



# Flow Decree 2025 (Legislative Decree 145/2024): Limitations and consequences for citizens of Bangladesh, Pakistan and Sri Lanka.

What does the new decree-law provide for citizens coming from countries at risk (Pakistan, Sri Lanka, Bangladesh)? Let's see it together

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## 1. News on countries at risk: Bangladesh, Pakistan and Sri Lanka

Article 3 of the so-called Flow Decree 2025 ( [Legislative Decree 145/2024](#) ) introduces various changes to the rules on the entry of foreigners into Italy for work purposes, introducing a new category of States and territories considered to be at “high risk of submitting applications accompanied by counterfeit documentation or in the absence of the legal requirements” in relation to applications for work permits for workers from Bangladesh, Pakistan and Sri Lanka. These territories are identified on a preliminary basis and the provisions will remain unchanged for these countries until 31 December 2025. The list will be updated by decree of the Minister of Foreign Affairs and International Cooperation.

The article provides, first of all, that the effectiveness of the nulla osta already issued by the One-Stop Shop for Immigration (SUI) is suspended. Similarly, the suspension of the issuing of new nulla osta requested starting from the entry into force of the decree-law is provided for, until the express confirmation by the SUI of the positive outcome of the checks provided for by the [legislative decree of 5 July 1998, n. 286 \(art. 24-bis\)](#) regarding compliance with the requirements in relation to the expected working and permanence conditions and the characteristics of the requesting company. These checks are aimed at confirming (or not) the appropriateness of the requirements concerning the employer's compliance with the provisions of the collective labor agreement, the number of requests submitted, the financial capacity, the economic-financial balance, the turnover and the type of business carried out by the company, as well as the number of employees

(including those who have already signed a valid residence contract with the employer).

It is in fact indicated that, unlike the automatic procedure for issuing the clearance once 60 days have elapsed from the request in the absence of detection and/or presentation of impediments by the SUI ( [art. 22, paragraphs 5 and 5.01 of Legislative Decree 286/1998 \(TUI\)](#) ), this criterion does not apply when the employer requests the clearance for citizens from these three countries.

At the same time, the procedures for issuing entry visas for work reasons in Italy resulting from authorizations pending on the date of entry into force of the decree are suspended indefinitely. An exception is made for visas already issued.

## 2. Context and reasons for the changes to the flow procedure

The [press release published by the Council of Ministers on 4 June 2024](#) reports the reasons that led to the adoption of Article 3 of the decree-law.

In his briefing to the Council, the President showed that the data emerging from monitoring activities demonstrate both the existence of discrepancies between the applications submitted during the click-days and the actual number of residence contracts stipulated in the last three years, and that as in some territories "the number of requests is enormous compared to the absorption capacity of the local productive fabric".

The conclusion reached is that "regular flows of immigrants for work reasons are used as a further channel of irregular immigration", managed by organized crime. A hypothesis supported, according to the Prime Minister, by the fact that "the vast majority of foreigners who entered Italy in recent years using the 'Flow Decree' come from a single State, Bangladesh, where diplomatic authorities speak of phenomena of buying and selling visas for work reasons", in addition to being "also the first nationality of illegal immigration in the first five months of this year". The President has therefore filed a complaint with the National Anti-Mafia and Anti-Terrorism Prosecutor in order to start one or more investigations into the matter.

The purpose of introducing the new category of States and territories therefore seems to be to allow all the preliminary checks necessary to ascertain, above all, that there is a real intention to enter into an employment relationship (and therefore that the request is presented for the purposes for which it was created) before the authorization and the necessary visa are issued, and also to combat the alleged involvement of criminal organizations that favor irregular immigration.

The press release also provides data on applications submitted by employers divided by year, type of employment contract and sector, as well as data on residence contracts signed and entry visas for work based on the nationality of the applicants (pp. 4-7). The press release does not mention the criteria on which the classification of these territories "at risk of counterfeiting" is based.

These are the reasons presented by the Committee of Ministers, although associations such as A Buon Diritto, ActionAid, Asgi, Federazione Chiese Evangeliche Italiane (Fcei), Oxfam, Arci, Cnca, Cild, Fondazione Casa della carità Angelo Abriani – with the support of dozens of organizations – maintain that the current legislation itself is the primary cause of irregularities, given that it is based on an anachronistic principle of remote meeting between supply and demand, when in the Italian context the meeting occurs through personal knowledge, in addition to

the impracticability of click days to meet the real need for manpower. For further information, see the report presented by [EroStraniero](#).

### 3. Implications and consequences for the citizens of Bangladesh, Pakistan and Sri Lanka

It should be noted that the new decree does not provide a predefined deadline for the release of the nulla osta in the case of these three countries. In fact, the silent consent procedure provided for by article 22, paragraph 5.01 TUI for the release of the nulla osta by the SUI within 60 days of the submission of the application regardless of the outcome of the intra-procedural checks will not be valid and the wait will continue for an unspecified period of time ( “ *until the express confirmation by the one-stop shop for immigration of the positive completion of the required checks* ” [art. 3 paragraph 2 [Legislative Decree 145/2024](#) ]). The amendment, therefore, is intended to provide greater preventive guarantees regarding the compatibility of the requests with the pre-established criteria, to the detriment of the timing.

As regards the status of citizens or residents of the countries in question, the respective Italian embassies have already provided public notice of the suspension of procedures already initiated for obtaining entry visas for work reasons and the impossibility of submitting new applications for such visas until the clearances are issued, the procedure for which is in turn suspended.

Here is a link to the communications published by the embassies of [Bangladesh](#), [Pakistan](#) and [Sri Lanka](#).

In practical terms, citizens of these countries who already have the nulla osta will not be able to use it until further notice, **while those who have already requested the issuing of the entry visa will have to wait for the outcome of the checks before being able to obtain it.** The most obvious risk is that a possible already planned employment relationship will not materialize, or that it cannot be planned at all for an indefinite period of time, **as an employer interested and in need of manpower in the short term will find himself forced or tempted to turn to citizens/residents of other countries.** This also implies a risk for workers already present in Italy who want to regularize their situation or who are already legally resident, but would like to obtain a permit with more favorable conditions (for work reasons).

### 4. Why contact an immigration lawyer in Rome?

If you intend to submit or have already submitted the pre-compilation of the flow request to hire a worker from a country "characterized by a high risk of submitting applications accompanied by false documentation or in the absence of the legal requirements", i.e. Bangladesh, Pakistan or Sri Lanka, a lawyer expert in immigration law can provide advice and assistance, both judicial and extrajudicial.

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