

THE JUDICIAL PROTECTION OF THE RIGHTS OF MIGRANTS

Cosima Ilaria Buonocore
Centre for Legal Informatics Studies
and University of Bari Aldo Moro, Italy

Abstract:

Migration flows of citizens not coming from the countries of the European Union represent, as it is known, a reality that can not but have affect also the legal issues and the judicial protection of the rights of migrants. In this regard, the legislator intervened again with the Decree Law n. 13 of 17 February 2017, converted into Law n. 46 of 17 April 2003. The changes innovations introduced by legislator cover, inter alia, a multitude of aspects: from the extension of the rights of defense of the migrants to the increase of the (new) specialised sections in the courts on immigration and international protection. However, there is still much uncertainty in the Law. n. 46/2017, generated by the fact that the subject matter is marked by the overlapping of heterogeneous procedural forms.

Keywords: right, judicial protection, migrant, court, civil procedure