Which way home?
Zur Wohnsituation von Migranten mit anerkanntem humanitärem Schutz in Italien und Deutschland

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Case study

Migrants holding a temporary protection status

Migration from Libya to Italy (2011)
Experience of „Emergenza Nord Africa“ program in Italy (2011-2013) - Turin
Shared experience of mobility from Italy to Germany (2013) - Berlin

Gap between theory and practice in access to housing
• Increasing number of refugees living in urban areas
• Refugees/ foreign born immigrants/urban poor
• Formally under the protection of the State
Member States shall ensure that beneficiaries of refugee or subsidiary protection status receive, in the Member State that has granted such statuses, the necessary social assistance, as provided to nationals of that Member State.

Member States may limit social assistance granted to beneficiaries of subsidiary protection status to core benefits which will then be provided at the same levels and under the same eligibility conditions as nationals.

(Directive 2004/83/CE Art. 28)
Access to accommodation

Member States shall ensure that beneficiaries of international protection have access to accommodation under equivalent conditions as other third-country nationals legally resident in their territories.

Member States shall endeavor to implement policies aimed at ensuring equal opportunities regarding access to accommodation.

(Directive 2011/95 UE Art. 32)
National normative level (Italy)

“The stranger with a permit of stay in the territory of the State benefits of all civil rights as any Italian citizen does”
(D.lgs 286/98 Art. 2)

“Strangers holding a permit of stay not inferior to one year, (...) are made equal to Italian citizens in terms of benefiting from services and assistance, including economic support and social services.”
(D.lgs 286/98 Art. 41)
“Access to accommodation, namely social housing collective housing or private housing is allowed to beneficiaries of refugee status and subsidiary protection according to local legislation”

(D.lgs 286/98 Art. 41)
Residenza

- Registration at the communal register
- Legal status that equates citizens and non-citizens

Precondition for
- Renewal of personal identification documents
- Access to health care, education, labor market, social assistance, social housing.

“It is not a grant but a right for the individual and a duty for the registration office”.
(Corte di Cassazione, Sezioni Unite Civili n.449 del 19.06.2000)
RESIDENZA PER TUTT'WE
CASA, DIRITTI, RESIDENZA SUBITO!! PER TUTTE!!
Context matters

- Structural socio economic crisis and housing policies
- More than 200,000 evictions sentenced by courts in Italy between 2011-2013

“Piano Casa” (Renzi- Lupi):

- Policies in favour of house owners instead of tenants
- Investment to recover social housing apartments to be assigned in case of evictions based on expired lodging contract.
Art. 5 Fight against the illegal occupation of houses and apartments

«Who occupies a house illegally is not allowed to ask for the residenza, nor for the access to services such as water and gas for that house (...).»

Decree of 28 March 2014, n. 47 ‘Urgent measures for housing emergency, for the building market, and for Expo 2015’ (P.d.C Renzi, Ministro Interno Lupi)
Living in a squat: housing practices of temporary protected migrants

- Social Heterogeneity
- Marginality
- Micro economies
- Exchange of information and goods
- Nodes of European-wide networks
- Infra European mobility
Conclusive remarks

European cities act as nodes of a network
Increasing relevance of urban political frame

Rhetoric of ‘Emergency’
Precarious housing and informality protracted in time
Cited Laws, Sentences and Decrees

- Directive 2004/83/CE Art. 28
- Directive 2011/95 UE Art. 32
- D.lgs 25 luglio 1998, n. 286
- Sentenza della Corte di Cassazione, Sezioni Unite Civili n.449 del 19.06.2000
- „Piano Casa“ Decree of 28 March 2014, n. 47 ‘Urgent measures for housing emergency , for the building market, and for Expo 2015´ (P.d.C Renzi, Ministro Interno Lupi)