



**General Assembly**

Distr.  
GENERAL

A/HRC/WG.6/7/ITA/2  
20 November 2009

Original: ENGLISH

---

HUMAN RIGHTS COUNCIL  
Working Group on the Universal Periodic Review  
Seventh session  
Geneva, 8-19 February 2010

**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR  
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE ANNEX  
TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

**Italy**

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

## I. BACKGROUND AND FRAMEWORK

### A. Scope of international obligations<sup>1</sup>

<i>Core universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	5 Jan. 1976	Yes (art. 4) <sup>3</sup>	Individual complaints (art. 14): Yes
ICESCR	15 Sept. 1978	None	-
ICCPR	15 Sept. 1978	Yes (arts.15, para. 1 and 19, para. 3)	Inter-State complaints (art. 41): Yes
ICCPR-OP 1	15 Sept. 1978	Yes (art 5, para.2)	-
ICCPR-OP 2	14 Feb. 1995	None	-
CEDAW	10 June 1985	Yes (general)	-
OP-CEDAW	22 Sept. 2000	None	Inquiry procedure (art. 8 and 9): No
CAT	12 Jan. 1989	None	Inter-State complaints (art. 21): Yes Individual complaints (art. 22): Yes Inquiry procedure (art. 20): Yes
CRC	5 Sept. 1991	None	-
OP-CRC-AC	9 May 2002	Binding declaration under art 3: 17 years	-
OP-CRC-SC	9 May 2002	None	-
CRPD	15 May 2009	None	-
CRPD-OP	15 May 2009	None	Inquiry procedure (arts. 6 and 7): No
<i>Core treaties to which Italy is not a party: OP-ICESCR (signature only, 2009), OP-CAT (signature only, 2003), ICRMW, CED (signature only, 2007).</i>			
<hr/>			
<i>Other main relevant international instruments<sup>4</sup></i>		<i>Ratification, accession or succession</i>	
Convention on the Prevention and Punishment of the Crime of Genocide		Yes	
Rome Statute of the International Criminal Court		Yes	
Palermo Protocol <sup>5</sup>		Yes	
Refugees and stateless persons <sup>6</sup>		Yes, except the 1961 Convention	
Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>7</sup>		Yes	
ILO fundamental conventions <sup>8</sup>		Yes	
UNESCO Convention against Discrimination in Education		Yes	

1. The Committee on the Elimination Racial Discrimination (CERD),<sup>9</sup> the Committee on Economic, Social and Cultural Rights (CESCR),<sup>10</sup> the Committee against Torture (CAT),<sup>11</sup> the Working Group on Arbitrary Detention,<sup>12</sup> the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance<sup>13</sup> and the Special Rapporteur on the human rights of migrants encouraged Italy to consider ratifying ICRMW.<sup>14</sup> CAT also recommended the ratification of OP-CAT.<sup>15</sup>

2. Italy was encouraged by the Human Rights Committee (HR Committee) to continue assessing the status of its reservations to the Covenant, with a view to withdrawing them.<sup>16</sup>

## **B. Constitutional and legislative framework**

3. In 2004, CESCER encouraged Italy to reconsider its position regarding the justiciability of economic, social and cultural rights.<sup>17</sup>

## **C. Institutional and human rights infrastructure**

4. CERD,<sup>18</sup> CESCER,<sup>19</sup> CAT<sup>20</sup> and the HR Committee<sup>21</sup> noted that Italy had not yet established an independent national human rights institution. With the HR Committee,<sup>22</sup> the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,<sup>23</sup> and the Working Group on arbitrary detention,<sup>24</sup> CERD recommended the establishment of such institution in accordance with the Paris Principles.<sup>25</sup> The Working Group added that such institution should have full and unfettered access to all places of detention.<sup>26</sup> In 2007, OHCHR provided legal advice on a draft law to establish a national institution, which was approved in 2007 by the Chamber of Deputies,<sup>27</sup> and in March 2009, in its follow-up response to CERD, Italy indicated that a bill was being prepared on this issue.<sup>28</sup> As of 29 September 2009, Italy did not have an institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).<sup>29</sup>

5. The establishment of the National Office for the Elimination of Racial Discrimination in 2004 was welcomed by CESCER, CAT and CERD.<sup>30</sup> In 2006, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance recommended increasing the level of independence and the resources of this Office.<sup>31</sup>

6. CAT welcomed the establishment of the Committee for the Protection of Foreign Minors to set the modalities for the reception and temporary protection of unaccompanied foreign minors at the national level.<sup>32</sup>

7. CRC noted the establishment of Offices of Public Defender of Childhood in four regions and the efforts to establish a national public defender for children, but remained concerned that there was no central independent mechanism to monitor the implementation of the Convention.<sup>33</sup>

## **D. Policy measures**

8. In 2004, CESCER urged Italy to prepare a national integrated human rights plan of action, in accordance with the Vienna Declaration and Programme of Action.<sup>34</sup>

9. In 2006, CRC recommended that Italy strengthen its efforts to finalize, adopt and implement, in consultation and cooperation with relevant stakeholders, including civil society, a national plan of action for children.<sup>35</sup>

10. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance welcomed in 2007 the National Plan of Action on the Follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, while making several recommendations regarding the Plan.<sup>36</sup>

11. The ILO Committee of Experts on the Application of Conventions and Recommendations noted the establishment in 2007 of the 'Italy Actions Against Trafficking in Human Beings Coordinating Committee', which formed an inter-institutional table with an objective to elaborate a National Anti-Trafficking Plan.<sup>37</sup>

12. In 2005, Italy adopted the Plan of Action (2005-2009) for the World Programme for Human Rights Education focusing on the national school system.<sup>38</sup> It has adopted a number of initiatives in this regard.<sup>39</sup>

## II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty body<sup>40</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	March 2006	May 2008	March 2009	Sixteenth, seventeenth and eighteenth combined reports due in 2011
CESCR	April 2003	Nov. 2004	-	Fifth report overdue since June 2009
HR Committee	March 2004	April 2006	Oct. 2006	Sixth report due in Oct. 2009
CEDAW	Dec. 2003	Jan. 2005	-	Sixth report overdue since July 2006
CAT	May 2004	July 2007	Overdue since July 2008	Sixth report due in 2011
CRC	March 2000	March 2003	-	Third and fourth combined reports submitted in 2008
OP-CRC- AC	July 2004	June 2006	-	Information on implementation included in third and fourth reports to CRC submitted in 2008
OP-CRC- SC	July 2004	June 2006	-	Information on implementation included in third and fourth reports to CRC submitted in 2008

#### 2. Cooperation with special procedures

<i>Standing invitation issued</i>	Yes
<i>Latest visits or mission reports</i>	Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (9 - 13 October 2006), <sup>41</sup> Working Group on Arbitrary Detention (3 - 14 November 2008) <sup>42</sup> Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (20 - 29 October 2004) <sup>43</sup> Special Rapporteur on the human rights of migrants (7 to 18 June 2004) <sup>44</sup>
<i>Visits agreed upon in principle</i>	Special Rapporteur on contemporary forms of slavery (December 2008)
<i>Visits requested and not yet agreed upon</i>	-

<i>Facilitation/cooperation during missions</i>	The Working Group on Arbitrary Detention, <sup>45</sup> the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, <sup>46</sup> the Special Rapporteur on the right to freedom of opinion and expression, <sup>47</sup> and the Special Rapporteur on the human rights of migrants <sup>48</sup> enjoyed the full cooperation of the Government.
<i>Follow-up to visits</i>	
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, 14 communications were sent concerning, inter alia, particular groups and one woman. The Government replied to nine communications, representing replies to 64 per cent of communications sent.
<i>Responses to questionnaires on thematic issues</i> <sup>49</sup>	Italy responded to four of the 16 questionnaires sent by special procedures mandate holders, <sup>50</sup> within the deadlines. <sup>51</sup>

### 3. Cooperation with the Office of the High Commissioner for Human Rights

13. Italy continuously contributed financially to OHCHR between 2005 and 2009,<sup>52</sup> including to the humanitarian funds between 2005 and 2008.<sup>53</sup>

#### B. Implementation of international human rights obligations

##### 1. Equality and non-discrimination

14. The High Commissioner for Human Rights, in 2008, expressed her grave concern at xenophobic and intolerant attitudes against irregular immigration and unwanted minorities, referring to the recent decision of the Government to criminalize illegal immigration and recent attacks against Roma settlements in Naples and Milan.<sup>54</sup> In 2009, she referred to abundant documentation of discrimination and degrading treatment affecting the Roma population.<sup>55</sup> In 2008, CERD was also concerned by the prevailing negative attitudes and stereotypes concerning Roma among the municipalities and the public.<sup>56</sup>

15. While noting initiatives to combat racial discrimination and intolerance, the HR Committee in 2006 and CERD in 2008 remained concerned about reported instances of hate speech, including statements attributed to certain politicians, targeting foreign nationals, Arabs and Muslims, as well as Roma.<sup>57</sup> CERD recommended taking resolute action to counter such tendency.<sup>58</sup> The HR Committee added that Italy should recall regularly and publicly that hate speech is prohibited under the law, and take prompt action to bring those responsible to justice.<sup>59</sup> The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance also stressed the importance of combating racist and xenophobic political platforms.<sup>60</sup>

16. CERD was concerned that the mass media continued to play a role in portraying a negative image of the Roma and Sinti communities and that insufficient measures had been taken to address this situation.<sup>61</sup> The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance referred in addition to the role of the media in portraying a negative image of migrants and associating Muslims with crime, invasion, danger, extremism and terrorism.<sup>62</sup> In its follow-up response to CERD, Italy indicated steps taken or envisaged to address this issue.<sup>63</sup>

17. In 2008, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Independent Expert on minority issues, and the Special

Rapporteur on the human rights of migrants expressed serious concern about the proposed fingerprinting of all Roma individuals, including children, to identify undocumented persons living in Italy. By exclusively targeting the Roma minority, this proposal was classified as unambiguously discriminatory. The special procedures noted with dismay the aggressive and discriminatory rhetoric used by political leaders, including Cabinet members, when referring to the Roma community. By explicitly associating the Roma to criminality, and by calling for the immediate dismantling of Roma camps, these officials had created an overall environment of hostility, antagonism and stigmatization of the Roma community among the general public. This climate had served to mobilize extremist groups, which launched a series of attacks against Roma camps and individuals.<sup>64</sup>

18. The HR Committee<sup>65</sup> and CESCR<sup>66</sup> welcomed the amendments to article 51 of the Constitution, allowing for the adoption of special measures to ensure equal rights for men and women, as also noted by the ILO Committee of Experts.<sup>67</sup> However, CEDAW was concerned that there was no definition of discrimination against women in accordance with the Convention in the Constitution or in legislation other than in the field of employment.<sup>68</sup> CEDAW urged Italy to take effective measures to eliminate discrimination against vulnerable groups of women, including Roma and migrant women, and to enhance respect for their human rights through all available means, including temporary special measures.<sup>69</sup>

## **2. Right to life, liberty and security of the person**

19. In 2007, CAT expressed concern that the crime of torture as defined in article 1 of the Convention had still not been incorporated into domestic law.<sup>70</sup> It was also concerned at the number of reports of ill-treatment by law enforcement agencies, the limited number of investigations carried out in such cases, and the very limited number of convictions. It noted with concern that the offence of torture might in some cases be subject to the statute of limitations, and welcomed the statement made by Italy that it was considering a modification of the time limitations.<sup>71</sup> In 2003, concern was also expressed by CRC about alleged instances of ill-treatment by law enforcement officers against children and at the prevalence of abuse, in particular against foreign and Roma children.<sup>72</sup>

20. In 2009, the High Commissioner drew attention to the plight of migrants and refugees in Italy. She indicated that, on the assumption that boats in distress carry migrants, ships pass them by ignoring their pleas for help, in violation of international law. In many cases, authorities reject these migrants and leave them to face hardship and peril, if not death.<sup>73</sup> A 2009 UNHCR report indicated deep concern over the fate of some 230 people who were rescued by Italian patrol boats and sent back without proper assessment of their possible protection needs, adding that the incident marked a significant shift in policies by Italy. UNHCR deeply regretted the lack of transparency which surrounded the event and urged Italy to reconsider its decision and to avoid repeating such measures.<sup>74</sup>

21. In 2007, CAT expressed concern that some asylum-seekers may have been denied the right to apply for asylum and to have their asylum claim assessed individually in a fair and satisfactory procedure.<sup>75</sup> CERD in 2008<sup>76</sup> and the HR Committee in 2006<sup>77</sup> were concerned by allegations that foreigners held in the temporary stay and assistance centre for foreigners (CPTA) of Lampedusa were not properly informed of their rights, did not have access to a lawyer and faced collective expulsion. CEDAW was particularly concerned about the lack of recognition of gender-related forms of persecution in determining refugee status.<sup>78</sup> The HR Committee recalled the absolute nature of the right of each person not to be expelled to a country where he/she may face torture or ill-treatment, and Italy's obligation to ensure that the situation of each migrant is processed individually.<sup>79</sup> CERD also

made a recommendation on the issue of non-refoulement.<sup>80</sup> In 2008, the Working Group on Arbitrary Detention referred to the cases of deportation of alleged terrorists to States where they were at substantial risk of arbitrary detention and torture.<sup>81</sup>

22. The Working Group on Arbitrary Detention stated in 2008 that the de facto deprivation of liberty of asylum-seekers in first reception centres, such as the one in Lampedusa, needed to be provided with a legal basis and limited by strict and tight timelines.<sup>82</sup>

23. The Working Group also referred to envisaged legislation which would considerably extend the maximum length of detention in Identification and Expulsion Centres (CIEs), hosting foreigners who have received an expulsion order. Initially, it was announced that the maximum duration would be brought to 18 months, but it appeared that later plans envisaged an intermediate solution.<sup>83</sup> The Working Group stressed that detention in the CIEs must comply both with the general prohibition on arbitrary detention and be protected by sufficient procedural safeguards in accordance with article 9 (4) of ICCPR.<sup>84</sup> It recommended that detention of foreigners in CIEs be based on more careful examination of the individual case on the basis of criteria enshrined in law. Where a person filed an asylum claim while detained in a CIE, continued detention in the CIE should not be automatic. Measures to promote the voluntary repatriation of expellees should be given more consideration. Legal aid to persons detained in CIEs should be strengthened.<sup>85</sup>

24. The attention of the Working Group was drawn to article 41 bis of the Law on the Penitentiary System, applied to persons charged with terrorist offences and members of mafia organizations.<sup>86</sup> A prisoner subjected to article 41 bis regime remains isolated in his cell for at least 22 hours per day; the two hours outside the cell are spent with a group of five other 41 bis prisoners, in a small recreational area resembling a cage; family visits are limited to one or two per month, any other visits (except by the lawyer) are excluded; correspondence is checked, phone calls strictly limited; all prison work and social activities are suspended.<sup>87</sup> The Working Group noted that article 41 bis prisoners complained that they had, in practice, no effective remedy against the renewal of the special detention regime year after year.<sup>88</sup>

25. While welcoming the development of alternative measures to detention and the plan to build new correction centres, the HR Committee<sup>89</sup> and CAT<sup>90</sup> remained concerned about overcrowding in prisons.<sup>91</sup>

26. CERD<sup>92</sup> and the HR Committee<sup>93</sup> were concerned about reports that detention conditions in the Lampedusa centre were unsatisfactory in terms of overcrowding, hygiene, food and medical care, and that some immigrants had suffered ill-treatment. In 2009, a UNHCR report indicated that overcrowding in Lampedusa was creating a humanitarian situation of concern.<sup>94</sup> The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance recommended improving the conditions of the CPTAs and CIEs to ensure that health care and appropriate housing and living conditions are provided.<sup>95</sup> In its follow-up response to CERD, Italy referred to efforts made on this issue.<sup>96</sup>

27. In 2005, CEDAW, while noting some legislative reforms, remained concerned about the persistence of violence against women and the absence of a comprehensive strategy to combat it in all its forms.<sup>97</sup>

28. CRC was deeply concerned in 2003 at the high number of child victims of trafficking, mainly from Eastern European countries, especially Romania, who were at particular risk of being sexually exploited and used for the purpose of begging.<sup>98</sup> The ILO Committee of Experts took note of the growing number of minors victims of trafficking from 2000 to 2006.<sup>99</sup> In 2007, while welcoming measures undertaken to combat trafficking, CAT recommended strengthening efforts to combat trafficking in women and children and taking effective measures to prosecute and punish trafficking in persons.<sup>100</sup>

### **3. Administration of justice and the rule of law**

29. The HR Committee noted in 2006 that magistrates were concerned that their independence was being threatened and recommended ensuring that the judiciary remain independent of the executive power.<sup>101</sup> In 2007, the Special Rapporteur on the independence of judges and lawyers sent an allegation letter concerning the illegal espionage activity in relation to Italian and European magistrates and magistrates' associations, including the Italian association Magistratura democratica and the European association Magistrats européens pour la démocratie et les libertés, by the Italian Intelligence and Military Security Services (SISMI). The Special Rapporteur expressed his deep concern noting that such activities had been conducted for almost five years.<sup>102</sup>

30. In 2008, the Working Group on Arbitrary Detention found that safeguards in the criminal justice system against illegal detention were numerous and robust. Situations of arbitrary detention could, however, result from the unreasonable length of criminal proceedings and from excessive recourse to remand detention.<sup>103</sup> CAT in 2007<sup>104</sup> and the HR Committee in 2006<sup>105</sup> were concerned that the maximum period for preventive detention was set by reference to the penalty for the offence. The Working Group recommended taking measures to decrease the duration of criminal trials to ensure better protection of the right to be tried without undue delay, and to reduce the share of prisoners awaiting final judgment, whether by expediting trials, stricter application of the principle that remand detention is a last resort, or both.<sup>106</sup> CAT made similar recommendations.<sup>107</sup>

31. Noting that only a very small number of the minors charged with offences end up in juvenile prisons, the Working Group on Arbitrary Detention recommended that the Government continue providing the necessary means for the juvenile justice system to function in accordance with the principles enshrined in the juvenile justice legislation.<sup>108</sup>

32. However, the Working Group was informed that the difference in treatment between Italians and foreigners was so marked that some observers spoke of a "two tier justice system" - focussed on education and rehabilitation in the case of delinquent Italian minors and on social defence and repression (and thus, incarceration) in the case of foreign minors. Statistics showed that while foreign minors constituted about one quarter of the minors registered by the prosecution service, they were more than half the population of juvenile prisons.<sup>109</sup> It recommended the adoption of measures to increase the access to alternatives to imprisonment for immigrants in conflict with the law, both in the adult and in the juvenile justice systems.<sup>110</sup> Concern had also expressed in 2003 by CRC about the discrimination against children of foreign origin and Roma children within the juvenile justice system.<sup>111</sup>

#### **4. Right to family life**

33. Concerned at the high number of children placed in institutions for social protection purposes and sometimes together with juvenile offenders, CRC recommended that Italy take effective measures to develop alternatives to institutionalization and place children in institutions only as a measure of last resort.<sup>112</sup>

#### **5. Freedom of religion or belief, expression, and right to participate in public and political life**

34. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance noted with disquiet the collective manifestations of discrimination and intolerance towards Islam, citing as an example the demolition in May 2008 of a mosque in Verona, following a systematic campaign by a number of leaders of the Northern League.<sup>113</sup>

35. The HR Committee, while noting Law No. 112 of 3 May 2004 (the Gasparri law<sup>114</sup>) on television broadcasting and Law No. 215 of 20 July 2004 on conflict of interest, expressed concern about information that these steps may remain insufficient to address the issues of political influence over public television channels and of conflict of interests and high level of concentration of the audio-visual market. It indicated that this situation was conducive to undermining freedom of expression.<sup>115</sup> The Special Rapporteur on the right to freedom of opinion and expression, noting the growing threat to freedom of opinion and expression constituted by media concentration, coupled with conflict of interest issues, made several recommendations on this matter, including revisiting legislation to ensure the participation of multiple actors in the television broadcasting sector.<sup>116</sup> The HR Committee recommended paying particular attention to the recommendations of the Special Rapporteur.<sup>117</sup> In its follow-up response to the HR Committee, Italy referred to a 2006 draft Law on the matter.<sup>118</sup>

36. In 2005, deep concern was expressed by CEDAW about the severe underrepresentation of women in political and public positions, including in elected bodies, the judiciary and at the international level.<sup>119</sup> A 2009 United Nations Statistics Division source indicated that the proportion of seats held by women in the national parliament increased from 11.5 per cent in 2005 to 21.3 per cent in 2009.<sup>120</sup>

#### **6. Right to work and to just and favourable conditions of work**

37. While noting the sharp increase in the employment rate among women, CEDAW was concerned in 2005 about the serious disadvantages women face in the labour market, including their underrepresentation in senior positions, their concentration in certain low-wage sectors and in part-time work, the considerable wage gap between men and women and the lack of implementation of the principle of equal pay for work of equal value.<sup>121</sup> In 2004, CESCR was concerned that women with children face increased difficulties in finding and keeping a job, partly due to the lack of services for small children.<sup>122</sup> In 2009, the ILO Committee of Experts highlighted that under the Act on Equal Opportunities between Men and Women, the National Committee for the Implementation of the Principle of Equality of Opportunity and Treatment between Men and Women, a general goal-setting programme shall be elaborated, aiming at eliminating gender discrimination in education, training, access to work and promotion, as well as overcoming job segregation based on gender.<sup>123</sup> It encouraged Italy to promote a more equal balancing of family responsibilities between men and

women workers as well as a greater awareness of the subject at enterprise level, especially in southern regions.<sup>124</sup>

38. CESCR was concerned at the continued existence of a large informal economy, which infringed upon the enjoyment of the economic, social and cultural rights of those employed therein, including children.<sup>125</sup>

39. CERD recommended taking measures to prevent and redress the serious problems commonly faced by non-citizen workers, including debt bondage, passport retention, illegal confinement and physical assault.<sup>126</sup> The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance recommended combating the exploitation and abuse of migrant workers, particularly in the agricultural sector and ensuring that appropriate legislation is put in place to protect women migrants working as caregivers and domestic workers.<sup>127</sup>

40. In 2009, the ILO Committee of Experts requested Italy to report on measures to promote a greater participation of Roma in the labour market, including measures aimed at improving their access to education and training programmes.<sup>128</sup>

## **7. Right to social security and to an adequate standard of living**

41. While welcoming the new policy to combat the marginalization of Roma and Sinti in the sphere of housing and facilitating their social inclusion, CERD was concerned that Roma and Sinti still live in conditions of de facto segregation in camps, in which they lack access to the most basic facilities. CERD recommended refraining from placing Roma in camps that are isolated and without access to health care and other basic facilities.<sup>129</sup> In 2004, reiterating its concern about the plight of Roma immigrants living in camps,<sup>130</sup> CESCR had urged Italy to step up its efforts to build more permanent housing settlements for the Roma immigrants and take all the necessary measures to promote their integration into local communities, offer them job opportunities and make adequate educational facilities available to their children.<sup>131</sup>

## **8. Right to education and to participate in the cultural life of the community**

42. In 2003, CRC was concerned at the high dropout rate in upper secondary education and the variations in educational outcomes for children according to their cultural and socio-economic background, and other factors such as gender, disability and ethnic origin.<sup>132</sup> While welcoming the initiatives taken to ensure the integration and effective schooling of Roma children and to combat school failure and dropout, CERD remained concerned in 2008 about the low rate of school attendance by Roma children. It recommended strengthening efforts in this area and addressing the causes of dropout, including any cases of early marriage.<sup>133</sup>

43. CRC welcomed the widespread inclusion of children with disabilities into the mainstream schools.<sup>134</sup>

## **9. Minorities and indigenous peoples**

44. The HR Committee noted with concern that the Roma were not protected as a minority on the basis that they did not have a connection with a specific territory. It recommended that Italy re-

examine the situation of the Roma people and, in consultation with them, adopt a national law and elaborate an action plan to ensure that their rights under article 27 of the Covenant are fully implemented.<sup>135</sup> According to the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Italy should recognize the Roma and Sinti as national minorities, and protect and promote their language and culture.<sup>136</sup>

### **10. Migrants, refugees and asylum-seekers**

45. The Working Group on Arbitrary Detention noted that Italy linked public security and immigration control and declared both to be an emergency requiring extraordinary measures. This approach was embodied in the so-called “security package” adopted by the Cabinet in May 2008, and which consisted of numerous provisions, regarding both criminal justice and immigration laws.<sup>137</sup> In particular, the Working Group noted that it was a criminal offence punishable with imprisonment for an irregular foreigner to remain in Italy in spite of a written order to leave Italian territory.<sup>138</sup> Although relieved that the proposal to punish illegal entry with a prison term had been withdrawn and the sanction reduced to a fine, it also noted that the “security package” introduced an amendment to the criminal code making an individual’s status of irregularly present foreigner an aggravating circumstance for any offence.<sup>139</sup>

46. The Working Group noted that this policy of criminalization of the situation of irregular immigrants was being pursued against a background of existing massive over-representation of migrants among the prison population. On 30 June 2007, foreigners constituted 36 per cent of the prison population. In regions with a strong presence of immigrants, however, this figure was significantly higher.<sup>140</sup> In 2005, the Special Rapporteur on the human rights of migrants, also concerned by this issue, recommended developing alternatives to deprivation of liberty, elaborating agreements allowing sentences to be served in countries of origin and providing opportunities for rehabilitation for foreign prisoners.<sup>141</sup>

47. The Working Group recommended that legislation making non-compliance with immigration laws punishable by imprisonment (or as an aggravating circumstance) be reconsidered.<sup>142</sup> The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance also called on the Government to replace the security approach and the criminalization of migrants and guarantee the protection of the rights of migrants and their integration in society.<sup>143</sup>

48. CESCR was concerned that Law No. 189 of 2002 on Immigration, which linked the length of the residence permit with the term of the labour contract may hinder the enjoyment by migrant workers and their families of economic, social and cultural rights.<sup>144</sup> In 2005, the Special Rapporteur on the human rights of migrants urged Italy to take steps to expedite the issuance and renewal of residence permits within the legal deadlines.<sup>145</sup> CESCR made a similar recommendation.<sup>146</sup>

49. The Special Rapporteur on the human rights of migrants considered that the availability of work in the underground economy was the main cause of illegal immigration to Italy, and that there was an extensive unsatisfied demand for manpower which could not be resolved through the individual contract system based on maximum quotas.<sup>147</sup>

### **III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS**

50. CRC appreciated the fact that the legislation concerning compulsory recruitment into the armed forces had been amended in 2001 to reflect the provisions of OP-CRC-AC.<sup>148</sup>

51. CRC welcomed Italy's international and bilateral technical cooperation activities and financial assistance aimed at preventing the involvement of children in armed conflict and assisting recovery of child victims of armed conflict and of child combatants.<sup>149</sup>

### **IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS**

#### **A. Pledges by the State**

52. In 2007, Italy declared that it was preparing the adaptation/adjustment of its legislation in order to complete the normative process for the implementation of the Rome Statute, achieve ratification and implementation of OP-CAT and establish a national human rights institution. It declared that it would continue to strive for the highest standards of human rights and to fully cooperate with the United Nations system, and that it strived to promote respect for human rights worldwide.<sup>150</sup>

#### **B. Specific recommendations for follow-up**

53. CAT requested Italy to provide, within one year, information on its response to the Committee's recommendations concerning fundamental legal safeguards for persons detained by the police, expulsion of migrants suspected of being involved in terrorist activities, prison conditions and the rights of victims of torture and ill-treatment.<sup>151</sup>

54. CERD requested information on the way Italy had followed up on the Committee's recommendations concerning the establishment of an independent national human rights institution, foreigners held in the CPTA of Lampedusa and the negative portrayal of the Roma and Sinti communities.<sup>152</sup> A response was provided in 2009.<sup>153</sup>

55. The HR Committee requested information on the follow-up given to the Committee's recommendations regarding ill-treatment by police forces, reports of abuses committed by members of law enforcement agencies against vulnerable groups, foreigners held in the CPTA of Lampedusa, the independence of the judiciary and the political influence over public media.<sup>154</sup> A response was provided in 2006.<sup>155</sup>

### **V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE**

56. While taking note of Italy's commitment to raising the level of official development assistance from the current 0.23 per cent of gross domestic product (GDP) to 0.33 per cent by 2006, CESCR expressed concern that the level of development assistance still falls short of the United Nations target of 0.7 per cent of GDP.<sup>156</sup>

## Notes

---

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>3</sup> The declaration reads: "(a) The positive measures, provided for in article 4 of the Convention and specifically described in sub-paragraphs (a) and (b) of that article, designed to eradicate all incitement to, or acts of, discrimination, are to be interpreted, as that article provides, "with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5" of the Convention. Consequently, the obligations deriving from the aforementioned article 4 are not to jeopardize the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association which are laid down in articles 19 and 20 of the Universal Declaration of Human Rights, were reaffirmed by the General Assembly of the United Nations when it adopted articles 19 and 21 of the International Covenant on Civil and Political Rights, and are referred to in articles 5 (d) (viii) and (ix) of the Convention. In fact, the Italian Government, in conformity with the obligations resulting from Articles 55 (c) and 56 of the Charter of the United Nations, remains faithful to the principle laid down in article 29 (2) of the Universal Declaration, which provides that "in the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society." (b) Effective remedies against acts of racial discrimination which violate his individual rights and fundamental freedoms will be assured to everyone, in conformity with article 6 of the Convention, by the ordinary courts within the framework of their respective jurisdiction. Claims for reparation for any damage suffered as a result of acts of racial discrimination must be brought against the persons responsible for the malicious or criminal acts which caused such damage."

<sup>4</sup> Information relating to other relevant international human rights instruments, including regional instruments, may be found in the pledges and commitments undertaken by Italy before the Human Rights Council, as contained in the note verbale dated 17 April 2007 sent by the Permanent Mission of Italy to the United Nations addressed to the President of the General Assembly.

<sup>5</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>6</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

<sup>7</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention);

Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).

<sup>8</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

<sup>9</sup> Concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/ITA/CO/15), para. 23.

<sup>10</sup> Concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.103), para. 36.

<sup>11</sup> Concluding observations of the Committee against Torture (CAT/C/ITA/CO/4), para. 26.

<sup>12</sup> A/HRC/10/21/Add.5 para. 118.

<sup>13</sup> A/HRC/4/19/Add.4, para. 73.

<sup>14</sup> E/CN.4/2005/85/Add.3, para. 95.

<sup>15</sup> CAT/C/ITA/CO/4, para. 25.

<sup>16</sup> Concluding observations of the Human Rights Committee (CCPR/C/ITA/CO/5), para. 6.

<sup>17</sup> E/C.12/1/Add.103, para. 29.

<sup>18</sup> CERD/C/ITA/CO/15, para. 13.

<sup>19</sup> E/C.12/1/Add.103, para. 14.

<sup>20</sup> CAT/C/ITA/CO/4, para. 8.

<sup>21</sup> CCPR/C/ITA/CO/5, para. 7.

<sup>22</sup> Ibid., para. 7.

<sup>23</sup> A/HRC/4/19/Add.4, para. 69.

<sup>24</sup> A/HRC/10/21/Add.5, para. 124.

<sup>25</sup> CERD/C/ITA/CO/15, para. 13.

<sup>26</sup> A/HRC/10/21/Add.5 para. 124.

<sup>27</sup> A/HRC/7/69, para. 26.

<sup>28</sup> Information received from the Government of Italy on the implementation of the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/ITA/CO/15/Add.1), para. 4.

<sup>29</sup> For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex I.

<sup>30</sup> E/C.12/1/Add.103, para. 6; CAT/C/ITA/CO/4, para. 4 (j); CERD/C/ITA/CO/15, para. 7.

<sup>31</sup> A/HRC/4/19/Add.4, para. 69.

<sup>32</sup> CAT/C/ITA/CO/4, para. 4(i).

<sup>33</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add.198), para. 14.

<sup>34</sup> E/C.12/1/Add.103, para. 33.

<sup>35</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/OPSC/ITA/CO/1), para. 9.

<sup>36</sup> A/HRC/4/19/Add.4, para. 67.

<sup>37</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182), 2009, Geneva, doc. No. (ILOLEX) 092009ITA182, p.2.

<sup>38</sup> See General Assembly resolution 59/113B, 14 July 2005, and Human Rights Council resolution 6/24, 28 September 2007. See also letters from the High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007, available at <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm>.

<sup>39</sup> Letter from the Ministry of Foreign Affairs (sent through the Permanent Mission of Italy), dated on 20 October 2009, and the response of the Ministry of Foreign Affairs (sent through the Permanent Mission of Italy) to the questionnaire of the Human Rights Council Advisory Committee on the issue of the draft UN declaration on human rights education and

training, dated on 29 December 2008, see <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm>.

<sup>40</sup> The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child

<sup>41</sup> A/HRC/4/19/Add.4.

<sup>42</sup> A/HRC/10/21/Add.5.

<sup>43</sup> E/CN.4/2005/64/Add.5.

<sup>44</sup> E/CN.4/2005/85/Add.3.

<sup>45</sup> A/HRC/10/21/Add.5, para. 7.

<sup>46</sup> A/HRC/4/19/Add.4, para. 6.

<sup>47</sup> E/CN.4/2005/64/Add.5, para. 6.

<sup>48</sup> E/CN.4/2005/85/Add.3, para. 1.

<sup>49</sup> The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate holder.

<sup>50</sup> See (a) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005; (b) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent in July 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (e) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (f) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (g) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (h) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (i) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations sent in 2007; (j) report on the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/10/16 and Corr.1), questionnaire on trafficking in persons, especially women and children; (k) report of the independent expert on the question of human rights and extreme poverty to the eleventh session of the Council (June 2009) (A/HRC/11/9), questionnaire on Cash Transfer Programmes, sent in October 2008; (l) report of the Special Rapporteur on the right to education (June 2009) (A/HRC/11/8), questionnaire on the right to education for persons in detention; (m) report of the Special Rapporteur on violence against women, (June 2009) (A/HRC/11/6), questionnaire on violence against women and political economy; (n) report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences (A/HRC/12/21), questionnaire on national legislation and initiatives addressing the issue of bonded labour; (o) report of the Special Rapporteur on the right to food to the twelfth session of the Council (A/HRC/12/31), questionnaire on world food and nutrition security; (p) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/12/23), questionnaire on measures to prevent and combat online child pornography.

<sup>51</sup> Questionnaire on human rights policies and management practices; questionnaire on trafficking in persons, especially women and children; questionnaire on the right to education for persons in detention; and questionnaire on measures to prevent and combat online child pornography.

<sup>52</sup> OHCHR Annual Report 2005, Implementation of activities and use of funds, pp. 24 and 28; OHCHR 2006 Annual Report, pp. 158-160; OHCHR 2007 Annual Report, Activities and results, pp. 147-148, 151, 153 and 165; OHCHR 2008 Annual Report, Activities and results, pp. 174, 179, 181 and 195; OHCHR 2009 Annual Report, Activities and results.

<sup>53</sup> OHCHR Annual Report 2005, Implementation of activities and use of funds, pp. 24, 28 and 31; OHCHR 2006 Annual Report, p. 160; OHCHR 2007 Annual Report, Activities and results, p. 149; OHCHR 2008 Annual Report, Activities and results, p. 181.

<sup>54</sup> Address by Ms. Louis Arbour, United Nations High Commissioner for Human Rights at the eighth session of the Human Rights Council, 2 June 2008, available at:

<http://www.unhchr.ch/hurricane/hurricane.nsf/view01/06B91AC08630D980C125745C00304584?opendocument>.

<sup>55</sup> Statement of Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights at the twelfth session of the Human Rights Council, 15 September 2009, available at

<http://www.unhchr.ch/hurricane/hurricane.nsf/view01/2DD5A4BD46C13CEFC1257631002D5B6B?opendocument>.

<sup>56</sup> CERD/C/ITA/CO/15, para. 16.

<sup>57</sup> CCPR/C/ITA/CO/5, para. 12; CERD/C/ITA/CO/15, para. 15. See also CRC/C/15/Add.198, para. 20.

<sup>58</sup> CERD/C/ITA/CO/15, para. 15.

<sup>59</sup> CCPR/C/ITA/CO/5, para. 12.

<sup>60</sup> A/HRC/4/19/Add.4, para. 66.

<sup>61</sup> CERD/C/ITA/CO/15, para. 22.

<sup>62</sup> A/HRC/4/19/Add.4, para. 57.

<sup>63</sup> CERD/C/ITA/CO/15/Add.1, para. 16.

<sup>64</sup> United Nations Press Release of 15 July 2008

<sup>65</sup> CCPR/C/ITA/CO/5, para. 5.

<sup>66</sup> E/C.12/1/Add.103, para. 4.

<sup>67</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Equal Remuneration Convention, 1951 (No. 100), 2007, Geneva, doc. No. (ILOLEX) 092007ITA100, para. 1.

<sup>68</sup> CEDAW, *Official Records of the General Assembly, Sixtieth Session, Supplement No. 38 (A/60/38)*, para. 316.

<sup>69</sup> *Ibid.*, para. 333.

<sup>70</sup> CAT/C/ITA/CO/4, para. 5.

<sup>71</sup> *Ibid.*, para. 19.

<sup>72</sup> CRC/C/15/Add.198, para. 31.

<sup>73</sup> Statement of Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights at the twelfth session of the Human Rights Council, 15 September 2009, available at

<http://www.unhchr.ch/hurricane/hurricane.nsf/view01/2DD5A4BD46C13CEFC1257631002D5B6B?opendocument>.

<sup>74</sup> UNHCR, Press Releases, 7 May 2009, available at <http://www.unhcr.org/4a02d4546.html>.

<sup>75</sup> CAT/C/ITA/CO/4, para. 10.

<sup>76</sup> CERD/C/ITA/CO/15, para. 18.

<sup>77</sup> CCPR/C/ITA/CO/5, para. 15.

<sup>78</sup> A/60/38, para. 332.

<sup>79</sup> CCPR/C/ITA/CO/5, para. 15.

<sup>80</sup> CERD/C/ITA/CO/15, para. 18.

<sup>81</sup> A/HRC/10/21 / Add.5 paras. 52-56.

<sup>82</sup> *Ibid.*, paras. 70 and 120.

<sup>83</sup> *Ibid.*, para.77.

<sup>84</sup> *Ibid.*, para. 78.

<sup>85</sup> *Ibid.*, para. 121

<sup>86</sup> *Ibid.*,40.

<sup>87</sup> *Ibid.*, para.41.

<sup>88</sup> *Ibid.*, para. 44.

<sup>89</sup> CCPR/C/ITA/CO/5, para. 16.

<sup>90</sup> CAT/C/ITA/CO/4, para. 16.

<sup>91</sup> CCPR/C/ITA/CO/5, para. 16.

<sup>92</sup> CERD/C/ITA/CO/15, para. 18.

<sup>93</sup> CCPR/C/ITA/CO/5, para. 15.

<sup>94</sup> UNHCR, Press Releases, 23 January 2009, available at <http://www.unhcr.org/497991064.html>.

<sup>95</sup> A/HRC/4/19/Add.4, para. 75.

---

<sup>96</sup> Information received from the Government of Italy on the implementation of the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/ITA/CO/15/Add.1), para. 7.

<sup>97</sup> A/60/38, para. 328.

<sup>98</sup> CRC/C/OPSC/ITA/CO/1, para. 22.

<sup>99</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182), 2009, Geneva, doc. No. (ILOLEX) 092009ITA182, p.2.

<sup>100</sup> CAT/C/ITA/CO/4, para. 22.

<sup>101</sup> CCPR/C/ITA/CO/5, para. 17.

<sup>102</sup> A/HRC/8/4/Add.1, paras. 183-184 .

<sup>103</sup> A/HRC/10 /21/Add.5, para. 106.

<sup>104</sup> CAT/C/ITA/CO/4, para. 6.

<sup>105</sup> CCPR/C/ITA/CO/5, para. 14.

<sup>106</sup> A/HRC/10 /21/Add.5, paras. 111-112.

<sup>107</sup> CAT/C/ITA/CO/4, para. 6.

<sup>108</sup> A/HRC/10 /21/Add.5, para.122.

<sup>109</sup> Ibid., para. 66.

<sup>110</sup> Ibid., para. 116.

<sup>111</sup> CRC/C/15/Add.198, para. 51.

<sup>112</sup> Ibid., paras. 33 and 34 (c).

<sup>113</sup> A/HRC/9/12, para. 25.

<sup>114</sup> E/CN.4/2005/64/Add.5, para. 17.

<sup>115</sup> CCPR/C/ITA/CO/5, para. 20.

<sup>116</sup> E/CN.4/2005/64/Add.5, paras. 10 and 70. See also paras. 38-47.

<sup>117</sup> CCPR/C/ITA/CO/5, para. 20.

<sup>118</sup> Comments by the Government of Italy on the concluding observations of the Human Rights Committee, (CCPR/C/ITA/CO/5/Add.1), E.1.

<sup>119</sup> A/60/38, para. 324.

<sup>120</sup> United Nations Statistics Division coordinated data and analyses, available at <http://mdgs.un.org/unsd/mdg/Data.aspx>.

<sup>121</sup> A/60/38, para. 326.

<sup>122</sup> E/C.12/1/Add.103, para. 23.

<sup>123</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2009, Geneva, doc. No. (ILOLEX) 092009ITA111, p.1.

<sup>124</sup> Ibid., p.2.

<sup>125</sup> E/C.12/1/Add.103, para. 19.

<sup>126</sup> CERD/C/ITA/CO/15, para. 17.

<sup>127</sup> A/HRC/4/19/Add.4, para 76

<sup>128</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2009, Geneva, doc. No. (ILOLEX) 092009ITA111, p.3.

<sup>129</sup> CERD/C/ITA/CO/15, para. 14.

<sup>130</sup> E/C.12/1/Add.103, para. 24.

<sup>131</sup> Ibid., para. 45.

<sup>132</sup> CRC/C/15/Add.198, para. 43.

<sup>133</sup> CERD/C/ITA/CO/15, 16 May 2008, para. 20.

<sup>134</sup> CRC/C/15/Add.198, para. 3 (g).

<sup>135</sup> CCPR/C/ITA/CO/5, 24 April 2006, para. 22.

<sup>136</sup> A/HRC/4/19/Add.4, para. 79.

<sup>137</sup> A/HRC/10/21/Add.5, para. 58.

<sup>138</sup> Ibid., para. 59.

<sup>139</sup> Ibid., paras. 61 and 62.

<sup>140</sup> Ibid., para. 63.

<sup>141</sup> E/CN.4/2005/85/Add.3, para. 106.

<sup>142</sup> A/HRC/10 /21 / Add.5 para. 117.

<sup>143</sup> A/HRC/4/19/Add.4 , para 74.

<sup>144</sup> E/C.12/1/Add.103, para. 17.

<sup>145</sup> E/CN.4/2005/85/Add.3, para. 98.

<sup>146</sup> E/C.12/1/Add.103, para. 36.

<sup>147</sup> E/CN.4/2005/85/Add.3, para. 80.

<sup>148</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/OPAC/ITA/CO/1), para. 4.

<sup>149</sup> Ibid., para. 5.

<sup>150</sup> Pledges and commitments undertaken by Italy before the Human Rights Council, as contained in the letter dated 17 April 2007 sent by the Permanent Representative of Italy to the United Nations addressed to the President of the General Assembly, available at <http://www.un.org/ga/61/elect/hrc/>.

<sup>151</sup> CAT/C/ITA/CO/4, para. 29.

<sup>152</sup> CERD/C/ITA/CO/15, para. 28.

<sup>153</sup> See CERD/C/ITA/CO/15/Add.1.

<sup>154</sup> CCPR/C/ITA/CO/5, para. 24.

<sup>155</sup> See CCPR/C/ITA/CO/5/Add.1.

<sup>156</sup> E/C.12/1/Add.103, para. 15.

-----