

Note 4

Residence permit for holders of political asylum, subsidiary, and humanitarian protection status – differences.

• **Political asylum:** a residence permit for asylum is issued to people holding a refugee status. Those who demonstrate a well-founded fear of being subjected to personal persecution in their country of origin are granted a refugee status (under the 1951 Geneva Convention). Art.1 of the Geneva Convention states that the term "refugee" applies to those who "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it".

Following the formal recognition of refugee status, authorities are required to issue the relative **5-year renewable residence permit**. The permit will allow its holder:

- To exercise employed or self-employed activities.
- Access to employment in the public sector.
- Access to National Health Services.
- Access to INPS welfare, benefits, and social security.
- **Access to education and study.**
- Travel passes: the Italian State is required to issue documentation that serves as an equivalent to a passport to refugees.
- Family reunification: holders of political asylum may request entry in Italy of family members without having to prove the accommodation and income requirements that are requested for holders of other types of residence permits.
- Italian citizenship: the time-period required for naturalisation is reduced to half (5 years instead of 10).

• **Subsidiary protection:** this type of protection is issued by the **competent Territorial Commission** (see the Italian **Home Office** website: <http://www.interno.gov.it/it/temi/immigrazione-e-asilo/protezione-internazionale/commissioni-territoriali-riconoscimento-protezione-internazionale>) to people who cannot demonstrate to have suffered a personal persecution (as according to Art. 1 of the 1951 Geneva Convention) but that nevertheless prove risking serious harm if they were to return to their country of origin. The relative **5-year residence permit** is issued by Italian authorities and can be renewed upon verification of the continuing causes behind its initial release.

The permit will allow its holder:

- To exercise employed or self-employed activities.
- Access to employment in the public sector.
- Access to National Health Services.
- Access to INPS welfare, benefits, and social security.
- **Access to education and study.**
- Travel passes: Italian authorities can issue a valid travel document only if the holder of the subsidiary protection has valid reasons that do not allow him to ask for a regular passport from his country of origin.
- Family reunification: holders of political asylum may request entry in Italy of family members without having to prove the accommodation and income requirements that are requested for holders of other types of residence permits.
- It is possible to convert a subsidiary protection residence permit to one issued for purpose of employment, thus renouncing the subsidiary protection status.

• **Humanitarian residence permit:** this permit is released when there are not the requirements for political asylum or subsidiary protection. You are entitled to this permit when there are serious circumstances and reasons, especially if of humanitarian nature or resulting from constitutional obligations of the Italian State. The permit is issued by Italian authorities at the request of the Territorial Commission that has examined the applicant's situation, or at the request of the foreign citizen. **The length of the permit varies, although it is usually a minimum of 2 years and is renewable.** The permit will allow its holder:

- To exercise employed or self-employed activities.
- Access to National Health Services.
- **Access to education and study.**
- Travel passes: not released.
- Family reunification: not allowed.
- Conversion to a residence permit for purpose of employment.