

refugees

NEWSLETTER OF THE INCLUSION REFUGEES NETWORK PROJECT



02

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Leader Employment as the road to social inclusion for refugees

1

"Italy has recognized the right to asylum for a long time, through the accession to several international agreements and through our Constitution. Yet, there is not an organic law, similar to that of other member states. On the 9th November, an important step forward was made: the Presidency of the Council of Ministers issued the decrees of reception of two European Directives (2004/83/EC and 2005/85/EC), concerning the "procedures" and the "qualification" as refugee. The 75 articles ?decrees, will be implemented in January. They can be considered the most important reform on the subject since the Martelli Law of 1990, addressing issues that trade unions, Unhcr and other organizations, such as the Italian Council for Refugees, have defended for years. Nevertheless, in recent years, things for asylum seekers the situation for asylum seekers has not been smooth and easy.

Between April 21st, 2005 and September 20th, 2007, more than 25 thousand people applied for asylum in Italy. More than 9 thousand

[FONDI IT SP MDI 950]

DIRITTO D'ASILO E INTEGRAZIONE SOCIALE
Inclusion Refugees Network
Fondazione Welfare Sociale

Meta
verso l'integrazione

MINISTERO DEL LAVORO
L'UNICA PREVIDENZA SOCIALE
diversità sono alla base per la felicità
per l'autoimpiego e la formazione

FICT
fondazione per la formazione
Lavoro, ricerca, integrazione

UIL DI ROMA E LAZIO



people (40.3%) out of these, had their protection status denied. Moreover, amendments made to the normative framework by the new decrees, reduce the margin of uncertainty of the refugee status and, in theory, recognize the right to work. Yet a lot still needs to be done before these new rights are actually guaranteed.

Refugees are left alone in the labour market, looking for a job that might lead them to a decent life and family reunification. They are not supported by the state with specific training or assistance: an organic planning in this direction is missing. Associations, on the other hand supporting refugees' vocational training paths with different projects. It is not sufficient to ratify the important European directives: what is needed is an organic reform on the right asylum. The second number of Refugees starts with this sketch of the Italian situation by Giuseppe Casucci, Coordinatore Nazionale Dipartimento Politiche Migratorie UIL (National Coordinator Migration Policies Department UIL). It seems clear that, although there is a move "toward a more certain legislative framework, employment is still

a chimera". Employment is not yet a realistic hope of social inclusion in a new context that the refugee hasn't chosen. This idea is expressed in the two interviews made by an anthropologist of the second generation of immigrants and by a journalist. The journalist writes as a witness and observer of migration issues in Bari. The protagonist of the story are two refugees working in the black market, like many of the 3,700,000 immigrants living legally in Italy. Along with the interviews, there is the contribution of the representative of an international organization, SOS Razzismo Italia. SOS Razzismo does advocacy work for the rights of immigrants and refugee, fighting against any form of discrimination. The article analyses the phenomenon from the point of view of common people, of native people, of those who have to revive a culture of welcome. At last a poem by a volunteer about a refugee with a temporary, illegal and dangerous job in the building sites, where immigrants and refugees work without any right.

By Angela Scalzo
Uil of Rome and Lazio

THE TRADE UNION

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Refugees: towards a better legislative framework, but employment remains a chimera!

Interview to Giuseppe Casucci*

How do the trade union and the Uil, in particular, help to face the problem of asylum seekers in Italy?

For years the Uil has been fighting for an organic reform of the legislation on the right of asylum and on humanitarian permits. In Italy there isn't an organic law on this subject yet and what has been done recently concerns European directives on the subject. In other words the former Government had to ratify and implement some European directives. The present Government has taken the problem more seriously and, even through decrees, is going to promote many changes. There isn't, however, an organic law yet, notwithstanding several proposals on the subject have been presented in Parliament. One example is the proposal of the Italian Council for Refugees. The Uil is part of the governing board of the Italian Council for Refugees (ICR) and has contributed to develop the proposal, currently under review by the I Commission of the Chamber.

What is the new legislative outlook on this subject?

On November 9th, 2007, the Council of Ministers passed two legislative Decrees. One on asylum procedures (referred to hereinafter as "L.D. Procedures"). The other is the decree on the qualification as refugee or person who otherwise needs international protection, defining also international protection (referred to hereinafter as "L.D. Qualification"). Both L.L.D.D. represent the implementation of the two EU Directives on the same issue and are the core of the law on the right to asylum in Italy. The 75 articles have been the most important legislative reform on asylum since the Martelli Law of 1990. The Uil's general view of this reform is positive, although a series of critical elements can be foreseen. From the entry into force of the decrees, scheduled for January 1st, 2008, asylum seekers and refugees in Italy will have a higher level of protection, guarantees and certainties.

This reform, boosted by European legislation, contains several aspects for which we have fought for years, together with ICR and UNHCR and other organizations, in Italy and in Europe. It also includes many aspects contained in our proposal of organic law on the right of asylum, presented as ICR.

It is important to remember that the last reform of the right of asylum in Italy, introduced by the Bossi/Fini Law in 2002 and Presidential Decree of September 2004, effective from April 21st, 2005, represented generally a limitation of guarantees

and rights: the detention of most asylum seekers in identification centres, the introduction of a simplified procedure for the held, the abolition of effective appeals to court, and so on.

Which are the most important elements of the last Government decrees compared to the situation created by the Bossi/Fini Law and, previously, by the Martelli Law?

These are the main provisions introduced by decree vs the laws:

- Abolition of clauses limiting the admission to the procedure. The present reform provides that the border police or the Provincial Police (Questura) have to, receive the application of an asylum seeker, in any case and without any selection. The Provincial Police (Questura) has to record it and send it to the Local Commission (L.C.) competent for the territory. The latter can declare the application unacceptable, if it is the case.
- Abolition of different procedures (“ordinary” or “simplified”) and different procedural guarantees. A single procedure has been introduced, as the ICR and the trade union have wished and advocated all along. Abolition of Identification Centres and of detention in these centres. On the base of the same elements previously leading to detention in the centres, asylum seekers will be “hosted” in Reception Centres for a period of up to 20 days for identification purposes, or up to a period of 35 days if the alien has avoided, or tried to avoid, border controls, or in case of unlawful residence, or when the asylum application has been lodged after the expulsion or the refoulement. The current Identification Centres should become Reception Centres, with some renovation, for which the Decree allocates 8 million Euros to be spent in 2008.
- Abolition of implicit withdrawal of the asylum application in case of unauthorized expulsion from the Reception Centre. The expulsion ends instead the right to reception and the L.C. decides, without examination, on the base of the information obtained.
- Abolition of administrative re-examination within the current simplified procedure. The right to appeal the decision of the L.C. to court is in any case guaranteed.
- Introduction of the principle of effective appeal at the expense of the State. This is one of the most important aspects of the reform, from the point of view of the law but also of the consequences in the procedure. The appeal stops “automatically” the effectiveness of the refusal for international protection: the appellant has the status of asylum seeker until the court takes its decision. In case of a positive court decision, a residence permit

is granted to the appellant. For all the cases of appeal, the judge pronounces a sentence on the subject within 3 months and all needy appellants have the right to legal aid, through a certification of their financial situation.

- Clarification of reception measures until the courts takes its decision. Until the outcome of the appeal (established in 3 months) the appellant remains in the same reception centre: in a SPRAR centre or in a Reception Centre, with a residence permit and with the freedom of movement in the territory and the right to work after 6 months from the submission of asylum application.
- Changes in the rules for the examination of asylum application (from now on it will be called “application for international protection”) include. In particular on:
 - a. the collection and the evaluation of information about the country of origin;
 - b. the examination even without supporting documents to the applicant statements;
 - c. the evaluation of “sur place” conditions, created after leaving the country of origin, that can make international protection necessary.
- Definition of the term “protection” and “prosecution”, as well as “prosecution agents” – not only the State – and of 5 grounds for prosecution stated in Geneva Convention (race; religion; nationality; membership of a particular social group; political opinion).
- Definition of subsidiary protection, and “serious damage” that the appellant could suffer in his country of origin, without being prosecuted under Geneva Convention.
- Humanitarian protection remains. The new institution of subsidiary protection doesn’t replace the current humanitarian protection former Article 5(6) of the Testo Unico sull’Immigrazione (Consolidated Text on Immigration). Subsidiary protection envisages only 3 situations:
 - a. death sentence;
 - b. torture or other forms of punishment or inhuman and degrading treatment;
 - c. serious and individual threat to life or person during armed conflicts;
- Refugees’ rights. The following elements are innovative:
 - a. 5 years for renewable residence permit;
 - b. 5 years for renewable travel documents;
 - c. the right to a job in the public sector, with the same rules as for Community nationals.
- Rights of subsidiary protection’s beneficiaries:
 - a. 3 years for residence permit;
 - b. renewal only after the examination of the existence of the conditions for the right to

- subsidiary protection (the body responsible for the examination is not specified – we suppose the L.C. may be);
- c. possibility to change a residence permit into work permit;
- d. possibility to issue a ticket for aliens, when there are reasonable obstacles for requesting the passport to the consulate of the country of origin;
- e. right to dependent and self-employment and to registration to professional register as Italian citizens;
- f. right to family reconciliation, under the conditions provided for immigrants, but with the facilitations on the assessment of family ties as with refugees.

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Pilot Experience in Mestre

The Sportello Orientamento Lavoro (employment guidance office) for the R.A.R. has opened within the Equal Inclusion Refugees Network. The aim of the service is to help asylum seekers and refugees to acquire abilities needed to face professional integration choices in a responsible way, giving practical assistance in writing the curriculum vitae and assuring access to basic information. The work is realized through the following activities: RECEPTION, a moment to introduce both the office and the person in order to understand needs and professional experiences; GUIDANCE INFORMATION, this is for people who want to be better informed about some issues concerning training and profession; ASSISTANCE AND SUPPORT TO WORK / TRAINING, providing help in the active research of a job and work experience, through network activities and cooperation with territory resources. The office is open to the public on Tuesday from 9 a.m. to 12.30 a.m., at Cooperativa CO.GE.S in Viale San Marco, 172 Mestre (Ve).

GIAHNNA'S STORY

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From Somalia to Italy, without passing through Europe.

Giahnna is a 29 years old woman from Somalia. In 2005 she was granted the political refugee status in Italy. Today she has a new life. Without being asked, she is proud to show her new documents, her new name, her new identity. She has an identity full of hopes...

She has a lot of scars on her face but her broad smile shows her beauty and desire to live. I would like to listen to her story but without hurting her feelings. So I put aside my planned questions and leave room for her story. Giahnna, your story is very difficult to tell.

Choose what you want to start telling, the day of departure, of arrival in Italy....

Without hesitation, Giahnna starts:
On May 24th, 2005 I arrived at Termini Station, in Rome. I slept there, in the station; I had only one shoe and when I woke up, I realized that it had been stolen. Italy didn't welcome me. Some Somalis, I met there, helped me: they took me to Caritas where I ate. There the volunteers showed me where I had to go and how to apply for political asylum.

Has it been difficult to be granted the refugee

status?

I followed the regular procedure and I was granted political asylum in 2005. My difficulty was not to obtain the asylum but a decent life, a job and accommodation. I didn't reach an acceptable living standard, so I left again. I found a job in Holland, where I worked in a voluntary association. I had room and board and a salary. At least I could live decently without feeling useless.

Why have you returned to Italy?

I am not here by my choice. Under the Dublin Convention refugees have to reside in the same country that granted them asylum. Therefore, I am obliged to come to Italy every year to renew my residence permit. But this creates a lot of problems, even because I have to wait a lot, also



three or four months during which I am forced to stay in Italy, without a job, housing, anything...

So, you don't work, do you?

Now I have been again in Bari for a month. All I have found, by myself, is a job as a maid, an undeclared labour, for two hours a day, twice a week, for five euros an hour...

Where are you living now?

At the moment I am hosted by some Somali people, but I cannot stay there for the whole time I will be in Italy. I haven't anybody who can help me. My parents died, I am alone and I don't have a family. At the moment I have nothing except the clothes I am wearing, I don't have food, a place to stay. For some time here, in Italy, I slept on the road. Here, in Bari, if I don't know where to go, I sleep on the benches in the garden in front of the university. But it is not easy. For a woman, then, it is more difficult too, I am afraid...

So, do you feel more disadvantaged, because you are a woman?

In my specific case, being a woman is another problem, because it is another aspect that makes me more vulnerable: I am a foreign-born citizen, my skin is black and racism exists. Like all foreign-born citizens, as well as homeless, the poor, beggars, you live with the fear that racism can generate violence. Moreover, I am a woman and for this very reason I am exposed to another

form of violence, that of men on women, of men who abuse, subdue, exploit women...

In Giahna's words there is a lot of anger, she speaks up, then looks down and says that she has a child.

A child? And where is he now? How old is he?

My son was born in 1994, now he is thirteen years old. I left him with a family. Now he is in Ethiopia but I speak to him by telephone. I hope one day I will have him with me. He was born when I was sixteen, I was taken by force and became pregnant. Then I started to escape: Sudan, Lebanon, Ethiopia until 2005, when I arrived in Italy.

Giahna, what makes you feel at home? What is your home?

My home is Europe. Here there is peace. I hate Somalia. When someone asks me where I come from, I answer that I am Brazilian, because I hate my country. There, people are mad, they fight; everyone fights. There is the violence of everyone against everyone. Everyone is mad. But I am not the only one, I know other Somali people who deny their origins.

Giahna, what do you want for your future?

I want to be free to live where I feel at home, where I feel welcome, where I have a job and my dignity. Italy hasn't made me feel welcome,

By Daniela Shawki

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MADAD'S STORY

I fight to live, if I don't fight, I won't win

Meeting a refugee means being confronted with his religion too. Madad, an Afghan man, about 23, is at the desk of a phone center and internet point full of immigrants. He condemns Muslims who drink whisky or beer or find excuses not to follow Islam's rules. People around him speak about the same thing: they ask if there will be an amnesty. On the wall there are the prices for international calls. His long journey from Sochorod, a small city near Jalalabad where he was born, has stopped in Puglia. He arrived there in March 200.

Hardship and tribulation started in August 2006, when events led him to go to Europe. The first harbour he met was in Bari. Italy became the country that under Dublin Convention had to examine his asylum application. The Local Commission in Foggia refused it, but he didn't appeal. His condition, as he explains, is written on his skin; it is clear, he doesn't understand why he was denied the status. Madad is currently in a legal limbo.

How did you arrive in Italy?

Passing through Pakistan, Iran, Turkey, Greece and lastly Italy. Sometimes by bus, sometimes on foot to Iran. Then paying people who carry men, in their own way. The journey was organized, so there were routes by car, on foot, by bus and truck.

Why have you decided to leave your country?

Nobody would leave their home country. Would you leave Italy? Country means mother and nobody leaves their mother. I was going to school and was



learning English. This is why I am here. My crime has been to learn English. Some volunteers were installing pumps to pull up water from the wells and, when they arrived in my country, I was asked to talk to them, because nobody understood what they wanted to do. I was also afraid because I had already seen Talibans hitting anyone who cooperated with aliens. There was the Afghan police with them and my father told me to go out.

What happened then?

For six months they stayed there repairing the wells in Jalalabad. I came back at the end of the Ramadan, our most important holiday. Our mosques were decorated with lights and I was lighting a small petrol generator. Our mosque is old and not completely in brickwork. It has a lot of wooden parts. My friend who was with me had gone away and in that moment a cable pulled out creating short-circuit. Wicker mats and the Koran burnt. I went out to take some water and call other people. There aren't firemen in Sochorod and we could do very little with buckets. The mosque burnt completely. Immediately I was accused of working with people of other religions, of setting fire and taking money for that. They said I did it after my friend left.

A disaster, were there any consequences?

Not immediately! I said everything was false. I am a good Muslim... After about twenty days my house was raided. I thought they were thieves, as it happens in our country but then I heard shots of Kalashnikov. I was hit along with my father, my elder brother and sister. Both died in that ambush. My father was hit. I tried to escape but they hit me and I felt unconscious. Some relatives living close rescued me and the attackers escaped. I was in a coma in Jalalabad first and then in Pakistan for 40 days, where my mother brought me because in our city hospitals don't have sufficient means. I was told all these things, I cannot remember: I still have one of two bullets at the base of the neck. I have bad headaches almost every day, but doctors in Bari say that it is better not to move it, because I could become blind or deaf.

What do you think about the Talibans, about the political regime of your country?

I was a student in Afghanistan of 18 years, not interested in politics. I only wanted to go to Kabul to study and instead I had to escape. I am no longer safe in my country, so my photo and my story don't have to arrive in Afghanistan.

What does the word fundamentalism and freedom of religion mean?

I am a real Muslim. I like being a Muslim, but I like freedom too. I like being peaceful. But I would like to be free to say what I want, to do all the things I have set: I am the only person responsible for my life, I don't want orders. If there are people of other religions, well, freedom is for everyone.

Do you feel in an unfriendly country here?

Language creates very big problems. I feel alone, I often call my Afghan friend, I miss my country. People are friendly, but nobody will ever replace my house, my country. I have never heard of Puglia or Bari, only sometimes of Italy. When I arrived, I didn't have a precise destination. I didn't know if I was in Italy or in England. I only thought that Europe welcomed people coming from a country at war. We were hiding in a truck with other Albanian people. The boat had left from Greece. We were brought from the harbour in Bari to the "Temporary housing Centre" (TSC).

What don't you like about Italy?

Italian people are very good. They are more friendly than English people, who show their hostility by the way they look at you. People from Puglia are instead friendly but I don't like the TSC Police. The way they treat people. Now I don't even know if I can stay here. I don't know what to do. I can only wait.

Who helped you with paperwork and to find a place to sleep?

Firstly I was at the TSC. I had to leave Italy within 5 days. I went to France and England but then they allowed me to come back here. Abroad they welcome you in state structures, they give you money to eat, about 220 euros, and some clothes. Italian TSCs are instead barracks: you can't go out, you can't enter. It is Europe but there is a great difference between here and France and England. I have to know what to do with my life, where to find a job and a house to rent. And I would like to study too.

What would you say to politicians on refugees' condition?

Politicians know what happens in Afghanistan. Every day the news announces war report. If they grant the permit to people coming from countries without war, even more so they have to grant it to people of racked countries. I haven't left my country for pleasure, but because I was forced by the events. I am not asking for food, housing or money. I only ask to be able to stay here legally, then I will provide for myself.

Is it possible to organize a life and a job in Italy? If I will have the permit, I know how to organize my life. I want to study, step by step, with patience and fulfil myself. If anyone can really help me I thank them now. We the Afghans remain friends with anyone who behave as a friend.

But now how do you live? Do you have an employment contract? Have you attended a vocational training course?

No vocational training course! I only have to thank my friend who allows me to work in this phone-center, even if illegally. I sleep in a building provided by the Municipality of Bari but I don't know when I have to leave.

By Nicola Natale

Italians: very good people

Who was Ugo Foscolo? Who was Mazzini? Who was Pertini? Supposing that everyone knows it, how many people would remember that for their commitment they risked their life and had to exile, in other words, they were political refugees? Certainly they couldn't enjoy the protection currently provided by Geneva Convention but, luckily, there were some Countries that received them, showing human solidarity which has an unambiguous democratic connotation. But times were different.

They were accused of terrorism, there were ancestral prejudices, dramatic economic influences. Where are we today? In Italy there isn't a specific law on asylum yet. And public opinion has difficulty to rightly understand the question. The mass media in fact poses it again only during diplomatic conflicts in our country – everyone remembers the case of PKK's leader, Abdullah Ocalan – when the protagonists are the leading characters, or the spotlight is on international crisis, serious but far from us, that doesn't seem to have a direct impact on national reality.

As a consequence, the condition of anonymous refugees usually deserves neither attention nor consideration. It is not a surprise if a worldly-wise reader, as the lawmaker, has difficulty to distinguish the refugee's position from the one of immigrants and if prejudices, anxieties, misinformation, propaganda influence the real perception of the phenomenon. The common belief that these immigrants come to our country in order to save life and escape from hunger and privation, doesn't allow us to recognize the peculiarity of their condition.

On the contrary, there are others who fear the presence of terrorists and criminals among them. Many people consider them only illegal aliens who search an easy short cut on the road to legalization. It is a widespread belief that many illegal immigrants apply for asylum and thus their presence increases the competitiveness in the labour market and threatens national identity. Political speculations strengthen and promote these ideas, that otherwise would simply belong to a minority. At a time of uncertainty it is even easier to influence people .

In Italy there are about 20,000 political refugees but it is a general view that in our country there are more refugees than in the rest of Europe. Only in Germany they are 300,000 refugees! It is known that they are dissident, victims of corrupt

and bloody regimes. If on the one hand we take for granted that we have to defend the victims of terrible persecutions, to uphold and defend Human Rights where humanitarian aid is not sufficient and policies to help the third world have been found absolutely inadequate. On the other, their presence is still associated to public policy.

Almost everyone thinks that it is very important to offer legal—administrative assistance, in order to face the long and difficult bureaucratic path for the recognition of refugee status. We know that it is necessary to guarantee appropriate social integration. Yet, when it comes to offering asylum seekers free courses in Italian, granting access to work, to housing or to welfare, the situation changes and many people start considering asylum seekers opportunist scroungers who should be returned to their country of origin.

Although assistance cannot be denied, integration is really an optional. May the bad reputation of a political class influence their image of political dissidents? Surely none of us, in their condition, would like to risk being returned to our country or arrested for illegal immigration. Who would be sure to have chosen the right Country to change life? Yet human rights are denied both in the Countries of origin and in the host countries. The violations of human rights here are different, but not less serious because a strict and consistent implementation of the Universal Declaration of Human Rights on freedom of migration represents the only real solution to the problem. The situation, however, is not easy and, even in the so called progressive areas, we don't realize that excessive bureaucracy to the access to rights always becomes a hateful and hypocritical restriction of these rights and, worst, represents the most underhand justification of their violation. But this short-sightedness concerns all aspects of social life in our Country, developing huge, powerful but irresponsible, bureaucratic systems that constitute the real big problem of governance and democracy.

Against this discouraging backdrop, we have to focus the question on its inevitable aspects. From April 21st, 2005, we expect to receive asylum seekers at Identification Centres until they receive the decision of the Commission. In the worst scenario , with a negative response , they are simply released with the injunction of leaving the Country within five days. Those who receive a positive response can have access to a protection and second-level system and follow their course of autonomy. Because of speed-up of application analysis procedures, this means that once they have a valid residence permit, refugees

are abandoned to themselves, without knowing the language or having any services guidance! And how many people succeed in finding a legal job, once they have access to work, in this illegal and corrupt market? It is clear that assistance should be granted until they reach real autonomy.

Regrettably many people think that reception policies are a burden for public expenditure and are strongly against this position. So, they want integration but free of costs, matching minimalist statement of principles with their systematic refusal at practical level. An example? The proximity of an Identification Centre has never created particular reactions because it can actually represent even a modest resource for a territory. But if integration doesn't have direct advantages to the host community, xenophobia emerges in its sharpness: we can see the reactions caused by the opening of new temples.

Is it a chance? Even if freedom of religion is undoubtedly guaranteed by Italian Constitution and widely observed by the existing European legislation and claimed by the Universal Declaration of Human Rights, recently, in Genoa, the local daily newspaper launched a survey among readers to discover if they are in favour of the opening of a Mosque. Would they have been equally courageous if it had been a trade union office?

Is the possible violation of the law questionable?

By Alberto Buttagliari
(Sos Razzismo Italia)

The Inclusion Refugees Network project was created within the European initiative, Equal II phase. The project is part of the transnational working group Concentus, along with other projects, such as Aspire (UK), Bridge (Germany), Miedzkulturowe Centrum Adaptacji Zawodowej (Poland).

Inclusion Refugees Network's partners are:

FICT Federazione Italiana Comunità terapeutiche (leader)

Co.Ge.S Coop. Soc. (Venice)

Centro di Solidarietà L'Orizzonte (Parma)

Comune di Parma (Servizio front-office)

Centro di solidarietà L'Ancora (Sanremo)

Associazione La famiglia (Gravina, Bari)

Associazione Centro Le Ali (Caserta)

Onlus Nova, Consorzio Nazionale per l'innovazione sociale

Associazione Artway of thinking (Venice)

UIL of Rome and Lazio

Building sites

There is such a fog
That we cannot see where the building site
begins.

Each team, in the dark,
Has finalized their arch,
And then they disappear, perhaps, in the place
from which they came.

And work continues.
But they don't know where the bridge leans on
the ground

- and they fear that it may fall down earlier -
Or they don't understand what it is for.

But the song of workers
is an industrious noise
that fills the space
and the hard work makes them brothers.

A.B.

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Graphic project: Maurizio Ercole

Layout: NDesign - Digital Communication

Photos: Giorgio Bombieri, Associazione SOS Razzismo

This newsletter can be downloaded at the following
web address: [www.erfaplazio.org/progetti/
progetto_equal_refugees.html](http://www.erfaplazio.org/progetti/progetto_equal_refugees.html)