Government publishes the legislative Decree 100/2026 for the implementation of the European Union Pact on Migration and Asylum

On 12 June 2026, the Legislative Decree no. 100, providing urgent measures on justice and for the implementation of the European Union Pact on Migration and Asylum of 14 May 2024, was published in the Official Gazette.

The decree aligns national legislation with the directive on standards for the reception of applicants for international protection and with European regulations on the common procedure for international protection, the repatriation procedure at the border, checks on third-country nationals at external borders, and the Eurodac system.

Specifically, the bill regulates the stages of expressing intent, registering, and formalizing the application for international protection, as well as the documents issued to the applicant. It also addresses applicants' access to employment, increasing the period before which work is barred to 90 days.

The Court also addresses the applicant's right to remain in the territory of the State, the asylum procedure at the border , the transfer of an applicant subjected to this procedure, manifestly unfounded applications, and issues regarding the recognition of international protection in border procedures.

The decree introduces provisions relating to the obligation to reside in a specific location, ordered by the prefect in certain cases, to the relevant judicial appeal, to the assessment of the risk of absconding, to alternative measures to detention, and to the rules governing the detention of applicants.

It also regulates accelerated procedures and border procedures, with specific deadlines for their completion, as well as the investigations of foreigners found during irregular border crossings or following rescue operations at sea, with reference to transportation to designated crisis points, health, vulnerability, and security checks, photo-dactyloscopic and identification checks, and the transmission of data to the Eurodac system. The text also introduces rules for administrative detention for investigation, with notification to the Public Prosecutor, validation by the Justice of the Peace, and specific guarantees for minors.

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The provision adapts the rules of the Eurodac system , providing for the interconnection of the automated system for the identification of fingerprints and facial images and the identification of the national access point at the Department of Public Security.

Finally, organizational measures are introduced to implement the new European framework, including strengthening the Territorial Commissions for the recognition of international protection, expanding the powers of the specialized immigration sections , establishing separate sections within the same sections, and measures to strengthen judicial administration. Transitional provisions are also envisaged for the initial implementation of the new legislation.

Source(s)

- Official Journal | Gazzetta Ufficiale (12 June, 2026), Patto Ue migrazione e asilo, in vigore il DL 100/2026 [EU Pact on Migration and Asylum: Legislative Decree 100/2026 enters into force], https://integrazionemigranti.gov.it/it-it/Ricerca-news/Dettaglio-news/id/4786/Patto-Ue-migrazione-e-asilo-in-vigore-il-DL-1002026

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