


POLIZIA DI STATO
VIGILANZA ARMATA



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PLEASE, WAIT

Barriers to access the procedure for international protection in Italy

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Preface

On a chilly March evening, on a narrow pavement at the gate to the "Questura," the Italian police headquarters situated in the remote outskirts of Rome, dozens of people are huddled under makeshift covers made from rubbish bags. With barely enough room for two people to stand side by side, they endure the constant whizzing of passing cars, stranded at the mercy of the capricious winter weather, hidden away from the bustling tourist flow in the Italian capital. It is here where people seeking asylum queue to try to request international protection – waiting days, sometimes without water, food, or a change of clothes. But even if they manage to enter the police station to express the intent to seek asylum, this is just the first step on the asylum journey. In Trieste, near the Slovenian border, hundreds of people find themselves dwelling in inhumane conditions within abandoned silos as they have nowhere else to go, including people who have applied for protection. The city's emergency shelter can only house up to 40 individuals per night, prioritizing women, children, and families.

The same scene is playing out in cities across Italy. Individuals seeking asylum often face prolonged waits just to start the process with the immigration office at the local Questura. These waits, which can last for months, leave people in a vulnerable and uncertain position, without proper documentation, accommodation, or permission to work to support themselves. The pressing need for more efficient and compassionate processing procedures that abide by Italian law and ensure timely registration and support is evident.

Access to request asylum remains significantly restricted, as the Italian government's focus leans heavily on preventing arrivals in Europe rather than bolstering the asylum and reception systems. It is time to shift from walls to welcome. Ensuring dignified reception and ongoing support to those seeking refuge, regardless of their country of origin or the journey they have undertaken, is the backbone of a fair and humane system.

Summary

For people fleeing persecution, conflict and other violence who are seeking safety in Italy, the first stage in the process to receive asylum or other international protection is to express their intent to apply with the authorities. But in Milan and other cities, many protection seekers are not able to exercise effectively their right to seek protection, instead they are turned away at police headquarters (Questura), told to wait, please. These delays violate the law and leave people in precarious situations, unable to access accommodation through the reception system, seek work in the formal economy, receive healthcare services, or enjoy other critical protections available to people in the process of applying for international protection.

One year ago, in April 2023, the Milan Police Headquarters adopted a new online registration system for international protection. In theory, this system could have helped to alleviate the barriers, delays, precarious conditions, and violence facing people trying to start the protection process there. Limited appointments, repeatedly shifting schedules, and other discriminatory practices had resulted in long queues of people often sleeping for days in difficult conditions outside of the Milan Police Headquarters in hopes of securing an appointment. On several occasions, the use of force by authorities against aspiring applicants was documented by media and other observers.

However, the new digitalized system, while offering some a means to request appointments at the police headquarters, has largely shifted, not solved, the barriers and delays many protection seekers continue to face, and made them far less visible to the public. These new digital barriers include the lack of access to the technology and literacy needed to use the online platform, failure to provide translations, and system errors. Only 6 of 25 protection seekers surveyed for this report who indicated that they had attempted to use the online portal by themselves said that they had managed to schedule an appointment.

Data received through a public information request to the Police Headquarters of Milan indicates an increase in appointments in July and August 2023 (the last data received), but the number of slots currently available continues to be insufficient compared to recent increases in arrivals and in the context of historic levels of global refugee displacement. New queues – both physical and virtual – have formed at the civil society organizations now designated (without financial support) to manage people trying to access the online system to book an appointment in Milan to request international protection. Some protection seekers appear to be turning to third parties to help them register with the third sector organizations, likely being taking advantage of and charged fees for assistance that is, and should be, entirely free.

The consequences of continued barriers and delays in access to the protection process are severe. Fifteen of the 37 people surveyed who were trying to access the online protection request system in Milan said that they had no accommodation. As one person who had not been able to initiate the protection process in Milan explained in September 2023: “I have nowhere to stay. There is no way to get a job. There is no way to eat.”

Organizations assisting protection seekers in Trieste, Turin, Imperia, Bologna, Florence, Rome and Naples reported similar barriers and delays for people trying to access the international protection system in Italy. These included limited appointment slots and months-long delays, undisclosed, discretionary practices in selecting applicants for appointments, and requests for documentation not legally required. Encouragingly, dialogue between civil society and institutions has created opportunities to address some of these issues, but more engagement is needed.

To ensure that people fleeing conflict and violence can effectively exercise their right to request international protection in Italy and access the support and rights of the reception system while their applications are decided, actions are needed at the national and local level, including by the Ministry of the Interior, Prefectures, and police headquarters to:

- Resource Immigration Offices sufficiently to attend promptly to requests for international protection within the timeframes required under Italian law and to avoid situations of days- or months-long queues resulting in denials of protection from deportation and of access to the supports of the reception system;
- Resolve obstacles to the submission of applications for international protection, including in digitalized procedures, to ensure that all applicants can register their intent to seek protection regardless of nationality, language spoken, socioeconomic situation, level of digital literacy, or other circumstances;
- Set, at the national level, certain minimum standards for registration procedures and eliminate the imposition of unnecessary documentation requirements by some Immigration Offices that compound delays and results in applicants being shuffled from one region to another in search of protection;
- Provide accessible and up-to-date information to applicants for international protection, in the languages that they speak, to ensure fair access to the procedure and avoid the potential for misinformation and exploitation;
- Promote coordination among neighboring police headquarters for more efficient management of protection applications as well as between regional and national authorities with civil society groups assisting applicants for international protection through existing, or by establishing, technical coordination tables and other consultation mechanisms.

Additional and more detailed recommendations can be found at the conclusion of this report.

1. INTRODUCTION

The right to seek asylum from persecution is a fundamental right. Although under applicable Italian law the protection of this right and access to the procedure for international protection should be guaranteed as soon as possible to all those seeking protection; in many cities in Italy, exercising the right to asylum is often hindered — if not completely obstructed.

To shed light on the critical nature of this situation and put forward solutions to the problems encountered in various regions, the idea emerged to produce a report on access to the procedure for international protection in Italy. Through collaboration with and the contribution of civil society organizations across Italy, including Milan, Trieste, Turin, Imperia, Bologna, Florence, Rome, and Naples, this report aims to address barriers to accessing international protection. Milan is given particular attention due to the rights violation suffered by people seeking protection there and in view of the recent attempt to digitalize access to the procedure for international protection.

The report seeks to provide an account of the obstacles that people seeking protection encounter when trying to access the procedure at provincial police headquarters (Questure) in Italy, highlighting the differences between regions and, at the same time, the systematic nature of institutional barriers. The intent of this work is to shed light on violations of the right to seek protection, as well as to identify possible best practices and recommend alternative approaches and solutions for government institutions to guarantee access to the procedure for international protection and respect for the rights and dignity of applicants.

The report is the result of collaboration between several civil society organizations that contributed to data collection and drafting, monitoring violations of the rights of international protection applicants, and developing potential solutions to address the critical issues encountered:

- **Fondazione International Rescue Committee Italia (IRC)**

IRC is a non-governmental humanitarian organization founded in 1933 on the initiative of Albert Einstein in the United States, operating in over 50 countries worldwide. It has been present in Italy since 2017 with an office in Milan and projects in various cities to support migrants, refugees, and the local population. IRC Italy responds to needs in the field with a multi-sectoral strategy that includes: direct support to individuals; strengthening the capacities of civil society organizations; strengthening local processes and institutions. Our projects currently cover Lombardy, Sicily, Lazio, Piedmont, and Friuli Venezia Giulia and aim to improve the security, food security, education, economic independence, and mental health of refugees and migrants, with particular attention to the most vulnerable, including women and unaccompanied foreign minors.

- **Associazione Le Carbet**

The association Le Carbet was born with the objective of promoting freedom of movement as a fundamental right through dialogue and discussion platforms on migration and citizenship. Le Carbet aims to create and disseminate a new interpretation of migration, aiming to deconstruct the concept of borders by promoting activities of dissemination, critical research, and monitoring of European migration policies and their effects on communities.

- **Associazione Mutuo Soccorso Milano**

The mutual aid association, Mutuo Soccorso Milano, was established in 2020 as an initiative of the Lena-Modotti solidarity brigade, amidst the health and social crisis caused by the Covid-19 pandemic. On March 8, 2020, Lombardy closed its regional borders to limit the spread of Covid-19, which had already claimed numerous lives. Shortly thereafter, everyday life as we knew it began to change rapidly. Unable to remain indifferent in the face of a health, social, and economic emergency, a group of individuals organized themselves to respond to the numerous requests for help pouring in from all over the city.

- **Associazione NAGA - Organizzazione di volontariato per l'Assistenza Socio - Sanitaria e per i Diritti di Cittadini Stranieri, Rom e Sinti**

Since 1987, volunteers from NAGA, from diverse professional backgrounds, have provided medical care and visits, legal and social assistance to non-citizens, people seeking asylum, torture victims, Roma and Sinti people in Milan. They also offer health and social information to individuals engaged in sex work and to non-citizen detainees, awaiting competent institutions to fulfill their specific duties, such as access to healthcare for all individuals in the country. NAGA complements and enriches its activities with advocacy, exerting pressure on institutions, communication, and raising public awareness.

- **Associazione per gli Studi Giuridici sull'Immigrazione (ASGI)**

ASGI is an association for social advancement established in 1990 by a group of lawyers, jurists, and scholars specializing in immigration, asylum, and citizenship. It participates in and organizes research, studies, and training courses to enhance awareness and expertise, promoting a culture of integration by protecting rights throughout the country. ASGI develops advocacy actions to change laws that discriminate and conflict with our Constitution and the international conventions Italy has signed. It denounces and opposes rights violations through strategic litigation.

- **INTERSOS**

INTERSOS is an international humanitarian organization, founded in Italy, which operates on the front lines in contexts of war, violence, extreme poverty, natural disasters, or those caused by humans. INTERSOS is an independent organization, partnering with numerous associations and organizations in the countries where we operate, as well as with major European and international institutions and agencies. It is a member of ICVA, VOICE, and LINK 2007, holding consultative status in the United Nations Economic and Social Council and observer status with the International Organization for Migration.

We would also like to thank the civil society organizations and stakeholders that contributed to the collection of the material presented in the report by participating in interviews, filling out questionnaires, and providing information to piece together the issues under examination.

2. METHODOLOGY

2.1 Instruments

The survey carried out in Milan, Trieste, Turin, Imperia, Bologna, Florence, Rome, and Naples sought to obtain testimonies that reflect the experiences and challenges of international protection applicants and of the civil society organizations that provide them support in these cities. Data collection was carried out between May 2023 and January 2024 using a combination of quantitative and qualitative methods, specific to the place and subject.

Interviews with civil society representatives providing support to access the procedure for international protection in Milan

Interviews were conducted in two sets of online meetings.

The first set of interviews took place in May, June and July 2023 to gather information on the experiment to digitalize access to the procedure for international protection via the Prenotafacile appointment portal and on the involvement of civil society organizations, which, in principle, only provided support to protection applicants without identity documents. The second set of interviews took place in October 2023 following a change in procedure, whereby all protection applicants—regardless of whether or not they have documents—must contact the civil society organizations listed on the website of the Milan police headquarters to access the protection procedure.

The interviews focused on how the digitalized process works, identifying problems with the Prenotafacile portal and wait times to access the procedure, as well as demographic profiles of protection applicants.

Questionnaire for protection applicants

The civil society organizations that wrote this report devised a questionnaire available in seven languages (Italian, English, Spanish, French, Arabic, Farsi, and Pashto) to collect data relating to the profile of those seeking international protection, and the route they had to negotiate to submit an application. The questionnaire was completed either in person or online via the [Refugee.Info.Italy](#) platform managed by IRC Italy. Questionnaires completed in person involved four researchers, who were members of the IRC Italy staff in Milan, including a cultural mediator.

Out of a total of 79 responses, 37 were considered relevant to the purposes of the research.

Questionnaire to analyze problems relating to access to international protection in cities other than Milan

IRC Italy devised a questionnaire and distributed it via e-mail, aimed at civil society entities (associations, unions, legal help centers, etc.) that provide support to people seeking international protection in Trieste, Turin, Imperia, Bologna, Florence, Rome, and Naples to gather information directly on the situation of access to the procedure for international protection in other regions. The questionnaire was completed by 34 entities.

Public access request

This report contains quantitative data regarding the slots available to apply for international protection and the number of protection applications registered at the Milan police headquarters in 2022 and 2023; this information was obtained through a public access request IRC Italy sent on January 9, 2024.

2.2 Limitations

Availability and quality of collected data

The number of questionnaires completed directly by international protection applicants was small due to several limitations. In particular, the sensitive nature of information relating to applicants' status made it difficult for IRC Italy staff to give the questionnaire to people they met during outreach work, because of the lack of privacy and the impossibility of building a relationship of trust with them. As for the questionnaire available on the Refugee.Info.Italy platform, some responses had to be excluded from the analysis as they were not within the expected target, based on answers received to some questions.

Rapid changes in procedures

Rapid changes in access to the procedure for international protection in Milan during the data collection period had an impact on the significance and accuracy of our results. In particular, during interactions with protection applicants whose data was collected, we noticed a considerable lack of understanding with regard to the stages of the procedure for international protection and, in a broader sense, of the procedure itself. This lack of clarity may have influenced the accuracy of the information provided by participants when completing the questionnaire. Consequently, it is essential that results are interpreted in light of the fact that the information collected reflects participants' perception and understanding of their legal situation, which may not necessarily be in line with their actual situation.



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3. THE RIGHT TO ASYLUM IN ITALY

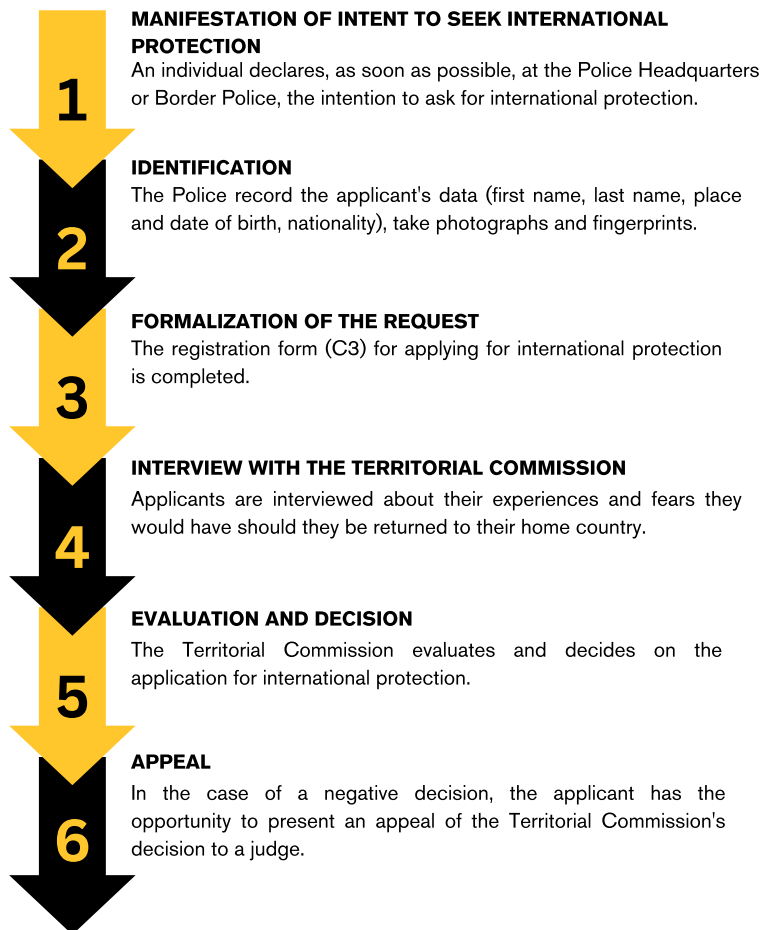
In the Italian legal system, the right to seek asylum is guaranteed through the international protection system, which renders concrete the protection of and respect for fundamental human rights and human dignity. Fundamentally, it provides the right to seek refuge in a country other than one's own with the obligation of that country to assess the application for protection.

Seeking asylum, therefore, is the right of all individuals from other countries who find themselves in Italy and who fear suffering human rights violations if they were to return to their country of origin. Exercising this right is of fundamental importance for those fleeing their own country as, in addition to offering protection from repatriation, it allows them to legalize their presence in Italy and access the reception system and other rights.

There is no deadline to seek protection: a person may be in Italy for months or years and decide subsequently to apply for protection, for example, because of worsening conditions in their country of origin. Under Italian law, which incorporate European norms, it is possible to apply for international protection at any authority or institution, which then has the responsibility to pass on the person's intention to the competent office. In Italy, it is possible to formalize the application for international protection at a Border Police station when entering the country or at the immigration office of the appropriate police headquarters in the applicant's area of residence¹.

1. Art. 3, paragraph 2, and art. 26, paragraph 1 [d.lgs. n. 25/2008](#).

The procedure for examining the application for international protection is divided into various stages²:



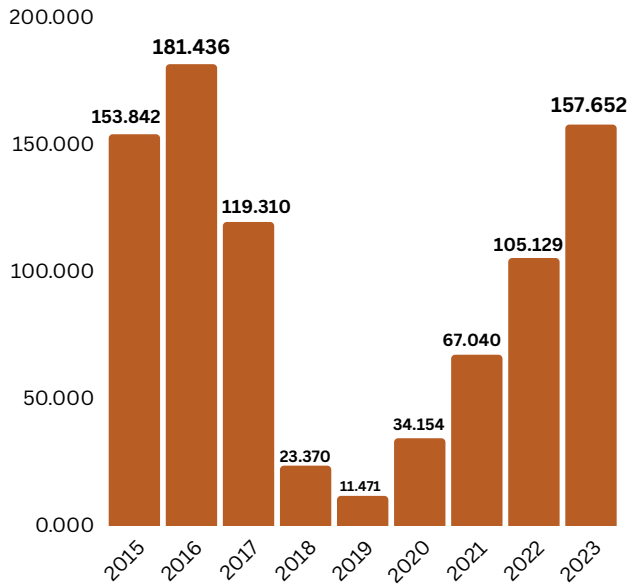
Just as submitting an application for international protection is a right for people coming from other countries, **registering the application in a timely manner is the obligation of the Italian state under Italian, European and international law**; it is the only way of effectively protecting the fundamental rights of those seeking protection. Delaying or impeding submission of applications for international protection represents an obstacle to the protection of fundamental rights.

Under Italian law, authorities are obliged to register an application for international protection within a set time period: within three working days if the application is made to an authority with jurisdiction to register it itself, or within six working days if the application is made to other authorities. If, in exceptional circumstances, a high number of concurrent applications makes it difficult in practice to meet the deadline, the deadline may be extended by ten working days³. This means that, in theory, the application for international protection should be registered by the competent authorities within 16 working days at the latest. However, this report shows, the authorities almost never manage to comply with this legal obligation.

2. See Ministero dell'Interno, [Guida pratica per richiedenti protezione internazionale in Italia](#), p. 5.

3. Art. 26, paragraph 2-bis, [d. lgs. 25/2008](#).

Over the years, there have been considerable variations in the number of people who have arrived in Italy and the number of people who have submitted applications for international protection. Reviewing the last nine years, the trend in the number of people arriving in Italy by sea was as follows:

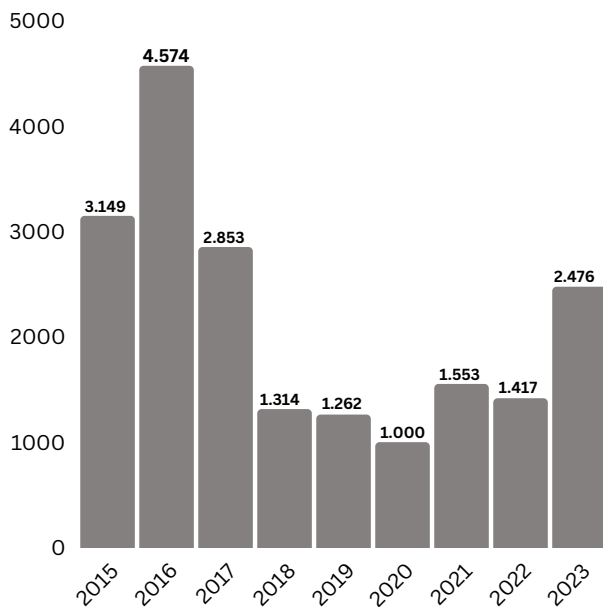


People arriving by sea

Source: Ministry of the Interior, Department of Civil Liberties and Immigration, [Daily Statistical Dashboard](#), data as of December 31 of the years [2016](#), [2017](#), [2018](#), [2019](#), [2020](#), [2021](#), [2022](#) and [2023](#).

Data as of December 31, 2015: Openpolis, "[Arrivals in Italy in the Last 10 Years](#)," April 27, 2023.

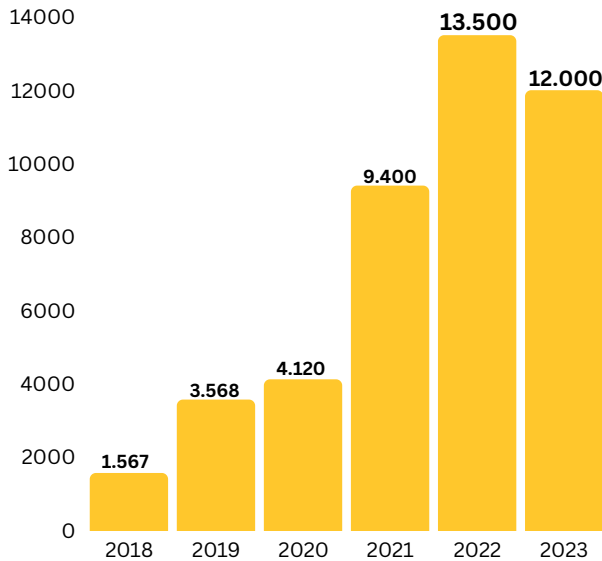
At the same time, the number—presumably underestimated—of people reported to have lost their lives trying to reach Europe by the central Mediterranean route also varied:



Dead and missing people at sea

Source: IOM, Missing Migrants Project, [Dead and missing by year](#).

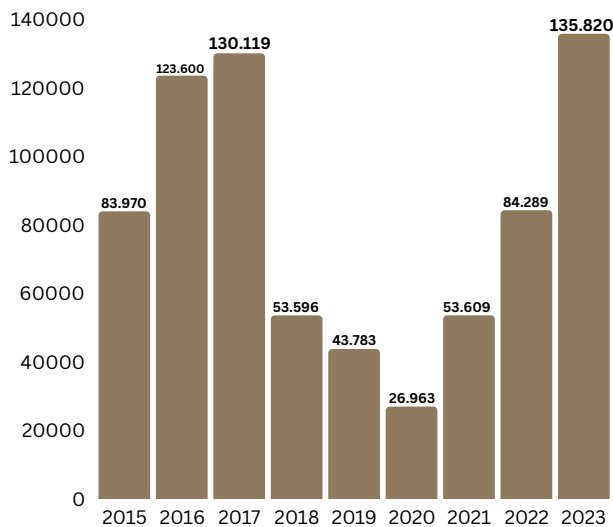
Changes in the number of people arriving by sea were accompanied by an increase in the number of people who crossed land borders, which reached a peak in 2022:



People arriving via land borders

Sources: 2018: Hearing of the prefect of Trieste, Valerio Valenti, with particular reference to the so-called "Balkan route," session No. 33 on Wednesday, May 26, 2021.
 2019: Hearing of the prefect of Trieste, Valerio Valenti, with particular reference to the so-called "Balkan route," session No. 33 on Wednesday, May 26, 2021.
 2020: UNHCR, [Italy factsheet, December 2020](#).
 2021: UNHCR, [Italy factsheet, December 2021](#).
 2022: UNHCR, [Italy factsheet, December 2022](#).
 2023: UNHCR, [Italy factsheet, December 2023](#).

Applications for international protection have also seen considerable variation. In 2023, Italy received 130,565 applications⁴(excluding subsequent requests) — a significant, but lower, number than the 329,035 applications received by Germany, 160,460 by Spain and 145,095 by France⁵, and not far off those registered by Italy in 2016 and 2017⁶.



International protection requests submitted in Italy

Sources: 2015-2020: National Commission for the Right of Asylum, [Asylum Data for the Years 2015-2020](#).
 2021: National Commission for the Right of Asylum, [Asylum Data for the Year 2021](#).
 2022: National Commission for the Right of Asylum, [Asylum Data for the Year 2022](#).
 2023: Eurostat, [Asylum applicants by type - annual aggregated data](#).

4. Eurostat, [Asylum applicants by type - annual aggregated data](#). Data on requests for international protection does not include subsequent requests.

5. Eurostat, [Asylum applicants by type -annual aggregated data](#).

6. The lack of practical, accessible mechanisms in Italy to get a residency permit also affects the number of applications for international protection. A close examination of the complexities surrounding planned mechanisms is beyond the scope of this document.

In 2022, Italian authorities examined 58,478 applications for asylum, some of which were submitted in previous years, leaving 51,601 applications pending at the end of the year.

Asylum requests in Italy from 2015 to 2023

	2015	2016	2017	2018	2019	2020	2021	2022	2023
Requests submitted	83.970	123.600	130.119	53.596	43.783	26.963	53.609	84.289	135.828
Requests examined	71.117	91.102	81.527	91.576	95.060	42.604	51.931	58.478	41.415
Pending requests at the end of the year	*	*	*	*	42.803	33.636	32.800	51.601	*

*Data not available from national sources.

Sources:

2015-2020: National Commission for the Right of Asylum, [Asylum Data for the Years 2015-2020](#).

2021: National Commission for the Right of Asylum, [Asylum Data for the Year 2021](#).

2022: National Commission for the Right of Asylum, [Asylum Data for the Year 2022](#).

2023: Eurostat, [Asylum applicant by type - annual aggregated data](#); [First instance decisions on applications by type of decision, citizenship, age and sex - annual aggregated data](#); [Persons subject of asylum applications pending at the end of the month by citizenship, age and sex - monthly data](#).

Regardless of the annual number of applications for international protection received, the migration management mechanisms devised by Italian authorities have proved unsuitable to ensure that arriving people can access the protection procedure in the manner and under the deadlines set out in law. Managing applications for international protection has not been uniform throughout Italy due to a variety of factors, including variations in approach by police headquarters and the differing number of applications to be registered and formalized in each province. However, despite differences in the manner of access to the procedure for international protection in the principal Italian cities, some critical issues appear systematic in nature across regions. In examining the situation in regional contexts, and taking account of various changes over time, it is evident that local institutions are encountering extreme difficulties in carrying out their legal obligations on international protection. In most cases, the authorities attribute inefficiencies and delays to a lack of staff, but, as this report shows, such inefficiencies and delays also appear related to practices that limit access to the right to seek international protection.

3.1 Milan case study

From lines in Via Cagni to digitalization of requests for international protection

3.1.1. The evolution in access to the procedure for international protection in Milan

As previously mentioned, provincial police headquarters are the main authority responsible for registering international protection applications. On a practical level, each police force has the right to independently manage access to the protection procedure, on condition, of course, that the practices comply with Italian, European and international law. However, in many regional contexts, police forces engage in active and/or negligent conduct that prevents or seriously delays the submission of protection applications. Such conduct includes serious delays in processing procedures, which are often blamed on shortcomings in the system, but which are also a consequence of requests for documents not required by law and discriminatory practices⁷.

Over time, the police in several regions have adopted different ways of managing applications for international protection. One of the most recent examples involves the city of **Milan**, where in **April 2023, the police and prefecture embarked on a trial to digitalize the first stage of the protection procedure**. This trial, which involves people seeking protection having to use an online booking system to access the procedure, has added other types of obstacles, and created new and different difficulties for those wanting to apply for protection. In addition to digitalization, there has been substantial “privatization” of the appointment booking stage at the office responsible for registering applications for international protection—the most critical stage—and for several months, this has been taken over by some civil society organizations in Milan.

For years, the city of Milan has had a considerable immigrant population⁸, including a number of people applying for protection. In 2022, 6,393 people applied for international protection in Milan, compared with 3,311 in the whole of 2021. The number of protection applications continued to increase in 2023, reaching 6,659 by August 31.

7. See ASGI, [Denuncia alla Commissione Europea sulla violazione del diritto dell'UE](#), June 2020.

8. On January 1, 2023, there were 475,171 foreign residents in Milan (source: ISTAT, [Stranieri residenti al 1 gennaio 2023](#)). The lack of practical, accessible mechanisms in Italy to get a residency permit also affects the number of applications for international protection.



Requests for international protection documented by the Milan Police Headquarters

Sources:
 2021: Duccio Facchini, [L'asilo negato in Questura: ecco le prove degli ostacoli alla procedura](#), *Altreconomia*, November 1, 2022.
 2022: Immigration Office of the Milan Police Headquarters, response to the public access request sent by IRC Italy on January 9, 2024.
 2023: Immigration Office of the Milan Police Headquarters, response to the public access request sent by IRC Italy on January 9, 2024.

However, despite the recent increase in applications for international protection, there has not been an immediate proportional increase in the monthly slots available at the immigration office of the Milan police headquarters to register applications. The first considerable increase was registered in July 2023, three months after the start of the digitalization trial:

	2022	2023 <small>*as of August 31st</small>	
JANUARY	554	576	+ 4%
FEBRUARY	556	600	+ 8%
MARCH	606	662	+ 9%
APRIL	510	525	+ 9%
MAY	606	680	+ 12%
JUNE	599	668	+ 12%
JULY	506	808	+ 60%
AUGUST	521	766	+ 47%
SEPTEMBER	585		
OCTOBER	635		
NOVEMBER	643		
DECEMBER	569		

Available slots at the Immigration Office of the Milan Police Headquarters for the registration of international protection requests

Source: Immigration Office of the Milan Police Headquarters, response to the public access request sent by IRC Italy on January 9, 2024.

Ways of accessing the procedure for international protection in Milan have undergone considerable changes over time, and the management of requests has caused concern given difficulties encountered by the authorities and, consequently, the obstacles encountered by protection applicants as they try to exercise their right to seek asylum.

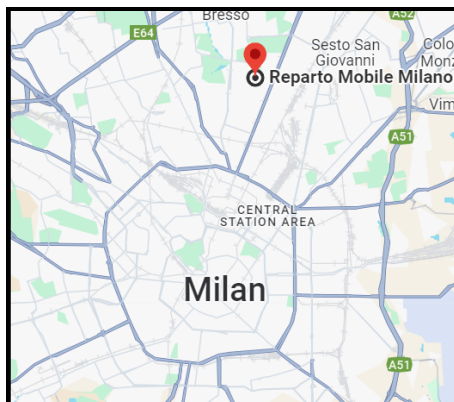
3.1.2. Violation of rights and precarious conditions in Via Cagni

Until October 2021, applications for international protection in the Milan area were officially registered at the central police headquarters in Via Montebello⁹. As of October 20, 2021, the office dealing with the first stage of the procedure was transferred to the police headquarters in Via Cagni¹⁰, located in an area on the outskirts of the city, which is much more difficult to reach.

Via Montebello



Via Cagni



However, instead of solving the problems associated with managing applications for international protection in Milan, this transfer had the opposite effect; in fact, it actually exacerbated the obstacles and the seemingly never-ending waits, which has since been the overriding factor in the initial stages of registering an official protection application.

Faced with the growing number of hopeful applicants who turned up outside the police headquarters in Via Cagni, access to the immigration office was initially limited to 30 people, selected on a daily basis. To increase their chances of getting in, hundreds of people spent the night in the park opposite the police headquarters in precarious and uncomfortable conditions, which then led various civil society organizations to monitor the situation¹¹. For those not selected in the daily 30-person quota, the stakes were very high: **those who did not manage to enter the police headquarters and obtain a document demonstrating their intention to seek protection, in fact, ran a serious risk of being deported or detained in the process of repatriation.**

In July 2022, the situation in front of the police headquarters seemed to have grown even worse: only about ten people were allowed in each day. Entry was refused to some due to a lack of interpreters, and people were forced to camp near the offices for weeks on end. Faced with this scenario, not only did the police fail to adopt corrective measures strongly requested by civil society associations—for example, setting up an appointment booking system to address the ever-growing lines¹³—but the police even gave orders to remove protection applicants standing in line from the area and to issue sanctions for sleeping on the streets¹⁴.

9. Associazione NAGA, [Cronache da Via Cagni. Dalla mancanza di accesso alla procedura alla decisione di istituire un nuovo sistema di prenotazione](#), April 5, 2023, p. 1; NapoliMonitor, [Dopo via Cagni a Milano. Frontiere telematiche, prassi locali e politiche europee sulle migrazioni](#), May 29, 2023.

10. Melting Pot Europa, [Milano, in via Cagni il diritto di asilo è ostacolato e selettivo](#), Stefano Bleggi, February 13, 2023.

11. Melting Pot Europa, [Richiedenti asilo fantasma a Milano. ASGI e NAGA: troppi ostacoli per chiedere asilo alla Questura](#), February 12, 2022.

12. Fanpage.it, Video [Richiedenti asilo dormono di notte davanti alla Questura di Milano: non si può stare così, è inumano](#), Simone Giancristofaro, July 12, 2022.

13. ASGI, [Richiedenti asilo fantasma a Milano. ASGI e NAGA: troppi ostacoli per chiedere asilo alla Questura](#), February 10, 2022.

14. Melting Pot Europa, [Diritto di asilo ostacolato e sanzioni alle persone in coda in Questura a Milano](#), July 26, 2022. ASGI, [Esempio di ordine di allontanamento](#), June 23, 2022.

In November 2022, despite appeals from civil society¹⁵, the situation in Via Cagni fell to an all-time low, as police in riot gear clashed with people frustrated at not being able to apply for protection¹⁶

Frustrations arose from the fact that the police headquarters in Via Cagni changed its procedures, now choosing to provide appointments only on Monday mornings to those wishing to express their intention to apply for protection and limiting the number admitted to 120 people per week — a lot less than the number of people normally waiting in line¹⁷. In light of these circumstances, civil society organizations stepped up activities to monitor the situation¹⁸, especially after January 2023, when police forces used tear gas during the selection procedure for those who would finally be allowed to apply¹⁹. On that occasion, Monday, January 23, 2023 at **around six o'clock in the morning, there were as many as 700 people in the line, some of whom had been waiting in the cold since the previous Friday**²⁰

Faced with so many critical issues, civil society associations monitoring the situation turned to the Office of the United Nations High Commissioner for Refugees (UNHCR), asking it to speak to the competent institutions on the matter (especially the Milan police headquarters, the Prefecture of Milan, and the Ministry of the Interior) in line with its mandate to protect asylum seekers and refugees²¹

Another change came in March 2023: access to apply for international protection was allowed every two weeks, rather than every week, and now on Tuesday mornings. The number admitted was increased to 240 people, but given the change in frequency, the overall number of people allowed in was essentially the same as before²². **The number of hopeful applicants in the following weeks rose to over a thousand. In the seemingly never-ending wait, several people were injured or suddenly fell ill** while trying to get into the police headquarters or to keep their place in the line; on more than once occasion, ambulances and paramedics had to be called²³

The only solution—devised by civil society groups and not by the institutions—to offer a glimmer of assurance to people not managing to apply for protection despite the hours and days standing in line, was to help those waiting to fill out a document expressing their intention to apply for protection.

15. ADL a Zavidovici - Associazione "Ambasciata della Democrazia Locale a Zavidovici" Impresa Sociale, ASGI, CGIL Monza e Brianza, CNCA Lombardia, Cooperativa Sociale Aeris, Fondazione Casa della Carità Angelo Abriani, Fondazione Somaschi Onlus e Associazione NAGA, [Appello richiesta asilo in Lombardia](#), November 11, 2022.

16. Mai più lager - NO ai CPR, [Milano o Libia?](#), December 9, 2022.

17. Melting Pot Europa, [Milano, l'asilo ostacolato. In via Cagni interviene la polizia in antisommossa](#), December 20, 2022.

18. Associazione NAGA, [Cronache da Via Cagni. Dalla mancanza di accesso alla procedura alla decisione di istituire un nuovo sistema di prenotazione](#), April 5, 2023.

19. Melting Pot Europa, [Milano: lacrimogeni per disperdere la folla di richiedenti asilo davanti alla Questura di via Cagni](#), January 23, 2023.

20. *Ibid.*

21. Melting Pot Europa, [Milano, ancora tensioni in via Cagni. Le associazioni chiedono l'intervento di UNHCR](#), March 6, 2023; Melting Pot Europa, [Milano, silenzio di UNHCR sul diritto di accesso ostacolato in via Cagni](#), March 15, 2023.

22. Lifegate, [A Milano chiedere asilo politico non è un diritto, è un incubo](#), Estella Beltramelli, March 30, 2023.

23. Associazione NAGA, [Cronache da Via Cagni. Dalla mancanza di accesso alla procedura alla decisione di istituire un nuovo sistema di prenotazione](#), April 5, 2023, p. 2

This document contained a statement of intention to seek protection, personal details and signature, and the personal details and signature of the NAGA or Mutuo Soccorso Milano volunteer offering support. This expression of intention did not have any effect on access to the protection procedure, but it did constitute important proof of the individual's intention to submit an application, in the event it could be relevant legally²⁴

The manner in which access to the procedure for international protection were managed in Via Cagni, described above, has raised serious concerns, given the normalization of rights violation against those seeking protection, causing people to endure precarious conditions and confusion about the procedures to follow.

First, **the extremely long waiting times to get into the offices of the police headquarters forced those intending to apply for protection to wait for days in some cases**, and often in bad weather. Then, as chances of getting an appointment at the police headquarters at the first attempt were slim, people had no option but to camp outside in the surrounding area, living in the open air in inhumane and degrading conditions. It seemed that the authorities anticipated the likelihood that those seeking protection would need to sleep in the streets, as they even installed chemical toilets in the area around Via Cagni and the adjacent park, evidently expecting a considerable number of people to arrive .

25

Nevertheless, as mentioned before, several people camping out were served with orders to leave the area and sanctions for sleeping on the streets. These measures were worrying, not only because they were issued in breach of minimum procedural guarantees, but above all, because the conduct of the people in line seeking protection, far from causing an outrage to public decency, was made necessary by the negligence and inefficiencies, already widely denounced, in exercising a fundamental right enshrined in constitutional and supranational rules.

Moreover, the long lines of protection seekers were managed in a random way, with staff at the police headquarters arbitrarily selecting those who could get an appointment, giving priority to some nationalities over others. **Furthermore, families, children and other vulnerable individuals were not spared these serious and precarious conditions either;** as they presumably were not aware of other channels available to them to legalize their situation²⁶; they were forced to line up and hope for the best, like other protection seekers. In addition, those who did not manage to get an appointment at the police headquarters could not get any other document to prove their intention to apply for protection, without which it was impossible to demonstrate their status as legally present in Italy.

24. Associazione NAGA, [Cronache da Via Cagni. Dalla mancanza di accesso alla procedura alla decisione di istituire un nuovo sistema di prenotazione](#), April 5, 2023, p. 2.

25. Melting Pot Europa, Milano, [l'asilo ostacolato. In via Cagni interviene la polizia in antisommossa](#), December 20, 2022.

26. Article 31 of [Italian Legislative Decree 286/1998](#), for example, recognizes the Juvenile Court's power to authorize the issue of a residency permit to the parents of a foreign minor in Italy, if particular protection needs are present.

On more than one occasion, the events described caused situations of tensions, which the police reacted to with incisive or downright violent action. While activists were monitoring the situation, there were instances of people being injured or suddenly falling ill while trying to get into the police headquarters or to keep their place in the line. Police used tear gas and batons against them and, on more than one occasion, ambulances and paramedics had to intervene²⁷. These are serious violations of fundamental rights perpetrated against people who were trying to exercise their right to seek protection²⁸.

Photo Credit: ©Marco Passaro/Agenzia Fotogramma



27. Associazione NAGA, [Cronache da Via Cagni: il report e il comunicato](#), April 5, 2023.

28. Corriere della Sera, [Milano, migranti in coda ogni lunedì all'Ufficio stranieri: i tafferugli del 6 febbraio in via Cagni](#), Marco Passaro, February 21, 2023; Corriere della Sera, [Milano, le notti di via Cagni: ogni domenica c'è il caos fuori dall'Ufficio immigrazione](#), February 28, 2023; Local Team, [Video Milano, caos in Via Cagni coi richiedenti asilo costretti ad accalcarsi: interviene la polizia](#), February 2023.

Ali's case: the obstacle course of requesting international protection³⁰

Ali is an Egyptian citizen. He set sail from the coast of Libya and landed in Calabria in October 2022. Initially accommodated in the province of **Belluno**, Ali was then transferred to **Milan** where, following the instructions of police officers on duty at the police headquarters in Via Cagni, he tried to formalize the application for international protection as of the first few days of November 2022. After several unsuccessful attempts, Ali decided in December 2022 to go to the police headquarters in **Biella**, where he managed to get in. However, instead of registering Ali's application for protection, he was told to go to the police headquarters in Belluno.

Ali, as instructed, turned up for an appointment at the Belluno police headquarters in January 2023, but the officers on duty, having discovered that the Milan police had regional jurisdiction in accordance with the statement on Ali's place of residence, gave him a handwritten document, telling him to go back to the police headquarters in Milan. And so, **the obstacle course started all over again**. Ali went to the immigration office in Via Cagni on several occasions, but, as happened on every other attempt, he was not allowed in. While contending with the many difficulties associated with a **lack of stable accommodation** and the **impossibility of working legally**, on the night of Sunday, February 12 / Monday, February 13, 2023, Ali went yet again to Via Cagni, this time with the support of volunteers from NAGA: for the umpteenth time, he was turned away, being abruptly removed by police officers in riot gear who told him to come back the following week, but not giving him an appointment.

The same volunteers went with Ali again to the police headquarters on the night of Sunday, February 19 / Monday, February 20, 2023. That night, just after midnight, the 'selection' process started to choose the people who could enter the police headquarters next morning.

Once the pre-established number of 'selected' people was reached, police officers, wearing helmets and carrying shields and batons, started to charge at the crowd of people excluded from the 'selection'. Finding himself in the first few rows of hopeful applicants, **Ali was hit on the head by a baton wielded by a police officer**. Ali fell to the ground and lost consciousness. He was taken to hospital in an ambulance and underwent various diagnostic tests. **The diagnosis: "head injury with concussion" estimated to last for five days**. Refusing to stay in hospital, Ali was discharged and went immediately to Via Cagni where, showing his medical documentation, he asked once again to be allowed into the police headquarters to formalize his application for international protection. Despite what had happened a few hours earlier, Ali was refused entry to the immigration office yet again.

Ali's case, just like the experiences of so many other people in Via Cagni³¹, is an example of the violation of the fundamental human right to request asylum, and the litany of violent and discriminatory practices against those seeking protection.

29. Pseudonym.

30. This account is based on documentation made available by a lawyer who worked on drafting the report and who provided legal support to Ali.

31. Associazione NAGA, [Cronache da Via Cagni. Dalla mancanza di accesso alla procedura alla decisione di istituire un nuovo sistema di prenotazione](#), April 5, 2023.

3.1.3. Digitalization of access to the procedure for international protection

On April 5, 2023, the Police Headquarters and Prefecture of Milan made an important announcement: that from that date, it would no longer be necessary to stand in line outside the police headquarters in Via Cagni to apply for international protection; now people needed to make an online appointment to enter the immigration office³². As it prepared for the new scheduling methods to get up and running, the office in Via Cagni temporarily suspended access to those who turned up to make an application for protection, and continued the processing of cases for applicants who already had appointments³³.

This was a hugely significant turning point for those intending to seek protection: under this trial, they could now—at least in theory—exercise their rights without running into the obstacles encountered by thousands of applicants in previous months.

A trial of this kind, which aimed to digitalize the first stage of the procedure for international protection, had some precedents in Italy³⁴ and followed the trend of using digital systems already widespread in other countries in Europe and globally. In Greece, for example, the Ministry of Migration and Asylum launched a digital platform in July 2022, allowing migrants to book an appointment to apply for protection; this meant that 14,052 applicants were able to book an appointment in just five months of the platform's launch³⁵. Another example of a digitalized initial stage of the procedure comes from the United States: since January 2023, people on the border between Mexico and the United States can book an appointment to seek protection using the CBP One app³⁶.

In the first stage of the trial in Milan, the digitalized procedure involved **three different processes**³⁷. Hopeful applicants with identity documents could book an appointment by logging directly onto the police Prenotafacile³⁸ portal, where they had to register and upload a copy of their identity document. Those without any documentation, as of April 11, could go to one of the **civil society organizations** identified by the Milan police and Prefecture to register on the Prenotafacile portal: ACLI (Associazioni Cristiane Lavoratori Italiani – Christian Associations of Italian Workers), AVSI, Caritas, CGIL (Confederazione Generale Italiana del Lavoro – Italian General Confederation of Labor), CISL (Confederazione Italiana Sindacati Lavoratori – Italian Confederation of Trades Unions), Community of Sant'Egidio, Italian Red Cross (Milan District Committee), Fondazione Progetto Arca aid charity, and UIL³⁹ (Unione Italiana del Lavoro – Italian Labor Union)⁴⁰.

32. Associazione NAGA, [Richiesta d'asilo: nuova procedura con prenotazione online dal 5 aprile 2023](#), April 3, 2023.

33. Pierpaolo Lio, [Via Cagni, svolta online per accedere all'ufficio immigrazione: dal 5 aprile le prenotazioni anti-calca](#), Corriere della Sera, March 31, 2023.

34. The digitization of the asylum procedure had been tested, for example, in the city of Naples. See Open Migration, [Protezione internazionale, i ritardi di Napoli](#), Christian Elia, December 20, 2022.

35. Greek Council for Refugees, [Registration of the asylum application, Greece](#), Asylum Information Database, August 6, 2023.

36. Ayelet Parness, [For asylum seekers, CBP one app poses major challenges](#), Reliefweb, November 8, 2023.

37. Associazione NAGA, [Richiesta d'asilo: nuova procedura con prenotazione online dal 5 aprile 2023](#), April 3, 2023.

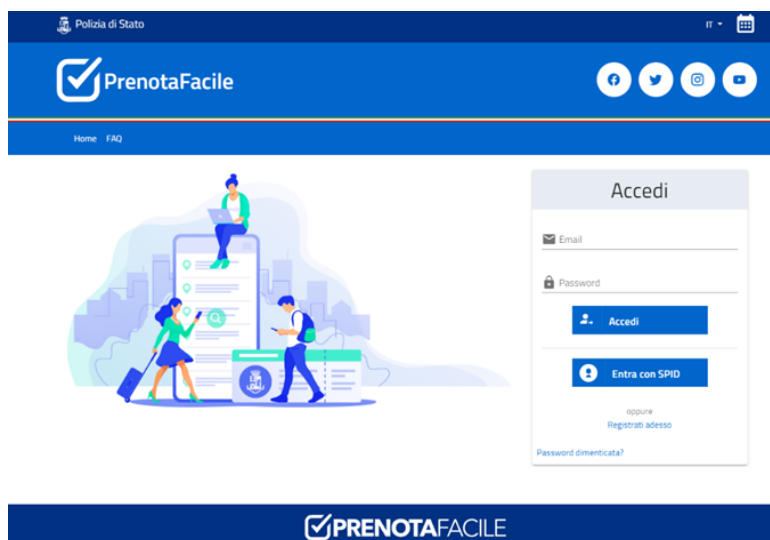
38. State Police, access to the "Prenotafacile" platform.

39. Questura di Milano, [Disponibilità terzo settore per appuntamento Ufficio Immigrazione](#), April 1, 2023.

40. The list of civil society organizations providing support to access the protection procedure in Milan has changed over time with the addition of new organizations and the removal of others when they stopped providing support services. The list was published on [April 1, 2023](#), and was subsequently updated on [July 18, 2023](#), [October 2, 2023](#), [December 21, 2023](#), and [February 5, 2024](#).

Another booking method to request protection was provided for "vulnerable individuals,"⁴¹ namely individuals over 60 years old and pregnant women, who could seek support directly from AVSI.⁴²

In a later phase, from October 19, 2023, the category of vulnerable individuals was expanded to include all women, regardless of pregnancy status, then recognized again as a priority condition starting from March 18, 2024.



Source: State Police, access page for the "Prenotafacile" portal.

In addition, from the same date, it became possible to book an appointment at the immigration office desk in Via Cagni by certified e-mail (PEC) for further categories of vulnerable individuals⁴³

From a practical point of view, people without identity documents who intended to seek protection and who wanted to contact civil society organizations to access the procedure had to follow the instructions posted on the Milan police headquarters website. **Access methods at the various organizations were different:** in some, individuals had to book an appointment by phone; in others, they needed to send a WhatsApp message; while in others, free access to the service was permitted for those turning up in person without a booking, with the aim of also being able to help those individuals who wanted to make an application for protection but encountered various obstacles (for example, language or technological barriers) when using the telephone or digital booking methods previously mentioned.

However, this last approach resulted in a considerable number of people arriving outside the offices of some of the civil society organizations involved⁴⁴; with **the problems encountered in Via Cagni, far from being solved, then repeating in other places, albeit on a smaller scale.**

41. See [Questura di Milano, Prenotazione informatizzata per gli stranieri richiedenti protezione internazionale.](#)

42. AVSI, [Procedura informatizzata per gli stranieri richiedenti protezione internazionale. La collaborazione di AVSI con la Questura di Milano](#), April 3, 2023.

43. Article 17 of [Italian Legislative Decree no. 142/2015](#) refers to the following categories of vulnerable persons: "minors, unaccompanied minors, the disabled, the elderly, women, single parents with children who are minors, victims of human trafficking, people suffering from serious illnesses or mental disorders, people found to have suffered torture, rape or other serious forms of psychological, physical or sexual violence, or linked to sexual orientation or gender identity, and victims of genital mutilation". According to instructions on the Milan police headquarters website, such persons should request an appointment from the immigration office desk at Via Cagni 15, by sending a certified e-mail to: dipps146.00p0@pecps.poliziadistato.it, attaching documentation attesting to their vulnerability. After a preliminary examination of the request and attached documentation, the immigration office will book an appointment at the AVSI office.

44. Information obtained during an interview with a representative of the civil society group involved in supporting access to the procedure for international protection in Milan, May 18, 2023.

By April 26, therefore, when assessing performance in the first two weeks of service using Prenotafacile, the police suggested that organizations providing free-access change their method, moving to access through bookings⁴⁵. Therefore, **from May 1, 2023**, almost all organizations changed the way of accessing their services. As a result, **for many individuals hoping to seek protection, without identity documents, it became necessary “to make an appointment to make an appointment”** in line with the following steps:

- Those intending to seek protection had to contact one of the civil society organizations by phone, e-mail, or WhatsApp message to book an appointment at their offices.
- Those seeking protection had to turn up at the offices of the organization contacted, on the stated date.
- At the appointment at the offices, the civil society organization was responsible for registering the hopeful applicant on the Prenotafacile portal and for providing information about the appointment to apply for protection at the police headquarters in Via Cagni.

Corrections made while developing the digitalized procedure not only related to access methods at the offices of civil society organizations. Just three months from the start of the trial procedure, in response to a request made by the involved organizations, the Police Headquarter and Prefecture of Milan called a meeting on July 11, 2023, during which the institutions decided to change methods to access the Prenotafacile portal.

The changes were to take effect on **July 17, 2023**, and from that date, **individuals with an identity document would no longer have direct access to the Prenotafacile website** to book an appointment, but would also have to contact the civil society organizations on the list posted on the police website — just like those without documentation⁴⁶.

This change has in fact removed the possibility of booking an appointment independently at the police headquarters for those intending to apply for protection and who have the tools and skills to do so, possibly with the help of acquaintances or other civil society organizations.

Finally, a further change to the procedure was made in **February 2024**, when even organizations that had continued to provide direct **access to protection procedure support services decided to require prior e-mail bookings** so that they would be able to manage numerous help requests more efficiently⁴⁷.

45. Information obtained during an interview with a representative of the civil society involved in supporting access to the procedure for the recognition of international protection in Milan, May 18, 2023.

46. *Ibid.*

47. Questura di Milano, [Disponibilità terzo settore per appuntamento Ufficio Immigrazione](#), February 5, 2024.

3.1.4. Critical issues arising from digitalization

Although it was adopted as a replacement measure for a system that had led to the creation of barriers to access the procedure for international protection and worrying situations outside the immigration office at the police headquarters in Via Cagni, the **digital procedure immediately revealed several critical issues.**

The online trial procedure in fact had various negative repercussions on the individuals and entities involved. After the procedure was transferred from the real to the online world, **the serious delays and obstacles in accessing the fundamental right to apply for international protection remained largely unchanged;** the difference was that the long lines now became invisible to most people. The drawn-out process to start the procedure for international protection, as well as obstructing the protection of that fundamental right, has a serious impact on access to all other rights associated with legal status in Italy, such as the right to access the reception system through which applicants can find food and shelter, the right to take employment⁴⁸, and the right to healthcare.

Furthermore, digitalization of the procedure has also created **new barriers to accessing rights**, as not everyone applying for protection has electronic devices (such as smartphones and computers) to access the online portal, or the skills to upload documents in electronic format, and manage an e-mail inbox.

The new way of accessing the procedure, as well as affecting those intending to apply for international protection, **means that public administration duties have been delegated to civil society**, and that the financial and organizational burden has been shifted from the authorities to organizations providing support to individuals. As part of their mandate, these organizations shoulder the burden and responsibility of a job that is as demanding as it is essential, even as they do not receive any financial support from the authorities and are dealing with a growing number of requests for help. Despite the willingness of the various organizations to provide support to access the procedure for international protection, digitalization has not represented a solution to the problems previously encountered; it has instead introduced new burdens for those applying for protection, shifted the responsibilities of the authorities, in breach of their legal obligations, and basically rendered these challenges invisible. Finally, the change to the system has uncovered gray areas, leaving room for the introduction and spread of unusual and potentially unlawful practices to the detriment of asylum seekers.

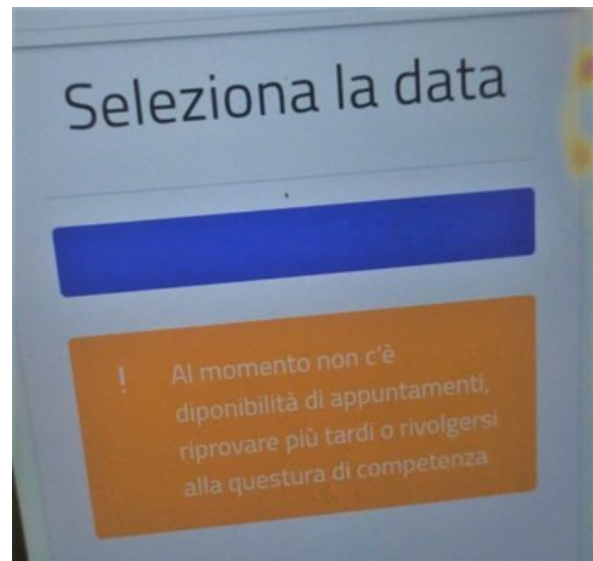
The impact of digitalization on people seeking international protection

For individuals seeking international protection, the activation of the Prenotafacile portal was supposed to represent a new opportunity, a new "door" to access the international protection procedure. This initiative, on the one hand, could prevent the recurrence of violent episodes such as those that had occurred outside the offices of the police headquarters on Via Cagni, and on the other hand, make the asylum system in Milan more efficient.

48. In Italy, asylum seekers can engage in work activities 60 days after the formalization of the asylum request, i.e., from the completion of the C3 form. Article 22, paragraph 1, [Legislative Decree No. 142/2015](#).

However, the new threshold immediately proved difficult to cross: **already on April 6** (the day after its launch), **it was impossible to access the portal** and attempts to book an appointment to apply for protection were futile, except for a very brief window of a few minutes that opened at around nine in the morning⁴⁹

People who had identify documents but did not belong to the categories identified as vulnerable—who in the initial stage of the trial online procedure could not turn to civil society organizations, but had to use the Prenotafacile portal on their own—therefore, had no other choice but to take part in the daily ‘lottery’ on the portal and hope they would be able to find an available appointment.



Screen appearing on the 'Prenotafacile' website⁵⁰

This also involved categories of protection applicants with particular needs (such as families, people with disabilities, or victims of trafficking and violence) who did not initially fall into the categories considered vulnerable by the police force and prefecture⁵¹

The consequences for those who were unable to access the platform to get an appointment at the police headquarters to ask for protection were serious in terms of protection against the risk of being deported and the protection of their fundamental rights. From the results of the questionnaire given to people seeking protection in Milan who tried to use the platform, for example, of the 37 total respondents, 15 did not have accommodation and 29 did not have a job⁵². Although access to accommodation and employment is problematic even for those with regularized stay in Italy, this situation of legal and de facto limbo nevertheless appeared unsolvable in the short term, as the impossibility of using the Prenotafacile portal to book an appointment at the police headquarters prevented aspiring applicants from even beginning the process to submit an official request, before which it is not possible to access the reception system or work legally.

49. On the portal the message "Al momento non c'è disponibilità di appuntamenti, riprovare più tardi o rivolgersi alla questura di competenza" appeared. See Associazione NAGA, [L'apparenza inganna](#), April 21, 2023.

50. Source: Giovanni Godio, [Milano e Torino, dove chiedere asilo non è un diritto](#), Vie di fuga, osservatorio permanente sui rifugiati, April 21, 2023.

51. However, the municipality of Milan informed civil society organizations that if they found people with vulnerabilities other than those identified by the police and prefecture, they could direct them to the [Sammartini Center](#), which works with vulnerable people with no fixed abode and the seriously marginalized. Information obtained during an interview with a civil society representative providing support to access the procedure for international protection in Milan, May 18, 2023.

52. Information obtained through responses to the questionnaire for people seeking protection, developed and managed by civil society organizations involved in writing the report. See Sect. 2, p. 8.



"I have nowhere to stay. There is no way to find a job. There is no way to eat."

Aspiring international protection seeker in Milan, September 1, 2023

The Prenotafacile portal was also complicated to use due to malfunctions and problems with the system, which were even more difficult to overcome for those who did not have an electronic device, for those who were not familiar with digital procedures, and for protection seekers with low or no literacy skills. Of the 25 people who responded to the questionnaire who had tried to access the portal on their own, only six were successful, while 19 failed to get an appointment. The main obstacle, reported by nine respondents seems to be that the Prenotafacile portal simply did not work. In addition, problems were noted with the browser (reported by five respondents) and relating to the format or size of the identity document file, which had to be attached by protection seekers to continue the procedure on the portal (reported by four respondents) .⁵³

Essentially, people who tried to book an appointment on their own made mistakes in many cases: **regardless of the cause of these difficulties, the digitalized procedure actually seemed to be pushing protection seekers away**⁵⁴. Moreover, for those who did manage to 'win' the lottery, the act of booking an appointment at the police headquarters was not equivalent to receiving a residency permit. However, booking an appointment did at least meet people's need to have proof (even if unofficial) of their legal presence in the country, which could be used to avoid repatriation in the event that they were questioned by the authorities⁵⁵.

On the other hand, the portal did not cause problems for civil society organizations providing assistance with booking appointments, except for some technical difficulties which, according to representatives of the organizations consulted, were resolved through communication with IT specialists at police headquarters⁵⁶. As a result, civil society organizations managed to book an appointment for 100 percent of the people who sought their help⁵⁷, while people who tried to access the Prenotafacile portal on their own had a much lower chance of being able to complete the appointment booking procedure. However, even when civil society organizations were involved in accessing the procedure, the difficulties did not entirely disappear for those seeking international protection: some people had problems trying to contact these organizations, while others mentioned shortcomings by the competent authorities in providing clear instructions about how the online procedure worked⁵⁸.

53. Information obtained through a response to the questionnaire for asylum seekers developed and administered by the civil society organizations authoring the report. See Section 2, p. 8.

54. Information obtained during an interview with a representative of the civil society organization involved in supporting access to the procedure for the recognition of international protection in Milan, June 12, 2023.

55. Information obtained during an interview with a representative of the civil society organization involved in supporting access to the procedure for the recognition of international protection in Milan, May 18, 2023.

56. Some issues were highlighted, for instance, when the photocopy of a protection applicant's passport was in black and white or contained imperfections, as in these cases, the portal would not allow the document to be uploaded. Information obtained during an interview with a representative of the civil society organization involved in supporting access to the procedure for the recognition of international protection in Milan, June 28, 2023.

57. Information obtained during an interview with a representative of the civil society organization involved in supporting access to the procedure for the recognition of international protection in Milan, May 18, 2023.

58. Information obtained through a response to the questionnaire for asylum seekers developed and administered by the civil society organizations authoring the report. See Section 2, p. 8.

Furthermore, **the involvement of civil society does not seem to have addressed the excessively long delays to access the procedure for international protection.** From April to July 2023, in fact, the wait time between the first appointment at some civil society organizations and the appointment at the police headquarters was about two months⁵⁹. Following the introduction of the changes made on July 17, 2023 to the digitalized procedure, only one of the civil society organizations consulted recorded a shorter waiting period (from two months to one month)⁶⁰, while other organizations reported increased wait times of up to four months or more between the appointment at their offices and the appointment at the police headquarters⁶¹. The offices of these organizations also reported difficulties responding to the number of people turning to them to access the procedure for international protection — a considerable both in absolute and relative terms, compared with the number of slots available to each organization. This has led to the creation of **‘invisible’ waiting lists which contain up to 900 people** who are trying to contact the various organizations via WhatsApp or other channels, and who are forced to wait for months before getting to the offices of the civil society organizations involved⁶².

Finally, the numerous and frequent changes made by the authorities to the digitalized procedure, to the list of civil society organizations that could be contacted, their communication channels, opening hours and ways to access their offices have all contributed to **additional confusion and uncertainty** for people trying to seek protection.

The impact of digitalization on civil society

Another critical aspect of the new methods to access the procedure for international protection concerns the involvement of civil society organizations to assist people to book appointments.

First, **these organizations were called to carry out a duty which, under applicable law, is the responsibility of the Border Police or police headquarters⁶³, and should not be delegated to private entities.** Furthermore, while the organizations involved are well-known for the quality of their work, no public tendering procedure was utilized in accordance with general principles of transparency of public administration; instead, the organizations were called on directly by the Police Headquarters and Prefecture of Milan and assigned the task of supporting management of the digitalized procedure to access international protection⁶⁴.

In addition, assignment of this fundamental task to civil society organizations has not been formalized. The duration of support to be offered by individual organizations was not established at the start, and the organizations can stop providing this service at any time, in accordance with their own needs⁶⁵.

59. Information obtained during interviews with some representatives of the civil society actor involved in supporting access to the procedure for the recognition of international protection in Milan, on May 18, 2023, June 12, 2023, June 13, 2023, and June 28, 2023.

60. Information obtained during an interview with a representative of CGIL (Italian General Confederation of Labor) involved in supporting access to the procedure for the recognition of international protection in Milan, June 28, 2023.

61. Information obtained during interviews with some representatives of the civil society organization involved in supporting access to the procedure for the recognition of international protection in Milan, on October 13, 2023, October 25, 2023, and October 27, 2023.

62. Information obtained during an interview with a representative of the civil society organization involved in supporting access to the procedure for the recognition of international protection in Milan, October 13, 2023.

63. Article 3, paragraph 2, and Article 26, paragraph 1, [Legislative Decree No. 25/2008](#).

64. This happened to some civil society organizations, such as UIL and Progetto Arca, which, as of October 2, 2023, no longer appear on the list of organizations offering support in accessing the asylum procedure.

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Further, **it was understood that the service offered would be provided pro bono**⁶⁶ (in other words, with no remuneration from the authorities), which would completely drain the resources of the civil society organizations involved. At the moment, therefore, access to the asylum procedure in Milan is in fact delegated to civil society at no cost to the authorities. Despite this, the Prefecture stated that until the competent institutions have sufficient staff to carry out this work, they will continue to be supported by non-profit organizations⁶⁷: a ‘solution’ that is not sustainable in the long term.

As noted, while the voluntary contributions provided by civil society, on their face, may seem an attempt to improve the system, they will result only in the **shifting of responsibilities of the responsible public entities and the long lines at the police headquarters transferred to the offices of civil society organizations**, if there is no increase in resources to respond to people seeking protection at the government offices charged with registering international protection applications. Despite digitalization, when it comes to delays and barriers, little has changed.

The impact of digitalization on the system

The digitalization experiment, which according to the authorities, should have enabled people to exercise their right to seek protection more easily, has unfortunately had the opposite effect from some points of view, making the asylum system even more inaccessible and uncovering some gray areas⁶⁸.

New difficulties in accessing the procedure for international protection opened an opportunity for some third party actors, who have attempted to take advantage of people trying to seek protection. In a desperate attempt to book an appointment to request protection, for example, many people were willing to pay sums of money to co-nationals or other intermediaries to access the Prenotafacile portal on their behalf⁶⁹.

Civil society organizations involved in the procedure have also noticed some **unusual practices**, such as the fact that, in their personal details, many asylum seekers have entered unusual e-mail addresses, containing numbers and letters presumably not created by them, suggesting the possible involvement of third parties assisting them⁷⁰.

Another phenomenon noticed relates to a series of recurring telephone numbers which appeared in the booking requests via WhatsApp sent to some civil society organizations⁷¹. Faced with this phenomenon, some organizations have raised concerns that third parties are trying to book appointments on behalf of aspiring protection seekers and, in some cases requesting payment to help them access a procedure that should be completely free for everyone⁷².

66. Information obtained during an interview with a representative of the civil society organization involved in supporting access to the international protection recognition procedure in Milan, May 18, 2023.

67. Information obtained during an interview with a representative of CGIL (Italian General Confederation of Labour) involved in supporting access to the international protection recognition procedure in Milan, June 28, 2023.

68. Unfortunately, this is often the case, see Ayelet Parness, [For asylum seekers, CBP one app poses major challenges](#), Reliefweb, November 8, 2023.

69. Information obtained during an interview with a representative of CGIL (Italian General Confederation of Labour) involved in supporting access to the international protection recognition procedure in Milan, June 28, 2023.

70. *Ibid.*

71. Information obtained during an interview with a representative of the civil society organization involved in supporting access to the international protection recognition procedure in Milan, May 18, 2023.

72. *Ibid.*

The digitalized procedure has provided an alternative to the problems of overcrowding and the serious violations of rights taking place at the police headquarters in Via Cagni, but it has not provided a comprehensive solution for access to the procedure for international protection in Milan.

Quite the opposite: the problem that was initially shifted to the offices of organizations helping people seeking protection with the procedure has now been made nearly invisible, as the long lines of waiting asylum seekers were 'transferred' from the real world to the digital.

The digitalized procedure cannot be the only method available to submit an application for asylum, for it was premised on the assumption, until July 2023, that applicants had use of an electronic device and Internet connection, and now on the assumption that civil society organizations will provide necessary assistance; this stands in stark contrast to the provisions of applicable law that require the competent authorities to accept expressions of the intention to apply for protection in a timely manner .



Queue at the entrance of the counter of one of the civil society organizations assisting in accessing the asylum procedure, November 14, 2023⁷³

As things stand, therefore, access to the procedure for international protection in Milan involves a considerable **delegation to civil society of essential functions that the law assigns to public institutions** - a delegation currently assigned to non-profit organizations; however, this raises concerns as, in the future, it could open the way to private, profit-making entities getting involved in managing protection requests⁷⁵.

Finally, civil society organizations provide valuable assistance to applicants under the now digitalized first stage of the procedure for international protection, but despite their efforts, they cannot fully meet the need. As a result, many individuals in need of support continue to be excluded.

73. Queue at the entrance of the counter of one of the civil society organizations assisting in accessing the asylum procedure, November 14, 2023.

74. Associazione NAGA, Cronache da Via Cagni: il report e il comunicato, April 5, 2023.

75. *Ibid.*

3.2 Not just Milan. Barriers to access the procedure for international protection in the rest of Italy

If Milan represents a particular case given its trial of the online system to access the procedure for international protection, unfortunately, people intending to seek protection in other Italian cities are also forced to face long waits, bureaucratic obstacles, and violations of their rights⁷⁶. Below is analysis of the main issues related to access the process in the cities of Trieste, Turin, Imperia, Bologna, Florence, Rome, and Naples.

The obstacles and very long wait times to access the protection procedure and formalize an application for international protection were a consistent across the regions examined. Delays in registering protection applications by Italian provincial police headquarters were detected throughout Italy, and mean that a right guaranteed by Italian, European and international law is violated every single day.

The timelines faced by aspiring protection applicants and civil society organizations supporting them are extremely long compared with the periods established by law. In the city of Turin, for example, people intending to seek protection have to turn up at the police headquarters countless times, and get in line as early as four in the morning⁷⁷ when they are finally scheduled for an appointment, it will not be for another three or four months. In effect, people who have escaped wars and violence are forced to turn up at the police headquarters for weeks and months on end, “hoping one day to be one of the few who the police, at their complete discretion, allow to submit their application for protection”⁷⁸. In Trieste too, there are difficulties accessing the asylum procedure. Aspiring protection applicants are forced to make several attempts before managing to enter the police headquarters, and they report dismissive attitudes from the authorities, who sometimes try to redirect them to other offices, or send them away without further explanation⁷⁹.

In Imperia, another border area, waits vary according to the time of year and legal status of the aspiring protection seeker. However, generally speaking, in this city too, the timelines provided in legislation are not respected, and appointments to formalize applications are scheduled as much as five months after an individual’s initial expression of their intention to seek protection. In Bologna and Naples too, there is a long period of time between requesting an appointment and formalizing the application for protection at the police headquarters; this can be as long as seven or eight months.

76. The information provided below, unless otherwise noted, was obtained through the questionnaire analyzing issues related to access to international protection in cities other than Milan. See Section 2, p. 8.

77. ASGI, [20 aprile 2023 - Presidio davanti alla Questura di Torino contro le prassi illegittime verso gli stranieri](#), April 13, 2023.

78. Giovanni Godio, [Milano e Torino, dove chiedere asilo non è un diritto](#), Vie di Fuga - Osservatorio permanente sui rifugiati, April 21, 2023.

79 IRC Italy, [Protection Monitoring Report: October - December 2023](#), January 29, 2024; p. 7, IRC Italy, [Protection Monitoring Report: July - September 2023](#), December 7, 2023, p. 7.



Lines at the entrance of the Immigration Office of the Police Headquarters in Rome on Via Patini. March 20, 2023.

In Rome, for years, people have been forced to put up with long lines when trying to access the procedure for international protection, resulting in camps in front of the immigration office at the police headquarters in Via Patini⁸⁰.

The situation seems to have gotten worse in recent months, in particular, since the end of October 2023, and now hundreds of people wait in line, at night-time as well, in front of the police headquarters⁸¹. Camping outside the police headquarters is also the only 'solution' for hopeful asylum seekers in Florence, where the fear of losing your place in the line to try and access the procedure seems to be greater than the fear of living out in the open day and night⁸².

In effect, delays in accessing the right to seek asylum for people in Italy to seek protection, in addition to evading specific legal norms, seriously affect the rights and living conditions of people, who may be vulnerable.

The arbitrary nature of government practices, including the absence of clear instructions on how to access the procedure for international protection, is another major barrier to the fundamental right to request asylum.

In Trieste, access to the procedure is seemingly not available in the same manner and timelines for all. In particular, chronological order and date of arrival in Italy are not the main factors taken into consideration by the police when determining priority for access to the procedure. As a result, many people risk remaining in Italy without status despite their many attempts to apply for protection. Civil society organizations working in Trieste report, in particular, that the 'selection' method to enter police headquarters is not based on a pre-established order but occurs at the discretion of the officers present, who indicate which persons can enter on a daily basis.

Seemingly arbitrary practices are also found in Rome, where the police only let a certain number of protection seekers enter their offices per day, carrying out "a sort of illegitimate selection based on nationality at the entrance"⁸³. In Turin, communication channels with the competent authorities are not clear, and procedures change, often without the interested parties being informed about these changes in advance.

80. Veronica Altimari, [Notti intere al gelo per accedere all'Ufficio immigrazione: così la pratica di tutela umanitaria diventa un'umiliazione](#), Romatoday, February 14, 2023.

81. Cecilia Ferrara, [A Roma si è costretti ancora a stare in fila fuori dalla questura per il diritto d'asilo](#), Altreconomia, March 12, 2024

82. Alessandro Bartolini, [In coda per la domanda di asilo: c'è chi dorme davanti all'Ufficio immigrazione per non perdere il posto](#), FirenzeToday, January 30, 2024.

83. Information provided by a representative of a civil society organization operating in Rome in response to the questionnaire analyzing issues related to access to international protection in cities other than Milan, December 15, 2023.

Police requests for further documentation outside of what is required by law to apply for protection presents another barrier for aspiring applicants. In Imperia, in some cases, authorities ask people intending to request protection for a copy of their passport and proof of their domicile or residence; in Naples, registering at the registry office is deemed necessary⁸⁴; while in Turin, making an application for international protection is subject to submission of a declaration of hospitality (*dichiarazione di ospitalità*)⁸⁵. Proof of an address is sometimes also required in Rome and Florence, which should be established in Florence with a notification of property or lodging transfer, containing details of tenant and landlord and the accommodation in question (*comunicazione di cessione di fabbricato*), located in the metropolitan area.

In Bologna as well, people intending to apply for protection are sometimes unable to submit an application because they are asked to provide a declaration of hospitality or domicile, and a copy of their passport. Furthermore, if an application is made by a family with children, the authorities may ask for the children's translated and notarized birth certificates; while single-parent families are required to show proof of authorization from the absent parent to leave their home country.

Despite these critical issues across cities in Italy, dialogue between civil society and the authorities has overcome some of the difficulties encountered by those seeking protection.

In Bologna, for example, the creation of local coordinating committees that include the police and prefecture allows the various entities involved to discuss issues relating to the procedure for international protection and to work out possible solutions together.



Migrants outside Trieste Central Station, 2024.

In Rome, some civil society organizations have started discussions with the police regarding cases of some people they support. This has sometimes resulted in bringing forward appointments to formalize applications for protection that were a long way off; however, at the same time, such a system indirectly penalizes people applying for protection who do not receive assistance from civil society.

In general, the factor consistently emerging from dialogue with authorities responsible for international protection is the lack of staff at police headquarters, which, along with other critical factors, makes it extremely difficult for many people to submit an application for international protection.

84. LasciateCIEntrare, [Residenza e altri fattacci di illegittimità. Lettera congiunta alla Questura di Napoli](#), September 22, 2022.

85. ASGI, [Gravi violazioni di legge e inefficienze dell'Ufficio immigrazione della Questura di Torino](#), March 3, 2023

Where dialogue with the responsible institutions proves problematic or attempts to reach solutions are frustrated, **the courts can play a crucial role in reinforcing the importance of safeguarding the rights of protection seekers.** To protect individual rights, lawyers in the cities under examination have supported legal action which, on more than one occasion, has resulted in judgments against the authorities. However, although the judicial route can be effective in individual cases, it is not a solution that can address systemic inefficiencies in managing international protection applications⁸⁶; to solve these, adequate human and material resources need to be allocated⁸⁷.

The situation described above has a direct, negative impact on the lives of people seeking protection, who face serious barriers to accessing their rights under Italian, European and International law.



Photo Credit: ©Marco Passaro/Agenzia Fotogramma

86. See ASGI, April 20, 2023 - [Presidio davanti alla Questura di Torino contro le prassi illegittime verso gli stranieri](#), April 13, 2023.

87. *Ibid.*

4. LEGAL FRAMEWORK

Seeking asylum is a fundamental human right which any person fleeing persecution or conflict must be able to exercise.

This right is contained in **Article 14 of the 1948 Universal Declaration of Human Rights**⁸⁸ and expanded upon in the **1951 UN Convention Relating to the Status of Refugees**⁸⁹, which sets forth the conditions for recognition of refugee status and establishes associated fundamental rights.

At the EU level, the right to asylum is found in **Article 18 of the Charter of Fundamental Rights of the European Union**⁹⁰, while Article 19 prohibits collective expulsions, and protects individuals from being removed, expelled or extradited to a state where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment⁹¹:

Procedures for granting asylum must be fair and effective throughout the EU: this forms the basis of the **Common European Asylum System (CEAS)**⁹². This system is governed by several legal instruments covering all aspects of the asylum procedure, such as: the Asylum Procedures Directive (Directive 2013/32/EU, incorporated into Italian law by Legislative Decree no. 142/2015); the Reception Conditions Directive (Directive 2013/33/EU, incorporated into Italian law by Legislative Decree no. 142/2015); and the Qualification Directive, which establishes who can be considered a refugee or beneficiary of other types of protection (Directive 2011/95/EU, incorporated by Legislative Decree no. 18/2014).

In Italy, the right to asylum is recognized in **Article 10, paragraph 3 of the Italian Constitution** for “a foreigner who is denied the effective exercise of the democratic liberties guaranteed by the Italian Constitution in his or her own country [...], in accordance with the conditions established by law”⁹³. As mentioned before, under Italian law, the right to asylum is protected by the system of **international protection**, on the basis of which, recognition of **refugee status or subsidiary protection** can be granted to people seeking protection, according to their individual circumstances. In Italy, there is a third form of protection, **special protection**, which is available in addition to international protection.

The procedure for international protection in Italy consists of various stages under the responsibility of different authorities. It is possible to express an intent to apply for international protection at any authority or institution, which then has the responsibility of passing on the person’s intention to the responsible office. Expression of intent to apply for international protection obliges the authorities to provide access to the procedure without discretion within the timelines and processes set out in law.

Once the applicant has been through the identification process, the formalization stage of the application for international protection begins; this falls under the jurisdiction of the Border Police on arrival, or the immigration office at the police headquarters in a person’s place of residence⁹⁴.

88. OHCHR, [Universal Declaration of Human Rights](#).

89. UNHCR, Geneva Convention of 1951 - [Convention relating to the Status of Refugees](#).

90. European Union Agency for Fundamental Rights, Charter of Fundamental Rights of the European Union, [Article 18 - Right to asylum](#).

91. See European Parliament, [Guaranteeing the right to asylum](#).

92. European Parliament, Directorate-General for Internal Policies, [The Implementation of the Common European Asylum System](#), 2016.

93. The Senate of the Republic, The Constitution, [Article 10](#).

94. Article 3, paragraph 2, and Article 26, paragraph 1, [Legislative Decree No. 25/2008](#).

In this stage, the application for international protection is formalized by a police official through a specific report containing declarations by the applicant (Form C3)⁹⁵. This is an essential step, as **after the application has been formalized, the person applying for protection is entitled to specific rights**⁹⁶, such as the right to information, the right to stay in Italy until a final decision on the application for protection is rendered, the right to reception, the right to education, and the right to work⁹⁷. **The timelines set out in law for the first stages of the procedure for international protection are clearly defined:** Italian Legislative Decree no. 25/2008 requires the timely acceptance of an expression of intent to apply for international protection and prescribes that the statement of the applicant's declarations is to be drawn up within three working days from the expression of intent to ask for protection, which may be extended by another ten days if there is a high number of applications⁹⁸.

When the formalization concludes, the assessment stage of the application for international protection begins; the application is sent to the Territorial Commission for the recognition of international protection, which is the authority responsible for assessing and issuing a decision on the application for protection. The last stage (which may or not be required) is the appeal stage, when the person seeking protection has the possibility to present an appeal to a judge against the decision of the Territorial Commission.

95. Article 26, [Legislative Decree No. 25/2008](#).

96. Article 10, [Legislative Decree No. 25/2008](#).

97. In Italy, asylum seekers can work 60 days after their official asylum application has been formalized, in other words, from completion of Form C3. Article 22, paragraph 1 of [Italian Legislative Decree no. 142/2015](#)

98. Article 26, paragraph 2-bis, [Legislative Decree No. 25/2008](#).

5. CONCLUSIONS AND RECOMMENDATIONS

Given the critical issues encountered in access to the procedure for international protection in various cities in Italy that are described in this report, the responsible institutions should adopt corrective measures to guarantee the exercise of the fundamental right to seek protection. In Milan, the experiment to digitalize the procedure has resulted in the delegation of duties assigned under law to public authorities to civil society and does not appear to better safeguard the right to seek protection. In other cities examined, the lack of standardized procedures and the arbitrary nature of officials' practices make access to seeking protection effectively random, if not, in some cases, impossible.

We, therefore, offer the below recommendations to the following authorities:

Police Headquarters and Prefecture of Milan:

- Liaise with the central government, in particular, with the Ministry of the Interior, requesting the allocation of more financial resources for the Immigration Office of the Milan Police Headquarters.
- Increase the number of slots available for receiving applications for international protection at the Immigration Office of the Milan Police Headquarters, in line with the number of applications for protection made in Milan.
- Remove obstacles to applying for international protection for those who, because of language, socioeconomic or digital barriers, are unable to access the procedure online or by telephone, for example, through the involvement of community members, outreach activities, and the creation of offices where people can go in person, exclusively for support and not for filtering purposes.
- Agree to return to unscheduled access to one or more offices at the Police Headquarters, which in addition to booking appointments, could at least issue a document certifying that the person came to the Headquarters and expressed an intent to seek international protection, thereby protecting the person from the risk of deportation.

- Maintain updated information for international protection applicants on the Milan Police Headquarters website in all available languages, with particular reference to the definition of the categories of vulnerability.
- Make information posted on the Milan Police Headquarters website more accessible, translating (in particular, into Dari, Pashto, and Bengali) all information.
- Initiate a consultation process involving all local civil society organizations to analyze the results of the digitalization experiment, and take corrective actions needed to ensure that access to the international protection procedure is provided in the manner and under the timelines set out in law, centering protection seekers and their rights.
- Reassume a central role in managing access to the procedure for international protection, involving civil society not in managing the service but in identifying more appropriate procedures, improving their ability to support people seeking protection by providing them with accurate information, and potentially helping them to use digital tools.
- Improve coordination with neighboring Police Headquarters (especially with the Monza and Como ones) to manage international protection applications made in the area more efficiently.

Police Headquarters of Trieste, Turin, Imperia, Bologna, Florence, Rome, and Naples:

- Provide clear, up-to-date information on how to access the procedure for international protection on Police Headquarters' websites in different languages.
- Refrain from asking for further documentation beyond that required by law for the purposes of starting the procedure for international protection.
- Take corrective steps to manage applications for international protection, in particular, in cities experiencing long lines outside of Police Headquarters.
- Establish technical coordinating committees - where they do not already exist - to include all local civil society organizations involved in providing support to those seeking international protection.

Ministry of the Interior:

- Allocate more financial and material resources to immigration offices at police headquarters, taking into consideration the number of applications for international protection made in the various cities and pending cases.
- Draw up and issue to all Police Headquarters a circular containing clear information about the documentation that international protection seekers are required to present when submitting their application, in strict compliance with legal requirements, to standardize practices at Police Headquarters throughout Italy and to prevent continued arbitrary practices.
- Improve collaboration with civil society, creating nationwide working groups specifically on the subject of access to international protection.
- Create coordination platforms - where they do not already exist - with Police Headquarters and Prefectures in cities with the greatest number of applications for international protection to manage registration of applications and subsequent access to reception services more efficiently.
- Promote opportunities for training and capacity building for staff at the Ministry of the Interior and Police Headquarters, creating an active role for civil society organizations with expertise in the rights of people requesting international protection.
- Initiate pilots to transfer administrative functions related to registration of requests for international protection from Police Headquarters to Town Councils (*Comuni*) or other local entities, which are better placed in this regard to have direct contact with the area and the needs of the local population, and assigning to public security forces solely the identification process and/or checks for possible public safety concerns.

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