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EUROPEAN DEMOCRATIC LAWYERS

MOTION OF THE BUREAU OF THE EUROPEAN DEMOCRATIC LAWYERS (EDL) IN THEIR MEETING OF THE 13TH OF JUNE 2009 IN SANTIAGO DE COMPOSTELA

The Bureau of the EDL lawyers has come to know that the Italian Senate is about to approve a project of law with the name "*Pacchetto Sicurezza*", which contains dispositions, destined theoretically to guarantee the security of the citizens, but whose content is directed to regulate the presence of non-EU migrants in Italy. These norms support the existing regulation, which is already "special" for foreign citizens. They are destined to gravely affect the fundamental liberties of migrants and if they are passed in their present form represent, the logic of refusal of migration and of all institutions designed to promote their integration. This strategy has already proved its inefficiency to integrate migrants because of the absence of recognition for example of political rights on which integration is based.

In fact, this project incriminates the condition of irregular migration, expands the period of administrative detention (from the 60 days already foreseen to 6 months), and limits the civil rights of migrants, like the right to marry, to register their own children, the right to register for school in the absence of a residency permit with the consequent risk of being denounced by any public official like a school director, a doctor, or a registrar who are now obliged to denounce any kind of crime.

The norms contained in the law that could be approved now by the senate, would involve the drastic weakening of the constitutional guarantees of a State of Law, as well as the effective elimination of a real prospect of integration of migrants. This would in no way benefit public security which can only be pursued in full acceptance of the personality principle of the republican constitution and on the basis of the fundamental rights of the individual through the promotion of the right to live together and not of exclusion.

The bureau of the European Democratic Lawyers expresses therefore its preoccupation at the eventuality that the Italian Senate would approve this law project n° 733 and invites its members to reflect on the seriousness of the effect of these norms on Italian democracy, as it is guaranteed in the Constitution and in International treaties. The EDL appeals the President of the Republic to assess the possibility of not passing these legislation, in the case it was presented to him.

Santiago di Compostela
13/6/2009