



Decentring the Study of Migrant  
Returns and Return Policies

# Legal and Policy Infrastructures of Returns in Italy

Country Snapshot

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## List of Abbreviations

AMIF	Asylum, Migration and Integration Fund
AR	Assisted Return
AVR	Assisted voluntary return
AVRR	Assisted Voluntary Return and Reintegration
CIE	Centres for Identification and Expulsion
CPTA	Centres for Temporary Stay and Assistance
DEPMI	La Dimensione Esterna della Politica di Migrazione Italiana
ECHR	European Court of Human Rights
EMN	European Migration Network
EU	The European Union
EURAs	EU's Readmission Agreements
FRONTEX	The European Border and Coast Guard Agency
IOM	International Organization for Migration
MoI	Ministry of the Interior
NAR	Non- Assisted Return
NGO	Non-governmental organisation
OECD	Organisation for Economic Cooperation and Development
OTL	Order to Leave
PSASR	Protection System for Asylum Seekers and Refugees
TCN	The Third-Country National
UNHCR	The United Nations High Commissioner for Refugees

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## Summary

Work Package 2 (WP2) of the GAPs Project, “Legal and Policy Frameworks of Returns in the EU”, focuses on the legal, institutional and policy frameworks regarding the return and readmission policies at the European Union (EU) level and in the five selected EU member consortium countries (Sweden, Poland, Germany, Greece, and Netherlands) as well as the related gaps. In addition, three country snapshots of the non-consortium EU Member States (Italy, France, and Hungary) are provided.

This snapshot of Italy provides an in-depth examination of the legal, institutional, and policy frameworks governing migrant returns and readmissions in Italy. The snapshot contextualises Italy’s position as a primary entry point for migrants in the Mediterranean, driven by migratory pressures from North Africa and the Middle East. Over recent decades, Italy’s approach to migration management has evolved in response to changing patterns, domestic politics, and international pressures. Italy’s migration policy has undergone significant transformations since the 1990s. Key legislative milestones include:

- **1990s- Foundation of Modern Migration Policy:** The foundation of modern migration policy began with the Turco-Napolitano Law (1998), focusing on controlling irregular immigration and establishing detention centres for migrants.
- **2000s- Strengthening Legal Frameworks and the European Union Alignment:** The Bossi-Fini Law (2002) introduced stricter immigration controls, linking residence permits to employment. This period also saw the alignment of Italy’s policies with the EU standards, including the implementation of the European Return Directive (2008/115/EC).
- **2010s- Responding to the Migration Crisis:** Italy faced unprecedented migratory pressures due to conflicts in the Middle East and North Africa, leading to legislative measures like the Minniti-Orlando Decree (2017) to expedite asylum procedures and enhance deportations. Bilateral agreements with North African countries, particularly Libya, were crucial during this period.
- **2020s and Present- Multiple Challenges and Return Focus:** Recent developments include the Salvini Decrees (2018-2019), which tightened migration control and abolished humanitarian protection status, extending detention periods to facilitate deportations.

Italy’s return and readmission policy involves multiple institutional actors, including the Ministry of the Interior, the Central Directorate of Immigration and the Border Police. These entities coordinate various aspects of the return process, from planning and monitoring to executing deportations and managing detention centres.

International cooperation plays a pivotal role in Italy’s return policy. Italy has established numerous bilateral agreements with countries of origin and transit to facilitate readmissions. The collaboration with those countries, although controversial due to human rights concerns, has been instrumental in controlling irregular migration flows. Italy’s return policy has faced significant human rights scrutiny, particularly concerning its agreements with Libya. The European Court of Human Rights ruling in “Hirsi Jamaa and Others v. Italy” (2012) underscored the state’s obligations to protect individuals from refoulement and highlighted the challenges Italy faces in balancing migration control with human rights commitments.

In conclusion, Italy’s return and readmission policy reflects a complex interplay of legislative developments, institutional coordination, and international cooperation shaped by the country’s strategic geographic position and the broader European context. The snapshot underscores the ongoing challenges and evolving nature of migration management in Italy.

**Keywords:** Return policy, readmission policy, Italy, migrant returns, migration management

## The GAPs Project

GAPs is a Horizon Europe project that aims to conduct a comprehensive multidisciplinary study on the drivers of return policies and the barriers and enablers of international cooperation on return migration. The project aims to examine the disconnects and discrepancies between expectations of return policies and their actual outcomes by decentring the dominant, one-sided understanding of “return policy-making”. To this end, GAPs:

- Examines the shortcomings of the EU’s return governance;
- Analyses enablers and barriers to international cooperation and;
- Explores the perspectives of migrants themselves to understand their knowledge, aspirations and experiences with return policies.

GAPs combines its decentring approach with three innovative concepts:

- A focus on return migration infrastructures, which allows the project to analyse governance fissures;
- An analysis of return migration diplomacy to understand how relations between EU MSs and third countries hinder cooperation on return and;
- A trajectory approach that uses a socio-spatial and temporal lens to understand migrant agency.

GAPs is a three-year interdisciplinary project (2023–2026) coordinated by Uppsala University and the Bonn International Centre for Conflict Studies with 17 partners in 12 countries on four continents. The 12 countries in which fieldwork has been conducted are Sweden, Nigeria, Germany, Morocco, the Netherlands, Afghanistan, Poland, Georgia, Türkiye, Tunisia, Greece and Iraq.

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## 1. Introduction

Italy's strategic position in the Mediterranean has made it a central entry point for migrants and asylum seekers aiming to reach Europe. Over the past decades, Italy has faced significant migratory movements, particularly from North Africa and the Middle East. These changing migratory patterns, domestic political dynamics, and international pressures have prompted the development of comprehensive migration policies, including various mechanisms, procedures and practices for returning migrants to their countries of origin or transit.

This snapshot highlights the critical turning points and current practices in Italy's return and readmission policy. The snapshot approaches Italy's selected policy in this framework by tracing the most recent relevant statistical figures, evaluating the migration return policy through key legislative and policy changes (policy framework), and mapping the legal and institutional framework and international cooperation.

## 2. Statistical Overview

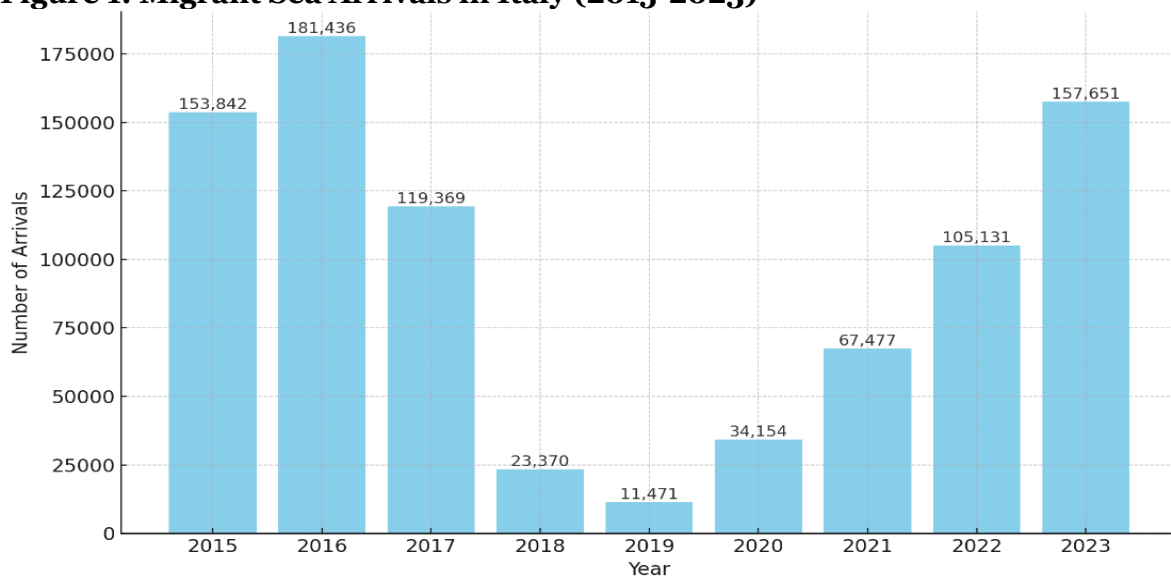
This part delves into the quantitative dimensions of Italy's return and readmission policy, a critical component of the country's immigration management strategy. The statistical analysis presented herein provides a comprehensive overview of the trends and outcomes associated with these policies, highlighting the shifts in approach and their impacts on migration patterns.

### 2.1. Sea Arrivals

In 2023, 157,651 refugees and migrants reached Italy via sea in 3,592 separate landings, marking the fourth consecutive year of increasing arrivals and a 50 per cent rise compared to the previous year.

Notably, 2023 ranked as the third-highest year for sea arrivals since 1998, following 2014 (170,100) and 2016 (181,436) peaks. To respond to the situation, the Government of Italy declared a state of emergency in April 2023 and expanded its reception capacity.

**Figure 1: Migrant Sea Arrivals in Italy (2015-2023)**



**Source:** [UNHCR Operational Data Portal, Mediterranean Situation, Italy Sea Arrivals](#)



The majority of the sea crossings (62%) departed from Tunisia (97,667 persons; 2,796 disembarkations), followed by 33% from Libya (51,986 persons; 652 disembarkations), 5% from Türkiye (7,153 persons; 92 disembarkations).

In 2023, 62 different nationalities were registered by Italian authorities at disembarkation sites, with the top five countries of origin being Guinea (12%), Tunisia (11%), Cote d'Ivoire (10%), Bangladesh (8%) and Egypt (7%). In 2023, most West African nationals reached Italy from Tunisia (Tunisians accounting for only 18% of the departures from that country), while Asians and North and East African nationals typically crossed the Central Mediterranean from Libya. On the Libya-sea route, the top five countries of origin were Bangladesh, Egypt, the Syrian Arab Republic, Pakistan, and Eritrea, with Asian nationals and Syrians mostly travelling to Libya via air through Benghazi and moving onwards to Tripolitania for embarkation. On the Türkiye-Italy route, the main nationalities were Afghan, Iranian, Iraqi and Pakistani.

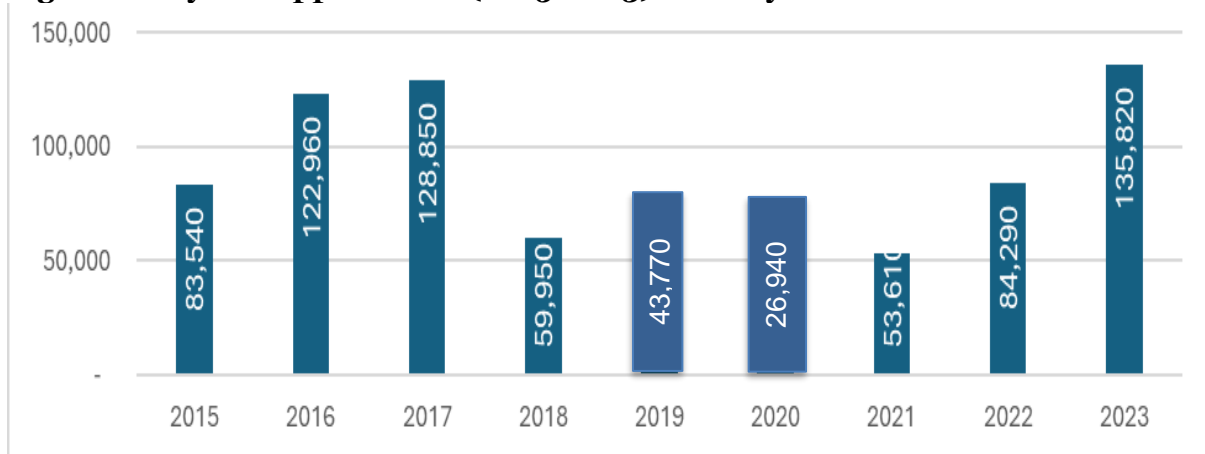
**Table 1: Italy Sea Arrivals based on Nationality (2020-2023)**

Year	Top 3 country of embarkation	Number of migrants arrived in Italy	Top 3 nationalities
2020	Tunisia	14.568	Tunisia, Côte d'Ivoire, Guinea
2020	Libya	13.012	Bangladesh, Sudan, Morocco
2020	Turkey	4.190	Pakistan, Afghanistan, Iraq
2021	Tunisia	31.556	Tunisia, Côte d'Ivoire, Guinea
2021	Libya	20.218	Bangladesh, Egypt, Eritrea
2021	Turkey	12.916	Iran, Iraq, Afghanistan
2022	Tunisia	32.371	Tunisia, Côte d'Ivoire, Guinea
2022	Libya	53.310	Egypt, Bangladesh, Syria
2022	Turkey	16.205	Afghanistan, Iran, Egypt
2023	Tunisia	97.667	Guinea, Tunisia, Côte d'Ivoire
2023	Libya	51.986	Bangladesh, Egypt, Syria
2023	Turkey	7.153	Afghanistan, Iran, Iraq

Source: Italy Sea Arrivals Dashboard, [Dec 2023](#), [Dec 2022](#), [Dec 2021](#), [Dec 2020](#)

## 2.2. Asylum Applications

The trend in asylum applications from 2015 to 2023 exhibits notable fluctuations, with a peak in 2017 (128,850 applications) followed by a sharp decrease until 2020. However, there has been a rebound from 2021 onwards, culminating in 135,820 applications in 2023. This increase reflects the growing numbers of arrivals and the complex geopolitical situations, especially in Libya, Tunisia and Türkiye. The data indicates a heightened demand for international protection in Italy, underscoring the ongoing challenges in migration management and the necessity for robust asylum systems.

**Figure 2: Asylum Applications (2015-2023) for Italy**

Source: Eurostat, [Asylum applicants annual aggregated data](#), 8 March 2024

### 2.3. General Data on Irregular Migration

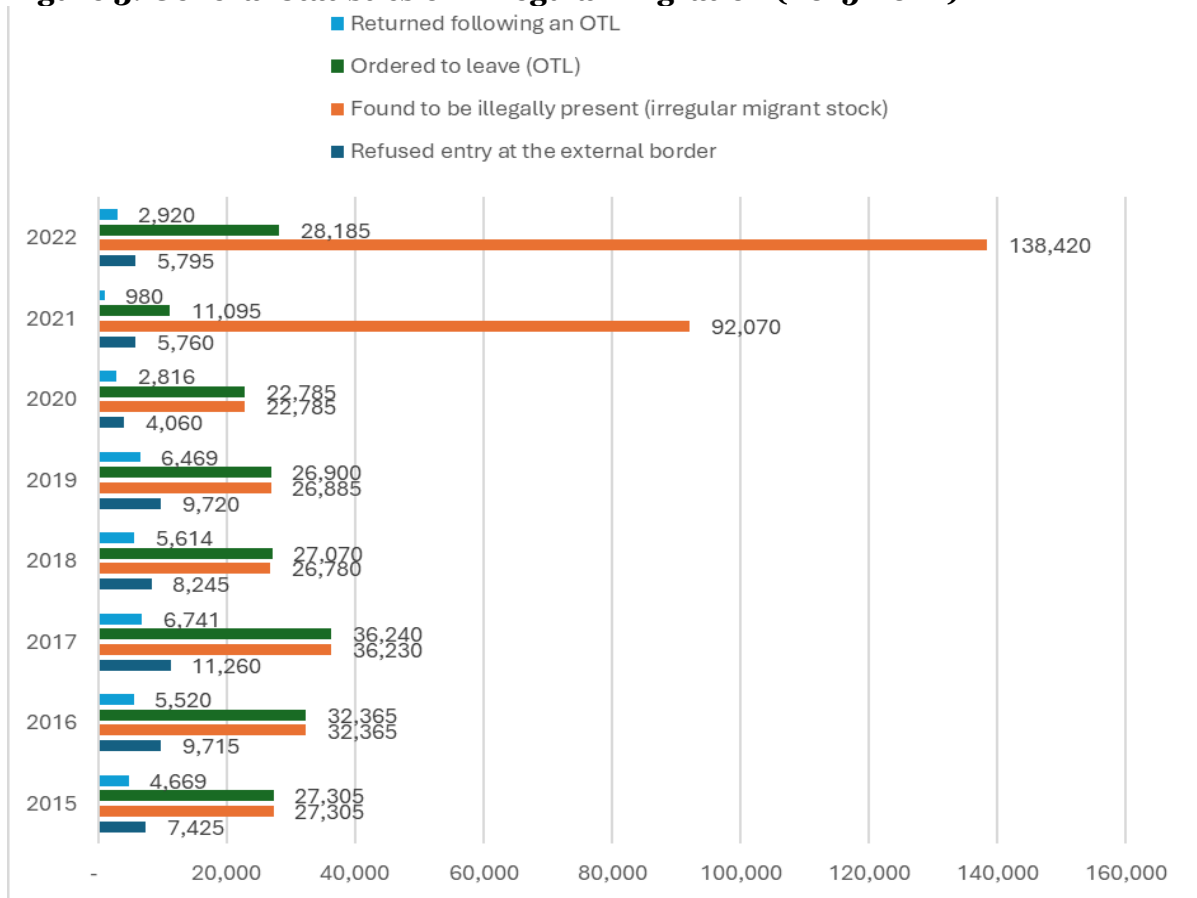
The number of third-country nationals (TCNs) refused entry at Italy’s external borders showed some variation, with a noticeable peak in 2017 (11,260). After 2017, the figures fluctuated slightly but remained below the peak, with 2022 witnessing 5,795 refusals, a modest increase from the previous year (2021: 5,760).

The stock of TCNs found to be illegally present in Italy saw a significant increase over the period, particularly notable between 2020 (22,785) and 2021 (92,070), more than quadrupling. This upward trend continued into 2022, reaching 138,420, marking the highest level in the observed period.

The number of “Order to Leave (OTL)” is issued followed a generally increasing trend, with a dip in 2020 (22,785) before a sharp decrease in OTL issuance in 2021 (11,095). However, there was a dramatic increase in OTLs in 2022 (28,185), indicating a more aggressive stance on ordering irregular migrants to leave.

Conversely, the number of TCNs returned following an OTL remained significantly lower than the number of OTLs issued, indicating a gap in the enforcement or execution of these orders. For example, in 2022, 2,920 individuals were returned following an OTL, which is a small fraction of the total OTLs issued that year (28,185).

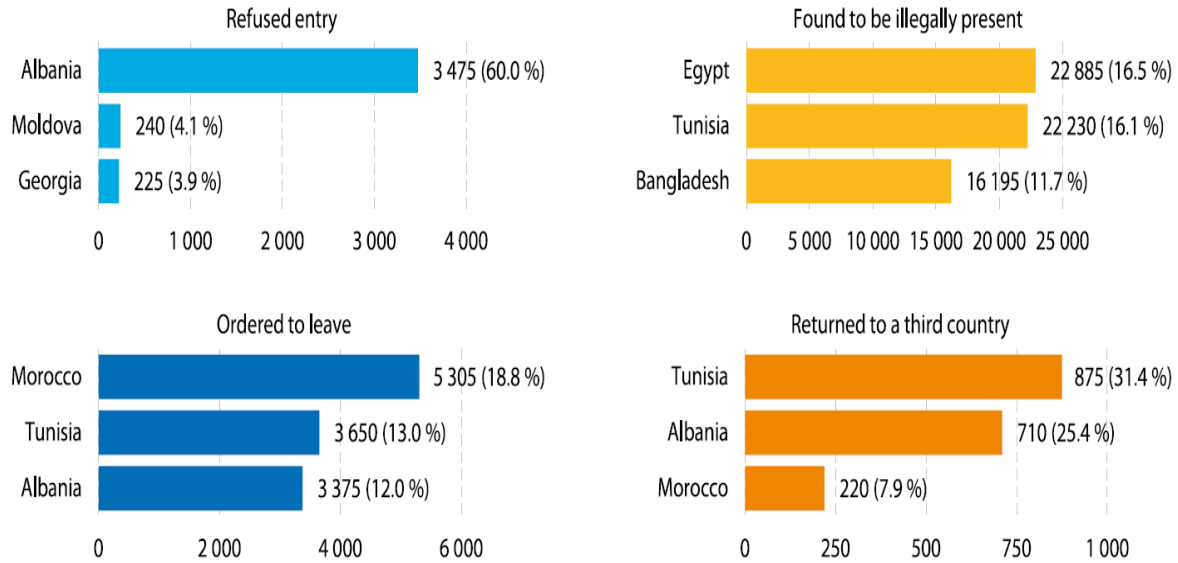
The number of forced returns generally showed a slight upward trend, with occasional fluctuations. The highest number of forced returns within the period was in 2019 (6,035), with a slight decrease observed in the following years. In 2023, there were 3,270 forced returns, which is higher than the figures for 2020 and 2021 but still below the peak.

**Figure 3: General Statistics on Irregular Migration (2015-2022)**

**Source:** Eurostat, [Enforcement of Immigration Legislation Data](#) (8 March 2024)

The following figure displays several key statistics related to migration enforcement in Italy. It provides data on four categories: refused entry, ordered to leave, found to be illegally present, and returned to a third country. Figure 4 illustrates the migration enforcement actions taken by Italy, highlighting the countries with the most significant numbers in each category. Albania, Tunisia, and Morocco are frequently mentioned across multiple categories, indicating that individuals from these countries are prominently affected by these enforcement measures.

**Figure 4: Top 3 countries of citizenship of third-country nationals subject to immigration law enforcement, 2022 Absolute numbers (and the shares in the respective totals)**



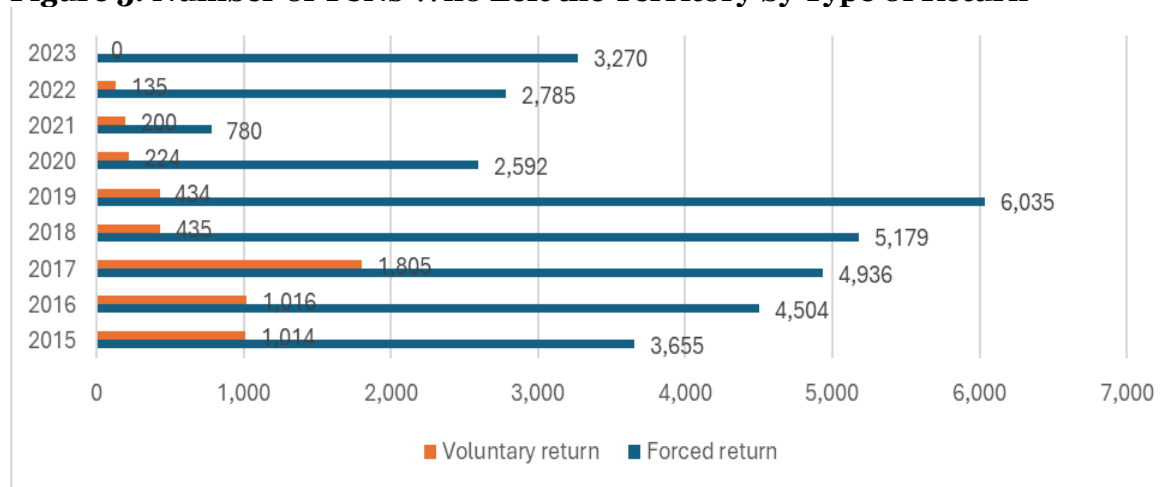
**Source:** Eurostat. (2022). Italy EMN Country Factsheet. Available at: [https://www.emnitalyncp.it/wp-content/uploads/2023/09/EMN\\_Factsheets2022\\_IT\\_o.pdf](https://www.emnitalyncp.it/wp-content/uploads/2023/09/EMN_Factsheets2022_IT_o.pdf) (p. 16) (Accessed 4 April 2024).

## 2.4. Forced vs. Voluntary Returns

Voluntary returns have varied significantly over the years, reaching a peak in 2017 (1,805) before dropping to notably low levels in subsequent years, culminating in no voluntary returns recorded in 2023.

This drastic reduction in voluntary returns over the years suggests a shift in the dynamics of return migration, with fewer migrants opting for or being able to take this route.

**Figure 5: Number of TCNs Who Left the Territory by Type of Return**

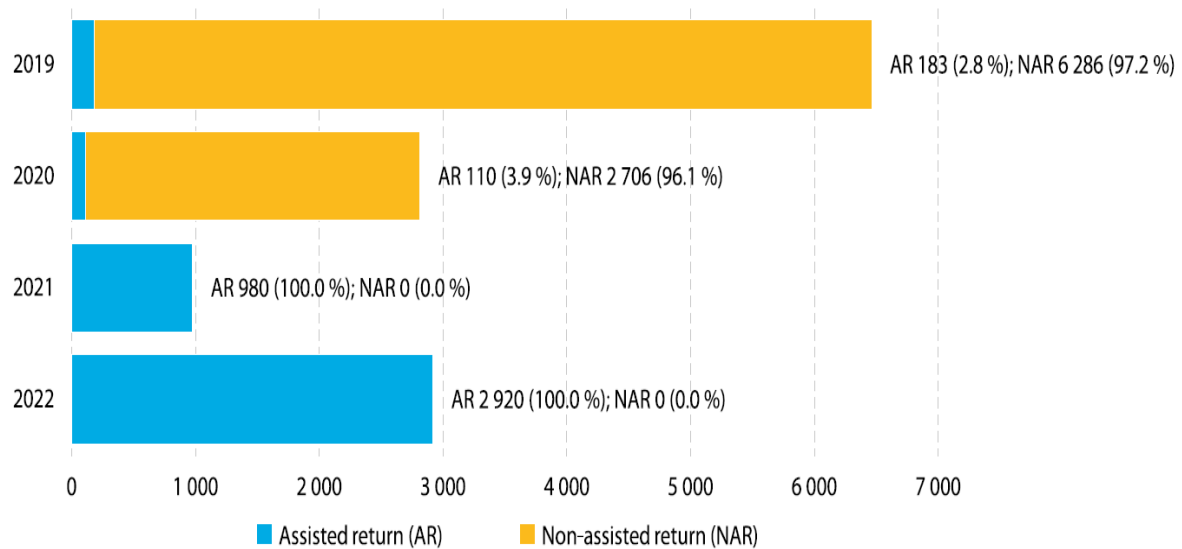


**Source:** Eurostat, [Enforcement of Immigration Legislation Data](#) (8 March 2024)

Figure 5 illustrates the number of third-country nationals who left Italy between 2019 and 2022, categorised by the assistance they received during their return. Assisted Return (AR)

and Non-Assisted Return (NAR) are the two types of returns presented. The figure demonstrates a transition in Italy's return policy from predominantly non-assisted returns in 2019 and 2020 to exclusively assisted returns in 2021 and 2022. This shift reflects an increased emphasis on providing support to migrants during the return process, potentially indicating changes in policy priorities, enhanced collaboration with international organisations like the International Organization for Migration (IOM), and greater allocation of resources to assist returning migrants.

**Figure 6: Third-country nationals who left the territory, by type of assistance received, 2019–2022 Absolute number (and the share within the total)**



**Source:** Eurostat. (2022). Italy EMN Country Factsheet. Available at: [https://www.emnitalyncp.it/wp-content/uploads/2023/09/EMN\\_Factsheets2022\\_IT\\_o.pdf](https://www.emnitalyncp.it/wp-content/uploads/2023/09/EMN_Factsheets2022_IT_o.pdf) (p. 16) (Accessed 4 April 2024).

## 3. Policy and Legal Framework

### 3.1. Policy Developments (1990s-2023)

Over the past three decades, Italy has undergone significant transformations in its approach to managing migration, particularly concerning the return and readmission of irregular migrants. This timeline offers a comprehensive overview of the key legislative measures, bilateral agreements, and policy shifts that have shaped Italy's return and readmission framework from 1990 to the present. The timeline highlights Italy's evolving strategies in response to changing migration patterns, international obligations, and domestic political dynamics by chronicling these developments.

#### 3.1.1. The 1990s: Foundation of Modern Migration Policy

The early 1990s marked the beginning of substantial legislative efforts to manage immigration in Italy. The Martelli Law (Law No. 39, 1990)<sup>1</sup> was one of the first comprehensive migration laws, introducing measures to regulate immigration and establishing the basis for asylum procedures. The Law also set the stage for return policies by addressing the need for legal and

<sup>1</sup> LEGGE 28 Febbraio 1990, N. 39, Available at: <https://www.gazzettaufficiale.it/eli/id/1990/02/28/090G0075/sg> (Accessed 1 April 2024).

administrative mechanisms to deport irregular migrants. In 1998, the Turco-Napolitano law (Law No. 40/1998)<sup>2</sup> became the main guideline for public policy on migration in Italy regarding programming migratory flows, tackling illegal immigration, and promoting a broad series of rights for integrating regular migrants.

In 1997, the Dublin System, also known as the Dublin Regulation, started for Italy by implementing the Dublin Convention<sup>3</sup> (signed in 1990, came into force in 1997) in 1997, then updated with the Dublin Regulation<sup>4</sup>. It was designed to determine which European Union (EU) Member State (MS) is responsible for examining an application for asylum seekers has significant implications for Italy, particularly in the context of returns. Once an asylum seeker is transferred to Italy under the Dublin Regulation, Italy is responsible for processing the application and, if necessary, arranging for the individual's return to their country of origin. This includes cases where the asylum claim is rejected or the individual does not qualify for international protection.

In this period, Italy's external migration policy focused on the most critical source, transit or border countries. In this framework, the first readmission agreements<sup>5</sup> are signed with main source countries. 1997 Readmission Agreement: Italy and Albania signed a Readmission Agreement in 1997, with Italy returning approximately 44% of Albanians ordered to leave.<sup>6</sup> Regarding readmission and return, the first agreement (Exchange of notes between Italy and Tunisia concerning the entry and readmission of persons in an irregular situation)<sup>7</sup> with Tunisia was established in 1998, regulating entries and implementing return and readmission procedures for irregular migrants. This political document established a framework to regulate entries and implement return and readmission procedures for irregular migrants. Italy offered preferential treatment for Tunisian nationals regarding annual entry quotas.<sup>8</sup> Italy provided technical and financial assistance to support Tunisia's efforts against irregular migration and funded the creation of detention centres in Tunisia. In exchange, annual quotas for regular entry of Tunisian workers into Italy were established. Italy and Morocco also signed

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<sup>2</sup>LEGGE 6 Marzo 1998, N. 40, Available at: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1998:40> (Accessed 1 April 2024).

<sup>3</sup> Signed in 1990 and came into force in 1997. No longer valid, replaced by the Council Regulation (EC) No 343/2003 of 18 February 2003, then by the Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013.

<sup>4</sup> The Dublin Regulation has undergone several revisions. The original Dublin Convention was replaced by the Dublin II Regulation in 2003 and later by the Dublin III Regulation in 2013, which is currently in force. Dublin III/ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast), Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R0604> (Accessed 4 March 2024).

<sup>5</sup> To excess the official text of those agreements are not available however, the full list of the agreements are provided as a part of Annex III and IV. The New Pact on Migration and Asylum introduces reforms to the Dublin System aimed at improving efficiency and fairness. It includes a solidarity mechanism to redistribute asylum seekers more equitably across EU Member States and streamline return procedures.

<sup>6</sup> Iole Fontana, Matilde Rosina and Sahizer Samuk Carignani, 2022, "La Dimensione Esterna della Politica di Migrazione Italiana (DEPMI)", *The Siracusa International Institute for Criminal Justice and Human Rights*, Available at: [https://www.esteri.it/wp-content/uploads/2022/11/The-Siracusa-Institute\\_DEPMI.pdf](https://www.esteri.it/wp-content/uploads/2022/11/The-Siracusa-Institute_DEPMI.pdf) (Accessed 1 February 2024), p. 25.

<sup>7</sup> Scambio Di Note Concernente L'ingresso e la Riammissione Delle Persone in Posizione Irregolare

<sup>8</sup> Fontana et al., 2022, p. 50.

a Readmission Agreement<sup>9</sup> in 1998, which included provisions for the readmission of irregular migrants.<sup>10</sup>

In terms of return policies, the participation of Italy in the Schengen System in 1997 is also important due to the abolishment of the internal borders and the specific return provisions of Article 23, paragraphs 3&4 of the Schengen Agreement.<sup>11</sup>

### 3.1.2. The 2000s: Strengthening Legal Frameworks and the European Union Alignment

Intensification of agreements, particularly with North African countries, focusing on combating irregular migration was important for this period, along with implementing EU directives and intensifying bilateral agreements with North African countries, notably Libya, focusing on migration control.<sup>12</sup> The turn of the millennium saw Italy aligning its migration policies with the EU standards while tightening migration controls. The Bossi-Fini Law (Law No. 189/ 2002)<sup>13</sup> tightened immigration controls and introduced stringent measures to deport irregular migrants, linking residence permits to employment contracts. This Law can be seen as a partial revision of the Turco-Napolitano Law (1998) in terms of controlling irregular immigration with measures to limit the possibilities of entrance into Italy, criminalisation of irregular migrants and introduction of the Centres<sup>14</sup> for Identification and Expulsion (CIE).<sup>15</sup> Italy also created the European Return Directive (2008/115/EC)<sup>16</sup> to harmonise return procedures across the EU MSs during this period. This directive emphasised voluntary return as a priority while ensuring humane treatment for all returnees.

This period mainly refers to stricter controls and bilateral agreements with the source countries. The external dimension of the return policy continued in this decade with several critical bilateral agreements, cooperation documents, and a memorandum of understanding. In 2000, the Italy-Algeria Readmission Agreement was signed and entered into force in 2008; Italy and Pakistan adopted an Agreement for the Readmission of migrants in irregular positions in 2000, which became operative despite the lack of a formal signature by Pakistan; the Migration Agreement was signed between Italy and Nigeria and entered into force in 2011;

<sup>9</sup> Agreement on expulsion of citizens and transit for removal (*Accordo sull'espulsione dei cittadini e sul transito per allontanamento*).

<sup>10</sup> Ibid., p. 123.

<sup>11</sup> EMN, 2022, Return Migration in Italy Report, Available at: [https://home-affairs.ec.europa.eu/system/files/2020-09/7a\\_it\\_emn\\_ncp\\_return\\_country\\_study\\_finalen\\_version\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2020-09/7a_it_emn_ncp_return_country_study_finalen_version_en.pdf), p. 25 (Accessed 3 March 2024).

<sup>12</sup> Ibid., p. 5-6.

<sup>13</sup> LEGGE 30 Luglio 2002, N. 189, Available at: <https://www.gazzettaufficiale.it/eli/id/2002/08/26/002G0219/sg> (Accessed 4 March 2024).

<sup>14</sup> Centres for Temporary Stay and Assistance (CPTAs), established by Law No. 40/1998, for detaining irregular migrants pending expulsion, were renamed Centres for Identification and Expulsion (CIEs) by Law No. 189/2002 and later, Law No. 46/2017 renamed them as Detention Centres for Repatriation (CPRs), extending detention from 30 to 90 days, and finally to 180 days under Decree Law No. 113/2018.

<sup>15</sup> OECD, 2019, "Working Together for Local Integration of Migrants and Refugees in Rome, OECD Regional Development Studies", *OECD Publishing*, Paris, <https://doi.org/10.1787/ca4d491e-en>. (Accessed 30 March 2024).

<sup>16</sup> Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008L0115> (Accessed 3 February 2024).

in 2002 the Readmission Agreement was signed with Moldova and the Readmission and Return Agreement between Italy-Egypt<sup>17</sup> was signed in 2007 and still in place.<sup>18</sup>

Although Italy and Libya had no formal readmission agreement during this period, various agreements and joint initiatives have been crucial and controversial, reflecting complex dynamics in regional security, migration management, and human rights. The first notable agreement is the 2008 Treaty of Friendship, Partnership, and Cooperation between Italy and Libya<sup>19</sup>, which included provisions for joint efforts to combat irregular migration, with Italy pledging substantial financial support for border security and migration control in Libya. Again, as not being a readmission agreement, the Police Cooperation Agreement between Italy and Turkey was signed in 2001, including the return issue.<sup>20</sup> Finally, at the end of this period, a New Memorandum<sup>21</sup> signed between Italy and Tunisia in 2009 aimed to relaunch cooperation on readmission and expedite identification procedures, resulting in a steady increase in returned migrants.

### 3.1.3. The 2010s: Responding to the Migration Crisis

The 2010s brought unprecedented migratory pressures due to conflicts in the Middle East and North Africa. Italy's geographical position made it a primary entry point for many migrants and asylum seekers. During this period, the development of the legal framework and operational agreements continued. Italy strengthens external border control and readmission agreements within the EU framework, facing challenges in human rights and international cooperation. In parallel to these developments, Italy implemented several legislative measures, such as the Minniti-Orlando Decree (Law No. 46 of 2017)<sup>22</sup>. This Law aimed to expedite asylum procedures and enhance the efficiency of deportations. The most important institutional dimension regarding forced removals is the establishment of new detention centres (Centri di Permanenza per il Rimpatrio) that are specifically designed to facilitate the return of irregular migrants.

The Arab Spring significantly affects migration flows, leading to adjustments in Italy's policy approach. During this period, the bilateral agreement with the source countries continued, and Italy signed several bilateral agreements with countries of origin and transit, particularly in North Africa. These agreements aimed to improve cooperation on readmission and provided financial aid to enhance border control and manage migration flows. For example, in 2011, the Italy-Tunisia Agreement was signed, which includes provisions for the deportation of Tunisian nationals found to be in Italy in irregular situations. In addition, Italy signed a cooperation agreement with Niger to enhance border security and manage migration flows. The agreement includes Italian support for training Nigerien security forces and providing resources for border management. In 2016, the Italy-Sudan Agreement was signed, which also aims to improve the identification processes for Sudanese nationals in Italy.

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<sup>17</sup> The full text of the Agreement is Available at: <https://atrio.esteri.it/Search/Allegati/48977> (Accessed 28 March 2024).

<sup>18</sup> Fontana et al., 2022, p. 47, 66, 70, 111-112, 135, 143.

<sup>19</sup> Il Trattato di amicizia, partenariato e cooperazione tra Italia e Libia , Available at: <http://briguglio.asgi.it/immigrazione-e-asilo/2011/aprile/trattato-italia-libia-2008.pdf> (Accessed 4 March 2024).

<sup>20</sup> Ibid., p. 161.

<sup>21</sup> Full text is available at: <https://www.regioni.it/news/2011/04/06/immigrazione-siglato-laccordo-tra-italia-e-tunisia-48788/> (Accessed 28 April 2024).

<sup>22</sup> LEGGE 17 Febbraio 2017, N. 13, Available at: <https://www.retesai.it/wp-content/uploads/2017/01/immigrazione-il-testo-coordinato-del-decreto-minniti.pdf> (Accessed 4 March 2024).



Among them, the collaboration with Libya was particularly notable, and the Treaty of 2008 was further solidified with a Memorandum of Understanding (MoU)<sup>23</sup> signed in 2017. This agreement focused on enhancing cooperation to stem the irregular migrants departing from Libya. Key components included Italy's support for the Libyan Coast Guard in intercepting and returning migrants and financial aid for Libyan detention centres and migration control efforts. The Italy-Libya collaboration has faced substantial scrutiny and criticism regarding human rights abuses in Libyan detention centres. Regarding its role and the violations in these centres, Italy was accused of outsourcing migration control to Libya.

During this period, one important development was the 2015 European Refugee Crisis. Due to its strategic geographical location in the Mediterranean, Italy became one of the primary entry points. In terms of the return aspect, Italy increased efforts to identify and return individuals who did not meet the criteria for asylum. This involved strengthening the capacity of immigration authorities to process returns efficiently. With support from the EU, the Italian government invested in improving identification and documentation processes to facilitate returns. In this framework, Italy negotiated several bilateral agreements with countries of origin and transit to facilitate the readmission of their nationals. It worked closely with EU agencies such as Frontex (European Border and Coast Guard Agency) to enhance return operations.

Another impact of the 2015 crisis can be seen in the focus on voluntary return programmes, and Italy promoted voluntary return programs. These programs, often implemented in collaboration with the IOM, provided financial incentives and reintegration support to encourage migrants to return voluntarily to their home countries. The period also witnessed debates on the effectiveness and human rights implications of return and readmission practices, with Italy navigating challenges related to international law and migrant rights.

Regarding the human rights implications, in 2012, the European Court of Human Rights (ECHR) ruling in "Hirsi Jamaa and Others v. Italy (Application no. 27765/09)"<sup>24</sup> appears as a landmark case in the realm of international human rights law, specifically concerning the rights of migrants and asylum seekers. It is a case decided by the ECHR that involved a group of 24 Somali and Eritrean nationals who were intercepted at sea by Italian authorities and subsequently returned to Libya without being allowed to apply for asylum or challenge their deportation. In terms of impact and significance, this ruling of the ECHR set a significant precedent in international human rights law, emphasising the obligations of states under the ECHR to protect individuals from refoulement (return to a country where they may face harm).

Finally, this period ended with a new national legal development, the Salvini Decrees, formally known as "Decreto-Legge n.113/2018"<sup>25</sup> and "Decreto-Legge n. 53/2019"<sup>26</sup>. They refer to a set of legislative measures introduced by Matteo Salvini, Italy's Minister of the Interior, in 2018. These decrees significantly altered Italy's immigration and asylum policies, emphasising security and stricter migration control. In terms of return, they abolished the "humanitarian protection" status, which was a form of protection granted to migrants who did not qualify for refugee status but could not be returned to their home countries for humanitarian reasons. This status was replaced with more limited forms of protection. Also, the maximum period for

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<sup>23</sup> The full text in English is available at: <https://www.asgi.it/wp-content/uploads/2017/02/ITALY-LIBYA-MEMORANDUM-02.02.2017.pdf> (Accessed 27 February 2024).

<sup>24</sup> ECtHR - Hirsi Jamaa and Others v Italy [GC], Application No. 27765/09, Available at: <https://www.asylumlawdatabase.eu/en/content/ecthr-hirsi-jamaa-and-others-v-italy-gc-application-no-2776509> (Accessed 4 April 2024).

<sup>25</sup> DECRETO-LEGGE 4 Ottobre 2018, N. 113, Available at: <https://www.gazzettaufficiale.it/eli/id/2018/10/04/18G00140/sg> (Accessed 28 April 2024).

<sup>26</sup> DECRETO-LEGGE 14 Giugno 2019, N. 53, Available at: <https://www.gazzettaufficiale.it/eli/id/2019/06/14/19G00063/sg> (Accessed 28 April 2024).

migrants to be detained in repatriation centres was increased from 90 to 180 days, aiming to facilitate deportations. The decrees introduced restrictions on asylum seekers' access to reception centres (Protection System for Asylum Seekers and Refugees/ SPRAR). The decrees have been seen as part of a broader trend towards the securitisation of migration in Italy and the EU.

### 3.1.4. The 2020s and Present: Multiple Challenges and Return Focus

The early 2020s saw significant shifts due to the COVID-19 pandemic, which impacted migration flows and return operations. Italy's return migration policy had to adapt to new health and safety measures. During this period, the major policy trend focused on voluntary returns and international cooperation. Regarding the national legal framework, the Lamorgese Decree<sup>27</sup> (Decree-Law No. 130 of 2020) revised aspects of the Minniti-Orlando Decree (2017) to improve the protection of migrants' rights while maintaining effective return mechanisms. It aimed to strike a balance between security concerns and humanitarian considerations.

In terms of international cooperation and the external dimension of Italy's migration policy, in 2020, a new informal collaboration deal to restore and accelerate return practices was adopted between Italy and Tunisia.<sup>28</sup> Finally, on 4 August 2021, the Italian Parliament authorised the financing of Italy's support to the Libyan Coast Guard again.<sup>29</sup> These developments can be seen as parallel to the EU-Turkey Statement (2016)<sup>30</sup>, which are political, governmental and sometimes even unwritten deals that allow the authorities to escape the political control of their parliaments and constitutional control of such arrangements.<sup>31</sup>

Italy also aligned with the New Pact on Migration and Asylum proposed by the European Commission in 2020<sup>32</sup>. The Pact emphasised a comprehensive approach to migration management, including stronger cooperation on return and reintegration efforts at the EU level. In 2023, the political agreement was achieved for the Pact, and the European Parliament voted on it in April 2024, while as of April 2024, it was adopted by the Council of the EU. The return dimension of the New Pact on Migration and Asylum focuses on enhancing the efficiency and effectiveness of returning migrants who do not have the legal right to stay in the EU in their countries of origin. Key elements can be summarised as simplifying and expediting return procedures to ensure timely and effective returns, strengthening coordination among EU MSs, enhancing cooperation with third countries to facilitate readmissions, promoting voluntary return programs, and providing reintegration support to ensure sustainable returns. Italy, due to its geographical position as a primary entry point for migrants, plays a crucial role in the implementation of the Pact, particularly concerning the return dimension.

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<sup>27</sup> DECRETO-LEGGE 21 Ottobre 2020, N. 130, Available at: <https://www.gazzettaufficiale.it/eli/id/2020/10/21/20G00154/sg> (Accessed 26 April 2024).

<sup>28</sup> Fontana et al., 2022, p. 155

<sup>29</sup> OpinioJuris, "The Memorandum of Understanding between Italy and Libya: Does It Create Human Rights Obligations on the Part of Italy?", 5 August 2021, Available at: <https://opiniojuris.org/2021/08/05/the-memorandum-of-understanding-between-italy-and-libya-does-it-create-human-rights-obligations-on-the-part-of-italy/> (Accessed 4 May 2024).

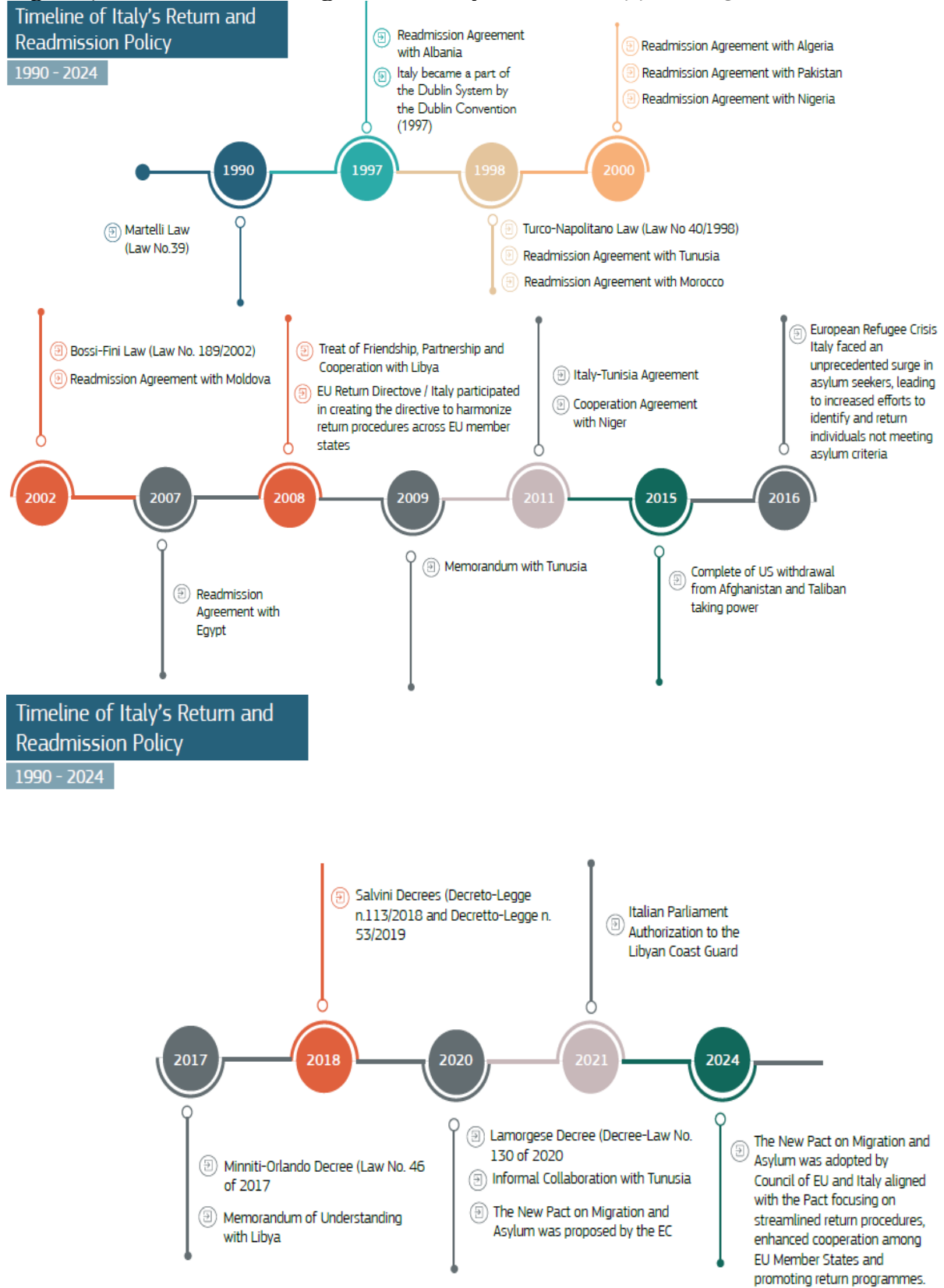
<sup>30</sup> The EU-Turkey Statement, Available at: <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/> (Accessed 2 May 2024).

<sup>31</sup> EuroMed Rights, 2021, "The Policy of Forced Returns Between Italy and Tunisia", p. 7, Available at: [https://euromedrights.org/wp-content/uploads/2021/04/EN\\_Chapter-4-Italy-Tunisia-1.pdf](https://euromedrights.org/wp-content/uploads/2021/04/EN_Chapter-4-Italy-Tunisia-1.pdf) (Accessed 4 May 2024).

<sup>32</sup> Communication from the Commission to the European Parliament, The Council, The European Economic and Social Committee and the Committee of the Regions on A New Pact on Migration and Asylum, Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0609> (Accessed 4 April 2024).

As seen from the 1990-2023 journey of Italy's return and readmission policy, particularly over the past three decades, Italy's return migration policy has evolved significantly, influenced by national priorities, EU directives, and global migration trends. From the foundational laws of the 1990s to the contemporary adjustments necessitated by the COVID-19 pandemic, Italy has continually refined its legal and administrative frameworks to manage return migration effectively. The ongoing challenge for Italy remains to balance the enforcement of return policies with the protection of migrants' rights, ensuring humane and fair treatment in all procedures.

**Figure 7: Italian Return Migration Policy Timeline (1990-2023)**



**Source:** Design by the authors

## 3.2. Legal Framework for Forced Removals and Voluntary Returns

Although there is no agreed definition or legal term, pushbacks are generally considered a form of illegal return policy tool due to their violation of international and EU Law, particularly the principle of non-refoulement. Pushbacks can be seen as “a form of forced/coerced return, and they involve actions for migrants who have already crossed the border, but also towards people who are present near or at the border, attempting to cross it”.<sup>33</sup> Briefly, pushbacks aim to prevent the person from entering the country and requesting international protection as one type of coercive return disguised in practices or “a return before arrival”.<sup>34</sup> Similarly, the GAPs Project classifies “pushbacks” as one of the types of return governing mechanisms, which appears as strict border controls at the first arrivals as formal policy instruments and physical pushbacks practised at the borders and impede admission and asylum claims.<sup>35</sup> However, since pushbacks are mainly disguised in practices, it is impossible to find the official legal framework regarding the type of coercive returns; therefore, only forced removals (expulsion) and assisted voluntary returns will be briefly mentioned here for this snapshot.

### 3.2.1. Forced Removal (Expulsion) Process as A Part of the Forced Return Type of Return Policies in Italy

Italian Law distinguishes between three different types of expulsion of foreign citizens:

- 1) Administrative expulsion, ordered by the Ministry of the Interior (Article 13 of Legislative Decree 286/98);
- 2) Administrative expulsion, ordered by the Prefect (Article 13 Subsection 2 of Legislative Decree 286/98);
- 3) Expulsion as a security measure (Article 15 of Legislative Decree 286/98).

As for the **administrative expulsion ordered by the Ministry of the Interior**, it is applied when a foreigner (both Italian resident or not) constitutes a danger to public order or the security of the state.

In case of the **administrative expulsion applied by the Prefect**, the circumstances that lead to the application of the above measure against the foreigner are the following:

- Irregular entry to the Italian territory;
- Not applying for a residence permit within eight days of entering regularly in Italy;
- Not applying for the renewal of the residence permit within 60 days after its expiration;
- In case the valid residence permit is cancelled or revoked,
- When a foreigner, holder of a valid residence permit, is suspected of living with money that derives from the commission of associative crimes and he/she is unable to prove the legitimate sources of the income;
- When a foreigner, holder of a residence permit, is suspected of belonging to mafia-type associations,
- In case the expulsion decree has already been issued to the foreigner and he/she has not left Italy within 15 days of its notification,

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<sup>33</sup> EuromedRights, Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> Sahin-Mencütek, Z. Triandafyllidou, A., Barthoma, S., Nimmer, M., Rottmann, S., Öztürk, N. and R. Istaiteyeh, 2023, “Framework paper on the concepts and typologies on returns, combined with four conceptual notes in Global Migration: Consequences and Responses”, Vol. 1: 78, Uppsala: Acta Universitatis Upsaliensis. DOI: 10.5281/zenodo.10021239

- Finally, once expelled, the foreigner returns to Italy before the period specified in the expulsion order (excluding those who have obtained the “special authorisation to re-entry” from the Ministry of the Interior).

The third type of **expulsion** - considered a **security measure** - is applied by the Judicial Authority after a criminal conviction when the foreigner is considered socially dangerous by the Judge.

When an expulsion order is applied, the foreigner is accompanied by the police directly to the border or to a temporary detention centre.

The accompaniment to the detention centres occurs when a foreigner does not possess an identification document, in case it is impossible to accompany him/her to the border due to health problems, or when the accompaniment isn't possible due to organisational reasons of the Judicial Police.

Having the expulsion decree precludes the foreigner from re-entering Italy for 3-5 years (with some motivated exceptions upon a “special authorisation” from the Italian Minister of the Interior).

The Law specifies some categories of foreigners to whom the expulsion decree does not apply:

- When the person in question can be persecuted in his own country for reasons of sex, race, language, religion, citizenship, political opinions, personal and social conditions;
- When there is a danger that the foreigner can be sent to another country where he/she can suffer from the same kind of persecution.

In other cases, the expulsion may be ordered exclusively by the Ministry of the Interior - this restriction regards in particular:

- Minors under 18 years of age, excluding their right to follow the parent or caregiver expelled from the Italian territory;
- Holders of the residence card;
- Foreigners who permanently live with relatives up to the fourth degree or the spouse of Italian Nationality;
- Pregnant women or in the six months following the birth of the child.

### **3.2.2. Assisted Voluntary Returns and Reintegration Programmes**

Assisted voluntary return (AVR) programmes are a key component of Italy's migration management strategy. These programmes aim to facilitate the return of migrants who voluntarily return to their home countries.

The legal basis for assisted returns in Italy is primarily outlined in the Consolidated Immigration Act (Legislative Decree No. 286/1998), which has been amended multiple times to align with EU regulations and directives. The AVR programmes are designed to provide a humane and dignified return process, including pre-departure counselling, logistical support, and reintegration assistance in the country of origin. There are three key legislative instruments for the AVR programmes.<sup>36</sup>

- Legislative Decree No. 286/1998 (Consolidated Immigration Act)
- Decree-Law No. 113/2018 introduced stricter measures for immigration control, including aspects related to returns.
- Decree-Law No. 130/2020\*\*, which aimed to revise aspects of the 2018 law to

<sup>36</sup> AIDA, 2022, “AIDA Country report: Italy”. Available at: [https://asylumineurope.org/wp-content/uploads/2023/05/AIDA-IT\\_2022-Update.pdf](https://asylumineurope.org/wp-content/uploads/2023/05/AIDA-IT_2022-Update.pdf) (Accessed 22.04.2024).

balance security concerns with humanitarian considerations

The Ministry of the Interior oversees the implementation of AVR programs, often in partnership with the IOM. The programs are funded by both national resources and the European Union's Asylum, Migration and Integration Fund (AMIF).

Recent developments in Italy's AVR policy have focused on improving the efficiency and effectiveness of the return process. However, challenges remain, including ensuring adequate support for reintegration and addressing the legal and procedural complexities that migrants face.

**Annex 1** reflects Italy's most important legal documents regarding the return and readmission policy.

## **4. Institutional Framework: Actors in Italy's Return and Readmission Policy**

The institutional framework and the actors involved in Italy's return and readmission policy form a complex network of legal provisions, governmental bodies, and international organisations. Central to the implementation of the return and readmission policy in Italy, various actors operate at multiple levels of governance, from national authorities to international organisations and non-governmental entities. Each actor plays a distinct yet interrelated role in ensuring that the processes of return and readmission are carried out effectively, humanely, and in accordance with legal frameworks.

At the national level, the Ministry of the Interior (MoI) stands as the principal authority overseeing the return and readmission policy. This Ministry is responsible for issuing expulsion orders and coordinating with other governmental bodies to ensure compliance with Italy's immigration laws. As regional representatives of the Ministry, prefectures execute these orders and manage the administrative procedures related to returns. Additionally, judicial authorities are involved in cases where expulsions are mandated as security measures following criminal convictions, thereby linking the return policy to the broader judicial system. The Ministry oversees the Department for Civil Liberties and Immigration, coordinating with other agencies and ensuring compliance with legal standards.<sup>37</sup>

Border Police (Polizia di Frontiera) is responsible for monitoring Italy's borders and ensuring the enforcement of immigration laws. It plays a critical role in identifying and processing individuals who are subject to return or readmission.<sup>38</sup> On the other hand, as the Provincial Policy Office, *Questura* handles the registration and processing of asylum applications within Italy, which also involves executing deportation orders and facilitating the voluntary return of migrants.<sup>39</sup>

International cooperation is a critical component of Italy's return and readmission policy. The IOM collaborates closely with the Italian government to facilitate voluntary return and reintegration programs, providing logistical support and assistance to migrants. This partnership exemplifies the transnational dimension of migration management, highlighting the importance of coordinated efforts across borders.

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<sup>37</sup> AIDA, *Ibid.*

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*

Non-governmental organisations (NGOs) also play a vital role in the return and readmission process. These organisations offer legal assistance, advocacy, and support services to migrants, ensuring that their rights are protected throughout the return procedure. NGOs often act as watchdogs, monitoring the implementation of return policies and advocating for the humane treatment of migrants.

Furthermore, the EU, such as Frontex, provide operational support and funding for return operations. These agencies ensure that Italy's return and readmission practices align with EU standards and regulations, facilitating a harmonised approach to migration management across member states.

**Annexe 2** reflects the related actors briefly explaining their roles with their official institutional websites.

## **5. International Cooperation Regarding Return and Readmission**

Over the past decades, Italy has engaged in numerous bilateral and multilateral agreements, collaborating with various countries and international organisations to facilitate the return of irregular migrants. These agreements often include provisions for the identification, documentation, and repatriation of irregular migrants and commitments from the countries involved to readmit their nationals.

Italy's return and readmission policy is also supported by its active participation in the EU initiatives and frameworks, which provide a coordinated approach to migration management across member states. As part of the EU, Italy benefits from the EU's Readmission Agreements (EURAs), which the European Commission negotiates with third countries. The EU Asylum, Migration and Integration Fund (AMIF) supports Italy's efforts in managing migration, including funding for Assisted Voluntary Return and Reintegration (AVRR) programmes. Also, the IOM facilitates the voluntary return of migrants and provides reintegration assistance to ensure sustainable returns.

Italy's use of bilateral agreements with major immigrant-sending countries has been instrumental in promoting

**Annex 3** and **Annex 4** provide the bilateral agreements linked to readmission and the readmission agreements.



## 6. Annexes

### Annex 1: Legal Framework on Returns

Title of the Policy/Legislation in English	The Title in the Original Language and link to the document	Policy Area	Date/Announced Year	Active Period	Key terms	Type of Legislation	Target Group or Immigrant Category
Legislative Decree no. 286/1998 on “Consolidated Act on provisions concerning the Immigration regulations and foreign national conditions norms”	Decreto legislativo 25 luglio 1998, n. 286 “Testo unico delle disposizioni concernenti la disciplina dell’immigrazione e norme sulla condizione dello straniero” <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/1998/08/18/098G0348/sg">https://www.gazzettaufficiale.it/eli/id/1998/08/18/098G0348/sg</a>	general/immigration, asylum	Published on 18/08/1998	Active from 2/9/1998 Last Amendment on 30/12/2023	illegal entry; illegal stay; return; return decision; removal order; expulsion, forced repatriation; entry ban	Decree-Law	immigrant, irregular migrant, asylum seeker, refugee, rejected asylum seeker
Presidential Decree no. 394/1999 on “Regulation on norms implementing the consolidated act on provisions concerning the immigration regulations and foreign national conditions norms”	Decreto del Presidente della Repubblica del 31 agosto 1999, n. 394 su “Regolamento recante norme di attuazione del testo unico delle disposizioni concernenti la disciplina dell’immigrazione e norme sulla condizione dello straniero” <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/1999/11/03/099G0265/sg">https://www.gazzettaufficiale.it/eli/id/1999/11/03/099G0265/sg</a>	general/immigration, border management	Published on 03/11/1999	Active from 18/11/1999 Last Amendment on 30/12/2023	illegal entry; illegal stay; return; return decision; expulsion, forced repatriation, pre-removal detention; entry ban	Decree	immigrant, irregular migrant, asylum seeker, rejected asylum seeker
Law no. 189 of 30 July 2002 on “Modification to the legislation on immigration and asylum”	Legge 30 luglio 2002, n. 189 sulla “Modifica alla normativa in materia di immigrazione e di asilo” <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/gu/2002/08/26/199/so/173/sg/pdf">https://www.gazzettaufficiale.it/eli/gu/2002/08/26/199/so/173/sg/pdf</a>	general/immigration, border management	Published on 26/08/2002	Active from 10/09/2002 Last Amendment on 23/02/2005	illegal entry; illegal stay; return; return decision; expulsion, forced repatriation, pre-removal detention; entry ban	Law	immigrant, irregular migrant, asylum seeker, rejected asylum seeker

<p>Legislative Decree no. 251/2007 on “Implementation of Directive 2004/83/EC on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted”</p>	<p>Decreto legislativo 19 novembre 2007, n. 251 su “Attuazione della direttiva 2004/83/CE recante norme minime sull’attribuzione, a cittadini di Paesi terzi o apolidi, della qualifica del rifugiato o di persona altrimenti bisognosa di protezione internazionale, nonché norme minime sul contenuto della protezione riconosciuta” <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/2008/01/04/007G0259/sg">https://www.gazzettaufficiale.it/eli/id/2008/01/04/007G0259/sg</a></p>	<p>general/asylum</p>	<p>Published on 04/01/2008</p>	<p>Active from 19/1/2008 Last Amendment on 05/05/2023</p>	<p>return policy, voluntary repatriation</p>	<p>Qualification Decree</p>	<p>asylum seeker, refugees, rejected asylum seeker</p>
<p>Legislative Decree no. 25 of 28 January 2008 on “Implementation of Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status.”</p>	<p>Decreto legislativo del 28 gennaio 2008, n. 25 su “Attuazione della direttiva 2005/85/CE recante norme minime per le procedure applicate negli Stati membri ai fini del riconoscimento e della revoca dello status di rifugiato” <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/2008/02/16/008G0044/sg">https://www.gazzettaufficiale.it/eli/id/2008/02/16/008G0044/sg</a></p>	<p>general/asylum, border management, repatriation</p>	<p>Published on 16/02/2008</p>	<p>Active from 02/03/2008 Last Amendment on 04/12/2023</p>	<p>return procedures; return decision; removal order; expulsion, forced repatriation; entry ban</p>	<p>Legislative Decree</p>	<p>general/asylum seeker, irregular migrant</p>
<p>Decree-Law no. 89 of June 23, 2011 on “Urgent provisions for the completion of the implementation of Directive 2004/38/EC on the free movement of EU citizens and the transposition of Directive 2008/115/EC on the repatriation of irregular third-country nationals”</p>	<p>Decreto-legge del 23 giugno 2011, n. 89 su “Disposizioni urgenti per il completamento dell’attuazione della direttiva 2004/38/CE sulla libera circolazione dei cittadini comunitari e per il recepimento della direttiva 2008/115/CE sul rimpatrio dei cittadini di Paesi terzi irregolari” <b>Link:</b> <a href="https://www.gazzettaufficiale.it/gazzetta/serie_generale/caricaDettaglio?dataPubblicazioneGazzetta=2011-06-23&amp;numeroGazzetta=144">https://www.gazzettaufficiale.it/gazzetta/serie_generale/caricaDettaglio?dataPubblicazioneGazzetta=2011-06-23&amp;numeroGazzetta=144</a></p>	<p>general/immigration, repatriation, border management</p>	<p>Published on 23/06/2011</p>	<p>Active from 24/06/2011 Amended and converted in Law no. 129 on 02/08/2011</p>	<p>expulsion; application of return procedures; forced repatriation; voluntary repatriation; entry ban</p>	<p>Decree-Law, then Law</p>	<p>irregular migrant rejected asylum seeker</p>

<p>Decree of October 27, 2011 on "Guidelines for the implementation of voluntary and assisted repatriation programs, referred to in Article 14-ter, of Legislative Decree No. 286 of July 25, 1998, introduced by Article 3, paragraph 1, letter e), of Decree-Law No. 89 of June 23, 2011, converted, with amendments, by Law No. 129 of August 2, 2011</p>	<p>Decreto del 27 ottobre 2011 su "Linee guida per l'attuazione dei programmi di rimpatrio volontario e assistito, di cui all'articolo 14-ter, del decreto legislativo 25 luglio 1998, n. 286, introdotto dall'articolo 3, comma 1, lett. e), del decreto-legge 23 giugno 2011, n.89, convertito, con modificazioni, dalla legge 2 agosto 2011, n. 129 <b>Link:</b> <a href="https://www.gazzettaufficiale.it/atto/serie_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=2011-12-31&amp;atto.codiceRedazionale=11A16541">https://www.gazzettaufficiale.it/atto/serie_generale/caricaDettaglioAtto/originario?atto.dataPubblicazioneGazzetta=2011-12-31&amp;atto.codiceRedazionale=11A16541</a></p>	<p>return procedures, voluntary and assisted return</p>	<p>Published 31/12/2011</p>	<p>Active from 01/01/2012 Amended and converted in Law no. 129 on 02/08/2011</p>	<p>voluntary and assisted repatriation, repatriation procedure, expulsion, vulnerable migrants, human traffic victims,</p>	<p>Decree, then Law</p>	<p>irregular migrant, rejected asylum seeker, vulnerable migrant - human traffic victim</p>
<p>Presidential Decree no. 21/2015 on "Regulation on the procedures for the recognition and revocation of international protection"</p>	<p>Decreto del Presidente della Repubblica del 12 gennaio 2015 su "Regolamento relativo alle procedure per il riconoscimento e la revoca della protezione internazionale a norma dell'articolo 38, comma 1, del decreto legislativo 28 gennaio 2008, n. 25" <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/2015/03/05/15G00029/sg">https://www.gazzettaufficiale.it/eli/id/2015/03/05/15G00029/sg</a></p>	<p>general/asylum, forced return, pre-removal detention</p>	<p>Published on 05/03/2015</p>	<p>Active from 20/03/2015 Last Amendment on 04/10/2018</p>	<p>return; return decision; detention of asylum seekers; pre-removal detention</p>	<p>Presidential Decree</p>	<p>irregular migrant, asylum seeker, rejected asylum seeker</p>
<p>Law no. 47 of 7 April 2017 on "Provisions on protection measures for unaccompanied foreign minors"</p>	<p>Legge n. 47 del 7 aprile 2017 su "Disposizioni in materia di misure di protezione dei minori stranieri non accompagnati" <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/2017/04/21/17G00062/sg">https://www.gazzettaufficiale.it/eli/id/2017/04/21/17G00062/sg</a></p>	<p>general/immigration, asylum</p>	<p>Published on 21/04/2017</p>	<p>Active from 06/05/2017 Last Amendment on 16/01/2018</p>	<p>non-refoulement; voluntary and assisted repatriation; repatriation procedure; expulsion; minors human traffic victims</p>	<p>Law</p>	<p>unaccompanied migrant minor, migrant minor asylum seeker</p>

<p>Decree-Law no. 113 of 4 October 2018 on “Urgent provisions on international protection and immigration, public security, as well as measures for the functionality of the Ministry of the Interior and the organisation and functioning of the National Agency for the administration and destination of assets seized and confiscated from organised crime”</p>	<p>Decreto-legge del 4 ottobre 2018, n. 113 su “Disposizioni urgenti in materia di protezione internazionale e immigrazione, sicurezza pubblica, nonché misure per la funzionalità del Ministero dell'interno e l'organizzazione e il funzionamento dell'Agenzia nazionale per l'amministrazione e la destinazione dei beni sequestrati e confiscati alla criminalità organizzata” <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/2018/10/04/18G00140/sg">https://www.gazzettaufficiale.it/eli/id/2018/10/04/18G00140/sg</a></p>	<p>general/immigration, asylum, border management, public order and safety</p>	<p>Published on 04/10/2018</p>	<p>Active from 05/10/2018 Amended and converted in Law no. 132 on 01/12/2018 Last Amendment on 21/06/2023</p>	<p>pre-removal detention; asylum seekers detention; expulsion; return ban; entry ban; Schengen; Dublin procedure; repatriation; safe countries of origin</p>	<p>Decree-Law, then Law</p>	<p>irregular migrant, asylum seeker, rejected asylum seeker</p>
<p>Decree-Law no. 53 of 14 June 2019 on “Urgent provisions on public order and safety”</p>	<p>Decreto-Legge del 14 giugno 2019, n. 53 su “Disposizioni urgenti in materia di ordine e sicurezza pubblica” <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/2019/06/14/19G00063/sg">https://www.gazzettaufficiale.it/eli/id/2019/06/14/19G00063/sg</a></p>	<p>public order and safety</p>	<p>Published on 14/06/2019</p>	<p>Active from 15/06/2019 Amended and converted in Law no. 77 on 08/08/2019 Last Amendment on 30/12/2020</p>	<p>illegal immigration</p>	<p>Decree-Law, then Law</p>	<p>irregular migrant</p>
<p>Ministry of Foreign Affairs and International Cooperation decree of October 4, 2019 on “Identification of safe countries of origin, pursuant to Article 2-bis of Legislative Decree No. 25 of January 28, 2008”</p>	<p>Decreto del Ministero degli Affari Esteri e della Cooperazione Internazionale del 4 ottobre 2019 su “Individuazione dei Paesi di origine sicuri, ai sensi dell'articolo 2-bis del decreto legislativo 28 gennaio 2008, n. 25” <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/2019/10/07/19A06239/sg">https://www.gazzettaufficiale.it/eli/id/2019/10/07/19A06239/sg</a></p>	<p>asylum, immigration, border management, safe countries of origin</p>	<p>Published on 07/10/2019</p>	<p>Active from 23/10/2019</p>	<p>safe countries of origin</p>	<p>Decree</p>	<p>irregular migrant, asylum seeker, rejected asylum seeker</p>

National Commission for the Right to Asylum Circular no. 8864 of 28 October 2019- Safe countries of origin list Article 2 bis LD 25/2008: accelerate procedure Articles 28, 28 bis, 28 ter	Circolare della Commissione Nazionale per il diritto di asilo, Prot. 886 del 28 Ottobre 2019, Lista dei paesi di origine sicuri ex art. 2 bis d.lgs 25/2008; applicazione delle procedure accelerate ex art. 28, 28 bis 28 ter	asylum, immigration, border management, safe countries of origin	Issued on 28/10/2019	Active	safe countries of origin, expulsion	Circular	irregular migrant, asylum seeker, rejected asylum seeker
Decree-Law no. 130 of 21 October 2020 on "Urgent provisions on immigration, international and complementary protection, amendments to Articles 131-bis, 391-bis, 391-ter and 588 of the Criminal Code, as well as measures on the prohibition of access to public establishments, on combating the distorted use of the web and on the discipline of the National Guarantor of the rights of persons deprived of their liberty"	Decreto-legge del 21 ottobre 2020, n. 130 su "Disposizioni urgenti in materia di immigrazione, protezione internazionale e complementare, modifiche agli articoli 131-bis, 391-bis, 391-ter e 588 del codice penale, nonché misure in materia di divieto di accesso agli esercizi pubblici ed ai locali di pubblico trattenimento, di contrasto all'utilizzo distorto del web e di disciplina del Garante nazionale dei diritti delle persone private della libertà personale" <b>Link:</b> <a href="https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto-legge:2020:130">https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto-legge:2020:130</a>	general/immigration, asylum, border management, public order and safety	Published on 21/10/2020	Active from 22/10/2020 Amended and converted in Law no. 173 on 18/12/2020 Last Amendment on 02/03/2023	illegal immigration, illegal entry; asylum seekers detention; illegal stay; return; return decision; removal order; expulsion, pre-removal detention, forced repatriation; entry ban	Decree-Law, then Law	irregular migrant, asylum seeker, rejected asylum seeker, vulnerable migrant
Decree Law no. 20/2023 on "Urgent provisions on the legal entry of foreign workers and fight against irregular migration"	Decreto Legge 20/2023 su "Disposizioni urgenti in materia di flussi di ingresso legale dei lavoratori stranieri e di prevenzione e contrasto all'immigrazione irregolare" <b>Link:</b> <a href="https://www.gazzettaufficiale.it/eli/id/2023/03/10/23G00030/sq">https://www.gazzettaufficiale.it/eli/id/2023/03/10/23G00030/sq</a>	general/immigration, illegal immigration, forced return, border management	Published on 10/03/2023	Active from 11/03/2023 Amended and converted in Law no. 50 on 05/05/2023	application of return procedures; forced repatriation; pre-removal detention	Law	irregular migrant, rejected asylum seeker

Decree-Law no. 124 of September 19, 2023 on “Urgent provisions on cohesion policies, for the relaunch of the economy in the areas of southern Italy, and on immigration”	Decreto-legge del 19 settembre 2023 n. 124 sulle “Disposizioni urgenti in materia di politiche di coesione, per il rilancio dell'economia nelle aree del Mezzogiorno del Paese, nonché in materia di immigrazione” <b>Link:</b> <a href="https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2023:124">https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2023:124</a>	pre-removal detention	Published on 19/09/2023	Active from 20/09/2023 Amended and converted in Law no. 162 on 13/11/2023	expulsion, application of return procedures; forced repatriation; pre-removal detention;	Decree-Law, then Law	irregular migrant, rejected asylum seeker
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**Source:** From different sources, this table prepared by the authors

**Annex 2: Actors Related Returns and Readmissions**

<b>Authority (English and original name)</b>	<b>Type of government</b>	<b>Type of organisation</b>	<b>Area of competence in the fields of return</b>	<b>Link</b>
Ministry of the Interior <b>(Ministero dell'Interno)</b>	National	Government	Coordinates, monitors, and participates in the planning of the management of readmission, return, deportation or relocation procedures	<a href="https://www.interno.gov.it/it">https://www.interno.gov.it/it</a>
Central Directorate of Immigration and the Border Police of the Ministry of the Interior  <b>(Direzione centrale dell'immigrazione e della polizia delle frontiere del Ministero dell'Interno)</b>	National	Government	Organises operations of readmission via charter flights, coordinates the escort, the participation of police medical and nursing staff, as well as obtains the consent of the state of destination and of any transit countries so as to complete the operation	<a href="https://www.interno.gov.it/it/ministero/dipartimenti/dipartimento-pubblica-sicurezza/direzione-centrale-dellimmigrazione-e-polizia-frontiere">https://www.interno.gov.it/it/ministero/dipartimenti/dipartimento-pubblica-sicurezza/direzione-centrale-dellimmigrazione-e-polizia-frontiere</a>
Justice of the Peace <b>(Giudice di Pace)</b>	National	Government	Provides authorisation in cases of expulsion order with compulsory accompaniment; measures restricting personal liberty to ensure the execution of voluntary departure; measures ordering detention at a repatriation centre and the order of immediate removal from Italy	<a href="https://gdp.giustizia.it/">https://gdp.giustizia.it/</a>
Frontex	European	Supranational	Organises, coordinates and conducts return operations	<a href="https://www.frontex.europa.eu/">https://www.frontex.europa.eu/</a>
IOM Italy <b>(Organizzazione Internazionale per le Migrazioni in Italia)</b>	International	International organisation	Organises and implements AVRR	<a href="https://italy.iom.int/it">https://italy.iom.int/it</a>
Civil society actors <b>(Attori della società civile)</b>	International/ National/ Local	NGOs, International Organisations, etc.	Provide health care and medical treatment services in the detention facilities; Mediate to inform the TCN about the return decision; Provide confirmation of the voluntary departure.	

**Source:** From different sources, this table prepared by the authors

**Annex 3: Bilateral Readmission Agreements of Italy**

The title of readmission agreement in English	The title of the readmission agreement in the Original Language	Date of signature	Signatory States
Agreement between Italy and Macedonia for the readmission of persons whose entry and/or stay is contrary to the legislation in force between the two countries	Accordo tra Italia e Macedonia per la riammissione delle persone il cui ingresso e/o soggiorno sia contrario alla normativa vigente tra i due Paesi	26.02.1997	Italy - Republic of Macedonia
Agreement between Italy and Georgia on the readmission of persons	Accordo tra Italia e Georgia sulla riammissione delle persone	15.05.1997	Italy - Georgia
Agreement between Italy and Albania on the readmission of persons at the border, with Executive Protocol	Accordo tra Italia e Albania sulla riammissione delle persone alla frontiera, con Protocollo esecutivo	18.11.1997	Italy-Albania
Exchange of Notes between Italy and Tunisia on the readmission of persons residing without authorisation	Scambio di Note tra Italia e Tunisia sulla riammissione delle persone in posizione irregolare	6.08.1998	Italy-Tunisia
Agreement between Italy and Marocco on the readmission	Accordo tra Italia e Marocco sulla riammissione	27.07.1998	Italy-Morocco
Agreement on readmission and police cooperation between Italy and Tunisia	Accordo relativo alla riammissione e alla cooperazione di polizia tra Italia e Tunisia	13.12.2003	Italy-Tunisia
Cooperation Agreement on Bilateral Labour Migration Flows and Efficient Management of Migration Flows and Prevention of Illegal Migration	Accordo di cooperazione in materia di flussi migratori bilaterali per motivi di lavoro e gestione in modo efficiente dei flussi migratori e prevenzione della migrazione illegale	28.11.2005	Italy - Egypt
Technical arrangements for joint maritime patrols by an Italian-Libyan operational nucleus under Libyan command, carried out by six Italian Guardia di Finanza vessels.	Accordi tecnici di pattugliamento marittimo congiunto da parte di un nucleo operativo italo-libico, a comando libico, effettuato da sei navi della Guardia di finanza italiane	December 2007	Italy - Libya
Cooperation Agreement between Italy and Libya finalising and completing Italian-Libyan cooperation	Accordo di cooperazione tra Italia e Libia che perfeziona e porta a compimento la cooperazione italo-libica	30.08.2008	Italy-Libya
Memorandum of understanding between Italy and Ghana on readmission	Memorandum d'intesa tra Italia e Ghana sulla riammissione	08.02.2010	Italy-Ghana
Memorandum of understanding between Italy and Niger on readmission	Memorandum d'intesa tra Italia e Niger sulla riammissione	09.02.2010	Italy-Niger
Memorandum of understanding between Italy and Senegal on readmission	Memorandum d'intesa tra Italia e Senegal sulla riammissione	28.07.2010	Italy-Senegal
Memorandum of understanding between Italy and Nigeria on readmission	Memorandum d'intesa tra Italia e Nigeria sulla riammissione	12.06.2011	Italy-Nigeria
Memorandum of understanding between the Public Security Department of the Italian Interior Ministry and the national police of the Sudanese Interior Ministry	Protocollo d'intesa tra il dipartimento di pubblica sicurezza del ministero dell'interno italiano e la polizia nazionale del ministero dell'Interno sudanese per la lotta alla criminalità, la gestione delle frontiere e dei flussi migratori e per il rimpatrio.	03.08.2016	Italy-Sudan



for the fight against criminality, management of frontiers, and migration flows and repatriation <b>Link:</b> <a href="https://www.asgi.it/wp-content/uploads/2017/10/English-Translation-Memorandum-of-Understanding-Sudan-Italy-SL-Clinic-UniTO.pdf">https://www.asgi.it/wp-content/uploads/2017/10/English-Translation-Memorandum-of-Understanding-Sudan-Italy-SL-Clinic-UniTO.pdf</a>			
Memorandum of understanding on cooperation in the fields of development, the fight against illegal immigration, human trafficking and fuel smuggling and reinforcing the security of borders between the State of Libya and the Italian Republic. <b>Link:</b> <a href="https://eumigrationlawblog.eu/wp-content/uploads/2017/10/MEMORANDUM_translation_finalversion.doc.pdf">https://eumigrationlawblog.eu/wp-content/uploads/2017/10/MEMORANDUM_translation_finalversion.doc.pdf</a>	Memorandum d'intesa sulla cooperazione nei settori dello sviluppo, della lotta all'immigrazione clandestina, al traffico di esseri umani e al contrabbando di carburante e sul rafforzamento della sicurezza delle frontiere tra lo Stato della Libia e la Repubblica Italiana	02.02. 2017	Italy- Libya
The agreement between Italy and Tunisia to 'strengthen border control'	L'intesa tra Italia e Tunisia per "rafforzare il controllo delle frontiere"	2020	Italy-Tunisia

**Source:** From different sources, this table prepared by the author

**Annex 4: Italy's Bilateral Agreements Linked to Readmission**

<b>Countries</b>	<b>Type of Agreement, Date</b>
<b>Region</b>	<b>EU&amp; Iceland, Norway, Switzerland and the UK</b>
Austria	V 01/04/1998
Bulgaria	V 25/12/1998
Croatia	V 01/06/1998
Cyprus	V 22/05/2003; CP V 04/01/2006
Czechia	CP V 15/12/1999
Estonia	V 03/03/1999
France	V 01/12/1999
Greece	CP V 10/01/2000; V 18/04/2001
Hungary	CP V 17/04/1998, V 10/04/1999
Latvia	V 07/11/1997
Lithuania	V 24/02/1999
Malta	V 29/11/2002
The Netherlands	CP V 14/03/2000
Poland	V 01/05/2001
Romania	V 01/02/1998
Slovakia	V 01/01/1999; CP V 06/11/2002
Slovenia	V 01/09/1997
Spain	V 01/02/2001
Switzerland	V 01/05/2000
<b>Region</b>	<b>Eastern Europe and the Balkans</b>
Albania	IP V 03/12/2008
Bosnia-Herzegovina	V 12/05/2004; IP V 13/09/2018
Georgia	S 15/05/1997; IP N
Kosovo	V 10/02/2015
Moldova	V 01/05/2004; IP S 12/05/2015
Montenegro	ME S, 09/12/1999; IP V 10/02/2015
North Macedonia	V 23/10/1997; IP V 13/04/2019
Russia	ME S, 20/01/2006; IP V 08/07/2011
Serbia	S 01/04/2005; IP S 13/11/2009
Ukraine	IP N
<b>Region</b>	<b>North African Countries</b>
Algeria	S 24/02/2000; V 18/10/2006; CP S 22/11/1999 V 28/01/2008; Declaration S 18/07/2022; CP S 01/02/2024
Libya	AA S 13/12/2000; AA S 03/07/2003; ME S, 18/01/2006; CP S 29/12/2007; ME S, 17/06/2011; EL S, 03/04/2012; ME S, 02/02/2017
Morocco	S 27/07/1998
Tunisia	EL S 06/08/1998; CP S 13/12/2003, AA S 28/01/2009; ME S 05/04/2011
<b>Region</b>	<b>Other Mediterranean Countries</b>
Egypt	CP V 18/06/2000; V 25/04/2008
Turkey	CP V 09/02/2001, N
Cote d'Ivoire	EL S 08/02/2018; S 01/10/2018 (JWF); ME S 31/01/2020
Djibouti	ME S 27/06/2012
Ethiopia	S 05/02/2018 (Admission procedures)

Countries	Type of Agreement, Date
Ghana	ME S 08/02/2010
Guinea	S 27/07/2017 (Good Practices Procedure on identification and return)
Niger	ME S 09/02/2010
Nigeria	V 12/06/2011 (migration agreement); ME S 01/03/2017; S SOPs 27/03/2019
Senegal	ME S 28/07/2010; ME S 16/05/2018
Sudan	ME S 03/08/2016
The Gambia	CP S 29/07/2010; ME S 06/06/2015; ME S 26/10/2017; S 01/05/2018 (Good Practices Procedure on identification and return)
<b>Region</b>	<b>Latin America and the Caribbean</b>
Colombia	N
Ecuador	N
Mexico	CP V 10/07/2002
Peru	ME S 12/10/2004
<b>Region</b>	<b>Asia and Oceania</b>
Afghanistan	S 03/10/2016 (Best practice procedure on identification and return)
Bangladesh	S 30/09/2017 (SOPs)
India	CP V 21/01/2000; N
Iran	N
Uzbekistan	CP V 17/08/2001
Pakistan	S 03/2000
Philippines	V 28/02/2004
Sri Lanka	EL, V 24/09/2001; IP N

**Source:** Cassarino, Jean-Pierre (2024). "Italy's Bilateral Agreements Linked to Readmission", Available at: <https://www.jeanpierrecassarino.com/datasets/ra/it/> (Accessed 1 March 2024) (This address requires registration to the platfor and permission from J. P. Cassarino).

## 7. References and Sources

- AIDA. (2022). “AIDA Country report: Italy”. Available at: [https://asylumineurope.org/wp-content/uploads/2023/05/AIDA-IT\\_2022-Update.pdf](https://asylumineurope.org/wp-content/uploads/2023/05/AIDA-IT_2022-Update.pdf) (Accessed 22.04.2024).
- Communication from the Commission to the European Parliament. The Council, The European Economic and Social Committee and the Committee of the Regions on A New Pact on Migration and Asylum. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0609> (Accessed 4 April 2024).
- DECRETO-LEGGE. (14 Giugno 2019). N. 53. Available at: <https://www.gazzettaufficiale.it/eli/id/2019/06/14/19G00063/sg> (Accessed 28 April 2024).
- DECRETO-LEGGE. (21 Ottobre 2020). N. 130. Available at: <https://www.gazzettaufficiale.it/eli/id/2020/10/21/20G00154/sg> (Accessed 26 April 2024).
- DECRETO-LEGGE. (4 Ottobre 2018). N. 113. Available at: <https://www.gazzettaufficiale.it/eli/id/2018/10/04/18G00140/sg> (Accessed 28 April 2024).
- Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008L0115> (Accessed 3 February 2024).
- ECTHR. Application No. 27765/09. Available at: <https://www.asylumlawdatabase.eu/en/content/ecthr-hirsi-jamaa-and-others-v-italy-gc-application-no-2776509> (Accessed 4 April 2024).
- EMN. (2022). “Return Migration in Italy Report”. Available at: [https://home-affairs.ec.europa.eu/system/files/2020-09/7a\\_it\\_emn\\_ncp\\_return\\_country\\_study\\_finalen\\_version\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2020-09/7a_it_emn_ncp_return_country_study_finalen_version_en.pdf) (Accessed 3 March 2024).
- EuroMed Rights. (2021). The Policy of Forced Returns Between Italy and Tunisia, p. 7, Available at: [https://euromedrights.org/wp-content/uploads/2021/04/EN\\_Chapter-4-Italy-Tunisia-1.pdf](https://euromedrights.org/wp-content/uploads/2021/04/EN_Chapter-4-Italy-Tunisia-1.pdf) (Accessed 4 May 2024).
- EuroMed Rights. (2021). The Policy of Forced Returns Between Italy and Tunisia. Available at: [https://euromedrights.org/wp-content/uploads/2021/04/EN\\_Chapter-4-Italy-Tunisia-1.pdf](https://euromedrights.org/wp-content/uploads/2021/04/EN_Chapter-4-Italy-Tunisia-1.pdf) (Accessed 4 May 2024).
- Eurostat. (2022). “Italy EMN Country Factsheet”. Available at: [https://www.emnitalyncp.it/wp-content/uploads/2023/09/EMN\\_Factsheets2022\\_IT\\_o.pdf](https://www.emnitalyncp.it/wp-content/uploads/2023/09/EMN_Factsheets2022_IT_o.pdf) (Accessed 4 April 2024).
- EuroStat. (8 March 2024). “Asylum applicants annual aggregated data”. <https://ec.europa.eu/eurostat/databrowser/view/tps00191/default/table?lang=en> (Accessed 23.04.2024).
- Eurostat. (8 March 2024). “Enforcement of Immigration Legislation”. [https://ec.europa.eu/eurostat/cache/metadata/en/migr\\_eil\\_esms.htm](https://ec.europa.eu/eurostat/cache/metadata/en/migr_eil_esms.htm) (Accessed 23.04.2024).
- Il Trattato di amicizia, partenariato e cooperazione tra Italia e Libia. Available at: <http://briguglio.asgi.it/immigrazione-e-asilo/2011/aprile/trattato-italia-libia-2008.pdf> (Accessed 4 March 2024).
- Iole Fontana, I., Rosina, M. and Carignani, S. S.. (2022). “La Dimensione Esterna della Politica di Migrazione Italiana (DEPMI)”. *The Siracusa International Institute for Criminal Justice and Human Rights*. Available at: [https://www.esteri.it/wp-content/uploads/2022/11/The-Siracusa-Institute\\_DEPMI.pdf](https://www.esteri.it/wp-content/uploads/2022/11/The-Siracusa-Institute_DEPMI.pdf) (Accessed 1 February 2024).
- LEGGE. (28 Febbraio 1990). N. 39, Available at: <https://www.gazzettaufficiale.it/eli/id/1990/02/28/090G0075/sg> (Accessed 1 April 2024).

- LEGGE. (6 Marzo 1998). N. 40. Available at: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1998;40> (Accessed 1 April 2024).
- LEGGE. (17 Febbraio 2017). N. 13. Available at: <https://www.retesai.it/wp-content/uploads/2017/01/immigrazione-il-testo-coordinato-del-decreto-minniti.pdf> (Accessed 4 March 2024).
- LEGGE. (28 Febbraio 1990). N. 39. Available at: <https://www.gazzettaufficiale.it/eli/id/1990/02/28/090G0075/sg> (Accessed 1 April 2024).
- LEGGE. (30 Luglio 2002). N. 189. Available at: <https://www.gazzettaufficiale.it/eli/id/2002/08/26/002G0219/sg> (Accessed 4 March 2024).
- LEGGE. (6 Marzo 1998). N. 40. Available at: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1998;40> (Accessed 1 April 2024).
- OECD. (2019). “Working Together for Local Integration of Migrants and Refugees in Rome, OECD Regional Development Studies”. *OECD Publishing*. <https://doi.org/10.1787/ca4d491e-en> (Accessed 30 March 2024).
- OpinioJuris. (5 August 2021). “The Memorandum of Understanding between Italy and Libya: Does It Create Human Rights Obligations on the Part of Italy?”. Available at: <https://opiniojuris.org/2021/08/05/the-memorandum-of-understanding-between-italy-and-libya-does-it-create-human-rights-obligations-on-the-part-of-italy/> (Accessed 4 May 2024).
- Sahin-Mencütek, Z., Triandafyllidou, A., Barthoma, S., Nimmer, M., Rottmann, S., Öztürk, N. and R. Istaiteyeh. (2023). “Framework paper on the concepts and typologies on returns, combined with four conceptual notes” in *Global Migration: Consequences and Responses*. Vol. 1: 78, Uppsala: Acta Universitatis Upsaliensis. DOI: 10.5281/zenodo.10021239
- The EU-Turkey Statement. Available at: <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/> (Accessed 2 May 2024).
- UNHCR Data Portal. “Mediterranean Situation, Italy Sea Arrivals”. <https://data.unhcr.org/en/situations/mediterranean/location/5205> (Accessed 22.04.2024).

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