

Responses to Recommendations

ITALY

Review in the Working Group: 16 February 2010
 Adoption in the Plenary: 09 June 2010

Italy's responses to recommendations (as of 09.06.2010):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
No response, all pending	78 REC accepted among which 44 are considered already implemented or under implementation (n°3, 5, 6, 7, 9, 10, 11, 12, 13, 15, 23, 24, 25, 26, 28, 29, 30, 32, 33, 34, 35, 37, 41, 42, 43, 53, 55, 57, 60, 67, 68, 76, 77, 78, 79, 80, 82, 83, 84, 85, 86, 87, 88, 92); 2 accepted in part (underlined in blue) and 12 rejected	No additional information provided	Accepted: 80 Rejected: 12 No clear position: 0 Pending: 0

List of recommendations contained in Section II of the Report of the Working Group A/HRC/14/4:

84. The following recommendations will be examined by Italy, which will provide responses in due time, but no later than the fourteenth session of the Human Rights Council:

R - 1. To become a party to remaining human rights instruments and consider withdrawing its reservations, in particular to International Covenant on Civil and Political Rights (Pakistan);

R - 2. To consider, possibly within the framework of a desirable re-orientation of European policy, ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, even if initially with reservations (Algeria); to consider ratification of the International Convention (Azerbaijan, Chile, Egypt, Islamic Republic of Iran, Mexico, Philippines);

A - 3. To ratify the International Covenant on Civil and Political Rights (Bosnia and Herzegovina, Kyrgyzstan, Nicaragua,);

A - 4. To ratify the Optional Protocol to the Convention against Torture, in order to permit the Subcommittee for Prevention to conduct visits to places of detention, including reclusion centres for migrants and asylum-seekers, as well as those with the populations originating in national minorities in order to help the Government improve conditions in these centres (Mexico); to ratify the Optional Protocol to the Convention against Torture (Azerbaijan, Czech Republic); to ratify the Optional Protocol to the Convention against Torture and take the measures necessary to comply with its provisions (United Kingdom of Great Britain and Northern Ireland);

A - 5. To ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France);

A - 6. To consider ratifying the Optional Protocol to the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance (Chile);

A - 7. To ratify the Council of Europe Convention on Action against Trafficking in Human Beings (Kyrgyzstan);

R - 8. To incorporate the crime of torture into domestic law, as recommended by the Committee against Torture (Netherlands); to incorporate in its national law the crime of torture corresponding to the definition of torture in article 1 of the Convention against Torture (Czech Republic); to take steps to incorporate the crime of torture as defined by article 1 of the Convention against Torture into domestic law (New Zealand);

A - 9. To ensure that amendments to the immigration law are in accordance with existing obligations under the International Covenant for Civil and Political Rights (Spain);

A - 10. To ensure that provisions in the security package are in full compliance with its obligations under international law (Austria);

A - 11. To consider establishing, at the earliest, a national human rights institution that is compliant with the Paris Principles (India); to continue its efforts to establish a national human rights institution, with a mandate to promote and protect human rights in conformity with the Paris Principles (Burkina Faso); to continue its efforts on the draft law to set up an independent human rights institution that would function in an independent manner, in accordance with the Paris Principles (Kuwait);

A - 12. To take steps to accelerate the existing efforts to establish an independent human rights institution (Algeria); to expedite the process towards the establishment of an independent national human rights institution in conformity with the Paris Principles (Philippines); to speed up efforts towards the establishment of an independent national human rights institution in conformity with the Paris Principles (Malaysia);

A - 13. To establish its national human rights institution, on priority, in accordance with the Paris Principles (Pakistan); to establish an independent national institution for human rights (Islamic Republic of Iran); to establish an independent national human rights institution in accordance with the Paris Principles (Azerbaijan); to adopt the draft law on an independent national human rights institution in accordance with the Paris Principles, as soon as possible (France); to finalize the establishment procedure for the national human rights institution according to the Paris Principles (Bosnia and Herzegovina); to create an autonomous and independent national human rights institution in conformity with the Paris Principles and with the technical assistance of OHCHR (Chile);

R - 14. To establish its national human rights institution in accordance with the Paris Principles before the end of 2010 (Denmark);

A - 15. To continue efforts to establish an independent institution for the promotion and protection of human rights and fundamental freedoms, as well as an independent national body for the promotion of the rights of the child (Russian Federation); to establish an ombudsperson for children according to the Paris Principles (Norway);

A - 16. To strengthen the National Office against Racial Discrimination in terms of its capacity to provide assistance to victims and raise awareness (Philippines); to strengthen the mandate of the National Office against Racial Discrimination (Bosnia and Herzegovina); to strengthen the mandate and independence of the National Office against Racial Discrimination in line with the Paris Principles (Pakistan); to reinforce the action of the National Office against Racial Discrimination to ensure that it offers victims of acts of discrimination and intolerance in all its forms the most effective protection possible (Algeria);

R - 17. To develop a national integrated human rights plan in accordance with the Vienna Declaration and Programme of Action (Islamic Republic of Iran);

A - 18. To update and make more comprehensive its National Action Plan against Racism, in consultation with civil society and concerned communities (Canada);

A - 19. To publicize broadly its National Action Plan against Racism and promote its full implementation (Canada);

A - 20. To update the national action plan and initiate further concrete measures to stimulate tolerance and prevent discrimination and xenophobia, and especially taking into account the situation of the Roma and the Sinti (Netherlands);

A - 21. To take measures to eliminate discrimination against vulnerable groups of the population, taking into account the content of the Durban Declaration and Programme of Action of 2001 and the outcome document of the Durban Review Conference in 2009 (Belgium); to continue its efforts to strengthen a culture of tolerance to eliminate all forms of discrimination against vulnerable groups (India);

A - 22. To continue its efforts to fight against discriminatory and racist behaviour and trends (Yemen); to continue the steps in its policy to combat discrimination, especially in view of the increased number of racist acts (Lebanon);

A - 23. To take a comprehensive set of measures to tackle racism and racial discrimination and to combat more resolutely all its forms and manifestations, particularly racist and xenophobic political platforms (Islamic Republic of Iran);

A - 24. To take more effective measures to combat racial discrimination, in particular against vulnerable groups of women, especially Roma and migrant women, as well as measures to reinforce the respect of their human rights by all available means (Chile);

A - 25. To eliminate all forms of discrimination against the Roma community, religious minorities, and migrants, and ensure equal opportunities for the enjoyment of economic, social and cultural rights, including education, health and housing (Bangladesh);

A - 26. To take the measures necessary to prevent discrimination against minorities, as well as to contribute to the positive image of migrants in the country (Uzbekistan);

A - 27. To take more effective measures to eliminate discrimination against noncitizens in relation to working conditions and work requirements, to adopt legislation prohibiting discrimination in employment, and to take further measures to reduce unemployment among immigrants (Egypt);

A - 28. To take administrative and legal measures against perpetrators of racially motivated acts, targeting the Roma, Sinti, migrants and Muslims (Bangladesh); to condemn strongly the attacks on migrants, Roma and other ethnic minorities, ensuring that the attacks are investigated fully by the police and that those responsible are brought to justice (Norway); to ensure that attacks on migrants, Roma and other ethnic minorities are thoroughly investigated and those responsible are brought to justice (Pakistan); to ensure that attacks with xenophobic or racist background are promptly investigated by the police, and that those responsible be brought to justice (Austria);

A - 29. To strengthen further authorities' efforts to combat racism in the field of sports, including through legislative measures (Austria);

A - 30. To take necessary measures, including public campaigns and training of teachers and other teaching staff, to raise awareness of the value of intercultural integration and combat all forms of racism and xenophobia (Uruguay); to continue its good practices in human rights education, and enhance programmes on human rights education for the general public and public officials aimed at combating racism, discrimination and xenophobia (Philippines); to strengthen further its measures, including human rights education and training for public officials and at school, to promote tolerance, respect diversity, equality and combat discrimination (Viet Nam); to step up efforts to strengthen public education, awareness-raising programmes and skill training at all levels, particularly aimed at preventing negative attitudes and behaviours, and to promote tolerance and respect for diversity (Malaysia);

A - 31. To provide obligatory human rights education and training to police, prison and detention staff and judiciary, and ensure their accountability for any human rights violations (Czech Republic);

A - 32. To strengthen initiatives aimed at intercultural and inter-religious dialogue that promote mutual understanding between different communities, and adopt projects that contribute to integration (Lebanon); to ensure a climate of constructive and transparent interaction between different cultures and religions (Yemen);

A - 33. To take measures to raise awareness of existing legal provisions against hate speech, and to take prompt action to bring those responsible for breaking the law to justice (Canada); to condemn all racist and xenophobic statements, especially by public and elected officials, and make it clear that racist discourse has no place in Italian society (Norway); to denounce hate speech and prosecute actively in the justice system those responsible for racist and violent acts (Belgium); to take regular action to prevent hate speech and to take appropriate and prompt legal measures against those who incite discrimination or violence motivated by racial, ethnic or religious reasons (Brazil); to continue efforts to ensure that speech and comments made in the media that incite discrimination do not remain unpunished (Spain); to apply criminal provisions on hate speech and hate crimes strictly, and conduct public awareness-raising campaigns to promote tolerance (Czech Republic); to condemn forcefully and consistently, at the highest level, all racist and xenophobic statements, especially by public and elected officials (Pakistan); to intensify efforts to combat racial discrimination and intolerance targeting foreign nationals and minority groups, including by investigating promptly and taking action against the perpetrators of racist and xenophobic speeches and public statements (Malaysia);

A - 34. To ensure real equality of opportunities for women in the labour market, and consolidate the principle of equal pay for equal work (Cuba);

A - 35. To promote initiatives to protect women from violence, such as the national network on violence against women, and the national observatory against sexual and gender-based violence, and elaborate the national plan to combat all forms of violence, including domestic violence (Israel);

A - 36. To strengthen measures to prohibit discrimination based on sexual orientation and gender identity and combat hate crimes on these grounds (Netherlands); to undertake further campaigns against homophobia (Norway); to ensure adequate protection of LGBT people, not only through police forces on the streets, but legally via anti-discrimination law (Norway); to give special attention to cases of possible discrimination for reason of sexual identity or orientation, and ensure that cases of violence against such persons are appropriately investigated and prosecuted (Spain);

A - 37. To make efforts aimed at preventing and eliminating all forms of discrimination and abuse vis-à-vis children (Uzbekistan);

R - 38. To incorporate in its legislation the 1996 Supreme Court judgement that corporal punishment was not a legitimate method of discipline in the home, and criminalize corporal punishment in all cases, including in education (Spain);

A - 39. To take effective measures to develop alternatives to institutionalization and place children in institutions only as a measure of last resort (Azerbaijan);

A - 40. To implement existing Law 91/1992 on Italian citizenship in a manner that preserves the rights of all children born in Italy (Chile);

A - 41. To take necessary measures, including administrative measures, to facilitate access to education to children who are not of Italian origin (Uruguay);

A - 42. To adopt and implement a national plan of action for children (Islamic Republic of Iran); to strengthen efforts to finalize, adopt and implement, in consultation and cooperation with relevant stakeholders, including civil society, a national plan of action for children, as recommended by the Committee on the Rights of the Child (Israel); to adopt a national plan for children as soon as possible (Uruguay);

A - 43. To increase its efforts and adopt a new national plan of action for children, ensuring specialized training for teachers and persons in the field of education of children with disabilities (Spain);

A - 44. To adopt special procedures to ensure the effective protection of the rights of unaccompanied children in their access to asylum procedures (Czech Republic);

A - 45. To continue efforts to solve problems related to the penitentiary system, in particular overcrowding in prisons (Russian Federation);

A - 46. To encourage the adoption of alternatives to the deprivation of liberty, and of agreements allowing sentences to be served in countries of origin and the possibility of reintegration of foreign prisoners (Nicaragua);

A - 47. To take steps to address issues raised by both the Special Rapporteur on the independence of judges and lawyers and the Human Rights Committee regarding the independence of the judiciary and the administration of justice (United Kingdom);

A - 48. To ensure that legislative reforms do not infringe the independence of the judiciary (Austria);

R - 49. To strengthen the independence of the judiciary (Islamic Republic of Iran);

A - 50. To continue to ensure that the freedom of the media is guaranteed and, in this regard, to take into account the recommendations of the Special Rapporteur on the right to freedom of expression and the Human Rights Committee (Netherlands); to adopt further measures and safeguards to ensure the independent functioning of the media without the influence of the State (Czech Republic);

A - 51. To take and publicize measures to strengthen media independence, and to address concerns over media concentration (Canada); to ensure that the freedom of expression is implemented fully, especially in publicly owned media (Finland);

A - 52. To ensure the use of objective, transparent and non-discriminatory selection criteria in the allocation of broadcast licences, and to avoid bringing defamation cases against media outlets (Canada);

A - 53. To take further measures to protect press freedom, including the protection of journalists from threats by criminal groups (Norway);

A - 54. To review its legislation to ensure pluralism in the television industry (Nicaragua);

A - 55. To continue to implement constitutional principles relating to freedom of religion and the need to respect religions and their symbols (Kuwait);

R - 56. To increase efforts to reach out to and ensure the rights of members of minorities, particularly the Romani community (United States); to protect the Roma and the Sinti as national minorities, and to ensure that they are not the object of discrimination, including through the media (Cuba);

A - 57. To strengthen efforts to integrate Roma and Sinti communities through positive action in the areas of education, employment, housing and social services (Australia); to continue contribute to the integration of the Roma and the Sinti into local communities, and to give them access to housing, work, education and professional training (Russian Federation); to continue efforts to tackle discrimination against Roma people in all sectors of society (Finland); to seek to ensure the effective

participation of Roma people in the process of assuring their equal and non-discriminatory treatment (Finland); to ensure equal rights for members of the Roma and Sinti minorities, to ensure that all Roma and Sinti children are enrolled in school, and to make efforts to encourage regular school attendance by these children (Sweden); to adopt a comprehensive anti-discrimination law to ensure that the Roma enjoy equal access to employment, education and health care (United States);

R - 58. To take all measures necessary to ensure the rights of the Roma people under article 27 of the International Covenant on Civil and Political Rights, specifically by amending the 1999 Act, which lays down this creation of connection with a specific territory (Denmark);

A - 59. To pay special attention to the preparation, implementation and evaluation of the pilot project for the repatriation of a number of Roma, originally from Serbia, currently living in camps located in central and southern Italy, in order to facilitate the most appropriate remedies for the Roma population in a dignified and efficient manner (Serbia);

A - 60. To continue to work to end intolerance and social discrimination against Roma and, in this regard, ensure that police and local authorities are trained to respond appropriately to allegations of crimes involving Roma and avoid inappropriate ethnic profiling (United States);

A - 61. To ensure full compliance with international law with regard to forced evictions (Sweden);

A - 62. To investigate all alternatives to forced evictions of Roma and Sinti people, including through thorough consultation with those directly affected (Australia);

A - 63. To take new measures to ensure effective access to identification documents for all citizens (Czech Republic);

A - 64. To implement fully law No. 38/01 on the protection of the Slovenian minority in Italy, and Law No. 482/99 (Slovenia); and to respect the institutions of the Slovenian minority by special treatment and inclusion in decision-making processes (kindergartens, schools and theatres) (Slovenia);

A - 65. To implement fully the visible bilingual topography in the Friuli-Venezia Giulia autonomous region populated by the Slovenian minority (Slovenia); and to restore Slovenian names to road signs in villages in the Resia/Rezija community (Slovenia);

A - 66. To increase the visibility of Slovenian television programmes throughout the Friuli-Venezia Giulia autonomous region, as stipulated in article 19 of law No. 103/75 (Slovenia);

A - 67. To strengthen efforts to protect asylum-seekers and refugees (Yemen); to continue the implementation of laws on migration and amendments, to ensure that the laws are always fully in line with international standards (Kyrgyzstan); to make additional efforts in work with refugees and migrants (Kyrgyzstan); and to take further steps to ensure the full respect of the fundamental rights of migrants, asylum-seekers and refugees (Sweden);

A - 68. To strengthen cooperation with UNHCR in order to guarantee access to a just procedure in identifying the protection needs of those travelling to or are in Italian territory (Mexico);

A - 69. With regard to the concerns expressed in the Italian-Libyan agreement to prevent ships with immigrants from sailing to Italy, to ensure that intercepted persons have access to proper assessment of their asylum claims in accordance with international human rights standards (Netherlands);

A - 70. To ensure satisfactory asylum procedures for all migrants and asylum-seekers rescued at sea (Denmark);

A - 71. To review its legislation and practices, ensuring that they comply fully with the principle of non-refoulement, and to ensure the accountability of persons responsible for any violation thereof (Czech Republic);

R - 72. To take appropriate legislative measures to decriminalize irregular entry and stay in Italy (Brazil); to eliminate the provision criminalizing irregular entry and stay on Italian territory as contained in law No. 94 of 2009, as well as those provisions that regard non-documented status as

an aggravating circumstance in the commission of criminal offence, and the creation of vigilante groups, as contained in law No. 125 of 2008 (Mexico);

R - 73. To take appropriate legislative measures to exclude undocumented stay in Italy as an aggravating circumstance for the purposes of sentencing following a criminal conviction (Brazil);

A - 74. To take appropriate measures to exempt public health and education officials of the obligation to report undocumented migrants seeking medical attention or educational services (Brazil);

A - 75. To guarantee access to basic social services, including lodgings, hygiene, health and education, to all migrants and members of their families and, to that end, adhere immediately to the principles of the International Convention on the Rights of All Migrant Workers and Members of their Families, and consider its ratification in a favourable light (Mexico);

A - 76. To take further measures to protect and integrate immigrants, asylum-seekers and persons belonging to minorities, including by carrying out investigations into violent attacks against such individuals (United Kingdom);

A - 77. To increase the transparency of arrival and return procedures concerning immigrants and refugees (Japan);

A - 78. To intensify efforts in the resettlement of refugees, especially with regard to the protracted refugee situations identified by UNHCR (Morocco);

A - 79. To ensure the full enjoyment of human rights for those hoping to find a better life in Italy, especially by strengthening structures to guarantee the rights of migrants (Burkina Faso);

A - 80. To strengthen respect for the human rights of migrants, including those in detention centres (Cuba);

R - 81. To repeal all discriminatory laws against irregular migrants and take action to investigate and prosecute discriminatory acts by public and security officials, in particular where racial and religious motives are aggravating factors (Pakistan);

A - 82. To continue close cooperation with countries of origin and transit in finding an effective solution to the problem of illegal immigration (Viet Nam);

A - 83. To continue measures to end trafficking in human beings (Yemen); and to strengthen further its efforts to end trafficking in women and children, and to take effective measures to prosecute and punish trafficking in persons (Canada);

A - 84. To increase measures to identify women and child victims of trafficking effectively in order to provide them with adequate assistance, and to consider not penalizing them for crimes committed as a direct result of being trafficked (Philippines);

A - 85. To strengthen efforts to combat trafficking in women and children, and to take effective measures to prosecute and punish trafficking in persons, as raised by the Committee on the Rights of the Child and the Committee against Torture (Japan); and to take effective measures to prosecute and punish trafficking and the exploitation of persons, as recommended by the Committee against Torture (Israel);

A - 86. To extend outreach and identification efforts to women and children in prostitution, to ensure that trafficking victims are identified, given care and not penalized for crimes committed as a direct result of being trafficked; to identify proactively potential trafficking victims among its undocumented immigrants; to continue to investigate and prosecute allegations of trafficking-related complicity; and to expand public awareness campaigns aimed at reducing domestic demand for commercial sex acts (United States);

A - 87. To continue efforts in combating trafficking in persons, and in particular consider the possibility of elaborating comprehensive measures to reduce the demand for services of trafficked persons (Belarus);

A - 88. To continue to allocate resources necessary for the implementation of projects to provide housing, food and temporary social assistance to victims of trafficking (Colombia);

A - 89. To assess the situation and take measures to reduce pollution emissions from the Cerano coal power plant in Puglia and the Taranto metallurgical plant to ensure an adequate standard of living and health in those areas (Israel);

A - 90. To increase official development assistance to the United Nations target of 0.7 per cent of GDP (Bangladesh);

A - 91. To continue to intensify development aid programmes with the objective of reaching 0.7 per cent of GDP as established by the United Nations (Algeria);

A - 92. To establish an effective and inclusive process to follow-up on universal periodic review recommendations, bearing in mind that the active participation of civil society is essential to a meaningful review process (Norway); and to consult with and involve civil society in the follow-up to the universal periodic review, including in the implementation of recommendations (United Kingdom).

Disclaimer: This classification is not official and is based on United Nations documents and webcast. For questions, comments and/or corrections, please write to info@upr-info.org