Forms of protection - Italy

Overview

Content updated and validated on: 30/04/2026

Relevant EU legislation

Italy is bound by the recast Qualification Directive and has transposed its provision through the Law No 18/2014.

National legislation

Refugee status	Within the meaning of the Convention relating to the Status of Refugees of 1951.
Subsidiary protection	Within the meaning of the Directive 2004/83/EC on minimum standards for qualifying for subsidiary protection status and Directive 2011/95/EU, uniform status for persons eligible for subsidiary protection and the content of the protection.
Temporary protection	Law Decree No 85 of 7 April 2003 on the implementation of 2001/55CE Directive on granting temporary protection in case of mass influx of displaced persons | Decreto Legislativo 7 aprile 2003, n. 85, Attuazione della direttiva 2001/55/CE relativa alla concessione della protezione temporanea in caso di afflusso massiccio di sfollati ed alla cooperazione in ambito comunitario.

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National forms of protection	There are different types of national protection statuses that can be granted in Italy, according to the Legislative Decree No 286/1998: Medical care: is granted to people who suffer from a particular illness, proved by eligible documentation, who could endure significant health damage if returned to the country of origin. The length of the permit is determined by the duration of the medical therapy and can be renewed if the health situation persists. Special cases, connected to social protection: 1. Victims of domestic violence or forced marriage: An asylum seeker is granted a residence permit for 1 year if there is proof that the person will be in danger upon experiencing sexual, psychological, physical or economical violence by a partner (married or not) even if not sharing the same residency. The residence permit can be converted to a work permit or permit for studies after 1 year. 2. Exceptional calamities: is granted to an asylum seekers whose country or region is undergoing a contingent and exceptional natural disaster. The permit is valid for 6 months and renewable for 6 months. 3. Labor exploitation: is granted to victims of labour exploitation who decide to cooperate with the authorities and report their employee during the proceedings. It can be converted into a working permit. 4. Acts of civil value: is granted to applicants whose personal life is exposed to danger in order to prevent public or private damage. It is issued by the Minister of the Interior upon recommendation of the prefect and lasts for 2 years. It can be converted into a working permit.
	Special protection: According to the principle of non-refoulement and Law No 50/2023, special protection is granted to an applicant: 1. if by returning to the country of origin, the person could be persecuted for race, sex

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Competent authority and stakeholders

Refugee status	Territorial Commissions for the Recognition of International Protection | Commissioni Territoriali per il riconoscimento della protezione internazionale
Subsidiary protection	Territorial Commissions for the Recognition of International Protection | Commissioni Territoriali per il riconoscimento della protezione internazionale
Temporary protection	Territorial Commissions for the Recognition of International Protection | Commissioni Territoriali per il riconoscimento della protezione internazionale
National forms of protection	Territorial Commissions for the Recognition of International Protection | Commissioni Territoriali per il riconoscimento della protezione internazionale

Renewal and withdrawal of international protection and national forms of protection

Refugee status

Legal provisions relating to review, renewal and withdrawal of refugee status: Article 23 Legislative Decree No 251/2007; Article 9 Legislative Decree No 251/2007, as amended by Law No 132/2018 and Law No 50/2023.

Length of the first and subsequent residence permits: The initial residence permit for refugees and beneficiaries of subsidiary protection is granted for 5 years (Article 23 Legislative Decree No 251/2007).

Review of the status: The National Commission for the Right of Asylum is responsible for the review of refugee status which occurs automatically in cases of cessation or revocation. Reviews can also be prompted by significant changes in the circumstances that led to the original status recognition. The competent Questura or, in security-related cases, the relevant police department refers cases to the National Commission, which informs the refugee of the review process. Refugees may request a personal interview and submit documents to defend their case. Legal aid is available at their expense, and the outcome of the

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review can be appealed.

Renewal of the status: The Police Headquarters also manages the renewal of refugee status. They request an opinion from the Territorial Commission after the initial permit expires. The new residence permit is issued unless there are grounds for cessation or revocation. Renewal procedures may include a personal interview, and legal aid is accessible at the refugee's expense, with appeal options available if renewal is denied.

Withdrawal of the status: Withdrawal of refugee status is initiated by the National Commission for the Right of Asylum, which assesses the refugee's situation or behaviour. This process may involve a personal interview, with legal aid available. The decision can be appealed.

Grounds for withdrawal of the status: The grounds for withdrawal include cessation situations, such as the refugee accessing protection in their home country, regaining citizenship, becoming naturalised, returning to their country or experiencing durable changes in the conditions justifying their status (Article 9 Legislative Decree No 251/2007, as amended by Law No 132/2018 and Law No 50/2023). Revocation may occur if the status was granted based on false information, the person poses a national security threat or was involved in serious crimes.

Consequences of the withdrawal of the status: Upon withdrawal, the National Commission may grant alternative forms of protection, such as subsidiary or special protection status, with documentation forwarded to the relevant police chief to issue a permit. If all forms of protection are withdrawn, the Questore issues an expulsion order after the appeal period expires, ending the individual's residence rights.

Subsidiary protection status

Legal provisions relating to review, renewal and withdrawal of subsidiary protection: Article 23 Legislative Decree No 251/2007; Articles 15, 16 and 18 Legislative Decree No 251/2007.

Length of the first and subsequent residence permits: The initial residence permit for beneficiaries of subsidiary protection is granted for a duration of 5 years, and this period is also applicable for subsequent renewals (Article 23 Legislative Decree No 251/2007).

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Review of the status: The National Commission for the Right of Asylum is responsible for reviewing subsidiary protection status. Automatic reviews occur when there are indications of cessation or revocation of status, and additional grounds for review may include significant changes in conditions that originally justified the protection. The competent Questura, or the relevant police department in cases related to state security, refers such cases to the National Commission. The beneficiary is informed of the review process and may request a personal interview or submit documents to defend their case. A personal interview is conducted if requested by the beneficiary. Legal aid is available at their own expense, allowing them to be accompanied by their lawyer during the interview. The outcome of the review procedure can be appealed if the beneficiary disagrees with the decision.

Renewal of the status: Renewal occurs after the competent Territorial Commission confirms that the conditions for recognising subsidiary protection still exist. The renewal of subsidiary protection is managed by Police Headquarters, which initiates the process after the 5-year permit expires by requesting an opinion from the Territorial Commission. If the conditions for renewal are confirmed, a new residence permit is issued. The renewal process can involve a personal interview, and legal aid is also available. Should a renewal be denied, beneficiaries have the right to appeal the decision.

Withdrawal of the status: Withdrawal of subsidiary protection is overseen by the National Commission for the Right of Asylum. The withdrawal process can be initiated by the authorities based on concerns about the beneficiary's situation or behaviour. This involves assessing the case, which may include a personal interview with the beneficiary, who may seek legal aid during this process. The outcome of the withdrawal procedure can be appealed.

Grounds for the withdrawal of the status: Grounds for withdrawal of subsidiary protection include cessation and revocation criteria. Cessation grounds involve durable changes in conditions that negate the risk of serious harm, as well as unjustified short-term returns to the country of origin (Article 15 Legislative Decree No 251/2007,). Revocation grounds, per Article 18, include situations similar to those outlined in Article 16, as well as instances where status was granted based on false information or documentation.

Consequences of the withdrawal of the status: Upon withdrawal of subsidiary protection, the National Commission may grant an alternative form of protection, such as refugee status or special protection, forwarding the necessary documentation to the relevant police chief (Questore) to issue the corresponding

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residence permit. If no alternative protection is granted, the Questore issues an expulsion order once the appeal period has expired, ceasing the individual's residence rights.

National forms of protection

Legal provisions relating to the review, renewal and withdrawal of national forms of protection: Legislative Decree No 1998/286, amended by Legislative Decree No 25/2008 and Legislative Decree No 20/2023, now Law No 50/2024; Article 15 of Legislative Decree No 145/2024, now Law No 187/2024.

Length of the first and subsequent residence permits: Residence permits vary in duration based on the type of protection granted (Legislative Decree No 1998/286, amended by Legislative Decree No 25/2008 and Legislative Decree No 20/2023, now Law No 50/2023):

- special protection residence permit, typically for 2 years (renewable subject to Territorial Commission approval);
- medical care residence permit , whose duration depends on the duration of the certified treatment (not exceeding 1 year, renewable for as long as the duly certified conditions continue to apply, non-convertible for work);
- residence permit for victims of domestic violence (1-year permit, convertible into a residence permit for the purposes of self-employment, employment or study)
- residence permit for exceptional calamities (6-month permit, renewable for a further 6 months if the conditions of the exceptional calamity persist, non-convertible for work),
- residence permit for victims of labour exploitation (1-year permit, renewable for 1 year, or for as long as is necessary to complete the social and vocational integration measures, or for legal reasons, convertible into a residence permit for the purposes of employment or self-employment or study),

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- residence permit for social protection for victims of violence and criminal coercion in need to access assistance and integration (1 year-permit, renewable for one year, or for a longer period if necessary for social and occupational integration or for legal reasons, further renewable for the duration of the employment relationship in place at the expiration date, convertible for study),

- acts of civil value (2 years, renewable and convertible into a residence permit for the purposes of self-employment, employment).

- Minore age for unaccompanied minor (up to the age of 18).

- Unaccompanied minors receive a maximum 1-year permit upon turning 18 years old for purposes of access to employment or self-employment or study.

Review of the status: The National Commission for the Right to Asylum oversees the review of national forms of protection. is In cases of cessation, a significant change of the conditions in the country of origin is reported by the Territorial Commission to the National Commission along with related documents

Renewal of the status: Special protection permit can be renewed subject to the approval Territorial Commission. The assessment of the criteria for the renewal of other forms of national protection related residence permits falls within the responsibility of the Immigration Office.

Withdrawal of the status: Permits for social protection, domestic violence, labour exploitation could be revoked in the event of a breach of the programme or conduct incompatible with its objectives, as reported by the Public Prosecutor or, where relevant, by the local authority’s social services, or as otherwise established by the Chief of Police, or where the other conditions justifying its issue no longer apply.

Grounds for the withdrawal of the status:

Grounds for withdrawal include:

- Situations where the reasons for granting protection no longer exist;
- Applications for another type of residence permit following Law No 50/2023.

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- Danger for the host State security, as per Article 15 of the Legislative Decree 145/2024, now Law 187/2024

The withdrawal process may involve an interview and allows for legal representation.

Consequences of the withdrawal of the status: When protection is not renewed, the beneficiary loses the right to reside in Italy. After the expiration of the appeal period, individuals may be subject to expulsion orders, effectively terminating their residency rights. National authorities may provide guidance on alternative residence options during the withdrawal process.

Content of protection

Overview

Relevant legal provisions: Legislative Decree No 286/1998 and Legislative Decree No 251/2007 include legal provisions detailing the content of protection for beneficiaries of international protection.

Provision of information on the content of protection

Upon granting international protection, a foreign national will receive a leaflet outlining the rights and obligations associated with their protection status (Article 21 Legislative Decree No 251/2007). This information is provided in a language presumed to be understood by the individual, or alternatively in English, French, Spanish or Arabic. Additionally, to ensure broad awareness, information on the rights and obligations of the status granted will be presented during the applicant's hearing for international protection.

Residence permits

Refugees:

For refugees, the residence permit is issued by the competent Police Headquarters based on the decision of the relevant Territorial Commission. The initial residence permit is granted for a period of 5 years for both refugees and beneficiaries of subsidiary protection.

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For refugees, the renewal is automatic unless cessation or revocation clauses apply. In contrast, for beneficiaries of subsidiary protection, the permit is renewed for 5 years following an assessment by the Territorial Commission to ensure that the conditions for granting protection are still met.

After 5 years from the asylum application, individuals can apply for a long-term residence permit in EU countries if they meet or exceed the state's minimum guaranteed income. For vulnerable individuals, free housing provided by recognised charities counts as 15% of the required income.

Beneficiaries of subsidiary protection:

For beneficiaries of subsidiary protection, the residence permit is issued by the competent Police Headquarters based on the decision of the relevant Territorial Commission. The initial residence permit is granted for a period of 5 years for both refugees and beneficiaries of subsidiary protection.

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After 5 years from the asylum application, individuals can apply for a long-term residence permit in EU countries if they meet or exceed the state's minimum guaranteed income. For vulnerable individuals, free housing provided by recognised charities counts as 15% of the required income.

For **beneficiaries of national forms of protection**, the following cases apply:

- special protection residence permit, typically for 2 years (renewable subject to Territorial Commission approval);
- medical care residence permit , whose duration depends on the duration of the certified treatment (not exceeding 1 year, renewable for as long as the duly certified conditions continue to apply, non-convertible for work);
- residence permit for victims of domestic violence (1-year permit, convertible into a residence permit for the purposes of self-employment, employment or study)

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- residence permit for exceptional calamities (6-month permit, renewable for a further 6 months if the conditions of the exceptional calamity persist, non-convertible for work),

- residence permit for victims of labour exploitation (1-year permit, renewable for 1 year, or for as long as is necessary to complete the social and vocational integration measures, or for legal reasons, convertible into a residence permit for the purposes of employment or self-employment or study),

- residence permit for social protection for victims of violence and criminal coercion in need to access assistance and integration (1 year-permit, renewable for one year, or for a longer period if necessary for social and occupational integration or for legal reasons, further renewable for the duration of the employment relationship in place at the expiration date, convertible for study),

- acts of civil value (2 years, renewable and convertible into a residence permit for the purposes of self-employment, employment).

- Minor age for unaccompanied minor (up to the age of 18).
- Unaccompanied minors receive a maximum 1-year permit upon turning 18 years old for purposes of access to employment or self-employment or study.

Travel documents

Refugees:

Beneficiaries of international protection have the right to the Geneva Travel Document (issued by the relevant Immigration Office on behalf of the Ministry of Foreign Affairs) (Article 24 Legislative Decree No 251/2007). It allows to travel (only travel, not reside) to every country which recognises the Geneva Convention, except for the country of origin/country of persecution. For some countries, an additional visa is required.

Beneficiaries of subsidiary protection:

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According to Art. 24 Lgs. D. 251/2007, where there are valid reasons preventing a person with subsidiary protection status from applying for a passport from the diplomatic authorities of their country of nationality, the relevant police headquarters shall issue the foreign national concerned with a travel document for foreign nationals (different from Geneva Travel Document).

Freedom of movement

Beneficiaries of international protection have freedom of movement within the Italian territory and to settle in any city if they can provide for themselves (Article 29 Legislative Decree No 251/2007).

Access to employment and employment-related education

Refugees and beneficiaries of subsidiary protection:

Beneficiaries of international protection are entitled to the same treatment as Italian citizens in the fields of employment, self-employment and registration in professional registers (Article 25 Legislative Decree No 251/2007). This includes access to professional training, refresher courses, workplace internships and services provided by employment centres (Article 4 Legislative Decree No 469 of 23 December 1997). Additionally holders of international protection status are granted access to public employment, subject to the same procedures and limitations that apply to EU citizens.

Access to education

Refugees and beneficiaries of subsidiary protection:

Minors with refugee or subsidiary protection status have access to education at all levels under the same conditions as Italian citizens (Article 26 Legislative Decree No 251/2007). The law distinguishes between minors under and over the age of 16:

Minors under 16 are subject to compulsory education and they are enrolled in a grade corresponding to their actual age. Considering the curriculum followed by the pupil in the country of origin and his/her skills, the Teachers' Board can decide otherwise, providing the assignment to the class immediately below or above the one corresponding to the minor's age.

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Minors over 16 and no longer subject to compulsory education are enrolled if they prove proper self-preparation on the entire prescribed programme for the class they wish to follow.

Schools are not obliged to provide specific language support for non-national students but, according to the law, the Teachers' Board can adopt specific individualised or group interventions.

Irrespective of their status, minors obtain a specific residence permit for minor age, within the scope of Law No 47/2017.

Adults with refugee or subsidiary protection status are entitled to access general education, professional development and further training, subject to the same conditions as legally-resident foreigners.

Access to procedures for recognition of qualifications and validation of skills

Refugees and beneficiaries of subsidiary protection:

The recognition of diplomas, certificates and foreign qualifications for Italian citizens also applies to those with refugee or subsidiary protection status.

Social security and social assistance

Holders of refugee and subsidiary protection status are entitled to the same treatment as Italian citizens for social and health assistance (Article 27 Legislative Decree No 251/2007). The Ministry of Health is responsible for establishing guidelines for planning assistance and rehabilitation interventions, particularly for the treatment of mental disorders among individuals who have experienced torture, rape or other severe forms of psychological, physical or sexual violence. These guidelines will include specific training and refresher programmes for health personnel, ensuring that they are equipped to provide the necessary care within the financial resources available under current legislation.

Healthcare

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Refugees and beneficiaries of subsidiary protection:

Beneficiaries of international protection may access the national public health system, with the *Tessera Sanitaria*, under the same conditions that apply for nationals (Article 27 Legislative Decree No 251/2007).

Access to accommodation

Refugees:

Upon being recognised as beneficiaries of international protection, individuals generally lose their right to remain in the reception system (Article 40 Legislative Decree No 286/1998 and Article 29 Legislative Decree No 251/2007), as per Art 14 legislative decree 142/2015 “4. Reception measures are guaranteed for the duration of the application examination procedure by the Territorial Commission for the Recognition of International Protection referred to in Article 4 of Legislative Decree No. 25 of 28 January 2008, as amended, and, in the event of rejection, until the deadline for appealing the decision expires…” Circular letter issued by the Department for civil liberties and Immigration (MoI) in August 2023 provides that the person to whom it has been notified a decree of recognition of a international/national protection loses the right to remain in the reception system immediately after the notification, provided the right to be assigned in the SAI system. If assigned to a SAI, holders of international protection status can remain there for a maximum of 6 months, which may be extended for an additional 6 months in cases of health issues or specific integration targets. Additionally, beneficiaries of international protection have access to public housing (*Edilizia residenziale pubblica*) under the same conditions as nationals.

Beneficiaries of subsidiary protection:

Upon being recognised as beneficiaries of international protection, individuals generally lose their right to remain in the reception system (Article 40 Legislative Decree No 286/1998 and Article 29 Legislative Decree No 251/2007). However, at the discretion of the relevant prefecture, they may be allowed to stay for a few months, a few days or even just one day unless they are assigned to or are in the process of being assigned a place in the SAI system. If assigned to a SAI, holders of international protection status can remain there for a maximum of 6 months, which may be extended for an additional 6 months in cases of health issues or specific integration targets.

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Access to integration measures

Refugees:

Integration support is provided to refugees accommodated in SAI facilities. Legislative Decree No 130/2020 mandates that municipalities launch additional integration projects to complement those organised by the reception system.

On 27 September 2017, the Ministry of the Interior published the National Integration Plan for individuals entitled to international protection, outlining operational guidelines for integrating recognised refugees into society. This programme identifies several key areas of focus: inter-religious dialogue, language training, access to education, skills enhancement, access to healthcare, housing and residence, family reunification, information and guidance on accessing services, prevention and combat of discrimination, and promoting active citizenship and societal participation. The revision of this plan in 2020 emphasised language training, information on rights and responsibilities, service orientation, and assistance in accessing the labour market.

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Family reunification for beneficiaries of international protection

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Refugees:

Beneficiaries of international protection can request family reunification for specific family members using the same procedure as other migrants (Article 29bis Law No 286/1998 and Article 22 Legislative Decree No 251/2007). However, they are exempt from demonstrating certain requirements, including suitable accommodation that meets hygiene and health standards (verified by the competent municipal office), a minimum annual income from lawful sources, and health insurance or enrolment in the National Health System covering all risks for ascendants over 65 years old.

Beneficiaries may apply for reunification with the following family members:

- Spouses aged 18 or older who are not legally separated;
- Dependent minor children, including those of the spouse, regardless of whether they were born in or out of wedlock, provided the spouse has given consent;
- Adult dependent children unable to meet their essential needs due to total invalidity based on health reasons;
- Dependent parents with no other children in the country of origin or parents over 65 whose other children are unable to support them due to serious health issues;
- Dependent relatives without other children in the country of origin;
- Relatives within the third degree who are dependent and unable to work according to Italian legislation.

An unaccompanied child who is a beneficiary of international protection can apply for family reunification without having to prove dependency criteria. Entry and residence for family reunification purposes is permitted for first-degree direct relatives in the ascending line, facilitating the restoration of the family unit, with requests that can be made at any time (Article 29bis(3) Legislative Decree No 286 of 25 July 1998).

Beneficiaries can apply for family reunification as soon as they obtain their electronic residence permit, with no maximum time limit for applications. There are no additional restrictions. Once the family relationship is verified, the related visa is issued within 90 days and must be used within 6 months from the issuance date.

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The residence permit for a family member has the same validity as the beneficiary's permit and can be renewed together (Article 30 Law No 286/1998). There are no prohibitions against a family member applying for international protection after arriving in Italy (Law No 25/2008). Each application will be assessed on a case-by-case basis.

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