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Motivations, experiences and consequences of returns and readmissions policy: revealing and developing effective alternatives



Executive Summary

RR on the Ground: Implementation of the RR Policy, its Impact, and State Agents' Assessment and Perception

Case Study: **Italy**

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Disclaimer:

This document provides a concise summary of the key findings of RR on the Ground (WP4). For detailed analysis, evidence, and comprehensive insights, please refer to the full report. The information in this summary should not be considered complete or fully representative of the entire study.

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Executive Summary – the case study of Italy

1. Introduction and Method

The implementation of Return and Readmission (RR) policies in Italy reveals a reality shaped by legal, administrative, and social factors. This research examines these policies through the lens of key state agents involved in the deportation process, such as law enforcement officers, legal professionals, and non-security state entities. Utilising both desk research and ethnographic fieldwork—including 18 in-depth interviews—this study highlights the challenges and contradictions within Italy’s RR framework, illuminating its broader implications for migrants and state actors.

Fieldwork was carried out from October 2024 to January 2025, amid a challenging period in Italy for this research topic. The implementation of returns and readmissions is a hot issue in the country, and while the research was being initiated, significant changes in restrictive laws occurred. This was in addition to Albania's agreement to establish both reception and detention migrant centres, as well as political pressures on judges who opposed validating certain administrative detention cases. Furthermore, administrative detention for migrants in Italy has been the focus of numerous investigations for fundamental rights violations, corruption involving companies operating the centres, and incidents of homicides and suicide attempts.

Data were examined across five areas: rights and protections, living conditions, social ties, (im)mobility, and resistance versus compliance. The findings emphasise that many individuals find themselves in a prolonged state of administrative limbo, enduring either forced immobility or precarious mobility due to restrictive migration policies. This analysis significantly examines the inadequate living conditions in administrative detention centres (CPRs), where systemic rights violations, insufficient legal assistance, and subpar healthcare services heighten the vulnerability of detained migrants. Additionally, the research investigates the perception of Assisted Voluntary Return (AVR) programs, which are frequently viewed as undesirable last resort rather than viable alternatives to forced returns.

2. Evidence and Analysis

- Limited Legal Avenues for Migrants. Migrants face significant challenges in entering Italy legally, with international protection often becoming the default option.
- Inadequacy of the Quota System. The quota system fails to meet the Italian labour market's demand, leading to informal and irregular labour.
- Precarity of Asylum Seekers. Asylum seekers receive temporary residence permits with limited social and healthcare benefits, making them unattractive to employers for long-term work.
- Delays and Administrative Immobility. Asylum applications can take years to process, and rejected applicants can appeal and extend their administrative limbo for years.
- Non-Convertible Residence Permits. Some residence permits do not allow to work, pushing migrants into irregularity and exclusion from essential services.
- Complicated Regularization Process. Migrants navigate a difficult and uncertain path to regularisation, often passing through multiple precarious legal statuses.
- Downward Legal and Social Mobility. Losing legal status can lead to irregularity, affecting access to housing, employment, education, and social support networks.

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- **Forced and Geographical Immobility:** migrants in an irregular administrative situation face forced immobility, including detention, expulsion, and containment measures.
- **Irregularity as a Structural Problem:** the Italian legal framework and migration policies contribute to a cycle of irregularity.
- **Migrants Face Systematic Detention and Legal Uncertainty:** administrative detention is a core mechanism of migration control. Migrants without valid documents might be detained in repatriation centres, often without access to proper legal representation.
- **Hearings for the validation of detention** should happen within 48 hours, and they are generally very short, not assessing the case properly.
- **Regularisation (“sanatoria”)** is occasional and selective, offering only temporary relief to a small fraction of migrants.
- **Asylum Seekers Struggle with an Overburdened System.** Accelerated asylum procedures give some applicants only a few days to prove their case. At the same time, the appeals can take years, leaving asylum seekers in legal limbo without rights or work authorisation.
- **Risk of Irregularity and Exploitation.** If migrants lose their jobs, they also lose their residence permits and social benefits, making them vulnerable to exploitation and irregular labour.
- **Expulsion is the Final Step in the Cycle of Exclusion.** Migrants unable to regularise their status face expulsion orders, often followed by detention.

Inside the CPRs:

- Migrants lack basic necessities like clean clothes, hygiene products, and soap.
- Migrants must wash their clothes using minimal resources, yet they are often left with no choice but to wear the provided uniforms, which are inappropriate, insufficient, and unclean.
- Migrants face constant humiliation and inferiorisation when requesting hygiene products or other essentials.
- They are referred to in institutional terms as "guests", yet they are stripped of personal belongings (clothes, mobile phones) and subjected to humiliating body searches.
- Their dependency on staff is extreme, as even the most basic requests (soap, underwear, water, or lighters) require external approval.
- Migrants experience severe movement restrictions. Regulations require two police officers to escort each migrant, making the movement in the detention centres nearly impossible.
- Long waiting times for necessary transfers or medical attention further exacerbate their suffering.
- Many detained migrants resort to self-harm in an attempt to get medical attention and have someone to talk to.
- Detained migrants suffer extreme isolation with little to no support.
- Community networks help compensate for the lack of institutional aid.
- Family connections can be the ground upon which coercive measures during the return are enforced, because the risk of non-compliance and resistance is assessed as higher.
- **Voluntary return:** migrants might experience deep psychological distress, especially due to the shame and stigma associated with returning home after an unsuccessful migration journey.
- **Confusion and acute disorientation** affect migrants during the detention and the whole expulsion process, as they cannot navigate the procedure.
- **Non-security state agents** reported confusion regarding the detention centres, and their liability connected.
- **Non-security state agents** enact resistance toward the detention system through humanitarian acts to benefit the detainees. These actions are “Trespassing practices” of health work/social work.

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- Detained migrants often organise self-harm actions and collective protests.

3. Policy Recommendation

- Establish the so-called “Fit-to-Return” to assess whether the same health treatment as the one in Italy is provided in the country of origin for those migrants affected by health conditions and destined with an order of expulsions.
- Assure the right to claim asylum even in conditions of restricted liberty, such as prisons.
- Avoid detention and support alternatives instead.
- Establish a proper apparatus for validation hearings, ensuring that the causes are adequately assessed and the migrants are properly legally assisted.

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