UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

# COURSE SYLLABUS

## The Foreigners Law

**2627-1-F8702N002**

### Learning objectives

*A) Knowledge and understanding*
Students are expected to know and understand general the principles, the objectives and the most important rules which in Italy regulate the legal status of foreigners and the immigration policies

*B) Applying knowledge and understanding*

Students will be able to find, interpret and apply the principal legal rules, both Italian and European, on the legal status of foreigners; to orientate among the main regulatory instruments
which regulate immigration policies in Italy as well as in Europe; to solve any possible contradictions between applicable provisions. Students will also be able to understand: the main
fundamental rights and duties of foreigners; the typical path followed by foreigners legally residing in Italy; when regularisation is possible; when solving the foreigner's status requires consultation
and planification of public policy or adminstrative or judicial procedures or judicial procedures; the critical issues regarding the current rules on immigration and on legal status of foreigners.

*C) Making judgements*
Students will acquire independence of judgment about finding and evaluating the possible legal solutions in: solving issues concerning foreigners; public policies to be developed; the legitimacy of
the norms and the administrative acts to be applied and of the actions to be taken in front of public administrations or justicial power.

*D) Communication skills*
Students will be able to communicate to foreigners, as well as to entities who put in place social measures or run social services or who interact with them, which are the legal problems, the main
regulatory elements of the fundamental rights involved and the public policies or judicial acts that can be undertaken.

*E) Learning skills*

Students will be able to independently find and evaluate any legal rule; to evaluate the constitutional legitimacy of any State, regional and local regulation, as well as of any public policy
of the past, the present and the future; to evaluate judicial acts; to evaluate the legitimacy of administrative acts issued at any level (national, regional and local) regarding foreigners and immigration.

## Contents

Legal status of aliens and stateless persons in Italy. Regulation of immigration and of italian citizenship.

## Detailed program

1) Foreigners and citizens. The evolution of the rights of aliens, fundamental rights and duties including constitutional, european and international norms.

2) The legal status of foreigners EU citizens: freedom of entry, movement and establishment, admission, residence, residence permit, permanent residence, the different types of removal orders and judicial guarantees, treatment, access to social rights and political rights at municipal level.

3) General regulation of immigration and legal status of non-Eu citizens in Italian and European law

- general principles and objectives (under Italian and European law),
- European migration management policies, Schengen Space, SIS, VIS; EURODAC, EES, ETIAS,
- general and commons requirements for entry and stay,
- entry visas and border controls,
- residence documents,
- short-term entry for tourism, business, and visits, and declarations of presence,
- regulations governing residence permits (issuance, renewal, conversion, annulment, revocation),
- integration agreement,
- entry and stay for work purposes (employed work, self-employment, seasonal work),
- entry and stay for study purposes,
- right to family unity and family reunification,
- status of foreign minors and unaccompanied minors,
- civil registry registration,
- EU long-term residence permit,
- single permit for residence and work,
- Blue Card for highly skilled workers,
- social rights (healthcare and social assistance, access to housing, school and university education),
- overview of anti-discrimination rules,
- regularization cases, permits for medical treatment and natural disasters, residence permits for special cases (assistance and social integration measures for foreign nationals who are victims of violence, crime, domestic violence, or severe labor or sexual exploitation); - overview of criminal law provisions concerning immigration and foreign nationals
- checks on foreign nationals at borders and within the territory
- the general system for the removal of non-EU nationals
- removal measures (refusals of entry, administrative expulsion orders, expulsions as a security measure, expulsions as an alternative to detention, expulsion as a substitute for a criminal penalty, detention, escorted removals) and legal remedies
- assisted voluntary returns
- prohibitions on expulsion

4) The right to asylum

- the right to asylum in the Italian Constitution
- international protection and complementary protection in the EU
- EU asylum management policies
- prerequisites, conditions, and content of international protection (refugee status and subsidiary protection qualifications)
- residence permit for special protection
- determination of the EU Member State responsible for examining applications
- checks on foreign nationals at borders and within the territory
- crisis situations and *force majeure*; readmissions and humanitarian admissions, relocation, and resettlement
- procedures (ordinary and accelerated) for examining international protection applications, including border procedures; safe countries and judicial appeals
- border return procedure
- reception and detention of asylum seekers
- identification and submission of applications, application examination procedures and legal remedies; detention and reception/assistance measures for asylum seekers
- the national reception system for asylum seekers and unaccompanied foreign minors: the SAI (Reception and Integration System)
- temporary protection.

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  5) Principal regulation of Italian citizenship and Italian nationality

6. The legal framework of stateless

## Prerequisites

Bases of public law.

## Teaching methods

All lessons are held in person in delivery mode:

- 11 4-hour lessons held in presence mode.

All lessons are held in Italian in the 2nd semester of lessons. The texts of the regulations, cases and current topics will also be read and commented together.

Due to the great complexity of the subject and the frequent modification of the rules, attendance at all lessons is strongly recommended.

The lessons will be held on the dates set within the Department of Sociology and Social Research for the Master's Degree in Planning and Management of Social Policies and Services, from which the teaching is borrowed for the students of the Master's Degree in Law.

The teacher gradually publishes the slides of his lessons on the e-learning page (available to all), together with useful diagrams and materials.

The lessons are video-recorded and made available on the e-learning page of those students who have DSA certification or belonging to the dual career categories for athletes or to the 110 cum laude call for public administration student workers.

## Assessment methods

There is no intermediate test.

The exam is an oral test consisting of an interview carried out in Italian with the teacher on the entire programme, with particular attention to the topics explored in depth during the lessons. The purpose of the test is to check preparation on the exam program and actual knowledge and mastery of the fundamental aspects
of foreigners' law according to the itinerary of topics and critical points of the program, covered during the lessons

The exams will be held on the dates set within the Department of Sociology and Social Research for the master's degree in Planning and Management of Social Policies and Services, from which the teaching is borrowed for students of the LM in Law.

EVALUATION CRITERIA:

- 18: barely sufficient knowledge, gaps regarding important (though not crucial) aspects, minimal ability to apply and interpret concepts;
- 19-22: sufficient knowledge of fundamental content, with some uncertainty in application and minor gaps regarding non-crucial aspects;
- 23-26: fair knowledge, good ability to apply concepts despite some inaccuracies;
- 27-30: solid knowledge, good command of the subject matter and critical insight;
- 30 cum laude: fully adequate knowledge, complete mastery, and excellent command of language.

## Textbooks and Reading Materials

A) To prepare for the exam, each student is required to:

I) study all the material covered during lectures, including the diagrams, worksheets, and slides published by the instructor on the e-learning page. These contents should be considered not so much supplementary material, but rather a schematic, concise, and more up-to-date explanation of the main topics of foreigners' law covered during lectures and in the textbooks recommended for study (which are not always up-to-date.

II) study the following textbooks:

1. P. Bonetti, “Diritti fondamentali degli stranieri in Italia”, in “Migrazioni. Dizionario socio-pastorale”, a cura di G. Battistella, ed. San Paolo, Cinisello Balsamo, (2010), [pp. 403-429], ora ripubblicato e aggiornato al 2011 in: https://www.adir.unifi.it/odv/materiali/frontiere/bonetti.htm

2. P. Bonetti, "Migrazioni e stranieri di fronte alla Costituzione: una introduzione “, in "Diritto costituzionale", rivista on line, ed. Franco Angeli, fascicolo 2/2020, pp. 13-79

3. Immigrazione, asilo e cittadinanza. Discipline e orientamenti giurisprudenziali, a cura di P. Morozzo Della Rocca, Maggioli ed., VII^ ed., 2026

4. P. Bonetti, Il diritto d’asilo nel nuovo patto europeo. Profili costituzionali, in Diritto immigrazione e

cittadinanza, n. 3/2025, (https://www.dirittoimmigrazionecittadinanza.it)

B) Direct knowledge of the main laws texts (to be analyzed during the lectures) is required and achievable by studying the following collection:
a) G. Correale, L. Di Muro, “Codice dell’immigrazione”, La Tribuna, Piacenza, (2026 or next
b) F. A. Genovese, U. Scotti, Codice dell’Immigrazione, ed. 2026 o successiva

## Sustainable Development Goals

NO POVERTY | GOOD HEALTH AND WELL-BEING | QUALITY EDUCATION | DECENT WORK AND ECONOMIC GROWTH | REDUCED INEQUALITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS