

BEHIND HIGHER FENCES

**Report on the identification and deportation centre
of Ponte Galeria in Rome**



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Pictures by Alberto Barbieri/Medici per i Diritti Umani (first picture in page 14 was taken from the web-site of *Fortress Europe*).

Medici per i Diritti Umani wishes to thank all the people who contributed to this report by providing information and evidence, and particularly all the women and men who have experienced, and still suffer, confinement in Ponte Galeria centre.

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MEDU is committed to being present, by implementing actions and producing evidence, everywhere the right to health and the most basic human rights are denied.

MEDU provides health assistance to the most vulnerable population groups in situations of crisis, victims of natural disasters, epidemics, social injustice, armed conflicts, refugees, migrants, minorities and all those who are excluded from health care services.

MEDU identifies risk situations and the threats related to health and dignity, reports evidence of the violations and develops innovative public health practices based on the respect of human dignity and according to a cross-cultural approach.

MEDU work relies on the active participation of the civil society, on doctors and health professionals' voluntary commitment and on the involvement of citizens and experts from other disciplines. MEDU aims at developing within society inclusive, democratic and participative spaces for the promotion of the right to health and the other human rights

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*“They call us guests. However we are
guests who are not allowed to have a
comb, a book or a pen to write”.*
Ali, detainee in Ponte Galeria Centre

FOREWORD

This report is the outcome of a visit to the identification and deportation centre of Ponte Galeria by a team of Medici per i Diritti Umani (MEDU) on 22 February 2012, followed by interviews and conversations with different stakeholders. They were the director of the institution managing the centre, the health director, some immigrants detained in the centre, lawyers, members of associations and institutions active in the centre. The visit falls within the Program *Observatory on health and social assistance to migrant population in CPTA/CIEs*¹ launched by MEDU in 2004 and in the Campaign *LasciateCIEntrare (Open Access Now)*¹ which MEDU joined. This was the sixth visit of the MEDU team in the identification and deportation centre in Ponte Galeria. The previous ones date back to 2005 (January, July, October), 2008 (October) and 2010 (October). In 2009 and 2011 the Prefecture (Ministry of Interior) did not grant authorizations². Subsequently to the visits, MEDU published three reports, respectively in 2005³, 2009⁴ and 2010⁵. In the centre, the team was guided by a Prefecture representative, the director of the centre and the health director. The team visited the male and female residence areas, the infirmary, the refectories as well as some common areas. They were also allowed to speak and have interviews with some immigrants detained and to take pictures inside the centre.



Figure 1

¹ <http://www.openaccessnow.eu/it/>

² In 2011 the Prefecture of Rome did not accept the request of access accordingly to the Ministry of Interior Circular letter n.1305 (01/04/2011).

³ Medici per i Diritti Umani, *Rapporto sull'assistenza sanitaria nel centro di permanenza temporanea ed assistenza di Ponte Galeria-Roma*, October 2005.

⁴ Medici per i Diritti Umani, *CIE: un nuovo nome per la stessa istituzione totale*, April 2009.

⁵ Medici per i Diritti Umani, *A Bad story. Report on the Ponte Galeria (Rome) identification and deportation centre for immigrants without residence permits*, November 2010.

INTRODUCTION

1. The identification and deportation centres for immigrants (CIEs – *Centri di Identificazione ed Espulsione*), previously named centres for temporary stay and assistance (CPTAs – *Centri di Permanenza Temporanea e Assistenza*)⁶, are facilities used to detain foreigners without a stay permit and subjected to an expulsion order, who cannot be deported immediately. These centres, established by Law 40/1998 (the so-called Turco-Napolitano law), are provided for by Art. 14 of the Immigration Act (Law 286/1998)⁷, as modified by Art. 13 of Law 189/2002 (the so-called Bossi-Fini Law). Detention in CIEs, although not intended as a detention measure aimed at serving a sentence, significantly affects personal freedom, guaranteed by Art. 13 of the Italian Constitution. This fundamental right is guaranteed also to the foreigner, whether regularly or irregularly staying in the Italian territory⁸. Therefore, deprivation of personal freedom must be confirmed by the judicial authority⁹, as in the case of custody and arrest.

2. The establishment of the centres for temporary stay and assistance (CPTAs) in Italy, introduced a system of “administrative detention”, which causes individuals infringing an administrative regulation, such as lack of authorized stay, to be deprived of personal freedom. Since 8 August 2009, after enactment of Law 94 (15 July 2009) the maximum detention length in the CIEs was extended from 60 to 180 days. This provision generated criticism in the juridical establishment, as a threefold increased length of detention would completely upset the original function of CIE facilities. Initially, detention was meant to be limited to a short period and exclusively aimed at carrying out expulsion, whereas it would now set up as a “sanctioning provision”, through deprivation of personal freedom, which would entail some unconstitutional aspects.¹⁰ Decree 89 (23 June 2011) turned into Law 129/2011, further extended the detention length to a maximum of 18 months. Currently there are 13 active CIEs in Italy¹¹ with 1,901 places¹².

⁶ The new denomination is found in Decree Law n. 92 of 23 May 2008.

⁷ “When it is not possible to immediately enforce the removal measure by taking the person to the frontier or turning him back, since it is necessary to rescue him, to further check his identity or nationality or to acquire his travel documents, or when carriers are not available, the foreigner is held, by order of the ‘Questore’ and for the time strictly necessary, at the nearest temporary stay and assistance centre, among those identified or set up by decree of the Minister of the Interior, in cooperation with the Ministers for Social Solidarity and for the Treasury”. Law 286/1998, Art. 14, par.1.

⁸ Law 286/1998, Art. 2, par. 1

⁹ Bossi-Fini Law.189/2002 assigned the confirmation of detention in the CIEs to the Justice of Peace.

¹⁰ “Not only is time extension granted or denied with no consultation between parties, but the judge has not even the power to balance the duration of the extended detention (...). This appears to be in clear *conflict with two constitutional principles, the right to the defence and the jurisdictional competence as regards personal freedom, a conflict and inconsistency already detectable when a thirty-day detention was allowed, with the possibility of an extra thirty days extension, which are now strongly emerging owing to the threefold increase of the confinement in the CIEs and to the vagueness of the prerequisites justifying the time extensions* ». Guido Savio. *La disciplina dell’espulsione e del trattenimento nei CIE*. La condizione giuridica dello straniero dopo le recenti riforme della normativa in materia di immigrazione. Seminario ASGI-MD. September 2009.

¹¹ There are 13 permanent CIE facilities (Bari-Palese; Bologna-Caserma Chiarini; Brindisi-Loc. Restinco; Caltanissetta-Contrada Pian del Lago; Catanzaro-Lamezia Terme; Crotone-S. Anna, currently under restructuring; Gorizia-Gradisca d’Isonzo; Milano-Via Corelli; Modena- Località Sant’Anna; Roma-Ponte Galeria; Torino-Brunelleschi; Trapani-Serraino Vulpitta; Trapani-Loc. Milo). In addition there are two temporary facilities Santa Maria Capua Vetere and Palazzo San Gervasio with a total of 350 places), established in 2011 following the political events and the conflicts in Northern Africa. The Ministry of Interior recently declared the purpose of making these facilities permanent (Undersecretary Ruperto, 10 May 2012).

¹² Data by the Ministry of Interior.

3. The legislative provision increasing threefold the detention length in these centres, implements the European Directive of 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals¹³. However, in a recent report¹⁴ the Commission on Human Rights of the Italian Parliament underlined that article 15 of the directive highlights the residual character of administrative detention: “unless other sufficient but less coercive measures can be effectively applied in a specific case, Member States can detain a third-country national only if subjected to return procedures in order to carry out the removal process. Detention shall be ordered in writing by the administrative or judicial authorities and must be reviewed at regular intervals of time. The length of the detention should be the shortest appropriate period of time and may not exceed six months. Besides, it is underlined that only in particular circumstances, when the removal of a third country national risks to exceed the established period, Member States can extend the detention for a limited period not exceeding a further twelve months”¹⁵. In this regard, the United Nations Special Rapporteur on the human rights of migrants, disapproved of the “disproportionate use of detention in migration management”¹⁶ and its use as a deterrent. In a report of 2010 he underlined that administrative detention should be used only as a measure of last resort as the deprivation of personal freedom “is a tool that characterizes criminal law as opposed to administrative law, which, by nature, should resort to alternative interim measures to detention”¹⁷.

4. In April 2011 the Minister of Interior Roberto Maroni enacted a circular letter prohibiting the access of media, independent organizations (with some exceptions mentioned in the letter), and of civil society to the CIEs and CARAs¹⁸. This provision was motivated by the need “not to hinder the activities” aimed at managing “the massive flow of immigrants from Northern Africa”¹⁹. This caused a strong mobilization of associations and media claiming the right to be informed and to inform on the conditions of thousands of people detained in the centres²⁰. The extension of the detention length to 18 months and the new prohibitions of the access by civil society to the centres, increase the fears concerning the inadequacy of the administrative detention in guaranteeing the fundamental rights and the dignity of every person. In December 2011, the circular letter was revoked by the present Minister of Interior Anna Maria Cancellieri, due to “the significant decrease of the flows from Northern Africa” and to the “implementation of the comprehensive system of reception and care”²¹.

¹³ Directive 2008/115/CE of the Parliament and the Council, 16 December 2008.

¹⁴ Commissione straordinaria per la tutela e la promozione dei diritti umani del Senato, *Rapporto sullo stato dei diritti umani negli istituti penitenziari e nei centri di accoglienza e trattenimento per migranti in Italia*, February 2012.

¹⁵ *Ibidem*.

¹⁶ Jorge Bustamante, Special Rapporteur on the Human Rights of Migrants 2010. *Human Rights of Migrants*, UN General Assembly. A/65/222, 3 August 2010.

¹⁷ *Ibidem*.

¹⁸ The acronym stands for Centri d'accoglienza per richiedenti asilo (Reception Centres for asylum seekers).

¹⁹ Circular Letter n°1305 by the Ministry of Interior, April 2011.

²⁰ Campaign LasciateCIEntrare (Let us enter) (<http://www.openaccessnow.eu/it/>).

²¹ Directive n°11050 by the Ministry of Interior, December 2011.

THE REPORT

1. Brief History. The Ponte Galeria CIE, the largest centre for administrative detention in Italy, is active since 1998 and is located in the distant southern-western suburb, close to the New Fair of Rome. From its opening to February 2010, the centre was run by the Italian Red Cross and since March 2010, it has been managed by the social co-operative Auxilium which was awarded the tender. In the course of the years, the CIE has been the scene of protests, hunger strikes and riots by the immigrants denouncing inadequate assistance and inhuman living conditions. This is the reason why in 2010 the Prefect of Rome made a request for the centre to be closed as it was an old, unsafe facility which did not guarantee adequate respect of human dignity²². In the course of 2011 and in the first months of 2012, several hunger strikes, riots and mass escapes from the centre took place²³. In fact, according to the Prefecture data, the number of runaway immigrants increased from 10 in 2010 to 265 in 2011.

2. The capacity. The CIE can host up to 354 people, 176 men and 178 women. There is also a small section (with 6 beds) for transsexual immigrants which has never been made operational. On the day of the visit, the centre was hosting 225 people, 155 men and 70 women. According to the managers there are no problems related to overcrowding. The average number of immigrants in the centre is about 240. The maximum number of people recorded by Auxilium, the current managing institution, was 301 immigrants. Most of the male immigrants come from Maghreb, but there is also a significant number of EU citizens, in particular from

²² Hearing of the Prefect of Rome Giuseppe Pecoraro, at the Parliamentary Committee, Schengen, 5 October 2010.

²³ **Events of 2011. 23 May:** the immigrants detained in Ponte Galeria CIE organize a protest, climb up to the roofs and burn mattresses and blankets. In this occasion, five of them attempt to escape but are blocked by detention officers. *Source: Adnkronos.* **18 June:** night of protests against the law decree extending the maximum detention length to 18 months. The male sector is set on fire causing several people being injured and extensive damage to the facility. *Source: Nuovo Paese Sera.* **15 July:** open letter by five immigrants detained in Ponte Galeria denouncing the conditions they are compelled to live in. *Source: Rainews24.* **22 July:** following the riots of 18 June, one of the two detained immigrants in solitary confinement starts a hunger strike. *Sources: Fortress Europe.* **25 July:** some pictures of a young Tunisian woman detained in the CIE showing evident marks of beating on the back and on the arm are published. The pictures date back to the previous month. According to the account of the woman the marks would be the consequence of truncheon blows by the Finanza military corps which intervened to cool down a quarrel, followed by a fight between the young woman and another female detainee while playing football. *Source: Fortress Europe.* **29-30 July:** 4 Algerian immigrants try to escape from the centre, are stopped and, according to the allegations of some immigrants, they are beaten by some detention officers. In the night a riot breaks out. The other immigrants burn the mattresses and refuse to go back to the dormitory. Allegedly, the riot would be the reaction to several factors such as the beating, the news of a violent expulsion which had taken place the previous day as well as the law decree on the extension of the maximum detention length in the CIEs, that was being discussed in the Parliament. Subsequent to the squashing of the riots, some detainees start a hunger strike. *Source: Fortress Europe.* **7 August:** about 30 detained immigrants (Tunisians, Moroccans and Egyptians) manage to escape. *Source: Fortress Europe.* **27 August:** after some hours of protests and riots with the police, about 80 immigrants (out of 150 detainees) escape from the Ponte Galeria CIE. *Source: Il Messaggero.* **9 September:** 21 immigrants escape from Ponte Galeria, taking advantage of a routine transfer inside the centre. *Source: Nuovo Paese Sera.* **27 September:** 60 immigrants (mostly Tunisians just transferred from Lampedusa) escape, while other 20 immigrants are traced and brought back to the CIE. The escalation of the riots in the CIE is mainly due to two factors: the new law approved on 2 August by the Senate extending to 18 months the maximum detention length in the CIEs and the new repatriation agreement with Tunisia characterized by more rapid procedures. *Source: Fortress Europe.* **23 November:** «The slippers protest»: 2 immigrants climb up to the roof as a protest against a Prefecture circular letter compelling the detainees to wear slippers in order to reduce the risk of escapes, despite the cold weather and the lack of heating. *Source: Nuovo Paese Sera.* **Events of 2012. 16 March 2012** About 120 migrants of Maghrebi origin start a hunger strike to denounce the suicide, of Abdou Said, a thirty-year old migrant of Egyptian origin detained in the Ponte Galeria CIE until the end of February. The protest aims at denouncing the circumstances behind the suicide. 'In September – reports the Ombudsman for prisoners' rights of Region Lazio - Said tried to escape with other immigrants, but he was almost immediately stopped by the police'. According to the immigrants detained in the CIE, he was taken back to the centre with evident marks of beatings on his body, and after this episode he had progressively lost his self-control and had to undergo psychotropic treatment». *Source: La Repubblica.*

Romania. Most women are Nigerians. According to the Prefecture data, in 2011 the most represented nationalities were respectively Tunisian, Nigerian, Romanian, Moroccan and Algerian.²⁴ As in their previous visits, MEDU confirm a high number of male detainees coming from prison (80%) and a high number of women victims of trafficking for the purpose of sexual exploitation (80%).²⁵

3. The costs. According to the convention currently in force, the CIE managing institution is entitled to € 41,00 daily *per guest* ²⁶ (in the institutional language used by the personnel working in the centre, as well as by the Prefecture representatives, the detained immigrants are named *guests*). The director of the centre refused to reveal the overall yearly costs, but considering the average number of 240 people, the total budget given to Auxilium in 2011 should be around € 3,600,000. To this budget two further expenditure items should be added which the Prefecture did not provide us with, namely, the costs related to the numerous public security guards ²⁷ in the centre, and those related to the maintenance and repairing of the facility, which are charged to the Prefecture. At a rough estimate, according to the data provided by Prefect Angela Pria, Head of the Department for Civil Liberties and Immigration, the management costs of the services inside all the Italian CIEs in the last year (updated to 1 February 2012) amount to € 18,607,000. ²⁸ The agreement with the CIE managing institution in Turin (210 places), recently visited by the MEDU team, provides for an yearly budget of € 3,646,538.²⁹

4. The facility. The CIE looks like a penal institution. High walls delimit the centre perimeter which is under surveillance of security guards. All common areas are video monitored. Inside, the male and the female areas are surrounded by bar fences 5 metres high. All areas are divided into sectors with two dormitories, each one provided with toilets. Each sector includes 8-bed dormitories for men and 6-bed dormitories for women as well as an open-air concrete square 70 m² large. Bar fences delimit each sector. In the male sectors, some transparent panels have been recently fixed on top of the fences in order to prevent immigrants to climb to the roof when protesting or attempting to escape. When the MEDU team visited the centre, the dormitories and the toilets observed were in a state of severe deterioration (in particular in the male area). According to many detainees' reports, in some dormitories the heating systems had not been working since the beginning of winter. Most of the toilets visited were in bad state of maintenance, with no doors and no privacy and often division between the different spaces was only guaranteed by large black garbage plastic bags.

²⁴ See table No. 2 in appendix.

²⁵ Assessment by Auxilium.

²⁶ Data provided by Auxilium.

²⁷ "The tasks of the Ministry of Interior Office which makes use of personnel belonging to Police, Carabinieri, and Guardia di Finanza, regard identification of the guests and security inside the centre ..."; "As regards the personnel working in the centre, about 30-35 people are in charge of photosignalling and identification, while 25 officers (in 4 shifts) carry on security service (except the cases when additional police force if needed) ". Commissione straordinaria per la tutela e la promozione dei diritti umani del Senato, febbraio 2012, *Rapporto sullo stato dei diritti umani negli istituti penitenziari e nei centri di accoglienza e trattenimento per migranti in Italia*, February 2012.

²⁸ Raffaella Cosentino, *Dai Cie ai rimpatri: i costi insostenibili della macchina delle espulsioni*, Redattore Sociale, 24 April 2012.

²⁹ Data provided by Brunelleschi, the CIE managing institution in Turin.

A photograph of a bathroom stall. A black plastic sheet is hung from the top of the stall, partially obscuring the view. To the left, a blue towel is visible on a shelf. The stall door is light blue.

HOUMET
MRT HIA
ENIA BCP DE SOUFRENCE
VIVE LA FRANCE
MERCI ITALIA

ITALIA ROMA
TUNISIA MAHOIS
ANVAR
ITALIA
SAPRILE

LABOMB

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5. Recreation areas and activities. Contrary to the fact that detention length has been extended, recreation areas and activities have been further reduced if compared with what registered by MEDU team in their previous visit, in 2010. Immigrants can avail themselves of a small football field (in the male area) and a volleyball court (in the female area) as well as some dance courses for women, only available in summer time. According to some immigrants, the football field is often inaccessible. Auxilium pointed out that, due to security reasons, the number of people who can contemporaneously access the football field has been reduced to ten. In the female area there is a small library provided with old books and videotapes, which is rarely used. According to the managers, some activities were suspended (such as watching TV broadcast sport and international competitions in the canteen). Other activities could not even be started (such as drama workshops run by volunteers already working in detentions centres) due to security reasons and to the above mentioned Circular Letter n.1305 by the Ministry of Interior, Maroni, which prevented the access of volunteers and associations to the CIEs. On the whole, also considering the serious decay conditions of the areas where detainees live, MEDU team can only confirm the assessment given in the previous 2010 report. The facility is clearly unsuited to guaranteeing decent living conditions to people staying in the CIE 24 hours a day. This assessment is even more valid considering the extension of the maximum detention length from 6 to 18 months.

6. Health assistance. Health assistance is provided by Auxilium. On entrance, all immigrants are visited in the centre out-patient department. The team of health providers includes 6 doctors (plus 2 volunteer female doctors, an oncologist and a doctor specializing in gynaecology and obstetrics) and 5 nurses (plus 7 volunteer nurses). Medical service is guaranteed 24 hours a day. The gynaecological assistance is provided by resident doctor in obstetrics and gynaecology, who is not always available as she works on a voluntary basis. Psychological assistance is provided from 9 a.m. to 9 p.m. by a team of 4 psychologists and a social assistant. The centre can guarantee only first level health care assistance while for second level service, screening and diagnostic tests it is necessary to take patients to external healthcare facilities. Since 2010, a protocol agreement with the Local Health Authority in the area (ASL Roma D) has entered into force, aimed at identifying and setting up suitable paths for prevention, diagnosis and treatment. However, as shown by the case of patient A (described in the following paragraph), access to health is often impaired by the difficulty of accompanying the patients to external health clinics. These obstacles are closely related to the fact that the CIE is a facility *closed to the outer world*. The personnel of the local ASL Roma D has no access to the centre. In order for a patient to see the doctors outside the CIE it is necessary that a police escort is available for transportation. The CIE health director holds as positive the cooperation with ASL Roma D. 'This is a small happy island' he declares, even if acknowledging that many colleagues, particularly in southern Italy, complain about the difficulties to cooperate with the health centres outside the CIEs. Particularly hard is establishing connection with detention institutions, as most patients coming from prison are not supplied with their case histories and it is also difficult to have them sent. The health director reports that the most frequent pathologies observed in immigrants are chronic pathologies (hypertension, diabetes, heart diseases). In his opinion, however, most of the immigrants accessing the infirmary simulate some diseases and he points out that detainees really in need are promptly taken care of. With regard to the manipulative attitude of detainees, he wanted to underline that in the last two years he had seen 'only one real hunger strike'.

7. The case of patient A. Patient A., male, 32-year old, arrives at the CIE of Ponte Galeria at the end of November 2011. Like most of the immigrants in the centre, A. comes from a detention institution where he served a two year sentence. On arrival at the CIE, A.

immediately brought his health problem to the attention of the outpatient department staff. Since January, the patient had begun to notice a small subcutaneous bump on his left biceps and immediately informed the prison health staff. In the following months, the neoformation had evidently increased causing remarkable troubles and pain. Although the diagnostic tests (significantly delayed)³⁰ performed in prison, indicated the benign nature of the swelling, the CIE doctors properly requested a specialist surgical visit outside the centre. However, owing to logistic problems (unavailability of police escort to take the patient to the hospital) and delays (in December, the medical appointment was cancelled twice)³¹, only in January - two months after his arrival at the centre - A. underwent magnetic resonance imaging (MRI). The test highlighted the presence of a thick expanding formation, orange-like sized, and medical report pointed out the need for a histologic test. In the course of the patient's detention in the CIE, the acute pain in his left arm would not allow him to sleep and the painkiller treatment administered by the CIE health staff was not effective. In mid February, the patient was admitted into a hospital and after some days -13 months after the first signs of the disease onset - the neoformation was surgically removed. Histologic test of the removed material highlighted a type of *malignant mesenchymal neoplasia characterized by a high rate of relapse and unfavourable prognosis*. On 2 April, patient A. underwent further drastic surgery, with wide resection of the biceps muscle, and associated post-operation adjuvant chemo- or radiotherapy. As a consequence of the disease and the considerable delays in the diagnostic and therapeutic process, A. now suffers from a serious permanent disability and still risks relapse of the *malignant neoplasia*.

8. Episodes of self-injury and use of psychotropic drugs. According to the health director, the episodes of self-injury have drastically decreased and in the last years only two cases of razor blade cuts were recorded. The doctor argues that most of the self-injury episodes are just simulations and reports a staged event, that is ingestion of razor blades which in fact turned out to be silver paper of cigarette packets. On the other hand, according to the director of the centre, the episodes of self-injury in the second semester of 2011 amounted to about one a month, while in the first semester of the same year more frequent episodes were recorded, 'about ten or so every month'. It should be recalled that in 2009 three of the four deaths occurred in the Italian CIEs took place in Ponte Galeria³² and one of them was a suicide by hanging.³³ In March 2012, about 120 detainees declared they were going on a hunger strike to denounce the circumstances³⁴ behind the death of Abdou Said. This thirty-year old Egyptian, committed suicide few days following his release from the CIE where he had been detained for an extended period of time. The health director reports a large request for sedative drugs by the immigrants in order to reduce anxiety. Request for psychotropic drugs, in particular benzodiazepine and anticholinergic drugs inducing euphoric effects is extremely high by the male immigrants coming from prison, as most of them already made

³⁰ The report of the ultrasound scan (in April) suggests the presence of an old haematoma, The diagnosis of the needle biopsy (September) shows a fibroma.

³¹ The first time, transfer from the CIE to the hospital has such a delay that the patient arrives too late for the visit in the surgical outpatient department. So A. is examined by a first aid dept. doctor who finds a worrying clinical picture and tries to arrange his admission in a hospital with bed availability. However admission does not take place, a new appointment is made for the following week at the surgical outpatient dept., and the patient is taken back to the CIE. This visit was not made since, according to the patient, no police escort was available on the established day.

³² Data by the Public Security Department – Ministry of Interior.

³³ The Tunisian citizen Nabruka Mimuni, a woman who has lived in Italy for twenty years, committed suicide in the CIE of Ponte Galeria in the night of 6 May 2009, the day before being repatriated.

³⁴ According to the statement of the Ombudsman for prisoners' rights of Region Lazio 'In September, Said attempted to escape with other immigrants, but he was almost immediately stopped by the police. According to the immigrants in the CIE, Said was brought back to the Centre with evident signs of beatings on the body, and following this event, he had progressively lost his self-control and had to be treated with psychotropic drugs for months'. Source: *La Repubblica*.

use of these drugs before arriving in the CIE. On average, about 50% of the detainees would take anxiolytic drugs. Even if the health director states that administration of these drugs complies with the standard guidelines, the facility does not have appropriate specialized competences to manage a high number of patients in such a complex and problematic context. In the CIE, drug-addict patients are under treatment with therapies designed by the Ser.T (Public Service for drug-addiction)³⁵ of the local health authority, ASL Roma D.

9. Services and institutions in charge of protection. Every week, there are associations and institutions for civil rights protection working inside the CIE, in a specific room assigned for their activities. Currently, the associations working in the centre are *Centro Astalli*, which provides assistance to asylum seekers, the *Caritas of Santa Rufina*, *Be free* and *Differenza Donna*, both providing assistance to victims of trafficking, and the religious institution *USMI (Unione delle Superiore Maggiori d'Italia)*. Members of the Ombudsman for prisoners' rights visit the centre once a week. Auxilium staff in charge of providing legal assistance from Monday to Friday, has been reduced from three to one operator. Auxilium also relies on the help of eight transcultural mediators working daily from 8 a.m. to 8 p.m. in shifts of two mediators each. Moreover, there is a Police Office taking care of asylum seekers' requests. In 2011, the overall number of people who obtained the status of refugee or other forms of international protection were 23 (1.1% of the total number of people hosted in the centre). As regards the exploitation of prostitution, the operators of the associations confirm what already stated in MEDU previous report on the centre³⁶. Few women³⁷ request the social protection measures for victims of trafficking³⁸ if compared with those potentially entitled to them. This is also due to environmental conditioning they experience in the CIE. Very often, the victims live with, or are under the strict control of the people involved or responsible for their exploitation. The operators themselves witnessed cases of women who had been transported to the CIE following their denouncing to the police of their condition as victims of exploitation.

10. The internal regulations. The centre regulations are explained to the immigrants, only orally, on their arrival. They are not provided with copies of the CIE regulations nor are they informed about the charter of their rights and duties, contrary to what expressly provided for in a Ministerial Directive³⁹. Auxilium director explained that, following the prescriptions of a Prefecture circular, for security reasons inflammable materials are not allowed in CIE detention area. As a consequence, the immigrants cannot have paper copies of internal regulations, books, newspapers and are not even allowed to possess pens or pencils. A further Prefecture directive required detainees to wear slippers in order to prevent them from trying to escape. Last November, such directive caused a strong protest by the immigrants, compelled to live in a facility where most heating systems had not been repaired after the damage occurred during the riots of the preceding summer. According to the director, the so-called "slippers circular" was replaced by the directive currently in force establishing the distribution of shoes to the immigrants, provided that they had no shoestrings. According to what declared by the Prefecture, and departing from the indications of the ministerial

³⁵ Ser.T, Service for drug-addiction of the National Health System

³⁶ Medici per i Diritti Umani, *A Bad story. Report on the Ponte Galeria (Rome) identification and deportation centre for immigrants without residence permits*, November 2010.

³⁷ *Be free* members report 25 requests for social protection measures, 23 by female Nigerian citizens and 2 by Tunisians, in the period August 2010-December 2011.

³⁸ Article 18 of the National Law on Migration "Provisions against *Trafficking in Human Beings*".

³⁹ Circular of the Ministry of Interior, *Direttiva generale in materia di Centri di Permanenza Temporanea ed assistenza ai sensi dell'articolo 22, comma 1 del D.P.R. 31 agosto 1999, n. 394*, 30 agosto 2000.

directive⁴⁰, immigrants detained in the CIE are not allowed to have interviews with people from outside the centre, except for lawyers, relatives or live-in partners able to certify their status. In this regard, it should be reported the case of an immigrant suffering from a serious disease, who was not allowed to have a meeting with a MEDU health professional, although he had made due written request to the Prefecture. The male and the female areas are completely separated. Detained men and women have no possibility to meet⁴¹. With regard to this specific fact, the collaborators of the Ombudsman for prisoners' rights reported the case of a married couple detained in the CIE in the same period. They were only allowed one hour a day conversation, previously authorized by the Prefect, in the same room where meetings with external people take place.

11. Transits and repatriations: Ponte Galeria and the other Italian CIEs. In 2011, 2,049 immigrants were temporarily hosted at Ponte Galeria CIE and 802 (39% of the total) were repatriated⁴². In the two previous years the ratio between repatriated and hosted immigrants was respectively 1,031 out of a total of 2,172 (47%) in 2010, and 1,548 out of 3,206 (48%) in 2009⁴³. In the last three years, a constant decrease in the number of both immigrants temporarily hosted and those really deported was recorded. As to repatriation, CIE efficacy has decreased, even if in the period under consideration detention length was further extended from 60 days to 6 months (August 2009) and later from 180 days to 18 months (August 2011). On the other hand, when considering the efficacy rate of the Italian CIEs on the whole, in the three-year period 2008-2010, it does not exceed 50%. The total number of immigrants actually deported is constantly decreasing, as they were 4,320 in 2008 (41% out of 10,539 detainees⁴⁴, 4,152 in 2009 (38% of 10,913)⁴⁵ and 3,399 in 2010 (48% of 7,039⁴⁶. As regards 2011, MEDU could only obtain partial data by some Prefectures (Rome, Bologna, Turin)⁴⁷ since the Ministry of Interior did not make available the overall data. Recently, the Undersecretary of the Ministry, Ruperto, answering to a parliamentary inquiry, has declared that the percentage of immigrants deported “subsequently to their being hosted in the CIEs” amounted to 50.16% in 2011. He did not provide the overall number of immigrants who had been temporarily hosted in the centres⁴⁸. In 2011, the number of runaway immigrants the CIEs had a more than twofold increase (10%) against the 4.5% of 2010⁴⁹.

12. Length of confinement. Neither the Prefecture nor Auxilium provided precise data concerning the immigrants average length of detention in the CIE. According to the centre

⁴⁰ *Ibidem*.

⁴¹ In this regard, the above mentioned circular of the Ministry of Interior of 30 agosto 2000, states that, in order to prevent the adoption of measures hindering the right of the detained immigrants “The separation of male-female sectors will be guaranteed during the night but not in the course of the day, except in the case of well-grounded needs against it”.

⁴² Data by the Prefecture of Rome.

⁴³ Data by the Department of Public Security, Ministry of Interior.

⁴⁴ Data by the Ministry of Interior, reported by Caritas/Migrantes, *XIX Dossier Statistico Immigrazione*, 2009.

⁴⁵ Data by the Department of Public Security – Ministry of Interior.

⁴⁶ *Ibidem*.

⁴⁷ Analysis of the partial data concerning the CIEs of Rome, Bologna and Turin (that according to the Ministry of the Interior in 2009 hosted almost half of the persons passing through the Italian CIEs) shows that the percentage of the deported immigrants decreased from 46% in 2009 (2,290 deported out of 4,936 hosted) to 44% in 2011 (1,708 deported out of 3,858 hosted).

⁴⁸ Inquiry n. 2-01434, concerning the Government orientation on the managing of migration flows, with particular reference to the enactment of the legislation concerning assisted voluntary return, 10 May 2012.

⁴⁹ *Ibidem*.

managers, the average length of confinement can significantly vary, depending on the detainees' nationality and hence on the cooperation with their countries of origin as to identification and deportation process. The average length of confinement would range from 4 months in case of Moroccan immigrants to 8 days for Romanian citizens. The director of the centre underlined that generally the longest detention cases never exceed 6-8 months stay. In this regard, the health director reported the only case of a female immigrant detained in the CIE for a period of 12 months.

13. The evidence reported by the immigrants detained in the CIE. During the visit on 22 February 2012, MEDU team could collect testimonies by some immigrants. M., a young Roma woman from Bosnia, hosted in the CIE since a week affirmed: “The conditions in the centre are really bad and women’s dignity doesn’t exist. There are no doors in the toilets, there are no combs and we have to do our hair with forks. It’s damn’cold since heating doesn’t run and quite often there’s no hot water. Ok, you made mistakes, you may have papers or not, but it’s not fair to let us live in these conditions, ill-treated such way, like animals, in the filth. No hygiene here. During the day, we don’t know what to do, there’s nothing to do. I asked a girl who has been here for two months and she also told me that there’s nothing to do. I can’t complain about food. It is the only acceptable thing here”. M., male, detained in the centre for the last 20 days, said: “Conditions here are worst than in prison. We’re not even allowed to own a comb. Heating systems sometimes work, sometimes don’t. We are in distress as we don’t know how long we’ll stay here and there are no people who can help and support you. When you feel sick and go see the doctor, they don’t believe you’re feeling bad, you’re really suffering”. The CIE director confirmed that immigrants are not allowed to own a comb in order to prevent self-injury. All the immigrants' accounts reveal that constant uncertainty about their future and about length of detention are the two main factors causing distress and depression. Most of the immigrants detained consider confinement in a CIE worst than detention in prison. Some critical aspects constantly recur in most of the testimonies MEDU team collected both in the course of this year and in their preceding report about CIE⁵⁰. Most complaints concern poor attention by the CIE health providers to immigrants' symptoms and diseases, obstacles in obtaining specialist visits and diagnostic tests in health facilities outside the centre, difficulty in receiving visits of live-in partners, friends, and sometimes even relatives.

⁵⁰ Medici per i Diritti Umani, *A Bad story. Report on the Ponte Galeria (Rome) identification and deportation centre for immigrants without residence permits*, November 2010.

Figure 5. On 25 July 2011, some pictures were published showing a young Tunisian woman detained in Ponte Galeria CIE with evident marks of beating (ecchymoses) on her back and left arm. The pictures date back to the month preceding the publication. According to what referred by the woman, the lesions are due to truncheon blows by police officers who intervened to squash a quarrel between her and another female detainee. According to the Tunisian woman, the quarrel, followed by a fight, occurred while they were playing football. Source: Fortress Europe and witnesses' accounts gathered by MEDU team.



Figure 6. Female area: external corridor connecting the various sectors



Figure 7. Outside area of a female sector



Figure 8. Entrance in the male confinement area

CONCLUSIONS

“States should remove laws, policies, plans and programs aimed at criminalizing irregular migration and should not consider breaches of immigration law a crime or punish such breaches with detention.”⁵¹

“...States should take all possible measures to suspend the application of detention as an anti-immigration measure...”⁵²

Jorge Bustamante, Special Rapporteur on the Human Rights of Migrants, 2010

1. Do the centres for identification and deportation guarantee the respect of the personal dignity and of the fundamental rights of detained immigrants? Fourteen years since the establishment of the CPTAs/CIEs in Italy, which is the relevance and the effectiveness of administrative detention in opposing irregular immigration? A detailed analysis of Ponte Galeria CIE, can not leave out an overall assessment of the whole CIEs' system in Italy. A comparison between the total number of immigrants in transit in the 13 Italian CIEs in 2010 (7,039)⁵³, and the number of the immigrants with irregular status not complying with Italian regulations for the permit of stay, in the same year (454,000 according to some estimates)⁵⁴, shows that the role of CIEs in countering irregular immigration is almost insignificant. In the years, the disproportion between these data has not changed. In 2009, for instance, the immigrants hosted in the CIEs (10,913)⁵⁵ accounted for 1.9% of the total estimated number of irregular immigrants (560,000)⁵⁶ while in 2008 they were estimated to account for 1.6%⁵⁷.

2. When considering a more recent period (2008-2011), it appears that the yearly data on the immigrants actually repatriated from all the CIEs, never exceed a half of the total. In 2011, although the effectiveness rate - i.e. the number of deported immigrants out of the total number of people hosted in the CIEs - amounted to 50%, however a very high number of runaway immigrants was recorded (10%). In this regard, the possible *benefits* in terms of increased effectiveness as to deportations, due to the recent extension of detention length in the CIEs - from 60 to 180 days in 2009 and from 6 to 18 months in 2011 - do not justify the high *costs* in terms of worsening of environmental conditions in the centres, and further erosion of the detainees' fundamental rights. Ponte Galeria CIE, in particular, proves to be a facility clearly inadequate to reach the objectives justifying its role. In fact, the percentage of deported immigrants compared with the total number of detainees in 2009 (48%), in 2010 (47%) and in 2011 (39%) highlights a decreasing rate of effectiveness despite the extension of the detention length. These measures fuelled a vicious circle as they contribute to worsening tensions and conflicts within the CIE. Therefore the institution reacts limiting immigrants' personal freedom, and they counteract increasing their hostility towards the facility.

⁵¹ Jorge Bustamante, Special Rapporteur on the Human Rights of Migrants. 2010. *Human Rights of Migrants*, UN General Assembly. A/65/222. 3 August 2010.

⁵² *Ibidem*.

⁵³ Data by the Department of Public Security – Ministry of Interior.

⁵⁴ Estimates by Fondazione ISMU, January 2010.

⁵⁵ Data by the Department of Public Security – Ministry of Interior.

⁵⁶ Estimates by Fondazione ISMU, August 2009

⁵⁷ The percentage is obtained by the overall number of immigrants hosted in the CIEs in 2008 (10,539 - data by the Ministry of Interior reported by Caritas/Migrantes, XIX Dossier Statistico Immigrazione, 2009) and by the estimates of the number of irregular immigrants (651,000 - Fondazione ISMU, 2008).

3. In addition to the fact that the CIE system is an expensive, ineffective and scarcely significant instrument in opposing irregular immigration, which is the assessment of CIEs from a human rights approach? This report definitely confirms the evident inadequacy of Ponte Galeria CIE in safeguarding immigrants' dignity and fundamental rights. As highlighted by several inquiries on these issues⁵⁸, as well as the visits made this year by MEDU in different facilities⁵⁹, the same inadequacy was also found in all the other Italian CIEs. The main drawbacks are related to the objectives, the operating approach and procedures and the structural features. Everywhere, these factors are inadequate and, in particular considering Ponte Galeria CIE, this fact reveals really crucial as the same situation can be observed regardless of the managing institution (Italian Red Cross until February 2010, followed by the cooperative Auxilium). However, on the occasion of the last two visits, the overall management of the centre looked less deficient than in the past. As a matter of fact, what emerges from the visits to other centres made by MEDU during the year is that the role of the CIEs managers is limited to act as impaired cogwheels inside an unrighteous social machinery – the CIEs – whose basic defaults they are not able to modify except for extremely marginal aspects.

4. The CIE structural features show a confinement facility definitely inadequate to guarantee a decent reception and stay to immigrants who are often hosted for a long time. This is a well-established assessment, and even the Prefect of Rome declared that Ponte Galeria CIE is a structure which does not fully respect human dignity. The degrading confinement conditions and the tensions inside the centre were further worsened by the extension of the maximum detention length to 18 months, as shown by the riots and mass escapes occurred in the last year on unprecedented scale. The conditions of the really run-down rooms observed are even more decayed since the last visit. The installation of transparent panels in the upper side of bar fences in the male area contributed to make the facility further stifling.

5. More evidently than in the past, witnesses' accounts and data gathered confirm the oppressive features of a new kind of total institution⁶⁰, a place generating violence and exclusion. The fears concerning inadequate protection of the immigrants' fundamental rights in the CIEs, are further fuelled by the fact that the centre is cut off from the territory, and

⁵⁸ Corte dei Conti, *Relazione sulla gestione delle risorse previste in connessione al fenomeno dell'immigrazione*, 2003. Medici senza frontiere, *Rapporto sui Centri di Permanenza Temporanea e Assistenza*, 2004.

Amnesty International, *Presenza temporanea, diritti permanenti. Il trattamento dei cittadini stranieri detenuti nei centri di permanenza temporanea e assistenza*, 2005.

Libro bianco sui CPT in Italia, 2006.

Rapporto della Commissione per la verifica sui centri di accoglienza, di identificazione e di permanenza temporanea istituita dal Ministero dell'Interno, 2007.

Medici senza frontiere, *Al di là del muro. Viaggio nei centri per migranti in Italia*, 2010.

Commissione straordinaria per la tutela e la promozione dei diritti umani del Senato, *Rapporto sullo stato dei diritti umani negli istituti penitenziari e nei centri di accoglienza e trattenimento per migranti in Italia*, February 2012.

⁵⁹ CIEs in Bologna and Turin.

⁶⁰ In the four essays collected in the work *Asylums* (1961), the Canadian sociologist Erving Goffman carries out in-depth analysis of total institutions (such as detention centres, work camps, psychiatric hospitals). He analyses the common features, and in particular the mechanisms of oppression, exclusion and violence on the people confined in these places. In the foreword and in the introduction of the study, Goffman provides a specific definition of what he means by total institution: "A total institution may be defined as a place of residence and work where a large number of like-situated individuals, cut off from the wider society for an appreciable period of time, together lead an enclosed, formally administered round of life.. [...] When we review the different institutions in our Western society, we find some that are encompassing to a degree discontinuously greater than the ones next in line. Their encompassing or total character is symbolised by the barrier to social intercourse with the outside and to departure that is often built right into the physical plant, such as locked doors, high walls, barbed wire, cliffs, water, forests, or moors. These establishments I am calling *total institutions*".

monitoring by independent organisations and civil society representatives is limited. In this regard, it should be recalled that the so-called Maroni law was revoked only last December. This implied that for most of 2011, media and independent organisations (except those optionally selected by the Ministry of Interior) were prevented from accessing the CIEs. The same difficulty is still found by associations, media and public opinion in having access to official information and the data concerning the activity, the effectiveness and the costs of the whole CIEs system. This entailed very poor accountability by the Ministry of Interior, which was further confirmed in the elaboration of this report. Moreover, isolation of immigrants and the lack of contacts and relations with the world outside the CIEs, represents one of the factors causing major distress to them. The freedom of having conversation with the people outside who can be a reference point in Italy – friends, doctors, associations representatives and organizations protecting their rights – is not at all guaranteed in the centre. In this sense, the CIEs are much more closed institutions than prisons, where convicts are allowed to have conversations with *third persons*, following the authorization.

6. With regard to health assistance, despite the efforts made by Auxilium to improve the cooperation with the external health facilities and to make the protocol agreement with ASL Roma D more effective, some obstacles still need to be overcome. These regard for instance the access to second level health care and diagnostic tests due to the particular features of the CIE, a facility closed to the outer world. All the more significant are these difficulties in Ponte Galeria CIE, in fact one of the most effective facility as to the cooperation with the National Health System “a happy little island”, according to the health director, if compared with most of the other Italian CIEs. Immigrants' right to health appears to be much less guaranteed than in the past, due to several factors, i.e. Auxilium can only ensure, autonomously, first level health care assistance. The health care providers of ASL Roma D have no access to the CIE and the maximum detention length was extended to 18 months. Obviously, a system conceived to provide health assistance to people detained for a limited period of time -30 days- is totally inadequate when detention length is abnormally extended. The clinical case of patient A. shows that repeated significant delays in the diagnostic and therapeutic process inside the prison-CIE circuit can lead to serious consequences on the outcomes and prognosis of a progressive diseases, such as malignant neoplasia. This is why MEDU reasserts the urgent need to remove the CIEs from the present abnormal condition of health extraterritoriality. As regards the jurisdiction and organization of health assistance, the centres should be assigned to the facilities of the National Health Service through the local health authorities, in order to adequately guarantee the right to health of the detainees. As to other aspects, mutual distrust between detainees and health providers is the inevitable consequence of watcher-watched interaction inside a total institution. On the one hand, the patients report that doctors pay poor attention to their problem while, on the other, health providers are always suspicious about immigrants' attempts to deceive them and simulate diseases. This kind of dynamics significantly hinders the normal doctor-patient relation and it can, furthermore, delay prompt diagnosis of potentially serious diseases. Of particular concern is also the complex management of the psychotropic drugs administration given that in the centre there are no specialist health providers.

7. The cases of self-injury, the riots, the attempts of mass escapes, the frequent cases of damage to the facility, which increased in the last year, give evidence of the dramatic situation of tension and distress inside the CIE. In fact, the psychological experience of detention, in some cases devastating, is one of the most alarming aspects of confinement in the centre and emerges both from the witnesses' accounts and from MEDU direct observation. “Here is worst than in prison”, these are the words the team was most frequently told by the immigrants when visiting Ponte Galeria CIE in the course of the years

and, as a matter of fact, the psychological effects of their living conditions in all the CIEs are really severe. Besides uncertainty about their future and the length of detention, they are also aware of being subjected to unfair detention, a sort of punishment with no crime. While those coming from prison have the disconcerting feeling to be serving an additional sentence, the other immigrants realize that their long and difficult migration project - which had already provided them with a certain level of social and working integration – is now vanishing. Inside the CIE they can end up living with recently arrived immigrants, asylum seekers and EU citizens and they all feel frustrated at being detained in a facility “where there is nothing to do”, condemned to forced inactivity which increases distress, anxiety, depression as well as aggression. It is blatant that administrative detention goes far beyond limiting immigrants’ personal freedom, it strips them of their dignity. As to this last aspect, this report particularly refers to some rules in force at Ponte Galeria CIE for security reasons which definitely appear grotesque, and particularly severe in a context of prolonged detention, only aimed at degrading human beings. It is at least puzzling the real use of prohibiting people, moreover obstinately defined guests, from possessing a comb, a pen, having availability of books and newspapers in the recreational areas, being obliged to wear slippers or shoes without shoestrings. In addition, the discretionary administrative power of the centre management and the fact that immigrants have no written regulations increase their vulnerability.

8. Data confirm that about 80% of the immigrants hosted in the CIE come from prison or are victims of trafficking for the purpose of sexual exploitation, two different kinds of detainees who, for different reasons, should not be staying in a CIE. With specific regard to immigrants who were serving a sentence in prison, it is obvious that they could, and should, have been identified while in jail. About this matter, it is enough to make reference to MEDU 2010 report on Ponte Galeria Cie:⁶¹ “As systematically found also in previous reports on Ponte Galeria centre and other CIEs, confinement in the centre often represents an extension of serving a sentence. According to Auxilium, four out of five immigrants come from prison. As it occurs that irregular immigrants are not identified during their stay in jail, when the sentence expires, instead of being deported, they are transferred to a CIE and are subjected to an additional period of confinement. So staying in the CIE is often perceived by an ex-convict as the unfair extension of a sentence already served. Obviously, when people with such experience behind come to live in limited space with other immigrants having completely different backgrounds and perspectives the situation can easily fuel tensions and be difficult to manage. Moreover, it is absolutely improper to detain potential victims of trafficking in the CIE, a structure obviously inadequate to start assistance programs, and social protection of particularly vulnerable individuals.”

9. The conclusions of this research on Ponte Galeria CIE confirm what pointed out in MEDU previous reports, a facility *genetically* unable to safeguard the dignity and fundamental rights of the persons, besides being ineffective and costly. The same remarks can be extended to the CIE system on the whole, as objectively, systematically and consistently shown by the most meaningful investigations carried out both by independent and institutional stakeholders in the course of the years. A system which aims at *watching and punishing* rather than *identifying and deporting*. If administrative detention is, on the basis of data, ineffective to reach its objectives – namely, identification and effective expulsion of irregular immigrants – the real aim of the measure is merely limited to the *imposition of penalties* on the one hand, and the segregations of

⁶¹ Medici per i Diritti Umani, *A Bad story. Report on the Ponte Galeria (Rome) identification and deportation centre for immigrants without residence permits*, November 2010.

socially undesired individuals on the other. In fact, following Franco Basaglia⁶² opinion: under cover of a security model, administrative detention is a measure aimed at keeping under control individuals who are considered socially unacceptable. It is an institution which causes discrimination against detained immigrants “so strengthening the (deplorable) association between immigration and criminality in public opinion”⁶³. The CIEs have represented a strong media instrument at the services of security policies in the field of immigration. If, on the one hand, it was an effective media weapon in boasting the ability of limiting and discouraging arrival of “flows of clandestines” in Italy, on the other hand it was a toothless - a sort of paper tiger - in really countering irregular immigration. As to detention length extended up to 18 months, it seems only contributing to exacerbate the elements of violence and inhumanity of these facilities. Therefore MEDU considers that the significant and pervasive drawbacks concerning the nature and the activity of CPTAs/CIEs, as repeatedly observed in the years, require to phase out the system of administrative detention and to adopt concomitant more functional and flexible strategies, for controlling irregular immigration. No matter the system, however, it should above all be respectful of the fundamental human rights.

⁶² Italian psychiatrist. Franco Basaglia was the principal proponent of Law 180 (1978), a large reform of the psychiatric system in Italy which abolished mental hospitals.

⁶³ Giuseppe Campesi, *La detenzione amministrativa degli stranieri in Italia: storia, diritto, politica*, Università di Bari “Aldo Moro”, 2011.

APPENDIX

TABLES CONCERNING THE SITUATION OF THE PERSONS HOSTED IN THE IDENTIFICATION AND DEPORTATION CENTRE OF PONTE GALERIA IN 2009, 2010 AND 2011

Most represented nationalities in the CIE Ponte Galeria

Table 1

	Nationality	2010
1	Romanian ⁶⁴	516
2	Nigerian	456
3	Moroccan	120
4	Algerian	118
5	Ukrainian	109
6	Albanian	83
7	Tunisian	79
8	Chinese	75
9	Egyptian	55
10	Bosnian	48

Table 2

	Nationality	2011
1	Tunisian	619
2	Nigerian	307
3	Romanian	304
4	Moroccan	100
5	Algerian	90
6	Albanian	85
7	Chinese	67
8	Ukrainian	60
9	Egyptian	52
10	Senegalese	31

⁶⁴ With regard to the origins of the immigrants confined in the centre, it is significant to highlight that Romanians were the third most represented nationality in 2011 and the very first one in 2010. They are European Union citizens and as such entitled to freedom of movement, stay and settlement in the EU territory. The repeated changes of the law on the deportation of EU citizens, implemented by the previous Government, have greatly extended the possibility to resort to this measure and made this kind of regulations similar to those concerning foreign citizens irregularly staying in Italy. EU citizens deportation is implemented by forcibly escorting them to the frontier and after this they can be detained in the CIEs for reasons related to State security, mandatory public security and public order. There are two cases in which expulsion for public order reasons can be adopted. The first one occurs when an EU citizen is still in Italy despite receiving a removal order after expiry of the necessary requirements for a stay longer than 3 months. The second one regards the hypothesis of an immigrant who complied with the expulsion order and duly called to the Italian Consulate in his/her country but then was found again in the Italian territory even if no change occurred in the conditions leading to expulsion. Besides the motivations of the provision, every single order should be assessed in its peculiarity and be considered on a case-by case basis. Removal is performed by forcibly escorting the persons to the border in all cases of dangerousness, namely, when their permanence is conflicting with “peaceful and safe coexistence”. Despite the recent legislative changes and in view of the high percentage of EU citizens in the CIEs, in particular Romanians, some doubts arise concerning possible abuse of this kind of regulations. A more accurate conclusion could only be made comparing the number of Romanians in Italy with the number of the other foreign citizens and the case-by-case motivations of expulsion orders.

BEHIND HIGHER FENCES. Report on the identification and deportation centre
of Ponte Galeria in Rome – Medici per i Diritti Umani 2012

Table 3

YEAR	Total	Asylum seekers			Deported			Percentage deported/in transit	Immigrants dismissed at detention time expiry		
		Tot.	Men	Women	Tot.	Men	Women		Tot.	Men	Women
2009*	3,206	56	31	25	1,548	1,109	439	48%	764	334	430
2010**	2,172	28	6	22	1,031	737	294	47%	205	92	113
2011**	2,049	23	12	11	802	600	202	39%	98	32	66

Table 4

YEAR	Runaways			Non validated by the judicial authority			Dismissed for various reasons			Arrested		
	Tot.	Men	Women	Tot.	Men	Women	Tot.	Men	Women	Tot.	Men	Women
2009*	14	12	2	437	154	283	371	184	187	13	11	2
2010**	10	10	0	429	187	242	469	238	231	26	26	0
2011**	265	263	2	295	157	138	125	102	23	5	4	1

Table 5

YEAR	Deaths		
	Tot.	Men	Women
2009*	3	2	1
2010**	0	0	0
2011**	0	0	0

*Data by the Department of public security – Ministry of Interior.

** Data by the Prefecture of Rome. The data referring to 2011, highlight discrepancy between partial and total numbers.