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Italy Country Brief on Irregular Migration Policy Context

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THE MIRREM PROJECT

MIRREM examines estimates and statistical indicators on the irregular migrant population in Europe as well as related policies, including the regularisation of migrants in irregular situations.

MIRREM analyses policies defining migrant irregularity, stakeholders' data needs and usage, and assesses existing estimates and statistical indicators on irregular migration in the countries under study and at the EU level. Using several coordinated pilots, the project develops new and innovative methods for measuring irregular migration and explores if and how these instruments can be applied in other socio-economic or institutional contexts. Based on a broad mapping of regularisation practices in the EU as well as detailed case studies, MIRREM will develop 'regularisation scenarios' to better understand conditions under which regularisation should be considered as a policy option. Together with expert groups that will be set up on irregular migration data and regularisation, respectively, the project will synthesise findings into a Handbook on data on irregular migration and a Handbook on pathways out of irregularity. The project's research covers 20 countries, including 12 EU countries and the United Kingdom. This Deliverable of 15 country briefs is developed as part of Work Package 3 Politics: Understanding Legal and Policy Contexts.

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Irregular migration; policy measures; pathways into and out of irregularity

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Italy

This Brief provides an abridged overview of the national policy landscape on irregular migration in the country, based on a more extensive policy analysis. It also provides an overview of the main types of migrant irregularity that emerge and the pathways into and out of irregularity, including regularisations as relevant. Annexed to this Deliverable is also an overview of the mapped legal and policy frameworks.

1.1 POLICY PRIORITIES

- **Employment**

Addressing the recurring critical necessity of meeting labor market demands, particularly in sectors such as agriculture, construction, and care work, poses a significant challenge due to the frequent difficulty in finding a sufficient number of workers to meet employer needs. Additionally, prioritizing ‘regular employment’ within these sectors remains a key policy objective.

- **Security**

Protecting national borders, whose emphasis underscores the political significance of the state's sovereign authority. In public discourse, security concerns intertwine with border protection, particularly in relation to sea arrivals of asylum seekers, resulting in the media and political debate often conflating asylum seekers with irregular migrants.

1.2 OVERVIEW OF THE ITALIAN POLICY FRAMEWORK

See Annex 1 for an overview of the legal and policy frameworks mapped for this country.

1.2.1 Policy implementation measures

- **Rights restrictions and border securitisation**

Italy implements several policies that limit rights, entitlements, and opportunities for integration, especially for asylum seekers and refugees, and others that reinforce borders, abruptly stop, or divert migrants' journeys, open detention centres and stipulate repatriation agreements with third countries (Colucci, 2019; Dennison & Geddes, 2021).

Recently, the Cutro Decree institutionalised harsher penalties for smugglers transporting migrants, narrowed the circumstances under which the special protection permit can be granted to asylum seekers – even eliminating the option for conversion into a work permit – and opened new detention centres for repatriation.

- **Amnesties/regularisation programmes**

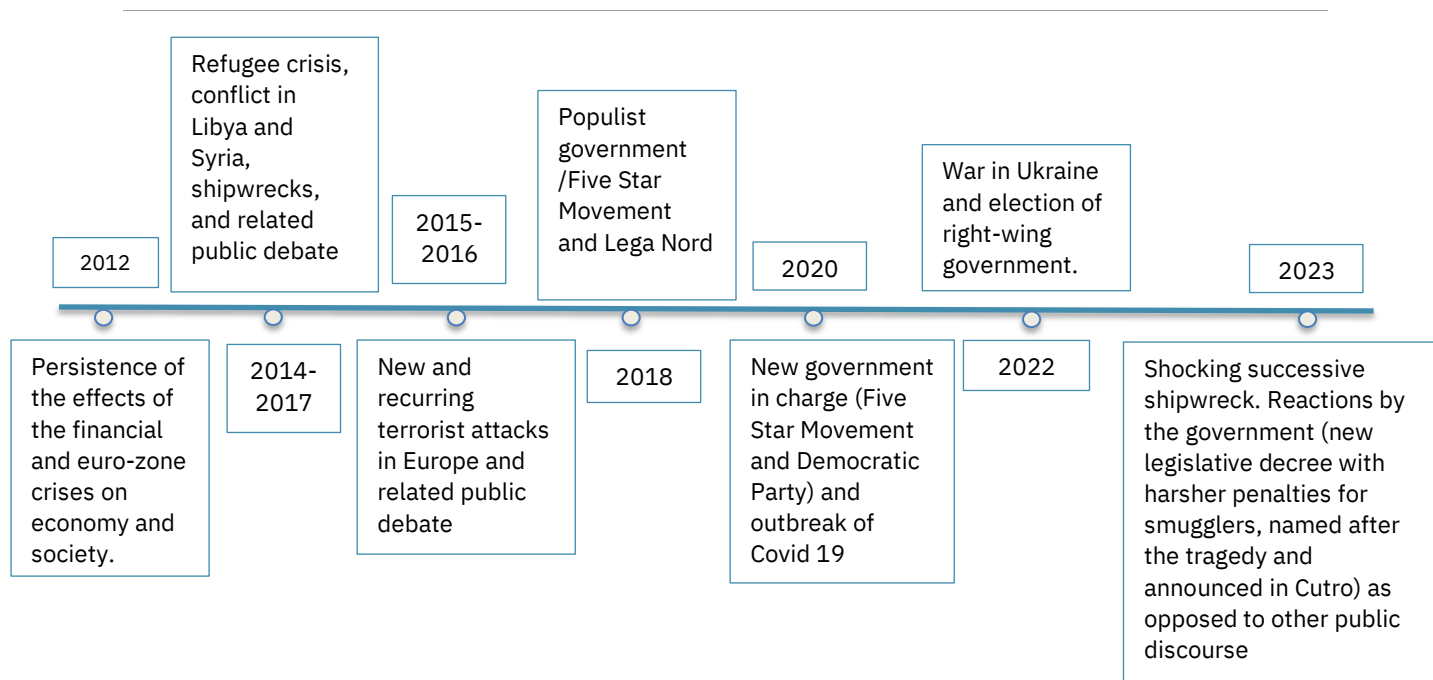
Employment-based amnesties are the main tool used to regularise irregular migrants in Italy, often linked to work sectors (mainly care). These programmes or “back-door policies” are granted as an opportunity for employers rather than employees: the employer is authorised to legally hire an immigrant worker already employed off the books by her/him (Pastore, 2014). Policy thus merges the characteristics of a “proper” regularisation (namely a procedure “through which non-nationals who are illegally residing or are otherwise in breach of national immigration rules in their current country of residence are granted a legal status”) with the mechanisms of a status adjustment measure. This means that even third-country nationals with a “precarious” status, such as https://euc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=it-IT&rs=de-DE&wopisrc=https://donauuni.sharepoint.com/sites/MIrreM/_vti_bin/wopi.ashx/files/79c82e8fa9b147e4847290cee5205f7f&wdenableroaming=1&mssc=1&hid=025FF0A0-70FA-7000-B8F7-CFD416ED79C9&wdorigin=Sharing.DirectLink.Copy&jsapi=1&jsapiver=v1&newsession=1&corrid=1c46ea35-a0a5-4491-92d9-3428422d46f5&usid=1c46ea35-a0a5-4491-92d9-3428422d46f5&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wredirectreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected asylum seekers, https://euc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=it-IT&rs=de-DE&wopisrc=https://donauuni.sharepoint.com/sites/MIrreM/_vti_bin/wopi.ashx/files/79c82e8fa9b147e4847290cee5205f7f&wdenableroaming=1&mssc=1&hid=025FF0A0-70FA-7000-B8F7-CFD416ED79C9&wdorigin=Sharing.DirectLink.Copy&jsapi=1&jsapiver=v1&newsession=1&corrid=1c46ea35-a0a5-4491-92d9-3428422d46f5&usid=1c46ea35-a0a5-4491-92d9-3428422d46f5&sftc=1&cac=1&mtf=1&sfp=1&instantedit=1&wopicomplete=1&wredirectreason=Unified_SingleFlush&rct=Normal&ctp=LeastProtected could

apply to the regularisation program and eventually achieve a more favorable condition (Kraler, 2009; Goldring and Landolt, 2013; Bonizzoni et al., 2021; Bonizzoni and Artero, 2023). The most recent one dates back to COVID-19 (2020) and the related shortage of essential workers (Ambrosini, 2023).

- **Quota mechanisms**

Every year, the Italian Prime Minister issues immigration quotas for third-country citizens. The previous government not only increased the quotas but, importantly, issued an additional flows decree for 2023, lasting three years and allowing a total of 452,000 entries for work opportunities in specific sectors (care, agriculture, tourism, construction, transportation) (De Blasis and Bonizzoni, 2024).

1.2.2 Policy evolution: Main turning points



It is also worth noting that:

- In 2012, the Mario Monti technical government enacted an amnesty for irregular migrant workers following the adoption of the European legislation on severe labour exploitation;
- In 2018, under the political government lead by Giuseppe Conte and formed by the populist parties Five Star Movement and Lega Nord, the Salvini Security Bills were adopted. This legislation closed Italian ports to migrants, refugees and NGOs rescuing them, becoming the central objective of government migration policy;
- In 2020, during the pandemic, an amnesty for workers was promoted under the new government led by Giuseppe Conte, formed this time by the Five Star Movement and other political parties, the Democratic Party and Italia Viva, which advocated for the amnesty.

1.2.3 Policy impact

- **Rights restrictions and border securitisation**

In Italy and the rest of Europe, repatriation processes are slow and inefficient. According to data from the Court of Auditors, between 2018 and 2021, only one-fifth of the total people in Italy who had expulsion orders had actually returned to their

country of origin through voluntary or forced repatriation. The annual average is about 5,300 migrants, except for the pandemic years (3,607 people in 2020, 3,838 in 2021). Of the 3,838 repatriations in 2021, 3,420 were forced. Migrant returnees are male in 99.6% of cases, and 30.2% are aged between 25 and 30. 10.4%, however, are between 18 and 20 years.

- **Amnesties/ regularisation programmes**

Although Law 109/2012 enacted by the Monti technical government fell short of expectations, it yielded approximately 130,000 applications for regularisation. The 2020 amnesty for migrant workers resulted in the submission of 207,870 applications. As per the latest data available in June 2023, 132,006 cases were positively concluded, leading to the issuance of residence permit requests. Conversely, 29,181 applications were rejected, and 10,227 were either withdrawn or archived for various reasons. Consequently, by June 2023, three years post-implementation, Italian prefectures had finalised 171,414 cases, accounting for approximately 82% of the total. Notably, the completion rate significantly decreased in the offices of Rome and Milan. In Milan, for instance, as of July 2023, slightly over half of the applications were still in the process of being finalised (Ero Straniero, 2023).

- **Quota mechanisms**

Only 19.8% of the total available quota for seasonal work in 2021 was used, amounting to 8,348. In absolute terms, this was less than half of the quota visas used in 2020. Additionally, only 1,178 quotas were used to convert residence permits into work permits, decreasing to 2,639 in 2020 from 6,500 in 2019. These implementation challenges can be attributed to a combination of bureaucratic obstacles and security concerns.

For the 2023-2025 flows decree, bureaucratic procedures were simplified. As of May 2023, the Interior Ministry has concluded the investigation of over 74,000 applications submitted, equal to 90% of the expected uptake of quota visas. Out of these 74,000 applications, prefectures have issued 60,000 authorisations. These are almost all those provided for seasonal work and more than 60% of those provided for non-seasonal work in the sectors of construction, hospitality and tourism. Ongoing monitoring of this policy's implementation in the coming years is essential to assess its overall impact (Interview).

1.2.4 Policy Challenges in Addressing Migrant Irregularity

- **Rights restrictions and border securitisation**

There remains a gap between the declared aim of eliminating unwanted immigration and their actual impact. The main reasons for immigration control failures in Italy, which are also common in other European and Western contexts, are: the functioning of labour markets, especially in a neo-liberal era, which is in contrast with the political desire to close borders and prevent immigration by poorly qualified workers;

difficulties in limiting movements of people in a global society; liberal institutions' struggle to balance the aspiration to curb unwanted immigration and the respect for human rights embedded in national constitutions and international conventions; difficulties and costs of deportation itself (e.g., investments needed to enforce border policies or internal controls, diplomatic negotiations to cooperate with immigrants' countries of origin, costs of journeys) (Ambrosini and Hayer, 2023).

- **Amnesties/ regularisation programmes**

Amnesties in Italy have historically required both migrants and employers to meet certain prerequisites. These prerequisites include proof of a valid employment contract, evidence of residing in the country before a specific date, criminal record checks, and, for employers, proof of income and, for migrants, housing documentation. In the case of the latest one (and the one dating back to 2009), these programmes only applied to migrants employed in specific sectors, such as domestic and care work, and in 2020, agriculture and fisheries (Bonizzoni and Artero, 2023). Fictitious employment contracts and the emergence of a migration industry associated with these programmes is well-documented, often leading to fraudulent practices that adversely affect migrants (Bonizzoni and Hayer, 2021). However, the issue of “fake” employment contracts is intricate and also encompasses “genuine employers in the wrong sectors,” as well as various forms of non-commercialised solidarity within ethnic networks and civil society (Interview). Most notably, amnesties place significant responsibility on employers rather than employees during the application process, and they operate within a labour market marked by precarious work (Bonizzoni and Artero, 2023). Furthermore, as mentioned earlier, the problem persists: after more than three years, many applications remain unprocessed (Interview). While the programme has essentially been completed in small towns, the situation is particularly critical in large cities such as Milan and Rome. For example, in Milan, as of July 2023, just over half of the total were in the process of being finalised (Ero Straniero, 2023).

- **Quota mechanisms**

As several experts interviewed have pointed out, quota mechanisms should be expanded, considering current and future demographic trends in Italy, as well as the country's labour market needs. However, these mechanisms require Italian families and companies to hire foreign workers who live abroad, individuals they have never encountered before. This requirement runs counter to a labour market characterised by informal hiring practices and reliance on personal networks. As a result, the uptake of these mechanisms partly involves undocumented foreigners who are already living and working in Italy. This means that part of the applications made under this programme should be rather seen as misguided regularisation efforts. It is worth noting that as related to the 2023 flows decree, regulatory and organisational innovations related to the digitisation of applications have seemingly contributed to reducing the lengthy processing times, which have long been seen as an obstacle to the programme's effectiveness. Nevertheless, there are still many

actors who exploit, speculate, and capitalize on migrants seeking regularization (Bonizzoni and Hayer, 2021; De Blasis and Bonizzoni, 2024).

Table 1: Relevant Italian institutions

Sr. No.	Institution/ Department	Responsibilities	Web link
1.	Government	Statement of public policies in the field of migration at national level/ executive power (legislative initiatives, decrees, regulation); orientation of public discourses on migration-related phenomena (e.g., security, inclusion)	Link (IT)
2.	Ministry of the Interior	Internal security and the protection of the constitutional order, for civil protection against disasters and terrorism, for displaced persons and administrative questions. It also drafts all passport, identity card, firearms, and explosives legislation.	Link (IT)
3.	Prefectures (Ministry of the Interior)	Administration and implementation of migration policies	Link (IT)
4.	Magistracy	Interpretation and application of the migration laws and protection of migrants' rights. The judicial power is independent by other power institutions and there is no internal hierarchy within.	Link (IT)
5.	State Policy (Ministry of the Interior)	Supervision of compliance with laws and regulations	Link (IT)
6.	State Navy (Ministry of the Defence)	Support of implementation of migration policies (from rescue to repatriation)	Link (EN)
7.	Ministry of Labour and Social Policies	Supports the definition and the implementation of migration policies, especially with respect to flows decrees and amnesties.	Link (IT)
8.	Regional authorities	Definition and implementation of public policies in fields like health, labour, and welfare. These institutions, though, can limit migrants' access to services (e.g., public housing), with a relevant impact on irregular migrants' conditions and everyday life.	Link (IT)
9.	Municipalities	Definition and implementation of public policies in fields like welfare, and support for social innovation practices, which have a relevant impact on irregular migrants' everyday life	Link (IT)

10.	Health institutions	Provision of essential and non-essential health services	Link (IT)
11.	Education institutions	Provision of compulsory and non-compulsory education	Link (IT)

1.3 THE SPECTRUM OF MIGRANT IRREGULARITY IN ITALY: CATEGORIES AND PATHWAYS INTO/OUT OF IRREGULARITY

Table 2: Categories of migrant irregularity in Italy

Most relevant categories of migrants in an irregular situation	Description (who does this category apply to, what conditions may lead to this category, and what are the implications of being in such a situation)
Overstayer	A person who has legally entered but then stayed in an EU Member State beyond the allowed duration of their permitted stay without the appropriate visa (typically 90 days or six months), or of their visa and /or residence permit (e.g., a tourist visa-holder who stayed for other reasons especially work, or an unaccompanied minor who turned 18 years but could not find a job or any other regularisation situation, such as a study activity, within the time limit allowed by the Italian legislation/ one year).
Rejected asylum seeker	A person whose application for international protection has been definitively rejected, including decisions considering applications as inadmissible or as unfounded and decisions under priority and accelerated procedures, taken by administrative or judicial bodies during the reference period.
Unregistered persons with false papers and identities	A person with false papers and identities, whose presence in the territory – if detected – may be subject to termination through an order to leave and/ or expulsion.
Persons issued with a return decision who are not removed	A person who stayed despite a return decision, whose presence in the territory – if detected – may be subject to termination through a new order to leave and/ or expulsion.

Most relevant categories of migrants with a reasonable claim to a provisional status	Conditions (e.g. who does this category apply to, under what conditions, who is exempted, implications)
Asylum seeker or amnesty applicants who have not yet registered their claim	A person who would enjoy a provisional right to stay, subject to registration of their case, followed by an examination/ regularisation of their case.
Unaccompanied minor who turned 18 years old and has to find a job/ a regularisation situation (e.g., study) within the time limit allowed by the Italian legislation	A person who enjoys a provisional right to stay subject to an examination/ regularisation of their case.
Third-country national victim of trafficking	A person who enjoys a provisional permit to stay.
EU citizens from another EU MS without residence rights	Conditions (e.g. who does this category apply to, under what conditions, who is exempted, implications)
EU nationals with a residence ban on public order grounds or criminal charges	EU nationals who do not or no longer enjoy the right to movement and/or settlement in the EU and are liable to be removed because they do not meet residence conditions or are subject to restrictions of free movement rights.
EU citizens without long term residence and without sufficient means	

1.3.1 Pathways into and out of irregularity

- **Unemployment**
People who lose their job and their related permit to stay, falling into an irregular condition. Labour is in fact a fundamental principle not only for the transition toward legal status (as in regularisation programmes), but also for the legal status itself.
- **Loss of visa entitlements**
People who stay in a country beyond the period for which entry was granted, like tourists, or people who engage in activities that are not allowed according to the visa they hold, such as students (blurred lines between regularity and irregularity).
- **Recognition of civil and family rights**
Irregular migrants, both newly arrived and long-term residents, can establish the legitimacy of their marriage and other relations as a means of regularisation. Furthermore, the Juvenile Court can authorise the issuance of a residence permit to the irregular parents of a foreign minor, in case specific protection needs exist (age and health conditions are taken into account).
- **Recognition of a condition of danger or abuse**
Migrants in a condition of danger or abuse, such as asylum seekers or women exploited in the sex industry, can be regularised upon demonstration of “real victimhood”.
- **Regularisation programmes**
A major pathway out of irregularity are those provided under the Italian quota mechanism and work-based regularisation programmes, described further below.

1.3.2 Regularisation

- 2012, Regularisation measure for migrants irregularly employed (Law 109/2012)
Eligibility criteria for employers:
 - EU citizenship or long-term residence permit
 - Accommodation of the employee (minimum standards)
 - Employment relation (continuous and full time, except for care work) in the determined sectors
 - Demonstration of sufficient income levels (e.g., €30,000 of taxable income or turnover, in the case of intending to regularise a work relationship other than domestic employment; €20,000 in the case of regularisation declarations for a foreign worker employed in domestic work with family support functions; no income-related criteria for employers with health issues or disability, who is applying to the regularisation programme for his/ her care worker.)
 - No criminal record, nor threat to public order or state securityEligibility criteria for employees:
 - Continuous presence in Italy

- No criminal record, nor threat to public order or state security
- [2020, Bellanova regularisation programme \(Law 128/2020\)](#)

Eligibility criteria for employers:

- EU citizenship or long-term residence permit
- Accommodation of the employee (minimum standards)
- Employment relation (continuous and full time, except for care work) in the determined sectors
- Demonstration of sufficient income levels (e.g., in the sectors of agriculture, livestock farming, fishery, aquaculture, and related activities, a minimum taxable income of no less than €30,000; in the sectors of domestic work or personal assistance, when the employer is an individual, a minimum taxable annual income of no less than €20,000)
- No criminal record, nor threat to public order or state security

Eligibility criteria for employees:

- Presence in Italy (before and after 08/03/2020)
- No criminal record, nor threat to public order or state security

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ANNEX 1: Policy and Legal Frameworks

Laws and policies on migrant irregularity

Sr. No.	Title of policy/law	Year	Description	Web link to source
1	Law 40/1998	1998	It became “Testo Unico sull’Immigrazione” DLgs. 246-1998, establishing the main guidelines for public policy on migration in Italy, in terms of programming migratory flows, tackling irregular immigration, promoting a wide series of rights for the integration of regular migrants. It established a national fund for immigrants’ integration, and gives to local administrations (regions, municipalities) crucial roles for immigrants’ integration. It also dedicated an entire section to family reunification (art. 28-33), which is still an important channel for regularization, and a specific article (art.19) regulating those vulnerable situations (e.g., pregnant women or women who have had a child in the last six months) in which expulsions and rejections cannot be enforced. It is known as the Turco-Napolitano Law.	Link (IT)
2	Law 189/2002 (Bossi-Fini)	2002	A partial revision of the Turco-Napolitano Law (40/1998). Major innovations were: abolition of the sponsor mechanism and institution of an inextricable link between legal entry in Italy and the possession of a labor contract; criminalization of irregular migrants; extension of the maximum period of permanency (from 30 to 60 days) in CPTs (temporary residence centres); establishment of measures that limit the possibilities of entrance in Italy; fusion of the	Link (IT) Link (IT)

			national funds for migration with the one of social policy.	
3	Memorandum of agreement with Nigeria	2011	Anti-trafficking policies and repatriation agreements to contrast irregular migration.	Link (IT)
4	Law 109/2012	2012	It aimed at implementing an EU Directive on sanctions and measures against employers of “illegally staying third-country nationals”, who illegally hire foreign workers or seriously exploit them. According to this law, the exploited worker who denounces his/her employer and cooperates with the authorities during the juridical process may be given a residence permit for humanitarian reasons. At the same time, the government launched a new regularisation measure for migrants irregularly employed.	Link (EN) Link (EN)
5	Memorandum of agreement with Sudan	2016	Anti-trafficking policies and repatriation agreements to contrast irregular migration.	Link (IT)
6	Memorandum of agreement with Libya	2017	Anti-trafficking policies and repatriation agreements to contrast the so-called irregular migration. Furthermore, agreements with local militias, supply of patrol boats and equipment, and enlargement of the Libyan Search and Rescue zones to prevent landings in Italy.	Link (IT)
7	Framework agreement with Tunisia	2017	Anti-trafficking policies and repatriation agreements to contrast irregular migration.	Link (IT)
8	Law 13/2017 (Minniti decree)	2017	Decree on international protection and contrast to illegal immigration. It introduced measures for speeding up the administrative and jurisdictional procedures in terms of international protection. It also introduced measures to ease the operation of identification of extra-EU migrants and to fight irregular immigration. In particular: abolition of the possibility to appeal a negative asylum decision by the Civil; Civil	Link (EN)

			Courts will no longer be required to invite the asylum seeker to a hearing but will be able to examine the appeal on the basis of the video-recording of the first instance interview; the extension of pre-removal detention centres (CPR) in every region of the country; a framework for asylum seekers to engage in unpaid community work. It also introduced minor changes in immigration administration, such as an online procedure to lodge applications for family reunification visa.	Link (EN)
				Link (EN)
9	Law 132/2018 (Salvini Security Bill)	2018	New law on immigration and security, introducing significant amendments and restrictions to the Italian asylum framework. Main changes: - amendments in qualification and reception provisions - abolishment of the humanitarian protection status and restricted access to accommodation and hosting facilities - establishment of the special protection status - provisions that made the expulsion of aliens and citizenship revocation easier.	Link (EN)
10	Law 53/2019 (Salvini Security Bills bis)	2019	Law on immigration and security, mainly establishing what follows: - restrict or prohibit ships' entry, transit, or parking in Italian territorial waters for reasons of order and security. Such reasons include cases where it is assumed that the crime of 'aiding illegal immigration' has been committed.	Link (EN)
11	Law 128/2020	2020	Most recent amnesty with a 55 billion euro stimulus package, meant to support Italy's economy after COVID-19 breakdown. In fact, this measure focused on people working in sectors of the economy deemed to be "essential" during the pandemic crisis, such as undocumented agricultural workers and caregivers.	Link (EN)

Laws and policies indirectly impacting migrant irregularity

Sr. No.	Title of policy/law	Year	Description: How it relates to migrant irregularity	Weblink to source
1	Law 286/1998 (consolidated text on migration)	1998	Right to education (and duty) guaranteed to all minors, including children of irregular migrants and irregular unaccompanied minors.	Link (IT)
2	State-Region agreement (n.255/CSR, 20 December 2012)	2012	<p>Enrollment in the National Health System is guaranteed to specific categories of irregular migrants (+18 years), such as pregnant women, victims of traffick, or family relatives of Italian citizens.</p> <p>According to Art. 32 of the Italian Constitution, urgent and necessary health care is guaranteed as a fundamental right to everybody.</p> <p>Nevertheless, regional legislations matter for further healthcare and differ over the Italian territory. Less inclusive laws prevail over more inclusive ones.</p> <p>Services can be unsatisfactory, discriminatory, and not uniformly implemented.</p>	Link (IT)
3	Law 117/2017 (Third Sector Reform)	2017	Relevant reform of the Third Sector organization and functioning in general, impacting then on organizations services for irregular migrants (health, education, etc.). Following this reform, many of these organizations had to change their legal forms, limiting their activities, and/or could access to new resources, expanding instead their activities. Social enterprises, even operating for welfare services, gained a major attention in terms of investments.	Link (IT)

4	Decree by the President of the Council of Ministers of the Italian Republic (DPCM) 12/12/2017	2017	(Update) enrollment to the National Health System guaranteed to all minors (-18 years), including children of irregular migrants and irregular unaccompanied minors.	Link (IT)
5	2023 Flows Decree	2023	Quota set for 2023 is 82,705 workers, broken down by country of origin and type and sector of employment.	Link (IT)
6	Law 76/2023 (cash transfer for elderly care allowance)	2023	Universal cash-transfer program (and in-kind benefits) for elderly care allowance. It has not been implemented yet, but it could stimulate informal care work which is typically made by irregular migrants.	Link (IT)
7	Decree by the President of the Council of Ministers of the Italian Republic (DPCM) 6/04/2023	2023	(Update) national plan to fight irregular labor (2023-2025), by increasing controls and sanctions. Irregular migrants are often irregularly employed; thus, it is possible to expect more controls, sanctions, and other related consequences (e.g., forced repatriation).	Link (IT)
8	2023-2025 Flows Decree	2023	Additional flows decree, valid for three years (2023-2025), allowing almost 450,000 entrances.	Link (IT)

In addition to the laws and policies mentioned above, it is crucial to consider the relevance of tourism and visa-related policies in the context of irregular migration. As further elaborated in this discussion, many irregular migrants are individuals who exceed their permitted duration in a country. For example, since 2016, citizens of Peru have been allowed to enter Italy and the Schengen area for short-term stays without the requirement of a visa. Furthermore, citizens from various regions, including the Balkans (such as Albania), Moldova, Ukraine, as well as several Latin American countries like Brazil and Argentina, enjoy visa-free entry. This lenient visa policy could potentially contribute to a rise in the number of migrants who enter Italy legally but then overstay their authorized duration.

Indeed, during the 2020 amnesty program for workers, the highest number of applications came from Ukrainian nationals, underscoring the significance of this issue.

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