



Law 6 March 1998, n. 40

"Regulation of immigration and the status of foreigners."

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TITLE I - General Principles

Article 2 - Rights and duties of foreigners

1. To the foreign citizen anyway present at the Italian border or in the territory of the State are acknowledged the individual fundamental rights under the rules of national law and by international agreements in force and the principles of international law generally recognized.
2. An alien lawfully resident in the territory of the State enjoys the civil rights as granted to an Italian citizen, unless the international conventions in force in Italy and provisions under the present law provides otherwise. In cases where this law or international conventions provide for the condition of reciprocity, such condition shall be verified according to the criteria and procedures provided for in the Implementing Regulation of the said law.
3. An alien lawfully resident participates in local public life.
4. The alien is granted equal treatment as Italian citizens with reference to the judicial protection of rights, of legitimate interests in dealings with the public administration and in access to public services, to the extent and in the manner prescribed by the relevant law.
5. For the purposes of communicating to the foreigner measures concerning the entry, residence and expulsion, the documents are translated, even in a short form, in a language understood by the recipient or, if this is not possible, in French, English or Spanish, with preference given to the one indicated by the applicant.
6. Diplomatic protection is exercised within the limits and in the manner provided by the rules of international law. Every foreigner in Italy has the right to make contact with the authorities of the country of his nationality. In exercising such right the foreigner is being facilitated by any public official involved in the process unless serious and justified reasons related to the administration of justice, protection of public order and national security requires otherwise. The judicial authority, the public security authorities and any other public official are obliged to inform, in the manner and within the period prescribed by the Implementing Regulation, the nearest diplomatic or consular office of the country to which the foreigner belongs, in every circumstance in which they have taken action against him/her in respect of personal freedom; leaving the territory of the State; protection of minors; personal status. In case of death or urgent hospitalization of the alien, the said authorities have to submit to such representations documents and objects belonging to the person provided they should not be detained for reasons established by law. The above information are not to be provided with reference to aliens who have submitted an application for asylum; foreigners who have been granted refugee status; or of foreigners against whom have been taken temporary protection measures on humanitarian grounds.
7. International agreements entered into for the purposes of - Article 9, paragraph 4 of the law, may provide more favorable legal conditions to nationals of States beneficiaries of special cooperation programs aimed to prevent or limit illegal immigration.
8. The stranger staying in the Italian territory must comply with the obligations provided for by law.