



***"REDUCING CHILDHOOD
STATELESSNESS THROUGH
PARALEGAL PROJECTS:
THE EXPERIENCE IN ITALY"***

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"OUT OF LIMBO" PROJECT

Problem: estimated 15,000 stateless or at risk of statelessness Roma children born in Italy to parents originating from the Balkans

Objective: to promote the access of undocumented and stateless Roma people in Italy to a legal status by:

1. strengthening the legal competences and advocacy capacity of Roma and non Roma practitioners working with Roma communities and their links with expert lawyers, so that they can play the role of "community-based paralegals"
2. building a national network of "community-based paralegals"
3. promoting strategic litigations
4. promoting evidence-based advocacy

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ACTIVITIES WITH PARALEGALS

1. **Selection** of potential paralegals:

- 16 people working with Roma communities (professionals or volunteers; 3 Roma), selected through a national call
- 14 Roma activists selected by Fondazione Romani and Associazione 21 luglio

2. **Training** of paralegals: 2 residential workshops

3. **Support to individual documentation cases:** each paralegal supports 1-3 undocumented/stateless persons, in cooperation with a lawyer :

- Collection of information
- Identification of the best strategy to promote access to a legal status
- Accompanying the undocumented/stateless person to public offices
- Collection of documentation for applications
- Advocacy on local authorities
- If necessary: report to the lawyer for litigation



First **results**:

- ✓ 3 undocumented youth born in Italy, stateless or at risk of statelessness, acquired Italian citizenship
- ✓ 3 individuals got residence permits on humanitarian basis
- ✓ Other cases still pending (including recognition of Italian nationality for children of stateless parents)

Valeria case: girl born in Italy to Bosnian parents, not registered with the Bosnian Consulate, no documents except for birth certificate:

- residence permit
- residence registration > advocacy on Municipality
- collection of documentation to prove her presence in Italy from birth to 18
- application for Italian citizenship
- probably denied > litigation

4. **Strategic litigations** based on cases supported by the paralegals

5. **Advocacy** at national level



SOME CONSIDERATIONS ON THE IMPACT OF PARALEGALS

1. **Effective in individual documentation cases:**

- able to carry out activities that require legal competences but not necessarily a lawyer
- less expensive and more accessible than lawyers
- deep knowledge of the people they serve and trust relationship > collect more information (family and social context etc.) than lawyers
- cooperation with lawyers who can engage in litigation when necessary

2. Paralegals help marginalized people to become aware of their rights and access lawyers (social media, community meetings...)

> Identification and protection of **persons that otherwise would not emerge**

3. Paralegals seek solutions not only for individuals but also for communities

> Identification of cases for **strategic litigation** (incubators?)



4. Better **understanding of the problems and advocacy priorities**

E.g. main focus of ASGI's advocacy changed from statelessness determination to prevention of statelessness and acquisition of Italian citizenship by youth born in Italy

6. **Evidence based advocacy**: documenting the negative impact of the lack of a legal identity, problems met and possible solutions in real individual cases strengthens advocacy

7. **Participation and empowerment of marginalized minority**:

- experience the possibility to ensure rights thanks to knowledge
- Roma and non Roma paralegals as colleagues on an equal basis
- role model for Roma communities and majority society

Final report of OUT OF LIMBO (with pictures by Greg Constantine) and executive summary in English soon available on: www.asgi.it



