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# The Italian Decree on Security: An Analysis of the Impact on Asylum Applications

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## 1. Introduction

Despite the existence of a normative space as the European Union (EU), the rates of recognition for asylum seekers' protection statuses remarkably vary across different countries (Van Wolleghem, Sicakkan, 2022). Several studies have attempted to examine the potential explanations of these different between-countries rates of recognition, considering both economics and political reasons, without finding any clear driver (Toshkov, 2014), up to the point that it has been commented that «asylum decisions in Western Europe are highly arbitrary» (Bronkhorst, 1991, p.151). At the same time, it has been argued that changes in asylum policies within a given country may be associated with changes in recognition rates on asylum application flows (Thielemann, 2003), modifying the level of deterrence characterizing a determined socio-economic context (Holzer et al., 2000).

On December 3<sup>rd</sup> 2018, the Italian government approved the so-called “Immigration and security” decree. Among its intentions, regarding a wide range of matters (contrast to mafia and terrorism, urban security), the decree remarkably changed the regulation of asylum, immigration and citizenship (De Petris, 2019).

This contribution aims to evaluate the association between the “Immigration and security” decree and recognition rates of asylum applicants in Italy and if and how this association has been conditional on the applicant's socio-demographic characteristics. This goal will be accomplished by performing some statistical analyses on a dataset created from the annual Eurostat database on the first instances decisions on applications.

## 2. Data and method

The data used for this work are recorded by Eurostat at an aggregated level, considering the outcomes of first instances decisions on asylum applications in Italy by applicant's citizenship, age and sex. Age is recorded in the following classes: 1 = 0-13 years old (19.3% of the sample); 2 = 14-17 years old (11.2% of the sample); 3 = 18-34 years old

(39.0% of the sample); 4 = 35 years old or more (30.5% of the sample). Sex is recorded as follows: 1 = female (40.8% of the sample); 1 = male (59.2% of the sample). The dependent variable is a dummy, indicating a positive decision (1) or a rejection(0). We consider all the applications in the period from 2008 to 2021 (N= 667,065). For each combination of the above-mentioned categories, the aggregated database of Eurostat provides the number of applicants rounded up to the nearest 5. As an example, female citizens of Afghanistan aged 0-13 who received a positive response to their asylum application in 2009 were 5. We used this information on the number of applicants per each combination of categories to weight our sample: by doing so, we were able to create a dataset containing information at the micro-level.

In order to answer our research questions, we perform a set of logit models as follows:

$$\mathbf{M1: } Y = \beta_0 + \beta_1(\text{Year}) + \beta_2(\text{Sex}_i) + \beta_3(\text{Age}_i) + \beta_4(\text{Citizenship}_i) + \varepsilon_i$$

$$\mathbf{M2: } Y = \beta_0 + \beta_1(\text{Year} \times \text{Sex}_i) + \beta_2(\text{Age}_i) + \beta_3(\text{Citizenship}_i) + \varepsilon_i$$

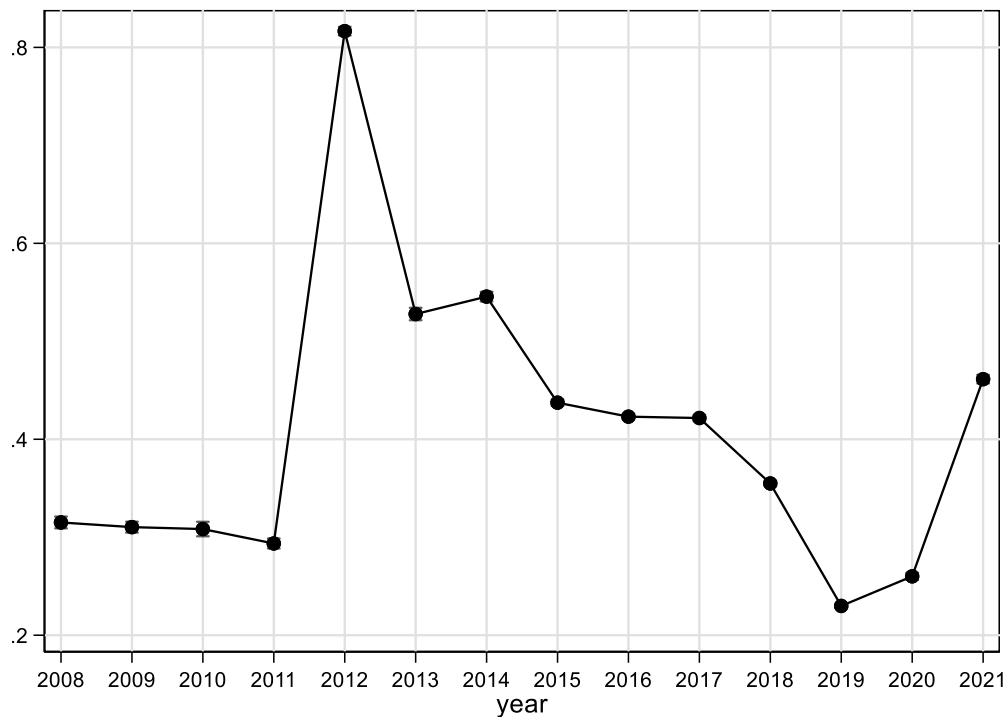
$$\mathbf{M3: } Y = \beta_0 + \beta_1(\text{Year} \times \text{Age}_i) + \beta_2(\text{Sex}_i) + \beta_3(\text{Citizenship}_i) + \varepsilon_i$$

Model 1 estimates the association between year and rates of recognition of asylum applicants in Italy, net of the individual socio-demographic controls. With this model we are able to shed light on whether the “Immigration and security” decree has changed the acceptance rate of asylum requests in Italy. Model 2 and model 3 allows the conditionality on sex (model 2) and age (model 3) of the association between year and rates of recognition of asylum applicants, by including an interaction term between year and sex (model 2) and year and age (model 3). All models control for individual citizenship. Results are presented and commented in terms of predicted probabilities, since the interpretation of logit coefficients is not straightforward (Mood, 2010).

### 3. Main results

In figure 1 are shown the predicted probabilities of the likelihood of asylum recognition by year, as estimated in Model 1.

**Figure 1.** *Logit model on the likelihood of asylum recognition by year. Model 1. Predicted probabilities. The model controls for sex, age, and citizenship.*



The analysis of this figure permits evaluating the trend of recognition of asylum applicants, with particular attention to the years following the implementation of the “Immigration and security” decree in 2018. The results seem to underline the decree’s important role in driving the acceptance rate of asylum recognition. Indeed, after an apex of recognition in 2012<sup>1</sup>, when more than 80% of asylum requests were accepted, the trend started to assume a downward shape, and the recognition rate began to drop. Nevertheless, the most substantial drop (after that between 2012 and 2013) has been recorded from 2018 (the year of the application of the “Immigration and security” decree) to 2019, passing from the 35.5% to the 23.0% of acceptances. In this sense, the legislation has remarkably impacted our outcome of interest.

**Figure 2.** *Logit model on the likelihood of asylum recognition by year and sex. Model 2. Predicted probabilities. The model controls for age and citizenship.*

<sup>1</sup> The strong increase recorded in 2012 is due to the response of the Italian Government to the unrest in North Africa in 2011. On April 5<sup>th</sup>, 2011, recognizing the exceptional situation of North Africa, the Government adopted temporary measures of humanitarian protection in favor of refugees from North Africa (“*Emergenza Nord Africa*”, ENA). The ENA provisions temporarily relaxed immigration policies: migrants who fled from Algeria, Egypt, Libya, Morocco and Tunisia to Italy between January 1<sup>st</sup> and April 5<sup>th</sup>, 2011 were automatically granted a temporary permit of stay for humanitarian reasons. On August 3<sup>rd</sup>, 2011, the duration of this regime was extended due to the persistent situation of instability in North Africa. Some specific emergency measures were lately applied also to migrants the Horn of Africa, Kenya, Sudan and Uganda (dalla Pellegrina et al., 2014).

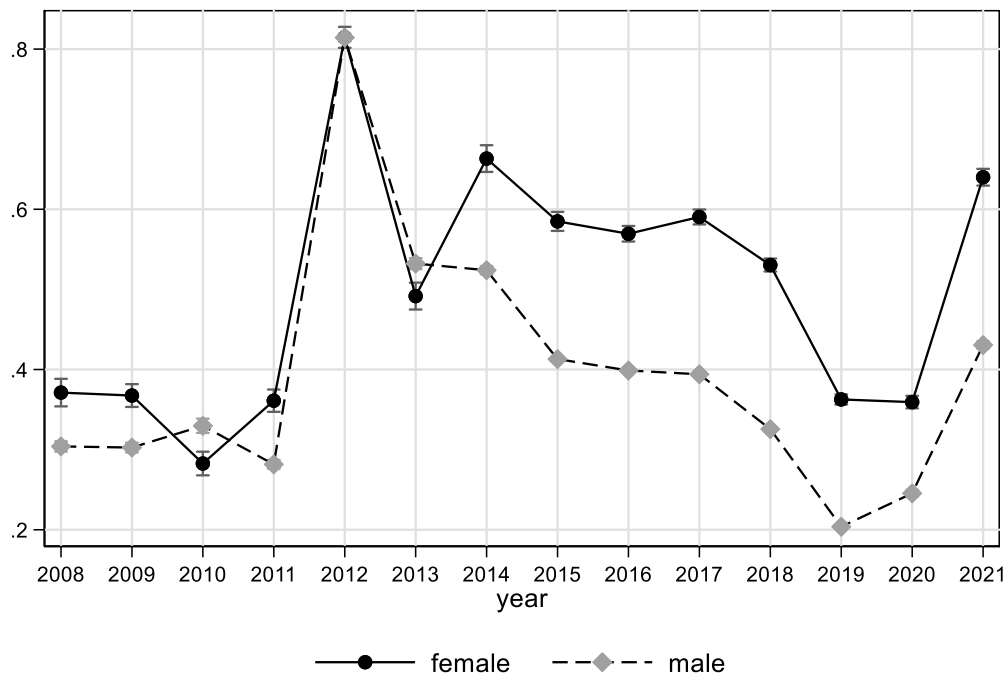
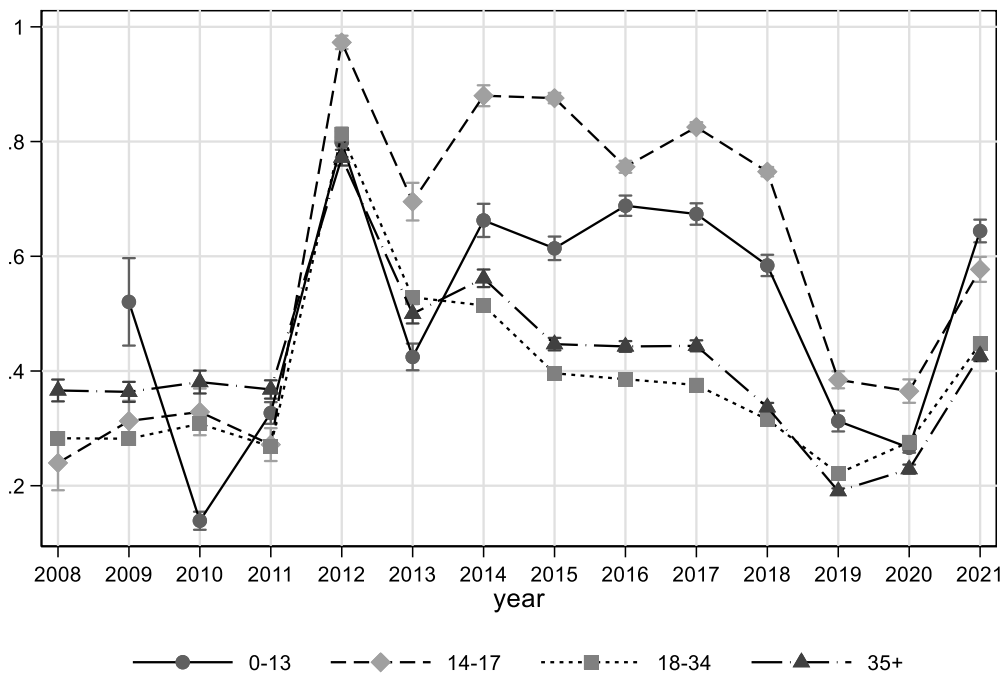


Figure 2 shows the predicted probabilities of asylum recognition by year and sex, as estimated in Model 2. This graph allows to evaluate if the association between year and asylum recognition was conditional on the applicant’s sex. Results show that up to 2013, the rates of recognition of asylum applicants were very similar between men and women, with the highest difference between male and female applicants being recorded in 2011 (average marginal effect = .08). But from 2013 onwards, it emerges a gender gap in the asylum recognition, with female applicants more likely to have their request accepted, a result already observed in other European countries (Plümper, Neumayer, 2021). Such a higher likelihood is also maintained in the aftermath of the application of the decree, which lowers the acceptance at a similar pace both for men and for women.

Figure 3 shows the predicted probabilities of the likelihood of asylum recognition by year and age, as estimated in Model 3. Analyzing these predicted probabilities makes it possible to shed light on the interplay between year and applicant’s age on asylum recognition. Differently from what emerged concerning the applicant’s sex, the pattern of asylum acceptance by age does not seem to vary during the period considered in our analysis. Indeed, the highest likelihood of acceptance is observed for younger applicants, particularly those between 14 and 17 years old. This holds true from 2012 onwards, while before, the differences across different ages were less marked. On May 6<sup>th</sup> 2017, new legislation regarding the “Protection Measures for Unaccompanied Minors” (law n. 47/17, “*legge Zampa*”) entered into force in Italy. This law has filled significant gaps in the protection of unaccompanied children, introducing important provisions, among other issues, on age assessment procedures. However, our results suggest that higher acceptance rates were observed before the law’s implementation, which resulted from more than three years of advocacy efforts by Save the Children and other NGOs (Rozzi, 2017). In general, the older cohorts experience a lower likelihood of asylum request acceptance with respect to the younger ones, and this pattern is confirmed also in the aftermath of the “Immigration and security” decree of 2018.

**Figure 3.** Logit model on the likelihood of asylum recognition by year and age. Model 3. Predicted probabilities. The model controls for sex, and citizenship.



#### 4. Conclusion

The “Immigration and security” decree has lowered the probability of asylum request acceptance in Italy. Although the pattern showed a downward trend from 2012, the drop after 2018, the decree’s implementation year, was particularly remarkable, and the recognitions passed from 35.5% to 23.0% in 2019. Interestingly, from 2013 onwards, it emerged a gender gap in asylum recognition, with women having a higher likelihood of request acceptance than men; this gender-based difference has also been confirmed after the decree of 2018. Finally, our analysis showed that older cohorts have always experienced a lower acceptance rate of their requests than younger ones.

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