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The European asylum system and the protection of fundamental rights: a difficult relationship

1. Inefficiency and imperfections of the European immigration jurisprudence. Brief comments on to the criminalization of the irregular migrants.

Any analysis of the European jurisdiction on immigration suffers from an unavoidable difficulty deriving from the structural imperfection of the object under examination. The imperfection that we are talking about originates from the lack of an even minimal correspondence between the right to emigrate and the right to immigrate. Except in a few cases, indeed, it is possible to recognize a general right to leave the country of origin, yet there is no corresponding right to immigrate to countries different from the native ones, for instance for economic or work- related reasons [1]. This creates a structural malfunctioning of the entire system for the regulation of the migration phenomenon.

The degree of this imperfection and, as a direct consequence, the degree of malfunctioning, of the very system, however, may vary. The system can prove imperfect and inefficient if, for example, one adopts the policy of a strict limitation or even the blockage of the legal migratory fluxes, also known as the economic one. This situation forces the potential migrant toward the illegal entrance channels or towards the request of international protection with negative cascade effects on the European asylum system. This without considering the very difficulty of defining a so-called economic migrant.

Imperfection and ineffectiveness become worse, reaching their maximum and becoming constitutionally intolerable, when they turn into a violation of rights and of the fundamental freedoms of the migrants. It suffices, in this respect, to consider the very limited, if not absent results produced by the introduction of a despicable type of offense such as illegal entry and residence, even in the form subsequent to the ruling of the European Court of Justice which has partly rejected the crime of clandestinity and direct expulsions (European Court of Justice sect I, sentence 28.04.2011 n° C-61/11 [2], known as El Dridi case).

The criminalization of those who are generally known as status crimes exemplifies perfectly the characteristics in questions: Imperfections - here in the sense of constitutional illegitimacy - and inefficiency of immigration policies.

The steps that led to the Law Decree 23 June 2011, N.89 named “Urgent dispositions for the completion of the implementation of the Directive 2004/38/CE on the freedom of circulation of European citizens and for the transposition of the Directive 2008/ 11/ EC on the repatriation of irregular third- country nationals” are known and thus do not require to be reconsidered here.

In essence, the new law has led to a substantial rewriting of the rules laid down by Consolidated law 286/98 concerning expulsions and holdings and crimes connected to them. However, it has not resolved the issues of compatibility with the repatriation directive, which, although criticizable in other respects, had made

the principle of the voluntary repatriations positive. Nor has it resolved those issues more generally pertaining to the criminalization of irregular migrants.
Only to the mere purpose of underlining the close link between the increasingly cruel treatment of irregular behaviors and the incongruity with respect to the planned goals, we can now summarize some of the profiles of the legislative amendment of 2011.
This decree law reformulates the crimes of non-compliance with the order of removal, referred to in Article 14, paragraphs 5b and 5c of the legislature on immigration. These are now punished with just the financial penalty of a fine, replaceable with expulsion by the justice of the peace, who becomes the local judge in relation to the crimes themselves.
The new provisions, as a matter of fact, state that "the violation of the order referred to paragraph 5 bis is punished, unless there is a just cause, with a fine ranging from 10,000 to 20,000 EUR, in case of repulsion or expulsion ordered pursuant to Article 13, paragraph 4, or if the foreigner, admitted to voluntary and assisted repatriation programs, see Article 14 ter escaped them. The 6.000 to 15.000 euro financial penalty applies if the expulsion was ordered pursuant Article 13, paragraph 5. Reviewing case by case and taking into account Article 13, paragraphs 4 and 5, unless the irregular migrant is in prison, a new deportation for violating the order of expulsion is adopted by the superintendent under paragraph 5 bis of the said Article. If it is not possible to proceed with the escort to the border, provisions of paragraph 1 and 5 bis, as well as those contained in Article 13, paragraph 3 should the conditions be met, apply. The violation of the dispositions in accordance with paragraph 5 ter, third sentence, is punished with a fine between 15.000 and 30.000 euro, unless there is a justifiable reason. In any case the dispositions referred to in paragraph 5 ter, fourth sentence, apply".
The legislature, in transposing the Directive, has therefore continued to consider the matter referred to in art . 14 paragraph. 5 ter and quater as criminal offense.
Moreover, the fine, in this case much higher, is bound from the very beginning to ineffectiveness. And also in this case, the actual sanction is the expulsion.
The structural weakness of the system is particularly salient. First of all, the opportunity to reflect on the rather disastrous results of the policy of criminalization of irregular entry and permanence as a such introduced in 2009 with the art. 10 bis of the consolidated law was missed.
However, ineffectiveness is not the only feature of the 2011 reform.
Besides that, the law decree, in order to adapt to the repatriation Directive, provides – in peius with respect to the legal framework in force - an extension of up to eighteen months of the maximum period of detention of immigrants in CIE (Identification and Expulsion Center) (art. 14 paragraph 5 of the U.T.).

Moreover, it disciplines alternative measures to detention in the CIE for the non dangerous illegal alien, such as surrendering of the passport or another equivalent document, the requirement of stay and the obligation to report to the offices of the police (art 14. Paragraph 1a of the consolidated law): Violation of these measures is punished with a fine of 3.000 to 18.000 euro (the offense is attributed, in this case as well, to the jurisdiction of the justice of the peace). However, the law decree maintains an important role for detention in the CIE in the management of migration.

Furthermore, while the law previously in force stipulated that "the expulsion is always executed by the superintendent through escorting to the border by the police" (Article 13. Paragraph 4 of the consolidated law), the current one on the one hand provides that "the expulsion is executed by the superintendent through escorting to the border by the police"- eliminating the" always "- and on the other hand expressly reserves that procedure to cases where a series of specific assumptions are verified.

Moreover, art. 13, paragraph 5 of the consolidated law disciplines that the foreign recipient of an expulsion measure, if the conditions for the immediate escorting to the border are not present referred to in paragraph 4, the migrant may apply to the prefect, concerning the implementation of the expulsion, the granting of a period for voluntary departure, including through voluntary and assisted repatriation programs referred to in Article 14 bis of the consolidated law. The prefect, on a case by case base, with the same expulsion provision, orders the alien to leave the country voluntarily within a period of 7 to 30 days. This provision appears in contrast to the Repatriation Directive which, in Article 7, provides for the voluntary departure as an automatic mechanism which is independent of any request. Moreover, art. 13, paragraph 4 provides for the expulsion of the migrant with escorting to the border by the police under much broader assumptions than those provided for in the Directive.

Moreover, Art. 14, paragraph 1 of the consolidated law provided - in an unchanged manner - the possibility of detention in a CIE in case of danger of escape or if there is the need to provide assistance to the foreigner or to make further investigations concerning his identity or nationality, or to acquire the travel documents or the availability of a suitable means of transport.

Those requirements are broader than those referred to in Article. 15 of the Repatriation Directive, which limits detention to the risk of escape or to the situation where the third-country national avoids or hampers the preparation of repatriation or of the removal, i.e. assumptions which are 'attributable' to the illegal alien; in reality, the directive refers precisely to the lack of cooperation on the part of citizens of a concerned third country , or to the delays in obtaining necessary documentation from third countries and then to a passive behavior or

administrative-bureaucratic inefficiency only in order to extend the detention of an additional twelve months.

2. Discipline of the right to asylum and the Dublin system

Imperfection doubly characterizes and to an equally serious extent the common European asylum system whose implementation is systematically detrimental to the international principles accepted on this matter, both in relation to the - we could call it - pathological stage of repatriation, and to the opening phase of the international protection relationship.
The hard core of the discipline regulating the system of international protection is the principle otherwise known as the principle of non-repulsion which has found its first positive interpretation art. 33, paragraph 1, of the Geneva Convention of 1951 which provides that "No Contracting State shall expel or repel in any way, a refugee towards the frontiers of territories where his life or freedom would be threatened on account of his race , his religion, nationality, membership in a particular social group or his political opinion".
The principle was then transfused into European standards regulating the asylum application and the reference is to the Qualification Directive (2011/95 / EU), the Asylum Procedures Directive (2013/32 / EU), the Directive on the conditions of reception (2013/33 / EU) and the Dublin Regulation III, as recently amended (EU Regulation 604/2013). All of this legislation was adopted under the provisions of art. 78 TFEU according to which the Union is required to develop a common policy on matters such as asylum, subsidiary protection and temporary protection. This policy is aimed at offering an appropriate status to any national of a third country requiring international protection and ensuring compliance to the principle of non-repulsion.
The crisis of the system of protection of asylum seekers manifests in the pressing call for revision of the assessment system of the competence of the state to receive an application for asylum. It is, in reality, the outcome of a prolonged absence of a common European policy actually based on principle of solidarity [3] between the Member States and on the principle of reception for asylum seekers.
The criteria used for identification of the State which must grant the request based on the rule of the resposability of State which played the greatest role in relation to the entry and stay of asylum seekers in the territory has, in fact, only ended up worsening a system that already suffered appalling flaws, eventually overloading already saturated bodies [4].

Yet, EU law and the provisions of the European Convention on Human Rights require States to prepare effective asylum procedures including appealing means with suspensive effect in the case of the removal decision. As a matter of fact, The Asylum Procedures Directive (2013/32 / EU) prescribes a very detailed discipline. The corresponding application practices, however, often do not comply with constitutional and European principles.

To examine just some of the difficulties in implementation, it can occur that in spite of procedures aimed at maximally guarantee the migrant, situations occur that are very distant from the standard model.

Articles 14 and 15 of the Directive provide, for example, that applicants must be personally interviewed. The interview must take place under conditions apt to preserve confidentiality, usually without the presence of family members of the applicant. Interviews should be carried out by a person who is competent at taking account of the circumstances surrounding the application, including the applicant's cultural origin, gender, sexual orientation, gender identity or vulnerability of the applicant. A detailed and thorough report must be drawn up, which must be made available to the applicant (Article 17).

The examination of an application must be made individually in an objective and impartial way, using updated information in accordance with Article 10. According to Article 10, applications for international protection should not be automatically rejected or excluded from examination by the quasi-judicial or administrative bodies competent to examine them in the first instance because of the bare fact that those applications were not submitted in a timely manner. Article 12 states that asylum seekers should always be informed of the procedures to be followed and of the time-frame in a language they understand or they are reasonably supposed to understand. They may also receive, whenever necessary, the assistance of an interpreter. They should be granted the opportunity to communicate with the UNHCR or with other organizations who provide legal assistance. Furthermore, they should have access to the information used in order to take the decision on the application; they should receive notification of the decision in reasonable time. And be informed of the decision in a language they understand or they are reasonably supposed to understand.

Moreover, decisions on asylum applications must be taken by the competent authority as soon as possible and in any case within six months, without prejudice to the conditions listed in Article 31, paragraphs 3 and 4. Under these the examination procedure can be extended to a maximum period of 21 months. Furthermore, Article 46 affirms the right to appeal against decisions on the application for international protection. It also grants the right to appeal refusals to reopen the examination of a previously suspended application and decisions to withdraw international protection.

As predicted, the rigor of the discipline collides with application practices very often infringing upon the fundamental guarantees of the migrant.
The report on the implementation of the Dublin system in Italy prepared by the Association for Legal Studies on Immigration reveals that asylum seekers returned to Italy under the Dublin Regulation, those so-called "Non-activating" [5] are not sent to any reception center but are notified with an invitation to report to the police station responsible for the reactivation of the application. In other cases, applicants will have to apply for the provision of reception measures upon their arrival in the territory of reactivation of the request, which they often have to reach at their own expense.
When asylum seekers are required to travel to various territories for the reactivation of their application they are faced with a particularly long process [6]. It is also necessary to consider that often the applicant does not receive any information concerning the rules and the timing of reactivation of the procedure. It is therefore possible that the applicant remains long without exercising his right to reactivate the procedure provided by the current legislation [7]. This aspect is particularly important because, without reactivating the procedure, an applicant cannot have access to the reception measures.
It is also necessary to consider that, at the time of his return to the Italian territory, the asylum seeker who must resume the procedure at another police station is absolutely devoid of any legal and information support: Such a lack of information may result in the asylum seeker not being able to access the available measures of reception.
The same lack of effectiveness of the guarantees applies to a possible jurisdictional opposition to the denial of reception measures. Theoretically, the asylum seeker without reception could apply to the national court in order to obtain the due acceptance [8]. In practice, this principle is undermined because of the difficulties in accessing state funded legal aid. This specific profile reflects a considerable weakness of the Italian reception system. As an example, we report what happens at the Court of Rome where the Bar Council rejects all requests for legal aid claiming that the asylum seekers must produce, in conformity to what the Italian law generally prescribes for foreigners, a certification of their Embassy on the available income in their country of origin.
No lesser are the difficulties caused by the application of criteria for the identification of the competent state jurisdiction to receive applications for international protection as set out in the recently approved Dublin III Regulation (Regulation (EU) 604/2013).
These criteria, also in the new discipline, are rigidly arranged in a hierarchical manner and remain, for the most part, the same as those identified in the "Dublin II" Regulation. In fact, this time as well, the choice appraises, in sequential order,

the existence of certain family ties (starting from the assumption that the applicant is an unaccompanied minor), the fact that a residence permit or a visa for other purposes has been issued or the place where the subject has first entered, regularly or irregularly, the European territory. Also as an outcome of the reform that took place, a tendency remains to favor the responsibility for examining an application for international protection, in the first place, of the State that played the greatest role in relation to the entry and residence of the applicant in the territory of the Member States. The consideration of the place of first entry causes many inconveniences. On the one hand, in fact, one ends up concentrating the applications for protection in certain countries, especially those of the Southern border of the Union, who are most affected by migration. This contributes to the arising in them of systemic crises and, therefore, the risk of violations of the fundamental rights of applicants. On the other hand, that policy compromises the migrants interests, limiting the choice of where to request international protection.

However, interesting news are recorded about the right to family unity and the need to fully guarantee family reunification, even as an exception to the rules of state jurisdiction [9].

These more flexible mechanisms - if improved - can, in fact, provide useful results in terms of protection of fundamental rights and in terms of increased efficiency of the system of international protection.

The most relevant aspect of the changes brought about by Dublin III is, however, represented by the elimination of the general presumption of security of the member States, namely the homogeneity of protection of fundamental rights in the different legal systems of the Union. Article. 3, par. 2 of the Regulation "Dublin III" sets, in fact, that "if it is impossible to transfer an applicant to the Member State originally designated as competent as one has reasonable grounds for believing that there are systemic deficiencies in the asylum procedure and reception conditions for applicants in that Member State, involving the risk of inhuman or degrading treatment under Article 4 of the Charter of Fundamental Rights of the European Union, the Member State which initiated the procedure for determining the Member State responsible shall continue the examination the criteria referred to in Chapter III to see if another member State can be designated as competent ".

This change has finally put an end to the paradoxical situation in which the European Court of Human Rights has come to condemn - for violation of the Convention - the member States following the same application of EU law. It’s a case known as M.S.S. c. Belgium and Greece, where the Court of Human Rights has found a violation of the applicant's right to an effective remedy under Article 13 ECHR in conjunction with Article 3 ECHR is part of both Greece and Belgium. The Court concluded that, because of the failure by the Greek legislation on

asylum and of important structural deficiencies in access to the asylum procedure and remedies, there were no effective guarantees that could protect the applicant from arbitrary removal to Afghanistan, a country where he was in danger of being subjected to ill- treatment. With regard to Belgium, the procedure for appeal of a Dublin transfer to Greece did not comply with the requirements established by the jurisprudence of the Court of Human Rights in cases where deportation to another country might expose a person to a treatment contrary to Article 3 ECHR, and specifically the requirement of a careful and rigorous examination of appeals.
In joined cause N.S. and ME, it is even the ECJ to be called to consider whether the transfer of the interested parties in Greece under the Dublin Regulation had built a violation of Article 4 of the Charter of Fundamental Rights of the European Union. As before the Court Edu, the ECJ also noted that the member States could not "ignore" the systemic deficiencies in the asylum procedure and reception conditions in Greece, deficiencies that constitute a real risk for the inhuman treatment of asylum seekers or degrading. The Court emphasized that the Dublin Regulation should be applied in accordance with the Charter rights and that, as a result - in the absence of others Member States responsible - head fell in the UK and Ireland the obligation to examine applications for asylum the applicants, although these had submitted their applications for asylum in Greece.
The breaking of the irrebuttable presumption is undoubtedly one of the ways to ensure full respect of the principle of non-refoulement. The prohibition of transfer art. 3, par. 2 of Regulation shows, however, a certain weakness of content about procedural safeguards mechanism. The provision does not explain some practical profiles, relating to the operation of the same, which, in particular, the identification of bodies empowered to determine the existence of systematic national crisis such as to trigger a serious risk of violations of fundamental rights of the applicant international protection and the establishment of criteria relevant to the fulfillment of such a check. They are, therefore, possible improvements.

3. The national system of reception of asylum seekers. The role of regional and local authorities.

The national system of reception of asylum seekers is no doubt that the most deficient of the Italian system of asylum. The most obvious - and most critical - is the incoherence and the disarticulation of its regulatory framework and - as a direct consequence - of its operation.
This is, in fact, consists of structures totally different from each other in terms of available seats, conditions and standard of services provided. Further complicating

the picture is also clear as to date there is no timely periodic report on the reception system. The only part of the system that produces detailed reports on their operation, their standard and the services offered is the protection system for asylum seekers and refugees (Sprar). At the end of 2014, also it was published the report on international protection in Italy in 2014, which contains some information, although very general, on some parts of the reception system Italian. This situation is in itself enough to make the right partially ineffective - even recognized by cd Directive reception so within 15 days of the submission of an application for asylum, asylum seekers should be informed of the benefits they are entitled to and any obligations that are required to comply in relation to reception conditions (Article 5 of the directive on the conditions of reception (2013/33 / EU)). They must also be informed about the legal assistance. The individual must be able to understand the information that is provided. Asylum seekers have the right to appeal negative decisions relating to the granting of benefits (Article 26 of that Directive).

It 'true that a violation of such obligations may - as seen above - constitute a breach of Article 3 ECHR and Article 4 of the Charter of Fundamental Rights of the European Union [10], but it remains the need for reprogramming (not only economic) of the entire system.

It is an absolute priority to proceed to the creation of a single national system for the protection of asylum seekers, including unaccompanied minors, divided according to the functions and roles of the State, the Regions and the local authorities. And on this point, forms of coordination should be encouraged between state and regions, in line with the Italian Constitution [11]. There are many regions that went ahead and passed regional laws on immigration [12].

The negative experience with the C.A.R.A. has shown not only the need for comparable and high standards, on the basis of strict national guidelines, able to accommodate the number of applications for international protection filed annually (which should allow to greatly increase the total number of funded places available in public and private services), but also the failure of a logic of criminalization and punishment of the asylum seeker.

The logic of a positive reception of asylum seekers could, instead, be encouraged by an improvement of the system of protection for asylum seekers and refugees (SPRAR). The system was established by state law n. 189/2002 (so-called Bossi-Fini) and consists of the network of local authorities - for the realization of projects of reception and integration of asylum seekers, beneficiaries of international or humanitarian protection – that have access, within the limits of available resources, to the National Fund for asylum policies and services (FNPSA).

Local authorities, as part of the Sprar network, guarantee for beneficiaries interventions of called integrated reception that exceeds the mere provision of

accommodation and meals, providing additional legal and social assistence as well as the construction of individual pathways to socio-economic integration for their beneficiaries. A necessary and increased control over the requirements in the allocation of the projects could contribute to the development of a serious and effective reception network on the territory.

In this sense, the municipalities are the bodies that are best suited to positively assist asylum seekers beyond the logic of mere emergency management. Examples that go in this direction are on one side the memorandum of understanding between the Prefecture and the City of Campobasso to allow the employment of refugees in work of public utility, signed on June 18th [13], on the other side the Charter of the City as the one of the city of Naples that strengthens a logic of solidarity of integration [14].

Footnotes

[1] In these terms, G. Cataldi, report entitled Migration by sea, asylum and possible reform of the Dublin system, held at the CEICC- EUROPE DIRECT, on the occasion of the World Refugee Day, Naples, 24 June 2015.

[2] To receive only asylum seekers and to repatriate economic migrants, so the prime minister Renzi, Corriere della Sera, 25 June 2015.

[3] According to the Treaty of Lisbon, immigration policies shall be governed by the principle of solidarity and fair sharing of responsibility between Member States, including its financial implications (Article 80 TFEU)

[4] According to UNHCR data in Italy in 2014 there were 64,886 applications for asylum, 36.330 were examined, 13,327 (37%) were rejected, 21,861 (60%) received positive decisions, 3,649 (10%) were granted refugee status, 8121 (22%) subsidiary protection, and 10.091 (28%) humanitarian protection.

According to the Eurostat data of June, 8th, 2015, there were 185 000 asylum applications in the first quarter of 2015 in the EU, + 86% compared to the same period of 2014. The Kosovars are the first nationality, almost 50,000 (26%), ahead of Syrians (16%) and Afghans (7%). The largest number of applications in Germany (73,100, 40%), Hungary (32 800, 18%), Italy (15,200, 8%) and France (14,800, 8%). Followed by Sweden (11,400, 6%), Austria (9,700, 5%) and Great Britain (7300, 4%). The lowest number of applications were submitted in Croatia (40); Latvia, Lithuania and Slovenia (45); Estonia and Slovakia (50).

According to Eurostat the number of asylum seekers in the EU in 2014 has reached a record of about 626mila, registering an increase of 44% compared to 2013, amounting to 191 thousand additional people. Asylum seekers in Italy in 2014 were 64.600, more than doubled (+ 143%) with respect to 2013. This represents the largest increase of all the EU countries, where the average is 44%.

Italy is among the top three countries as far as applicants are concerned, after Germany and Sweden. The highest share, 202,700 (32%) was recorded in Germany. Sweden followed with 81,200 (13%), then Italy 64 600 (10%), France, 62,800 (10%) and Hungary (42 800, 7%).
Italy has the largest increase in the EU, followed by Hungary (126%), and Denmark (105%).

But the relationship between inhabitants and applicants in Italy is 1.1, below the EU average of 1.2. In relation to the population, the highest number of asylum seekers is recorded in Sweden (8.4 applicants per thousand inhabitants), followed by Hungary (4.3); Austria (3.3); Malta (3.2); Denmark (2.6) and Germany (2.5). In contrast, the lowest rates were observed in Portugal (0), Slovakia (0.1) and Romania (0.1). Most applicants are Syrian (122,800), 20% of the total, followed by Afghans (41,300), equal to 7%. (ANSA from Brussels)
In Italy requests were presented primarily by citizens coming from Nigeria (10,135, 16%), Mali (9790, 15%), Gambia (8575, 13%).

As for the decisions taken in the first instance: 359,795 were taken, of which 162,770 positive (that is, refugee status or subsidiary protection or a permit for humanitarian reasons were granted): citizens coming from Syria (66,260 , 41%), Eritrea (14,170, 9%) and Afghanistan (11,175, 7%) had the largest number of decisions. In Italy, with respect to a total of 35180 decisions (including decisions on pending cases from previous years): 20,580 were positive (60%); citizens coming from Pakistan (2405, 12%), Afghanistan (2,400, 12%) and Nigeria (2,145, 10%) had the largest number of decisions.

Again according to Eurostat, the number of asylum applications in the first quarter of 2015 is stable compared to the last of 2014, however, whereas there were increases in Germany (+ 32%) and Hungary (+ 17%), they have decreased steeply in Sweden (-41%) and Italy (-28%), and, to a lesser degree, in the UK (-10%), Austria (-8%) and France (-5%). (ANSA)

[5] “Not activating" asylum seekers are those who during their transit in the Italian territory had formalized the application for asylum (by filling in the model c3) or whose application had been rejected. This category also includes asylum seekers who receive, upon their return to Italy, the rejection of international protection by the competent Territorial Commission, due to unavailability or due to refusal as a result of personal hearing.

[6] This is, for example, the case of Rome where "The Immigration office every day rejects a number of people due to the excessive number of applicants. The observation of the time of entry in the refugee room does not allow to identify who, among the people that are sent-way, intended to seek asylum. Information was collected through the users of the Operations Centre and through other

organizations, finding that, in order to present the request for asylum, seekers came to the police station on average even more than three times" Without Borders, Laboratory 53, Who makes the law? Public Administration and asylum, Rome, February 2015, p. 11

[7] Art. 12 co.5 Dlgs25/08

[8] Art. 6, co. 8, Dlgs 140/2005

[9] The profile is quite complex, however, for a detailed analysis see O.Feraci, Il nuovo regolamento "Dublino III" and the protection of the fundamental rights of asylum seekers, in Osservatorio sulle fonti, N. 2 2013.

[10] We have already referred to the case M.S.S. v. Belgium and Greece decided by the Court of Human Rights and the Joined Cases C-411/10 and 493/11, NS and M.E. and A decided by the Court of Justice.

[11] Under Article. 118, third paragraph of the Constitution. The state law regulates forms of coordination between the state and the regions on the matters referred to in subparagraphs b) and h) of the second paragraph of Article 117.

[12] The Autonomous Province of Bolzano: Provincial Law of 28 October 2011, n. 12. Integration of citizens and foreign citizens; the Campania regional law 8 February 2010, n.6. Standards for the social, economic and cultural inclusion, of foreigners present in Campania; Puglia: Regional Law December 4, 2009, # 32. Standards for the reception, the civil society and the integration of immigrants in Puglia; Tuscany: Regional Law June 9, 2009, n.29. Standards for the reception, integration and participant protection of foreign citizens in the region of Tuscany; The Lazio Regional Law 14 July 2008, n.10. Provisions for the promotion and protection of the exercise of civil and social rights and full equality of foreign citizens; Liguria: Regional Law 20 February 2007, 7. Standards for the reception and social integration of citizens and of foreign citizens; Molise: Regional Law 28 August 2005, n. 29. Regional policies to cooperate with countries in the developing world and countries in transition, international solidarity and the promotion of a culture of peace; Friuli Venezia Giulia Regional Law 4 March 2005, n. 5. Rules for the reception and social integration of citizens and of foreign citizens

[13] http://www.prefettura.it/campobasso/news/171082.htm#News_51499.

[14]The Charter was developed by the "Table of citizenship" formally recognized by resolution no. 02 of 01.08.2015 of the City Council of Naples, active in the Decentralized Cooperation Service, Law and Peace / CEICC- Europe Direct of the City of Naples. The Table of Direct Citizenship of the City of Naples. The Table of Citizenship, following the activities previously undertaken in regards to migration and human rights, offers a collection of principles for the implementation of the activities already provided by law in support of refugees and asylum seekers.