60 it is clear that the principles protected by the Member States are not, in the Court's relevant at Community level.

The Court stated that "the protection of these rights is informed by the constitutional traditions of Member states"(Nold 1974) in addition to having called again obliged to draw inspiration from the constitutional traditions common to the Member States, the Court recognized that "international treaties for the protection of human rights which the Member States have collaborated or acceded can also supply guidelines which should be taken into account in the context of Community law." (Greppi 2001).

In doing so, it has established a Community competence on the protection of fundamental human rights, protection inspired by respect for the principles which the Court of Justice drew from the constitutional traditions of the Member States and the provisions of international treaties to which they are bound, in particular by the provisions of the European Convention on human rights and fundamental freedoms (ECHR) in 1950.

If the Court had initially devoted exclusively to economic rights, he later had the opportunity to examine situations relating to protection of civil rights (especially the right to a fair trial and defense) and social. Through this practice has been formed, in the course of time, a true and own "catalogue of fundamental rights" (Pagano 1996).

Aligning itself to the path taken by the Court, the other Community institutions have taken the first steps in the industry that we go considering.

In 1977 the Council, the Commission and the Parliament have adopted a Declaration in which commune stressed the crucial importance they attach to the protection of fundamental rights, as it follows from Member States constitutions and the ECHR.

A further step is taken by the Member States with the signing of the Single Act of 17 and 28 February 1986. In the Preamble, in fact, it is expressed the will to promote "democracy on the basis of the fundamental rights enshrined in the Constitution and the laws of the Member States, by the ECHR and the European social Charter, notably freedom of equality and social justice".(Single Act 1986)

This guidance has been consolidated in the Maastricht Treaty, in which respect for fundamental rights is explicit statement.

Carrying statements Early in the Court's case-law "the Union shall respect fundamental rights as guaranteed by the ECHR and as they result from the constitutional traditions of the

Member States, as general principles of Community law".(TEU 2008,Art.3)

The Amsterdam Treaty, then, in addition to specifying the provisions of the former art.3 of TEU (now Art.6), proclaiming that it is based on the principles of liberty, democracy, rule of law, and respect for rights and fundamental freedoms ('principles common to all Member States') , it has introduced various devices that allow effective control on the respect of the principles.In particular, by amendment of Article 46, it was decided to extend the preliminary jurisdiction of the Court of Justice to par.2 of art.6, limited to the activities carried out by the institutions.

In light of what we saw until now, we can say that respect for fundamental rights is now a "safe requirement of legality of acts of Community institutions and standards related to Community law".(Squire 1996).

For is concerning the individuals who cannot even be identified as international migrants, the main problems for Sicilian coasts where thousands of illegal immigrants come everyday, leads to the construction of identities with no evidentiary basis whatsoever.

"The unquestioned assumption is that migrants in 'transit' countries 'would-be asylum-seekers' and are automatically understood as illegal" (Du¨vell 2006).

This perception is at the same time contradicted and manifested by the UNHCR assuring European governments that the agency does not regard "stranded migrants as refugees, thus invalidating the possibility for migrants to claim protection needs on a rights basis, but leaving them space to call for protection needs on humanitarian grounds." (Dowd 2008).

Existing refugees in a destination country from the same source country reduce the uncertainty faced by subsequent asylum migrants since existing refugees can provide information and assistance. We argue that such network effects extend beyond the borders of specific source countries.

Potential asylum migrants might also be able to draw on networks from geographically proximate as well as linguistically similar countries and from countries having previously been colonised by the same destination country, thus creating spatial dependence in asylum migration among source countries.

Many destination countries meanwhile aspire to reduce the inflow of migrants by tightening their asylum policies. Target countries which restrict their policies relatively more than other

destinations deflect some asylum migrants to geographically proximate destination countries, thus creating spatial.We find evidence for both types of spatial dependence in a global analysis of asylum migration.

However, while statistically significant, the degree of spatial dependence among target countries is modest. On the source side, there is evidence for modest spatial dependence among linguistically similar countries and no evidence for spatial dependence among countries which were previously colonised by the same destination country.

2.4.3 What is the United Nations doing about it?

"One of the key activities of the Division in this field is to produce estimates of the international migrant stock for all countries and areas of the world, disaggregated by age and sex and country of birth or citizenship, at regular intervals. Recent highlights of the Division's work are listed below. For a complete list of activities undertaken by the Division in the field of international migration." (see unmigration.org.)

According to the article of Thomas Demmelhuber , The European Union and Illegal Migration: " European and international law - The partial externalisation of EU migration policy through 'non-arrival measures' enjoys strong support among EU decision makers over concerns of conformity with international law.

It speaks volumes that it had taken several years and in the end needed more pressure on behalf of the Commission (foremost former Vice-President of the Commission Jacques Barrot) until EU decision-makers admitted incremental discrepancies in the operational output of FRONTEX.

Stricter guidelines for FRONTEX missions were approved by the Commission, the Council, and the Parliament in 2009 and 2010.

Prior to the approval, some EU member states had already made clear that they would keep aloof from future FRONTEX missions in light of stricter regulations, but eventually this was nothing more than political calculus to thwart decision-making.

It is unquestionable that the EU has the right to embark on controls of its external borders. But the EU is obliged to conduct border controls without threatening fundamental elements of international law and European law (such as the Charter of Fundamental Rights of the European Union).

International waters are not a lawless area. Intercepted boats in international waters are to be escorted into the next port of the EU, where each single illegal migrant has its indivisible right to claim asylum. Intercepting boats with potential illegal migrants in international waters does not turn them into illegal migrants due to circumstantial evidence.

These legal loopholes show that the EU is still in need of a legal framework that takes into account the legal uncertainty of this new form of border management.

Prior to any further institutionalisation of its border management strategy there is a dire need to create a legal basis which offers protection for the rule of law, the adherence to international law and EU law ('non-refoulement rule'), as well as more transparency on the EU side in general.

This accounts particularly for more transparency in the multilayered relations network of the EU with third countries and bilateral agreements between EU member states with transit countries and countries of origin." (Thomas Demmelhuber,2011, The European Union and Illegal Migration,The International Journal of Human Rights).

On 11.09.2015 European Union Council about crisis of refugees and migrants, with the purpose to encourage Member States and third countries concerned to intensify the ongoing initiatives to substantially increase the reception capacity, and in this regard the Council welcomes that the Commission has quickly identified additional financial support for the countries involved and the UNHCR, decided: - to intensify the creation of points of crisis in Italy and Greece, with the support of Member States, the Commission, Frontex and the EASO, so that all may be in operation by the end of November 2015, as decided previously; - to help, as far as the incoming and outgoing checks at external borders, the Member States concerned to comply with a legal obligation to carry out appropriate checks, manage and resume control of its external borders and improve the coordination of their actions to border management which is incumbent to them; - to examine the concept of treatment centers, with

the support of the Commission and relevant EU agencies, in countries where it was not implemented the system based on points of crisis, in order to arrange access to international protection and / or the purpose of return.

3.THE MIGRATION POLICIES IN ITALY

3.1 The Latest Development in Italy

On 5 February 2010, the Minister of the Interior Affairs, Roberto Maroni has proposed to introduce in the security package a 'residence permit' points issued to new legal immigrants. To be allowed the stranger had to sign an 'integration' agreement under which it would take over a series of obligations and requirements that only if completed could afford to reach the 30 points needed to get the document .As he said at a press conference : "How natural consequence of the Act only if security within two years of the immigrant waiting for a residence permit will reach the 30 points that are awarded will be allowed. It must demonstrate that they have passed the course of Italian language, to know the Constitution, that he joined the health service, to send their children to school.If he commits crimes, the points are removed. If after two years does not reach 30 points, has another year to get to score the penalty espulsione.Si This is a useful measure and civilization and I think that will be much appreciated by those who want to integrate into our society and want to work.This is one of the most advanced facilities in Europe on the integration front." (Press Conference 2010).

This system served to ensure integration: the Minister suggested the things to do to get integrated in the community. New residence permits will be valid for only 2 years.Immigrants language courses will be for free and governments will try everything to ensure uniform standards in all provinces.

Many were the comments raised by the statements of the Minister, for example, Monsignor Giancarlo Perego, director of Migrantes, looks like a "tool that in itself can also be positive, but in a reality such as the Italian looks like improvised and ineffective ".

The following law, which created numerous social upheavals, was repealed in July 2016 and as my personal opinion I am afraid that the Italian government just want to put stakes for

effective integration of immigrants in my country, linking the presence on the Italian territory for employment purposes to the knowledge of concepts that many Italians ignore.

CONCLUSIONS

Achieving this result was made possible by the evolution of the internal EU debate and, therefore, the definition of a new approach, multi-sectorial and integrated, the phenomenon highlighted the limitations of a policy of control and containment of migration flows (which also leaves much to be desired in terms of protecting fundamental human rights), the focus has shifted on the need to establish a dialogue with the migrants' home countries - in order to affect those that are recognized as "push factors" - and to promote the fair treatment and thus the integration of citizens of third countries residing in the Union, in particular long-term residents.

Indeed, no legislature, any political orientation, moreover the lack of diplomatic networks between Italy and the EU, was able to enact concrete on the matter. In recent years, population movements towards Europe will have gone boosting and stabilizing, and have acquired a predominantly economic connotation.
The entry into the Community territory of immigrants from different ethnic backgrounds and geographical resulted in the creation of a multi-ethnic population in large metropolitan and even rural areas.

This situation can not be experienced the same way as an emergency, through mere administrative regulations and police controls that apply only to temporarily conceal the structural and legal unpreparedness of host societies.It needed, rather, an integrated Europe-wide strategy, capable of providing those answers that sectorial and constrained by national approaches have failed to produce.

The analysis in Chapter One showed how, over roughly the last decade has gone by the absence of any regulation at EU level (without prejudice to the Schengen Agreement, which, however, fell within the scope of intergovernmental cooperation and involving only some of the Member States) to the "communitarisation" of politics immigration.
Achieving this result was made possible by the evolution of the internal EU debate and, therefore, the definition of a new approach, multi-sectorial and integrated, the phenomenon

highlighted the limitations of a policy of control and containment of migration flows (which also leaves much to be desired in terms of protecting fundamental human rights), the focus has shifted on the need to establish a dialogue with the migrants' home countries - in order to affect those that are recognized as "push factors" - and to promote the fair treatment and thus the integration of citizens of third countries residing in the Union, in particular long-term residents.

Underlying this approach is, undoubtedly, a different perception of immigration, defined more and more often - at least in official statements - in terms of "resource" instead of only "problem." Although it is clear that the Union's policy on immigration mainly focused on the definition and application of strategies to regulatory - and scale - the inflows, in the present work it was decided to focus the analysis on the legal status of citizens of third countries residing in the EU territory, therefore on the treatment that the European Union reserves to these people.

Later we saw how many international organizations and NGOs actively working together to groped to alleviate the burden on the shoulders of European Union member states.
To date we have numerous examples of integration in Europe but not yet in the case of Italy, the road is long and winding until completion a thorough plan for the total management of the immigrants.The management should be done not just on the physical plane, the physical movement of people in the area but also economic, cultural, and psychological.

What results has led this government policy? First of all for almost three decades were only local authorities and the Church to take care of the immigrants on their territory .In second, the denial of rights has generated a strong and general sense of dissatisfaction in the immigrant population residing in the territory.
In fact in the (few) interviews with foreigners, almost all complain of government policies at all attentive to their needs.The exasperation, frustration, the feeling of perpetual exclusion were at the root of many violent acts that have played a key role immigrants.

So that immigrants who arrive in Italy is having to "fight" a very restrictive legislation and not at all attentive to your needs, and a basically neutral population if not openly distrustful.
Today more than ever it is therefore necessary that the Italian company engage in a policy of integration that must necessarily pass from the elaboration of more meticulous standards

inclusion of immigrants, that does not criminalize them regardless, in short, to punish them if they make mistakes but knows how to reward even if they prove themselves worthy.

Only through the efforts of the institutions the citizens themselves will come to no longer look to emigration as a problem but as a resource for the country. The challenge of the future, therefore, is played not so much in importing foreign integrationist models.
Rather the well-established experience of some countries can counteract prejudice and widespread intolerance towards immigrants and using information channels of mass communication.

Even because considered the progress of the wars in Syria, Somalia, Eritrea, Yemen and Sudan the inputs and asylum applications will not decrease in the near future, not least also because the migration to European countries are an expression of a question of the values that the EU represents today.

The values of peace, democracy, human rights, rule of law, freedom and mobility.The complex of these values is known as the acquis communautaire and is the set of settled rules, regulations, policies, treaties, agreements and decisions the EU has adopted since its origin (Cagiano de Azevedo,Paparusso 2015). A possible solution could be an admission strategy require a great deal of diplomacy, political and economic commitment.

The 'acquis communautaire', as well as forming the material and immaterial frontier for the states that wish to integrate into the European Union, has become the main reason why migrants decide to cross the borders of Europe and to integrate into European society.Based on these considerations, it is clear not only that migratory movements at the borders have no reason to stop in the near future, but also that the management of these movements and their consequences, political, social and economic, must necessarily be European. More than a signal of solidarity to the states, this would mean the strengthening of the union of the State's policy.

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