Civil society express concern over adoption of legislative decree while relevant bill is under parliamentary assessment

The Asylum and Immigration Board *(Tavolo Asilo e Immigrazione)*, a coalition of civil society organisations, has expressed concern over the gpvernment's adoption of a new decree law on migration and asylum. The measure was included on the agenda of the Council of Ministers meeting held on 4 June 2026, despite the fact that a related bill, previously approved by the Council of Ministers, is still under examination in Parliament.

According to the coalition, the proposed use of a decree law comes after a 2-year period during which the government could have prepared for the implementation of the Pact on Migration and Asylum. The organisations argued that reliance on emergency legislative instruments at this stage risks limiting parliamentary scrutiny and public debate. They also noted that the government has not made public the implementation plans related to the Pact.

The coalition argued that implementing the Pact through emergency legislation would continue a broader trend of addressing migration and asylum issues through procedures that reduce opportunities for public consultation and parliamentary involvement. In its view, such an approach may have significant implications for the development of policies affecting fundamental rights.

The organisations also pointed to concerns regarding the content of the measures under consideration. Based on drafts and documents circulated to date, they warned that the proposed reforms could increase administrative discretion in asylum procedures and lead to more automatic decision-making processes. They argued that such developments may be difficult to reconcile with the principle of individual assessment required under EU rules and could weaken access to effective judicial safeguards.

According to the coalition, the issues at stake include the protection of the right to asylum, personal liberty, access to healthcare, human dignity and the principle of *non-refoulement*, which prohibits the return of individuals to countries where they may face persecution or serious harm. These protections are enshrined in the Italian Constitution, EU law and international legal obligations.

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The organisations further criticised what they described as a lack of transparency during the implementation process. They stated that civil society groups, local authorities and actors involved in reception and rights-protection systems were not adequately consulted on the government's plans. In particular, they highlighted the absence of public access to the implementation plan, which they consider essential for understanding the operational choices, timelines and potential effects of the proposed measures.

The coalition argued that the limited availability of information has hindered informed public discussion and restricted opportunities to assess the possible consequences of the reforms before their adoption.

In response, the Asylum and Immigration Board called on the Parliament to exercise its legislative and oversight functions fully during the implementation of the European Pact on Migration and Asylum. The coalition maintained that reforms should be developed through transparent and participatory processes and should remain consistent with constitutional, European and international guarantees.

The organisations concluded that respect for the rule of law should be regarded as a prerequisite for effective and legitimate public policy, rather than as an obstacle to the management of migration and asylum issues.

Source(s)

- Association for Juridical Studies on Immigration | Associazione per gli Studi Giuridici sull'Immigrazione (5 June, 2026), Il Governo accelera sul Patto UE: sacrificato ancora una volta il processo democratico [The Government accelerates the EU Pact: the democratic process has once again been sacrificed.], https://www.asgi.it/asilo-e-protezione-internazionale/il-governo-accelera-sul-patto-ue-sacrificato-ancora-una-volta-il-processo-democratico/

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