



**Comitato per la promozione  
e protezione dei diritti  
umani**

# **HUMAN RIGHTS IN ITALY**

**GENEVA, OCTOBER 11, 2019**

*UPR Info Pre-sessions*

# Situation in Italy – UPR 2019

*Comitato per la promozione e protezione dei diritti umani*

Umbrella organization established in 2002, around 100 Italian NGOs/Associations active in HR promotion & protection. Has participated in UPR 1 & UPR 2, besides most Treaty Bodies appointments considering Italy.

Focus of presentation:

- **National Human Rights Institution**
- **Freedom of Expression**
- **Protection of Journalists & Human Rights Defenders**

# Situation in Italy – NHRI

A42 Institutions & policies – General, REC. 145. 26—48

- Both previous UPR sessions contained specific recommendations.
- 2 voluntary pledges to the HRC.
- New Government, just established.

## Italy between the two appointments to the UN Human Rights Council: A journey towards a NHRI in Italy

### XIV Legislatura

S 3300 – Jovene (2005)

### XV Legislatura

C 2018 – De Zulueta (2006)

S 1463 Testi unificato (2007):

626 – Mazzoni  
1090 – Mascia  
1441 – Boato  
2018 – De Zulueta

### XVI Legislatura

C4534 – Testo Unificato (2011):  
Marcenaro, Frattini, Maroni, Alfano,  
Tremonti, Gelmini, Carfagna, Brunetta,  
Fitto

### XVII Legislatura

C 1004 – Chaouki (2013)  
C 1256 – Pollastrini (2013)  
C 2424 – Scagliusi (2014)  
C 2529 – Marazziti (2014)

S 865 – Fattorini (2013)  
S 1908 – Manconi/Mazzoni (2015)  
S 1939 – Morra (2015)

### XVIII Legislatura

S 593 – Morra (M5S)  
S 564 – Fedeli (PD)

C 917 – Macina (M5S)  
C 855 – Quartapelle (PD)

International  
Conference  
with the  
OHCHR, at the  
Camera dei  
Deputati 2007



# Recommendations – NHRI

- Implement voluntary pledges and a transparent, participatory & inclusive process including civil society to establish a NHRI in line with Paris Principles.
- Effectively finally establish a NHRI in Italy to be accredited with A Status at the HRC.
- Request Technical Advice of the NHRI Unit of the OHCHR in complying with requirements contained in UN Resolution 48/134, in creating a NHRI independent and effective.

# Situation in Italy – Freedom of expression

D43 Freedom of expression - REC. 145.133-135

- Both previous UPR contained specific recommendations, not accepted by Italy.
  
- Italy does not satisfy UN international standards on information, with particular regard to:
  - media independence,
  - conflict of interest between politics and editorial,
  - governance of public radio-television service,
  - intimidating use of libel laws,
  - protection of journalists subject to threats by organized crime.

# Recommendations – Freedom of expression

- Ensure to journalists an adequate legal status in order to protect them from unfounded proceedings for libel and lawsuits for damages and introduce aggravated sanctions for whoever promotes vexatious defamation proceedings against journalists

# Situation in Italy – Protection of Journalists & HRDs

## G4 Migrants, G5 Refugees & asylum seekers – REC. 145.54; 61; 91-93; 126-128; 174-176; 179-180

- Previous UPR exercises did not have a direct recommendation on HRDs but Italy last formal pledge while entering for the 3<sup>rd</sup> time in the HRC expressed this engagement
- Since 2017 (Minniti), and following up to today (Salvini), due to the internal political situation, under the pressure of economic crisis & migration flow, the situation in the country shows strongly the need for a clear policy ensuring protection of HRDs including journalists & media operators.
- Such escalation denounced in the Report on defenders of the rights of "people on the move" presented in 2018 at the UN Assembly and at the UNHRC by the Special Rapporteur of the United Nations on "Human Rights Defenders" Michael Forst.

# Recommendations – Protection of Journalists & HRDs

- Ensure protection to all journalists at risk.
- Ensure HRDs can operate freely, in a secure environment, not criminalized or delegitimized for their activities in defense of human rights, and of “people on the move”.
- Comply with international obligations, into consideration the reiterated call of the UN High Commissioner for Human Rights upon Libya, the European Union and Italy, to urgently take the steps necessary to ensure NGOs can safely resume search & rescue operations in the Mediterranean Sea in line with international law.
- Indicate how Italy intends to follow up on the Special Rapporteurs’ recommendations on criminalization of defenders of migrant rights in the country.



# Recommendations – Protection of Journalists & HRDs

- Give concrete application to UN Declaration on HRDs & guiding principles on the human rights of migrants in conditions of risk approved by the UNURC, in particular principle 18 containing specific indications on how to support & protect the defenders of migrant rights activities.
- In line with Italy's commitment to defend HRDs and implementation OSCE/ODHIR relevant guidelines, define a national law to protect HRDs considering also CSOs civic space.
- Effectively implement commitments regarding HRDs not only abroad but also internally.
- Review if not abolish Salvini's decrees and implement necessary measures to prevent possible further abuses of the executive power against CSOs.

# Thank you!



## Comitato per la promozione e protezione dei diritti umani

*From all the members of our coalition:*

- **A.GE., AGEDO, AGENZIA DELLA PACE, AGESCI, ANANKE, ANFAA, ANOLF, ANTIGONE, ARCHIVIO DISARMO, ARCHIVIO IMMIGRAZIONE, ARCI, ARCIGAY, ARTE PER I DIRITTI UMANI, ARTICOLO 21, ASGI-ASSOCIAZIONE STUDI GIURIDICI SULL'IMMIGRAZIONE, ASSOCIAZIONE CAMPANARI D'ARRONE, ASSOCIAZIONE ELEONORA PIMENTEL, ASSOCIAZIONE ASTRO NASCENTE, ASSOPACE, ASSOCIAZIONE SENZA CONFINI, ATD-QUARTO MONDO, AUCI, AUSER, BANCA ETICA, BE FREE, CASA DEI DIRITTI SOCIALI, CGIL, CHIAMALAFRICA, 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, COMITATO PER I DIRITTI UMANI, COMITATO SINGH MOHINDER, COMITATO UNRWA ITALIA, DISABLED PEOPLES' INTERNATIONAL (DPI) ITALIA, DONNE IN NERO, EMA, FEDERAZIONE CHIESE EVANGELICHE, FEDERAZIONE ITALIANA PER IL SUPERAMENTO DELL'HANDICAP (FISH), FONDAZIONE CENTRO ASTALLI, FONDAZIONE INTERNAZIONALE DON LUIGI DI LIEGRO, FONDAZIONE BASSO-SEZIONE INTERNAZIONALE, FONDAZIONE LABOS, FVGS, GIOVANI PER UN MONDO UNITO, GRUPPO MARTIN BUBER, GUARDAVANTI, ICS-CONSORZIO ITALIANO DI SOLIDARIETÀ', IISMAS-ISTITUTO INTERNAZIONALE SCIENZE MEDICHE ANTROPOLOGICHE E SOCIALI, IMS - INTERNATIONAL MEDICINE SOCIETY, INTERSOS, INTERVITA, IRMA, ISTITUTO COOPERAZIONE ECONOMICA INTERNAZIONALE, ISTITUTO DI MEDICINA DEL SOCCORSO, LABORATORIO DIRITTI UMANI, 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, OSSIGENO PER L'INFORMAZIONE, PAXCHRISTI, PONTE DELLA MEMORIA, PRO.DO.C.S., PROGETTO CONTINENTI, RETE EDUCARE AI DIRITTI UMANI, SAVE THE CHILDREN ITALIA, TERRE DES HOMMES, UBI MINOR, UDI-UNIONE DONNE IN ITALIA, UIL, UNICEF ITALIA, UNIONE FORENSE PER LA TUTELA DEI DIRITTI UMANI, UNITS, VIDES INTERNAZIONALE, VIS-VOLONTARIATO INTERNAZIONALE PER LO SVILUPPO, WILPF-WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM,**

- *WITH THE COLLABORATION OF:*

**AMNESTY INTERNATIONAL, FOCSIV, MANI TESE, MEDICI SENZA FRONTIERE,**

- *AND THE CONTRIBUTION OF:*

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