

Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014)

[Migration for Employment Convention \(Revised\), 1949 \(No. 97\)](#) - *Italy* (Ratification: 1952)

Article 1(c) of the Convention. Information on general agreements and special arrangements. The Committee notes the agreements with the Governments of Moldova and Sri Lanka as well as the Memorandum of Understanding with the Government of Albania. The Committee further notes that in application of these agreements, four local coordinating offices of the Ministry of Labour and Social Policies have been established (in Albania, Egypt, Moldova and Sri Lanka); departure training courses in Italian language and culture have been provided in Albania and Moldova; and technical assistance activities concerning management of migration flows have been commenced in Albania, Moldova and Sri Lanka as well as projects aimed at mitigating the negative effects of migration on children and families in their home countries. The Government further indicates that an agreement on circular migration was being negotiated with Mauritius and that the agreement with Morocco was being renegotiated. ***The Committee requests the Government to continue to provide information on the agreements adopted as well as on their implementation.***

Article 8. Maintenance of residence in the event of incapacity for work. The Committee notes the adoption of Decree Law No. 89/2011 which completes the implementation of Directive 2004/38/EC on the right of citizens of the European Union (EU) to move and reside freely and transposes Directive 2008/115/EC on returning illegally staying third-country nationals. The Committee notes that section 21 of the Decree provides that any recourse to the social welfare system by EU citizens or their family members shall not automatically constitute a ground for removal, but shall be assessed on a case-by-case basis. ***The Committee requests the Government to provide information on the practical application of this provision with respect to European Union citizens or their family members and to indicate whether third country nationals who have been admitted on a permanent basis and the members of their family who have been authorized to accompany or join them maintain their right of residence in the case of incapacity for work.***

The Committee also refers to its comments formulated under the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).