



CAMMINO DIRITTO

Rivista di informazione giuridica



IUS SOLI SPORTIVO: THE BILL, THAT ALLOWS FOREIGN YOUNG PEOPLE IN SPORTS CLUB, HAS BECOME LAW.

A recent law about the acquisition of the sport citizenship: expunged the obstacles to the enrollment of foreign young people in sports club.

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PUBBLICO - IMMIGRAZIONE
Articolo divulgativo - ISSN 2421-7123

Publicato, Venerdì 22 Luglio 2016

January 14th 2016: with the vote of the Senate (215 yes, 6 no and 2 abstained), the Bill about the “*Dispositions to support the social integration of foreign young people who live in Italy, through the admission in sports club belonging to the National Federation, to associate disciplines or to the institutions of sport promotion*” was approved.

The Bill, which became law on February 16th 2016, recognised the so-called *ius soli sportivo*, that is the possibility for foreign young people who live in Italy and have turned 10 years old, to be signed up by the sports Federations **with the same procedures adopted for Italian people**. In this way, there is the probability to eliminate all those red tapes that so far have impeded the signing up to foreign young people, who were guilty only of having the desire to change their passion from recreational state to a competitive one.

The simplified *iter* was already followed by some “virtuous” associations, such as the *Federation of tracks and field*, the *Federation of boxing* and the *Association of field hockey*, which for a long time have been signing up young people on the basis of the period in which they have lived in Italy.

Even though this legislative news should be evaluated positively, there are still some patchy aspects, as the *Association for Juridical Studies on Immigration* supports, that are:

- the regulation can be applied to foreign young people who live in Italy at least **by after having turned 10 years old**. This restriction is due to the hypothesis that these little children are not implicated in the so-called “illegal traffic of footballer”; a phenomenon that involves minor, in particular African people, who pay fake attorneys

thousands of euro to realize the dream of becoming a star of the European football. The Foot Solidaire Association has evaluated that at least 15 thousands of children a year are involved in this trafficking. However, with the new Italian regulation, the access to the simplified procedures is blocked for quite a few of foreign young people, whose equality of rights with Italian young people is ratified at international level by *UN Convention on the Rights of the Child*;

- it is necessary that the child “*reside regularly*”, which, if interpreted in a restrictive way, can imply that the person have a regular residency permit and he/she is signed up in the civil registry. In this way, all foreign young people who have not these requirements would be excluded from the enrollment – even if they have been living in Italy for a long period and even though they are not responsible for the lack of such requirements. Indeed, as the *Unified Code on Immigration* states (in conformance with *UN Convention on the Rights of the Child*), the minor **can never be considered as an illegal immigrant**, regardless of the situation of his/her parents;
- the Art. 27 comma 5 bis of the *Unified Code on Immigration* has not been subject of reform, that allows each Federation to define “*general parameters of enrollment assignment*” for the sport paid service, so as to preserve young nurseries. The risk may be the possibility, for each Federation, to establish internal rules able to facilitate young people also with respect to foreigners who live in Italy before they have turned 10 years old.

There is another limit that refers to the access at the *National Football Team*: in order to allow the convocation of foreign young people as well, it would be necessary a real regulation about the *ius soli*, not only *sportivo*, because the citizenship has been fixed as a requirement by FIFA (*International Federation of Association Football*). So, in order to put on the blue Italian sweater, foreign young people have to await until the release of the so much desired citizenship that follows the turning of 18 years old, but only if they are born in Italy. Other European countries have already worked in an opposite sense, for example in **Germany** the citizenship is recognised also to those children whose parents have the permanent residency permit; instead in **Belgium**, it is recognised to the child who is 12 years old, in case his/her parents have been living there almost ten years.

It is possible to declare that the recognition of the **sport citizenship** permits to do a progress in fighting racism and young people, at least in sport, have the chance to overcome barriers or limitations, even if the real keystone should be found in the approval of a new law about the acquisition of Italian citizenship.