

Report on the Retreat days for
practitioners and lawyers

CO-DESIGNING STRATEGIC ACTIONS

Rome, 28-30 November 2025

SCUDI-School of Human Rights: strategic
litigation for the protection of migrants' rights



Project funded by the European Union's Citizens,
Equality, Rights and Values Programme

INTRODUCTION

From 28 to 30 November 2025, three 'Retreat days' were held in Rome, at the Sala Spazio Pubblico, for lawyers and trainees involved in the protection of the human rights of migrants.

The initiative was organised as part of the 'SCUDI - SCUola di Diritti umani: il contenzioso strategico per la tutela dei diritti dei migranti' (SCUDI - School of Human Rights: strategic litigation for the protection of migrants' rights) project promoted in March 2024 by Cittadinanzattiva in collaboration with CILD and funded by the European Commission through the CERV programme. The project aims to strengthen the protection of migrants' rights in Italy through strategic litigation, combating discriminatory policies and promoting the use of the EU Charter of Fundamental Rights.

A fundamental stage of the SCUDI project: the days were dedicated to the **co-design of strategic actions**: translating what has been sown along the way into concrete initiatives, working with a view to the future and identifying areas of work on which to continue the commitment of the network established within the project.

This was a valuable opportunity that brought together expertise and intelligence with the aim of continuing to nurture and strengthen the work of the Network.

The days were organised and coordinated by Cittadinanzattiva, with the support of the Cittadinanzattiva Civic School of Higher Education.



TEAM



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THE PROGRAMME OF THE RETREAT DAYS

The retreat days were organised by dividing the participants into thematic working groups, each dedicated to one of the main areas of intervention of the project.

Each group was coordinated by facilitators who were experts on the topic, **alternating between discussion and participatory work**, encouraging dialogue between participants and in-depth analysis of the main regulatory and practical issues, also based on the individual experiences of each participant in their local contexts.

The initiative was conceived as an **intensive space for work, discussion and collective reflection**, aimed at strengthening the legal and practical skills of the participants, stimulating a critical reading of the main systemic violations and the related protection tools, with the aim of strengthening **strategic litigation** and the informed use of the Charter of Fundamental Rights of the European Union.

The added value of this initiative was to create a connection and interaction between the lawyers who joined the SCUDI programme and a delegation of young 'human rights sentinels' who participated in the project's summer school, precisely to strengthen the network and enable active exchange and discussion.



THEMATIC WORKING GROUPS

WORKING GROUP ON
ASYLUM AND
INTERNATIONAL
PROTECTION

1

WORKING GROUP ON THE
RIGHT TO ITALIAN
CITIZENSHIP

2

WORKING GROUP ON THE
RIGHT TO DEFENSE AND
THE RIGHTS OF
FOREIGNERS IN PRISON

3

WORKING GROUP ON
ADMINISTRATIVE
DETENTION AND CPR

4

BUILDING STRATEGIES THROUGH NETWORKING

The programme included a **combination of plenary sessions and small group work activities**.

Each table was coordinated by expert facilitators, themselves beneficiaries of the initiative, and allowed for a **focused examination of the main regulatory, jurisprudential and operational issues**, with attention to critical application issues and concrete repercussions on the protection of the fundamental rights of migrants.

Over the course of the three days, the working tables were the focus of the activity, encouraging discussion among participants, the sharing of professional experiences and the analysis of practical cases.

The plenary sessions allowed the results of the discussions to be shared, stimulating cross-cutting dialogue between the different thematic areas and contributing to a comprehensive and integrated view of the issues addressed.

The retreat was thus **an intensive and participatory process** aimed at strengthening awareness of the role of each actor involved.



DAY 1

WORKING GROUP ON ASYLUM AND INTERNATIONAL PROTECTION

The working group identified three main areas for the development of strategic litigation: access to the asylum procedure, the right to reception and the protection of asylum seekers with disabilities.

Strategic actions include anti-discrimination appeals and public class actions to address systemic practices.

Access to the procedure

Violations are concentrated in the early stages of the procedure: difficulties in expressing the desire to seek asylum, delays in formalising the application, obstacles in issuing or renewing residence permits, and limitations in accessing related rights. These practices produce systemic exclusions and block the effective exercise of fundamental rights.

Right to reception

Violations are widespread and vary from region to region, especially in relation to access times and continuity of reception. Delays, opaque criteria and unjustified interruptions conflict with the principle of immediate reception upon expression of intent.

Disability and health frailty

Difficulties in recognising disability and accessing services produce discriminatory effects.

COORDINATOR:



GIULIA CRESCINI

Lawyer, legal consultant specialising in immigration law, asylum and international protection, minority rights



WORKING GROUP ON THE RIGHT TO ITALIAN CITIZENSHIP

In recent months, the regulatory framework governing citizenship has undergone profound changes, with immediate and disruptive effects, particularly for minor children born abroad to persons who acquire Italian citizenship through naturalisation.

In addition to these changes, **there are already known critical issues in the application of the previous legislation** and related circulars, which continue to generate inconsistencies, uncertainties and obstacles, especially in administrative naturalisation procedures.

The Working Group's reasoning on strategic actions has therefore focused **on analysing the impact of both the new provisions and certain pre-existing administrative practices**, identifying the most significant critical issues and collectively developing intervention strategies to address administrative delays and possible constitutional illegality through individual and collective appeals to challenge the restrictive application of the rules.

COORDINATOR:



FEDERICA REMIDDI

Legal advisor specialising in immigration law, international protection, anti-discrimination law and family law



DAY 2

WORKING GROUP RIGHT TO DEFENCE AND RIGHTS OF FOREIGNERS IN PRISON

COORDINATOR:

**PAOLO ODDI**

Lawyer, trainer and consultant in foreign nationals' rights and criminal law

The Working Group identified ample opportunities for strategic litigation in criminal and immigration matters, to be developed at national, constitutional and supranational levels. The main critical issues concern the right to information and linguistic comprehension, the effectiveness of the right to defence, the protection of foreign prisoners and the fight against crimmigration.

In particular, **systemic problems arise for foreign detainees in relation to translation and interpreting, access to alternative measures, administrative detention and the effects of so-called crimmigration.**

Strategic actions include proceedings before national courts, constitutional litigation and supranational litigation before the European Court of Human Rights and the Court of Justice of the European Union to combat practices that are incompatible with European directives.



WORKING GROUP ON ADMINISTRATIVE DETENTION AND CPR

COORDINATOR:



GENNARO SANTORO

Lawyer, legal advisor,
human rights expert, ASGI
Association

The working group has identified three main areas of strategic litigation concerning CPRs and administrative detention: the right to health, popular action and the legitimacy of the Italy-Albania protocol.

Right to health in CPRs

Measures have been proposed to comply with recent rulings by the Administrative Court on the services to be provided to protect the health of detainees, constitutional legitimacy issues and individual or urgent appeals are conceivable to protect vulnerable people and prevent suicide risks.

Popular actions

Taking advantage of the potential of the SCUDI network and its territorial presence, the Working Group discussed the promotion of a popular action in various cities to challenge the very legitimacy of CPRs and urge the intervention of mayors or civil judges.

Italy-Albania Protocol

Recent case law paves the way for litigation aimed at blocking the Italy-Albania Protocol, through preliminary rulings to the CJEU, precautionary suspensions of transfers, and monitoring and reporting of violations of fundamental rights, in particular the right to health.



DAY 3

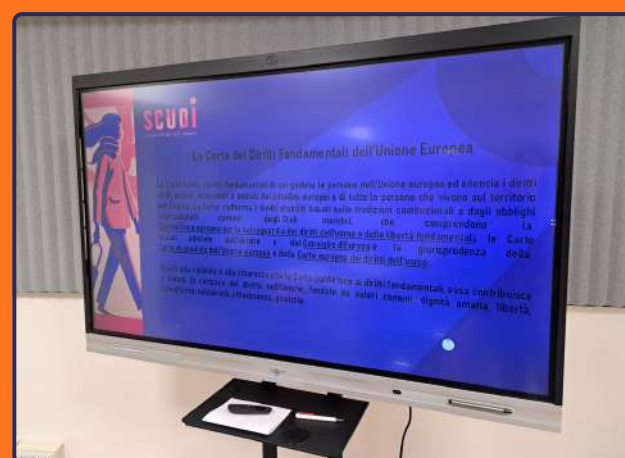
PRESENTATION OF THE WORK OF THE WORKING GROUPS IN PLENARY



The presentation of the work of the thematic working groups aimed to share and systematise the main critical issues that emerged and the areas for strategic litigation identified in the various fields.

The discussion made it possible **to identify common practices and structural problems, to enhance local experiences and to identify priorities for action**, both in terms of individual actions and collective, national and supranational initiatives.

The feedback therefore represented a moment of synthesis and orientation, aimed at **building shared strategies** and coordinating future protection paths in synergy between the various actors involved, with a view to strengthening and collaborating with the SCUDI network.



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