

Input by civil society organisations to the Asylum Report 2024

Fields marked with * are mandatory.

Dear Colleagues,

The production of the Asylum Report 2024 is currently underway. The [annual Asylum Report series](#) presents a comprehensive overview of developments in the field of asylum at the regional and national levels.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, researchers and UNHCR. To this end, we invite you, our partners from civil society, academia and research institutions, to share with us your reporting on developments in asylum law, policies or practices in 2023 by topic as presented in the online survey (**'Part A' of the form**).

We also invite you to share with us any publications your organisation has produced throughout 2023 on issues related to asylum in EU+ countries. These may be reports, articles, recommendations to national authorities or EU institutions, open letters and analytical outputs (**'Part B' of the form**).

Your input can cover information for a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain.

All submissions are publicly accessible. For transparency, contributions will be published on the EUAA webpage. For reference, contributions to the 2023 Asylum Report by civil society organisations can be accessed [here](#), under 'Acknowledgements'. All contributions should be appropriately referenced. You may include links to supporting material, such as analytical studies, articles, reports, websites, press releases or position papers. If your organisation does not produce any publications, please make reference to other published materials, such as joint statements issued with other organisations. Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

Your input matters to us and will be much appreciated!

Please submit your contribution to the Asylum Report 2024 by Thursday, 30 November 2023.

Instructions

Before completing the survey, please review the list of topics and types of information that should be included in your submission.

For each response, only include the following type of information:

Part A:

- New developments and improvements in 2023 and new or remaining challenges;
- Changes in policies or practices, transposition of legislation or institutional changes during 2023;
- Across the different thematic sections feel free to make reference to issues related to the implementation of the Temporary Protection Directive at national level.

Part B:

- New publications your organisation produced in 2023

Please ensure that your responses remain within the scope of each section. Do not include information that goes beyond the thematic focus of each section or is not related to recent developments.

PART A: Contributions by topic

1. Access to territory and access to the asylum procedure (including first arrival to territory and registration, arrival at the border, application of the non-refoulement principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

In 2023, there has been an increase in the number of migrants arriving on the Italian shores compared to the previous years. According to data provided by the Ministry of the Interior, the number of people arriving from the 1st of January to the 30th of September 2023, amounts to 133.617. In comparison, during the same period in 2022, the recorded figure was 71.790 people. Between the 1st of January and the 30th of September 2023, 10.643 of these people were transferred to reception centers located in the Emilia-Romagna Region.

2. Access to information and legal assistance (including counselling and representation)

3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

In the Decree of March 17, 2023, the list of Safe Third Countries was updated, and some countries were introduced, including Ivory Coast, Georgia, Nigeria and Gambia. As organisation managing first and second reception facilities there has been a great increase in the number of accelerated procedures since more nationalities are now involved. For accelerated procedures, the regulation stipulates that, in accordance with Legislative Decree 25/2008 and subsequent amendments, Article 28bis c2, the Police Headquarters promptly transmits the necessary documentation to the Territorial Commission. Within seven days of receiving the documentation, the Commission conducts the interview and issues a decision within the following two days (these timelines may be exceeded where necessary to ensure a thorough and comprehensive examination of the application, without prejudice to the maximum timelines of 6 or 9 months in certain cases). Article 26 c2-bis. provides that the C3 form is drawn up within three working days from the expression of the will to seek protection, or within six working days in case the will is expressed at the Border Police Office. The deadlines are extended by ten working days in case of a high number of requests due to substantial and close arrivals of applicants.

The asylum caseworkers of the organisation have observed that the timeframes for appeals are halved compared to the ordinary procedure (15 days instead of 30 days), as provided by the regulation, for all guests undergoing accelerated procedures. Moreover, the shortened timelines of the accelerated procedure have mainly affected the first phase of the process, specifically the one from the formalisation of the application for international protection (C3 form) to the interview in front of the Territorial Commission for the recognition of the international protection, and more recently, the notification of the outcome.

In 2023, the prescribed timelines were never adhered to (not only for accelerated procedures) for the C3 formalisation appointment at the police immigration office (in the first half of 2023, waiting time of approximately 7-8 months in total between the first access appointment - photo identification - and the appointment for the C3 form; in the second half of the year, waiting times were reduced to 5-6 months in total). With regard to accelerated procedures, the waiting time for the formalisation of C3 form in 2022 was estimated to 1-2 months while in 2023 was estimated to be 6 months, the same waiting time for asylum seekers undergoing the ordinary procedure. The implementation of accelerated procedures become more evident at the time of the notification of the Territorial Commission interview, which occurs regularly (for

those subjected to accelerated procedures) concurrently with the formalisation of the C3 form, with the summons for the interviews issued within few weeks or days. In recent months, simultaneous delivery of C3, notification of summons and an invitation to appear at the police headquarters after about 20 days for notification of the outcome have been observed. According to the data collected by the legal office of the social enterprise, always regarding accelerated procedures, in 2022 the average waiting time between the formalisation of the C3 form and the appointment with the Territorial Commission was estimated to 3 months. The timeline remained the same for the first semester of 2023 with a significant change in the second half of the same year when the appointment was usually scheduled within a week. This was made possible thanks to the pre-filled C3 forms sent by the managing body, as, at the time of the early appointment for C3 form, the police headquarters was prepared to notify the appointment for the interview in front of the Territorial Commission. In this case, the appointment with the Territorial Commission is then usually scheduled within a week. Another important data referred to people subjected to accelerated procedure, show a significant decrease following the recognition of women as a vulnerable category, thus subjected to regular procedures (from October 2023).

6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions - housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

Law 50/2023, conversion of Dcreree-Law 20/2023 (known as Decreto Cutro – Decree Cutro), introduced lots of changes regarding the reception system. As organisation managing first and second line reception centres, the changes that have been most notably observed are the ones related to the individuals entitled to access the second line reception facilities. Infact, with the above-mentioned Law, asylum seekers are excluded to access second line reception, except for: people with vulnerabilities, people who enter the territory with humanitarian corridors, resettlement or humanitarian evacuations.

With regard to first line reception projects, art. 6ter eliminates the duty to ensure some services and in particular: psychological support, Italian languages courses, legal and territory guidance. According to the law, the services that must be ensured in first line reception centres are: material, healthcare, social assistance, and linguistic mediation. At the moment, this has not yet taken full effect because the Ministerial Decree with the bidding specifications outlined by the Law containing these changes has not been published. The circular from the Ministry of the Interior, protocol n. 5903 dated 13/06/23, stipulates that prefectures may publish new tender notices, incorporating these changes while awaiting the publication of the new bidding specifications.

Regarding the changes in terms of reception capacities, Legislative Decree 5 October 2023, n. 133, introduced the possibility of accommodating minors aged not less than 16 years in first line reception centres for a maximum period of 90 days. According to the Legislative Decree, the prefect is in charge of giving this order in situations of temporary lack of reception facilities dedicated to minors.

7. Detention of applicants for international protection (including detention capacity – increase /decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decisionmaking, timeframes, case management - including backlog management)

9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management -including backlog management)

10. Availability and use of country of origin information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)

11. Issues of statelessness in the context of asylum (including identification and registration)

12. Vulnerable applicants (including definitions, special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

With regard to vulnerable applicants, on June 21st the Italian Ministry of the Interior issued a document named Vademecum per la rilevazione, il referral e la presa in carico delle persone portatrici di vulnerabilità in arrivo sul territorio e inserite nel sistema di protezione e accoglienza (Handbook for the identification, referral and care of persons living with vulnerabilities entering Italy and within the protection and reception system) drafted in collaboration with different organisations working in the field of migration (I.e. National Asylum Commission and Territorial Commissions for the Recognition of International Protection – at the Ministry of Interior; SAI Central Management Service; National Institute for Health, Migration and Poverty; UNHCR; EUAA; IOM and furthermore). This document contains the main regulatory references, the general principles (with references to the different types of vulnerabilities), the actors involved, the main operational

consequences and the procedure for the recognition of international protection with specific focus on vulnerable people. Arca di Noè, as part of the second line reception projects (SAI – Sistema Accoglienza e Integrazione) manages some of the facilities dedicated to minors, under the coordination of ASP Città di Bologna (the public company for social welfare and personal care of the Municipality of Bologna). The 2023 data confirm the trend related to the great number of minors coming from Albania and Tunisia and entering the Italian territory. According to the data collected in Bologna in the first semester of 2023, 199 unaccompanied minors from Tunisia and 130 from Albania out of a total of 570, were welcomed in the dedicated facilities of the second line reception projects (SAI), compared to the 300 minors welcomed in the same period in 2022. The data trend corresponds to the national one, even though the bigger cities, Bologna included, faced a greater number of unaccompanied foreign minors in need of protection and first response facilities

Regarding minors, Legislative Decree 5 October 2023, n. 133, introduced the possibility of conducting anthropometric measurements or additional health assessments to ascertain the age of individuals self-declaring as minors. The legislation stipulates the establishment of a multidisciplinary team to conduct dedicated meetings for the purpose of age assessment, with a holistic approach to the information collected. The above-mentioned Legislative Decree is implemented in the event of substantial and close arrivals. Another significant development concerned the fact that, according to the Law, women are now considered a vulnerable group. This term has been expanded, as it initially only included pregnant women.

13. Content of protection (including access to social security, social assistance, healthcare, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

14. Return of former applicants for international protection

15. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

16. Relocation (ad hoc, emergency relocation; developments in activities organised under national schemes or on a bilateral basis)

17. National jurisprudence on international protection in 2023 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))

18. Other important developments in 2023

PART B: Publications

1. If available online, please provide links to relevant publications produced by your organisation in 2023

2. If not available online, please share your publications with us at: Asylum.Report@euaa.europa.eu or upload your file using the functionality below (max. file size 1MB).

Please upload your file

The maximum file size is 1 MB

3. For publications that due to copyright issues cannot be easily shared, please provide references using the table below.

	Title of publication	Name of author	Publisher/Organisation	Date
1	Operare sul campo, immaginare oltre. Gli Enti del Terzo Settore come enti di tutela e di promozione di diritti e pratiche nell'asilo e nell'accoglienza. In "Incontrare le migrazioni. Spunti per l'accoglienza e inclusione di migranti, richiedenti asilo e rifugiati	Giacomo Rossi	I libri di Emil	2023
2				
3				
4				
5				

Contact details

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I accept the provisions of the EUAA [Legal and Privacy Statements](#)

Useful links

[EUAA Asylum Report 2023 \(https://euaa.europa.eu/asylum-report-2023\)](https://euaa.europa.eu/asylum-report-2023)

[Executive Summary -Asylum Report 2023 \(https://euaa.europa.eu/asylum-report-2023/executive-summary\)](https://euaa.europa.eu/asylum-report-2023/executive-summary)

[Sources on Asylum 2023 \(https://euaa.europa.eu/publications/sources-asylum-2023\)](https://euaa.europa.eu/publications/sources-asylum-2023)

[National asylum developments database \(https://euaa.europa.eu/national-asylum-developments-database\)](https://euaa.europa.eu/national-asylum-developments-database)

[Asylum in Europe in 2022: A Year in Review \(https://euaa.europa.eu/asylum-europe-2022-year-review\)](https://euaa.europa.eu/asylum-europe-2022-year-review)

Background Documents

[Word template to submit input](#)

Contact

[Contact Form](#)

