The Rome Court of Appeal ruled on detention of asylum seekers in Albania

On the 19th of April, the Rome Court of Appeal ruled that detaining an asylum seeker in the Gjader detention center in Albania is unlawful under current Italian law. The decision highlights a critical legal gap in the Italy-Albania Protocol, which allows for the transfer of certain migrants to Albanian detention centers managed by Italian authorities.

The court found that once a person expresses intent to seek asylum, even while detained in Albania, their legal status changes and Italian asylum procedures must apply. The protocol and its ratifying law, however, only cover individuals intercepted at sea or already in Italian detention for deportation, not new asylum seekers detained abroad.

Source(s)

- MeltingPot (28 April, 2025), Corte d'Appello di Roma: è illegittimo il trattenimento in Albania per chi richiede asilo [Court of Appeal of Rome: detention in Albania for asylum seekers is unlawful], https://www.meltingpot.org/2025/04/corte-dappello-di-roma-e-illegittimo-il-trattenimento-in-albania-per-chi-richiede-asilo/

Date of development
28.04.2025
Country
Italy
Thematic area(s)
Detention
Development type
Jurisprudence

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.