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Italy: The regularisation process should protect the rights of migrant workers

In a briefing paper published today, Amnesty International expresses concern about the impact on the human rights of migrant workers of the regularisation process launched in Italy on 15 September. The regularisation is aimed at migrants “irregularly employed”, including those irregularly present in Italy.

In particular, the organisation is concerned about the limitations imposed on migrant workers to gain access to the procedures to regularise their status. The limitations imposed make migrant workers completely dependent on their employers and increase their vulnerability to labour exploitation.

Amnesty International is also concerned that a further real risk remains for migrant workers who are victims of human rights abuses of being detained and expelled as irregular migrants if they approach public authorities. This situation creates obstacles to migrant workers’ access to justice and undermines the Italian authorities’ efforts to detect and combat cases of labour exploitation.

The organisation recommends that the regularisation procedure be revised to ensure compliance with Italy’s obligations under international law to prevent and combat labour exploitation and to ensure access to justice for victims of human rights abuses.

Access to the regularisation procedure for migrant workers should be practical and effective. Migrant workers themselves should be entitled to apply to regularise their status. If relevant requirements are met, migrant workers should be entitled to complete the procedure without the cooperation of the employer. Migrant workers should also be allowed to legally change employer during the time necessary for the procedure to be completed.

Background

Amnesty International’s briefing *Italy: The regularisation should protect the rights of migrant workers*, is available at

<http://www.amnesty.org/en/library/info/EUR30/012/2012/en>.

In this paper, Amnesty International analyses the impact of the 2009 regularisation on the human rights of migrant workers and provides recommendations for the new regularisation measure.

The 2012 regularisation is the fourth *ad hoc* regularisation process to which the Italian government has resorted since 1998 (previous ones having taken place in 1998, 2002 and 2009).