



## 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

### IMMIGRATION RULES AND PERSPECTIVES FOR THE PROTECTION OF FUNDAMENTAL RIGHTS: THE EUROPEAN LEGAL ORDER AND THE ITALIAN EXPERIENCE

The migration phenomenon constitutes an issue of high political importance, which concerns the capacity of the institutions involved to guarantee sustainability and integration, through processes aimed, on one side, at valuing human resources brought by the migration phenomenon, and, on the other, at integrating people of different cultures and languages in the local social system. In that framework, it should be recalled that the notion of integration does not coincide with that of homologation, therefore, state intervention will be more effective if it ensures the protection of the principles of plurality, equality, cohabitation and compatibility among cultures, by guaranteeing an adequate level of protection for the social rights of immigrants. The present paper deals with the migration phenomenon by analysing the evolution of the Italian immigration policies through the illustration of the legal framework and the relevant national jurisprudence (taking into consideration the influence exercised by the European legal order) and their impact on the protection of some fundamental social rights, such as the right to health and the right to education, towards migrants.