Stuck and Exploited

Refugees and Asylum Seekers in Italy Between Exclusion, Discrimination and Struggles edited by Francesco Della Puppa. Giuliana Sanò

Seekers and Holders of International Protection in Bozen

Arrival, Transit and Reception Within an Internal Border Area

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Abstract In the context of increasing controls at the Brenner Border, many migrants have been pushed to the margins of society. Asylum seekers arriving in the city of Bozen through the Brenner route have been defined through categories such as 'out of quota', 'autonomous arrivals', 'irregular'. These labels differentiate reception practices according to a criterion of (in)admissibility. In this study we will focus on the production of what have *de facto* become 'internal borders' and on the violations of the rights of asylum seekers that have resulted in this border area of Italy.

Keywords Brenner. Borders. Asylum seeker reception system. Bozen.

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1 Introduction

In 2013, a growing number of Syrians and Eritreans started arriving on Southern Italian shores and heading to Northern Europe, through the Brenner route, as a result of the escalation of the Syrian civil war.



e-ISSN 2610-9689 | ISSN 2610-9085 ISBN [ebook] 978-88-6969-532-2 | ISBN [print] 978-88-6969-533-9 In coincidence with these new migration flows, controls were re-introduced at the Brenner border, pursuant to Article 25 et seq. of the Schengen Borders Code, that permits the introduction of temporary controls at internal European borders, in the event of serious threats to internal security.

Border enforcement has been strengthened since (Fontanari, Borri 2017) and regular random police inspections have been operated, in compliance with several agreements among Italian, German and Austrian police forces, all aiming to control and reduce migrants' mobility. Inspections have taken place on trains and in train stations. all along the Brenner route, from Verona - the second largest railway station of the route, after Bologna - to Brenner, and further North, towards Munich (Antenne Migranti, ASGI 2017). Before then national institutions had been tolerating the so-called 'secondary movements' of migrants (Scalettaris 2007), that is internal European movements following their arrival in the continent. A 'laissez-passer' approach (Ciabarri 2015) had been evident, similarly to Greece. But in 2013 it changed, as it became more and more evident in the following years, particularly in the period 2015-17.

We have witnessed some of these changes: one of us as an activist monitoring the transit of migrants through Verona, in collaboration with other activists of the Antenne Migranti Project; the other throughout her PhD and voluntary collaboration with Antenne Migranti through which we met.4

¹ For further details see Antenne Migranti, ASGI 2017. In 2014, an agreement regulated controls on passenger trains, and in 2017 on freight trains. The former agreement was ratified by both the Italian government (Law 209 of 3 November 2016, G.U. 21/11/2016) and Austrian government (Bundesgesetzblatt Nr. BGBl. III Nr. 47/2017). For further details see Antenne Migranti, ASGI 2017 and Monika Weissensteiner, "Da Lampedusa al Brennero". Una città. Available at http://www.unacitta.it/flip/lampedusa-brennero/files/assets/basic-html/page39.html. As regards the latter agreement see Ansa, "Austria, Controlli treni merci al Brennero". Available at http://www.ansa.it/trentino/notizie/2017/11/15/austria-controlli-trilaterali-brennero_5266a464-914d-4930-a7cf-8bc5e7004224.html.

² An infringement procedure was opened against Italy relating to the implementation of the Eurodac Regulation (no. 20152203). Press release, 10 Dec. 2015, available at http://europa.eu/rapid/press-release_IP-15-6276_EN.htm.

³ Antenne Migranti was a project coordinated by the Alexander Langer Stiftung Foundation, in Bozen, with partial funding from the Open Society Foundation. The project was largely run by volunteers and had these objectives: to detect and prevent the violation of migrants' rights along the Brenner route; to support migrants by directing them to local services and helping them with asylum procedures; to assess migrants' needs and stimulate institutions to respond to them; to promote an informed debate on reception and free movement. The project ended in 2019.

This chapter is a result of our collaboration since, which has grown more intense with the EU INSigHT Action and bears witness of our engagement to continue monitoring the conditions of migrants, along the Brenner route. In particular, the chapter builds on the article by Semprebon, Pelacani 2019, with the intention to present an up-

In the context of the increasing controls that we described above, many people with migrant origins were pushed to the margins of society. Yet, the current scenario bears also witness of the introduction of Law 113/2018, as will be explained, that brought, among other measures, a stiffening of regulations to access reception and de facto the dismantlement of the actual reception system (Della Puppa et al. 2020).

Some are holders of humanitarian protection⁵ who tried to travel to Northern Europe in search for better settlement opportunities. thus making the inadequacy of the Dublin system increasingly evident (Morano, Foadi 2017). Others undertook autonomous journeys (Kasparek 2016) away from the Balkan route, after its closure in summer 2015, or from Southern Italy, in the period that preceded the full operation of the hotspot system (Sciurba 2017) - aimed at boosting compliance with the EURODAC (no. 603/2013) and the Dublin III Regulations (Casolari 2016). Many eventually found themselves stuck at Brenner and were pushed back to Bozen. Similarly, other asylum seekers were blocked in Ventimiglia, at the border with France, or in Como-Chiasso, at the border with Switzerland, and were transferred back to the hotspot areas (Tazzioli 2017).

This is how all and each of these locations transformed into internal hotspots (see also Denaro 2016 on Milan), characterised by more and more systematic border enforcement practices, but also "spaces of transit" (Tazzioli 2017). Forced to acknowledge the presence of migrants and their visibility in the streets, several actors have made efforts to activate solutions to deal with their needs, whether arriving by land through the Balkan route, or leaving Italy after being granted humanitarian protection, or re-admitted to the country in application of the Dublin Regulation or entering it to re-apply for international protection, or voluntarily abandoning an Italian asylum seeker reception centre where they had been living in extremely poor conditions.

date on the specific case of Bozen. It draws from 15 qualitative interviews, carried out in February 2020, with local stakeholders involved in the reception of seekers and holders of international protection and victims of trafficking, as part of the EU INSigHT Action: from on-going discussions with volunteers of the Project Antenne Migranti, with whom one both authors have collaborated and also from ethnographic work undertaken by the second author, between 2017 and 2019, for the scope of her PhD thesis (Serena Caroselli, PhD in Scienze Sociali, curriculum Migrazioni e Relazioni interculturali, Università degli Studi di Genova, DISFOR. Title: Percorsi attraverso i confini: un'etnografia delle esperienze delle donne richiedenti protezione internazionale e asilo tra Bozen e il Brennero).

The humanitarian protection is a national status granted by the Italian government to asylum seekers in situations not typified by Legislative Decree 286/1998, whenever there are serious reasons, of humanitarian nature, or resulting from constitutional or international obligations.

All these groups of people have met several problems in accessing reception services in Bozen, highlighting several critical issues of the system, as will be explained, particularly in addressing the needs of people that are not comprised in the ordinary system of reception.

The chapter is structured as follows: first, we will briefly describe the Italian system of reception and elucidate the recent changes that have affected it. Second, we will revise the relevant literature on reception and secondary movements. Third, we will focus on the city of Bozen and look at the specific features of its reception system, to then conclude with some final remarks.

2 The Italian System of Reception

Italy has been characterised by a double-track reception system: an ordinary and an extraordinary one. The ordinary system was institutionalised into a network by Law 89/2002. It was called SPRAR (Sistema di Protezione per Richiedenti Asilo e Rifugiati, 'Protection System for Asylum Seekers and Refugees') and it consisted of a network of reception projects, funded through the EU Asylum, Migration and Integration Fund, that has grown from 1,365 available places. in 2003, to more than 26,000 in 2016.

Local entities joined the network on a voluntary basis, by applying for funding (up to 95% of the total cost), upon approval of Servizio Centrale (Central Service), the SPRAR's coordinating body. The actual implementation of activities was delegated to private actors. ⁶ Each project involved 'integrated' reception services, with the main goal of supporting beneficiaries on their path towards autonomy: apart from room and board, services included health assistance, language and cultural mediation, social assistance, multicultural activities, support for job orientation and job seeking, and legal assistance.

The extraordinary system was set up in 2011, in order to cope with the increasing number of arrivals on Italian shores, following the outbreak of the Arab Spring. Extraordinary reception centres were opened to provide a temporary solution, aimed to complement the limited capacity of the ordinary system. However, due to the persistent scarcity of ordinary reception places, the extraordinary system was strengthened and eventually institutionalised in 2014.7 Standards of extraordinary reception centres are not defined in the rel-

⁶ See the SPRAR dedicated website. Available at https://www.retesai.it.

⁷ Conferenza Unificata Stato-Regioni, Intesa tra il Governo, le Regioni e gli Enti locali sul piano nazionale per fronteggiare il flusso straordinario di cittadini extracomunitari, adulti, famiglie e minori stranieri non accompagnati, 10.07.2014, available at http:// www.statoregioni.it/Documenti/DOC_044430_77%20CU%20PUNTO%202%200DG.pdf.

evant normative framework (Legislative Decree 142/2015) to date. They are defined in the conventions signed between each centre and the relevant Prefecture.8

In recent years, following some legislative changes, both the ordinary and extraordinary reception systems have been considerably affected.

Law 113/2018 (in force since October 2018) established that the SPRAR should be renamed SIPROIMI (Sistema di protezione per persone titolari di protezione internazionale e minori stranieri non accompagnati, 'Protection System for Persons with International Protection and Unaccompanied Foreign Minors') and that it should be accessible only to holders of refugee status or subsidiary protection, unaccompanied minors, holders of permits granted for medical reasons, victims of natural disasters, victims of human trafficking, people with civil merits. As a result of this, requests to access extraordinary reception facilities have risen, as will be detailed.

Following the introduction of the same law, a severe cut in reception expenditures was also implemented: the funding was brought down from 35 to 20 euro per day/beneficiary (Ziniti 2018), with reception operators stressing this does not grant an adequate standard of reception, but only the provision of basic services, far from an effective social protection for beneficiaries, let alone the aim of favouring their inclusion. This is particularly evident for extraordinary facilities which are no longer required to provide Italian courses, nor psychological, nor legal support, which are both left to the discretion of the operators.

This change in the law is coherent with a progressing trend of delegation of the responsibility for reception from the national to the local government, with scarce monitoring (see also Pelacani, Semprebon 2019). Repeated evidence by LasciateCIEntrare 10 suggests that the Italian Ministry of Interior does not regularly undertake monitoring visits to the extraordinary facilities, thus leaving them to the discretion of Prefectures. It derives that minimum standards of services cannot always be guaranteed (Pelacani, Semprebon 2019), nor any homogeneity of provision (Marchetti 2016). On the contrary, the

⁸ The Prefecture is the headquarters of the Prefetto (Prefect) who represents the Ministry of Interior in each province. Examples of conventions are as follows: Prefecture of Rome http://www.prefettura.it/roma/allegati/Download:Cas_capitolato_ tecnico_cig_695518503c-5854145.htm. Prefecture of Milan http://www.prefettura. it/milano/allegati/Download:Allegato b schema di convenzione-5732499.htm.

⁹ As indicated in the 2017 SPRAR Report, it should be stressed that, in 2017, the SPRAR had decided to give priority of access to holders of international protection, in line with the idea that the SPRAR should become the primary infrastructure to facilitate the integration of migrants.

¹⁰ See http://www.lasciatecientrare.it/.

SPRAR, now SIPROIMI, does identifies precise standards and financial reporting and monitoring requirements, although, following the consistent growth of the network and the fact that some operators are not yet sufficiently trained, it is more and more doubtful whether these requirements are met by each facility.

A further change resulting from Law 113/2018 concerns residency permits. The Law states that new extra requirements are necessary to obtain the residency status. As suggested by ASGI (Consoli, Zorzella 2019), such extra requirements are unconstitutional. Yet they have been legitimising practices by local authorities that were already under way before the passing of the Law: some local authorities refuse to (or delay) access to residency although it is a right for asylum seekers, as spelt by Legislative Decree 142/2015. While this does not prevent asylum seekers from accessing the reception system, it does create difficulties in obtaining the national health card and in accessing a number of other services, including access to socio-sanitary services and social housing - following the completion of the reception project.

The most recent data on the reception system, referring to the year 2018 (Dossier Statistico Immigrazione 2019), report the following: 26,200 places occupied in SIPROIMI and more than the triple the number, 82,600, in extraordinary facilities, confirming the trend in the past years. As for SIPROIMI, an update is available as of February 2020, 11 stating the total of available occupied places is 31,264-26,598 for ordinary beneficiaries, 4,003 for unaccompanied minors and 663 for people with mental or physical disability.

3 **Reception in Transit Places: The Academic Literature**

As spelt out in Legislative Decree 142/2015, the right to reception in Italy is granted only to asylum seekers with no means of subsistence and to asylum seekers for whom Italy is responsible according to the Dublin III Regulation.

Some categories of migrants are excluded or run a high risk of being excluded from reception. These include migrants who are in transit and who arrive by land and are not 're-distributed' through the guotas defined by the Ministry of Interior (for migrants arriving by sea). The most recent amendment to the national legislation of international protection and reception in Law 113/2018 confirms this exclusionary trend.

¹¹ Data available at https://www.sprar.it/i-numeri-dello-sprar. Following recent normative changes, with Law Decree 130/2020, the ordinary system of reception was renamed SAI (Sistema di Accoglienza e Integrazione, 'Reception and Integration System') and some changes applied too, on which we will not dwell here.

In other words, access to reception and related rights can be hindered even whereby the pre-requisites of reception are met. This concerns particularly migrants who arrive by land, typically through the Balkan route or who travel southward through the Brenner Pass, for example after having been rejected their application for asylum in another EU member state. While migrants arriving on Southern Italian shores enter the reception system through the system of dispersal (unless they refuse to do so or flee), migrants arriving by land can face considerable obstacles in accessing any form of protection. Even if they manifest their willingness to apply for asylum, the formalisation of the application can take one month or more and the entry into the reception system can take much longer (e.g. NAGA 2018) or be eventually denied.

Migrants who are re-admitted to Italy following a take-back procedure, connected to the Dublin III Regulation, face similar difficulties. In this context, we should remember that Italy has been recording an increasing trend of incoming Dublin procedures in the last years: in 2018 it recorded 42,911 of decisions on incoming requests, (Eurostat 2019), 12 compared to 26,627 in 2017 and 24,990 in 2015. A peak was recorded in 2016 amounting to 64,844 (Eurostat 2019).13 The time limits for the evaluation have often expired, with the result that migrants cannot be subject to a Dublin Procedure any longer. This changed after the Dublin Unit in Italy employed an additional group of professionals to improve the efficiency of the system (as volunteers reported in Bozen - fieldwork note, 20 February 2020). Attempts to overcome the deficiencies and limits of the Dublin Regulation have been made with the introduction of specific tools, such as the mechanism of relocation, which nevertheless has proved rather ineffective so far (Stege 2018).

It should be noted that there are also migrants who are granted reception but refuse it or leave the facility soon after having entered it. Where a voluntary and formally unjustified abandonment of a facility applies, migrants are excluded from reception measures (Legislative Decree 142/2015) and this is likely to constrain their mobility.

A recent report by Médecins Sans Frontières (2018) addressed the conditions of migrants experiencing one (or more) of the situations described above. It underlined their 'invisibility', the lack of protection by institutions and the high risk for them to be pushed to informal settlements in parks, squares, railway station platforms or squats

¹² Available at https://ec.europa.eu/eurostat/statistics-explained/index.php/ Dublin_statistics_on_countries_responsible_for_asylum_application#cite_ note-2.

Data available at http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset= migr_dubri&lang=en.

in abandoned buildings. Many of the informal settlements are found in border cities close to the Balkan route, including North-Western Italian cities such as Trieste, Gorizia, Udine, but also in Foggia and Crotone, in Southern Italy, where centres of first reception are located, as well as in Bozen, further up North. In Europe, evidence of similar conditions have been reported concerning border locations such as Calais (Rigby, Schlembach 2013; King 2016).

Various scholars have provided informed accounts of civil society actors assisting destitute migrants (on Italy: Marzorati et al. 2017; on the US: De Graauw 2015) and undocumented migrants (Ambrosini 2018) who face precarious and vulnerable conditions, and likewise migrants in transit. The role of civil society actors has been repeatedly underlined as crucial. On their side, government agencies have often 'turned a blind eye' to the presence of migrants while delegating responsibility to the third sector (Ambrosini, Van der Leun 2015; Marzorati et al. 2017; Ambrosini 2018; Mayblin, James 2019) and de facto disengaging (Castañeda 2007).

Generally speaking, the growing assumption that (some) migrants are 'in transit' has often overshadowed the relevance of evolving migration patterns, even in urban contexts located at the crossroads of internal and international borders. What can be defined as a transit migration framework has not only contributed to the neglect of some migrants, but has somehow legitimised non-intervention by local governments with respect to wider integration issues (Marconi 2018). This is in line with a more general tendency to consider forced migrants as a temporary population with the resulting adoption of temporary policy solutions (Fabos, Kibreab 2007). Davies et al. 2017 interpret this form of institutional abandonment as a means of control perpetrated through inaction. However, with the rapid diffusion of the (often blurred) 'transit terminology' (e.g. transit migration, transit countries, transit migrants) in the public and political discourse, transit countries and areas have been increasingly accused of being responsible themselves for transit migration. At the same time, they have been asked and induced to cooperate in filtering unwanted 'inflows' of people (Düvell et al. 2014).

While this can be described as an evident manifestation of a wider migration regime, it cannot be understood as a set of fixed dynamics, but needs to be looked at in relation to contextual specificities, including growing concerns and emotions associated with xenophobia and racism (Sunderland 2016). Additionally, policies can be more or less coherent and inclusive with respect to national legislations: some local authorities have refused to adhere to national (exclusionary) approaches, by choosing to support irregular migrants (Varsanyi 2006; Davies et al. 2017; Ambrosini 2018); others have shown varying degrees of willingness to grant, and difficulty in dealing with, reception to (otherwise stranded) asylum seekers (e.g. Davis et al. 2016);

others have designed interventions that reinforce the exclusionary nature of national policies (Chand, Schreckhise 2015; Gargiulo 2017).

National governments bear the primary responsibility for immigration policy (concerning the entry of migrants and citizenship regulation), while local governments are responsible for the provision of services. Research has shown that local authorities have been prone to adopt pragmatic approaches to migrants' incorporation (Caponio, Borkert 2010; Jørgensen 2012; Marzorati et al. 2017), as they are faced with their needs most directly (Vermeulen, Stotijn 2010) and are 'forced' to address them in some ways. In Italy, this has been happening in a context characterised by weak regulations at the national level and strong fragmentation of institutional responsibilities (Caponio, Pavolini 2007; Balbo 2015), adding to a welfare system that determines the eligibility of social rights depending on legal status (Sainsbury 2012), with resulting restrictions for undocumented and forced migrants.

In this direction, we will explore how the city of Bozen has been managing reception at local level, by elaborating on the specific governance features we have identified, partly in connection to the fact it has become an internal border area.

Bozen and the Brenner Border

The autonomous province of Bozen (from now onwards APB) is situated in the autonomous region of Trentino-Alto Adige. Although, the main responsibility for migration policy in Italy (i.e. control of entries, stays and returns) is in the hands of the national government, the APB enjoys considerable discretionary powers in the field of migration, compared to ordinary provinces and regions. This is why a specific provincial law on migration could be been introduced, resulting in disparities in the actual reception system, in comparison to localities, such a Trento, in the same region, and to localities in other Italian regions.

According to declarations by the President of the Provincial Authority of Bozen, ¹⁴ in 2018, in the provincial area of Bozen the total number of residents of immigrant origins amounted to 48,018 (9.1% of the total population), while asylum seekers amounted to 1,400 people (0.26% of the total population), thus a residual presence.

Discussions on joining the SPRAR have been ongoing since 2017. Municipalities activated the first projects at the end of 2018. Narratives by Antenne Migranti volunteers (fieldwork note, 30 November

¹⁴ As reported during the Seminar Snapshots from the borders in Bozen, in March 2019 and confirmed in the IDOS Dossier Statistico sull'Immigrazione 2018.

2017) reported of declarations by the mayor of Bozen, stating his refusal to join the network unless the number of asylum seekers diminished. At the time of writing, in February 2020, beneficiaries were accommodated in six ordinary SIPROIMI projects, with a total of 223 places, all located outside Bozen. Additionally, a total of 803 people were hosted in extraordinary facilities, 22% of women and about 30% of Nigerian origins (interview, 18 February 2020, Provincial Authority, Office for elderly people and Social Policy). What is most significant is that only about 3% of asylum seekers in Bozen received a positive response to their application for asylum, in line with the national trends (interview, 20 February 2020, Caritas), meaning that the rest of people were left stranded without any access to reception, unless they appealed to the decision, as the vast majority did (about 80%).

Data by Caritas (interview, 20 February 2020) show that autonomous arrivals have been decreasing. In February 2020, they include especially women who returned from Germany (10% of arrivals in Bozen) through informal readmissions – a relatively recent phenomenon. Critical issues are linked to the *Questura's*¹⁷ acceptance of the related applications for asylum, that have been often transferred to *Questure* of other Italian cities, under the rationale that the applicants had previously applied for asylum there.

As anticipated, due to its geographical and strategic position – along the Brenner railway route and de facto the last large city before the Brenner Pass – Bozen can be considered a transit area for migrants. It has become a transit zone, a sort of internal hotspot, following the increasing controls carried out at Brenner and at Bozen railway station, as a result of the agreements cited in the introduction that force migrants stopped at Brenner to return to Bozen. As of Febrary 2020, approximately 150 people were crossing the border every month in either directions (interview, 19 February 2020, Red Cross), confirming the average number of border crossings in the previous years – a total of 146 people at the end of June 2017 (Antenne Migranti, ASGI 2017). The nationalities have not changed considerably Most migrants were. Most migrants were Nigerians, Afghans and Pakistani, with a decreasing number of Nigerian women (interview, 20 February 2020, Caritas; 19 February 2020, Red Cross).

All these movements are not always visible, on the contrary. Women of migrant origins, particularly from Nigeria, associated with hu-

¹⁵ Data (Feb. 2020) available at https://www.sprar.it/progetti-territoriali-3-2.

¹⁶ It has been recently decided to close many facilities within the city, due to the decreasing number of beneficiaries, resulting from reduced arrivals on Italian shores in the last two years.

¹⁷ The *Ouestura* is the Head Provincial Office of the Italian Ministry of Interior.

man trafficking movements, ¹⁸ are particularly invisible. Invisibility regards also other movements of migrants from Southern Italy, who are stopped even before reaching the Brenner border. None of these movements is counted in any statistics, thus they remain largely unaccounted. The same is true for movements by car from Trieste, through the Balkan route. No punctual monitoring has been undertaken along this route, if not occasionally by volunteers and activists collaborating with projects such as Antenne Migranti.

At the same time, The police agreements cited above had the main objective to deal with intra-European migration movements and fight irregular migration. They have produced inspections that have strongly reduced the movement of people while also making it far longer and riskier for people to cross the border.

However, since 2015, some 'fluidity' has become evident in border crossing: migrants are not always subject to police controls on the Austrian side of the border and are often left free to cross southward to reach Italy, while controls in the opposite direction have been much more systematic and have mostly resulted in migrants being stopped and asked to take the train back southward. A similar attitude was reported by police forces in Bozen with the hypothetical result that migrants eventually arrive in Trento, the first large town South of Bozen, but according to volunteers of Antenne Migranti this has not been happening since November 2017 (fieldwork note, 20 August 2018).

In particular, many migrants who tried to reach Northern Europe got stuck with informal passive re-admissions to Italy, operated by the Italian border police, under request of the Austrian border police. In 2015, these included at least 100 people who were stopped and blocked each day in Bozen, following inspection on trains.

In order to meet migrants' basic needs during their stay in Bozen, or at the actual Brenner border, two support centres have been opened in 2015, at the respective train stations, and have been operated by local humanitarian volunteers. The local association Volontarius Onlus opened a centre at the train station in Bozen (in April 2015) and another one at Brenner (in December 2014) to provide basic information, food and clothing, with coordinating volunteers from a range of local third sector organisations (including local cooperatives, Caritas, the Italian Red Cross and the Alexander Langer Foundation). At Brenner they also coordinated an accommodation

¹⁸ Some operators of Volontarius at Brenner reported of male and female passeurs who facilitated the crossing of the border with their car. As far as women and children are concerned, the operators also suggested that passeurs were involved in the trafficks of human beings (interview, 13 July 2018).

¹⁹ See https://www.volontarius.it/assistenza-umanitaria-alla-stazione-di-bozen/.

facility. Furthermore, some local parishes have provided temporary shelter - although with limited capacity - and Antenne Migranti volunteers have provided basic information on local services and on the asylum procedure.

The migrants who try and cross the Brenner border should eventually arrive in Bozen, following the agreement with the Provincial Authority, and access the reception system there. As Bozen is the largest city close to Brenner, even for those who may not have access to reception, Bozen is still likely to be the place they find themselves pushed to. According to the Director of Caritas (interview, 20 February 2020), 10% of migrants is represented by women, largely of Nigerian nationality, who return to Italy due to the Dublin procedure, or else who arrive from Latin America - a more recent trend of arrivals. Importantly, Caritas estimates that only 3% of the migrants arriving in Bozen are recognised international protection - in line with the considerable decrease of recognition all throughout the Italian territory (Eurostat 2019).20

In this context, over the most recent years, the city of Bozen has transformed into a 'grey area' characterised by increasing forms of institutional violence, associated, on the one side, with the control of mobility and a more and more organised and systematic management of the border, as a point of intersection and re-distribution of people in transit, overlapping with stratified historical and linguistic borders; on the other with the limitation of access to asylum procedures and reception. Bozen has thus become a sort of internal porous border, within which support has been often largely provided by few humanitarian actors, including Volontarius and the Red Cross and activists of Antenne Migranti, who mobilised to activate some minimal forms of support to migrants arriving at the railway station of Brenner and/or Bozen.

In the period 2017-19, technologies of control have been strengthened, including particularly inspections at train stations along the Brenner route from Verona to Brenner, an area that testifies a European approach to migration based on a neoliberal hierarchisation of rights and people who have access to them. Arguably, the Brenner border and the many internal borders disseminated along the route, including also other railways stations from Verona to Bozen, have had the main scope of implementing a border regime that aims at re-instating a hierarchy of class (Koshravi 2019; Mezzadra, Neilson 2016). This regime has contributed to redefining the trajectories of people who, beyond the 'label attached to them' upon arrival in Italy, have been generally identified as 'poor' and unwanted, although

²⁰ Available at https://appsso.eurostat.ec.europa.eu/nui/submitViewTable-Action.do.

they compose a group involving individuals with multiple subjective experiences in regard to access to resources and rights (Pinelli. Marchetti 2017).

In September 2019, a total of 186 migrants benefited from the 'Emergenza Freddo' (accommodation provided for homeless people during the winter time), comprising 34% of 'Fuori Quota' - as will be explained -, 18% refugees, 46% migrants with a regular residence permit, 2% without any document). Furthermore, 45% of the total comprised migrants who had settled in the territory since minimum a year; the remaining 55% comprised people transiting through the city or who had settled since less than 12 months (Antenne Migranti 2020).

During 2018, a total of 845 people were registered for the 'Emergenza Freddo' and a total of 548 eventually accessed one of the available shelters, highlighting that many were actually left stranded in the city. The majority of migrants were of Pakistani origins, followed by Moroccans, Afghans, Iragis and Nigerians. Italians corresponded to a total of 35 individuals - a figure that doubled compared to 2017. If we compare data on the legal status of beneficiaries, in 2018 and 2019, it emerges that the total number of 'Fuori Quota', holders of refugee status decreased (from 48% to 24% and from 24% to 18% respectively), while the total number of migrants with a regular residence permit increased from 26% to 46%.

What must be explained is that the way in which migration and transit have been dealt with in Bozen presents some peculiarities. First, responsibility for reception has been entrusted to two associations, Volontarius and Caritas, through direct selection by the Provincial Authority which does not grant full accountability of the Authority itself (Antenne Migranti, ASGI 2017), contrary to the standard procedure adopted by the public sector in Italy that involves the publication of and participation in a public tender. Second, in Bozen a system of 'Fuori Quota' has been implemented: the Provincial Authority has been providing accommodation to migrants who were re-distributed throughout Italy upon arrival, through the dispersal system operated by the Italian Ministry of Interior. There is however a number of migrants who have been classified as 'Fuori Quota', as anticipated above, that is to say migrants who have arrived autonomously, via land, to Bozen. They have been dealt with differently, in a system that is clearly characterised by the stratification of forms of access to reception, with considerable discretion on the side of reception operators that have been producing and re-producing various forms of marginalisation (Degli Uberti 2019, 3).

In particular, two parallel modes of reception have been envisaged: on the one side migrants who had been re-distributed through ministerial quota were accommodated in large centres, in poor hygienic and living conditions, with hardly any health assistance - particularly in 2016 where a lack of available accommodation was experienced in town; on the other migrants 'Fuori Quota' were accommodated in temporary facilities dedicated to people with specific vulnerability only, including females, particularly lone mothers, while generally excluding men. Yet, even vulnerable people are not always provided adequate assistance, due to the structural absence of sufficient places (as it repeatedly emerged during the fieldwork between November 2017 and March 2019).

Concerning accommodation for vulnerable migrants, a relevant, although non-consequential aspect of the above parallel system of quotas, is that to date the SIPROIMI is not operating, which would have granted specific support for vulnerable individuals, including also specific individual projects to facilitate their way towards autonomy upon completion of reception projects. This in turn has arguably contributed to marginalisation (see for example Medici Senza Frontiere 2016) and institutional abandonment (Agier 2005), which ultimately are crucial elements contributing to Nigerian women refalling into trafficking circuits.

Another point needs to be made with reference to vulnerable migrants. In September 2016, the so-called Circular Critelli was approved by the Provincial Authority and introduced a system of access to reception based on the deservedness of potential beneficiaries.

It spelt out the categories of migrants who can and cannot access reception: many asylum seekers who travelled from the Balkans, transited along the Brenner route to then get blocked within it. These included migrants who had obtained the status of refugee or humanitarian protection and tried to reach Northern Europe; migrants informally re-admitted to Italy or that travel back to Italy to apply again for asylum - after having put forward one of more applications in other Member States that eventually rejected them; migrants with a pending asylum application in Italy who left reception centres to try and find better reception solutions in Northern Europe.

The Circular was eventually judged unconstitutional.²¹ It became immediately evident that the Circular was based on the assumption of preventing asylum seekers from applying for asylum in Bozen, to have considering Bozen as a privileged destination (Antenne Migranti 2017, 41) encouraging a form of 'asylum and reception shopping'.

The consequence of this approach to the management of migration is that the system of reception has become more and more opaque. It still looks like a system in its initial experimentation phase. This has meant that many migrants have not received adequate support and that their rights have not be granted as the Italian and European legislative framework require. Besides, many migrants have found themselves in a sort of limbo, while waiting to access the asylum procedure or to try and continue their travel. As a result, the number of people in the city of Bozen have multiplied who could be defined either as asylum seekers or homeless, within a slow system of reception who wears off migrants forced to wait for an endless period to continue with their migration project while finding themselves in a situation of extreme fragility.

Not to be underestimated is also the fact that the Municipality of Bozen, similarly to other municipalities in Italy, has recently implemented the so-called urban DASPO, that is to say a policy measure through which the mayor - in collaboration with the Prefect - can find a person for specific reasons (such as prostitution and begging) and prohibit the same person from circulating within the area in which he/she was stopped for a given time.²²

Going back to the reception system and its related measures, homeless people do not have access to it. The only available services for them are provided by Caritas: a short interview to orient the person on the services on the territory, support for the compilation of the asylum application and provision of a card that allows to have access to meals and showers. However, as it emerged during the fieldwork (November 2017-March 2019), these services are not always granted and discretion is evident. This situation hit the headlines in 2017. when the news reported about Adan, a 13 year old who in spite of having muscular dystrophy was still left out in the streets with his family and eventually died a few days later.²³ To date the situation has not improved considerably. A few people have been found dead along the river. The media did not report about it, but as some volunteers explained their death was the consequence of missing health support (fieldwork note 27 October 2019). Adding to this, many women disappeared from the city without leaving any trace since the last months of 2017 and this is also a sign of institutional abandonment.

When a person arrives to Bozen the first contact it should be with Volontarius Infopoint, with the help-desk. No specific evaluation is undertaken to verify the legal status of individuals, nor their condition of vulnerability, including for example indicators suggesting the person has been victim of trafficking.

As a result of this, in May 2018, around 260 people ended up being homeless in the streets, including 160 family members, of Nigerian, Kurdish-Iragis, Moroccan nationality, and 100 male individuals of Gambian, Tunisian, Moroccan, Malian, Pakistani and Afghan nationality (estimates by Antenne Migranti volunteers, fieldwork note

²² https://www.gemeinde.bozen.it/UploadDocs/26393_3667734.pdf.

²³ Alto Adige, 12 October 2017 "Circolare Critelli, raccolta firme per abolirla", available at http://www.altoadige.it/cronaca/bozen/circolare-critelli-raccoltafirme-per-abolirla-1.1343670.

27 June 2018). The 160 family members were transferred to centres in central Bozen first, to extraordinary facilities outside the city second and finally to SIPROIMI outside of the region. Of the male individuals, 70 males are now homeless (estimates by street-volunteers, fieldwork notes, 20 February 2020).

Reception often seems to be geared towards the control of beneficiaries rather than their empowerment and integration, particularly in extraordinary facilities. In Italy this has translated also into rigid internal regulations limiting individuals' personal autonomy, although they should be allowed to go out during the day, as established for ordinary centres (Legislative Decree 142/2015; Accardo, Guido 2016).

Such a fragmented and de-structured management of migration flows, including also continuous transfers of people from one centre to another, has cleared informed and characterised the local practices of reception, while modifying the attitude of institutional social service staff towards an increasing closure: from discourses to practices that are based on pre-existing structural social divisions that have long characterised the wider geographical area of South Tyrol and that exemplifies a stratified society (Zinn 2018, 14).

5 Final Remarks

The geographical positioning is partly predictive of the categories of migrants that can arrive on the territory. As we have explained in this chapter, the number of migrants arriving by land and/or in transit to other countries has been quite high over the last years and has remained stable. Bozen have had to respond somehow to the presence of migrants arriving by land and/or transiting through the city, although municipal and provincial authorities have been under pressure not to welcome migrants arriving outside of the ordinary dispersal system.

The few services available to this group of migrants are relatively recent and (tend to) overlap, if available at all, with services for homeless people. Furthermore, services are provided mostly by third sector organisations, thus confirming their substitution function with respect to the public sector, that has rather focused on restricting movements through administrative acts, such as the Circolare Critelli, in line with what has been happening throughout Italy. This points to the fact that the traditional distinction between migration policy (focused on entry and citizenship) and immigrant (integration) policy (focused on local inclusion) has become inadequate (see Barberis, Violante 2013; but also Lebuhn 2013; Gargiulo 2017). Not only.

Restrictions for access to reception have been even more problematic for vulnerable migrants, although the national and European normative frameworks stress their specific needs should be addressed.

The implicit aim of policies in Bozen has been generally that of 'repelling any burden' while also preventing the potential 'pull effect' of inclusive policies. On the side of the Provincial Authority, concerns about an extra 'burden' has been stated explicitly, in a recent press release, 24 taking a strong stance with the Ministry of Interior, calling for indications on how to include migrants that arrive autonomously in the national system of dispersal, and on whether resources for homeless people should also be used for them (and for migrants that terminate their reception project or for whom reception measures are withdrawn, thus making them homeless).

Interestingly, many forced migrants are not calling for the right to enter and stay but rather for the 'right to come and go' (Fernandez, Olson 2011, 415), calling more attention to the need of mobility (see Mezzadra, Neilson 2016), to overcome the tendency of migration policy to implement 'sedentary' solutions (Könönen 2018).

Seekers and holders of international protection arriving in Bozen have been treated as 'second-class citizens', compared to migrants arriving by sea on Southern Italian shores and dispersed through the quota system. This group of migrants can be considered as a further new category of excluded individuals (Degli Uberti 2019), constructed through policies associated with the blurred terminology of 'transit migration', 'autonomous migrants', 'Fuori Quota'. This process of labelling that has been informing local practices, should be overcome through the recognition and re-instatement of the rights of seekers and holders of international protection. It can be done by radically transforming the approach to services, that is to say to overturn the criteria of 'deservingness' (Zetter 2007; Manocchi 2014) that lays at the basis of access to services themselves. It can be done by recognising that the category 'migrants in transit' includes migrants with different legal statuses, migration journeys and projects. And different genders. In this system of institutional abandonment and exclusion, women are particularly at risk, as their vulnerability is multiple and often associated with trafficking for the scope of forced labour and/ or prostitution and their needs are addressed by a multitude of actors, including anti-trafficking stakeholders that are responsible for identification and access to protection program and yet are scarcely connected to the overall reception system and the helpdesks open to migrants arriving in town (Caroselli 2020). A focus on women was beyond the scope of this chapter, but it clearly deserves more attention.

Of course, focusing on the actual experience of each category of migrants is essential to recognise their specific needs. At the same time we would like to stress that it carries the risk of re-instating it,

²⁴ Press Release 1546, Autonomous Province of Trento, 21 June 2018 "Richiedenti asilo, dalla Conferenza Regioni ok alla proposta del Trentino e dell'Alto Adige".

while also moving attention away from the fact that such categorisation has been produced with the aim of 'fixing' positions and entitlements (Zetter 2007), and exclude systematically persons from receiving assistance (Degli Uberti 2019), showing how this politics decides to include or exclude trough deserving or (un)deserving refugees (Marchetti 2020).

The recent health emergency connected to the COVID-19 has highlighted some of the contradictions of the reception system in Bozen: in face of the evident critical issues relating to the system, institutions have so far failed to provide adequate solutions to provide migrants, particularly, migrants 'Fuori Quota' and migrants transiting through the city of Bozen, thus also exposing them to the risk of contracting the virus and to an increased marginality that makes access to services, including health services, all the more difficult.

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