



VIS- Volontariato Internazionale per lo Sviluppo NGO in special consultative status with ECOSOC

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Speaker: Carola Carazzone

Spokesperson for Comitato per la promozione e protezione dei diritti umani Member of the EU Fundamental Rights Agency (FRA) Platform

A.Ge.
AGEDO
Agenzia della Pace
AGESCI
Anfaa
Anolf
Antigone
Archivio Disarmo
Archivio Immigrazione
ARCI
Arcigay
Articolo 21
ASGI-Associazione Giuristi per l'Immigrazione
Associazione Campanari d'Arrone
Associazione Eleonora Pimentel
Assopace
ATD-Quarto Mondo
AUCI
AUSER
Banca Etica
Be Free
Casa dei Diritti Sociali
CGIL
Chiamalafica
CIAI
CIPAX
CIPSI-Coordinamento di Iniziative Popolari di
Solidarietà Internazionale
CIR-Consiglio Italiano Rifugiati
CISL Dipartimento Politiche Migratorie
CISMAI
CISP-Comitato Internazionale Sviluppo dei Popoli
Cittadinanzattiva
CND - Consiglio Nazionale sulla Disabilità
Comitato per i Diritti Umani
Comitato Singh Mohinder
Donne in Nero
EMA
Federazione Chiese Evangeliche
Fondazione Centro Astalli
Fondazione Internazionale Don Luigi di Liegro
Fondazione Basso-Sezione Internazionale Fondazione
Labos
FVGS
Giovani per un Mondo Unito
Gruppo Martin Buber
ICS-Consorzio Italiano di Solidarietà
IIMAS-Istituto Internazionale Scienze Mediche
Antropologiche e Sociali
IMS -International Medicine Society
INTERSOS
Intervita
IRMA
Istituto Cooperazione Economica Internazionale
Istituto di Medicina del Soccorso
La Gabbianella
LAW-Legal Aid Worldwide
Legambiente
Lega Internazionale per i Diritti e la Liberazione dei
Popoli
Libera
MED.eA
Medici contro la Tortura
Medici per i Diritti Umani
Movimondo
Oltre Babele
PaxChristi
Ponte della Memoria
Progetto Continenti
Rete Educare ai Diritti Umani
Save the Children
Terre des Hommes
Ubi Minor
UDI-Unione Donne in Italia
UIL
UNICEF Italia
Unione Forense per la Tutela dei Diritti dell'Uomo
UniTs
Vides Internazionale
Vis-Volontariato Internazionale per lo Sviluppo
WILPF-Women's International League for Peace and
Freedom

Mr President,

Unfortunately a key stakeholder for my country is missing here today in this important context of the consideration of Italy under the Universal Periodic Review.

No Italian NHRI will take the floor.

Italy remains one of the few European countries without any kind of NHRI, nor an Ombudsperson nor a Commission in compliance with the Paris Principles and relevant resolutions of the United Nations General Assembly and of the Council of Europe.

As representative of VIS, and spokesperson of the *Comitato per la Promozione e Protezione dei Diritti Umani*, a network of 82 Italian NGOs, established in January 2002 in order to advocate for the establishment of a National Independent Human Rights Institution in Italy, I would like to express our deep concern for the continuous delaying of the concrete realization of such mechanism during the last decade.

Notwithstanding specific recommendations made by each UN treaty body that have examined the Italian context in the last recent years (CRC/C/15/Add198 of March 18, 2003; CESCR/ ITA/ 04 of November 26, 2004; CCPR/C/ITA/CO/05 of November 2, 2005, CAT/C/ITA/CO/4 of May 18, 2007 and last CERD/C/ITA/CO/15 of March 7, 2008) and pressure on behalf of civil society, with reference to the political will of the Government to undertake the process to the establishment of a NHRI, even if there are important formal declarations made by the previous Prodi and the current Berlusconi Governments, upto now no real and concrete action has been implemented in such direction .

Three Legislatures past during which many Draft Laws for the establishment of different types of National Commissions for Human Rights or Ombudspersons specific for some sectors (children, detainees, migrants) have only been proposed but have had no concrete follow up.

In June 2008, at the very beginning of present the XVI Legislature (from April 29th, 2008 and still open), a new Draft Law was presented to the Senate by Sen. Marcenaro and is still currently pending at the Senate Commission of Constitutional Affairs awaiting for Senate Budget Commission *nulla osta*.

On May 8th, 2007, Italy, in the voluntary pledge for membership to the UN Human Rights Council, committed itself in front of the UN General Assembly¹ to "create the National Independent Commission for the Promotion and Protection of Human Rights and Fundamental Freedoms".

On December 10th, 2008, on the 60th Anniversary of the Universal Declaration of Human Rights, the Italian Minister for Foreign Affairs, formally announced a draft

¹ Document A/61/863.

Bill for a NHRI prepared by the Government Berlusconi, but this draft bill - also mentioned in the statement of Mr. Vincenzo Scotti at the UPR Working Group and in the Addendum submitted by Italy - was never made public.

Lastly, we would like to express here our serious concern about the low coverage given by national media to human rights issues and specifically to the issue of NHRI.

Media did not stress adequately the seriousness of statements made by some politicians during the debate in the Chamber of Deputies when the Draft Bill n. 1463 was under discussion. Media publicly defined the establishment of a national human rights institution as an issue concerning "third world countries" and not "*..in countries as Italy with a high level juridical civilization, with a culture and tradition for order and the "right", a NHRI is useless, plethoric and expensive...*".

An effective and independent National Human Rights Institution is a major issue for any country, everywhere in the world, no country exempted.

Unfortunately too often countries with a so called consolidated democracy, and Italy among them, presume they already guarantee human rights and fundamental freedoms and do not need improvement and can abstain from strengthening further their promotion and protection or, even more, from respecting new and old international obligations undersigned

The active participation of NGOs and civil society in the process of establishing new NHRIs is in fact considered a major element and a worldwide best practice in the implementation of the Paris Principles: a successful NHRI has to be the result of a consultative, inclusive and transparent process, involving and mobilizing all different sectors of the State and civil society.

We would like to urge Italy to consider the establishment of a NHRI as a matter of urgency.

We would like to recommend the Italian Government to avail itself of the Technical Advice of the National Institutions Unit of the Office of the UN High Commissioner for Human Rights, as well as of the Council of Europe, in order to take advantage of their expertise with regard to the application of the Paris Principles and the best practices of many countries that have already complied with the requirements contained in the UN Resolution 48/134 of December 20, 1993 creating NHRI independent and effective.