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The views expressed in this academic research paper are those of the author and do not reflect the official policy or position of the Ministry of Defence, Italy, or that of the Italian Armed Forces.

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“The comparison between the Israeli and the Italian policy toward immigration and asylum seekers.”

Introduction

Society is a living body on which migration¹ of people has a great impact in many different ways. The economic aspect is influenced in terms of labor markets, job opportunities, unemployment, incomes, sectoral divisions, competition, as well as import and export, and patterns and sizes of consumption. Immigrants also have an impact on the diversification of the cultural contexts in various ways, such as changing interests in food, sports, fashion, art, and media. Finally, immigration clearly has an impact on the political discourse with regard to civil rights, political participation and creating or changing institutions and organizations (governmental bureaucracies, political parties, trade unions, NGOs and immigrant self-organizations).

As societies have changed under the influences of immigration and migrant settlement, similarly receiving countries shape the impact of immigration through laws and regulations, determining access to the labor markets, welfare provisions, health services, housing conditions, education and language politics, integration strategies and sometimes also forms of exclusion and discrimination.²

In this context, this paper will examine and compare the Israeli and Italian policy toward immigration, including asylum seekers, highlighting how the peculiar environment and historical background have led to different approaches to immigration and had varying effects on resulting arrivals.

¹ “IOM defines a migrant as any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person’s legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is.” UN Migration Agency (IOM), “Who is a Migrant?”, <https://www.iom.int/who-is-a-migrant>.

² European Commission, *European Migration Network - Impact of Immigration on Europe’s Societies*, Luxembourg: Office for Official Publications of the European Communities, March 2006, 3-15, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/documents/policies/legal-migration/pdf/general/emn_immigration_2006_en.pdf.

Israel

The State of Israel represents a unique case in the world for many reasons, one of which is its view on immigration. The State was born in 1948 with the Declaration of the Establishment which establishes that “The State of Israel will be open for Jewish immigration and for the Ingathering of the Exiles.”³ The Law of Return,⁴ which is one of the cornerstones of the Israeli legislation, grants the right to immigrate (Aliyah) to all Jews in Diaspora and their family members (first-degree relatives).⁵ Unlike other states, Israel has the unique mission of being home of all Jews, which means that not only it is open to Jewish immigration without restriction (including Jewish refugees), but it encourages it with several incentives and benefits (i.e., education programs, direct payment for housing, social integration programs), and helping “Olim” to integrate in the labor market and to create new enterprises.⁶ Since the immigration of non-Jews is quite restricted, Jewish immigration is the main component of the immigration to Israel.

Overall, since the establishment of the State, immigrants have reached 3.3 million in 2018 (29,600 of which in 2018, with a 5% rise compared to the previous year)⁷ out of a

³ Provisional Government of Israel, *The Declaration of the Establishment of the State of Israel*, Official Gazette No. 1, 14 May 1948, https://www.knesset.gov.il/docs/eng/megilat_eng.htm.

⁴ Knesset, The Law of Return 5710 (1950), Amendment 5714 (1954), Amendment No. 2, 5730 (1970), <https://knesset.gov.il/laws/special/eng/return.htm>.

⁵ To qualify for citizenship under the Law of Return, an individual must have at least one Jewish grandparent, a Jewish spouse or have undergone a conversion in a recognized Jewish community (it does not have to be an Orthodox conversion). On the other hand, to qualify as a Jew under religious law (Halakhah), an individual must have been born to a Jewish mother or have undergone an Orthodox conversion by rabbis recognized by Israel’s Chief Rabbinate. Jewish Virtual Library, “Vital Statistics: Latest Population Statistics for Israel,” <https://www.jewishvirtuallibrary.org/latest-population-statistics-for-israel>.

⁶ This group also includes citizens former residents of Israel who return after an extended stay abroad (returning residents, after at least five years’ residence abroad). In 2016 this group counted 8,816 people, mainly from the US. The integration of Jews (Falash Mura) from Ethiopia is more problematic since they are entering Israel not as Olim but by a humanitarian procedure and are not entitled to immediate Israeli citizenship or any other benefits that Olim are getting. They enter a process of converting to Judaism and only after they finish it they get Israeli citizenship and all the benefits connected with it such as social security and national health insurance. Family reunifications (in total 3,113 in 2016) of Jews (Falash Mura) from Ethiopia are limited by the Government to a quota of 1,300 per year. There are strict limitations on the possibility family reunification of Israeli citizen and resident with resident of the Palestinian authority in the West Bank and a prohibition of family reunification with resident of Gaza or a citizen of the following countries: Iran, Lebanon, Syria and Iraq. Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 2-20, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

⁷ Ynetnews, “Israel’s 2018 immigration figures reveal 5% rise in Aliyah,” 30 December 2018, <https://www.ynetnews.com/articles/0,7340,L-5437428,00.html>.

total population of nearly 9 million at the end of 2018.⁸ However, considering the 14.5 million Jewish people in the world (46 percent resides in Israel; most of the rest resides in the US),⁹ there is still a significant potential for Jews' population growth from immigration. Specifically, in the last years, two third of the permanent immigrants were from four countries: the Russian Federation, Ukraine, France, and the US.¹⁰ The most popular cities for new immigrants to settle down in during 2014 were Tel Aviv and Netanya.¹¹

In addition to the Jewish immigration under the Law of Return, which is the only one that consists of permanent migrants (Israel does not regard itself as an immigration country for non-Jews), the State of Israel allows other types of immigration: temporary migrant workers (TMW, also so-called "foreign workers," traditionally mostly low-skilled workers and for the main part coming from the former USSR, Thailand, Philippines, and India) who enter Israel legally under a work permit,¹² and daily workers from the Palestinian Authority¹³ and the Kingdom of Jordan.¹⁴ Israel does not allow the naturalization of temporary foreign workers or their family reunification.¹⁵ Therefore, there are no integration programs for this population.¹⁶ Overall, as of 30 June 2017, the

⁸ One in four Jewish individuals currently live in Israel was born abroad. The Central Bureau of Statistics, "Population," <https://www.cbs.gov.il/EN/pages/default.aspx>.

⁹ Jewish Virtual Library, "Vital Statistics: Latest Population Statistics for Israel," <https://www.jewishvirtuallibrary.org/latest-population-statistics-for-israel>.

¹⁰ Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 2, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

¹¹ Respectively, 3,275 and 3,102 new immigrants settled there. Jewish Virtual Library, "Vital Statistics: Latest Population Statistics for Israel," <https://www.jewishvirtuallibrary.org/latest-population-statistics-for-israel>.

¹² Work permit is generally valid for 63 months. There are no time limitations on daily workers. In 2017, TMW stood at 104,199, of which 85,932 were legal entrants who have a regulated status and 18,267 were legal entrants whose status is currently unregulated. Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 3, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

¹³ As of June 2017, the quotas for Palestinian per diem workers were 77,300 (divide in construction, agricultural and industry work). In addition, 4,331 Palestinian residents of the West Bank hold a permit to work in East Jerusalem. For security reasons, Palestinian workers in Israel are at least 22 years old and married; Palestinian daily workers in east Jerusalem and hospitals in Israel are exempt from being married and can be only 21 years old. Ibid, 3-63.

¹⁴ 1,300 Jordan workers are employed daily in tourism and construction in the region of Eilat. Ibid, 27.

¹⁵ Families of diplomatic staff are allowed and, in many cases, they can work in Israel. Ibid, 61-62.

¹⁶ In a case a foreign worker is losing his ability to work (i.e., due to a case of severe illness), he will lose his status as a foreign worker, his private health insurance, and can be deported. Ibid, 47-54.

total population of foreign nationals living in Israel was 216,739.¹⁷ However, since the end of 2013, the Israeli Government has made several resolutions (Government Decisions) regarding the expansion of foreign worker quotas in the fields of construction, agriculture, and tourism (there is no cap on the number of foreign workers in the caregiving sector/home care). There is also growing pressure to allow quotas of highly skilled and expert workers (i.e., high-tech).¹⁸ All quotas are based on bilateral agreements signed between the State of Israel and other countries (i.e., with China, in the field of construction). Only foreign workers with an official invitation can, hence, work in Israel. Likewise, since 2012, the authorized quota of Palestinian workers has been increasing. However, despite the fact that only a share of this quota (88 percent in March 2017) is utilized by active permit holders, there is a significant number of Palestinian workers with no permit (in 2017, about 40 percent of Palestinian workers in Israel).¹⁹

Israel defines as unauthorized categories illegal work migrants (foreigners who enter legally for purposes other than work and remain in the country after their period of legal residence has ended; i.e., more than 80 percent of cases enter with touristic visas),²⁰ and infiltrators. Both categories are subjected to deportation when caught by the Police or by the Population and Immigration Authority.²¹

On the other hand, asylum seekers and groups of people under protection (mainly from Africa and the former USSR) enjoy a special status in Israel, as granted by the United Nations Convention for the refugees,²² due the fact that their life or liberty will be endangered if they are returned to their home country. They receive a temporary residence permit,²³ allowing them the right to stay in Israel, and they are entitled to the

¹⁷ 17,742 of them were pupils.

¹⁸ There is no cap on the number of foreign workers designated as “specialists” (skilled workers who earn at least double the national average wage).

¹⁹ Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 4-71, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

²⁰ The population of foreigners who entered the Country legally on a tourist visas and have remained illegally after their visas expired was estimated in 74,000 in 2016. Ibid, 31.

²¹ A total of 3,221 people (tourists with expired visas, foreign workers and others) who entered Israel legally were deported in 2016 against their will (little more than 3 percent of total foreigners without status). Ibid, 80.

²² Ibid, 2.

²³ Permits (A5 humanitarian visas) are for a renewable two-month period at the offices of the Population and Immigration Authority. Aid Organization for Refugees and Asylum Seekers in Israel, “Asylum-Seekers in Israel:

basic rights, such as emergency medical treatment.²⁴ Minors in this population (estimated between 6,000 and 8,000) are also entitled to health, education and welfare services since these are considered universal rights under the United Nations Convention on the Rights of the Child.²⁵ These people are, for the most part, composed of two groups: Africans (mainly Eritreans [71 percent] and Sudanese [20 percent], 38,540 in total in June 2017), which entered Israel by illegally crossing the border with Egypt (hence considered, infiltrators). This infiltration became significant after 2005, peaking in 2012 but stopped in 2014 when the electronic fence at the border with Sinai was completed.²⁶ After 2015, most of the asylum seekers were from the former USSR (the major part of which were from Ukraine and Georgia), which entered Israel with touristic visas and sought asylum immediately as a way to gain time while awaiting an answer on their asylum requests, in order to integrate into the labor market (in reality, they are, for the major part, economic immigrants).²⁷

The Government policy toward infiltrators and asylum seekers has become tighter and tighter. In practice, the entry of these two categories has almost stopped by rigorous controls along the borders based on increased Police and IDF patrolling, and based on the use of technological means (drones, cameras, remote sensors). In addition, in January 2016 a new amendment to the Infiltration Law (1954) regulated tougher enforcement measures against this category, such as the detention of all new infiltrators to Israel in a closed facility (Saharonim penitentiary) for the duration of at least one year and up to

Background and Figures,” November 2016, 1, <http://assaf.org.il/en/sites/default/files/Asylum-Seekers%20in%20Israel%20Background%20and%20Figures%20June%202016.pdf>.

²⁴ NGOs provide additional refugee’s clinic support on voluntary basis. Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 107, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

²⁵ United Nations, *Convention on the Rights of the Child*, 20 November 1989, <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

²⁶ Melanie Lidman, “10 Key Questions about Israel’s African Asylum seeker Controversy,” *The Times of Israel*, 2 February 2018, <https://www.timesofisrael.com/in-israels-new-plan-to-deport-africans-details-abound/>.

²⁷ Offices of the Population and Immigration Agency have developed policies to enable the summary review and dismissal of most of these claims and their numbers have dropped dramatically. The Jewish Federation, “Illegal Migrants & Refugees in Israel Major Trends and Background Information,” February 2018, 2, <https://cdn.fedweb.org/fed-42/2212/Migrants%2520to%2520Israel%2520-%2520Full%2520Background%2520Briefing%2520February%25209%25202018.pdf>.

three years, as well as the detention of those eligible for group protection in an open facility (Holot detention center)²⁸ for no longer than 12 months.²⁹ Although those people under protection are under non-refoulement status (principle of international law that forbids a country receiving asylum seekers from returning them to a country in which they would be in likely danger of persecution based on “race, religion, nationality, membership of a particular social group or political opinion”),³⁰ the Israeli Government also seeks to minimize this population by encouraging voluntary returns to safe third countries with special programs³¹ (since the end of 2012, 15,906 people left Israel under these programs). UNHCR contributes to this process by resettling a small part of this group in Western countries (Canada, Australia, USA, and several EU member states). The Government tries to force the resettlement to safe third countries (i.e., Rwanda and Uganda, under bilateral agreements) for the remaining part.³² As a matter of fact, the share of asylum granted to Asylum Seekers is negligible (less than 0,1 percent of the requests) due to stringent criteria and restrictions.³³ In comparison, in the European

²⁸ Asylum seekers can leave during the day but must stay inside between 10 p.m. and 8 a.m. Melanie Lidman, “10 Key Questions about Israel’s African Asylum seeker Controversy,” *The Times of Israel*, 2 February 2018, <https://www.timesofisrael.com/in-israels-new-plan-to-deport-africans-details-abound/>.

²⁹ Aid Organization for Refugees and Asylum Seekers in Israel, “Asylum-Seekers in Israel: Background and Figures,” November 2016, 2, <http://assaf.org.il/en/sites/default/files/Asylum-Seekers%20in%20Israel%20Background%20and%20Figures%20June%202016.pdf>.

³⁰ UN, *1951 Convention and 1967 Protocol Relating to the Status of Refugees*, Article 33 <https://www.unhcr.org/3b66c2aa10>.

³¹ Adults receive a flying ticket and 3,500\$, minors receive a flying ticket and 1,000\$. Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 104, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

³² *Ibid*, 104.

Ruvi Ziegler, “Benjamin Netanyahu’s U-turn: no Redemption for Asylum Seekers in Israel,” *The Conversation*, 9 April 2018, <https://theconversation.com/benjamin-netanyahus-u-turn-no-redemption-for-asylum-seekers-in-israel-94441>.

³³ Government officials claim that most African asylum seekers are actually economic migrants and do not qualify as refugees. The Jewish Federation, “Illegal Migrants & Refugees in Israel Major Trends and Background Information,” February 2018, 2-8, <https://cdn.fedweb.org/fed-42/2212/Migrants%2520to%2520Israel%2520-%2520Full%2520Background%2520Briefing%2520February%25209%25202018.pdf>.

Human Rights Watch, “Israel: Don’t Lock Up Asylum Seekers,” 22 January 2018, <https://www.hrw.org/news/2018/01/22/israel-dont-lock-asylum-seekers>.

Union countries, 52 percent of asylum seekers receive a status (the percentage is even higher in Italy).³⁴

While staying in Israel,³⁵ despite not being formally allowed to, thanks to the non-enforcement policy of the Government, people entitled to temporary non-deportation and asylum seekers have generally integrated into the workforce, particularly in the fields of construction, tourism and hospitality (hotels and restaurants) and in the service field (institutional cleaning services, household cleaning and nursing care).³⁶ As criticized by human rights organization (UNHCR and some human rights NGOs), this situation sometimes favors exploitation of those workers by their employers (i.e., abuse of rights on minimum wage, maximum working hours, minimum rest, sick days, social security work accident insurance and pension), the phenomenon of illegal employment, and even cases of employment in conditions of slavery (i.e., human trafficking for prostitution and forced labor).³⁷

International Students are also present in Israel, estimated to be about 12,000 students in the High Education system, mostly from the US, Europe, and Asia. A large group of students is entitled to citizenship in terms of the Law of Return and, at any moment, can acquire Israeli citizenship and/or residency.³⁸ Israel promotes cooperation with India and China (awarding scholarships for students from those Countries), with the European Union, and the partnership in the Erasmus+ program.³⁹ A project of the Israeli Council

³⁴ Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 90, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

³⁵ About 40 percent of the African infiltrators live in southern Tel Aviv, notably in the Central Bus Station neighborhood. Melanie Lidman, "10 Key Questions about Israel's African Asylum seeker Controversy," *The Times of Israel*, 2 February 2018, <https://www.timesofisrael.com/in-israels-new-plan-to-deport-africans-details-abound/>.

³⁶ Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 93, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

³⁷ Aid Organization for Refugees and Asylum Seekers in Israel, "Asylum-Seekers in Israel: Background and Figures," November 2016, 4, <http://assaf.org.il/en/sites/default/files/Asylum-Seekers%20in%20Israel%20Background%20and%20Figures%20June%202016.pdf>.

³⁸ Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 119, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

³⁹ Ibid, 119.

The Erasmus Program (EuRoepan Community Action Scheme for the Mobility of University Students) is an EU student exchange program established in 1987. Erasmus+ is the new program combining all the EU's current schemes

for Higher Education published in 2016 plans for an increase in the number of international students in Israel up to 25,000 in 2022.⁴⁰ However, the international students' numbers are still well below Western countries' average.

Overall, Israel is clearly a Country that relies on immigration. Its policy, though, is extremely selective, as it does not set limits to Jewish immigration, whose acceptance is one of the main missions of the Country, but rejects permanent immigration of non-Jews. Categories like tourists and foreign workers are very welcome in Israel, as they also represent a significant contribution to the national economy and positive financial impact, but the Government enacted a series of policies to decisively prevent them from remaining permanently and integrating into the mainstream of Israeli Jewish society. Regarding infiltrators and illegal residents (i.e., people with expired permits), the State has a very low threshold of tolerance and, therefore, applies a firm policy of deportation. In recent years, Israel has also implemented advanced security features, such as walls and electronic fences, to prevent illegal entry into the Country.⁴¹ Finally, while formally complying with the United Nations Convention for the refugees, Israel grants refugee status only to a small number of asylum seekers, encourages voluntary returns to safe third countries, and imposes forced resettlement to the remaining people not entitled to asylum.

Italy

Over the past three decades, Italy has undergone a major transformation, shifting from an emigrant nation (there are currently four million Italian citizens still living abroad) to an immigrant destination.

In consideration of the Italian aging population, immigration represents a significant resource for the economy and the labor market. Indeed, the Italian population (60.5 million residents at the beginning of 2018) is, in the recent years slightly decreasing

for education, training, youth and sport, which was started in 2014. European Commission, "Erasmus+," http://ec.europa.eu/programmes/erasmus-plus/node_en.

⁴⁰ Gilad Nathan, *Annual Report - International Migration - Israel 2016-2017*, The OECD Expert Group on Migration SOPEMI, The Institute for Immigration and Social Integration, Ruppin Academic Center, September 2017, 122, http://www.israel-sociology.org.il/uploadimages/26102017_4.pdf.

⁴¹ This is also due to that fact that it borders states and populations that are hostile. Ruth Levush, "Refugee Law and Policy: Israel," Law Library of Congress, March 2016, <https://www.loc.gov/law/help/refugee-law/israel.php>.

(100,000 people per year), especially in the South of the peninsula where prosperity and standards of living are inferior. The foreign residents (mainly economic migrants), which count a population of 5.9 million (10 percent of the total population, yet with 14.9 percent of total births in 2017),⁴² is, however, stabilizing (a negligible increase of 18,000 in 2017).⁴³ Regarding family reunifications, Italy has a more positive approach compared to Israel, and quite easily grants permit to the families of foreign people entitled to stay in Italy.⁴⁴ Immigrant flows origin mainly from Central Eastern Europe (Romania, Albania, and Ukraine), Northern Africa (Morocco), the Indian subcontinent (Pakistan, India, and Sri Lanka), and the Far East (China).⁴⁵ The greatest number of non-EU citizens resides in Central Northern Italy, where there are more job opportunities.⁴⁶

The Government policy is mainly based on the quota system with the objective of benefiting from the immigrants, especially for their contribution to the economy, partially balancing the aging trend of the Italian population.⁴⁷ The overall quota, yet not completely used, of 30,850 authorized non-EU foreign workers, including 18,000 seasonal workers,⁴⁸ is based, like in Israel, on bilateral agreements with many countries, among which Albania, Algeria, Egypt, Morocco, Senegal, Tunisia, and Ukraine.⁴⁹

⁴² United Nations, *International Migration Report – Highlights*, 2017, http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017_Highlights.pdf.

Roberto Sommella, “L’Italia è Multiculturale, Ecco Cosa Dicono i Numeri,” *Corriere della Sera*, 28 October 2017, https://www.corriere.it/opinioni/17_ottobre_29/italia-multiculturale-27899346-bc16-11e7-b9f3-82f15d252a79.shtml.

⁴³ Francesco Pomponi, “L’integrazione degli Immigrati in Italia. Concetti, Metodi e Dati,” INAPP, 17 September 2018, http://oa.inapp.org/bitstream/handle/123456789/244/INAPP_Pomponi_Integrazione_Immigrati_Presentation_2018.pdf?sequence=2.

⁴⁴ Integrazione Immigrati, “L’Unità Familiare,” June 2018, <http://www.integrazionemigranti.gov.it/normativa/procedureitalia/Pagine/Ricongiungimento-familiare.aspx>.

⁴⁵ European Commission, *European Migration Network - Impact of Immigration on Europe’s Societies*, Luxembourg: Office for Official Publications of the European Communities, March 2006, 25, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/documents/policies/legal-migration/pdf/general/emn_immigration_2006_en.pdf.

⁴⁶ Ibid.

CNEL, “Indici di integrazione degli immigrati in Italia,” <https://www.portalecnel.it/indici-di-integrazione-degli-immigrati-in-italia/>.

⁴⁷ Corrado Salemi, “Immigrazione in Italia: Quali Effetti su Società ed Economia?,” *Money*, 13 November 2015, <https://www.money.it/L-immigrazione-un-fenomeno>.

⁴⁸ Traditionally, mostly low-skilled workers.

⁴⁹ Portale Immigrazione, “Decreto flussi 2018,” <https://portaleimmigrazione.eu/decreto-flussi-2018/>.

Portale Immigrazione, “Decreto Flussi Colf e Badanti per il 2019, Salvini Risponde in Parlamento,” <https://portaleimmigrazione.eu/decreto-flussi-2019-colf-e-badanti-salvini-risponde-in-parlamento/>.

However, heavy bureaucracy appears to be inadequate and may result in encouraging irregular work.

In 2018, illegal immigrants were estimated in 500,000/800,000⁵⁰ and were for the most part overstayers (people legally entered into Italy and remained beyond the permit validity), illegal immigrant from other countries of the Schengen area, and illegal arrivals by sea. This significant presence also favors increases in crime, poverty, human exploitation, prostitution, and trafficking, and is becoming one of the main concerns of the Government and of the public opinion.⁵¹

Specifically, in the 1990s, following the war in the former Yugoslavia and the fall of the communist regimes, the first wave of illegal immigrants came from Albania, crossing the Adriatic Sea on speedboats. In the 2000s, with the enlargement of the European Union, another wave of immigrants arrived, especially from Romania, thanks to the Schengen agreement that allows free movement of people within the European Union. In the early 2010s, with the Arab Spring and, in particular, the fall of the Gaddafi regime and the spread of the civil war in Libya, an increasing flow of undocumented people tried to cross the Mediterranean Sea from North Africa to the Southern Italian coast. Human smuggling organizations did not hesitate to employ boats and rafts otherwise hardly seaworthy, generally vastly filled above their capacity, causing several deadly accidents at sea.⁵² Lately, those boats aim only to exit Libyan territorial waters (12 miles from the coast) and call for rescue operations from passing mercantile vessels, search and rescue organizations (i.e., NGOs),⁵³ Italian and Maltese Coastguards and Navies. According to

Ministry of Interior, “Politiche Migratorie,” 17 February 2017, <http://www.interno.gov.it/it/temi/immigrazione-e-asilo/politiche-migratorie>.

⁵⁰ EURISPES, “Rapporto Italia 2018 – Gli Italiani Hanno un’Errata Percezione del Fenomeno Migratorio e non Conoscono i Contenuti della Proposta sulla Ius Soli,” 31 January 2018, <http://www.integrazionemigranti.gov.it/Attualita/Notizie/Pagine/Eurispes-Rapporto-Italia-2018.aspx>.

⁵¹ Giovanni Martino, “Immigrazione: Problema o Risorsa?,” *Europa Oggi*, 6 November 2016, <http://www.europaoggi.it/content/view/1305/28/>.

Antonella Elisa Castronovo, “L’immigrazione in Italia. Quale Modello di Governance?,” *Dialoghi Mediterranei*, No. 17 January 2016, <http://www.istitutoeuroarabo.it/DM/immigrazione-in-italia-quale-modello-di-governance/>.

⁵² 5,000 dead and missing estimated in 2016, and 3,100 estimated in 2017. UNHCR, “Refugees & Migrants Arrivals to Europe in 2017,” <https://data2.unhcr.org/es/documents/download/62023>.

⁵³ Some NGOs, though, are suspected to be part of unlawful people smuggling operations in coordination with operatives on Libyan coast, and funded by international criminal groups. The Italian Government asked NGOs to sign a code of conduct to legitimize their rescue operations (not all NGOs did).

the United Nations Convention on the Law of the Sea,⁵⁴ of which Italy is a subscriber, people rescued at sea have to be transported to the closest safe harbor: as Libya continues to be in political turmoil this means they are transported to Italy in most of the cases. Once in Italy (first EU country they enter), in accordance with the EU Dublin Regulation,⁵⁵ migrants apply for legal residence, protection or asylum permits, and they are not allowed to cross legally internal EU borders⁵⁶ until their case has been processed and positively concluded. In 2016, border controls were temporarily reintroduced in seven Schengen countries, including Austria, Denmark, France, Germany, Norway, Poland, and Sweden, in response to the peak of the migrant crisis.⁵⁷ Therefore, being on the external border regions of the EU, Italy finds itself with the heavy burden of handling this quantum of people. The majority of those people came from North and Central Africa (Tunisia, Mali, Nigeria, Guinea, Côte d'Ivoire, Sudan, and Eritrea), Syria and Bangladesh, and included about a share of about 18 percent of unaccompanied children, requiring additional care from Italy.⁵⁸ One of the main challenges in providing assistance was differentiating between illegal economic migrants, to be repatriated (as a matter of fact, the majority of them) and real refugees requiring asylum rights in accordance with the UN Convention on refugees.⁵⁹ To counter this situation, the Italian governments stepped up cooperation with Tunisian and Libyan authorities to stop unlawful migration on land, as well as in their territorial waters, providing training and equipment. In addition, several Italian and international maritime operations currently operate in the

⁵⁴ United Nations, *Convention on the Law of the Sea*, 1982, http://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf.

⁵⁵ The main objectives of the Dublin Regulation are to prevent applicants from submitting applications in multiple Member States and to reduce the number of “orbiting” asylum seekers. A partial suspension of the Regulation, happened in 2015 when Syrian refugee were assisted, on voluntary base, from many EU countries. Regulation (EU) No 604/2013 of the European Parliament and of the Council, “Dublin Regulation,” 26 June 2013, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R0604&from=IT>.

⁵⁶ The vast majority of migrant people landing in Italy targets destinations in Central and Northern European States.

⁵⁷ In 2016, there has been the peak of the arrivals by sea in Italy (181,436 cases). UNHCR, “Refugees & Migrants Arrivals to Europe in 2017,” <https://data2.unhcr.org/es/documents/download/62023>.

⁵⁸ UNHCR, “Refugees & Migrants Arrivals to Europe in 2018,” <https://data2.unhcr.org/en/documents/download/63572>

⁵⁹ Luciano Pallini, “Il Fenomeno dei Flussi Migratori, quale Impatto sul Futuro del Nostro Paese?”, *Secondo Welfare*, 26 February 2018, <http://www.secondowelfare.it/primo-welfare/inclusione-sociale/il-fenomeno-dei-flussi-migratori-qual-e-impatto-sul-futuro-del-nostro-paese.html>.

Mediterranean to stop human trafficking and to ensure maritime security.⁶⁰ The Italian Government also created several centers in charge of taking care of the first assistance of arrivals, their identification, protection of refugees, and expulsion of infiltrators.⁶¹ Asylum seekers from Syria and Eritrea have been recognized refugee protection respectively in 95 percent and 89 percent of cases (a higher percentage than other European countries and Israel). Significant numbers of refugees are also from Somalia, Afghanistan, Nigeria, and Pakistan. In addition to the specific protection recognized by the United Nations Convention for the refugees, Italy also provides special temporary assistance for “humanitarian protection,”⁶² “constitutional right of asylum,”⁶³ and “subsidiary protection,”⁶⁴ which cover sensitive cases that cannot be formally recognized as refugees, demonstrating maximum solidarity to suffering people.⁶⁵ On the other hand, in 2018, the new Italian Government applied a more severe and consistent policy against illegal immigration,⁶⁶ such as support to Libyan Coastguard, more control on NGOs and is leading missions for the development of many of the countries of origin of the economic migrants (Libya, Mali, Niger, Western Sahara, Central African Republic, and Somalia), trying to solve the root cause of the problem. The results are a decisive drop in arrival by sea in 2018 (less of 25,000), while the number of expulsions has increased to 6,833.⁶⁷

⁶⁰ Italian Operation “Mare Sicuro,” NATO Operation “Sea Guardian,” EU Operations “EURONAFORMED” and “Joint Operation Themis.” Italian Ministry of Defense, “Operazioni Internazionali in Corso,” https://www.difesa.it/OperazioniMilitari/op_intern_corso/Pagine/Operazioni_int.aspx.

⁶¹ Filippo Strati, “Asylum Seekers and Migrants in Italy: Are the New Migration Rules Consistent with Integration Programmes?,” European Commission, ESPN Flash Report 2017/16, <https://www.google.it/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=2ahUKEwj3YmD6a7gAhUEPFAKHUiECqUQFjAAegQIChAC&url=https%3A%2F%2Fec.europa.eu%2Fsocial%2FblobServlet%3FdocId%3D17363%26langId%3Den&usq=AOvVaw3eJMGus6LSjP6LePf20Y9J>.

⁶² Law No. 189, 30 July 2002, Art. 32, <http://www.camera.it/parlam/leggi/021891.htm>.

⁶³ Constitution of the Italian Republic, Art. 10, <https://www.senato.it/4846?categoria=392>.

Italy is among the few European countries to proclaim a right to asylum in their Constitution. Dante Figueroa, “Refugee Law and Policy: Italy,” Law Library of Congress, March 2016, <https://www.loc.gov/law/help/refugee-law/italy.php>.

⁶⁴ Legislative Decree No. 251, Art. 2, 19 November 2007, <http://www.gazzettaufficiale.it/eli/id/2008/01/04/007G0259/sg>.

⁶⁵ Giorgio Fioravanti, “Migrants, Refugees and Asylum Seekers,” presentation of International Red Cross, 2017.

⁶⁶ Steve Scherer, “Italy to Narrow Asylum Rights in Clampdown on Immigration,” Reuters, 24 September 2018, <https://www.reuters.com/article/us-italy-politics-immigration-security-idUSKCN1M41R8>.

⁶⁷ Barbara Massaro, “Immigrazione 2018: tutti i numeri,” *Panorama*, 13 November 2018, <https://www.panorama.it/news/cronaca/immigrazione-profughi-clandestini-numeri-2018/>.

Foreign students also represent a significant amount of foreign people in Italy. Indeed, international students were about 826,000 in 2017 (9.4 percent of the student population). The main countries of origin are Romania, Albania, Morocco, and China.⁶⁸ In addition, the Erasmus program facilitated the arrival of 25,000 students from all Europe in 2017.⁶⁹ Overall, immigration is a central subject for both the political agenda and the public opinion in Italy. Regular immigration is primarily a fundamental source for the labor market and the economic growth, but it also provides cultural exchange opportunities and enrichment and vitality to the society. On the other hand, the geographic location of Italy on the Southern border of Europe exposes the Country to challenging illegal immigration and the arrivals by sea which create a heavy financial burden for the Government. The Italian population, often known for its sense of solidarity to needy people, has a growing critical approach to the phenomenon, due to the illegal human trafficking making business of those people on one side, and the economic difficulties of the Country on the other (unemployment, public debt, heavy taxation, cost of the assistance to the immigrants). In addition, the migrants might conceal the presence of terrorist (in particular of Islamic extremists) threatening the internal security of the Country, and also present the challenge of integrating very different cultures, many times with values far from the typical western principles of liberty and democracy. It is not a surprise, hence, that the last Government, elected in 2018 within the populist coalition, is imposing a more severe policy toward illegal immigration.

Final consideration and conclusion

As examined, immigration represents a central subject for both Israel and Italy. Israel, which is for a significant part a people of immigrants, has the unique characteristic of being open and supportive to Aliyah, attracting many new Olim every year.

Ministry of Interior, “Politiche Migratorie, Modalità d’Ingresso,” 17 February 2017, <http://www.interno.gov.it/it/temi/immigrazione-e-asilo/modalita-dingresso>.

⁶⁸ MIUR, *Gli Alunni con Cittadinanza non Italiana*, A.S. 2016/2017, March 2018, 8-27, http://www.miur.gov.it/documents/20182/0/FOCUS+16-17_Studenti+non+italiani/be4e2dc4-d81d-4621-9e5a-848f1f8609b3?version=1.0.

⁶⁹ Elena Maddalena, “Mobilità studenti in Erasmus: cresce la partecipazione in Italia,” Erasmus+, 5 July 2018, <http://www.erasmusplus.it/mobilita-studenti-in-erasmus-cresce-la-partecipazione-in-italia/>.

Both Countries rely heavily on foreign workers' immigration and regulate it by quotas decided through bilateral agreements with other countries. Those workers are generally low-skilled, but there is a growing common interest in attracting specialized and expert workers. Tourists are very welcome in both Countries and, thanks to the attractiveness of the historical and religious heritage, represent a significant income of both Countries' economies. International students are well accepted as well, as they can bring added value to the national educational growth.

On the other hand, the situation of illegal immigration is quite different between Israel and Italy, due also to different geopolitical realities. Being a relatively small Country, Israel is able to have stricter control of its border, in many cases sealed by physical features. On the contrary, Italy struggles in controlling its border, especially the 8,962 km of coastlines and, according to the Berlin Regulation, holds the responsibility to manage the immigrants without an equal sharing within the EU. Among all benefits of being a member of the EU and Schengen area, there is also the drawback of the additional arrival of other illegal immigrants from other countries of the Union.

The policy toward asylum seekers is also quite different. Both Israel and Italy uphold the United Nations Convention on the refugees, but interpretations and results are rather diverse. Israel denies the recognition of the refugee status to almost all seekers and actively pursue to resettle them in some other safe countries, while Italy easily grants Convention's protection, even more than most of the Western countries. However, the Italian policy to economic immigrants is recently becoming more and more severe, by preventing their landing and expelling those who succeed in crossing the Mediterranean Sea.

In conclusion, immigration is clearly connected with the historical and geopolitical context of the two Countries. Jewish immigration is a cornerstone of the State of Israel and its selectivity supports the Jewish identity of the Israeli society, main *raison d'être* of the Country, since its establishment. Italy is more open to immigration, also for its emigrant heritage and for the necessity of balancing the demographic problem, common to many Western countries. However, the global trend of mass migration from poor

countries has been challenging the Country during the last two decades and might continue to be a central concern for the Government and the Italian society.

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