

General overview

In South Tyrol, as in the rest of Italy, immigration from third countries (not stemming from other provinces of Italy) has significantly gained momentum since 1990. While in 1990 just about 5.000 foreign nationals had their permanent residence in South Tyrol (about 1% of the population which has reached 480.000 in 2005), the number of foreign nationals living in South Tyrol at the end of 2004 crossed the mark of 22.000, equivalent to 4,7% of the province's total population. Thus, the labour-motivated immigration is a quite young phenomenon in this area, an evolution which came not surprisingly given the fact that our economy in terms of GDP and employment is steadily growing since 30 years, that means since the new autonomy statute came into force in 1974.

From an economic perspective the South Tyrol autonomy is a success story as still in the 70ies our province has been an emigration province with thousands of young South Tyroleans leaving for a job abroad. It should be mentioned that in the period between the world wars and again in the 50ies South Tyrol experienced decades of forced migration from Italy unleashed first by the regime of Mussolini and later, after 1945, by Italy's democratic governments with the same purpose, namely to outnumber the German group in their own province and thus establish a permanent Italian domination in South Tyrol. By this way starting from a mere 3-4% share of the local population in 1910 the share of the Italian group on South Tyrol's population reached its peak in 1961 with 34,3%, but soon after 1970 the immigration from Italy came to a halt and due to the new autonomy and demographic reasons this percentage is slowly decreasing (in 2001 about 26%).

The older generation of South Tyroleans still keeps a living memory of those years of forced immigration, while the middle aged people remember the emigration times of South Tyroleans of the 50ies and 60ies. That's why the new immigration by some section of the local society is still observed with a bit of scepticism. But it has to be kept in mind that our neighbouring regions North Tyrol and Salzburg have a foreign resident population of more than 9% of the total population and neighbouring Swiss canton Grischun even of 18%. In this light South Tyrol is just recovering with a certain time lag an evolution of economically induced immigration, according to its steady and stable development of the labour market.

Since 1980 three phases of immigration to South Tyrol can be observed. The first one was restricted mostly to EU-citizens, as our province is also attracting many retired people from rich regions in the North as their old age residence. The second one has unfolded in the first half of the 90ies, fuelled by the wars in the Balkans and by push factors from the Maghreb countries. Finally the third one is evolving from 1995 to now as a phase of stabilisation with a high rate of family reunifications. Nearly half of the immigrants in South Tyrol today are women and about 20% minors, what shows that the immigration is shifting to a phase of stabilisation. However South Tyrol regarding the share of immigrants on the total figure of resident population is still lagging behind not only to neighbour North Tyrol, but also to the Trentino autonomous province.

Some specific features of the foreign immigration in South Tyrol

Regarding the country of origin of the immigrants there is a huge variety of countries, but roughly spoken, three are the major areas of origins. In 2005 6.100 foreigners were citizens of other EU-countries, 8.600 came from other European countries outside the EU (mostly Eastern Europe) and just 7.400 from other continents. In other terms more than 2/3 of the immigrants in South Tyrol are Europeans. Among the developing countries South Asia and North Africa are the most relevant areas. A particular feature of the immigrant population is the large presence of Pakistani. Only in three other regions of Italy higher absolute numbers of Pakistani can be found: Lazio, Lombardy and Emilia-Romagna, whereas this community is almost absent from other Italian regions. One more important general feature is the growing dominance of foreign nationals migrating from Eastern Europe countries both from EU and non-EU member countries. Finally the number of asylum seekers and refugees in South Tyrol is irrelevant which is in line with Italy's general poor record of persons with asylum status which is not exceeding 13.000. Italy with Spain is at one of the last positions of the ranking of European host countries for asylum seekers.

South Tyrol's immigrants or permanently resident foreign nationals are, as usual in European immigration countries and regions, quite a young population with an average age below that of the local population. 70% of immigrants are employed, whereas 25% of the residence permits are issued for family reunion: a demonstration that also at the local level immigration has become a structural feature of our society, which requires appropriate reception and integration policies. Another indicator for stabilisation is the increasing number of foreign pupils in schools (+ 18,5% in 2002). The fertility rate of foreigners is more than double the rate of the resident citizens.

Regarding the areas of employment there are two branches of the local economy which strongly rely on third country immigrants: the agricultural sector limited to the harvest period from August to October and the tourism sector (hotels, restaurants and other tourism facilities) with a 8-9 month long season. Also low skill jobs in the industry and the services sector count on increasing numbers of immigrants. Generally speaking South Tyrol's labour market is no exception in Italy's countrywide labour market with regard to the way migrant labour force is absorbed: horizontal and vertical segregation are the key issues. The first means the confinement to certain employment areas and the latter means the confinement of the labour force to the lowest level with no chance of advancement. Hence, as in most EU-regions, new immigrants are concentrated in bad jobs responding to the "3 D's": dirty, dangerous and demanding. Immigrants in an economy with high share of seasonal jobs like South Tyrol are an ideal flexibility buffer: economically convenient and personally dependent due to the precarious work contracts with a limited duration. The residence permits in Italy are linked to the duration of the work contracts issued by the employers. According to the strict laws adopted by the Berlusconi government in 2002, unemployed foreign nationals may stay in Italy until the expiring of their permit, but not longer than 6 months without any employment.

South-Tyrol along with the neighbouring province of Trento is countrywide in a leading position in terms of seasonal workers (17.000 in 2003, 28% of the total number at the national level), mostly employed in agriculture (more than 8,000 in the peak harvesting season) and in the

tourism sector. By annual average figures there is very low number of registered unemployed: The local employers' demand of foreign seasonal workers is still growing since the local workers are trying to leave those jobs and shift in stable and better paid jobs with a higher social reputation.

On the level of social rights immigrants in South Tyrol enjoy equal social and labour rights as EU-citizens. But immigrants, especially when provided with seasonal permits, do not form a stable community in the host country. Their relationship to South Tyrol is mediated by their employers and limited to the duration of the work. The form of accommodation inside the hostels or farm houses is limiting their contacts with the local population. Thus this group of immigrants do not form a separate social group which is collectively articulating their rights or their cultural identity in a strong manner.

In the field of social rights housing plays a key role in the future integration of immigrants in the local society. The immigrants access to houses, especially at reasonable prices, depends very much on their social status and is conditioned by ethnical, cultural and racial prejudices. In South Tyrol there is a widespread abuse of the housing needs of migrant workers. Most of them live in rented flats with substandard quality and high monthly rents. Only 25% live in an accommodation provided by the employer. There are many forms of overcrowding and exploitation of foreigners. This precarious situation prevents many foreigners from social integration, although they are urgently needed as labour forces. Regarding the political efforts to grant for the accommodation of the immigrants there are not more than 500 beds in public workers hostels in South Tyrol, far from meeting the real demand. Access to public housing concerns a limited part of the immigrant population. A large majority of immigrants do not even apply since they would not have any real chance as the duration of residence is one of the decisive criteria of assignment of housing subsidies or publicly funded apartments. Actually out of 11.000 of such public apartments not even 100 are occupied by foreign migrant families. On the other hand there is a sharply increasing number of foreigners who apply for so called housing rent grants due to the high average rent.

Housing for the time being is the major social problem of immigrants in South Tyrol. Due to this fact even many of those working in regular jobs and average wages can not afford to bring in their families. The "boarding houses" as first reception structures cannot host larger numbers of immigrants for a long term permanence. The province of South Tyrol only recently has decided to create new accommodation structures with a more long term character like mini-apartments for singles (40% of the immigrants in South Tyrol are single).

Regarding social security and assistance generally foreign immigrants with a legal residence in South Tyrol, as provided by international convention and EU-law, are put on an equal footing with the resident citizens. South Tyrol has primary competence in the field of social assistance, (as the minimum social income), social housing, social services and a secondary competence in health services. But poor immigrants can obtain social benefits for emergency situations just for a maximum period of 2 month per year and only in the case of special need. However foreigner are protected from discrimination by the Testo Unico (law n.5/1998 and d.l. n.189/2002), which prohibits any discrimination in employment, at the workplace, housing, education, social services or by whoever offers goods and services accessible to the public.

If the social integration of immigrants is the overall challenge education is an utmost important issue. In the current school year 2005-06 almost 2.000 pupils from third country families are enrolled in the schools of the province of all levels and kinds. South Tyrol's school system is divided by language, so the immigrant families too have to choose one of the three existing branches: about 59% of foreign children are enrolled in the Italian school, 40% the German schools and 1% in the Ladin schools. The proportion of foreign children is by far higher in the Italian schools rather than in the German branch. This is due to the fact that a high number of migrant families before arriving in South Tyrol had spend some years in other parts of Italy. On the other hand the growing number of foreign children is compensating the decreasing number of children in the Italian schools caused by the lower fertility rate of the Italian group.

School is the best environment where integration can take place, where foreign children and their families are included, where they can mutually exchange cultural features. But only a minority of foreign families maintain normal relationship with their children's school. Immigrated parents are reluctant in contacts with the schools since often they do not sufficiently know the local languages, they feel the lack of education or have a fear of interfering with teacher decisions to the detriment of their children. During a research carried out by the Province of South Tyrol in most foreign families, in addition to the family languages, Italian is spoken or learnt as first "foreign language". Thus it might not surprise that more immigrants families enrol their children in the Italian branch rather than in the German school branch.

A further problem related to education is the fact that one quarter of foreign children have an insufficient knowledge and one more quarter a not adequate knowledge of Italian. This brings about a lower level of the more and more mixed urban schools with Italian medium language. Scholastic failure among foreign children is by far higher than among locals: in elementary schools it is around 17% compared to a general average among local children of 1%. By consequence some principals of Italian schools in South Tyrol complained about the concentration of foreign children in Italian schools.

On the other hand there are scores of new initiatives adopted by schools in South Tyrol in meeting the challenge of inclusion and integration to involve the families in co-operation with volunteer associations, cultural mediators, who provide special language courses for foreigners and many other facilities.

Impact on the local society

In 2006 the share of foreign nationals with a residence in South Tyrol will reach 5% of the population, which is still well below the general average rate of foreign immigrants in the EU. In very general terms South Tyrol's positive economic development offers employment opportunities to a growing number of foreign nationals who may take up a seasonal or a long term job in the province and thus settle down. The advantages are mutual: the host society can benefit from the work of thousands of immigrants keeping the pace of a steady growth of the regional GDP, the income per capita and major tax revenues to the province. In addition this ensures a more stable development of the social security system in a society which grows older. Brief: South Tyrol follows the path of many rich European regions whose wealth is based also on the hard work of migrant workers.

On the other hand immigrants in a region like South Tyrol not only can find abundant job opportunities as long as the labour market is developing well, but also enjoy high standards of social assistance and services provided by one of the most efficient provincial administrations in whole Italy. Since a year South Tyrol has entered the group of the 10 wealthiest regions of the EU in terms of income per head. Thus immigration is improving the relative position of our economy and social system and in the same time enhancing the general livelihood of the national minorities. In a context of economic and social welfare also the coexistence of the official ethnic groups is facilitated. This can be considered a success of South Tyrol's autonomous policies. On the opposite, emigration caused by poverty, lack of jobs and bad administration of an autonomous region, like it happened for many years to Sardinia and Sicily, is definitely harming the issue of minority protection.

On the other hand, the flow of new immigrants is depending from the regulations on the central government level which is linking the quotas to the need of the private economy and the labour market in general. Under the Italian immigration laws the right to receive a residence permit is essentially linked to an employment contract. Foreign immigrants with protracted unemployment periods after a maximum period lose their residence permit. By that mechanism foreigners are a kind of "buffer" and flexibility-jolly on the labour market. In times of crisis, with a certain delay, the Italian government could simply renounce on renewing tens of thousands of 2-years-residence-permits in order to reduce the number of migrants living in Italy. But we know that also Italy in medium and long term desperately needs migration for the sake of its own economy and welfare system.

What about the political rights of foreigners in South Tyrol? Foreigners, according to the current legal situation, have no voting right neither to political nor to administrative elections, albeit a more direct participation in public and political life at local level would certainly enhance their responsibility and promote their integration into the host-society. In South Tyrol also Italian citizens can acquire the active voting right only after 4 years of permanent residence in the province. This rule was meant to protect the national minorities by wanton or politically arranged demographic changes caused by politically promoted migration as experienced in the past.

However there are some political bodies on municipal level with consultative status aimed to achieve some forms of political involvement and institutional representation like the "consulta degli stranieri". Italy has to come in line with several other EU-member states which have already established the right to vote in local elections.

What's about the right to residence and citizenship and its impact on the local ethnic equilibrium? Actually the maximum validity of a normal residence permit (permesso di soggiorno) is limited to two years. This renders any longer working project and permanence of foreign migrants uncertain and insecure. They are not encouraged to make big efforts to integrate into the host society. The entry of migrant workers for working purposes is regulated by a national quota system, which is based on annual quotas fixed by the Ministry of Home. Those quotas take also into consideration the family reunions. The Italian right-wing government recently is more and more restrictive on issuing enough visa to foreign labour immigrants.

A second kind of residence permit is the long term residence permit (carta di soggiorno) which can be applied for after 6 years of lawful residence. For that purpose foreigners must have a legal entitlement (work contact, study place) and sufficient means of sustenance. With such a residence permit a foreigner can enter the national territory without a visa. He has access to all rights except those reserved for citizens like voting rights and public jobs.

The right obtain the Italian citizenship most frequently is based on:

- The ordinary naturalisation procedure which requires a legal residence for at least 10 years.
- The naturalisation by marriage with Italian citizen and legal residence of 6 month in Italy or 3 years of marriage regardless of residence.

There are some more forms of obtaining citizenship which by numbers are less important. Actually the majority of foreigners obtain an Italian citizenship by marriage. In the other cases a foreigners has to prove some other requirements like the lack of criminal record, fulfilment of fiscal obligations, sufficient economic means, language knowledge. In South Tyrol the number of citizenships released to foreign migrants is still very low. In Italy generally it is forecasted that, like in other EU-member countries, the applications for naturalisation will steadily grow along with the stabilisation of the immigration. South Tyrol has no competences in limiting the granting of citizenships or the access to the province, and thus has no direct influence on the influx of foreigners willing to take up residence in the province. However, it is likely that the development in the decisive markets (labour, housing) will automatically regulate the influx preventing any creation of a group of marginalized, unemployed, poor migrant families with a potential of social and political conflict.

South Tyrol has no immediate primary power on matters related to immigration, but its powers are focused on economic policies, social services, health service, infrastructures, housing, labour market management, education. Up to now the provincial government has been under pressure and criticism not because allowing a too big influx of migrants, but when it ventured not to acquire enough permits for seasonal migrant workers out of the annual quotas fixed by the central government in Rome, but certainly not because losing the control over the influx of migrants. There are basically two markets steering the evolution of the immigration: on the one hand the labour market with a strong emphasis on seasonal jobs in tourism and agriculture; on the other hand the housing sector. The enormously high level of prices of real estates and rents prevent a large influx of migrant workers, since they could simply not afford to pay the living costs. However it would be discussed whether a really autonomous region shouldn't be vested with some stronger legal possibilities to control immigration as a kind of last resort in times of economic crises.

If we consider the preservation of the cultural identity of a national minority as the core issue of building up an autonomy system in Europe, and in second place to maintain a peaceful and co-operative equilibrium between different ethnic communities in the framework of one shared autonomy system, the South Tyrolean model of blending integration with segregation up to now has not been questioned by the new immigration. In South Tyrol the Italian group, which had 26% of the population in 2005 is slowly decreasing, whereas the Germans and Ladins are keeping there population share stable. Apparently and just by numbers the foreign immigrants are replacing the drop of the Italian residents, whose number is decreasing due to demographic

factors. There is no evidence in any field that foreign immigration could be a threat to the protection of the historical national minorities, while it is certainly an opportunity to link up with a creative process of modernisation of its society.

On a political level this slow shifting to a major population share of immigrants hasn't had any impact on political balances since foreign nationals (exception: EU-citizens) have no voting rights. But even when in the next future immigrants would get a voting right in local administrative elections (Provincial Parliament excluded) they are unlikely to shake the equilibrium of South Tyrol's three official ethnic groups. Their votes rather will, as many experiences in other EU regions clearly show, distribute in a pluralistic way on various parties and add to the efforts to integrate in the local society.

Enjoying equal rights regarding all social services and subsidies the immigrants by tendency will claim a growing share of those resources, but not at detriment of one or the other official groups, as the services are offered and funded on other criteria than ethnical redistribution. In addition there are two main pillars of the South Tyrol's autonomy system which operate as a sort of protection of the locally available public resources: first, the complete system of bilingualism in all public spheres and second the ethnic proportionality rule in force for all jobs in the public sector. How could the immigration affect those fundamental rules? Regarding the use of official languages the presence of immigrants even in a much more significant number would not alter anything in the existing juridical normative setting.

But with regard to the jobs in the public sector (which includes the local - municipalities, province, region, others - and the state administration. The latter recently is covering not more than 18% of the public sector jobs) there is one more barrier for a foreign immigrant to be overcome: citizenship. At least the core sector of the administration is still reserved to citizens. Thus, foreign nationals of Non-EU-countries can be hired for some sectors as health assistance or state railway company also on the basis of special working contract, but not for the administration as such. Even if more and more immigrants become citizens there are the additional barriers of the professional skills and education level and the requirement of bilingualism. It will be extremely difficult for the huge majority of foreigners to compete with local applicants for public jobs on those fields, as both main official languages have to be mastered in spoken and written form. Some observers comment that in the future there will be a heavy dispute about the EU-compatibility of the proportionality principle under the principle of equality, whereas Brussels has never contested the bilingualism rules (except the way of obtaining the language exams certificates).

The major impact on the relative situation of the ethnic groups and by that on the quality of the protection of the national minorities living in South Tyrol will be the education in South Tyrol's school system. As experienced in some other immigration countries with decade old immigration as Austria, Switzerland and Germany the quality of the education can be affected when the classes get linguistically very mixed and when the share of immigrants with different original cultures and languages exceeding certain levels. South Tyrol (and in practice in the Ladin and German speaking school) is still far away from that levels and much depends on the huge range of integration and promotion measures which are applied inside the didactical and social activities. However it has to be observed learning from the experiences gained in other

countries.

Some conclusions

Regarding immigration South Tyrol is slowly, but steadily catching up to the quantitative levels of its neighbouring regions in the North (North Tyrol, Salzburg) and in the West (Switzerland, Canton Grischun, Luxembourg, Catalunya), featuring two major aspects:

- a strongly seasonal character and thus a high flexibility and a limited duration of a major share of the immigrants;
- a growing importance of the Eastern Europeans immigrants, both from new EU-member countries and non EU countries.

Immigration to South Tyrol started lately around 1990 and is now one of the major opportunities for economic growth, but also for cultural enrichment and opening up to the "global village". Immigration will add to ensure a steady positive development of South Tyrol's economy and social security system. Despite the generally positive impact of immigration there are two major issues raised by this new immigration:

- who is politically controlling the influx (e.g. which criteria are applied to control the flows of migrants and by whom)?
- who bears the responsibility of the integration efforts?

In South Tyrol immigration is propelled by the demand on the labour market, thus by economic growth, which can only partially be influenced by the autonomous government of the province. The immediate powers to regulate the immigration lies completely in the hands of the central government.

On the other hand the efforts for the integration of the immigrants into the local society is up to the local administration with his powers in the field of education, health care, housing and social assistance. Therefore there is a need to strengthen the powers of the autonomous regions in the field of migration policies, although the overall tendency inside the EU is to build up a ever more co-ordinated system of immigration on a European basis ensuring also full mobility to third country nationals. To tackle the challenge of integration in a multilingual environment the autonomous regions with ethnic or national minorities need specific legal, financial and political means.

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