

Ordine internazionale e diritti umani

International Legal Order and Human Rights Ordenamiento Jurídico Internacional y Derechos Humanos Ordre juridique international et Droits de l'Homme

THE FACTOR OF THE TERRITORY OF PASSAGE IN THE ADMINISTRATIVE DYNAMICS OF THE INTEGRATION OF THE "PERMANENT" MIGRANT: A PROPOSAL FOR A STUDY FOR THE PROTECTION OF SOCIAL RIGHTS IN THE PERSPECTIVE OF A "CIRCULAR" SOLIDARITY

The significant migratory flow currently taking place in Europe, from Africa to some Asian countries, such as Pakistan and Syria, has such a resonance that it entails a constant emotional impact on conscience, sensitivity, social and individual interest, in a way that can also be painful and fluctuating. Also because of this, the phenomenon imposes a reasonable legal approach to the issue of integration, aimed, among the possible alternatives, at the construction of an internal administrative model, of a shared type, which may be favorable to the establishment of the theme of social rights of the migrant. The starting point of this path is given by the consideration that migration flows do not all have the same scope, the same dynamic and, therefore, the same legal problematic. The projection of the art. 118 of the Constitution on the proposed solidaristic model of which the permanent migrant is an active part in the local context runs parallel to the hope that, on a positive level, the substantial separability of the integration theme in favor of the "permanent" migrant will be taken into serious consideration from that of the acquisition of citizenship or, in any case, of the regularization of the relative legal position.