

EUROPEAN MASTER IN HUMAN RIGHTS AND DEMOCRATISATION

**The Italian Asylum System
between
effective legislation and failing practice**

The case of unaccompanied asylum seeking children

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ABSTRACT

The phenomenon of unaccompanied asylum seeking minors who migrate to Italy caught public opinion's attention during 2011. In fact, 4.580 were the unaccompanied minors who arrived on the Italian coastal borders during that year¹. From the several NGOs reports published in 2011, it stands out the crisis of the Italian asylum system. From this context stems the research question which wonders whether Italy is complying or violating the relevant provisions in the ECHR, in the CRC and in the European Directives. In order to answer the research question, the thesis follows and intersects each other three lines of analysis. The first one (chapter 1) proposes a legal perspective on unaccompanied asylum seeking children describing the international, European and Italian legal framework. Then, the second one (chapter 2) presents thoroughly the concrete situation of unaccompanied minors who seek asylum in Italy. In particular, it focuses on the Italian asylum system's capability to address the massive arrivals from North African countries. The third one (chapter 3), analysing the European Courts' judgements, regarding minors' detention and reception conditions, together with the current Italian organization and procedures on the matter, tries to provide an answer to the research question on which the thesis is based. The research carried out in the thesis aims at shedding light on the current conditions of the Italian asylum system concerning unaccompanied children.

¹ Ministero del Lavoro e delle Politiche sociali, 2011, p. 7

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