

The Impact of Security Decree on Migrants during the COVID-19 Crisis in Italy

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GT 3.9 Migration and incorporation policies in times of COVID: reformulating agendas, public institutions and actors.

Abstract: Italy was one of the countries that was badly impacted by the Covid-19 virus. This did not prevent migrants from moving illegally to Italy and their number has significantly increased during the past two years. However, the Security Decree in 2018 was a way to harden the security measures and it consists in limiting the granting of "humanitarian" protection to the migrant population. Consequently, during the Covid crisis, this law did not help undocumented migrants and asylum seekers who were the most in need of support and health protection. They were mainly put in isolated centers and were the most exposed to a high risk of infection. However, undocumented migrants are those who suffered the most and were deprived from accessing to the Italian healthcare system, especially with the emergence of the Covid-19 virus that increased the feeling of anti-immigrant belief and with the adoption of strict security measures. This article examines the effect of the Security Decree in connection with the Covid-19 on migrants coming to Italy.

Keywords: Security decree, COVID-19, undocumented migrants, healthcare, security measures.

I. Introduction:

The rise of the COVID-19 in Italy especially during the first months of 2020 has not only brought the attention of the media and politics, but also was a crucial period for migrants in terms of imposing sanitary measures. Indeed, the gravity of the situation which was seen through the death rates, made it easy for migrants to be more exposed to a higher level of vulnerability. The protective measures that were taken to avoid contamination in the European Union consisted of self-isolation and mainly had a huge impact on every aspect of people's lives. They are considered to be a need to preserve the national health services in order to limit the spread of the virus. Yet there has been a negligence when it comes to treating the undocumented migrants coming to Italy.

However, the fact that these migrants are usually unnoticed by the Italian authorities is connected to the externalization of borders. Their existence in the host country brings anti-immigration sentiment and this feeling amplified with the outbreak of COVID-19. Considering that migrants represent people at high risk and during this sanitary crisis they are subject to infection. Indeed, the latter will be further explained in the next part of this paper and it will analyze how the undocumented migrants in Italy struggle to have access to the health care system. Without also forgetting to mention the hazardous effect of the Security Decree of 2018 on the public health generally and on the migrant population specifically.

This paper will examine also the migration policies in Italy especially during the pandemic. It also needs to evaluate if the restrictive measures that were taken during this pandemic towards migrants were actually decreasing the spread of the virus within this population. However, this article will contain three main points. The first part includes the impact of securitization on migration policies during COVID-19 crisis and how migrants have a limited access to social services. Afterwards, the major policy areas involving migrants' living conditions during this difficult time will be explored. The Security Decree will be given a special attention, especially its influence on migrants' groups to follow the sanitary restrictions that are set against the virus. Finally, a wrapped-up suggestions and regularizations to improve the situation and condition of migrants.

II. The relation between security and migration in Italy:

In Italy, defining migration as a security issue has resulted in a challenging atmosphere for migrants and asylum seekers. Many individuals have lost their right to access to essential services like health care and this is the result of the criminalization of illegal migration. As the pandemic emerged, the World Health Organization (WHO) has warned the European states of discriminating this population. As it is written in the WHO Europe document in 2020:

“During an outbreak, refugees and migrants may experience barriers to receiving information. Ensuring that Member States have the ability to develop health-related messages that reach everyone in the community contributes to promotion of behaviors that can contain or stop the outbreak. Particular attention should also be paid to avoiding any stigmatization and discrimination of this population”.

Unfortunately, undocumented migrants have the tendency to avoid having a contact with a public institution. They are usually rejected from these services, especially with the sanitary and security measures that were taken, even basic and daily activities could lead to their arrest or detention. Indeed, undocumented migrants, according to De Genova (2002), live in a state of perpetual “deportability” and this has an impact on their daily lives. In the case of Italy, the security of borders is characterized as strict and this is seen through the adoption of immigration policies. This is the result of the massive arrival of migrants to the European Union and more particularly to Italy and it was considered as an “intrusion” in the European states. This influx made it easy for policymakers to adopt and reinforce policies concerning migrants that cross borders in an illegal way. Besides one of the causes of the inaccessibility of migrants (especially African migrants) to health care is that they allegedly bring diseases to Italy.

However, according to InfoMigrants, there are 680.000 migrants with no resident permit living in Italy after the adoption of the Security Decree (also called Salvini Decree) in 2018. This law was a strong call for the far-right League to limit the number of irregular migrants. It also calls for restricting the asylum seekers’ reception structures and it did in fact increase the number of asylum application rejections. Yet this law contributed to the escalation of the number of undocumented migrants in Italy and has considerably abolished the grant of humanitarian protection and this is due to the difficulty to enter the country in a legal way. It is crucial to mention the particular circumstances that the virus has brought. In Italy, the topic of migration has always

been causing distress especially when providing undocumented migrants with financial and social help and this type of support is strongly opposed by the far-right parties.

Although the Security Decree was highly criticized and opposed by NGOs and other politicians (like Conte II Government), Italian authorities continue to externalize its borders. However, with the outbreak of COVID-19, politicians urged to close the borders following the quick spread of the virus. Then, the President of the Council of Ministers (2020) considered that there was a need to adopt, throughout the country, further measures for the containment and management of the epidemiological emergency by COVID-19. It is important to highlight that this phase of unpredictability bears within it the possibility that these emergency measures could become normalized and that the freedom of mobility could also be arguable in the name of public safety. Nevertheless, the implementation of the lockdown on the 4th of March was one of the emergency measures that were taken to contain the epidemic. In this specific context, state officials related fighting the virus with fighting a war (Mezzadra & Stierl, 2020). Furthermore, it might be argued that the discourse used in this particular situation is similar to the one used against migrants. This type of rhetoric is used by the government to justify its unprecedented measures.

With the escalation of number of cases in Italy, there has been a disorder when it comes to immigration policies and reception systems especially with the Security Decree that only helped prevent migrants from having access to health care services. After three months of the outbreak, there was no measures that have been taken to make easier for migrants to access the National Health Service. Indeed, this law somehow aggravated the situation of containing the COVID-19 virus particularly for this marginalized community. Consecutively, rethinking the Italian immigration system in Italy was not conceivable. In fact, the Italian government adopted a two-pronged strategy which consisted of postponing a direct intervention into the migrants' issues, and closing Italian ports for migrant rescuers.

III. Effect of the Security Decree on the measures to contain COVID-19:

During the crisis of COVID-19, the undocumented migrants in Italy were somehow invisible and this type of exclusion has only worsened their health. In fact, the spread of the virus has not only affected the migrants but it also presented a severe health risk to inhabitants and host populations. That is why providing health assistance for migrants became one of the priorities

State authorities. It must be pinpointed that the Italian Constitution mentions in the article 32 the guarantee and the access to medical assistance to all individuals who are in need.

Nevertheless, health care services are led by the *Servizio Sanitario Nazionale* (SSN) and they are called by the state to grant constant healthcare to migrants especially when their lives are in jeopardy. At the same time, undocumented migrants for example are unable to enjoy this kind of right since it necessitates an official registration. They already also face administrative, financial, and legal obstacles to access the health system. Yet there is a way to get a temporary document which called *Straniero Temporaneamente Presente*. It allows non-EU citizens in an irregular situation to access to health care for six months and only in the case of severe distress. This implies that there is a possibility that any minor health problem cannot be considered as serious enough to necessitate a medical treatment. During the COVID-19 crisis, the results of such action were really damaging.

As mentioned above, the aims of the sanitary measures that were put by the Italian government were clearly to preserve the National Health Service and to limit the propagation of the virus. That is why it was need to take some decisions like imposing a lockdown and tightening borders in order to safeguard collective health. In contrast, this has in fact affected refugees and migrants since they are put in bad and overcrowded living conditions (refugee camps or reception centers). Indeed, complications like the absence of proper and basic sanitation and hygiene (medical staff and water and soap) were eminent problems in the COVID-19 crisis and there were no actions taken by the Italian authorities to improve those living conditions.

For this reason, implementing “public health measures, such as social distancing, proper hand hygiene, and self-isolation are thus not possible or extremely difficult to implement in refugee camps” (Kluge et al., 2020, p.1238). More importantly, the Security Decree did not help the migrant population seek proper treatment especially for asylum seekers who are supposed to have an easier way to enjoy medical support and are automatically registered in the SSN. In fact, asylum seekers must enter their place of residency in the Italian civil registry even if it is only a *Centri di Accoglienza Straordinaria* (the Extraordinary Reception Centres) but unfortunately the Security Decree prevented asylum seekers from getting residence. Pitzalis (2019) further explains the need to register, she states that:

“The registry registration is necessary for the issue of the residence certificate and identity card, documents which, in practice, allow you to take advantage of some essential services : the inclusion of children in kindergartens, taking

charge by the assistants social security, access to public housing, the granting of any subsidies, registration with the national health service for the use of ordinary services, such as the general practitioner (emergency health care, on the other hand, remains guaranteed even to the irregular).”

Besides the fact that COVID-19 crisis had a huge impact on migrants’ health, it had also an impact on their living conditions. Since migrants and refugees make up a majority of the homeless community, they are consequently incapable to isolate themselves in homes due to financial instability. As expressed in the previous sections, unluckily their legal status does not allow them to fully respect the COVID-19 sanitary measures. It was not possible for them neither to quarantine nor to set themselves apart especially with no income and health care security. The Italian authorities were aware of these harsh conditions but they avoided taking any action. Moreover, there are some undocumented migrants who are put in detention centers that have bad hygienical conditions and they are not medically equipped to be taken care of especially with the spread of the infection. In fact, due to the over crowdedness inside these facilities, the spread of virus can be quick and uncontrolled.

As a result of the Security Decree, the number of migrants coming to Italy in an illegal way have significantly risen and with the pandemic’s outbreak, the deportations of undocumented migrants have dropped considerably (Ambrosini, 2020). According to Geddes and Pettrachin (2020), the law has also reshaped Italy’s asylum system and this is proven through the increased percentage (25% in 2019 compared to 2018) of asylum request rejection. In fact, they argued that this rejection can only result into “a significant increase in the number of undocumented migrants” (Geddes & Pettrachin, 2020, p.12). Usually, undocumented migrants are held for a maximum of 90 days in the detention centers but it was extended to a maximum of 180 days and they remain in a ‘condition of legal non-existence’ (Fabini, 2019, p.1). Thus, this explains the bad treatment of this community inside the detention centers and how badly the Security Decree has impacted their lives.

IV. Attempt to regularize the migrants’ situation:

Many are those who spoke up against the Italian authorities’ indifference towards treating the undocumented migrants especially after the adoption of the Security Decree in 2018. As a matter of fact, it has worsened the health and living conditions of this vulnerable community

especially with the state of emergency in 2020 that resulted in several repercussions at so many levels. However, there were some ways to improve the migrant's conditions in Italy as opposed to what the Security Decree have done. Indeed, a limited number of undocumented migrants were given the chance to work in the housing and agricultural sectors in order to have a work permit (for six months) since these particular sectors lacked thousands of seasonal workers. Due to the closure of international borders, it was a chance for them to be employed under legal circumstances but they have to provide a proof of their presence in the Italian soil before the 8th of March 2020.

Unluckily for the other undocumented migrants who are left with no other options because of the Security Decree which does not attempt to regularize their conditions. In this case, fulfilling the requirements of having a legal status in Italy seems to be restrictive and discriminatory. There is no initiation from the Italian authorities to protect this community from COVID-19 or even to extend the access to health care.

V. Conclusion:

Due to the general circumstances of the COVID-19 that occurred in 2020 and continued to 2021, the Italian government had to act quickly to prevent the spread of the virus in the country and more particularly among the most disadvantaged individuals. However, in Italy, the government had adopted some severe and restrictive measures that weren't in favor of the migrant population. Additionally, the Security Decree has not only caused a significant increase in the number of undocumented migrants but also a remarkable deterioration in accessing health care services. Such action gave rise to thousands of these individuals without medical assistance especially during the hardest time of this decade. Moreover, this law has lowered the size and quality of the receiving system and forced an increasing number of irregular immigrants to live in extremely loaded and unsanitary conditions. That is why the intervention of the Italian authorities was very much needed and with the Security Decree of 2018 that did not help but make this migrant population even more unprotected and helpless.

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