



Submission to the UN Subcommittee on Prevention of Torture in advance of its visit to Italy

1 July 2015

NB: This brief backgrounder is intended to be read alongside the GDP report on Italy published in November 2012 <http://www.globaldetentionproject.org/countries/europe/italy/introduction.html>.

- According to estimates, since the beginning of 2015 between 60,000 and 70,000 migrants have arrived in Italy by boat from North Africa and almost 2,000 persons died trying to reach Italy and Greece.ⁱ
- In 2014, 63,660 people sought asylum in Italy, 25,720 in 2013, and 17,350 in 2012. In 2013 Italy ranked 3rd (after Germany and Sweden) with respect to the number of asylum applications submitted in the European Union.ⁱⁱ
- In 2013, 6,016 migrants (of whom 150 asylum seekers) were detained in CIEs, comparing to 7,944 (of whom 120 asylum seekers) detained in 2012. Around 90 percent of the detainees were men.ⁱⁱⁱ

Adopted in October 2014, Law 161/2014 reduces the legal time limits for immigration detention from 18 to 3 months. The grounds justifying detention remained the same as specified in the GDP 2012 profile of Italy.

- Italy's immigration detention infrastructure appeared to undergo an overhaul in autumn 2014. As of July 2014, 11 CIEs (*Centros di Indentificazione ed Espulsione*) reportedly were in operation in Italy—located in Bari, Bologna, Brindisi, Caltanissetta, Crotona, Gorizia, Milano, Roma, Torino, Trapani and Trapani Milo. As of September 2014 and also currently, of these only five appear to continue functioning as detention centres, those in **Bari, Caltanissetta, Roma, Torino, Trapani**. The others were either temporarily closed or transformed into first reception centres.^{iv} The GDP has not been able to verify whether the new reception centres are CDAs (*Centros di Accoglienza*) or CARAs (*Centros Accoglienza Richiedenti Asilo*). Key questions concerning these facilities are: What kind of facilities are they? When they changed status and became reception centres, how exactly did operations change so that they resemble reception more than detention? What is

their current capacity? Can people placed in these reception centres exit freely or are there physical barriers preventing them from departing? How long do people remain in them there?

	Name/location	Status (year)	Capacity (year)
1	Bari	In use (2014)	196 (2014)
2	Bologna	Temporarily closed/ First reception centre	95 (2012)
3	Brindisi	Temporarily closed	83 (2012)
4	Caltanissetta	In use (2014)	96 (2014)
5	Crotone	Temporarily closed	124 (2012)
6	Gorizia	Temporarily closed	248 (2012)
7	Milano	First reception centre	132 (2012)
8	Roma	In use (2014)	360 (2014)
9	Torino	In use (2014)	210 (2014)
10	Trapani Milo	In use (2014)	204 (2014)
11	Trapani Serraino	Temporarily closed/ Reception centre	43 (2012)

- As we noted in our 2012 profile, some observers in Italy contend that a host of other facilities in the country appear to operate as detention centres even if they are not officially recognized as such. It would be very useful to do an assessment of some of these facilities so that you can have more clarity on the scope of immigration detention in Italy and also put pressure on officials to clarify publicly how these facilities are intended to operate. In particular, we note in the 2012 profile (see the section on Detention Infrastructure) that so-called Welcome Centres (*Centri di Accoglienza* or CDA), which are initial holding facilities, appear to lack adequate guidelines and regulations and that although officials say detention there is very brief we do not have a lot of concrete data to back up this claim. Has the situation changed at these facilities in any way since the 2012 report? Are there any reports of people being held for periods exceeding 2 days? Are there clear operating instructions for all these facilities? Do their operations change depending on which region of Italy they are located? Should they be considered detention centres and statistics from them included in the country's overall detention statistics?
- In our 2012 report we noted a set of similar concerns with respect to operations at the country's transit facilities at major airports and other ports of entry—lack of clear guidelines, poor oversight, potential use for longer term detention. The same questions we pose regarding Welcome Centres apply to these. To the extent the SPT could develop clarity on this issue and urge officials to express this clarity publicly that would be an important action from the GDP's perspective.

- In December 2014, the Special Rapporteur on the human rights of migrants, François Crépeau, visited Italy and issued several recommendations regarding detention, including to ensure that migrants are detained only when they present a danger to themselves or others or a demonstrated risk of absconding from future proceedings, and always ensure that detention is used for the shortest time possible and as a measure of last resort, use non-custodial alternatives to detention all other cases; ensure that all detained migrants have access to proper medical care, interpreters, adequate food and clothing, hygienic conditions, adequate space to move around and outdoor exercise; to systematically inform detained migrants in writing, in a language they understand, of the reason for their detention, its duration and their rights to access to a lawyer, to promptly challenge their detention and to seek asylum; ensure that all migrants deprived of their liberty are able to promptly and easily contact their family, consular services and a lawyer, which should be free of charge; guarantee full access by international organizations as well as civil society organizations, doctors, journalists and lawyers, to all areas where migrants are held or detained.^v

ⁱ EU Observer. "Another 2,900 migrants rescued off Libya." *EU Observer*. 30 June 2015.

<https://euobserver.com/tickers/129377>

Scherer, Steve. "Italy begins to recover hundreds of migrant bodies from shipwreck." *Reuters*. 29 June 2015. <http://www.reuters.com/article/2015/06/29/us-europe-migrants-italy-idUSKCN0P928920150629>

ⁱⁱ UNHCR. *Asylum Trends 2014: Levels and Trends in Industrialized Countries*. 2015.

<http://www.unhcr.org/551128679.html>

ⁱⁱⁱ Italian Council for Refugees. "Country Report: Italy." *AIDA*. January 2015.

<http://www.asylumineurope.org/reports/country/italy>

^{iv} Ibid. Ministry of Interior Webpage. May 2015. <http://www.interno.gov.it/it/temi/immigrazione-e-asilo/sistema-accoglienza-sul-territorio/centri-limmigrazione>. Global Detention Project. "Italy: List of Detention Sites." 2012. <http://www.globaldetentionproject.org/countries/europe/italy/list-of-detention-sites.html>

^v Report by the Special Rapporteur on the human rights of migrants, François Crépeau; Addendum; Follow-up mission to Italy (2–6 December 2014). May 2015.

www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Documents/A_HRC_29_36_Add_2_en.doc