Applicants with special needs - Italy

Overview

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Relevant EU legislation

Italy is bound by the recast Asylum Procedures Directive 32/2013 and the Reception Condition Directive 33/2013.

National legislation

Legislative Decree n. 25/ 2008

Legislative decree n. 142/2015 amended by the law n. 47/2017, and the Presidential Decree n. 231/2023

Competent authority and other stakeholders

Police Immigration Office | Ufficio Immigrazione Questura

National Commission for the Right of Asylum | Commissione nazionale per il diritto di asilo

Territorial Commissions for the Recognition of International Protection | Commissioni Territoriali per il riconoscimento della protezione internazionale

Ministry of the Interior, Department of Civil Liberties and Immigration | Ministero dell'Interno, Departimento per le Libertà civili e l'Immigrazione

Training initiatives

The Department of Civil Liberties and Immigration, in partnership with the EUAA, has developed a training plan for 2024–2025. The plan combines standard

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modules from the European Asylum Curriculum Training Catalogue with tailor-made modules specifically adapted to the national context. Among the training initiatives already conducted in 2024 and those scheduled for 2025, some trainings focused in particular on identifying special needs and providing special procedural guarantees to vulnerable applicants:

Training on the updated version of the operational Handbook for the taking charge and reception of unaccompanied foreign minors, organized in collaboration with the European Union Agency for Asylum (EUAA), and with the participation of staff from the Department of Public Security and the Central Service, addressed to the staff of Prefectures and Police Headquarters. At the moment, two training sessions have been held (10 and 17 July) aimed at Prefectures and Police Headquarters in north-eastern and central Italy. Two further sessions are scheduled for 23 and 30 September for the north-west and south territories and island.

• Children in Asylum – This module, aimed at Prefectures and managing bodies, focuses on the reception of unaccompanied minors. It builds on and continues the EASO/EUAA training initiatives on the reception of unaccompanied minors, launched in 2017.

• Trafficking in Human Beings – This module equips participants with essential skills to recognize potential victims of trafficking and to intervene effectively during the initial identification phase. On this topic, training sessions addressed to the Prefectures and first arrival centres in Sicily and Calabria, with the participation of local anti-trafficking agencies were organized in 2024. The module provided participants with the fundamental skills to recognise potential victims of trafficking and intervene in the early stages of identification. The following topics were explored in depth: - the phenomenon of human trafficking, with reference to the international and European regulatory framework; - the distinction between human trafficking and migrant smuggling; - the operating methods of traffickers and the main risk factors; - useful indicators for identifying victims and the initial stages of the interview. The training was delivered in a blended format, combining online self-study sessions with two days of face-to-face training. The classroom activities encouraged discussion of practical cases and the application of theoretical concepts to the national and local operational reality. Two training sessions are planned for the regions of Tuscany, Friuli Venezia Giulia, Lazio and Puglia.

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Introduction to Vulnerability – One of the four core modules of the EUAA curriculum, this cross-cutting introductory course provides an overview of the complexity of the concepts of vulnerability and special needs. It presents the main operational categories, and the indicators used during the identification phase. The module addresses the first of the three key stages in the process of identifying and addressing vulnerabilities—namely, identification.

With regard to the Handbook for detection, referral and taking charge of vulnerable persons arriving in Italy, since its publication, the administration has carried out quarterly monitoring activities in order to raise awareness in the territories for the activation of technical round tables for its implementation. Five monitoring cycles have been carried out to date, which have also made it possible to analyse the start of the process of drafting SOPs involving all actors who contribute in various ways to the identification, referral and care of people with particular vulnerabilities. On the same topic, from November 2024 to June 2025, five webinars were held for Prefecture staff, during which updates were provided on the regulatory changes introduced by the new EU Pact in relation to vulnerable people. Some good practices implemented by the prefectures were also shared, and working groups were set up to examine issues such as trafficking and mental health.

The Ministry of the Interior, in agreement with UNICEF, UNHCR and the Central Service of the SAI network, has organised five webinars from November 2024 to June 2025, aimed at Prefecture staff and those responsible for reception centres and SAI network projects. The aim is to adopt a technical note on mitigating the risk of gender-based violence and systems for protecting minors and its operational tools, in order to provide all those involved in reception with a reference framework and a set of operational tools to identify such risks and implement mechanisms to reduce them.

Special needs in reception

Identification of special needs

Art. 17 of Legislative Decree 142/2015 provides that the reception measures take into account the specific situation of vulnerable persons, such as minors, unaccompanied minors, persons with disabilities, elderly persons, women (with priority given to those who are pregnant), single parents with minor children,

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victims of human trafficking, persons suffering from serious illnesses or mental disorders, persons who have been found to have suffered torture, rape or other serious forms of psychological, physical or sexual violence or violence related to sexual orientation or gender identity, and victims of genital mutilation. It foresees that the centres dedicated to the reception of vulnerable applicants (along with the beneficiaries of international and national protection, i.e. SAI) shall provide special reception services for vulnerable persons with special needs and that these services shall guarantee special assistance measures and adequate psychological support.

It also provides that applicants for international protection identified as victims of human trafficking shall be covered by the single programme for emergence, assistance and social integration referred to in Article 18, paragraph 3-bis, of Legislative Decree No. 286 of 25 July 1998.

While there is no procedure foreseen in law for the identification of vulnerable persons, in 2023, The Department of the Civil Liberties and Immigration, in agreement with the National Commission for Asylum, Department of Public Security, Ministry of Health, EUAA, European Commission, Frontex, UNHCR, IOM, UNICEF, Italian Red Cross, Italian Coast Guard, Central Service for the Management of SAI and other stakeholders, has published a vademecum for detection, referral and taking charge of vulnerable persons arriving in Italy. The vademecum contains procedures to identify and address vulnerabilities (with specific insights on linguistic mediation, mental health, family reunification, LGBTIQ+ community, victims of trafficking and gender-based violence, disability) and provides a mapping on stakeholders involved in the detection and taking charge of vulnerable persons. It is based on an holistic approach and multidisciplinary equipe, adequately trained to identify any possible special need.

The identification of vulnerability in Italy is carried out through a multi-step process involving various actors, including caseworker, medical and psycho-social staff, and authorities. During the registration phase, a preliminary interview is conducted with the support of interpreters/cultural mediators to identify potential vulnerabilities. If vulnerabilities are detected, the information is transmitted to the competent authorities, including the Prefecture and the Immigration Office, to ensure timely assistance and priority access to medical care and other services. The identification process continues during the stay in the reception facilities, where medical and psycho-social staff conduct follow-up checks and in-depth interviews to assess the individual's conditions and needs.

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Checklists and other tools are available to first contact personnel to facilitate the identification and the referral of applicants with special needs.

Victims of torture and other types of violence

The identification of victims of torture or extreme violence may occur at any stage of the asylum procedure by lawyers, competent authorities, in reception centres and by specialised NGOs. The Territorial Commission may request a medical examination aimed at ascertaining the effects of persecution or serious harm suffered by applicants.

Referral of applicants with special needs

The vademecum for detection, referral and taking charge of vulnerable persons arriving in Italy and the operational vademecum for the referral and reception of unaccompanied minors are the two instruments providing Italian authorities with indications on referral to the relevant authorities and services.

The vademecum specifies that generally, any information about vulnerabilities identified (whether during rescue at sea or upon entering the country) should be reported to the local authorities (Prefectures) first. They will then provide initial care and support to these vulnerable individuals through a local coordination mechanism. As necessary, this information should also be shared with the Central Directorate for Civil Services for Immigration and Asylum at DLCI, which coordinates and supports the Prefectures in finding suitable accommodation centres, collecting data on vulnerabilities, monitoring, and training staff involved in the reception system.

Victims of torture and other types of violence

If members of the Territorial Commissions suspect during the personal interview that the applicant may be a victim of torture, they may refer the applicant to specialised services and suspend the interview. In regard of torture survivors, the lawyer or the legal advisor may also inform the determining authorities that the asylum seeker is unfit or unable to undertake the personal interview so that the Commission may decide to omit or postpone it.

The Ministry of Health published guidelines for assistance, rehabilitation and treatment of psychological disorders of beneficiaries of international protection victims of torture, rape or other serious forms of psychological, physical or sexual

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violence. The guidelines highlight the importance of multidisciplinary teams and synergies between local health services and all stakeholders who are in contact with asylum applicants.

For victims or torture, the Territorial Commission can refer to the national guidelines on assistance and rehabilitation and treatment of psychotic diseases of refugees, provided by the Ministry of Health. In the case of victims of genital mutilation, there is a guide on early recognition of genital mutilation victims and other damaging practices.

Victims of human trafficking

If members of the Territorial Commissions suspect that the applicant may be a victim of slavery or trafficking in human beings, they would transmit the documents to the Questura for adequate evaluations. Recognised victims of human trafficking may be channelled into special programme of social assistance and integration according to Legislative Decree 24/2014 and 286/1998. Recognised victims of human trafficking are accommodated in SAI reception facilities during the asylum procedure, as they belong to the vulnerable groups allowed by Law 50/2023 to access the accommodation system.

The 19 October 2022, the Council of Ministers adopted a National Anti-Trafficking Plan 2022-2025. As provided by article 14 of Law 228/2003 on measures against trafficking of human beings, the plans is aimed at defining multiannual intervention strategies for the prevention and fight against trafficking and serious exploitation of persons, as well as actions aimed at raising awareness, prevention and social integration of victims. The strategic objective of the plan is to improve, according to the unified approach at European level, the national response to trafficking, through capacity-building to strengthen the direct assistance to victims, fight the criminal activities underlying exploitation and raising awareness.

In December 2023, the Department of Equal Opportunities publishes the new national referral mechanism for victims of trafficking and serious exploitation. The national referral mechanism for victims of trafficking is intended for actors in anti-trafficking interventions and takes into account the specificities and vulnerabilities of potential victims. The document is also available in English and in line with the national strategy outlined by the National Anti-Trafficking Plan 2022-2025.

Victims of gender-based violence

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On 31 March 2022, the National Commission for the Right to Asylum presented, together with UNHCR, the Standard Operating Procedures for the identification and referral of survivors of - or those at risk of gender-based violence within the asylum procedure, which had been published on 31 December 2021.

In 2025 a technical Note on mitigating GBV and Protecting Minors in Italy has been developed by the Ministry of the Interior, UNICEF, and UNHCR, and is intended for use by Prefectures, managing bodies, and local actors. It is based on the Operational Toolkit developed for the Italian reception system, particularly in response to the needs of vulnerable populations such as Ukrainian refugees, asylum seekers, and minors and its objectives are to prevent and mitigate GBV risks in reception facilities; activate child safeguarding mechanisms for minors in vulnerable situations and coordinate national and local actors to ensure consistent protection standards.

The operational Tools that have been designed for Gender-Based Violence Risk Mitigation are the following : GBV Risk Assessment Matrix: identifies risks in reception centers and community settings; Safety Audit Toolkit to evaluate physical and procedural safety in facilities;

Training Modules (see paragraph above) for staff on GBV awareness, survivor-centered care, and ethical standards; referral pathways: clear procedures for reporting and responding to GBV cases; monitoring templates to track GBV incidents and mitigation efforts.

With regard to child protection, the following tools are to be considered: Child Safeguarding SOPs: Standard procedures for identifying and responding to abuse or neglect; Case Management Tools to ensure coordinated care and follow-up for child survivors; the Multi-sectoral Coordination Framework, that promotes collaboration between child protection, health, education, and legal services and finally the above-mentioned Handbook on Vulnerabilities on guidance, identification and referral of minors with specific needs

Reception and care of applicants with special needs and vulnerabilities

In Italy, the System for Reception and Integration (SAI) is responsible for the accommodation of vulnerable applicants.

The SAI is a network of local authorities that access the National Fund for Asylum Policies and Services to implement integrated reception projects. At the territorial

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level, local authorities, with the support of third-sector organizations, guarantee comprehensive reception interventions that include food, accommodation, information, accompaniment, assistance, and orientation services, as well as individualized socio-economic integration pathways.

integrated reception services can accommodate holders of a residence permit for medical treatment, victims of domestic violence, victims of labour exploitation, trafficking, unaccompanied minors, victims of torture. Furthermore, within the system there are specialised reception projects for people with specific vulnerabilities, including disabled people and people with health issues (physical and mental health conditions). Applicants with disabilities in reception should have adapted internal structures, adequate transportation services, access to therapeutic, rehabilitative and educational services, health services planned in relation to the specific needs of each beneficiary and access to vocational training.

Special accommodations and services are foreseen also for elderly people, victims of human trafficking and LGBTIs who, as vulnerable applicants, can access the SAI.

The territorial projects of the SAI are characterized by the active involvement of local authorities, which contribute to building and strengthening a culture of reception within local communities and facilitating the socio-economic integration of beneficiaries. At the same time, the system relies on partnerships with third-sector organizations, which play a crucial role in implementing reception interventions.

The establishment of a SAI accommodation centre however is implemented on a voluntary basis by local authorities.

Applicants suffering from mental health problems, including victims of torture, are entitled to the same right to access to health treatment as provided for nationals under Italian legislation, including specialized accommodations, provided by the Department for Equal Opportunities (DPO).

Reception facilities and other housing arrangements

Within the System, there are also specialized projects for the reception and support of individuals with specific vulnerabilities, such as:

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- People with disabilities or health problems (physical and mental) (SAI DS/DM)
- Unaccompanied minors
- Women alone and single female parent families

Housing arrangement

After the first vulnerability screening which takes place in the first line reception the applicants with special needs are referred to the SAI (System for the Reception and Integration) [Sistema Accoglienza e integrazione].

In particular, in hotspot facilities in order to facilitate screening for the timely identification of vulnerabilities, during the stay in the Hotspot, the medical and psychosocial staff in charge conduct first assessments and follow up on the reported psycho-physical conditions and conduct in-depth interviews with the help of linguistic-cultural mediators

While in hotspot, the operations, including pre-identification and photo identification, are carried out taking into account the needs identified, making the necessary arrangements to ensure full compliance and protection of the person, including adequate spaces to guarantee privacy, the presence of female staff and the assistance of linguistic-cultural mediators. Following the photo identification operations, the information provided on the procedures is supplemented by specific information regarding the needs identified. The authorities ensure a safe and confidential environment where people can talk, maintaining an empathetic and non-judgmental approach and guaranteeing mediation services throughout the process. Where possible, the presence of female staff is recommended both among medical personnel and among those responsible for mediation, trained in vulnerabilities identification and referral and related operating principles.

The identification of the most suitable reception centre/project for each individual case is as much accurate as the information that has been collected and shared with the competent Prefecture is complete and comprehensive. The identification of the most suitable facility is based on an updated mapping of reception facilities, which includes their specific expertise in caring for people with special needs, including in relation to the use of specialized services available in the area where the aforementioned facilities are located.

With regards to families with minors. the accommodation shall guarantee the safety and security of the minor and the family unit, as well as ensuring an environment suitable for psychological and social development, which stimulates

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and promotes the full realization of individual potential. The Centre must be equipped to allow minors to carry out activities that include play, free artistic and creative expression, and social and recreational activities appropriate to their age, with opportunities for individual and group involvement, both within the premises of the reception centre and outdoors.

Among the material goods provided to meet specific individual needs, it is essential to provide

- toys and childcare items, i.e. all those products necessary for sleeping, eating, transporting,
- caring for the hygiene and growth of the child.
- In the case of single parents, the choice of allocation takes into account the individual needs

of the single parent and the minor. This choice should take into account proximity to childcare facilities, schools and transport, play and recreation centres, and listening and support spaces for families. Where possible, single parents with minor children are not accommodated with unknown adults, for safety reasons.

Psychological assistance is provided in the hotspot as well as in all the facilities of the SAI system. Health assistance is guaranteed within the facilities according to the type of center and its dimension; in any case it is guaranteed by accessing the national health system at the same conditions of the citizens.

Location

In all Italian regions. detailed information can be found here.

Detention of vulnerable persons and applicants with special reception needs

The existence of one of the vulnerability conditions does not automatically exclude the possibility of detention, provided that all necessary measures are taken to protect and address the specific needs of the person in relation to the destination centre.

The Directive on "Criteria for the organization and management of repatriation centres” as per Article 14 of Legislative Decree 286/1998 and subsequent amendments" regulates the Centers for Repatriation (CPR) operation. Article 7, of

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Legislative Decree No. 142/2015 states that asylum seekers whose health or vulnerability conditions are incompatible with confinement, cannot be detained.

The Repatriation Directive provides that particular attention must be paid to the situation of vulnerable individuals and that emergency medical care and essential treatment of diseases must be ensured in the centres. Before a foreigner (whether an asylum seeker or not) enters the detention facility, a medical visit is required to assess whether their health conditions are compatible with detention.

The identification of such vulnerabilities is a condition that not only affects the compatibility of detention but also concerns individuals who are already being held in the centres.

The assessment is primarily carried out by the local Health Authority/hospital with which the Prefecture where the foreigner is located has signed a specific agreement. In the event of identifying causes of incompatibility with detention, if they concern an asylum seeker or a holder of international protection, the Prefecture where the CPR is located, upon notification by the CPR Director, immediately notifies the SAI Central Service to ensure the vulnerable person's accommodation in a dedicated facility.

If, after entering the CPR, elements emerge that may lead to the conclusion that the foreigner cannot be detained, the doctor providing service within the Center can request a new medical visit.

Reception of unaccompanied minors

The current policy overseeing the reception of unaccompanied minors (UAMs) is defined by Article 19 of Legislative Decree No. 142/2015 and is managed, in addition to the Ministry of the Interior, also by Local Authorities.

It provides for a first reception phase motivated by rescue and immediate protection needs in highly specialized government facilities.

The stay of unaccompanied minors (MSNA) within these facilities is allowed for a limited period of time, and no longer than 30 days, before to be transferred to SAI centres or other adequate facilities. During their initial stay, they undergo a personal interview by qualified personnel to identify vulnerabilities and complete identification procedures, which must be completed within ten days. This initial procedure may include age assessment, when necessary.

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The first reception facilities provide specialized services during this period, aimed at the subsequent transfer from the same to second-level centers of the SAI (Reception and Integration System), with specific projects designed for this target group.

Indeed, in principle unaccompanied minors are accommodated in SAI structures (local second line reception centres, managed by the Municipalities and other non-organizations based on a call for tender) as well as in other dedicated facilities operated by the municipalities.

According to Reception Decree, unaccompanied children can be assisted, in every state and degree of the procedure, by the presence of suitable persons indicated by the child, including registered foundations, associations or NGOs with proven experience in assisting minors, accredited by the relevant judicial or administrative authority and with the prior consent of the child.

It is worth mentioning that Article 7 of Law No. 47/2017 promotes the instrument of family fostering as the priority route for the reception of unaccompanied minors.

Reception facilities and other housing arrangements

Housing arrangement

Among the government's first reception facilities are those financed by the Asylum, Migration and Integration Fund (AMIF) and the first reception facilities accredited/authorized by the Municipalities or Regions. The maximum stay in government first reception centers is extended from 30 to 45 days.

The second line reception system is constituted by SAI centres and other specialized centres managed by Local authorities.

When municipalities cannot provide accommodation due to massive flows, prefects can activate or expand first reception emergency shelters, so-called CAS for minors, where up to 50 UAMs above 14 years of age can be hosted, even derogating from capacity limits by up to +50%.

Following the entry in force of Legislative decree 133/2023, if temporary structures for minors are temporary unavailable, the prefer may order the temporary hosting of the UAMs above 16 years of age in a specific section of centres and structures other than those for minors, for a period not exceeding 90

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days, extendable by another 60. These structures also fall within the first line reception centres category.

Location

SAI: In all Italian regions. detailed information can be found here

Unaccompanied Minors emergency shelters (CAS): Total 1477

Location	Capacity
Abruzzo	58
Basilicata	23
Calabria	86
Campania	232
Emilia Romagna	62
Liguria	82
Lombardia	90
Marche	37
Molise	50
Piemonte	24
Puglia	84
Sardegna	42
Sicilia	343
Toscana	98
Umbria	60
Valle d'Aosta	30
Veneto	106

AMIF centers for Minors. Total: 750

Location	Capacity

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Chieti	50
Matera	45
Potenza	105
Cosenza	50
Avellino	50
Campobasso	50
Agrigento	100
Catania	75
Siracusa	25
Trapani	150
Firenze	50

Specific needs and safety

An operational vademecum for the take charge and reception of unaccompanied minors covers and provides guidance on how to evaluate the best interest of the child. A handbook on take charge of unaccompanied minors has been published also by SAI focusing on reception.

In addition, Guidelines and SOPs for first line reception centres have been issued by UNHCR, IOM and Save the Children

Age assessments

Under Art 5 of the law no. 47/2017 (in force as of 6 May 2017) if there is a doubt about the age of an applicant, they can be assessed through non-invasive multidisciplinary examinations.

The age assessment can be triggered at any stage of the asylum procedure by the Immigration Office or by social services. The age assessment must be authorised by the Juvenile Court, which also decides on the outcome.

A protocol for the age assessment has been adopted and provides details on the age assessment procedure. The document introduces the principle of sequentially and incrementality consisting in different steps starting from the

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least invasive:

- social interview
- psychological/neuro-psychiatric assessment
- auxological-paediatric exam

Before proceeding with these socio-health examinations the applicant, along with his or her legal guardian, is informed with the assistance of a cultural mediator.

An operational vademecum for the take charge and reception of unaccompanied minors covers and provides guidance on how to evaluate the best interest of the child.

Access to education

Foreign minors have the right to education and must attend compulsory education. The legislation in force on the right to education, on the access to educative services and on the participation in school life apply also to foreign minors. Education is organised within the national education system in the mainstream school infrastructure. Minors must be enrolled within 1 month from the access to reception.

The integration of immigrant pupils is carried out without the presence of support teachers, unless pupils have a certified disability; in this case, the support measures for disabled pupils apply. The presence of language and cultural mediators is quite common; local authorities and other local bodies and associations involve language mediators to help teachers and school staff communicating with pupils and their families.

Access to healthcare

An initial screening is foreseen within 15 days from the arrival into the reception facility. In this stage, the minors are also provided with a *Straniero Temporaneamente Presente* or Temporary Present Foreigner code (STP) and subsequentially to the issuance of the first temporary residence permit, the *Tessera Sanitaria* or Health Card, which grant the holder access to the national health system.

Asylum applicants and beneficiaries of international protection in Italy have the same rights to the healthcare system as Italian nationals.

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Additional information can be found here

Transition to adulthood

There are different scenarios depending on the legal status of the minor. The transition to adulthood has a relatively minor impact for beneficiaries of international protection as their legal status provides extensive protection of rights, including in terms of reception. However, those with a minor permit reaching the age of majority have to apply for a permit to study, work or await employment. The Legislative Decree no. 286/1998 (Consolidated Act on Immigration) provides for specific provisions facilitating the conversion of the residence permit. In particular, art. 32(1-bis), provides that an unaccompanied minor may be issued a residency permit for study, access to employment, or self-employment. To obtain a residency permit, the issue of a positive opinion by the Ministry of Labour and Social Policies is mandatory but not binding. The request for an opinion is not necessary when the minor has been residing in Italy for at least three years and was admitted to an integration process lasting at least two years; or the minor is entrusted to a relative up to the fourth degree of kinship.

Unaccompanied minors, included in projects of the Reception and Integration System (SAI) and who reach the age of majority, are entitled to stay for further six months in the reception facility they reside if they are asylum applicants. After those six months, they can request an extension of the reception up to a maximum of further six months and upon authorisation of the Central Directorate through the Central Service in accordance with the provisions of art. 39 of the Guidelines attached to the Ministerial Decree of 18 November 2019.

This extension can be requested to allow the conclusion of integration paths, for health reasons, due to vulnerabilities/special needs (art. 17 of Legislative Decree 142/2015)

There is also the possibility to apply to the competent Juvenile Court for the measure of administrative continuation (art. 13 of Law 47/2017) which allows to continue to follow the boy/girl until he/she reaches 21 years of age. In addition, Law 173/2020 established that all young adults, accepted as minors outside the SAI and recipients of an administrative continuation measure, can apply to be accepted in an adult SAI project, depending on the availability of places.

Detention of unaccompanied minors

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According to Consolidated Text on Immigration (Law no. 286 of 1998), Article 19(1-bis), under no circumstances should an unaccompanied foreign minor be refused entry at the border.

Legislative Decree No. 142 of 2015 (the so-called Reception Decree) and Law No. 47 of 2017 state that an unaccompanied minor cannot in any case be detained or accommodated in detention centres (i.e. "*Centri di Permanenza per i Rimpatri*").

If, during detention in the CPR, well-founded doubts arise regarding the age declared by the foreigner, the procedures provided for by the current legislation for age verification are activated, and accommodation in the facilities provided for by law must be ensured.

Special procedural guarantees

First instance determination for applicants with special needs

Specificities for persons in need of special procedural safeguards (excluding unaccompanied minors):

Specific forms of protection and guarantees are foreseen within the procedure for recognizing international protection for those applicants with special needs. During this process, common procedural protections are provided to all vulnerable applicants, including exemptions from accelerated procedures and manifestly unfounded decisions. Additionally, tailored precautions are taken to address the specific needs of different vulnerable groups, which may include conditions that require specialized support. Each procedural decision is carefully considered and adapted to the specific circumstances and needs of the individual applicant, with their informed consent obtained whenever necessary. Among others:

Legislation allows for the prioritisation of applications submitted by vulnerable applicants. The commission assess whether it is on the best interest of the person to apply this safeguard.

Additional information on procedural safeguards is detailed in the vademecum.

Access to information

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Depending on the type of vulnerability emerged, ad hoc information is transmitted through culturally appropriate and accessible informational materials (e.g. informational brochures, pocket-sized foldouts, and/or digital informational tools, posters etc.) on services available and the rights to access.

If necessary, in order to facilitate the emergence of specific needs, individual in-depth interviews are conducted, with the assistance of linguistic-cultural mediators

Personal interview

In certain cases, the commission can decide to delay the interview or omit it, in case the applicant is not able to participate.

Interview should be conducted by caseworker with specific trainings, able to prepare and adapt the content and language of the interview.

Among the safeguards, support staff may be present during the interview (e.g. psychologist or health professionals)

Timeframes, facilities and modalities of the interview may be adjusted taking into consideration the specific needs of the applicants (e.g. mobility issues, psychological trauma, etc)

Baby sitting for single parents are available on a case-by-case basis for the duration of the interview, if the Commission consider the minor should not take part to the hearing.

Restricted report is foreseen in case for example of victims of trafficking and other applicants who requires additional protection to prevent potential harm or repercussions.

Legal assistance

Legal information, counselling and assistance can be provided by representatives of civil society organisations with specific expertise e.g. LGBTIQ+ organisation.

Guarantees for unaccompanied minors

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The Law no. 47/2017 (in force as of 6 May 2017, and as last amended on 31 January 2018) foresees that, when an asylum request is made by an unaccompanied child, the competent authority suspends the asylum procedure and immediately informs the Juvenile Court (*Tribunale per i minorenni*). Specially commissioned case officers are not covered under law but usually specially-trained interviewers handle cases with minors.

According to Reception Decree, unaccompanied children can be assisted, in every state and degree of the procedure, by the presence of suitable persons indicated by the child, including registered foundations, associations or NGOs with proven experience in assisting minors, accredited by the relevant judicial or administrative authority and with the prior consent of the child.

The Territorial Commission gives priority to the UAM's application, while the minor is assisted legally as well as by the guardian throughout the procedure.

Making, registering and lodging an asylum application

In case of unaccompanied minors, art. 6 Legislative Decree 25/2008 foresees for them the possibility to apply directly for international protection.

UAMs' application can also be lodged by the legal guardian of the UAM, based on an assessment of the personal situation of the minor (*Cartella Sociale and BIA*, *Best Interest Assessment*, for more details see Law n. 47/2017).

For the purposes of lodging the C3 form, the presence of a person exercising temporary guardianship powers, such as the manager of a reception centre, is sufficient. If a guardian for the minor has already been appointed, he/she immediately contacts the Immigration Office to confirm and formalize the minor's asylum application

The decision to access the international protection procedure should be motivated by a report drafted by a team composed of a social worker, a psychologist, a legal operator, a coordinator/responsible person, an expert in children's rights, an educator, and the legal representative.

The decision should be made no later than the first week of the second month of stay, but only after sufficient and adequate information has been collected to consider initiating the minor into a specific administrative procedure

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Information provision

Within 2 days from the access to the reception centres and no later than 7 days, UAMs are provided information on:

- Rights and duties of unaccompanied minors in Italy (non-refoulement, residence permit for minors, integration process);
- Possible procedure for age assessment in case of well-founded doubts about the age;
- International protection procedure;
- Dublin Regulation;
- Rules regarding foster care with relatives regularly present in Italy and/or other EU countries;
- Rights of unaccompanied minors who are victims of trafficking and the possibility of being included in a protection program;
- Possibility of initiating procedures for assisted repatriation with methods suitable for the minor's age.
- Information should be to minors, but also consistent and clear, without raising false expectations and/or confusing.

In order to guarantee information to be accessible and understandable, communications must take place with a child-friendly" approach and with the support of an interpreter/cultural mediator, using a methodology that is as structured as possible to involve and engage the minor

UNHCR produced dedicated material to facilitate information provision to UAMs.

Best interests of the child in the Dublin procedure

The best interest of the child (BIC) assessment within the Dublin procedure is an outcome of a teamwork of different authorities who are in charge of taking care of the children.

In the event of relatives of the minor in other Member States, a multidisciplinary equipe will assess whether having the application for international protection assessed by the country where the relative lives is in the best interest of the child, as well as if the family reunification with that relative would be beneficial for the minor.

Personal interview

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Italy has set up a system of appropriate interviewing for minors. By law there is no minimal age for interviewing unaccompanied minors. The procedure is the same for conducting the personal interview when interviewing children, but special consideration is given to vulnerable persons. De facto few UAMs are interviewed within the International Protection procedure

Unaccompanied minors who apply for international protection undergo a personal interview and have to attend it. The presence of the UAM's legal guardian (appointed by the court) is mandatory for the interview to be conducted even if the UAM is married, and/or he/she will in all likelihood reach the age of maturity before a first instance decision is taken. He/she has access to a legal adviser or other counsellor free of charge.

According to the Decree of the President of the Council of Ministers No 98 of 10 May 2024

- The interview must take place as soon as possible and in any case within 3 days of the minor "a participatory and dialogic approach, which ensures active listening to the minor and full communication with the operator conducting the interview".
- The interview is conducted by a social worker, a developmental psychologist, a professional socio-pedagogical educator or a pedagogue. There is a guardian or a person who exercises parental responsibility, even temporarily, and a cultural mediator who can speak a language that the child can understand.
- If situations of vulnerability or special needs emerge, including from a health point of view, or the need for international protection or other forms of protection, the operator shall promptly inform the person in charge of the reception facility for the purpose of activating, by the guardian, or by the person exercising parental responsibility on a provisional basis, any consequent necessary measures.

Legal representation during the asylum procedure

The system of guardianships is not specific to the asylum procedure, but according to the article 3 of the Civil Code, a guardian is appointed when a child does not have legal capacity and no parents or other relatives who could exercise parental authority are present in the territory. The guardian is responsible to protect the child and to act on the best interest of the child, assisting the child

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during the entire asylum procedures and even in case of negative decision on the claim.

The Legislative decree 220/2017 guarantees that the authority must address with immediate notice of the presence of an unaccompanied child to the Public Prosecutor at the Juvenile Court for the appointment of the guardian. An appeal against the appointment of a guardian can be submitted to the Juvenile Court in collegial function, and the judge issuing the decision of appointment cannot take part in the examination of the appeal.

Where a guardian has not yet been appointed, the manager of the reception centre is allowed to act as legal guardian of the child for the lodging of the asylum application at the Immigration office.

According to the Procedure Decree, the legal guardian first accompany the UMA to the police, where a fingerprint is taken in case of applicant over 14 years old of age. The guardian also assists during the asylum claim lodging and it is mandatory that the guardian is present at the personal interview before the Territorial Commissions. In case of negative decision, the Juvenile Court must authorise the guardian to proceed with the appeal. The Law no. 47/2017 (in force as of 6 May 2017, and as last amended on 31 January 2018) foresees that the Juvenile Court solely, and not the Guardianship Judge, has to appoint the guardian for unaccompanied minors. It limits to maximum 3 the number of children under the competency of a voluntary guardian, whom is to be registered at the Juvenile Court. To overcome existing deficiencies, L 47/2017 has established the concept of voluntary guardians, and the register of such guardians is kept in every Juvenile Court. The Regional Children's Ombudsman is responsible for selecting and training guardians and the National Children's Ombudsman established specific guidelines for selection, training and subscription in the register of guardians which have been issued in each region.

Legal assistance and counselling

Art. 16 of the Law 47/2017 provides specifically for the rights to legal assistance and free legal aid to UAMs.

Appropriate measures are taken to ensure that the unaccompanied foreign minor receives adequate legal assistance if involved in any capacity in a judicial proceeding.

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According to Presidential Decree No. 115 of May 30, 2002, the minor's right to be informed of the opportunity to appoint a lawyer (also through the legal guardian or the person exercising parental responsibility) and to avail themselves of free legal aid at the expense of the State at every stage and level of the proceedings is guaranteed.

Pursuant to Article 17 of Law 47/2017, unaccompanied foreign minors which are believed to be victims of trafficking are entitled to enhanced protection, ensured through a tailored assistance program which includes, among other, legal aid, with a focus on delivering long-term solutions that extend beyond the age of majority.

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