Member State Reply on the
2024 AIDA country report on Italy

1. Statistics

Reference to statistics extracted from the country report	Page and section	Comments, corrections, or additional statistical information and updates
"The competence of the Courts of Appeal instead of the Courts for validating the detention of asylum seekers: The recent amendment introduced by Article 16 of Decree-Law No. 145/2024, as amended by Law No. 187/2024, revoked the jurisdiction of the specialised sections of Courts on validations of the detention of applicants for international protection, including in cases of applicants subject to border procedures, applicants subject to Dublin procedures (by amending, respectively, arts. 6, 6-bis and 6-ter of Legislative Decree No. 142/2015) and asylum seekers subject to Dublin procedures (amending Arts. 142/2015 respectively)"	Page 21 **Overview of main changes since the previous report update.** *Detention of asylum seekers*	Please replace with the following:: *"The competence of the Courts of Appeal instead of the Courts for validating the detention of asylum seekers: The recent amendment introduced by Article 16 of Decree-Law No. 145/2024, as amended by Law No. 187/2024, revoked the jurisdiction of the specialized sections of Courts on validations of the detention of applicants for international protection, including in cases of applicants subject to border procedures and applicants subject to Dublin procedures (by amending Legislative Decree No. 13/2017) ~~and asylum seekers subject to Dublin procedures (**amending Arts. 142/2015 respectively**)~~"*

Any additional remarks on the section on statistics:

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2. Asylum Procedure

Extract from the country report	Page and section	Comments
With the 2018 reform, the border procedure was established for applicants making an application…since the issuance of the Ministry of Foreign Affairs	Section A, pg.24 and 29	Need to insert the correct reference to the new Law nr.75 on 23 May 2025

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decree of 5 August 2019 published on 7 September 2019, which identify the border and transit areas covered by the accelerated procedures		
Is there any political interference possible by the responsible Minister with the decision making in individual cases by the determining authority? YES […] "These bodies should be independent…. use of border procedures"	Section A, pg.25 and 26	The guidance provided by the National Commission, as also indicated in the text reproduced here, is always and exclusively of a general nature and consists of interpretative and operational clarifications drafted on the basis of official parliamentary documents and/or EUAA and UNHCR guidelines relating to specific procedural issues, often in response to legislative changes in the field. Such guidance is issued in the exercise of the coordination authority assigned to the National Commission for Asylum within the context of the decentralized asylum system made up of the territorial commissions, as expressly provided by law (Art. 5 of Legislative Decree No. 25 of 2008). This guidance never concerns the resolution of individual cases, for which the territorial commissions have full autonomy in judgment and evaluation, as likewise established by Legislative Decree No. 25 of 2008.
By law, the National Commission should also provide training to interpreters to ensure appropriate communication between the applicant and the official who conducts the substantive interview. However, in practice interpreters do not receive any specialised training. Some training courses on asylum issues are organised on ad hoc basis, but not regularly	Section A, pg.26	The National Asylum Commission (CNA) has developed a dedicated training package for interpreters working within the territorial Commissions and Sections, utilizing the Quality Unit—an entity composed of personnel from the CNA itself along with staff from the EUAA and UNHCR. This unit is tasked, among other responsibilities, with providing support tools to assist the work of the territorial Commissions, aimed at continuously strengthening the quality of procedures.
During the registration, the Questura asks the asylum applicant questions related to the Dublin Regulation and contacts the Dublin Unit of the Ministry of Interior to verify whether Italy is the Member State responsible for the examination of the asylum application. When there are doubts, the case is transmitted to the Dublin Unit and the person receives a permit that indicates "Dublin" or "richiesta asilo". Upon renewal of the permit, if the Dublin unit concludes that Italy is responsible the person will receive the form to request an asylum	*Section A, pg.28* *5. short overview Application*	Please replace with the following *"Within the context of the registration/lodging of the international protection application, the Questura screens potential Dublin indicators and asks the asylum applicant questions related to the Dublin Regulation conducting the personal interview according to art. 5 of the Dublin Regulation. If, based on proofs and circumstantial evidence gathered, the responsibility seems to be of another EU+ MS, the Questura transmits the case file to the determining authority, i.e. the Dublin Unit of the Ministry of Interior, which will verify and determine which country is responsible for the examination of the asylum application*

permit. If the Dublin Unit outcome is negative, the person will be notified the Dublin Unit's negative decision.		*according to relevant law. In the meanwhile, since the person is registered as an international protection applicant, he/she is entitled to stay on the territory. He/she will receive a certificate stating his status of asylum seeker and his right to remain in Italy (attestato nominativo); the permit of stay will then indicate "Dublin" or "richiesta asilo".* *If the Dublin Unit determines that another EU+ MS is responsible a transfer decree will be issued and notified according to art. 26 of the Dublin Regulation; if Italy is responsible, the case will be channeled into national procedure, by referring it back to the Questura which will in turn transmit the case to the competent Territorial Commission. After the lodging (verbalizzazione) of the application, if no Dublin indicators arise, or once the Dublin Unit has established the Italian responsiblity…."*
According to ASGI's experience, due to the large number of simultaneous applications, the time limits are never respected in practice	*Section A. Page 28*	Italian legislation establishes the following timeframes for the evaluation procedure of an international protection application by the Territorial Commission for the Recognition of International Protection: • Ordinary procedure: The Commission must conduct the interview with the applicant within thirty days of receiving the application and issue a decision within the following three working days. • Accelerated procedure: Depending on the grounds for acceleration, the Commission must complete the entire procedure within five days of receiving the application, conduct the interview within seven days, and issue a decision within the following two days. • Accelerated border procedure: The Commission must complete the entire procedure within seven days. In recent years, the Italian asylum system has seen a significant increase in applications for international protection. Starting in 2024, to address this rise and ensure shorter evaluation times, several restructuring measures have been implemented within the system of Territorial Commissions, aimed at significantly reducing the backlog. These initiatives include efforts to substantially increase the number of staff responsible for processing protection applications within the

		Commissions. Specifically, the number of Ministry of the Interior officials assigned to the Commissions has been increased. Additionally, a legislative amendment introduced the possibility of employing fixed-term personnel—adequately trained in international protection matters—as well as staff from the European Union Agency for Asylum (EUAA) within the Territorial Commissions.
In practice, however, ASGI observed that the time limits for completing the regular procedure are not respected. The procedure usually takes much longer, considering on one hand that the competent determining authorities receive the asylum application only after the formal registration and the forwarding of the C3 form through the case database, Vestanet. On the other hand, the first instance procedure usually lasts several months, with delays in issuing a decision which vary between Territorial Commissions. In cities such as Rome, the entire procedure is generally longer and takes from 6 up to 12 months."	*Section C. Page 75*	See the comment on pg.28.
To address these issues, since 9 April 2025 the by the authorities involved in the asylum procedure started using the database 'SUA'. The latter include Vestanet (asylum procedures), Dublinet (Dublin procedure), SGA (accommodation system) and RVA (repatriation database), which will be closed. The implementation is creating several problems to develop the asylum procedure, and many police stations have communicated that they cannot complete the lodging procedure due to the malfunction of the system.	*Section C. Procedures 1. Regular procedure 1.1 General (scope, time limits)*	On April 9, 2025, the SUA – Unified Asylum System was put in place, resulting in the unification of the four previously existing applications. This significant milestone involved the integration of heterogeneous workflows and databases into a single centralized system, as well as the migration of a large volume of data and the management of requirements coordinated by a single working group. As expected in such a complex context, the system's initial startup revealed the need to fine-tune certain functionalities related to interoperability aspects. These issues were promptly addressed and resolved thanks to a dedicated task force working in close collaboration with users. User support was provided through tickets, phone calls, and dedicated meetings to demonstrate the system's functionalities. These were complemented by targeted technical interventions, which gradually resolved the issues encountered.

According to ASGI, the law does not correctly implement art. 28 (2a) and b) of the Asylum Procedures Directive for two main reasons: first, the information included in the C3 (lodging of asylum application) should not allow to issue a rejection decision, as it is not sufficient to carry out an adequate examination of the case on its merits; secondly, the law makes no reference to a reasonable time limit or to the reasonable times required by the Directive to consider the application as implicitly withdrawn months	*Section C. Page 76*	The provision represents the precise transposition of the rules concerning the **implicit withdrawal of an application**, as set out in **Article 28 of Directive 2013/32/EU**. ◈ **Article 28 of Directive 2013/32/EU states:** **1.** Where there are reasonable grounds to believe that the applicant has implicitly withdrawn or abandoned the application, Member States shall ensure that the determining authority either suspends the examination or, if the authority considers the application unfounded based on an adequate assessment of its merits in accordance with Article 4 of Directive 2011/95/EU, rejects the application. **2.** Member States may presume that the applicant has implicitly withdrawn or abandoned the application, particularly when it is established that: • **a)** The applicant has not responded to a request for essential information under Article 4 of Directive 2011/95/EU, nor appeared for the personal interview as provided in Articles 14 to 17 of this Directive—unless they demonstrate, within a reasonable time, that this was due to force majeure. • **b)** The applicant has absconded or left without authorization from the place of residence or detention, without contacting the competent authority within a reasonable time, or has failed to comply with reporting duties—unless they prove that this was due to circumstances beyond their control. ◈ **Article 23-bis of Legislative Decree No. 25 of 2008 provides:** **1.** The application is considered implicitly withdrawn in the following cases: • **a)** The applicant, unless otherwise provided under Article 6(3-bis), leaves the reception facilities without justified reason before being summoned for the interview under Article 12, or evades detention measures in the facilities referred to in Article 10-ter of Legislative Decree No. 286 of July 25, 1998, or in the centers referred to in Article 14 of the same decree. • **b)** The applicant fails to appear for the personal interview scheduled by the Territorial Commission under Article 12, and the notification of the summons has been carried out pursuant to Article 11(3)

		or (3-bis), or is deemed executed under paragraph 3-ter of the same article. ◈ **Article 12 (referenced in the above provision) states in paragraph 3:** "The interview may be postponed if the foreign national's health conditions, certified under paragraph 2, make it impossible, or if the applicant requests and obtains a postponement for serious reasons."
Questure often place onerous conditions on the registration of a private address e.g. by requesting declarations of consent from the owners of the apartments where people are privately staying. Given those conditions, the law risks creating a presumption of legal knowledge of the act to be notified where there is none. The same risk exists for the Dublin returnees who had left Italy before receiving notification of the decision or of the interview appointment.in practice, the new notification procedure created further problems, as Territorial Commissions were not promptly informed about accommodation transfers. Often, people moved from one reception centre to another found out about their appointment for the interview when the date scheduled by the Territorial Commission had already passed. In addition, many ASGI lawyers have experienced problems in notifications of privately housed asylum applicants, as notifications had often not been made	*Section C. Page 78*	The Territorial Commissions carry out the notification of procedural documents in accordance with domestic legislation (**Article 11 of Legislative Decree No. 25 of 2008**), specifically: • **a)** By sending the document via certified email (PEC) to the manager of the reception center where the applicant is accommodated. • **b)** If the applicant has declared a private residence, by sending the document via registered mail to the last declared address. If notification is not possible due to the applicant being unreachable, the document is made available for **20 days** at the **competent Police Headquarters (Questura)** handling the application, to allow for potential delivery should the applicant become reachable again. After the 20-day period, the document is considered **notified**. The applicant is required to communicate any changes of address, while the Territorial Commission is responsible for verifying the outcome of the notification, by obtaining proof of delivery or, if applicable, confirmation of non-delivery due to the applicant's unavailability.
Can the asylum seeker request the interviewer and the interpreter to be of a specific gender? Yes – If so, is this applied in practice, for interviews? no.	*Section C. Page 81*	Clarification is requested regarding the sources on which this statement is based. The Territorial Commissions record any request made by the applicant concerning the **gender of the interpreter**, and organize the interpreting service in a manner that responds as closely as possible to the expressed need.
In the experience of ASGI members, many Commissions received the technical material necessary for recording and transcribing the interview in 2021, but the system was not yet in use	*Section C. Page 83*	The content reported here contains serious criticisms regarding the quality of the transcription process, yet fails to provide objective supporting evidence—such as references to legal appeals specifically addressing these issues.

in most territorial commissions by the end of 2024. This means that in practice after the interview a transcript is given to the applicant with the opportunity to make further comments and corrections before signing it and receiving the final report. The quality of this report varies depending on the interviewer and the Territorial Commission, which conducts the interview. Complaints on the quality of the transcripts are common."		It should be noted, as partially mentioned in the introductory section of the same text, that at the end of each interview conducted by the Territorial Commissions, the transcript is fully read back to the applicant with the support of an interpreter. If any errors in the transcription are identified, they are corrected by the official, with such corrections duly recorded in the transcript. The transcript is then signed by the applicant, as well as by the official and the interpreter, and a copy is provided to the applicant. This procedure of reviewing and correcting the transcript is explicitly provided for by law (**Article 14 of Legislative Decree No. 25 of 2008**) precisely to ensure the completeness of the transcription and to allow the applicant to report any errors, which are then reflected in the transcript. The applicant's signature—required in the absence of video recording, since in such cases the transcript is manually prepared by the official and not automatically generated from a recording—is the means by which the applicant confirms that the content has been fully read back and is accurate, including any corrections made at their request.
In practice, asylum applicants who file an appeal, in particular those who are held in CPR and those under the Accelerated Procedure, face several obstacles. The time limit of 15 days (or 7 days for cases in which the border procedure is applied) for lodging an appeal in those cases concretely jeopardises the effectiveness of the right to appeal since it is too short to find a lawyer or request free legal assistance, and to prepare the hearing in an adequate manner. This short time limit for filing an appeal does not take due consideration of other factors that might come into play, such as the linguistic barriers between asylum applicants and lawyers, and the lack of knowledge of the legal system	*Section C. Page 84*	The timeframes established by domestic legislation (**Article 35-bis of Legislative Decree No. 25 of 2008**) are consistent with **Directive 2013/32/EU** and with procedural regulations.
As immediately highlighted by a legal study,484 there is no coincidence between the words used by Court for the two hypotheses set out regarding Article 17(1): the expressions "not requiring" and "cannot compel".	*Section C Dublin 2.1.2 Dicretionary clause Page 95*	his is an interpretation of the decision of the Court. An overview of different interpretation would be more adequate (see for example, M. Savino, "*Il richiedente "denegato" in Germania può avere una seconda chance in italia? Il problematico "sì" della prima sezione della cassazione*", ADiM

This difference allows the Court to highlight the existence of the judge's ability to apply the clause. As this study highlights, the express reference to the judge - and not generically to the Member State - as the body that can arrange for the application of the clause is particularly relevant.		Blob, Giugno 2025, https://www.adimblog.com/wp-content/uploads/2025/07/Savino_Editoriale.pdf, pages 3-4). Please replace with the following: *"According to a legal study, there is no coincidence between the words used by Court for the two hypotheses set out regarding Article 17(1): the expressions "not requiring" and "cannot compel". Based on this interpretation, this difference in the wording hints at the judge's ability to apply the clause. This study suggests that the express reference to the judge - and not generically to the Member State - as the body that can arrange for the application of the clause is particularly relevant."*
The staff of the Italian Dublin Unit significantly increased in 2018 and benefitted from the support of EASO personnel, mainly in relation to outgoing requests, family reunification and children.	*Section C 2.2 Procedures Page 96*	Please replace with the following *"The staff of the Italian Dublin Unit significantly benefits from the support of EUAA and AMIF personnel, mainly in relation to outgoing requests."*
All asylum applicants are photographed and fingerprinted (fotosegnalamento) by Questure who systematically store their fingerprints in Eurodac. When there is a Eurodac hit, the police contact the Italian Dublin Unit within the Ministry of Interior. After the registration of the asylum application or after the lodging of the asylum application, on the basis of the information gathered and if it is considered that the Dublin Regulation should be applied, the Questura transmits the pertinent documents to the Dublin Unit which examines the criteria set out in the Dublin Regulation to identify the Member State responsible.	*Section C 2.2 Procedures Page 96*	Please replace with the following: All asylum applicants are photographed and fingerprinted (fotosegnalamento) by Questure who systematically store their fingerprints in Eurodac. *After the lodging of the asylum application, on the basis of the Eurodac hits and/or other information gathered, if it is considered that the responsibility might lie on another EU+MS according to the Dublin Regulation, the Questura transmits the case file to the Dublin Unit which examines the criteria set out in the Dublin Regulation to identify the responsible Member State".*
In some cases, the Dublin Unit was not informed about vulnerability by Questure. This may be related to the fact that personal interviews provided by Article 5 of the Dublin regulation are not properly conducted or they are not conducted at all (see below Personal interview)	*Section C 2.1.2 Individualised guarantees Page 97*	There is no indication of the source. Please replace with the following: *"In some cases, the Dublin Unit may not be informed about vulnerability by Questure. This could be due to the applicant only disclosing their vulnerabilities at a later stage (for example, during the hearing), or the vulnerabilities may*

		emerge after the submission of the protection request."
Where an appeal is lodged against the transfer decision, the six-month time limit for a transfer starts running from the rejection of the request for suspensive effect, otherwise from the court's decision on the appeal itself if suspension had been requested and granted	*Section C 2.2.2 Transfers Page 97*	Please replace with the following: *"Where an appeal is lodged against the transfer decision and the appeal includes a request for suspension of the effects of the transfer decision, the six-month time limit for the transfer starts running from the rejection of the request for suspensive effect, or, if the request is granted, from the notification of the decree rejecting the appeal."*
Detention cannot last beyond the time strictly necessary for the execution of the transfer. The detention validation decision allows a stay in the centre for a total period of six weeks. In the event of serious difficulties concerning the execution of the transfer, the judge, upon request from the Questore, can extend detention for a further 30 days, up to a maximum of further 12 days. Before the expiry of this term, the Questore can carry out the transfer by notifying the judge without delay	*Section C 2.2.2 Transfers Page 98*	Please replace with the following: Detention cannot last beyond the time strictly necessary for the execution of the transfer. The detention validation decision allows a stay in the centre for a total period of six weeks. *"In the event of serious difficulties in carrying out the transfer, the judge, at the request of the police commissioner, may extend the detention for an additional thirty days, up to a maximum of six additional weeks."*
Except for the lodging of the asylum application by the competent Questura, personal interviews of asylum applicants are rarely envisaged during the Dublin procedure.	*Section C 2.3 Personal interview Page 99*	<u>This sentence is not true. Please replace with the following:</u> *"Police Immigration Offices systematically conduct personal interviews with applicants included in the Dublin procedure before any determination about State responsibility is made, in compliance with Article 5(3) Dublin III Regulation; in fact, even if this provision allows to omit the 'Dublin interview' if the person has absconded or the person already provided the information relevant for the Dublin procedure, the Italian practice is to do it systematically.* *More specifically, in Italy the Dublin personal interview is combined with the registration/lodging of the application: this is considered a good practice since it enables the responsible authorities to identify Dublin cases at an early stage and refer the cases to the authority in charge as soon as possible. Early referral will allow more time for the Dublin Unit or the*

		authority in charge of conducting the Dublin procedure to make the necessary steps – included asking additional information – which is vital in cases concerning children or family reunification cases (cfr. EASO, Guidance on the Dublin Procedure: Operational standards and indicators, March 2020, p. 21). *Moreover, in compliance with art. 5(6) Dublin III Regulation ("…may either take the form of a report or a standard form"), authorities make a written summary of the personal interview using a standard form, covering information about, inter alia, family members, vulnerabilities and medical conditions. Indeed, an established interview protocol developed at national level helps the case officers to cover both the relevant aspects of responsibility and all the aspects of the national law so that a decision of transfer can be taken without follow-up interviews, if deemed necessary (cfr. EASO, Guidance on the Dublin Procedure: Operational standards and indicators, March 2020, p. 20).*
Asylum applicants are informed of the determination of the Dublin Unit concerning their "take charge" / "take back" by another Member State at the end of the procedure when they are notified through the Questura of the transfer decision. Asylum applicants may be informed of the possibility to lodge an appeal against this decision generally by specialised NGOs.	*Section C* *Appeal* *Page 100*	The sentence is misleading Please replace with the following: Asylum applicants are informed of the determination of the Dublin Unit concerning their "take charge" / "take back" by another Member State at the end of the procedure when they are notified through the Questura of the transfer decision. *"Information about the legal remedies available is provided in the transfer decision, where the time limits applicable for seeking such remedies are indicated, as well as the possibility to ask for the suspension of the decision's effect, in compliance with art. 26(2) Dublin III Regulation. As a result, when notified, the applicant is informed that an appeal against this effective decision may be lodged to the Civil Court according to Article 3.3bis et seq. of d.lgs. 25/2008, by 30 days after the date of its notification, including the possibility to ask for the suspension of the decision's effect."*
The appeal procedure is mainly written. Within 10 days of the notification of the appeal, the Dublin Unit must file the documentation on which the transfer decision is based and, within the same time limit, may file its own submissions. In the following 10 days, the applicant can in turn make submissions	*Section C* *Appeal* *Page 101*	Please replace with the following: The appeal procedure is mainly written. *"Within 15 days of the notification of the appeal, the Dublin Unit must file the documentation on which the transfer decision is based and, within the same time limit, may file its own submissions."*

There is no official policy on systematic suspension of Dublin transfers to other countries. As in the previous years, most asylum applicants concerned have submitted appeals, leading to transfers being suspended by the courts, while others have become untraceable.	*2.6 Suspension of the transfer* *Page 102*	It is not proven that all the decisions of the Courts are based on an individual exam. Please replace with the following *"In some cases, Courts annulled the transfers or suspended them pursuant to Article 3.2 of the Dublin Regulation, because of alleged systemic flaws in the asylum procedure and in the reception conditions for applicants for international protection."*
Even if the law distinguishes the phases of the preliminary assessment, attributed to the President, and the decision, attributed to the Commission, in some cases the Presidents of the Territorial Commissions have taken the decisions of inadmissibility on their own. With an interim decision of 1st March 2024, the Civil Court of Trieste clarified that such decisions of inadmissibility have to be taken by the Territorial .Commission and not by the President. In other cases, according to ASGI's experience, CT Presidents have omitted the preliminary assessment."	*Section C.* *Page 109*	The information provided does not correspond with the elements known to the National Commission. In this regard, it is noted that serious criticisms are being made concerning the conduct of the Presidents of the Commissions, yet no objective evidence is provided to substantiate these claims—evidence that would allow both the reader and the National Commission itself to understand their scope, such as references to legal appeals specifically addressing these allegations.
"The exclusive role reserved for the President of the Territorial Commission, and not for the Territorial Commission itself, appears inconsistent with the Procedure Decree. ASGI is of the opinion that Article 29-bis of the Procedure Decree is likely to violate the recast Asylum Procedures Directive, as the lodging of a subsequent application for the sole purpose of delaying or frustrating removal is not among the grounds of inadmissibility in Article 33(2) of the Directive (see Subsequent application). The provision does not clarify which phase is considered the execution of an imminent removal order Moreover, worryingly, the law provides that in the event of an application declared inadmissible, the applicant can be detained (see	*Section C.* *Page 108*	Regarding the observations made concerning the provisions of **Article 29-bis, paragraph 1-bis**, the information provided is incomplete. **Article 29-bis, paragraph 1-bis** establishes that when a **repeated application** is submitted during the execution phase of a **removal order** against a foreign national—already validated by the judicial authority—the **Chief of Police (Questore)** shall immediately carry out the **preliminary examination** of the application, based on the **opinion of the President of the Territorial Commission** in the area where the removal is taking place. The authority to issue the **admissibility decision** is therefore assigned to the **Questore** only in these exceptional cases, which are marked by a specific need for **speed and immediacy** in the assessment. Nonetheless, even in such cases, the **admissibility evaluation** by the **President of the Territorial Commission** is still guaranteed, and is conducted through the issuance of the required opinion.

Detention). More worryingly, DL 133/2023 amended Article 29 -bis introducing the paragraph 1-bis and giving specific power to the Head of Police Station to determine, except for the first subsequent application, if the asylum request is admissible		
In two circulars issued on 16 October 2019 and 18 October the MoI gave directives for the application of the border procedure and attached the specific C3 form to be used to register the asylum application in these cases. In accordance with the time limits imposed by the procedure, the Circulars state that the application for international protection presented at the border and transit areas must be formalised by the competent Questura at the time of identification connected to the illegal entry. Also, even if the law provides that the President of the Territorial Commission is responsible for identifying cases for accelerated procedures on the basis of the documentation provided the Circulars establish that, following the formalisation, the Questura informs the competent Territorial Commission of the application of the border procedure and that the latter, via telephone, fixes the hearing date within 7 days	*Section C. Page 113*	The information provided is incorrect. In accordance with **Article 28 of Legislative Decree No. 25 of 2008**, under the current system—as also stated in the same document on pages 117–118—it is the **President of the Territorial Commission** who determines the type of procedure to be applied. Upon receiving the application for international protection, along with any supporting documentation, the President conducts a **preliminary examination** of the application. If the President considers that the conditions for applying an **accelerated procedure** or **accelerated border procedure** are met, they issue a **formal written decision** specifying the procedure to be applied, clearly stating the reasons for doing so. This decision is then transmitted to the competent **Questura** (Police Headquarters), which notifies the applicant, thereby informing them of the procedure being applied and the reasons behind it.
Regarding the accelerated procedure for persons investigated or convicted of crimes which may trigger exclusion from international protection, some issues of consistency can be observed, as already underlined regarding the old Article 32 (1-bis) of the Procedure Decree, now repealed: the procedure reserves a lesser treatment to persons not yet sentenced, contrary to the principle of innocence set out in Article 27 of the Italian Constitution. Furthermore, after the extension already made with	*Section C. Page 116-117*	The domestic provisions cited are valid and legitimate, as there has been no ruling of unconstitutionality or inconsistency with European legislation.

the Decree Law 113/2018 and confirmed by the Decree Law 130/2020, the group of crimes that can lead to exclusion from international protection also includes minor offences that do not seem to be a danger to public order and state security. In this sense the provision also seems incompatible with the recast Asylum Procedures Directive, Article 31(8) according to which an accelerated procedure can be applied to people considered dangerous for the public order according to the domestic law		
Significantly, the decree law 20 of 10 March 2023, converted with amendments into Law 50 of 5 May 2023, cancelled the possibility to directly request this kind of permit to a Questura and to consider, in releasing such permits to stay, if there are good reasons to believe that the removal from the national territory involves a violation of the right to respect for his private and family life, unless that it is necessary for national security reasons, public order and safety as well as health protection. Even if the amendment does not exclude the application of international and European guarantees, such as the application of Article 8 of ECHR, the new wording of the law has already lead, according to ASGI monitoring, to a significative limitation in the number of cases in which this form of protection is recognised. This was confirmed by the practice in 2024, as observed by ASGI	*Section C. Page 121*	The current provision is constitutionally legitimate and complies with Italy's international obligations.
The law contains no specific provision on the use of medical reports in support of the applicant's statements regarding past persecutions or serious harm. Nevertheless, the Qualification Decree states that the assessment of an application for international protection is to be carried out taking into account all the relevant documentation presented by the	*Section D. Page 132*	Article 8, paragraph 3-bis of Legislative Decree No. 25 of 2008 provides: "The Commission, based on the elements provided by the applicant, may also order—subject to the applicant's consent—medical examinations aimed at verifying the consequences of persecution or serious harm suffered, carried out in accordance with the guidelines referred to in Article 27, paragraph 1-bis, of Legislative Decree No. 251 of 19 November 2007, as subsequently amended. If

applicant, including information on whether the applicant has been or may be subject to persecution or serious harm.		the Commission does not order a medical examination, the applicant may undergo the examination at their own expense and submit the results to the Commission for the purpose of evaluating the application."
Even if the law distinguishes two phases that are the preliminary assessment, attributed to the President, and the decision, attributed to the Commission, in some cases the procedure is not followed correctly, resulting in omitting the first or the second phase	*Section E. Page 135*	It is noted that the information reported does not correspond with the elements known to the National Commission. In this regard, it is emphasized that serious criticisms are being made concerning the conduct of the Presidents of the Commissions, yet no objective evidence is provided to substantiate these claims—evidence that would allow both the reader and the National Commission itself to understand their scope, such as references to legal appeals that specifically addressed these allegations.
In 2023, the DL 133/2023 significantly amended Article 29 bis introducing the paragraph 1-bis and giving a specific power to the Head of Police Station to determine, after the first subsequent application, if the asylum request is admissible (see Admissibility). According to ASGI this provision is not legitimate as Questure are not entitled and prepared to carry out an assessment of the merit of the asylum request."	*Section E. Page 136*	As noted above, the information provided here is incomplete. Article 29-bis, paragraph 1-bis, establishes that when a repeated application is submitted during the execution phase of a removal order against a foreign national—already validated by the judicial authority—the Chief of Police (Questore) shall immediately carry out the preliminary examination of the application, based on the opinion of the President of the Territorial Commission in the area where the removal is taking place. In these exceptional cases, marked by a specific need for speed and immediacy, the authority to issue the admissibility decision is therefore assigned to the Questore. However, even in such cases, the admissibility assessment by the President of the Territorial Commission is still guaranteed, and is conducted through the issuance of the required opinion.

3. Reception Conditions

Extract from the country report	Page and section	Comments
Furthermore, the Prefectures' staff is usually not trained before conducting inspections, nor are they familiar with the issues of forced migration, the right of asylum, and the handling of vulnerabilities. Finally, the presence of linguistic and cultural mediators in support of inspectors, who often do not	Monitoring Page 155	According to Article 19 of the tender specifications scheme for reception services (March 2024), the monitoring system aims to ensure the effective execution of contracts and the responsible use of public funds in reception centres. The prefecture is tasked with conducting periodic inspections to assess compliance with established regulations and standards. These inspections are guided by directives from the Department of Civil Liberties and Immigration (DCLI), which is responsible for

even speak English, is extremely rare, and so it is not possible to interview the accommodated people and collect complaints, reports and needs. All this results in a very wide heterogeneity and discretion in the quality of the controls, a general inability to carry out a qualitative evaluation of the effectiveness of the services offered		monitoring and assessing the quality of reception facilities and plays a crucial role in coordinating and supporting monitoring activities. It sets the guidelines for inspections, ensuring that they are comprehensive and consistent across all centres. The ministry also conducts regular evaluations of the inspection processes carried out in the field and may mandate additional verifications to ensure compliance with the legal framework. In November 2022, Italy introduced a new methodology to monitor reception conditions and launched an advanced IT system, the Reception Monitoring System (SMAcc). This system aims to standardise and enhance monitoring processes by prefectures to ensure first-line reception facilities—including hotspots, CPA, CPR and CAS (adults and minors) and temporary centres —adhere to legal standards and contractual obligations. By 2023, SMAcc was extended to oversee also temporary reception centres for unaccompanied minors funded by AMIF (2024-2027). As a centralised database, SMAcc allows the DCLI to monitor and analyse the results of local-level monitoring activities conducted by prefectures, creating a comprehensive national overview of reception conditions and compliance.
Indicators: Criteria and Restrictions to Reception Conditions 1. Does the law allow access to material reception conditions for asylum seekers in the following stages of the asylum procedure? ϖ Onward appeal Yes Reduced material conditions No ϖ Subsequent application Yes Reduced material conditions No	A. Access and forms of reception conditions 1. Criteria and restrictions to access reception conditions Page 157 (box)	If the applicant is authorized by the Court to remain in the Italian territory, the material conditions are not reduced. According to art 23 Dlgs 142/2015 the in case of subsequent application, pursuant to Article 29 of Legislative Decree no. 25 of 28 January 2008, Prefect can revoke reception conditions
Applicants for international protection subject to a Dublin procedure (both incoming and outgoing) can access the reception system (but no longer SAI centres, as the rest of asylum applicants) at the same conditions as the other asylum applicants with no places reserved	Page 159	Applicants for international protection subject to Dublin procedure (both incoming and outgoing) can access SAI system if belonging to vulnerable categories, within the limits of available places, as provided by the national legislation
The new tender specification schemes guarantee basic needs such as personal hygiene, pocket money, a € 5 phone card but, in line with the changes introduced by Law 50/2023, considers the following services as purely optional and as mere	2. Forms and levels of material reception conditions Page 163	According the new tender specification scheme, the mentioned services are not optional (see article 2 letter B paragraph 2).

subcategories of social assistance: Italian language courses; orientation to local services; psychological support, legal information service, professional training, leisure activities and job orientation.		
in collective centres the demand for personnel and therefore the services requested are lower than the ones in non-collective centres. As a result, linguistic mediation, which is already low in non-collective centres – for centres of 50 guests, it is 28 minutes per person per week – in collective centres it becomes even lower, corresponding to 16 minutes per person.	Page 163-164	The calculation of the total working hours must take into account the different nature of the centers, individual housing units and Collective centers. Since this work is carried out in a network-based modality, operators working in individual housing units must also consider the time spent traveling between centers, which should be included in the total hours.
5. Type of accommodation most frequently used in an accelerated procedure: Reception centre Hotel or hostel Emergency shelter Private housing CPR	Page 175 (box)	Applicants under accelerated procedures have been hosted in dedicated areas of HOTSPOT centers
The latest CERD report expresses concern about the "deplorable living conditions in reception centres for migrants and the further reduction of the availability of psychological and legal services, as well as counselling	Page 185	MOI replied to CERD concerns, explaining that the Italian Government has taken due note of the Committee's concerns regarding the living conditions in reception centres for migrants, as well as the reported reduction in the availability of psychological, legal, and counselling services. First of all, it is worth to mention that Italy has made a lot of efforts to expand the reception system in order to guarantee accommodation to all those in need: it shall be noted that thanks to the derogatory and simplifying measures introduced in 2023 following the declaration of the state of emergency, Italy has notably expanded its reception system in a rapid and effective manner. Moreover, during 2024 Italy has strengthen its capacity with regard to the front-line hotspot facilities whose number has increased from 4 to 13.
In the absence of sufficiently defined regulatory provisions, migrants often stay in hotspots for many weeks, due to delays in transferring them to government centres or CAS. Faced with continuous arrivals after landings and internal organisational and management issues, hotspots very often become severely overcrowded and their conditions severely deteriorate	Page 187	The statements refer to sources that are not updated. For example, the situation of the hotspot of Lampedusa has significantly improved since 2023 thanks to the management of the Italian Red Cross. It is worth to mention that the stay in hotspot centers is very short and that the average duration is 48 hours, just for the identification procedure In order to avoid overcrowding, during 2023 there was a strengthening of air and sea transports from the islands to the mainland, also thanks to an agreement with IOM.

This is due to the delay in the Registration of their asylum applications, on the basis of which the permit of stay will be consequently issued, or to the delay in the renewal thereof.	C. Employment and education 1. Access to the labour market Page 194	This declaration should be substantiated with details and additional information. The situation on the Italian territory differs enormously from area to area and the sentence as it is written is generic and not provided with footnotes nor with specific references to particular circumstances.
In addition, the objective factors affecting the possibility of asylum applicants to find a job are language barriers, the remote location of the accommodation and the lack of specific support founded on their needs.	C. Employment and education 1. Access to the labour market Page 195	The circumstance of the cancelation of the Italian courses within the reception centers is not exactly correct. Indeed, even though there is not the provision of the physical presence of the Italian language teacher within the facilities anymore, the applicants have access, through the support of the social operators, to the online courses (including the language ones) carried out using computer stations and/or audiovisual tools made available by the managing body, or carried out in collaboration with public or private bodies, third sector organizations, international organizations and agencies that have entered into prior agreements with the same managing body or with the Prefecture. Moreover, one of the main tasks of the social operator is to guarantee to the applicants effective access to and use of local public services such as public transport and school services, enrolment services at provincial adult education centres (CPIA) and employment centres (CPI). With regard to the job orientation, among the other tasks of the abovementioned social operator is to provide the applicants with all the relevant information in order to support his/her social and labour inclusion, including by providing information on how to access the local employment centers or to access online vocational training courses. [1]
However, there are no legal provisions on how, when and by whom this assessment should be carried out. The Reception Decree provides that asylum applicants undergo a health check since they enter the first reception centres and in temporary reception structures to assess their health condition and special reception needs. The Decree provides, in theory, that special services addressed to vulnerable people with special	Page 198 E. Special reception needs of vulnerable groups	This declaration should be substantiated with details and additional information. The situation on the Italian territory differs enormously from area to area and the sentence as it is written is generic and not provided with footnotes nor with specific references to particular circumstances.

[1] Decreto di schema di capitolato di gara di appalto per la fornitura di beni e servizi relativi alla gestione e al funzionamento dei centri di accoglienza | Ministero dell'Interno

needs shall be ensured in first reception centres.		
"The contribution paid by the Ministry of the Interior to Municipalities that host at their expense unaccompanied foreign minors (not within SAI projects) was increased from a maximum of 45 euros per day to 60 euros per day, for each day of presence of the child, in 2022".	Page 205 E. Special reception needs of vulnerable groups 2.1 Dedicated facilities for unaccompanied children	The Handbook for the identification, referral and care of persons living with vulnerabilities entering Italy and within the protection and reception system" [2] issued in June 2023 by the Italian Ministry of the Interior, is a comprehensive guide aimed at improving the identification, referral, and care of persons with vulnerabilities entering Italy and within the national protection and reception system. It has been developed in response to the increasing presence of vulnerable individuals among mixed migration flows and it aligns with Article 17 of Legislative Decree No. 142/2015. The document outlines standard procedures for: entry and identification (sea, land, and air arrivals) Hotspot activities and health surveillance; reception phases (first reception, SAI system, etc.); support during international protection procedures; psychosocial and mental health services; family unity and child protection Additionaly, the National Table on Vulnerabilities, formally established at the Department of Civil Liberties and Immigration with the purpose of implementing the Handbook, is constantly working within the protection and reception system to enhance the coordination mechanism and to draft standard operating procedures. Since the publication of the Vademecum, it has carried out quarterly monitoring activities in order to raise awareness in the territories for the activation of technical committees 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.

[2] vademecum_vulnerabilities_31-web-eng.pdf

4. Detention of Asylum Seekers

Please comment using *either* the following structure *or* the table below:

Extract from the country report	Page and section	Comments
"L 47/2017 is not applied uniformly on the national territory" "The law explicitly provides that unaccompanied children can never be detained. However, there have been cases where unaccompanied children have been placed in CPRs following a wrong age assessment"	Page 128 **1.2 Age assessment of unaccompanied children** Page 222 **3.1 Detention of unaccompanied children**	The report fails to adequately highlight the operational measures implemented in the best interests of unaccompanied foreign minors (MSNA), overlooking the legal and organizational framework that Italy has developed specifically to protect this vulnerable group. Claims of allegedly "inhuman and degrading conditions" are contested in light of the reforms already introduced, including Law No. 47 of 2017, known as the "Zampa Law," and Law No. 173 of 2020, which allows young adults to remain in the reception system until the age of twenty-one, when authorized by the juvenile court. Age assessment procedures follow the multidisciplinary approach established by the State–Regions Protocol and must be completed within sixty days. In the meantime, the presumption of minority is fully respected. In support of these procedures, the Ministry of the Interior and the EU Agency for Asylum (EUAA) have produced key operational tools such as the *Vademecum* on Vulnerabilities and the Operational Handbook for the Reception of Unaccompanied Minors, currently being revised. These documents are addressed to both public authorities and private organizations involved in the reception and care of MSNA. In conclusion, the Italian reception system for unaccompanied foreign minors is grounded in a robust legal framework, supported by practical tools and continuous reinforcement of resources, with particular attention to vulnerable cases and to ensuring continuity in integration pathways.
"Detention of children in families in CPR is not prohibited. Children can be detained together with their parents if they request it and if decided by the Juvenile Court. In practice, very few children are detained".	**3.2 Detention of other vulnerable group** Page 224	There have never been minors within the CPRs, nor minors with families.
"However, access to SAI projects specifically equipped for vulnerable people is not always guaranteed: 10 out of 21 regions do not have places for vulnerable asylum applicants or beneficiaries of international protection".	Page 200 **E. Special reception needs of vulnerable groups**	It should be noted that there is no obligation whatsoever, let alone result, to the inclusion of beneficiaries in the SAI, where there is no availability of places in the network of second reception. Precisely by virtue of the legal position recognized by the system, in fact, the holders of international protection can access, in addition to the so-called system of second reception referred to

		in art. 1-sexies of Decree Law 416/1989 converted with amendments by Law 39/1990, also other forms of housing pursuant to art. 40 of Legislative Decree 286/1998 (e.g. social housing, public housing), on equal terms with Italian citizens. In this regard, it should also be recalled that the SAI system is in any case composed of Local Authorities that spontaneously decide to join through the submission of projects intended for specific categories of beneficiaries
"In CPR, however, legal assistance and psychological support are not systematically provided, although the latter was foreseen in the tender specifications schemes (*capitolato*) published by the Ministry of Interior on 20 November 2018 and on 24 February 2021. As of March 2024, no protocol on early identification of and assistance to vulnerable persons, and on the referral system to specialised services and/or reception centres was adopted. Although standards of services in CPR centres are planned following the national regulation on management of the centres, they are insufficient and inadequate, especially for vulnerable categories of individuals".	Page 224 **3.2 Detention of other vulnerable groups**	By Decree of the Minister of the Interior dated March 4, 2024, the draft tender specifications were approved. In particular, the presence of a permanent healthcare unit within the centers is provided, as a complementary measure to better safeguard the health of the detained migrants. To address critical situations affecting the **Repatriation Detention Centers (CPRs)** and to guarantee adequate reception standards, an increase in the working hours has been provided for the following professional roles: • Day and night staff; • Psychologists and social workers, to provide adequate psychological support and assistance for the needs of detained individuals, who may have vulnerabilities and specific needs that must be addressed; • Intercultural mediators, whose presence in the CPRs is guaranteed 24/7. Finally, it is important to highlight that the **Department for Civil Liberties**, following the establishment of a working group involving various State administrations, international organizations, and European Union agencies, published in June 2023 the *Handbook for the identification, referral, and care of vulnerable individuals* (*https://www.interno.gov.it/sites/default/files/2023-06/vademecum.pdf*). This handbook is a tool intended for all sector professionals and includes a dedicated chapter on CPRs. The Department has undertaken several initiatives to support and monitor the implementation of the handbook at the local level. It has also provided technical support to the Prefectures through activities aimed at strengthening expertise on the subject, in collaboration with members of the national Working Group on Vulnerabilities. In particular, webinars on the Handbook were organized, along with four workshops at pilot Prefectures (Milan, Rome, Agrigento, and Crotone) between 2023 and 2024. Furthermore, starting in November 2024, a series of webinars began—set to conclude in June 2025—focused on vulnerability within the context of the **European Pact on**

		Migration and Asylum, with specific working groups on trafficking and mental health.
"ASGI's monitoring of CPRs has stressed that in these places, vulnerabilities are often ignored and unaddressed: minors, people with disabilities, victims of abuse, asylum applicants, people accused of serious crimes or socially dangerous people are mixed together, which increases the tensions and risks of crises".	Page 224 **3.2 Detention of other vulnerable groups**	The statement is not proven. The source quoted by ASGI is not updated as it is based on a report of 2021 (ASGI, *The Black book on the Pre-Removal Detention Centre (CPR) of migrants in Turin – Corso Brunelleschi*, September 2021)
"The Guarantor had previously defined the condition of applicants detained for identification a "limbo of legal protection". As a result of detention being practised in a grey legal area or on a de facto basis, applicants who face prison-like conditions do not even receive the same guarantees and legal provisions as prison detainees. The fact that these places are currently also being used for quarantine, means that detention may be prolonged indefinitely, if the period of precautionary isolation starts again every time new people arrive in the quarantine facility".	Page 227 **4. Duration of detention.** **4.1 Duration of detention for identification purposes.**	The statements refer to sources that are not updated, as they date back to **2020**. For example, the situation of the hotspot of Lampedusa has significantly improved since 2023 thanks to the management of the Italian Red Cross. It is worth to mention that the stay in hotspot centers is very short and that the average duration is 48 hours, just for the identification procedure. The reference to use for quarantine seems misleading.
"Access to CPRs for rights organizations and civil society remains problematic in practice".	Page 233 **C. Detention conditions** **1. Place of detention** **1.1 Pre-removal detention centres (CPR)**	Visits by external individuals, including family members and representatives of associations, are subject to authorization and are regulated by the Directive of the Minister of Interior of 19 May 2022
"The Reception Decree does not provide a legal framework for operations carried out in the First Aid and Reception Centre (CPSA) now converted into hotspots. Both in the past and recently in the CPSA, in the	Page 235 **1.2 Hotspots**	The assertion is unfounded and unsupported by any source. It is worth to mention that the stay in hotspot centers is very short and that the average duration is 48 hours, just for the identification procedure.

absence of a legislative framework and on the grounds of identification needs, asylum applicants have been unlawfully deprived of their liberty for longer periods that those strictly necessary for identification purposes and held for weeks in conditions detrimental to their personal dignity. The legal vacuum, the lack of places in the reception system and the bureaucratic chaos have legitimised in these places detention of asylum applicants without adopting any formal decision or judicial validation."		
From 2018 to the end of 2021, they redacted around ten observations reports demonstrating that the Italian government had done next to nothing to end the systematic violation of human rights in these places	Page 240 **2.1.1**	It is worth to underline that migrants are not detained in hotspot centers. Their stay in hotspot centers is very short and the average duration is 48 hours, just for the identification procedure.
Detention conditions were inhumane…Such informal and prolonged detention also involved minors, whose transfers were often slowed down by the unavailability of places in centres for sanitary isolation. In particular, there were reports of people being subject to informal and extended detention in the Lampedusa hotspot even when they suffered from medical and/or psychological illness.	Page 241 **2.1.1**	The paragraph on conditions in hotspots refer to the situation in previous years and on data collected by ASGI which date back to 2021 and 2022. As already mentioned, the average permanence in hotspot centers is currently 48 hours and the situation of overcrowding is avoided thanks to the increase of transports from hotspots to reception centers (especially from Lampedusa to the mainland).
In practice, it has been reported that in most CPRs, apart from unequipped outdoor concrete courtyards, there are no: (i) football fields or libraries; (ii) places of worship; (iii) recreational and cultural activities; (iv) agreements with civil society associations that can provide additional services and activities…The people detained in CPRs live in a condition of permanent forced idleness, where even small	Page 247 **2.2**	This declaration should be substantiated with details and additional information. The situation on the Italian territory differs and the sentence as it is written is generic and not provided with footnotes nor with specific references to particular circumstances.

daily life choices, such as reading a book, writing, or playing sports are limited and regulated		
Medical examinations to verify the suitability of detention for an individual are not, in most cases, carried out in an adequate manner; they are generally rushed, and the medical records of the person concerned are often not properly assessed. The presence of law enforcement personnel during medical examinations also appears to be very frequent in CPRs, despite this practice contradicting what is required by the CIE Single Regulation and what is prescribed by the CPT, as absence of "medical confidentiality" is one of the factors preventing the detection of possible ill-treatment. As	Page 248 **2.3**	Medical examinations to verify the suitability of detention are carried out by the public healthcare system (ASL) according to the Directive of the Minister of Interior of 19 May 2022
Additionally, the new scheme of contract specifications has led to a drastic decrease in the number of hours per week dedicated to personal services, starting with health services.	Page 248 **2.3**	It refers to an outdated contract framework, dating back to 2017–2021. Attention should be given to the current contract framework, which specifies the corresponding weekly hours dedicated to personal services and which has enhanced the working hours of daily and night staff, psychologist and social operators.
CPRs' managing bodies are in charge of organising a "normative information provision" service. The funds for such service, however, have been drastically cut in the tender specifications for 2018 and 2021. There was, in fact, a decrease in the number of hours dedicated to this activity:	Page 257 **2**	The data are not updated and they refer to the situation from 2018/2021. This statement is misleading.

5. Content of International Protection

Extract from the country report	Page and section	Comments
In practice, Territorial Commissions may express a negative opinion on the renewal of subsidiary protections (art. 14 c, of the legislative decree no. 251 of 2007) recognised by Civil Courts following an appeal, when	Section A, page 267	In 2024, the National Commission implemented procedures for the **revocation and cessation of international protection**, conducting the relevant assessments in full compliance with the conditions set out in the **Qualification Directive**. In this context, as clarified by the legal provision itself, any **return to the country of origin** by a

in disagreement with the orientation of the judicial authority circa the situation of indiscriminate violence in the country of origin of the person, and send instead the documents to the National Asylum Commission for an assessment of the applicability of cessation clauses based on changed circumstances. In practice, cessation based on changed circumstances appears to be rarely applied. Decree Law 113/2018 has introduced a new provision to the Qualification Decree according to which any return to the country of origin which is not justified by serious and proven reasons is relevant for the assessment of cessation of both refugee status and subsidiary protection. The circumstances taken into consideration to assess termination are the frequency of trips to the country of origin; length of stay in the country of origin; place of stay in the country of origin; reasons for travel to the country of origin.[…] Data on cessation rates has not been publicly available since 2019.		beneficiary of **subsidiary protection** is evaluated—within the procedure—as an **indicative element** of a possible change in the protection needs that led to the recognition of protection, **without ever applying automatic assumptions**. The investigative activities and the interview with the beneficiary are aimed, within this clarified framework, at verifying the **reasons and circumstances** of the return to the country of origin, in order to assess the **current protection needs**, while offering the individual the opportunity to present any information they consider relevant. It is noted that the **full compliance of this approach with European legislation** is also confirmed by the **operational guide** issued by the **European Union Agency for Asylum (EUAA)** – *Practical Guide on the Application of Cessation Clauses, EASO Practical Guide Series, November 2021* – which states: "While the cessation clauses based on individual behaviour (Article 11 (a)(d) QD) only apply to those who have been granted refugee status, the individual actions of a beneficiary who has been granted subsidiary protection status can, in certain cases, trigger an assessment of whether the circumstances in relation to which they have been recognised may have changed. This can be the case when, for example, the beneficiary has travelled back to their country of origin. The return itself would not be the ground of cessation, but it can be a trigger to investigate if the circumstances in relation to which the beneficiary has been granted subsidiary protection status have ceased to exist or have changed to such a degree that international protection is no longer required."