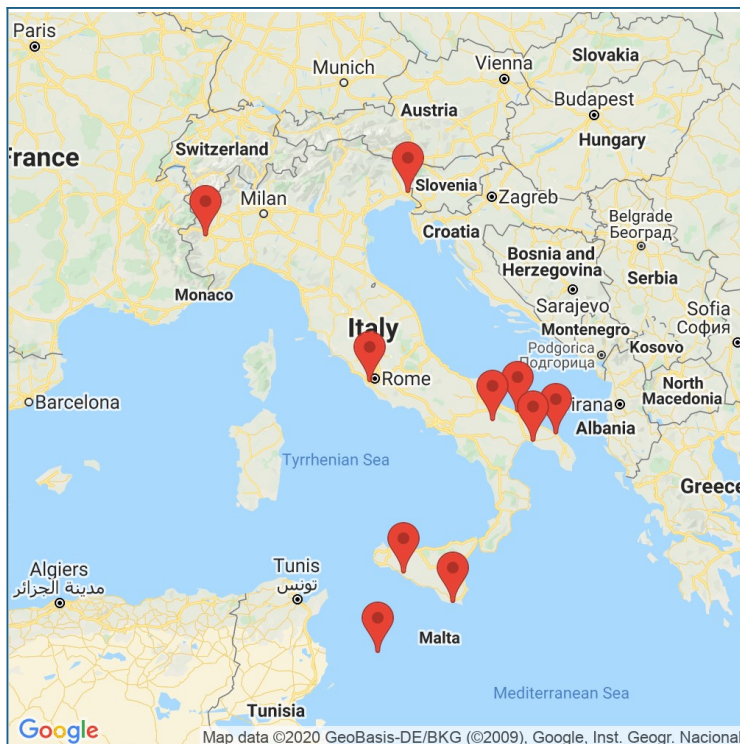




**THE RED LINE PROJECT**  
A project led by the Hungarian Helsinki Committee and funded by EPIM



Quick Facts	
Immigration detainees (2018)	4,092
Detained asylum seekers (2013)	150
Detained minors (2017)	Not Available
Immigration detention capacity (2018)	1,984
Persons expelled (2018)	5,615
International migrants (2019)	6,273,722
New asylum applications (2019)	34,864
Number of immigration detainees on a given day (2020)	229

## NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/europe/italy>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

# STATISTICS

## Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
<b>Total number of immigration detainees by year</b>	4,092	2018	<b>Number of immigration detainees on a given day</b>	229	2020
	4,087	2017		381	2020
	2,984	2016		1,036	2017
	5,242	2015		417	2017
	6,016	2013		0	
	7,944	2012			
	7,000	2010			
<b>Top nationalities of detainees</b>	Tunisia, Nigeria, Morocco, Algeria, Egypt	2017	<b>Number of detained asylum seekers</b>	150	2013
				120	2013
<b>Total number of detained minors</b>	Not Available	2017	<b>Number of apprehensions of non-citizens</b>	26,780	2018
				36,230	2017
				32,365	2016
				27,305	2015
				25,300	2014
				23,945	2013
				29,345	2012
<b>Immigration detainees as a percentage of total international migrant population</b>	0.09	2015	<b>Estimated total immigration detention capacity</b>	1,984	2018
	0.11	2013			
	0.1	2013			
	0.12	2010			
<b>Number of dedicated long-term immigration detention centres</b>	5	2018	<b>Estimated capacity of dedicated long-term immigration detention centres</b>	751	2019
	4	2017		538	2018
	5	2015		359	2017
				1,066	2015
<b>Number of ad hoc facilities</b>	4	2018	<b>Number of persons removed/returned (voluntary returns and deportations)</b>	5,615	2018
	4	2017		13,572	2018
				7,045	2017
				5,715	2016
				4,670	2015
				5,310	2014
				5,860	2013
				7,365	2012

Number of deportations/forced returns only	5,180	2018	Percentage of persons removed in relation to total number of people placed in removal procedures	19	2017
	5,323	2018		18	2016
	4,935	2017		17	2015
	4,505	2016		21	2014
	3,655	2015			
	4,330	2014			
Criminal prison population	56,289	2017	Percentage of foreign prisoners	34	2017
	59,683	2014		34.4	2014
	64,835	2013		35.3	2013
Prison population rate (per 100,000 of national population)	93	2017			
	99	2014			
	106	2013			
<b>Demographics and immigration-related statistics</b>					
		<b>Observation Date</b>			<b>Observation Date</b>
Population	60,500,000	2020	International migrants	6,273,722	2019
	60,483,973	2017		5,907,500	2017
	59,798,000	2015		5,788,900	2015
	61,000,000	2012		5,721,500	2013
				5,788,000	2010
International migrants as a percentage of the population	9.7	2015	Estimated number of undocumented migrants	28,659	2018
	9.4	2013		10,000	2014
Refugees	207,602	2019	Ratio of refugees per 1000 inhabitants	2.46	2016
	189,243	2018		1.07	2014
	167,335	2017		1.57	2014
	147,302	2016		1	2011
	118,047	2015			
	78,061	2014			
	93,715	2014			
	64,779	2012			
Total number of new asylum applications	34,864	2019	Refugee recognition rate	12	2018
	53,500	2018		5	2016
	122,905	2016		10.3	2014
	123,600	2016			
	63,660	2014			
	63,657	2014			
	25,720	2013			
	17,352	2012			

<b>Stateless persons</b>	732	2018
	715	2017
	701	2016
	747	2015
	606	2015
	350	2014
	470	2012

## DOMESTIC LAW

### LEGAL TRADITION

Legal tradition	Name	Observation Date
	Civil law	2019

### LAWS AND REGULATIONS

Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	Constitution of the Republic of Italy, article 13	2007	2007

### LAWS AND REGULATIONS

<b>Core pieces of national legislation</b>	Name	Year Adopted	Last Year Amended
	Law 46/2017 "Conversione in legge, con modificazioni, del decreto-legge 17 febbraio 2017, n. 13, recante disposizioni urgenti per l'accelerazione dei procedimenti in materia di protezione internazionale, nonché per il contrasto dell'immigrazione illegale."	2017	2017
	Law 47/2017 "Provisions on Protective Measures for Unaccompanied Foreign Minors"	2017	2017
	Legislative Decree 142/2015 "Implementation of Directive 2013/33/EU on standards for the reception of asylum applicants and the Directive 2013/32/EU on common procedures for the recognition and revocation of the status of international protection."	2015	2015
	Legislative Decree no. 25/2008 on minimum standards on procedures in Member States for granting and withdrawing refugee status	2008	2011
	Legislative Decree no. 129/2011 Urgent provisions for the full application of the Directive 2004/38/EC on the free movement of EU citizens and for the transposition of the Directive 2008/115/EC on returning illegally staying third-country nationals		2011
	The Consolidated Immigration Act	1998	2018
	D.lgs n. 142/2015 "Attuazione della direttiva 2013/33/UE recante norme relative all'accoglienza dei richiedenti protezione internazionale, nonché della direttiva 2013/32/UE, recante procedure comuni ai fini del riconoscimento e della revoca dello status di protezione internazionale."	2015	2018
	D. Lgs n.25/2008 "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"	2008	2018
	Decreto legge 4 ottobre 2018, n.113, coordinato con la Legge di conversione 4 dicembre 2018, n.132.	2018	2018

LAWS AND REGULATIONS			
Regulations, standards, guidelines	Name		Year Published
	Regolamento Recante "Criteri per l'Organizzazione e la Gestione dei Centri di Identificazione ed Espulsione Previsti dall'Articolo 14 del Decreto Legislativo 25 Luglio 1998 n. 286 e successive modificazioni" ( Regulations on the "criteria for the organization and management of the centers for identification and expulsion" )		2014
	Roadmap Italiana (Italian Roadmap)		2015
	Standard Operating Procedures (SOPs) applicable to Italian Hotspots		2015
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Immigration-status-related grounds	Name		Observation Date
	Detention to prevent unauthorised entry at the border		2019
	Detention to establish/verify identity and nationality		2019
	Detention to prevent absconding		2019
	Detention for failing to respect non-custodial measures		2019
	Detention for failing to respect a voluntary removal order		2019
	Detention during the asylum process		2019
	Detention to effect removal		2019
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date
	Yes	Yes	2019
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Grounds for criminal immigration-related detention/incarceration and maximum potential duration of incarceration	Grounds for Incarceration	Maximum Number of Days of Incarceration	Observation Date
	Unauthorised stay	365	2019
	Unauthorized re-entry	1460	2019
LENGTH OF DETENTION			
Maximum length for administrative immigration detention in law.	Number of Days		Observation Date
	180		2018
	90		2017
	540		2013
LENGTH OF DETENTION			
Maximum length of time in custody prior to issuance of a detention order	Number of Days		Observation Date
	2		2017

LENGTH OF DETENTION				
Average length of detention	Number of Days		Observation Date	
	25.5		2015	
	150		2012	
LENGTH OF DETENTION				
Maximum length of detention for asylum-seekers	Number of Days		Observation Date	
	365		2017	
	30		2012	
PROCEDURAL STANDARDS				
Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Right to appeal the lawfulness of detention	Yes		2017
	Right to legal counsel	Yes		2017
	Information to detainees	Yes		2017
	Independent review of detention	Yes		2017
	Access to asylum procedures	Yes		2017
NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Types of non-custodial measures	Name	In Law	In Practice	Observation Date
	Designated non-secure housing	Yes	Yes	2020
	Supervised release and/or reporting	Yes	infrequently	2017
	Registration (deposit of documents)	Yes	infrequently	2017
	Designated non-secure housing	Yes	infrequently	2017
	Electronic monitoring	No	No	2017
	Release on bail	Yes	infrequently	2014
VULNERABLE PERSONS				
Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Accompanied minors	Provided	No	2020
	Unaccompanied minors	Provided	No	2020
	Unaccompanied minors	Prohibited	Not available	2017
	Asylum seekers	Provided	No	2017
	Pregnant women	Prohibited	Not available	2017
	Accompanied minors	Not mentioned	Not available	2017
EXPEDITED REMOVAL AND RE-ENTRY BAN				
Re-entry ban	Name		Observation Date	
	Yes		2017	

**COVID-19 UPDATES**

	Update Status	Observation Date
	<p>Migrants and asylum seekers who test positive for COVID-19 are routinely being confined in “inadequate conditions” on quarantine ships stationed off the country’s coast. According to ARCI (Associazione Ricreativa Culturale Italiana), five quarantine ships are currently in operation; however, the total number of people quarantined on these vessels has not been released. Following a visit to one quarantine ship on 17 September--the “Rhapsody” ferry, then anchored off Palermo--the Italian national ombudsman reported that 868 persons were in quarantine on the ship that day, as well as an additional 814 who were undergoing compulsory isolation following their arrival in Italy. Initially established in April by Decree n.1287/2020, the ships were intended to temporarily hold people rescued at sea who did not have a place of safety in the country. However, as well as placing newly arrived foreigners on the ships, others have been transferred from reception centres and other migrant structures--some of whom had been in the country for “several years.” Concerns surrounding the country’s use of “quarantine ships” escalated earlier this month following the revelation that a “seriously ill” 15-year-old boy, who had been isolated on the Allegra quarantine ship following his rescue from the Mediterranean on 18 September, had died. The boy, who was reported to be dehydrated, malnourished, and had signs of torture on his body, remained on the ship until 30 September when he was ordered to be transferred to a hospital in Palermo following a medical examination. Two days later, he fell into a coma. He passed away on 5 October. According to Open Migration, the boy had received no medical treatment while on the ship. The boy’s death is now being investigated by Italian prosecutors. More recently, an asylum seeker quarantined on board “Rhapsody” sent a video to ARCI to highlight the conditions in which he was being held. The video showed that windows on the ship were kept closed, and the individual reported that he had not been visited by a doctor or provided with medicine, bedding had not been changed, and he had only received one disposable paper face-mask since arriving nine days earlier. According to ARCI, migrants and asylum seekers on the boats were being kept in “inadequate” conditions and were essentially deprived of their liberty. On 13 October, a member of the Italian parliament, Erasmo Palazzotto, submitted questions to parliament, asking for an immediate halt to transfers to quarantine ships. He described the use of the ships as a “discriminatory approach which is highly detrimental to the fundamental rights of migrants.”</p>	2020
Latest Update	<p>The Italian Minister for Agricultural Policies, Teresa Bellanova, said (6 May) that she wants to regularise some 600,000 undocumented workers. She said: “If this doesn’t happen, the State becomes not only an accomplice but also a promoter of illegality in which these workers are forced.” The confederation of Italian farmers said the regularisation of undocumented workers working in the agricultural industry would bring an additional 1.2 billion euros into the national economy. Italy maintains a network of seven Return Detention Centres (CPRs). The total capacity of these was 751 as of 2019. According to the European Migration Network contact in Italy, the CPRs are required to take particular precautions in the wake of the Covid-19 pandemic, including: - Informing migrants of the proper safeguards to be adopted to prevent the spread of Covid-19; - Ensuring social distancing; - Providing personal hygiene products; - Cleaning and sanitising the premises on a regular basis. During the period January-March, there were 2,794 maritime arrivals. Médecins Sans Frontières has reported that they are providing medical assistance in a clinic at Selam Palace, a building hosting more than 500 refugees in Rome. In addition, on 7 April 2020, the Italian government informed the German foreign ministry that due to the Covid-19 crisis, it will not allow the disembarkation of migrants rescued by German Search and Rescue NGOs, even if other EU Member States accept relocation. Despite the impossibility of carrying out returns due to flight suspensions, Italy has not formally suspended forced repatriation measures. Also, no general policy on releasing immigration detainees from detention centres has been developed, not even regarding the Gradisca Detention Centre, where Covid-19 cases have been confirmed. ECRE reported that the number of detainees was reduced, but as of late April, there were still 229 people detained. Following the adoption of a decree modifying regulations concerning house arrest on 16 March 2020, the prison population was reported to have been reduced by 6,000 on 18 March 2020. Nonetheless, on 30 March, two prison guards were reported to have died from Covid-19. On 23 April, 68 prisoners at the Lorusso e Cutugno prison in Turin tested positive for the disease and five were transferred to hospital.</p>	2020
	<p>The Italian government declared its ports “unsafe” due to coronavirus, and will not authorise the landing of migrant rescue boats until after the end of the emergency.</p>	2020
	<p>Campaign groups such as the “Campagna Nazionale contro la detenzione amministrativa di migranti” have highlighted the risks of the spread of Coronavirus within immigration detention centres in Italy, especially given the poor hygiene conditions and particular vulnerability of detainees. In addition, Italy’s national detainee rights guarantor, Mauro Palma, has urged the government to assess whether it is reasonable to “deprive people of their freedom for the sake of repatriation when they cannot for the moment be repatriated.” Migrants detained living in reception centres in Bologna wrote an open letter to local and regional authorities calling for improvements in living conditions to reduce the risk of Covid-19 transmission. The letter states that: “more than 200 of us live and sleep in dorms with 5 to 10 persons each, with beds very close, one on top of the other.” In a letter signed on 26 March 2020, Italy’s Interior Ministry ordered all prefects to “constantly monitor the health condition” of migrants held in CPRs. The goal of this monitoring is to “quickly detect possible symptoms of Covid-19.” According to the letter, all new detainees must undergo medical screening and be placed in separate accommodation for at least 14 days. Prefects were also ordered to ensure that all detainees are provided with appropriate materials for care and hygiene, are regularly informed about measures that should be taken to prevent the virus’ spread, and are provided with access to mobile phones given that visits are no longer permitted. In three separate cases, judges in Italy ordered the release of rejected asylum seekers held in CPRs. These rulings were made by two courts in Rome, and one court in Trieste, which cited the danger of detention to detainees’ health, and lack of legal basis for detention now that deportations are suspended. On 29 March, shortly before these rulings, detainees held in Gradisca CPR protested their living conditions amid the Covid-19 emergency, with fires set inside the facility. At least a dozen inmates have died and more than 40 staff have been injured following riots in prisons after the government announced restrictions due to the Coronavirus outbreak. On 27 March 2020, it was reported that 15 prisoners tested positive for Covid-19 and 260 were put in isolation. Three days later, trade unions announced the death of two prison guards from Covid-19.</p>	2020



## INTERNATIONAL LAW

### Relevant international treaties and date of ratification

International treaties	Name	Ratification Year
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance	2015
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2013
	OP ICESCR, Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	2015
	ICCPR, International Covenant on Civil and Political Rights	1978
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1978
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1976
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1985
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1989
	CRC, Convention on the Rights of the Child	1991
	CRPD, Convention on the Rights of Persons with Disabilities	2009
	CRSR, Geneva Convention Relating to the Status of Refugees	1954
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1972
	CRSSP, Convention Relating to the Status of Stateless Persons	1962
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2006
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2006
	VCCR, Vienna Convention on Consular Relations	1969
OP CRC Communications Procedure	2016	
<b>Ratio of relevant international treaties ratified</b>	17/19	

### Relevant international treaties and date of ratification

International treaty reservations	Name	Reservation Year	Observation Date
	VC Article 36	1969	2019

### Relevant international treaties and date of ratification

Individual complaints procedure	Name	Acceptance Year
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1978
	ICERD, declaration under article 14 of the Convention	1976
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	1985
	CAT, declaration under article 22 of the Convention	1989
CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2009	



**Relevant international treaties and date of ratification**

Ratio of complaints procedures accepted	Number	Observation Date
	5	2019
	5	2019

**Relevant international treaties and date of ratification**

Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year
		16	2017
	Committee on the Elimination of Discrimination Against Women	§16. The Committee recommends, in line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, that the State party: [...] (c) Provide adequate services to refugees and asylum seekers placed in administrative detention, in particular women with specific needs and vulnerabilities; (d) Ensure that immigration detention is applied only as a measure of last resort, after it has been determined, on a case-by-case basis, to be strictly necessary, proportionate, lawful and non-arbitrary, and is imposed for the shortest possible period; [...]	2017
	Committee on the Elimination of Discrimination Against Women	16	2017
	Human Rights Committee	25	2017
	Committee on the Elimination of Racial Discrimination	§ 22: The Committee is concerned that, despite its previous recommendations, the precarious conditions in assistance, reception and identification centres have worsened with the arrival of migrants from North Africa, particularly in recent years. The Committee is concerned by the information according to which migrants are more likely to be arrested and often receive harsher sentences than Italians. This situation may also have been aggravated by Law No. 94/2009 which criminalized undocumented entry and stay in Italy, and Law No. 129/2011 which allows the detention of undocumented migrants for up to 18 months. [...] The Committee recommends that the State party: a) take the necessary measures to ensure that conditions in centres for refugees and asylum-seekers meet international standards.	2012
	Committee against Torture	§ 9: The Committee is concerned at the detention policy applied to asylum-seekers and other non-citizens, including reports that they often face lengthy periods of detention in the Temporary Detention Centres (CPTs) and the “temporary stay and assistance centres” (CPTAs). In this respect, the Committee regrets the change in the legislative framework resulting from Law No. 189/2002 (the “Bossi-Fini law”) which permits the detention of undocumented migrants and doubles the detention period (from 30 to 60 days). (arts. 2, 11 and 16) The State party should take effective measures to ensure that detention of asylum seekers and other non-citizens is used only in exceptional circumstances or as a measure of last resort, and then only for the shortest possible time. The State party should also ensure that courts carry out a more effective judicial review of the detention of these groups.	2007

**Regional treaties, regulations, and directives**

<b>Regional legal instruments</b>	<b>Name</b>	<b>Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)</b>
	ECHR, Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the European Convention on Human Rights)	1955
	ECHRP7, Protocol 7 to the European Convention on Human Rights (amended by protocol 11)	1991
	ECHRP1, Protocol 1 to the European Convention on Human Rights (amended by protocol 11)	1955
	ECPT, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment	1988
	CATHB, Convention on Action against Trafficking in Human Beings	2010
	Reception Directive	2005
	Procedures Directive	2008
	Return Directive	2011
	CPCSE, Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse	2013

**Regional treaties, regulations, and directives**

<b>Regional treaty reservations</b>	<b>Name</b>	<b>Reservation Year</b>
	ECHRP7 Article 2	1991
	ECHRP7 Article 3	1991

**Regional treaties, regulations, and directives**

	Name	Recommendation Excerpt	Recommendation Year	Observation Date
<p><b>Recommendations issued by regional human rights mechanisms</b></p>	<p>European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)</p>	<p>§ 30: immediate steps to be taken at the Bologna CIE to ensure that foreign nationals are provided with board games and a television set and have more frequent access to the existing sports facilities; the Italian authorities to redouble their efforts to provide foreign nationals held at the Bologna CIE with a range of purposeful activities. The longer the period for which foreign nationals are detained, the more developed should be the activities which are offered to them; § 34: steps to be taken at the Bologna CIE and all other CIEs in Italy to ensure that, whenever injuries are recorded by a doctor which are consistent with allegations of ill-treatment made by a foreign national (or which, even in the absence of allegations, are indicative of ill-treatment), the record is systematically brought to the attention of the relevant prosecutor, regardless of the wishes of the person concerned; § 37: steps to be taken to ensure that the confidentiality of medical data is fully respected at the Bologna CIE; § 39: as regards the isolation of immigration detainees for reasons of good order and security, a proper legal basis and clear procedures (including appropriate safeguards such as the keeping of a dedicated register) to be established at the Bologna CIE and, where appropriate, in other CIEs in Italy.</p>	<p>2013</p>	<p>2019</p>
	<p>European Commission against Racism and Intolerance (ECRI)</p>	<p>§ 129: ECRI again recommends that the Italian authorities detain asylum seekers only when absolutely necessary, for short periods of time, and following an examination of the circumstances of the individual case; § 130: ECRI recommends that the Italian authorities review reception conditions in CDAs and CARAs to ensure that they meet all the needs of their occupants, both medically and socially and in terms of legal assistance; § 145: ECRI recommends that the Italian authorities consider alterations to Identification and Expulsion Centres (CIEs) and the living conditions there and take all the necessary steps to ensure that they are suitable for periods of detention lasting up to 180 days; § 146: ECRI urges the Italian authorities to ensure that all persons held in CIEs have access to the medical care that they need; § 147: ECRI urges the Italian authorities to investigate all allegations of ill-treatment in these centres and punish those responsible. It again invites the authorities to increase transparency by facilitating access to these centres, including for organisations protecting the human rights of migrants and asylum seekers and for lawyers.</p>	<p>2012</p>	<p>2019</p>

**Bilateral/Multilateral agreements linked to readmissions**

	<b>Name</b>	<b>Year in Force</b>	<b>Observation Date</b>
	Moldova	2004	2017
	Netherlands	2000	2017
	Nigeria	2011	2017
	India	2000	2017
	Mexico	2002	2017
	Philippines	2004	2017
	Romania	1998	2017
	Russian Federation	2011	2017
	Poland	2001	2017
	Slovakia	2002	2017
	Slovenia	1997	2017
	Switzerland	2000	2017
	Serbia	1998	2017
	Cyprus	2003	2017
	Sri Lanka	2001	2017
	Greece	2000	2017
	Hungary	1998	2017
	Spain	2001	2017
	Egypt	2000	2017
	Turkey	2001	2017
	Tunisia	1999	2017
	Uzbekistan	2001	2017
	Austria	1998	2017
	Albania	2008	2017
	Algeria	2006	2017
	Bulgaria	1998	2017
	Bosnia and Herzegovina	2004	2017
	Cyprus	2006	2017
	Czech Republic	1999	2017
	Croatia	1998	2017
	Egypt	2007	2017
	Estonia	1999	2017
	France	1999	2017
	Greece	2001	2017
	Hungary	1999	2017
	Latvia	1997	2017
	Lithuania	1999	2017
	Malta	2002	2017
	Macedonia	1997	2017
	Cape Verde (EU agreement)	2013	2013

**Bilateral/multilateral agreements linked to readmission**

<b>Bilateral/Multilateral agreements linked to readmissions</b>			
<b>Bilateral/multilateral agreements linked to readmission</b>	<b>Name</b>	<b>Year in Force</b>	<b>Observation Date</b>
	Georgia (EU agreement)	2011	2011
	Pakistan (EU agreement)	2010	2010
	Moldova (EU agreement)	2008	2008
	Serbia (EU agreement)	2008	2008
	Ukraine (EU agreement)	2008	2008
	Bosnia-Herzegovina (EU agreement)	2008	2008
	Macedonia (EU agreement)	2008	2008
	Montenegro (EU agreement)	2008	2008
	Russia (EU agreement)	2007	2007
	Albania (EU agreement)	2006	2006
	Sri Lanka (EU agreement)	2005	2005
	Hong Kong (EU agreement)	2004	2004
	Macao (EU agreement)	2004	2004
<b>Non treaty-based international human rights mechanisms</b>			
<b>Visits by special procedures of the Human Rights Council</b>	<b>Name</b>	<b>Year of Visit</b>	<b>Observation Date</b>
	Special Rapporteur on trafficking in persons, especially in women and children	2013	2019
	Special Rapporteur on the human rights of migrants	2012	2019
	Special Rapporteur on violence against women, its causes and consequences	2012	2019
	Working Group on arbitrary detention	2008	2019
	Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance	2006	2019
	Special Rapporteur on the human rights of migrants	2004	2019
Working Group on arbitrary detention	2014	2019	

## Non treaty-based international human rights mechanisms

Name	Recommendation Excerpt	Recommendation Year	Observation Date
Special Rapporteur on the human rights of migrants	§ 105: Ensure that migrants are detained only because they present a danger for themselves or others, or would abscond from future proceedings, always for the shortest time possible, and that non-custodial measures are always considered first as alternatives to detention. 106. Improve enforcement of the regulation with regard to the management of Government centres for irregular migrants, drawing from the best practices observed in the present network of CIEs and in other facilities in Europe and around the world, and in accordance with relevant standards espoused by international human rights law. 107. Ensure that all detained migrants have access to proper medical care, interpreters, adequate food and clothes, hygienic conditions, adequate space to move around and access to outdoor exercise. 108. Systematically inform detained migrants in writing, in a language they understand, of the reason for their detention, its duration, their right to have access to a lawyer, the right to promptly challenge their detention and to seek asylum. 109. Seek to ensure the early identification of migrant prisoners to avoid further detention in CIEs. 110. Ensure that all migrants deprived of their liberty are able to promptly contact their family, consular services and a lawyer, which should be free of charge. 111. Guarantee the full access by international organizations, including UNHCR and IOM, civil society organizations, doctors, journalists and lawyers to all areas where migrants are held or detained, at all stages of the procedure, including in temporary reception centres. 112. Develop comprehensive human rights training programmes for all staff who work in such centres. 113. Ensure full and proper access to justice for all detainees, including a more accountable system for lodging complaints within detention centres. 114. Establish a fairer and simpler system for migrant detainees to be able to challenge expulsion and detention orders. 115. Provide explicit training for the Justices of the Peace on international human rights law and international refugee law. 116. Reduce the maximum period of immigration detention for the purposes of identification to 6 months.	2013	2019
Special Rapporteur on violence against women, its causes and consequences	§ 94 (k): Amend the "Security Package" laws generally, and the crime of irregular migration in particular, to ensure access of migrant women in irregular situations to the judiciary and law enforcement agencies, without fear of detention and deportation	2012	2019
Working Group on arbitrary detention	§ 117: Legislation making non-compliance with immigration laws punishable by imprisonment (or as an aggravating circumstance) should be reconsidered. 119. The Government should implement the proposals made in the De Mistura report with regard to centres holding asylum-seekers and migrants. 120. With regard to first reception centres for asylum-seekers (CDAs), the deprivation of liberty in them, at present de facto, needs to be provided with a legal basis. If the detention of asylum-seekers in CDAs until the issuance of the document certifying their status as asylum-seekers is maintained, it must be limited by strict and tight timelines. 121. Detention in Identification and Expulsion Centres should be based on more careful examination of the individual case on the basis of criteria enshrined in law. Where a person files an asylum claim while detained in a CIE, continued detention in the CIE should not be automatic. Measures to promote the voluntary repatriation of expellees should be given more consideration. Where the expulsion of a migrant is ordered by a criminal court, preparations for the deportation should be carried out while the migrant is in prison, to avoid detention in a CIE. Legal aid to persons detained in CIEs should be strengthened.	2009	2019
Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance	§ 75: The Government should further improve the conditions of the CPTAs and the reception and identification centres to ensure that health care as well as appropriate housing and living conditions are provided. It is particularly important to improve the provision of legal information and counselling. The Government should allow the free and permanent presence of relevant international organizations, in particular UNHCR and the International Organization for Migration, and the access of specialized humanitarian NGOs, particularly in the fields of health and legal aid, to improve the quality of the services currently provided.	2007	2019
Special Rapporteur on the human rights of migrants	§ 105: Urgent steps should be taken to ensure health assistance for mass arrivals in Lampedusa. The priority of the Lampedusa CPTA should be the correct identification of everyone arriving on the island, not the immediate deportation of newly-arrived immigrants. The Special Rapporteur welcomes the new agreement between the Ministry of the Interior and MSF and hopes that MSF will be able to resume its activities in the CPTAs and the identification centres in the near future. 107. Better coordination is required between the Ministry of the Interior and the prison authorities over the deportation of foreign prisoners. Holding ex-convicts in the CPTAs implies an unjustified extension of their sentences and creates problems of personal safety for everyone else held there, particularly women. 114. The possibility should be studied of extending the article 18 programmes to male and female victims of trafficking in persons who have been subjected to forced labour, slavery or similar practices, bondage or organ removal. Foreigners in prison or in CPTAs should be ensured access to these programmes.	2004	2019
Special Rapporteur on the human rights of migrants	§ 108: (a) Ensure that migrants are detained only when they present a danger to themselves or others or a demonstrated risk of absconding from future proceedings, and always ensure that detention is used for the shortest time possible and as a measure of last resort. Non-custodial alternatives to detention should be used in all other cases; (b) Improve and standardize the management of reception centres for irregular migrants, drawing from the best practices observed in the existing network of reception centres and in other facilities in Europe and around the world, and in accordance with relevant standards set out in international human rights law; (c) Ensure that all detained migrants have access to proper medical care, interpreters, adequate food and clothing, hygienic conditions, adequate space to move around and outdoor exercise; (d) Systematically inform detained migrants in writing, in a language they understand, of the reason for their detention, its duration and their rights to access to a lawyer, to promptly challenge their detention and to seek asylum; (e) Implement legislation concerning the early identification of migrant prisoners to avoid further detention; (f) Ensure that all migrants deprived of their liberty are able to promptly and easily contact their family, consular services and a lawyer, which should be free of charge; (g) Guarantee full access by international organizations, including UNHCR and the International Organization for Migration, as well as civil society organizations, doctors, journalists and lawyers, to all areas where migrants are held or detained, at all stages of the procedure, including in reception centres; (h) Develop comprehensive human rights training programmes for all staff who work in reception centres; (i) Coordinate and simplify all the different reception centres to avoid confusion and duplication of efforts, especially where family members are processed under different procedures; (j) Ensure the monitoring of reception centres so that they are all brought to the same standards.	2015	2019
Working Group on arbitrary detention	§ 73. Deprivation of liberty of asylum seekers, refugees and migrants in an irregular situation should only be used as a measure of last resort. The Government should take sustained measures to ensure that these groups of individuals are detained only because they present a danger for themselves or others, or would abscond from future proceedings, always for the shortest time possible, and that non-custodial measures are always considered first as alternatives to detention. §74. Where the expulsion of a migrant is ordered by a criminal court, preparations for the deportation should be carried out while the migrant is in prison, to avoid detention in an identification and expulsion centre. §75. All detained migrants should have access to proper medical care, interpreters, adequate food and clothes, hygienic conditions, adequate space to move around and access to outdoor exercise. §76. Detained migrants should be systematically informed in writing, in a language they understand, of the reason for their detention, its duration, their right to have access to a lawyer, the right to promptly challenge their detention and to seek asylum. §77. All migrants deprived of their liberty should be able to promptly contact their family, consular services and a lawyer, which should be free of charge. §78. Comprehensive human rights training programmes should be developed for all staff who work in such centres. §79. A fairer and simpler system should be established for migrant detainees to be able to challenge expulsion and detention orders. §80. All detained persons who claim protection concerns should, without delay, be adequately informed of their right to seek asylum, have access to registration of asylum claims and should be able to communicate with the Office of the United Nations High Commissioner for Refugees, lawyers and civil society organizations. §81. In compliance with the European Union "Dublin III" Regulation, asylum seekers can be transferred only to European Union member States, according to the territorial competence of those member States in receiving and processing the asylum claim, as provided by the Regulation. The Government should prohibit the transfer of asylum seekers to detention centres in third countries that do not meet international human rights standards or that have no procedures to assess promptly claims for asylum.	2015	2019

## Non treaty-based international human rights mechanisms

Relevant recommendations of the UN Universal Periodic Review	Recommendation Issued	Year Issued	Observation Date
	Yes	2010	2019
	Yes	2014	2019

# INSTITUTIONAL INDICATORS

Governing structures				
Federal or centralized governing system	Federal or centralized governing system		Observation Date	
		Centralized system		2019
Governing structures				
Centralized or decentralized immigration authority	Centralized or decentralized immigration authority		Observation Date	
		Centralized immigration authority		2019
Institutions responsible for immigration detention				
Custodial authority	Agency	Ministry	Ministry Typology	Observation Date
	Dipartimento per le libertà civili e l'immigrazione / Direzione Centrale dei Servizi Civili per L'immigrazione e L'asilo	Ministero dell'Interno	Interior or Home Affairs	2019
	Dipartimento per le libertà civili e l'immigrazione / Direzione Centrale dei Servizi Civili per L'immigrazione e L'asilo	Ministero dell'Interno	Interior or Home Affairs	2011
	Dipartimento per le libertà civili e l'immigrazione / Direzione Centrale dei Servizi Civili per L'immigrazione e L'asilo	Ministero dell'Interno	Interior or Home Affairs	2009
	Dipartimento per le libertà civili e l'immigrazione / Direzione Centrale dei Servizi Civili per L'immigrazione e L'asilo	Ministero dell'Interno	Interior or Home Affairs	2008
	Dipartimento per le libertà civili e l'immigrazione / Direzione Centrale dei Servizi Civili per L'immigrazione e L'asilo	Ministero dell'Interno	Interior or Home Affairs	2007



**Institutions responsible for immigration detention**

<b>Detention Facility Management</b>	<b>Entity Name</b>	<b>Entity Type</b>	<b>Observation Date</b>	
	Bari Palese: Badia Grande; Brindisi Restinco: San Filippo Neri (former Auxilium); Caltanissetta: San Filippo Neri (former Auxilium); Palazzo S. Gervasio: Engels Italia srl; Ponte Galeria: Albatros (former GEPSA); Torino: Gepsa – Aquarinto; Trapani: Badia Grande			2019
	Italian Red Cross	Private Not-For-Profit	2018	
	Prefettura di Milano	Governmental	2012	
	Le Misericordie d'Italia	Private Not-For-Profit	2012	
	Prefettura di Bologna	Governmental	2012	
	Auxilium	Private Not-For-Profit	2012	
	Consorzio Connecting People	Private Not-For-Profit	2012	
	Cooperativa Albatros	Private Not-For-Profit	2012	
	Cooperativa Insieme	Private Not-For-Profit	2012	
	Cooperativa Lampedusa Accoglienza	Private Not-For-Profit	2012	
	Direzione Centrale dei Servizi Civili per L'immigrazione e L'asilo	Governmental	2012	
	Auxilium and Consorzio OPUS	Private Not-For-Profit	2012	
	Italian Red Cross with ASL	Private Not-For-Profit	2012	
	Prefettura di Crotone	Governmental	2012	
	Consorzio di Cooperative Sociali SISIFO	Private Not-For-Profit	2012	
	Prefettura di Bari	Governmental	2012	
	Prefettura di Caltanissetta	Governmental	2012	
	Cooperativa Malgrado Tutto	Private Not-For-Profit	2012	
	Prefettura di Gorizia	Governmental	2012	
	Prefettura di Brindisi	Governmental	2012	
	Prefettura di Trapani	Governmental	2012	
	Prefettura di Cosenza	Governmental	2012	
	Prefettura di Reggio Emilia	Governmental	2012	
Prefettura di Roma	Governmental	2012		
Prefettura di Torino	Governmental	2012		
Direzione Centrale dei Servizi Civili per L'immigrazione e L'asilo	Governmental	2011		
Direzione Centrale dei Servizi Civili per L'immigrazione e L'asilo	Governmental	2009		
Fondazione Regina Pacis	Private Not-For-Profit	2008		
Coop Malgrado Tutto	Private Not-For-Profit	2008		
Confraternite della Misericordia di Realmonte e S. Biagio Platani	Private Not-For-Profit	2007		

**Institutions responsible for immigration detention**

<b>Formally designated detention estate?</b>	<b>Formally designated immigration detention estate?</b>	<b>Types of officially designated detention centres</b>	<b>Observation Date</b>
	Yes	Dedicated immigration detention facilities	

Institutions responsible for immigration detention															
Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
Yes															2019
Detention monitoring institutions															
Authorized monitoring institutions	Institution						Institution Type						Observation Date		
	National Guarantor of rights of people detained or deprived of their liberty						OPCAT National Preventive Mechanism (NPM)						2019		
Detention monitoring institutions															
Is the national human rights institution (NHRI) recognized as independent?	Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions?											Observation Date			
	Yes											2019			
Detention monitoring institutions															
Does NHRI carry out visits?	Does NHRI carry out visits in practice?						Observation Date								
	Yes						2019								
Detention monitoring institutions															
Does NHRI publicly release reports on immigration detention?	Does NHRI publicly release reports on immigration detention?						Observation Date								
	Yes						2019								
Detention monitoring institutions															
Does national preventive mechanism (NPM) carry out visits?	Does NPM carry out visits in practice?						Observation Date								
	Yes						2017								
Detention monitoring institutions															
Does NPM publicly release reports on immigration detention?	Does NPM publicly release reports on immigration detention?						Observation Date								
	Yes						2019								
Detention monitoring institutions															
Do NGOs carry out visits?	Do NGOs regularly carry our visits?						Observation Date								
	Yes						2019								
Detention monitoring institutions															
Do NGOs publish reports on immigration detention?	Do NGOs publish reports on immigration detention?						Observation Date								
	Yes						2019								
Detention monitoring institutions															
Do parliamentary organs carry out visits?	Do parliamentary organs carry out visits?						Observation Date								
	Yes						2019								

Detention monitoring institutions		
Do parliamentary organs have capacity to receive complaints?	Do parliamentary organs have capacity to receive complaints?	Observation Date
	Yes	2019
Detention monitoring institutions		
Do parliamentary organs publicly report on their detention findings?	Do parliamentary organs publicly report on their detention findings?	Observation Date
	Yes	2019
Expenditures		
Estimated cost per detainees day (in USD)	Estimated cost per detainees day (in USD)	Observation Date
	55	2011

More information about immigration detention in Italy is available at the website of the Global Detention Project ([www.globaldetentionproject.org](http://www.globaldetentionproject.org))