

# Ministry of Labour, Health and Social Policies

## Italy

Promoting legal migration for working reasons

**Bilateral Cooperation**

General Directorate for Immigration

Tirana, 9-10 February 2009

## Top fifteen nationalities in Italy (DATA 1 Jan.2008)

1	Romania (EU)	625.278
2	Albania	401.949
3	Morocco	365.908
4	China	156.519
5	Ukraine	132.718
6	Philippines	105.675
7	Tunisia	93.601
8	Poland	90.218
9	Macedonia (FYROM)	78.090
10	India	77.432
11	Ecuador	73.235
12	Perù	70.755
13	Egypt	69.572
14	Moldova Republic	68.591
15	Serbia- Montenegro	64.411

# Legislative framework

Italian immigration law  
(legisl. Decree  
n.286/1998)  
Art. 3



*a triennial strategic plan* is elaborated by the government



on its basis a general quota of entries for working reason is established annually. The quotas are determined by an **annual "flow" decree** of the President of the Council of Ministers

Working profiles are set in advance – in numerical terms – according to sectors: N. entries for employment in tourism , N. for domestic work and health care services, N. for construction sector, etc....

# Italian immigration law

## Art. 22

Employers requests



**Single desk for immigration** is based at the provincial level (Prefetture).



Instances are processed and evaluated by *police authority* and checked by the *local labour authority*



The single desk delivers (or not) the authorization to enter Italy and work (*nulla osta*)

# Italian immigration law

In the annual decree of authorised flows, **special quotas** are dedicated to:

- Countries who have signed with Italy bilateral agreements for cooperation on frontiers and readmission procedures or for the management of labour flows (**art.21**)
- Foreign citizens who attend, in their country, training programmes based on Italian language, promoted by Italian Regions, trade unions, associations, international organizations (**art.23**)

# Bilateral Agreements

Italy has concluded agreements for the management of labour migration flows with **Moldova, Egypt, Morocco** and, on December 2nd 2008, with **Albania**.

Workers from these countries (and from countries who signed readmission agreements) benefit from **preferential quotas** of entry for work reasons.

4.500 Albania  
6.500 Moldova  
8.000 Egypt  
4.500 Morocco

1.000 Algeria  
3.000 Bangladesh  
5.000 Philippines  
4.000 Tunisia  
1.000 Senegal  
1.000 Ghana

.....

# Bilateral Agreements – art.21

The agreements enhance the collaboration between origin and destination countries in order to promote:

1. the **exchange of information** concerning the professional needs expressed by the Italian labour market and the vocational skills offered by the country of origin;
2. the creation of **lists of foreign workers** willing to come and work in Italy;
3. the starting up of **vocational training and Italian language courses**, aimed at establishing a preferential channel to enter Italy for work reasons (in pursuance of Art. 23);
4. the exchange of experiences and best practices.

# Goals

- a. To implement an appropriate strategy to promote and strengthen legal entry channels;
- b. To foster and adequate the capacities of third countries to meet the requirements of European labour markets;
- c. To ensure the respect of legal migrants' rights in the host society.

# Bilateral agreements: pre-requisite

The Ministry of Labour usually opens negotiations with third countries on the basis of:

- an evaluation of the cooperation relationships between Italy and the interested party;
- the existence of signed readmission agreements, which fall under the competence of the Ministry of the Interior.

# Italy-Albania as example of good cooperation

## 1) 1997

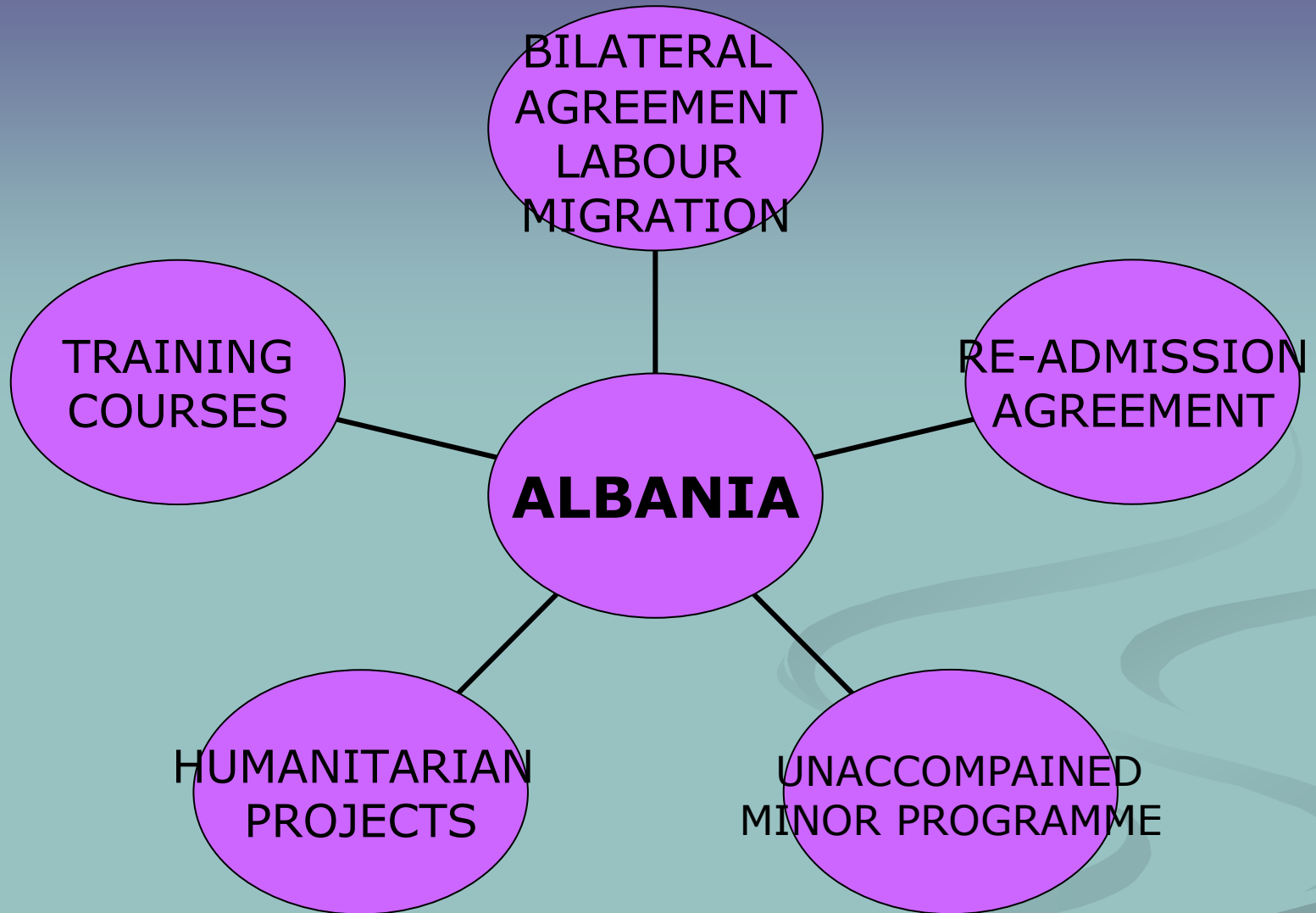
- **Humanitarian projects** (in aid of children, women, old and disabled people)
- **Re-admission agreement** (17/11/97 – in force on August 1998)
- **Bilateral agreement** and Protocol on **seasonal workers** employment (18/11/97)

2) **2002-2005** - After the end of the humanitarian projects, the two countries signed a **Declaration**, committing the Governments to carry out projects about children, disabled people and social services in Elbasan (2,5 milion €).

3) **December 2007** - The EC financed the **project** " Back to the future – A transnational network for unaccompanied minors", subscribed by Italy and Albania

4) **April 2008** - Approved the vocational **training course** in the building sector for 20 workers, promoted by Regione Puglia in Tirana, according to art. 23 of the immigration law.

5) **December 2<sup>nd</sup> 2008**: signed the **bilateral agreement on labour migration**



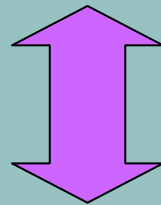
# **How to concretely put in place the collaboration on labour migration?**

FOCUS on the

**AGREEMENT BETWEEN THE  
GOVERNMENT OF THE ITALIAN  
REPUBLIC AND THE GOVERNMENT  
OF THE REPUBLIC OF ALBANIA**

## Article 2

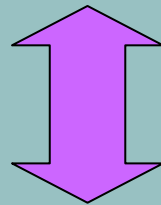
The Competent Authorities will cooperate in the regulation and organization of the flows of migrant workers between the two Countries and will facilitate the recruitment and insertion of the nationals of the other Contracting Party in the internal labour market in case of shortage of local manpower.



**STRENGTHENING MUTUAL KNOWLEDGE OF THE TWO  
NATIONAL SYSTEMS  
AND LABOUR MARKET MECHANISMS**

## Article 3

According to the conditions of the labour market and in compliance with the national legislation, the Italian Party undertakes to favour the attribution of a special entry quota for Albanian citizens.

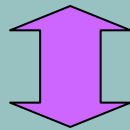


### **IMPROVING THE UTILISATION OF THE PRIVILEGED QUOTA**

## Article 4

Albanian citizens available to perform subordinate work activities, including seasonal work in Italy, may be included in a specific list drawn up by the Albanian Party, in compliance with the criteria provided by the Italian Party, according to the Italian legislation on the matter.

The above mentioned list will be sent electronically by the Albanian Party to the Italian Party, which will publish it in compliance with the Italian legislation on the matter.

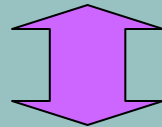


### **FINE-TUNING STANDARDIZED AND RELIABLE LISTS OF CANDIDATE WORKERS**

## Article 5

NEW  
MECHANISM

A percentage of the above mentioned special quota granted to the Republic of Albania, equivalent to **1/4** of its total, could be given priority by using the system of the lists mentioned in article 4.

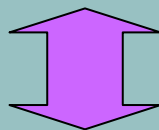


**ALBANIAN AUTHORITIES: GOVERNING A PERCENTAGE OF THE QUOTA**

**ITALIAN AUTHORITIES: PROMOTING THE MECHANISM AMONG EMPLOYERS**

## Article 6

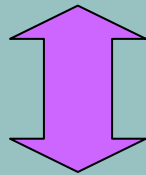
The Contracting Parties shall regularly **exchange information** on the two labour markets. The Contracting Parties undertake to facilitate the matching between labour demand and supply, even through the support and the assistance to the bodies in charge for this matter in the two Countries, and to monitor the employment offers available in the two Countries.



- **TRAINING AND CAPACITY BUILDING ACTIVITIES**
- **SETTING UP AN EFFICIENT INFORMATION FLOW**

## Article 8

The Contracting Parties will encourage candidate migrant workers to attend vocational training and Italian language courses, organized on the Albanian territory.



**ALBANIAN AUTHORITIES: SUPPORTING ITALIAN PROMOTERS IN ORGANISING THE COURSES**

**ITALIAN AUTHORITIES: PROMOTING AND APPROVING TRAINING PROGRAMMES**

## **Training programmes are based on:**

- ❖ Italian language – level A2
- ❖ Civic and cultural education
- ❖ Health and security in the workplace
- ❖ Vocational training courses in specific sectors (if necessary in order to adequate the competences to the Italian labor market requirement)

## **The training activities are designed:**

1. to train workers to be placed in the Italian labour market;
2. to train workers to be placed in Italian productive sectors operating in the country of origin;
3. to develop self-employment and entrepreneurial activities in the country of origin.

The experience implemented until now with some third countries highlighted :

## **STRENGTHS**

- Permanent dialogue and mutual trust
- Knowledge of national migration management systems
- Information exchange
- Shared standards and tools
- Possible reduction of irregular migration

## But also **SETBACKS AND WEAKNESSES**

- the lack of a permanent and effective network for the exchange of information concerning the needs of the Italian labour market and the vocational skills available in third countries
- Poor reliability of databases on the third country side
- Differences between qualification systems
- Difficulties in the dissemination of lists on the Italian side

# FINAL STATEMENT

The impact of bilateral cooperation might not bring short- term results but it creates the platform and the **pre-conditions** to better manage migration flows, by attributing a concrete **role to governments of partner countries**.

Notwithstanding the concrete difficulties, we believe that it is crucial:

- to consolidate what has been achieved
- to replicate in other countries the model engineered so far

**THANKS FOR YOUR  
ATTENTION**

**SILVIA ACHILLE**

**sachille@lavoro.gov.it**