**Protecting human rights during and after the COVID-19**

**Joint questionnaire by Special Procedure mandate holders**

Several Special Procedure mandate holders will focus their forthcoming thematic reports to the United Nations Human Rights Council or the General Assembly on the impact of the COVID-19 pandemic on the enjoyment of human rights. The questionnaire is meant to assist the human rights experts to obtain information and elaborate comprehensive recommendations on the measures taken by national, federal and local governments to protect their population and ensure the enjoyment of human rights, including particular groups at risk of discrimination or social exclusion, such as older persons, persons in situation of homelessness, women, children, persons with disabilities people of African Descent, domestic and migrant workers, LGBT persons, persons subjected to contemporary forms of slavery, and people living in poverty or experiencing poverty as a consequence of the crisis, as well as indigenous peoples.[[1]](#footnote-1)

In order to facilitate responding to questions by Special Procedures, a joint questionnaire has been developed including a list of common questions and specific thematic questions responding to information required by participating mandates.

**Who should respond to the questionnaire/call for contributions?**

The mandate holders invite States, regional and local governments, international and regional organizations, National Human Rights Institutions, equality bodies, and civil society organizations, UN agencies, funds and programmes and other interested stakeholders to share relevant information for their respective reports.

**What can be sent?**

The mandate holders welcome all relevant contributions and submissions which can be drafted in response to the questions. Reports which have already been drafted on relevant topics may also be submitted for consideration.

**When and Where to send submissions?**

Responses and submissions should be sent to registry@ohchr.org by **19 June 2020**. When responding please use the heading: Response to joint questionnaire of special procedures.

In order to facilitate processing and ensure accessibility, submissions in Word format in English, French or Spanish are appreciated. It is kindly requested to limit responses and submissions to 4,500 words and to include hyperlinks to relevant documents, statistical data, public regulations and legislation providing more detailed information.

**All responses and submissions received in accessible format will be published on the webpages of participating Special Procedures, except if confidentiality of the submission is explicitly requested. Submissions received in non-accessible PDF format will not be published, but will be made available upon request.**

**Common questions**

**Impact on human rights**

* Please explain the impact of the pandemic on the enjoyment of human rights and what actions have been taken by the State to respect, protect and fulfil human rights?
* Are there any measures put in place in your country following the pandemic which have had a limiting effect on human rights? If so, please list them, provide an explanation for their adoption and indicate the time-frame by which they will be lifted?
	1. Were these measures determined by law? If yes, please indicate the relevant legislation.
	2. Why were these measures necessary to respond to the COVID-19 situation?
	3. Were these measures proportional in view of their expected results to counter the pandemic?
	4. Did these measures have any discriminatory effects on various groups of the population? If so, please indicate which ones and why.
* Please describe whether responses to the pandemic by States, businesses, faith-based organizations or others actors have resulted in a rollback of human rights, including in relation to affirmative action, gender-equality, inclusion of persons with disabilities and LGBT persons, land rights of indigenous peoples’ or access to sexual and reproductive health services?
* What long-term impacts of the pandemic and its response measures are expected on the enjoyment of human rights?
* Please explain if economic recovery and financial assistance mechanisms to reduce the social economic impact of the measures adopted have been subjected to prior human rights impact assessments?

Italy has been among the Countries the most exposed to Covid-19 since its inception: due these very complex and critical conditions, nonetheless we have made hard efforts to share and collect information about the situation all over the territory.

In relation to the first questions addressed by the UN Special Procedures on the impact of the pandemic on the enjoyment of human rights, the following comprehensive information are provided. We would like to draw your attention on the fact that some sources result from the interactive dialogue and contribution concerning data and information submitted to the EU Fundamental Rights Agency as well as to some UN Special Procedures which have yet asked for specific input on the impact of Covid-19 on human rights in last months.

**• Legislation and economic recovery/financial assistance[[2]](#footnote-2)**

The Italian Civil Protection (*Protezione Civile*) has been the public body entrusted with the mandate to manage and organise the activities necessary to deal with the emergency, as far as the support to the population and the re-organisation of public services are concerned (in compliance with the Legislative Decree No. 1 of 2 January 2018 , governing the activities of the Italian Civil Protection). With the Resolution, the Head of the Civil Protection was given the authority to issue Ordinances to deploy the interventions, in conformity with the in-force legislation. The Resolution also earmarked an initial budget to cope with the emergency of EUR 5,000,000, drained from the Fund for National Emergencies (*Fondo per le Emergenze Nazionali*). This budget was increased of additional EUR 450,000,000 with the Resolution of the Italian Government of 6 April 2020 and of additional EUR 900,000,000 with the Resolution of the Italian Government of 20 April 2020.

The following legislative measures have been adopted by the Italian Government since the outbreak of the pandemic.

- Decision of the Italian Government of 31 January 2020: the state of emergency is officially declared to face the acceleration of the virus transmission. The consequence of this declaration is that the Italian Civil Protection is made responsible of managing the emergency through the adoption of ordinances. The Government earmarked an initial EUR 5,000,000 to manage the emergency, taken from the Fund for National Emergencies (*Fondo per le Emergenze Nazionali*).

- Law-Decree No. 6 of 23 February 2020, converted into Law No. 13 of 5 March 2020: urgent measures are adopted by the Government and immediately approved by both branches of the Parliament. More specifically, the Law-Decree list emergency measures public authorities could adopt to reduce the propagation of the virus. Up to this moment, these measures were limited to the municipalities/areas where at least one autochthonous case of Coronavirus had been registered. The urgent measures include: prohibition of leaving the municipality or the area to all the people present in the municipality/area; prohibition of access to the municipality/area; suspension of events and initiatives of any kind, including cultural, religious and sport events; suspension of classes in all the schools of all levels; suspension of university and academic activities; closing of museums and cultural institutions; suspension of school-trips to both national and international destinations; active quarantine to people who had been in close contact with infected people - the initial wording of this disposition is quite generic and people are discouraged to leave their home unless necessary. Self-certification forms are immediately introduced to be shown to police officers in case of random controls. The Law-Decree also specifies that the violation of the adopted measures represents a violation of Art. 650 of the Italian Criminal Code, entailing a three-month detention or a EUR 206 financial sanction. Local *Prefects* are the authority in charge of the enforcement of the measures, organising the activity of police officers.

- Decree of the President of the Italian Government of 23 February 2020: urgent measures are introduced for the areas with the highest rates of virus transmission (some municipalities of the Lombardy and Veneto regions – listed in Annex I of the Decree). All the possible measures listed in the Law No. 13/2020 are introduced in those areas: essential public services are allowed to continue their activities; shops selling essential goods are allowed to continue their activities; safeguards are adopted to have access to those shops (such as the use of face-masks, hand sanitiser etc.; the obligation to maintain a 1-metre compulsory distance between people); transport of essential goods is allowed; working activities relating to essential services (including veterinarian services and agricultural and farming activities) are allowed. These measures are not extended to health professionals and medical staff. Employers are encouraged to foster smart-working and flexible work for all their employees in order to allow them to work from their homes.

- Decree of the President of the Italian Government of 25 February 2020: the measures adopted with the Decree of 23 February are extended to other areas of the North of Italy, namely all the municipalities of Emilia-Romagna, Friuli Venezia Giulia, Lombardy, Veneto, Liguria and Piedmont.

- Decree of the President of the Italian Government of 1st March 2020: with this Decree the municipalities that were at that time most affected by the virus propagation are divided into two groups. The so-called “red area” zones (municipalities of Annex I) are imposed the strictest isolation regime where all the measures listed in the Law-Decree No. 6/2020 are in-force; and the so-called “yellow area” (municipalities/provinces/regions of Annexes II and III) where a softer regime is introduced. According to this latter regime, sport and cultural activities are suspended, as well as public events and demonstrations; however, shops, museums, cinemas etc. could continue their activities if they could ensure the respect of the safety health measures. Finally, the Decree imposes to the whole Italian territory the suspension of school-trips and all other journeys. The Government also fosters the adoption of alternative and telematic teaching methods both in schools and in universities; finally, employers are encouraged to opt for the smart-working regime whenever possible. Moreover, the Decree imposes an informative obligation to public authorities: information on how to prevent the propagation of the virus and how to implement basic health measures has to be available in all public offices and open activities (including shops and work-places) through the display of informative leaflets.

- Law-Decree No. 9 of 2 March 2020: with this Bill, the Government introduces the first welfare measures to support families, workers and companies financially affected by the emergency status. Debt collection concerning individuals and companies located in the “red area” is suspended; the same measure is applied also to utilities bills (energy, water and gas) until 30 April 2020. Civil judicial proceedings are suspended until at least 31 March 2020, except for proceedings concerning some specific judicial fields, such as, for instance, guardianship proceedings, divorce proceedings, domestic violence and return procedures of third-country citizens. Smart-working measures are further enhanced for the staff of the public administration, through the increase of the provision of PCs and other devices. A specific support Fund is destined to SMEs located in the “red-area”. Art. 32 established the validity of the schoolyear 2019/2010 even if the 200 compulsory days of school are not actually offered.

- Decree of the President of the Italian Government of 4 March 2020: the yellow area is extended to the entire Italian territory. More specifically, the following measures have become in-force everywhere in Italy: suspension of conferences, meetings and all social events involving medical staff or public-services’ staff; suspension of demonstrations, public events, cinemas and theatres; suspension of sport competitions and events (with the exception of professional athletes); suspension of school and university activities until 15 March 2020; suspension of school-trips and guided sightseeing tours; suspension of the right to visit elderly relatives living in nursing homes and hospices. School directors are encouraged to adopt techniques and measures to ensure the offer of teaching and education activities on-line to all the Italian students, including specific measures destined to students with disabilities. The same is possible for Italian Universities that are invited to offer on-line classes. Smart working is extended to all types of paid employment. This Decree is meant to be in-force up to 3rd April 2020.

- Decree of the President of the Italian Government of 8 March 2020: the red zone is extended to more areas of the country (listed in the heading of Art. 1). Art. 2 confirms that the rest of the country is subject to the yellow zone regime.

- Law-Decree No. 11 of 8 March 2020: all judicial proceedings are suspended until 22 March 2020. All the hearings of the proceedings that are excluded from the suspension (mentioned above and confirmed in this Law-Decree) must be held behind closed doors. The video-conference system is imposed to all civil proceedings’ hearings that do not require the presence of other subjects besides the lawyers and the parties. This Law-Decree also introduces two provisions that caused several revolts in almost every detention facility in Italy: during these revolts several prisoners and penitentiary police officers were injured, and 15 prisoners died. The first provision introduces the suspension of the right to visit of family members and relatives (including in juvenile detention facilities). The detainees has the possibility to communicate with their families either via phone or videoconference in case the facility is equipped for this option. The second provision allow judicial authorities to suspend (until 20 May 2020) the semi-freedom regime.

- Decree of the President of the Italian Government of 8 March 2020: the red zone is extended to the whole Italian territory. The Decree also prohibits any type of gathering in public spaces or places open to the public. The emergency legislation does not specify the number of individuals that are needed to constitute a forbidden gathering. It is possible to presume that two individuals are enough since authorities are inviting people to go out alone and only if absolutely necessary. This Decree is immediately enforceable until 3 April 2020.

- Law-Decree No. 14 of 9 March 2020: this Decree is aimed at reinforcing the human and financial resources at the disposal of the National Healthcare System in order to cope with the emergency. Home-assistance is introduced and ensured for students with disabilities. Art. 13 suspend the working-hour limits imposed to work-shifts – in compliance with the EU legislation – for medical staff: the staff must however be adequately equipped to prevent the propagation of the virus in hospitals and other healthcare facilities. Art. 14 introduces specific dispositions on data protection: public and private institutions operating in the healthcare system have been allowed to exchange personal data of the patients in order to limit and prevent the propagation of the virus. Data subjects are confirmed the right to be informed and to exercise all the rights envisaged by the in-force legislation: however, the right to be informed and to informed consent are simplified, for instance the informed consent can be provided orally.

- Decree of the President of the Italian Government of 11 March 2020: all commercial activities are suspended in the entire Italian territory, with the exception of a short list of shops and activities that are allowed to remain active during the emergency period (Annex I). This list includes supermarkets and grocery stores; shops selling sanitation products; shops selling electronic products and communication devices; shops selling veterinarian products; banks and post offices etc. Public transports were relevantly reduced: each Italian region and municipality further ruled the functioning of the public-transport network at the local level.

- Law-Decree No. 18 of 17 March 2020 (the so-called Law-Decree *“Cura Italia”*): the Government adopts this Decree to support the economic system and all the people who are financially suffering due to the shortcomings of the pandemic (for instance, those who have precarious or irregular jobs and lost them; small companies that have to stop or reduce their production). A specific 15-day parental leave is introduced for employees of the private sector with children aged less than 12: the leave is worth 50% of the ordinary wage and can be taken up by both parents alternatively. If parents do not want to apply for this parental leave, they can apply for a specific EUR 600 financial bonus for baby-sitting services. Parents working as public employees can count on a paid parental leave: the period of leave and its conditions are negotiated with the public administration they work for. Until 31 July 2020, the Italian Civil Protection is entitled to order the requisition of public and private healthcare facilities or any other facility that might be useful to increase the capacity of the public healthcare system.

- Decree of the President of the Italian Government of 22 March 2020: the Decree applies to the entire Italian territory; it is immediately enforceable and effective until 3rd April 2020. All manufacturing and commercial activities are suspended, except for those listed in Annex I to the Decree. Professional activities are not suspended, and public administrations can continue providing essential services, respecting tough the health safeguards (use of facemasks, hand sanitiser etc.; the obligation to maintain a 1-metre compulsory distance between people). It is forbidden to relocate or move from the municipality each person is living in this moment (or present at any other title) with public or private means of transport, except for demonstrated reasons of work or health. It is not possible anymore to go back to the municipality of residence. All productive activities can continue if they are carried out using smart-working techniques. It is possible to continue those working activities that are necessary to ensure continuity to the activities listed in Annex I, as well as to public utilities. The decision to continue such activities must be communicated to local *Prefects*. Museums and cultural institutions are not included – for the purposes of this Decree – in public utilities; schooling is not included neither and it must be ensured using long-distance teaching methods. Transportation, production and delivery of medicines, medical devices, agricultural and food products are allowed. Continuous production-cycle activities are permitted if the suspension can severely compromise the plant or cause serious accidents: *Prefects* can suspend such activities if they consider that such risks do not actually exist. Some productive sectors – such the defence, aerospace industry and other strategic productive sectors – can continue their activities. All the companies whose activities are not suspended are compelled to respect the measures aimed at contrasting the virus propagation in workplaces (established through the Protocol of 14 March 2020, negotiated by the Government and the social partners). Companies whose activities are suspended must stop the production by 25 March, including the delivery of stocked goods.

- Law-Decree No. 19 of 25 March 2020 on “Urgent Measures to address the Covid-19 emergency”: the Law-Decree lists a wide range of measures that can be adopted on the entire national territory or in specific areas through the approval of Decrees of the President of the Italian Government, once the opinions of the competent Ministries or regional Presidents are obtained. The measures cannot last more than 30 days and can be renewed more than once until 31 July; they must respect the principles of proportionality and adequacy to the risk. These measures can include: limitations to the circulation of people, including restrictions to the possibility to leave the house unless for specific work reasons, necessity or urgency, health necessities; locking of public parks and gardens and any other public space; limitations or prohibitions of movement from and to municipal and regional territories; absolute prohibition to leave the house for the people subject to quarantine measure because positive to the virus; limitations or prohibition of meetings and gatherings in public spaces; limitations or suspensions to demonstrations or any other type of public events; suspension of civil and religious ceremonies, limitations to the access to worship facilities; locking of cinemas, theatres, concert halls, clubs, cultural, social and leisure centres; suspension of conferences, meetings or any other type of social event, unless it is possible to perform them via video-conference; limitation or suspension of sport events and competitions in public and private spaces, including the locking of any sport facility; limitation or suspension of outdoor leisure and sport activities; the possibility for the competent national and regional authorities to limit, reducing or suspending any mean of transport of people and goods; suspension of education activities of all grades (including universities and other academic institutions); suspension of school trips and exchanges; limitation to the presence of employees in public offices and services, expect for the staff necessary to ensure essential services, fostering the use of smart-working; limitation or suspension of retailing commercial activities, except for those selling food and basic necessities if the safety interpersonal distance of 1 metre is respected; limitation or suspension of commercial activities administrating food and beverages to the public, including restaurants and bars; limitation or suspension of any other professional and business activity, except those concerning necessary services if safety protocols are adopted to prevent the infection and the use of facial masks if the 1-metre interpersonal distance cannot be maintained; limitation to public markets, except those selling food and basic necessities; limitations to the access of relatives and visitors to institutions and hospices, including those destined to older people and non-independent patients, as well as to detention facilities, including juvenile detention facilities; obligation to communicate to the national healthcare services the transit or stay in areas classified by the WHO or the Ministry of Health as at pandemic risk; adoption of information and prevention measures concerning the pandemic risk; fostering smart-working whenever possible; obligation for the owners of work activities that are allowed to continue to adopt safeguard measures to prevent the infection, such as the 1-metre interpersonal distance or – if it is not possible – the introduction of facial masks for all the employees.

The Presidents of the Italian regions are allowed to adopt measures that are more restrictive than those adopted by the above-mentioned Decrees of the President of the Italian Government, only in their fields of competence; on the opposite, local mayors are not allowed to adopt ordinances that are in contrast with the Government measures. The enforcement of these measures is coordinated by local *Prefects*, deploying law enforcement officers and – if necessary – military forces.

As per the sanctions - governed by Art. 4 of the Law-Decree No. 19/2020 – the violation of any of the adopted measure is punished with an administrative sanction of EUR 400-3,000. If the violation is perpetrated using a vehicle, the sanction is increased by up to one third. If the violation is perpetrated by a commercial activity, the administrative sanction is aggravated by the additional sanction of the locking of the activity for a period of 5-30 days. If the violation of the same measure is reiterated, the administrative sanction is doubled, and the additional sanction is always of 30 days of suspension of the activity. The violation of the quarantine for infected persons is sanctioned with 3-18 months of detention and with a financial sanction of EUR 500-5,000. Since the previous discipline countering the pandemic envisaged a criminal sanction for the violation of the adopted measures – rather than an administrative sanction – the new discipline is applied also to all the cases of violations reported by law enforcement agencies before 25 March: in these cases, the administrative sanction always amounts to EUR 200.

- Law-Decree No. 33 of 16 May 2020: it is forbidden to leave the house to all people undergoing the compulsory isolation period because resulted positive to Covid-19, and this prohibition lasts until the full recovery of the subject or until s/he is transferred to a medical facility. The same prohibition is applied also to those people undergoing the precautionary 14-day isolation period due to close contact with an infected person. Gatherings of people are prohibited in public spaces: the in-force legislation never specified the minimum number of people that are necessary for a gathering to exist; it is therefore possible to assume that two people are sufficient. Public events are allowed only if it is possible to ensure the respect of the in-force legislation preventing the spreading of the virus. Local mayors can decide to temporarily close specific public areas if it is impossible to ensure the 1-metre interpersonal distance. The same distance must be respected during meetings. Religious ceremonies can be held respecting the protocols negotiated by the Government and the representatives of the concerned religious confessions, aimed at preventing the propagation of the virus. As per enforcement measures, the same sanctions – introduced by previous legislative provisions – are confirmed: the violation of any of the adopted measure is punished with an administrative sanction of EUR 400-3,000; if the violation is perpetrated using a vehicle, the sanction is increased by up to one third. If the violation is perpetrated by a commercial activity, the administrative sanction is aggravated by the additional sanction of the locking of the activity for a period of 5-30 days; f the violation of the same measure is reiterated, the administrative sanction is doubled, and the additional sanction is always of 30 days of suspension of the activity. The violation of the quarantine for infected persons is sanctioned with 3-18 months of detention and with a financial sanction of EUR 500-5,000. The time validity of these provisions cannot exceed 31 July 2020 – the date of the end of the State of emergency in Italy.

- Decree of the President of the Italian Government No. 34 of 19 May 2020 (the so-called Law-Decree *“Rilancio”*) introduces provisions implementing the Law-Decree No. 33/2020. These provisions are valid until 14 June 2020. Individuals presenting symptoms of fever (body temperature higher than 37.5 degrees) or respiratory infections are compelled to stay home and contact their general practitioner. New facilities (USCA) created with the task of managing Covid-19 suspected or confirmed patients at home, who do not require hospitalization, are also provided with social workers to ensure a multidimensional evaluation of patients’ needs integrated with local social and health services (Art. 1, paragraph 7). The access to public parks and gardens is made conditional on the respect of the prohibition of gatherings and on the respect of the 1-metre interpersonal distance. Outdoor physical and sport activities are allowed if the interpersonal distance of respectively one and two metres is strictly respected; children and other subjects needing a guiding person to carry out these activities are exempted from this obligation. From 25 May 2020 on, public and private sporting centres and swimming pools are allowed to open, preventing gatherings and respecting the interpersonal distance between users. Public demonstrations are allowed only when static – for instance, in the form of a sit-in – if the interpersonal distance is respected, as well as any other measure preventing the virus propagation. The use of facial masks is made compulsory in all indoor spaces open to the public, including local means of transport. Children aged less than 6 are exempted from this obligation; this exemption is extended also to people with disabilities whose condition is not compatible with the use of facial masks.

Further legislative measures are going to be gradually adopted by the Italian Government.

As for the other questions – which are of a general and specific relevance, please consider that Italy has also prepared comprehensive replies in an effort to provide an overview of the actions carried out as well as political and technical measures adopted in each field under consideration since the outbreak of the pandemic and up to the most recent domestic interventions.

**Statistical information**

* Please provide epidemiological data on COVID-19 infections, recovery and mortality rates in your country, region or locality, disaggregated by nationality, race, ethnicity, religion, membership of indigenous peoples, age, gender, sexual orientation and gender identity, income/poverty levels, disability, immigration status or housing situation. Which groups in your country have been disproportionately affected by COVID-19 and how can this be explained?
* Please provide age disaggregated data on persons infected by COVID 19 and the percentage of them living in care institutions for older persons. Please provide age disaggregated data on deaths caused by COVID-19 and the percentage of them who were in care institutions.
* Please share any information and data on the availability of health services to ensure access to testing, personal protective equipment and treatment. Please specify to what extent supply issues, economic, social or other barriers have limited access to testing, personal protective equipment and health care services, in particular for persons belonging to particular racial or ethnic groups, indigenous peoples, older persons, persons with disabilities, LGBT persons, persons living in poverty or in situation of homelessness, migrant workers, or persons without legal residency status.
* Please provide us with data indicating the social-economic impact of the economic downturn triggered by COVID-19 such as changes to household income, increase of unemployment, access to food and traditional livelihoods, poverty or homelessness in your country, region or locality, disaggregated by nationality, race, ethnicity, age, gender, sexual orientation and gender identity, disability, religion or immigration status.
* Which groups have been identified as particularly vulnerable to socio-economic hardship in the context of the COVID-19 crisis?
* Please provide data on the number of older persons who live in residential care institutions or alternative setting; the number of older persons in situation of homelessness and/or without adequate housing; and the number of older persons who are in prisons, refugee camps and informal settlements.
* Please provide data on abuse and neglect of older persons, in and outside care institutions brought to the attention of public authorities or complaint mechanisms.
* Please provide data on incidents of domestic violence, including femicides disaggregated by a) intimate partner femicide b) family related femicide based on the relationship between the perpetrator and the victim/s and c) all other femicides based on the country context.

**Statistical data**

In the light of the emergency generated by Covid-19 and the measures taken by the Government to contain it, the Italian Institute of Statistics (ISTAT) has taken a series of actions to ensure the continuity and quality of statistical production even in the emergency situation.

ISTAT has reoriented the collection of statistical data on sustainable acquisition techniques in this context, with methodological solutions and innovations in the use of data sources, and has put in place the most appropriate solutions to support statistical production processes, in full protection of workers’ health.

The production and dissemination of official statistical information, as key precondition to measure the evolution of the economy and society at the service of institutions, public decision-makers, households and businesses, cannot stop, but must be reconsidered in order to be ready to provide all the necessary answers to the country, also and especially for the future, when the dissemination of data will be necessary to support and monitor the country's recovery.

The pandemic emergency Covid-19 that has hit the whole world, in Italy - as elsewhere - has had, is having and will have enormous socio-economic consequences that differ in intensity and population concerned, due to the phases that we have gone through and will go through.

The school-age population has seen its educational life suspended and changed profoundly since the end of February in some regions (from the first days of March everywhere) and, to date (11 June), the methods with which it will be able to resume normal activities at the opening of the new school year have not yet been defined. In recent months, children and young people have seen the so-called DAD (distance learning) taking the place of their daily confrontation - in presence - with educators and teachers and with their peers: a modality never experienced with such scope and whose consequences in terms of delay in learning are still to be assessed, especially for the most fragile pupils, with learning difficulties, disabilities, family situations of economic hardship, overcrowding in housing (a quarter of the total population, 41.9% of minors) or - simply – residents in areas not covered by broadband. According to ISTAT: a quarter of families do not have internet access at home; one third of families do not own PCs or tablets (in the South, 41.6%), 12.3% between 6 and 17 years of age do not have PCs or tablets at home, 47.2% of families have only one device, and 57% of children between 6 and 17 years of age must share it with other family members.

The private sector workers, employed in suspended activities, were over 7 million (42.5%) for around 2 million businesses stopped (source INAPP, National Institute for the Analysis of Public Policies). At 4 June 2020, the total beneficiaries of the various types of layoffs / redundancy fund / unemployment benefits were 8,410,149; 7,580,347 of which were paid (source INPS, National Social Security Institute) after thousands of workers had not received any support for many weeks, thus exacerbating their economic difficulties. 4 million self-employed, term contract, seasonal, agricultural workers and workers of show, entertainment and music sector received the allowance provided for in the first measure to deal with the economic emergency (Law-Decree No. 18/2020). The Government, in approving the second provision (Law-Decree No. 34/2020), in addition to further extending the weeks in which to request wage supplements, renewing the monthly allowances, has extended them to types of workers left uncovered and has introduced an emergency measure (REM) aimed at groups of people not covered by all other income support measures, estimating an additional 800,000 potential beneficiaries.

People, families were affected in their economic and social components, with loss or contraction of available income due to the suspension of productive activities, with the suspension of teaching activities in the presence and with the measures of physical distancing and containment of the contagion that have locked them up at home, exacerbating loads of care - whose burden falls mainly on women , situations of hardship and fragility. In a first more “optimistic” scenario, the Bank of Italy estimates a drop in GDP of -9.2% in 2020, a fall in household consumption of -8.9% and a drop in employment (despite the business support measures and the blockade of layoffs provided by law until August) of -3.9%.

To suffer most the consequences of the crisis are the people in conditions of absolute and relative poverty, a segment of the population which in Italy was already characterized before the crisis by dramatically impressive numbers (according to ISTAT estimates: 5 million and 10 million respectively) and which will have seen its living conditions deteriorate drastically. A deterioration which already in the first weeks made it necessary to immediately free up resources (400 million) to guarantee basic necessities. The ANCI (National Association of Italian Municipalities) has estimated that it has reached about 1.5 million families (4.3 million people) with food stamps, and it is estimated that now they need at least as many to be able to intervene again to respond to the growing social emergency that is following the epidemiological one. A need also encountered by Caritas, which has recorded an increase in requests for services in its centres of 105% since the beginning of the crisis, and by the myriad of local, institutional and voluntary initiatives (links by way of example) engaged in the territories that have activated solidarity networks to deliver food parcels to people in need and support their needs. In addition to this emergency, there is that of people in extreme poverty and homelessness, whose marginal condition was further fuelled during the lockdown months by the closure of many day-centres together with the suspension of the services and assistance activities, due to the rules of physical distance and containment of movements.

As an indication, some of the population groups most affected by the economic and social crisis following Covid-19 are:

• the elderly, people with disabilities, not self-sufficient, families in poverty who have suddenly seen - in the face of unchanged or fuelled needs - the spectrum of assistance services they could access and activities to carry out, due to the containment measures;

• school-age children who, despite the efforts of many teachers and educators, have lost school time, accumulating learning delays, increasing the risk of early school leaving and the spread of educational poverty and child labour;

• the chronically ill or waiting for diagnosis, who have seen a reduction in the access to health services for specialist visits;

• poor workers, whose activities have been suspended or reduced, seeing their earnings conditions worsen and low-income workers, to whom the wage integration tools, while allowing not to lose their jobs, have not guaranteed sufficient income to meet the needs of life;

• precarious workers whose employment contracts have not been renewed and self-employed workers who have experienced the suspension or loss of job orders;

• foreign citizens awaiting a residence permit, or to whom it has expired, or awaiting acceptance of the asylum application, who - despite the postponements of the deadlines set by the approved decrees-law - risk seeing their living conditions and inclusion opportunities worsen, remaining for months in a regulatory limbo that could push them into social marginality, fuelling episodes of exploitation. In particular for people in informal camps;

• small entrepreneurs who - following the closure of activities and the contraction in consumption - have lost the liquidity necessary to keep the company in business as well as the sectors that will drastically reduce their chances of operating due to the physical distance, causing loss of employment even in the related satellite activities (e.g. catering, show business).

As for the recruitment of new healthcare personnel supporting hospitals, the Italian Government has given more funds to the Regions and then to the hospitals in order to be able to do this. As a result hospitals have had the opportunity to call back retired healthcare personnel and, on the other hand, to block temporary the retirement of staff on duty. Hospitals have had also the opportunity to recruit temporary doctors still in their postgraduate training path (those on the 2nd, 3rd, 4th and 5th year of specialization), even if in Italy to work in public hospitals it is usually compulsory to have a specialization. Similar measures were taken to facilitate the recruitment of healthcare personnel, in particular a simplified procedure was taken to allow foreign healthcare personnel from EU/EFTA countries and third countries to be able to practice in Italy (Art. 13 of Law-Decree No. 18/2020). Thanks to these measures around 27.000 healthcare professionals of which about 6000 doctors and about 12.000 nurses have been recruited during this emergency. With the same legislative means, measures were then taken to strengthen territorial assistance also through the creation of new structures (USCA) with the task of managing at home the suspected or confirmed Covid-19 patients, who do not require hospitalization, to support family doctors (Art. 8 of Law-Decree No. 14/2020). The territorial nursing services have also been strengthened (Art. 1 of Law-Decree No. 34/2020).

**Older persons – Please refer to the reply to questions posed by the competent Special Procedure**

**Socio-economic hardship – Please refer to the reply to questions posed by the competent Special Procedure**

**Freedom of religion**

The epidemiological impact of Covid-19 in Italy required the issue of an emergency decree (Decree-Law No. 6 of 23 February 2020, converted with amendments by Law No. 13 of 5 March 2020) for the containment of Covid-19 in Italy.

In implementation of the aforesaid decree-law, the President of the Council of Ministers adopted several decrees in March and April 2020 that provided for incisive measures for the containment of the pandemic, including the obligation to suspend all events organized and all events (both public and private), including those of a religious nature. With reference to the latter, Art. 2, paragraph 1, let. V of the Decree of the President of the Council of Ministers of March 8, 2020 establishes that “the opening of places of worship shall be subject to the adoption of organizational measures such as to avoid crowds of people, taking into account the size and characteristics of the places, and such as to ensure that visitors are able to respect the distance between them of at least one meter referred to in Annex 1, letter d). Civil and religious ceremonies, including funeral ceremonies, shall be suspended”.

In order to allow the resumption of religious ceremonies in places of worship, the Italian Government has signed, both with the Italian Bishops' Conference (7 May 2020) and with representatives of the various non-Catholic denominations (15 May 2020), protocols of conduct aimed at the gradual resumption of religious activities in compliance with the rules on the fight against the spread of the Covid-19.

In compliance with health regulations set out for the containment and management of the epidemiological emergency, these protocols regulate all aspects relating to the usability of places of worship, such as access to places of worship on the occasion of liturgical celebrations, the sanitation of premises and objects, the attention to be observed in functions and sacraments, the communication to be organised for the faithful, as well as some general suggestions.

These protocols, the result of a continuous and fruitful discussion between the parties (Presidency of the Council of Ministers, Ministry of the Interior, representatives of religious denominations), have also taken on board the recommendations of the Technical-Scientific Committee set up by the government to deal with the epidemiological emergency of Covid-19.

The protocols were transposed by the Prime Ministerial Decree of May 17, 2020, which establishes that religious functions with the participation of individuals are to be conducted in accordance with their observance.

**Gender violence**

Italy has supported the UN Secretary General Call on Gender-Based Violence and Covid-19 and fully endorses the cross-cutting thematic issues reported in the recently released Policy Brief on ‘The Impact of COVID-19 on Women’.

The Ministry of Justice is very concerned about the sensitive issue of protection of the women against domestic violence, women who are definitely more vulnerable in this situation. Consequently, some new provisions have been envisaged in order to speed up the adoption of protective measures in the civil field and extend the time-limit to file a complaint. They are currently under discussion.

Since the beginning of the pandemic, the activities of the Anti-Violence Centres which “provide services instrumental to the right to health or other fundamental human rights” have never been suspended. Women who find themselves in an emergency caused by violence can move to ask assistance from Anti-Violence Centres due to “necessary reasons”.

A public call for the financing of urgent interventions to support Anti-Violence Centres and shelters in relation to the Covid-19 emergency has been released online in April 2020. This initiative is part of the measures introduced by the Minister for Equal Opportunities and the Family and implemented by the Department for Equal Opportunities to support the work of all those involved in preventing and combating gender-based violence and protecting women who are victims in the current epidemiological emergency. The application procedures have been simplified as much as possible in order to speed up the disbursement of resources: the applicants will have access to a maximum contribution that varies according to the type of structure, set at EUR 15,000 for the shelters and EUR 2,500 for Anti-Violence Centres, to be used for interventions for the best management of Covid-19 emergency. Eligible expenses include, for example, those relating to the identification of housing solutions aimed at the isolation and quarantine of women victims of violence, the purchase of personal protective equipment and the sanitation of environments. Applications could be submitted until 31 July 2020 and sufficient resources have been allocated to accommodate all potential applications.

At the same time the toll-free number 1522 was always active 24 hours a day to reply to requests for help and support to victims of violence and stalking. The anti-violence and anti-stalking too-free number and app 1522 data for March and April 2020 show a significant growth in phone calls and contacts to report incidents of domestic violence and ask for help. While the months of January and February 2020 recorded a decrease in the use of this service both compared to the same months of 2019 (455 calls in January 2020 compared to 623 in January 2019; 508 in February 2020, 528 in February 2019) and to the average monthly figure for calls in 2019 (587 calls), during the lockdown from Covid-19 the number of women who turned to the public utility number increased. In March there were 716 contacts (670 in March 2019), while from 1 to 18 April 2020 they rose to 1037 (397 in the same period of 2019). It should also be noted an increased use of the app 1522: while there were only 37 reports via chat in January 2020 and 50 in February 2020, thus confirming a substantial preference for phone calls, following the communication campaign aimed at spreading knowledge of the app the number of reports via chat rose to 143 in March and 253 in the first 18 days of April 2020. On 24 March 2020 the new awareness campaign “Libera puoi” was launched by the Department for Equal Opportunities to promote the toll-free number 1522 and to give information about the 1522 app, which is available on IOS and Android systems, to allow women to chat with operators and ask for help and information safely, without running additional risks of being heard by their attackers.

Following the input of the Ministry for Equal Opportunities and the Family, the Minister of the Interior sent a Circular to all the Prefectures so that further accommodation could be identified and made available to women victims of violence, granting full health safety conditions. The Circular pointed out that the measures adopted by the Government and related obligations on the respect of social distancing to contain the spread of Covid-19 pandemic, may affect the work of Anti-Violence Centres and shelters, which provide accommodation, protection and support to women victims of violence throughout the territory. In order to overcome these difficulties, the Circular recommends to the *Prefects*, with the involvement of Mayors and local associations, to identify or confirm, where already existing, new housing solutions, even temporary, to host women victims of violence who for health reasons cannot be accommodated in existing Anti-Violence Centres and shelters. This could be granted according to Art. 6 of the Law-Decree of 17 March 2020, which provides for the requisition in use, even temporarily, of hotels or other suitable buildings to accommodate people under health surveillance and fiduciary isolation or permanently at home, when these measures cannot be implemented at home.

Following the authorization of the Unified Conference, on April 2 2020 the Ministry for Equal Opportunities and the Family signed a decree which provides for a urgent allocation of EUR 30 million in favour of Regions, according to the former Prime Minister Decree of 4 December 2019. The Decree also specifies that EUR 10 million will support complementary countering-gender violence activities carried out by the aforementioned Anti-Violence Centres and shelters.

Furthermore, on April 2 2020 the Ministry for Equal Opportunities and the Family signed with the President of the Federation of Italian Pharmacists’ Associations, the Presidents of Federfarma and Assofarm, a MoU to make women victims of domestic violence and/or stalking fully aware in the framework of Covid-19 emergency. The aim is to provide them with all the information they need to ask for help and to safely report violence. The pharmacies on the national territory will receive material that will allow women to access basic indications to prevent and deal effectively with any situations of violence or stalking by men. To this end, information guidelines have been prepared and will be made available in pharmacies.

The Task Force “Women for a new Renaissance” was established under the leadership of the Minister for Equal Opportunities and the Family; it is composed of 12 women representing several sectors and has been convened firstly on 15 April 2020 on streaming in order to draft ideas and proposal for the post-Covid-19 social, cultural and economic restart.

The main tasks of this Task Force are to:

• produce analysis and scientific evidence relating to the impact of the Covid-19 outbreak on gender issues;

• formulate proposals to increase the percentage of women in all areas of work, to overcome barriers to advancement in career paths, especially in the fastest growing fields (STEM, computer computing, cloud computing, data and artificial intelligence, etc.), to contrast gender stereotypes that prevent women from reaching leadership positions and to build a more inclusive sustainable future for all;

• draw up a policy document with the definition of priorities and policies in operational terms to address the challenges for gender equality in all sector and to strengthen the presence and role of women in all the areas examined, with a focus on the social, cultural and economic revival of Italy after the epidemiological emergency from Covid-19.

The Task Force was divided into thematic sub-groups to release a final Note, which is based on data and scientific evidence on the impact of the pandemic in different sectors and introduces a first series of proposal for actions and recommendations that will be integrated through the planning activities of the Department for Equal Opportunities.

The proposals call for the increase of the percentage of women in all areas of work, to overcome barriers to career advancement, especially in the fastest growing fields (STEM, computing, cloud computing, data and artificial intelligence), to counter gender stereotypes that prevent women from achieving leadership responsibilities, to activate new energy and opportunities for all. Not all the issues that need to be part of a broad strategy for gender equality and women's empowerment have been addressed in this Note. In particular, male violence against women has not been addressed by the Task Force, since it is already the subject of a national strategy put under hard work over the past few months and which will see us involved, in terms of control room and anti-violence network, in the implementation of new strategic actions and the renewal of the national plan.

As for domestic violence, the following proposals were elaborated under the section ‘Supporting fragilities’:

- Support the most exposed groups with non-refundable aid or microcredit schemes for families in fragile situations, unemployed single women with underage children, women victims of violence and women coming out of prison.

- Structuring a web platform (also considering legislative/institutional aspects), which gives information to women on the tools, services and job opportunities network, also including a network of psychological support and counselling.

- Establish a tool-free number and a psychological support network for women in fragile situations.

**Protection of various groups at risk and indigenous peoples**

* What measures have public authorities taken to protect high-risk populations from COVID-19, including: a) health care and social workers, b) older persons, c) other persons with a possibly reduced immune system such as indigenous peoples, or persons living with HIV, d) detained and incarcerated persons, including persons under state custody; e) persons living in care homes, f) children and adults living in institutions, camps, shelters or collective accommodation, g) persons with disabilities, h) homeless persons; i) persons living in informal settlements or overcrowded homes; j) refugees, IDPs and k) migrant workers.
* Can you inform us about particular measures taken to mitigate the impact of the COVID-19 pandemic for communities and groups subject to structural discrimination and disadvantage?
* What measures have been taken by public authorities to ensure continued provision of services, including food, healthcare, education, psycho-social assistance to persons in vulnerable situation, including a) older persons, b) persons with disabilities, c) LGBT persons, d) persons in situations of homelessness, e) indigenous peoples, f) victims and survivors of domestic, sexual and gender-based violence, g) human trafficking, h) discrimination, i) victims of contemporary forms of slavery, including forced labour, as well as h) child victims of sale and sexual exploitation?
* Has there been any interruption of services, such as the closure of emergency shelters, food banks, or the disruption of health care or psycho-social services that has been of concern?
* Have particular measures been taken to address the situation of single parent households?
* What measures have been taken to address racial disparities, prevent racial discrimination and protect victims of racism, racial discrimination, xenophobia, and related intolerance during the pandemic?

**Non-discrimination (for further details please refer to the reply to questions posed by the competent Special Procedures)**

In Italy, within the framework of the official inter-agency data base at national level (the so called SDI system) , the Observatory for security against acts of discrimination (OSCAD) performing its Hate Crime monitoring activity before the lockdown in Italy (end of January 2020- end of February 2020) registered about thirty episodes of intolerance and violence against minorities connected with Covid-19 crisis. More than a half of them were physical assaults accompanied by insults, the others were various types of discrimination: verbal assaults, social posts, written comments. The victims were mainly Chinese citizens, but also Filipinos, Japanese and Dominicans.

In April 2020, the National Police specialized unit on web Crimes (Communication Police), within its web monitoring related to the Covid-19, cited for “hate propaganda” and “incitement to hatred” a white suprematist individual spreading hate messages on various social media (VKontacte, Facebook, Twitter), as a result of the house search neonazi material was sized.

**Prison inmates**

In the prison field, the Italian action during the pandemic has been carried out on three levels:

1) health, by checking, even by means of swab tests, incoming and outgoing inmates, by isolating those that have been infected, reduction of transfers between institutions and by giving appropriate equipment to the staff; recently new health measures have been adopted. In particular the Regional Directorates and the Directorates of penal institutions have been requested to report to the competent judicial Authority those prisoners affected by specified diseases that could expose them to risk of Covid-19-related health complications, in order to allow that Authority to consider the use of an alternative measure to imprisonment. In the communication, the Prison Directorates shall provide additional elements, such as: behavioural report, family information, police information.

2) decrease in prison population through house detention with electronic control, for sentenced persons who have to serve penalties of less than 18 months, and without electronic control for sentenced persons with remaining penalties of less than 6 months and for minors. It is worth adding that the Fines Fund (*Cassa delle Ammende*) has allocated a sum of EUR 5 million aimed at promoting the transition to non-custodial measures both for prisoners who are eligible and those who, on health grounds, are not compatible with the prison regime. The measures focus on finding public or private housing solutions for the care, assistance or reception of people in detention or subjected to judicial measures limiting personal freedom.

3) visits in prison have been suspended until 17th May. However, conversations with relatives, defense counsels and training institutions are being made through video calls and phone calls even beyond the limits provided for by the law, and by emails. Provided that the 2-meter distance is respected, in exceptional cases, face to face conversations are now permitted.

In the penitentiary field, a structure plan is being studied and submitted to the Technical Panel of the Ministry of Health in order to set up a national operating protocol for the prevention and control of Covid-19 infection in adult and juvenile prison facilities. The decisions will be taken in close cooperation with the National Institute of Health, the Civil Protection Department, and the Regional Healthcare Authorities. Among the topics that will be examined, the following are to be mentioned:

1) Management of Newcomers in prison (from the outside world or from another penal institution, they must have a different health assessment - screening) with a dedicated health protocol.

2) The setting up of wings inside the prison buildings for Covid-19 patients (ad hoc health arrangements).

3) Special provisions on the re-opening of visits for family members: suitability of spaces, duration, sanitization and/or decontamination procedures and individual protection devices.

More in details, the following measures were adopted:

- installation of tensile structures at the entries of the penal establishments, where the staff (equipped with Personal Protective Equipment, PPE) carries out check procedures of “new arrivals”;

- the prison physician, during the first entry medical examination, shall assess the health status of the inmate. In case of Covid-19 suspicion, the inmate shall be assigned to a specific wing – previously chosen by the prison governor. The inmate shall be confined in a single cell, with in-cell toilet;

- outside every wing entrance, dispensers with disinfecting solutions shall be put in place;

- temperature survey by thermo-scanners in many prisons (mainly situated in Northern Italy) in order to test every person accessing the prison, including staff;

- PPE (masks and gloves) are provided to the staff who work in detention wings and in the escorted transfers teams;

- the medical examination of an inmate – already present in the prison – showing symptoms of Covid-19 shall be carried out in a dedicated room, previously identified by the prison governor. The co-inmates sharing the cell with the sick prisoner or those ones who had contacts with him shall undergo the medical screening and tests. In case of positive outcome of the Covid-19 test, the prison physician evaluates whether to assign the subject to the dedicated detention wing for healthcare confinement or to hospitalize the inmate;

- all the inmates who exit from the prison for any reason (end of sentence, granting of a measure alternative to detention, transfer) shall undergo a medical examination;

- where prisoners to be released show symptoms of flu or fever, the healthcare staff shall alert the local healthcare authorities and shall invite released prisoners to comply with the laws and regulations currently in force in the community;

- de-contamination and disinfection of the premises accommodating prisoners infected with or suspected to be infected with Covid-19.

Each inmate leaving a prison shall undergo a swab sample test, taken by the competent healthcare staff, in order to provide a thorough picture of the prisoner’s health conditions upon his arrival at the prison of his destination. The prison Governor must wait for the negative outcome of the test before transferring the inmate.

Inmates can be transferred only for reasons of health, justice (where it is not possible to participate in the hearing through the videoconference system) and security.

***Interventions aimed at decreasing the prison population***

Home detention: derogating from the legislation currently in force, the Law-Decree of 17 March 2020 provides for that the sentence to imprisonment is to be executed, upon request, at the sentenced person’s home or in other public or private healthcare center, where the sentence to be served is under 18 months, even if it is the remaining part of a longer sentence. This measure is valid until 30 June 2020.

The prisoners sentenced for particularly serious crimes or crimes of a particular alarm, as well as the inmates who participated in the recent riots and troubles in prisons are excluded.

All the offenders benefiting from home detention in that circumstance, who have to serve a sentence longer than six months, shall undergo electronic surveillance, giving their consent to it.

This scheme could be applied only to inmates who accrued the said requirement by 30 June 2020 (Law No. 27/2020).

If the sentence to serve is under six months, the electronic surveillance shall not be applied.

Semi-liberty: the offenders who are already benefiting from semi-liberty regime can have their prison leaves extended until 30 June 2020, in order to limit the possibility of contagion in prisons.

The recent Law-Decree No. 28 of 30 April 2020 and the Law-Decree No. 29 of 10 May 2020 have further established a special regime of permits or house detention for the inmates sentenced for very serious crimes (including terrorism and mafia offences). Thus, in the proceedings concerned, the advices of the Prosecutor office of the District where is the court delivering the final sentence, or, in case of inmates subjected to the special penitentiary regime for mafia type crimes (and other similarly serious offences) ex Art. 41 bis o.p, of the National Prosecutor for mafia crimes are preliminarily acquired.

When the house detention is allowed for healthcare purposes linked to the Covid-19 emergency, a periodical review (after 15 days and in any case on a monthly basis) of the requirements has to be carried out by the judiciary; therefore, based on the advice of the Local or National Prosecutor for mafia crimes, on the preliminary information by the prison department on the availability of penitentiary healthcare facilities appropriate to host the inmate concerned, on the information by the regional healthcare authority on the local health situation, the house detention could be revoked.

***Provisions relevant to remote communications with families and defense counsels and use of e-mails by prisoners***

- Compensation measures following the limitations on contacts with people outside are also provided;

- substitution of the family visits for all inmates – except for the inmates undergoing the maximum security regime provided for by Art. 41-b of the Penitentiary Act – by video-communications through either PCs or smartphones;

- purchase of 1,600 smartphones to allow all prisoners a higher number of telephone calls with their families (to previously selected telephone numbers). Further 1,600 smartphones are being purchased by the Regional Directorates of the Penitentiary Administration to be distributed to prisons;

- use of the Skype platform (both by PC and by smartphone) or of other platforms installed in the smartphone for video-calls;

- the Law-Decree No. 29 of 10 May 2020, provides that from 19 May to 30 June 2020 talks with families or other person shall be take place by remote or by phone and that the director of the prison, based on information from different authorities, including the local healthcare one, establishes the number of meetings inmates- family that could be held in person in prison, in any case not less than one per month.

Other recent measures are the following ones:

- use of e-mails (to selected addresses of family members);

- the video-calls with defence lawyers through Skype are always allowed, also by the use the use of an additional "Teams" IT platform for video calls (in addition to Skype);

- the ongoing education and school courses will continue, including final tests and exams, through video-conference and Skype;

- prisoners attending university studies can have correspondence with their professors through the e-mail address of the prison;

- as from 1 June 2020 it is possible to celebrate religious ceremonies (Mass) in each prison with the presence of few detainees and ensuring physical distancing;

Measure for the inmates undergoing the maximum security regime provided for by Art. 41-b of the Penitentiary Act;

- the family visit can be substituted by a telephone call, which can be supplemented by one more telephone call per month, in order to exchange news about health conditions with family members, until the end of the current health emergency.

**Children education and well-being within the family context**

On 17 March, the Ministry of Education released the guidelines for long-distance education: these guidelines were needed to ensure students school continuity, since schools closure will probably be extended and students must be granted the possibility to not lose the 2019/2020 school-year. The Guidelines include definitions of long-distance education and some techniques and actions that schools can implement to foster the participation of students to these activities. Moreover, specific techniques, software or integrative teaching materials must be offered to students with disabilities or specific learning needs. The Guidelines also include a specific section on privacy issues. According to the document, school institutions are not requested to obtain the informed consent for processing personal data, since such consent was also obtained at the moment of the students’ enrolment: long-distance education is thus considered a part of ordinary school activities. School institutions, however, must inform data subjects about the content of Arts. 13 and 14 of the Regulation 2016/679/EU and more specifically: i. that personal data will be treated lawfully, correctly and transparently and this data will be collected for specific, explicit and legitimate purposes; no profiling will be allowed and this data will not be disseminated and communicated to other subjects; ii. In compliance with Art. 28 of the Regulation, processing of data will be governed with specific contracts binding the processors to the controllers (the school institutions); iii. Processed data will undergo an impact assessment, in compliance with Art. 35 of the Regulation.

On 28 March, operative indications were addressed to all school institutions concerning extraordinary cleaning of school facilities and implementation of online teaching . As per the latter point, the indications established how to use the EUR 85 million earmarked by Art. 120 of the Law-Decree No. 18 of 17 March 2020 to finance online teaching: EUR 10 million is to be destined to make available to school institutions digital instruments to foster the access to e-learning platforms, with a specific attention to the accessibility for students with disabilities; EUR 70 million is to be used to make available to disadvantaged students individual digital devices in a free loan-for-use regime; EUR 5 million is to be used to provide online training sessions to teachers on methodologies and techniques for on-line teaching.

By Law-Decree No. 22 of 8 April 2020 on “Urgent measures to ensure the conclusion of the school year, the beginning of the new school year and on final exams” the adoption of specific Ordinances of the Ministry of Education ruled the following crucial issues: guidelines for the evaluation of the performance of the students; the conclusion of the school-year; the final exams and how to perform them using digital devices; the measures to start the next school-year in September and the possibility to fill any education gap caused by the emergency. Art. 1.5 specifically stresses that these Ordinances must carefully consider the needs of students with disabilities or any other specific education necessities. Art. 2.3 recalled the necessity for all teachers to ensure the continuity of teaching using remote on-line platforms and any other available technological devices.

The Decree of the President of the Italian Government of 10 April 2020 has confirmed the suspension of school activities and university activities, as indicated in the Law-Decree No. 19/2020 on “Urgent Measures to address the Covid-19 emergency”. School directors are requested to ensure remote teaching and to carefully consider the needs of students with disabilities. Remote teaching is used also for academic activities. This regime was further confirmed by the Decree of the President of the Italian Government of 26 April 2020 , introducing the so-called Phase 2 of the emergency.

On 17 April, the Ministry announced that additional EUR 80 million was to be earmarked to finance the purchase of PCs, tablets, and devices for Internet connection in Italian schools. Since the beginning of the emergency, the Ministry issued and updates FAQs explaining the legislative dispositions adopted during the emergency phase that concern and have an impact on the school system. The Ministry also collected several promising practices available at national level to develop on-line teaching activities, including specific practices destined to students with disabilities. On 21 April, the Ministry of Education set up an Experts Committee whose mission is to design and present ideas and proposals to Ministerial authorities, concerning the continuity of the school system during the emergency phase, as well as to improve the quality of the Italian school system. More specifically, the Committee is expected to present proposals concerning: the beginning of the school-year in September 2020; school facilities; digital innovation; training of school staff; development of a network of services to be destined to young students, aged 0-6; the improvement of the quality-level of the school system in the emergency phase. The Committee is formed by 18 experts (8 women and 10 men) and it will soon start a round of auditions with relevant stakeholders, including associations representing students and parents. The experts will work for free and their mandate will expire on 31 July. The first meeting of the Committee was held on 23 April.

The Ministry of Education adopted on 16 May 2020 the Decree No. 9 governing the final schools’ exams. The Decree concerns specifically the secondary-school exams: the students’ final grade is established considering the evaluation of the teachers on the whole schoolyear and on the paper submitted by each student. The paper is submitted by each student to the teachers and presented orally via videoconference. The subject of the paper is decided by the teachers. Students with disabilities or with specific learning impairments are requested to submit a paper as well: however, the type of paper and its content are established considering each student’s individual school plan. On the same day, the Decree No. 10 introduced specific dispositions governing the final exams of the Italian high schools. Students will undergo an oral exam and they will be requested to provide a declaration of their health status before being allowed to enter the school facility. Each student can be accompanied by no more than one person. All the members of the examination board are members of the teaching staff of the schools attended by the students, except for the president who will be an external member. No more than 5 students will be heard each day, starting from 17 June 2020. The oral exam will last 60 minutes and it will include the discussion of the papers redacted by the students, as well as the analysis of an Italian literature text, a discussion on one of the school subjects selected by the teachers, and a final part concerning the “citizenship and constitution” subject. School teachers will decide the type of oral exam students with disabilities will be asked to undergo, depending on the specific situation of each student. The Ministry of Education recommended the teachers to ask the students – during the oral exam – their impressions and experiences of the pandemic period .

Decree of the President of the Italian Government of 17 May 2020 has introduced provisions implementing the Law-Decree No. 33/2020. These provisions are valid until 14 June 2020 and they will be probably reassessed since the state of emergency is expected to last until 31 July 2020. School and university activities are still suspended. School directors are compelled to ensure the offer of remote-teaching techniques and to adequately consider the specific needs of students with disabilities. As for Universities, exams, internships and the use of libraries are allowed as long as the interpersonal distance is respected, and any kind of gathering is prevented.

Law-Decree No. 34 of 19 May 2020 has introduced economic support measures earmarking a budget of EUR 55 billion. The Law-Decree is immediately effective but must be converted into Law by the Italian Parliament within 60 days. In order to ensure the safe reopening of schools in September 2020, the Fund for the functioning of school institutions (*Fondo per il funzionamento delle istituzioni scolastiche*) is increased by EUR 331 million in 2020. These resources are to be used to implement the necessary interventions to foster remote-teaching, the sanitation of school facilities, the purchase of individual protection devices (such as facial masks), the introduction of specific teaching tools for students with disabilities or learning impairments. Moreover, EUR 65 million is destined to private and public care facilities for children aged 0-6 whose activities were compromised by the pandemic, in terms of reduction of the fees paid by the children’s parents.

The Parliamentary debate on the conversion is still undergoing and the Authority for the Protection of Childhood and Adolescence (*Autorità garante per l’infanzia e l’adolescenza*) expressed its opinion to the Parliament , stressing that remote teaching cannot replace ordinary teaching since the risk exists of exacerbating social differences and depriving children and adolescents of the crucial socialisation function of the schools. The Authority also stressed that each student must be provided with equal opportunities, providing the devices and instruments that are necessary to participate to remote school activities. The Authority also highlighted the importance to restore ordinary school functioning as soon as the pandemic emergency is under control and no later than September 2020 in the entire Italian territory. Eventually, the Authority recalled three issues that deserve specific attention in order to correctly implement the restoring of the ordinary school activity: safety conditions in school facilities; the necessity to ensure that potential education gaps are adequately filled; the specific needs of vulnerable students, such as students with disabilities, or with disadvantaged and marginalised family and social background. On grounds of this Law-Decree, some Ministerial Ordinances were adopted ruling specific aspects of the school-system, especially the final exams of the secondary schools: a Circular Letter concerned the final exams of schools and training centres for adults, as well as for detainees ; in the upcoming days a specific Ordinance should be issued concerning the final exams of the secondary schools and the other school grades. On 6 April the Authority for the Protection of Childhood and Adolescence – in cooperation with the Ministry of Education – issued an online document destined to teachers aimed at designing basic guidelines on online teaching, suggesting practical activities and providing information on the rights of the children.

Furthermore, the Technical and Scientific Committee – set up by the Italian Government to cope with the pandemic – delivered on 28 May 2020 its opinion on the measures to adopt to restore the ordinary school activities in September 2020 . This document provides the Government and the Ministry of Education with technical recommendations on how to ensure the safety of the students, focusing on interpersonal distance at school, prevention measures and hygiene. More specifically, the document suggests an interpersonal distance of 1 metre for ordinary school activities and of 2 metres for sport activities. School canteens must be ensured, respecting the interpersonal distances through the introduction of shifts or lunch boxes to allow the students to eat in their classrooms. Students will not be asked to check the body temperature before entering the school facility; however, any student presenting symptoms of fever or respiratory infection will have to stay home. Before the September opening, school facilities must be adequately cleaned and sanitised. Sanitising products will be made available to the students and the use of facial masks will be compulsory for students aged more than 6.

As previously proved, the Covid-19 crisis has a potentially far-reaching, long-term negative impact on children’s wellbeing. For many children, the Covid-19 crisis means limited or no education. These interruptions to education can have long-term implications especially for those children in already disadvantaged or vulnerable situations. Furthermore, lockdown measures implemented by several countries can also deprive them of their rights to rest and leisure, to engage in play and recreational activities and to participate freely in cultural life and the arts.

The Presidency of the Council of Ministers – Department for Family Policies has drafted specific Guidelines for the safe management of social and leisure opportunities for children and adolescents, in collaboration with the National Association of Italian Municipalities, the Conference of Regions and Autonomous Provinces, the Ministries of Education, Health, Labour and Social Policies, Youth Policies and Sport. The guidelines aimed at concretely protecting the psychological and physical wellbeing of children and adolescents and regulating the modalities for the safe implementation of leisure and recreational activities. The document is available at http://famiglia.governo.it/it/pubblicazioni/linee-guida-per-i-centri-estivi-e-le-attivita-ludico-ricreative/

With a view to contributing to narrow the educational gap generated by the lockdown measures during the Covid-19 emergency, the Presidency of the Council of Ministers – Department for Family Policies elaborated the public Call for proposals EduCare for the financing of leisure, non-formal and informal education projects for the empowerment of children and youth, to allow them to acquire knowledge and abilities that will contribute to the development of their potential as active and responsible citizens and promote their commitment towards their society, while respecting differences. The Call aimed at promoting summer camps and outdoor education activities to accelerate the recovery of the society after the end of the coronavirus global emergency, in collaboration with civil society organizations and local bodies. The total amount that will be allocated is equal to 35 million euros and will fund projects on children’s and youth’s empowerment, intercultural exchange, intergenerational dialogue, non-discrimination and equality, inclusion of disadvantaged people and persons with disabilities, promotion of healthy lifestyles among children and youth, environmental protection and sustainable development, appreciation of local cultural heritage and respectful use of social media. The financed projects could envisage, inter alia, the carrying out of outdoor play activities for children under adults’ supervision, as well as online and offline child-friendly cultural and artistic activities, all in line with the social distancing protocols. The funded actions also aimed at supporting children and their families whose vulnerable conditions have worsened after the Covid-19 outbreak, such as families with disabled children and families living in economic and educational. The public Call is available at http://famiglia.governo.it/it/avvisi-e-bandi/avviso-pubblico-educare/

The “#CiStoDentro” (#IAmIn) project is another initiative launched by the Minister for Equal Opportunities and Family to provide all parents with a tool for experimenting new ways to play with their children at home during the current lockdown. The initiative is available on the website of the Department for Family Policies (http://famiglia.governo.it/ci-sto-dentro/) and includes several sections, such as 1) information on Coronavirus; 2) the possibility to send a letter to the Minister; 3) pieces of advice on new games to be played at home; 3) suggestions on books to read; and 4) a photo gallery.

Among the numerous measures taken to support families during the COVID-19 emergency, also considering the subsequent temporary suspension of the provision of child education services and teaching activities in all Italian schools, Art. 23 of Law-Decree No. 18 of 17 March 2020 introduced an extraordinary leave and bonus for parents, intending to support them during the period of the temporary closure of school activities.

Indeed, starting from 5 March 2020, parents working in the private sector with children up to 12 years of age have access to a specific 15-day leave covering 50% of the salary. The leave can be enjoyed by both parents alternatively and only if no other income support measures apply for the family members. Art. 72 of Law-Decree No. 34 of 19 May 2020 extended up to 31 July 2020 for a total period of 30 days and a total allocation of 1.3 billion euros. Children age limits do not apply to children with serious disabilities certified under Law No. 104/1992.

Intending to support children, youth and their parents in the summer period after the Covid-19 health emergency and combat educational poverty, Art. 105 of Law-Decree No. 34 of 19 May 2020 provides for an increase of 150 million from the Fund for family policies (Art. 19, par. 1, of Legislative Decree No. 223/2006). Such amount will be allocated to municipalities:

- for the strengthening of day-time summer camps, local social and educational services, and educational and recreational centers for children aged 3-14 in the summertime, in collaboration with public and private entities;

- to combat educational poverty through the financing of specific projects during and after the emergency, to catch up the educational and cultural opportunities lost during the lockdown.

To contribute to overcome the loneliness experienced by hospitalized children and elderly people, as well as by children and their families staying home in compliance with the lockdown measures currently in force in Italy, and to provide people with more educational and cultural opportunities while in the hospitals and at home, the Minister for Equal Opportunities and Family called upon the main IT and toy-selling companies operating in Italy to donate them electronic, IT, educational and play materials (toys, personal computers, tablets, e-readers, etc.) in line with the anti-wastage provisions extended by Art. 31 of Law-Decree No. 9 of 2 March 2020.

On May 13, Minister for Youth Policies and Sport and Minister for Equal Opportunities and Family signed the #TimeToCare Memorandum of Understanding (https://www.politichegiovanilieserviziocivile.gov.it/dgscn-news/2020/5/timetocare.aspx) which provides for the allocation of 5 million euros to support an action plan to promote intergenerational exchange.

The "Time to care" experimental project aims to alleviate the consequences of the Covid-19 epidemiological emergency on the elderly population. This initiative will involve around 1500 young people under 35 from all over Italy in a 6-month experience. The idea is to encourage the participation of young people in community life, in particular, by asking them to engage in assistance activities for older people - particularly experienced by the current scenario - which will be carried out by third sector entities already active in the territories affected by the emergency and with previous experience in that specific area. Young people, adequately trained, will be engaged in assistance and socialization activities for older people, even remotely, such as "light welfare" activities, listening, animation activities, etc.

Based on the memorandum of understanding, a public Call for proposals has been published to collect expressions of interest by third sector entities to join #TimeToCare.

Within the framework of the activities carried out by the National Observatory for Childhood and Adolescence (established within the Presidency of the Council of Ministers – Department for Family Policies), on 8 April 2020 the proposal was made to establish a specific Working Group of experts for the assessment of the current health emergency’s impact on children and the identification of actions and strategies on the topic to be proposed to the Government.

Within the framework of the National Observatory on Family, a special experts’ Working Group is being established with a view to assessing the impact of Covid-19 emergency on demography and family choices. The start of the Working Group’s activities has been announced on 28 April 2020 during the presentation of a survey carried out by the Toniolo Institute on the effects of the pandemic on youth’s change of habits and life projects

**Persons with disabilities**

The Office for Policies for People with Disabilities has been operational since 1 January 2020. The Office responds to the President of the Council of Ministers and represents the support structure used by the President of the Council of Ministers for the promotion and coordination of government action on disability matters.

The task is to coordinate, to give impulse and act as facilitator, of the action of specific competence of the other central Administrations and of creating an effective link with the functions of the territorial Administrations. The new configuration of competences is consistent with a new approach that the Government wants to follow, of a mainstreaming type, which makes the issue of disability an element of constant attention in the elaboration of general policies.

This coordination role has developed also during the emergency Covid-19 health system.

There have been many interventions to protect people with disabilities, as Italy is also one of the countries most affected initially.

Since the Council of Ministers' resolution declaring the state of emergency because of the health risk associated with the onset and spread of the Covid-19 virus on the national territory, the Government has adopted measures, which, with the different degrees of intensity, involve people with disabilities and their rights.

The most important in terms of disability concerned first, with the Law-Decree No. 14/2020 concerning the urgent provisions for the strengthening of the National Health Service in relation to the emergency Covid-19, the assistance to pupils with disabilities through the provision of services aimed at supporting distance learning.

Furthermore, always in the same provision, the faculty for the Regions and the autonomous provinces of Trento and Bolzano was established to set up special units designed to guarantee the delivery of home health and social-health services in favour of people with disabilities who present conditions of fragility or comorbidity.

With the Law-Decree No. 18/2020 the economic measures necessary for the protection of the health and work of people with disabilities were then implemented as the category of citizens most exposed to the risk of contagion. These include:

• the provision of extraordinary leave, both in the public sector and in the private sector, for the parents of people with disabilities regardless of the registry criterion;

• the extension of the days of leave pursuant to Law No. 104/92 up to a total of 18 days of paid leave covered by notional contributions;

• forms of protection of the period of active surveillance of workers, equating the condition of "active surveillance" (quarantine) with hospitalization, also for remuneration;

• the provision of priority criteria in accessing the mart-working tool, guaranteeing employees with serious disabilities or who have a person with serious disabilities in their family, the right to carry out work in an agile way. In addition, priority is given to workers in the private sector affected by serious and proven pathologies with reduced working capacity, in accepting requests to carry out work in an agile way;

• the closure of the semi-residential centers of a socio-welfare, socio-educational, multifunctional, socio-occupational, health and social-health care nature, with the exception of those in which indifferent health services are carried out and on condition that compliance with the envisaged measures can be guaranteed containment of the virus;

• the provision of home benefits for people with disabilities, provided that the indications provided for the containment of the infection are respected.

The measures adopted with the Law-Decree No. 18/2020 for the March-April period, were subsequently extended and strengthened with the Law-Decree No. 34 of 19 May 2020.

The most relevant provisions, adopted with the aforementioned provision, concern:

• the extension for a further two months of the regime of permits Law No. 104/92, of extraordinary leave, of the protections for "active surveillance", as provided for by Law-Decree No. 18/2020;

• the 90-day extension for therapeutic plans expiring in the period of declaration of the state of emergency, which include the supply of products related to home hospitalizations;

• renewal of the provisions to guarantee individual home services;

• the provision of school resources specifically intended for students with disabilities, with specific learning disabilities and other special educational needs;

• in the context of emergency income, the provision of simplified mechanisms for access to households in which there are people with disabilities.

In addition to these interventions, the government has allocated EUR 150 million for further interventions:

• increase in the Fund for non-self-sufficient persons (F.N.A.) of EUR 90 million for the year 2020, also providing for a specific destination of EUR 20 million for the realization of independent life projects; the total budget becomes a total of EUR 661 million;

• increase in the Fund for assistance to people with serious disabilities without family support, the so-called “After us” fund, of EUR 20 million, for a total amount of over EUR 78 million;

• establishment of the "Fund for semi-residential structures for people with disabilities", providing for a budget of 40 million euros. The Fund is aimed at supporting the "safe" re-opening of CDDs, so that specific security protocols for fragile users can be envisaged.

The increase in the FNA and the "After us" fund represents a highly anticipated goal of considerable importance for two reasons:

• for the first time, there has been a marked increase in funds, towards endowments desired by professionals and sector associations;

• secondly, and not least, the aforementioned Funds have a minimum common denominator in the desire to implement measures aimed at the deinstitutionalization of people with disabilities, an even more important goal if assessed in view of the consequences deriving from contagion in residential structures.

All in implementation of the principles established by the Constitution, by the Charter of Fundamental Rights of the European Union and, above all, by the United Nations Convention on the Rights of Persons with Disabilities by the UN Convention, in particular Art. 19.

In addition to the economic interventions already listed, in which the Office supported the Government in the conception and implementation of the same, a varied number of institutional interventions were put in place, so that the institutions and public opinion could become aware of the centrality of the issue of protection of people with disabilities.

Among these works proposed by the Office for policies for people with disabilities are, among others:

• the predisposition of LIS-Italian sign language, interpreters for the communications of the Civil Protection and for the press conferences of the Prime Minister;

• the activation of mailboxes dedicated to requests for information for deaf or hearing impaired people;

• the request to the Civil Protection, the Regional Health Departments and the Commissioner Arcuri, to pay attention to people with disabilities for the distribution of PPE;

• proposals and reminders to INPS, to the Min. Health and Min. Work, on the implementation of the provisions of Law-Decree No. 18/2020;

• collaboration with the CEI for the establishment of a home care service;

• the awareness of large retailers on the need to provide preferential lanes and to encourage home shopping services for people with disabilities.

Finally, ample space was given to communication, providing for the preparation of FAQs constantly updated in the light of the numerous provisions issued and the numerous requests received by the Office, both by email and with the official page on Facebook.

*Monitoring of the situation in the territories*

The difficulty of finding data and information about the state of implementation of essential services for people with disabilities has certainly been exacerbated by the diversity already existing on the national territory. While knowing that an efficient and effective monitoring activity is subject to specific and determined rules. The Office has nevertheless, through the collaboration of the most representative associations of people with disabilities, proposed a qualitative recognition of the perceived status of essential services for people with disabilities school inclusion services, alternative services to the closure of the CDD-Day care centres for the disabled, services for non-self-sufficient people and mobility.

In such a framework, the support offered by the Civil Protection, by the sector and voluntary associations which, through the territorial sections, manage to monitor and guarantee concrete support, keeping the system of protection and guarantee of the person with disabilities undeniable . In most cases, this support is not only addressed to the person with disabilities, but also to the members of the family, through remote psychological consultations, listening and sharing of experiences.

Analyzing the overall situation, with specific regard to the thematic areas being investigated, a different degree of satisfaction can be deduced from the contribution provided by the territorially competent institutions.

Certainly the least critical issues are found with regard to mobility, especially as a result of the interventions that have allowed the movement - for health needs - to people with accompanied disabilities.

Numerous projects are also witnessed, above all with the involvement of associations, intended for the supply of food, drugs and any other need felt by the person with disabilities. However, specific critical issues on the subject are noted with reference to the difficulty of finding individual protection devices, especially in rural areas with less population density, therefore less connected by distribution services.

Greater difficulties are instead witnessed in the field of school inclusion services: if it is true that in the whole territory, in the vast majority of the questionnaires received by the writer, remote teaching is activated (for both schools and universities), it is also true that its effectiveness depends heavily on the degree of preparation of schools and teachers.

The latter, especially in the South, either sometimes delegate teaching exclusively to support teachers, or provide material that is not fully accessible to pupils with disabilities. To add to the difficulties of remote learning of pupils with disabilities, there is the digital divide phenomenon, whereby families with greater cultural and economic difficulties, in the absence of adequate technological tools, sacrifice more the educational-school path. However, there are numerous good practices, scattered throughout the country, aimed at keeping integration with the class firm, through group video calls, conferences or recreational activities. With specific reference to intellectual and relational disabilities, it is crucial not to frustrate progress achieved with extreme effort.

Finally, the most critical areas are those concerning:

• the activation of alternative services to the closure of day centers. A framework of absolutely limited services emerges, but which, at times, are compensated by the work of volunteers who dedicate themselves to the preparation of online services, telephone lines for psychological support (both family members and users) and any other form of contact with the boy / girl that technology supports. According to an informal survey carried out on the Regions that have already provided guidelines and territorial plans for the safe reopening. It appears that 9 Regions (Lombardy, Veneto, Lazio, Puglia, Sicily, Marche, Tuscany, Calabria, Friuli-Venezia Giulia and Campania) at present have approved or are preparing guidelines and territorial plans for the safe reopening of social-welfare and socio-health activities provided by day centers for the disabled and semi-residential structures with effect from 18 May. With regard to the remaining Regions, it was not possible to find useful elements to arrive at a clear determination of the decisions taken or ad hoc measures are still activated;

• home care for people with serious disabilities. There has been a perception of strong isolation, and great difficulties in activating alternative services, regardless of the support of industry associations or volunteers who already have a relationship of trust with the person with disabilities. Due to the great fear, on the part of the family and the person with disabilities, in accepting home benefits, of which the lack of personal protective equipment is a factor.

Finally, the Office has tried to give an overview of how other countries, among those closest to the Italian experience, are behaving.

**Migrants**

With respect to immigration Centres, the Ministry of Interior issued recommendations to guarantee all initiatives for the implementation of hygienic and social distancing measures. These recommendations were sent to all Prefectures - as far as their competence is concerned and with regard to the implementation area – adding the circular letter by the Ministry of Health concerning the update of the indications on diagnostic tests and criteria to be adopted in the determination of priorities as recommended by the WHO and the European Commission and adapted to the Italian situation.

By circular letter addressed to all Prefectures, including those Prefectures of the territories where the Centres of Stay for Repatriation are located, reference has been made to Law-Decree No. 6/2020 and the subsequent implementing Decrees (specifically Decree of the Presidency of the Council of Ministers (dated 4 March 2020), with regard to the need to ensure compliance with the provisions to contain and combat this virus spread – thus guaranteeing specifically that the migrants are adequately informed about the conduct to be adopted, in accordance with the health-care and hygiene prescriptions set out in Annex 1 to the above-mentioned Decree and provided for in the Decalogue published on the website of the Ministry of Health.

It should be noted that all the activities carried out by the *Prefets* in the context of the current epidemiological emergency are carried out in close cooperation with the local health-care authorities, to which the managers of the retention Centres are requested to address in the relevant cases provided for.

In particular, migrants should be informed by means of cultural mediators and multi-language information materials. Hygienic products must be made available and sanitisation of premises is required. In this regard the materials prepared in various languages by the International Organization for Migration (IOM), on https://italy.iom.int/sites/default/files/news-documents/LeafletIOMCovid19.pdf, and the multilingual material prepared by UNHCR, on https://coronavirus.jumamap.com/it\_it/ - which also provides information on the broader legal aspects of interest to asylum seekers are valuable informational tools.

Specifically, ad hoc spaces within the relevant Centres must be defined for health-related surveillance and isolation for suspected Covid-19 cases. In addition, when migrants arrive in Italy, the Department of Prevention must be immediately informed and migrants’ health checked for infectious diseases and screened, put under health surveillance, and isolation for 14 days.

In order to ensure the social distancing within the accommodations or to allow isolation for health-care purposes, with regard to surveillance measures the Prefectures have been invited, in agreement with the specific manager responsible for the surveillance service and the manager of the Centre, to improve the management of the posts currently available in the Centres under reference thereby reducing the posts available to respect the social distancing - in view of new possible arrivals.

With regard to the need to ensure greater access to forms of alternative communication, mention has to be made of, as a way of examples, the following interventions aimed at compensating for the further isolation to which the migrants retained in Centres of Stay for Repatriation are subjected due to the current Covid-19 related emergency situation. In this regard, with a view to ensuring communication with the outside world, the Prefectures have been invited to issue appropriate provisions so that, in case of necessity, the retained persons can maintain telephone contacts with relatives who, in relation to the current bans on movement, cannot reach the retention facility.

The right to have access to a physician, as well as the access to a lawyer, continues to be guaranteed to each retained migrant. In particular, in addition to the visit with one's own lawyer, in compliance with the rules of social distancing and, subject, where possible, to the body temperature check of each incoming lawyer, it is also possible to communicate at a distance with the lawyers, both through the use of landline phones available in the Centres and mobile phones provided by the managing body.

**Social Protection**

* Please provide information on implemented and planned adjustments to the social safety net in response to the crisis, to ensure that individuals who lost all or part of their income as a consequence of the pandemic have access to sufficient nutrition, housing, water and sanitation, health care, energy and other essential goods and services? How has the State ensured fair and equitable access to social safety net measures across lines of race, gender, sexual orientation and gender identity, membership of indigenous peoples, and others?
* How has the State approached social protection of small entrepreneurs and for people whose livelihoods are based in informal economies, in particular persons working often informally, in agriculture and other traditional livelihoods, child and health care, domestic work, construction, restaurants, street vending, tourism or as sex-workers? What specific efforts have been made to assess and mitigate the relevant health and social-economic risks to these populations?

**Please refer to the reply to questions posed by the competent Special Procedure.**

**Participation and consultation**

* What decision-making processes were used to adopt measures to respond to the pandemic? Did they include participation of local and decentralized authorities, including indigenous authorities, scientific experts, and civil society organizations?
* If emergency regulations have been imposed, to what extent have they affected official processes ensuring public participation and consultation? Have women and groups particularly affected by the pandemic and the response measures participated in such decision-making processes?
* What participation and consultation methods have been employed in preparing and implementing re-opening strategies or after emergency regulations have been lifted?

An overall overview about the involvement of all stakeholders in debating over the pandemic’s impact and the need to tackling it through national, regional and local actions has been carried out since the establishment of a Task Force of experts in economic and social matters.

The Italian Prime Minister, in the press conference of 10 April 2020 announced the creation of this Task Force (whose composition was amended on 12 May 2020) with the task of elaborating and proposing measures necessary to deal with the emergency and for a gradual recovery in the various sectors of social, economic and productive activities. The Task Force is chaired by Mr. Vittorio Colao and has worked in coordination with the Scientific Technical Committee referred to in Art. 2, paragraph 1, of the Ordinance of the Head of the Department of Civil Protection No. 630 of 3 February 2020. The results of this work have been introduced in a document released in early June 2020 where the identification of new organizational and relational models, taking into account the needs of containment and emergency prevention as well as social, economic and productive challenges in the post-pandemic period.

Moreover, several thematic task forces have been created by competent Ministers to provide specific guidance based on a high-spectrum representation of concerned public and private stakeholders and experts.

Moreover information and awareness-raising campaigns were developed by public authorities:

- Ministry of Health: the Ministry immediately used its website to disseminate leaflets, posters and infographics on the virus propagation . The first information was provided in January, providing recommendations and information to the citizens travelling from areas where the pandemic had already started (see for example, http://www.salute.gov.it/imgs/C\_17\_opuscoliPoster\_429\_allegato.pdf). The most recent infographic was published on 18 March, concerning blood donation to support hospitals’ activities (see, http://www.salute.gov.it/imgs/C\_17\_opuscoliPoster\_449\_allegato.png). Some of the information is available in languages other than Italian (see, for instance, http://www.salute.gov.it/imgs/C\_17\_opuscoliPoster\_444\_1\_alleg.pdf or http://www.salute.gov.it/imgs/C\_17\_opuscoliPoster\_444\_1\_alleg.pdf).

- The Ministry of Education created a specific section on its website providing information on how to ensure the continuity of the school year despite the emergency .

- The Italian Police released several infographics and videos explain the new measures adopted to cope with and limit the virus propagation. These are all available on the Police website and one of them is available also in English (https://www.poliziadistato.it/articolo/155e6e00948f9dd352965756). Some videos were released as well: https://video.repubblica.it/dossier/coronavirus-wuhan-2020/coronavirus-polizia-ecco-perche-bisogna-restare-a-casa-ed-evitare-anche-di-andare-a-correre-videoscheda/356642/357207?ref=RHPPTP-BH-I252096615-C12-P3-S4.4-T1.

- The Authority for the Protection of Childhood and Adolescence (*Autorità Garante per l’Infanzia e l’Adolescenza)* released a vademecum on how to explain the pandemic to children . It is available only in Italian.

It is worth noticing that the public declarations of the Italian Prime Minister on the new legislative dispositions adopted during the weekend were available also in sign language: www.governo.it/it/articolo/dichiarazioni-del-presidente-conte/14361.

**Awareness raising and technology**

* What awareness-raising activities have been undertaken by the State to inform groups in vulnerable situation, indigenous people and other populations living in remote or conflict-affected areas of health risks associated with COVID-19?
* Have public officials and law enforcement officials been trained and briefed with regards to the overall human rights impact of the pandemic, and the situation of groups in vulnerable situation during and after the crisis?

In Italy, on 31 March 2020 the Ministry of Technological and Digital Innovation – in cooperationwith the Ministry of Health – set up a task force of 74 experts whose mission is to assess and propose data-driven technological solutions supporting the Government and the other public authorities dealing with policies to counter Covid-19 propagation. The experts were selected by the two Ministries, with the support of the National Health Institute (*Istituto Superiore di Sanità* – ISS), the WHO, the Antitrust Authority, the Communications Authority and the Data Protection Authority. The specific goals of the task force are: mapping the available data-driven technological solutions and the proposals arrived in response to the call described in the previous paragraph; analysing and assessing the data provided by public and private stakeholders concerning the pandemic emergency, respecting the in-force data protection legislation.

On 21 April, the Ministry of Technological and Digital Innovation informed about the results of the call for contributions: 319 proposals were submitted for the monitoring and 504 for telemedicine. All the proposals were submitted to the task force which released its opinion on the best options to adopt for a pilot-test. The working sub-group on “Legal profiles on the management of personal data in the emergency context” stressed that the solutions that are were more in line with the in-force legislation are were those using the Bluetooth Low-Energy signal of the users who voluntarily decided to download the tracing app; if a user is diagnosed the Covid-19, his/her device transmits this information to the server of the public subject entity managing the system, which that will inform the other users that they who are at risk of infection because they got in contact with the infected person. The requirements for the use of this kind of apps are the following: i. the integrated contact-tracing system must be entirely managed by one or more public bodies and its code must be open and subject to revision by any independent subject entity willing to study it; ii. Data must be adequately anonymised so as to impede the identification of the data subjects; iii. the app must be voluntarily downloadable; iv. stored data must be cancelled when the purpose is achieved, with the exception of aggregated anonymous data to be used for research and statistical purposes; v. the adopted solution shall be considered effective to counter the pandemic so as to justify the limited but potential compression limitation placed on of fundamental rights and freedoms of the data subjects. The app must not have access to the data subjects’ phone contacts, must not ask the phone numbers and will not send messages to inform the subjects individuals at risk. On grounds of these indications, on 16 April 2020 the Government Commissioner for the Implementation and Coordination of Measures countering the Covid-19 Pandemic Emergency (established contacts with the Bending Spoons corporation, negotiating a contract for the voluntary provision to the Government of the open, free and irrevocable licence of the source code of all the app’s components. The corporation also committed to complete pro bono all the developments of the software that are would be necessary to develop the national digital contact-tracing system . According to the information provided by the Ministry of Technological and Digital Innovation during a hearing before the Public Works Commission Committee of the Italian Senate of 29 April 2020 , the app is named “Immuni” and it will be a contact-tracing app using the Bluetooth technology. The app will not have access neither to the users’ location data geo-localisation of the users, nor to their contacts lists. The app will be free and voluntary. The integrated contact-tracing system will be entirely managed by one or more public bodies and its source code will be free and subject to revisions/updates by any independent subject entity willing to improve it. The collected data will be sufficiently anonymised so as to prevent the user identification of the users. When the purpose of the data collection is achieved, all data will be deleted, with the exception of aggregated and anonymised data to be used for research and statistical purposes.

**Internet**

* The internet and social media were increasingly used for work, education, shopping for food and other goods, awareness raising sharing of information, freedom of expression, religious ceremonies, cultural and social interaction, consultation and political decision making. What challenges and obstacles has the pandemic highlighted in terms of access for all to internet? Has the recent situation given rise to increased violations of human rights, mobbing and bullying online? If so, how was this addressed?
* What approach have the relevant authorities taken to monitor online information related to the pandemic? Have some contents been removed from the internet? If so, what criteria were applied to decide that the specific contents should be erased? Have specific measures been implemented against hate speech in cyber-space?

On a general note the Data Protection Authority issued a collection of all the legislative and regulatory dispositions provisions adopted in the emergency phase that have an impact on the fundamental rights to privacy and data protection. This document is available online and freely downloadable. No legislative dispositions provisions or policy measures have been adopted so far to reform amend the in-force data protection legislation in order, as to allow an exceptional access of by public authorities to individuals’ telecommunication data of private subjects.

It should be noted that the President of the Italian supervisory authority reiterated several times, on various public occasions and in interviews to dailies and other media, the need to avoid introducing ad-hoc emergency rules or any temporary suspension of the existing data protection legislation, which already can accommodate the specific requirements of taking quick actions and measures to counter the Covid-19 pandemics – as shown by the ultimate adoption of the Decree (No. 28/2020, of 30 April 2020) regulating various issues in that connection. This is in line with the stance taken by the European Data Protection Board via statements and public guidance issued in March and April 2020.

The following interventions of the Data Protection Authority have been issued since the emergency outbreak.

On 2 February 2020 the Italian Authority for the Protection of Personal Data issued an Opinion on the Decision of the Italian Government of 31 January 2020. The Decision – which officially declared the 6-month state of emergency – gave mandate to the Italian Civil Protection to manage and coordinate the necessary interventions to limit the propagation. Art. 5 of the Decision also concerned the collection and treatment of personal data by the Civil Protection. The Authority commented on the Decision, stressing that – in its opinion – the Decision allowed the respect of the rights and guarantees envisaged by the in-force legislation. The Authority also stressed that – after the end of the emergency – all public administrations involved in civil protection activities are compelled to adopt measures ensuring that the data collected during the emergency is treated according to the ordinary procedures.

On 2 March, the Authority issued a Communication on its website stating that “in response to the invitation of the competent institutions for nation-wide coordination of the Coronavirus-related measures, the Garante calls on all controllers to comply strictly with the instructions provided by the Ministry of Health and the competent institutions to prevent the spread of the Coronavirus without undertaking autonomous initiatives aimed at the collection of data also on the health of users and workers where such initiatives are not regulated by the law or ordered by the competent bodies”.

In April 2020 the Parliamentary Committee for the Security of the Republic (*Comitato Parlamentare per la Sicurezza della Repubblica* – COPASIR) started a round of hearings concerning the implications of the app for national security. Several public authorities were involved in the hearings, including: the Ministry of Health, the President of the Bank of Italy, the director and vice-director of the Department of Security Information (*Dipartimento delle informazioni per la sicurezza* – DIS).

On 8 April the President of the Italian Data Protection Authority (DPA) rilancwas auditioned by the Committee IX of the Italian Chamber of Deputies (Transportation, Post, Telecommunications) . The hearing also dealt with contact-tracing technologies and how these should be used to counter the virus propagation. The Authority stressed “the advisability of relying on approaches that are based on the voluntary acceptance of the individuals allowing their locations to be traced. Still, this consent should be in no way conditional so as to ensure that it is truly free and therefore valid with a view to data processing […] In any case, the effectiveness of this solution for diagnostic purposes is related to the support received from citizens since the data could only be collected, by definition, from that part of the population that would give their consent to ‘tracing’. It is estimated that at least 60% of the population should give their consent in order to achieve effectiveness”. As per the impact on data protection, the Authority reported that “one should certainly prefer a solution whereby a ‘contact journal’ would be created on the very device owned by the individual at issue. This would avoid storage of the personal data in the telecom operators’ databases, which might raise the criticalities already flagged by the EU Court of Justice regarding data retention. The necessity, proportionality and minimization criteria highlighted by the EU Court point anyhow to the need for limiting these privacy restrictions to what is strictly necessary in order to achieve relevant, important purposes by undermining data subjects’ rights to the minimum possible extent. If one goes in this direction, one should firstly prefer the most selective measure, that is to say, the measure enabling the least possible use of identifying information for both collection and storage of the data. Thus, Bluetooth technology – that is the one used by the upcoming “Immuni” app – would appear to be preferable in order to select possibly infected individuals out of a more reliable sample, limited to significant contacts, as it yields data on spatially closer interactions compared to those that are identifiable within the much larger area covered by a phone cell”. Eventually, the Authority suggested to “introduce specific statutory offences to punish any entity that, being authorised to access the data on whatever ground, including for operational activities, uses such data for whatever different purpose”.

On 22 April, a computer science Italian Professor released an interview to a national newspaper, expressing his concerns about the Immuni App . He criticised the lack of transparency concerning this issue, the lack of specific information concerning the functioning of the app and also proposed to adopt a Decentralised Privacy-Preserving Proximity Tracing (Dp-3t) approach, rather than Pan-European Privacy-Preserving Proximity Tracing (Pepp-Pt), as it is the case of the Immuni app. More specifically, the first former approach envisages the transfer to the server only of the data of infected subject individuals who downloaded the app, in order to retrace the contacts; according to the second latter approach, the app is expected to store the data of all the users, regardless of their pandemic status.

On 30 March the Data Protection Authority issued preliminary indications on e-learning in the context of the emergency situation due to Covid-19. Schools and universities institutions should adopt e-learning techniques that are based on “privacy by design and by default” principles. If the selected platforms envisage the collection and storage of users’ personal data, the relationship with the services’ providers must be strictly regulated through a specific contract, in compliance with Art. 28 of the EU Regulation. Moreover, this data processing must be strictly connected to the provision of the e-learning services, no other purposes can be allowed. Schools and universities institutions must ensure transparency and accuracy of data-processing operations.

On 16 April the Data Protection Authority sent a letter to the Ministry of Justice concerning the use of video-conference techniques in criminal proceedings during the emergency period (introduced through the Law-Decrees No. 11 and 18/2020). The letter stressed that the Ministry did not address any opinion request to the Italian DPA concerning neither this legislation, n or the platforms used at for this purpose and the relevant data-processing techniques. For this reason, the DPA formally asked the Ministry to provide information on the characteristics of data- processing techniques used in criminal proceedings held in video conference during the emergency period.

**Accountability and justice**

* Could you kindly highlight key concerns in complaints received by national human rights institutions, ombudspersons, anti-discrimination bodies in relation to the COVID-19 crises and how they have been addressed?
* Could you provide any account and statistics on the impact of the COVID-19 pandemic on the operation of the justice system, including law enforcement, the provision of legal assistance and the operation of courts? Which activities were temporarily suspended?
* Please describe measures taken by the justice system in your country in protecting individuals from human rights violations and abuse during or after the COVID-19 pandemic. What measures have been taken to prevent, investigate or prosecute a) arbitrary arrest and detention, b) gender-based violence, c) sale and sexual exploitation of children, d) contemporary forms of slavery, e) racial discrimination, or f) illegal evictions?
* What measures have been taken to ensure access to justice, and provide accountability and redress for victims of hate-speech, racism, racial discrimination, xenophobia, and related intolerance during the pandemic?
* What has been the impact of this situation on women's access to justice? Are courts open and providing protection and decisions in cases of domestic violence, and are protection orders accessible?
* Have persons in situation of homelessness been fined, detained or prosecuted for non-respect of confinement or stay at home orders? How was this issue addressed in your country?
* In which way have restrictions for public or private meetings impacted on the freedom of expression and assembly? Have persons taking part in peaceful protest been fined, detained, or prosecuted for breaking national restrictions imposed for public or private meetings?
* Are there public or parliamentary investigations under way in relation to the response of public authorities to contain the spread of the pandemic?
* Please provide information on any alleged neglect, abuse, or serious violation of health regulations in health care institutions and institutions caring for older persons and persons with disabilities during the COVID-19 pandemic in your country?
* What measures have been taken by public and judicial authorities to address such allegations and to establish accountability, if applicable? Have any disciplinary, public inquiries or court cases been initiated, including against managers of the institutions concerned?
* Could you kindly share information on emergency regulations and COVID-19 response measures that may have been reviewed or suspended by national or constitutional courts in your country?

Italy, like few other countries, has been through the tragic experience of a high number of infections and victims and had to adopt drastic measures that citizens accepted with great sense of responsibility and which have been giving encouraging results in recent weeks.

The Italian Government has undertaken some universal/mainstream measures (aimed at strengthening of citizenship income, food supply, rental support etc.) managed at the municipality level. As far as the National Anti-discrimination Office (UNAR) action is concerned, it urged the municipalities to refrain from any discrimination measure as well as to include to maximum extent possible all vulnerable groups whatever their citizenship is in delivering of mainstream measures. Based on a letter of the UNAR Director General to the President of the National Association of Italian Municipalities (ANCI), as well as on Guidelines on “not discriminatory” principle, several municipalities changed their approach. In addition, some Administrative Tribunals suspended measures taken by some municipalities citing the letter of the UNAR to ANCI. The most relevant case relates to the sentence of the Administrative Tribunal of Abruzzo, on the suspension of measures taken by Municipality of L’Aquila, regional capital city, that has established as a criterion for access to the financial support offered by the Government to the requirement of the ‘residence permit for ‘long-term residents’ as well as the ‘long-term residence’.

Italy has faced the health emergency and its impact on the justice system with a series of urgent Government legislative acts aimed at introducing organizational measures capable to tackle the problems caused by the pandemic and prevent the contagion on the national territory. This set of provisions, the latest of which is dated 17 March (No. 18/2020), has set up the main guidelines for the justice sector, with the aim to strike a fair balance between the need to guarantee the exercise of jurisdiction and ensure the protection of public health and of the fundamental rights.

With the setting up of the Ministry’s control room composed of the “crisis units” of the various departments, it’s possible to monitor the crisis in this sector 24 hours a day so that the most appropriate measures can be promptly adopted.

With regard to the organization of work in public offices, in order to offer the maximum protection to the staff and avoid meetings of people in restricted spaces, smart working has become the ordinary working mode, whereas the activities that cannot be postponed, are performed by a limited number of personnel.

With regard to hearings, both civil and criminal, all pending proceedings have been postponed ex officio up to 11th May. The parties’ effective participation in the trial and the respect of their procedural rights, as far as proceedings with detainees are concerned, are guaranteed by videoconference systems, with simultaneous audio and video connections of all the participants, and by ensuring that confidential communication between the defendant and his/her defense counsel can take place before the hearings. In any event, hearings before the court are held in camera.

From this date to 31 July, the Heads of the offices (Courts and Prosecution offices) are entitled to decide if to maintain the rule of the postponement of proceedings – except for the civil and criminal proceedings listed in the abovementioned decree, considered as urgent - or to re-start holding hearings, that in any case shall be held remotely via VTC for health protection purposes.

At procedural level the time limits for the accomplishment of any act related to civil and criminal proceedings, including the enforcement proceedings of civil decisions, have been suspended from 9 March to 15 April.

As to international cooperation in criminal matters, a general postponement of surrenders is not provided, however they can be affected by the travel restrictions due to force majeure under Art. 23 of the implementing law. As to the internal procedures, they are submitted to the general postponement established for hearings. The person concerned has though the faculty not to agree with the postponement.

Bankruptcy proceedings are also included in the general provisions on postponement.

As to the applicable sanctions, only in case of infringement of the containment measures, an administrative fine up to EUR 3,000 is provided, whereas for the infringement of quarantine, criminal sanctions of a term of imprisonment up to 5 years are provided, unless it constitutes a more serious offence.**Questions by the Special Rapporteur on extreme poverty and human rights**

The Special Rapporteur on extreme poverty and human rights, Mr. Olivier De Schutter, will examine the impacts of the COVID-19 crisis on people in poverty by assessing the extent to which the economic recovery plans adopted, in order to cushion the impacts of the economic recession, take into account the need to reduce poverty and inequalities. He will also examine the specific vulnerability of people in poverty to contamination.

In accordance with the ILO Social Protection Floors Recommendation No. 202 (2012), a national social protection floor is conceived as a basic set of rights entitling individuals to basic social security guarantees for health care and for income security for children, older persons and those unable to work, in particular in cases of sickness, unemployment, maternity, and disability. Do the economic recovery plans adopted include measures towards making progress towards establishment or strengthening of a national social protection floor?

Do the employment policies associated with the economic recovery plans take into account the specific situation of people working in the informal sector, and the need to improve working conditions in that sector as well as to extend formal social protection to them? Have such policies sought to increase the employability of groups that face specific barriers in their access to employment, for example, through demand-driven skills development and vocational training?

Have the economic recovery measures prioritized investments in education and skill development for women and girls, and in sectors where women make up a considerable proportion of the labour force (such as in export manufacturing)? Do they include gender budgeting to ensure that women benefit equally from public investments?

Have the tax reforms associated with the economic recovery plans sought to widen the tax base, by rebalancing the tax contributions of corporations and those in high-income brackets? Have the impacts of the introduction of new or higher taxes on those living in poverty been assessed?

The human rights principles of participation, transparency and accountability require States to create and maintain mechanisms by which individuals can meaningfully and effectively contribute to, provide feedback on and claim redress from policy measures that affect their enjoyment of human rights. Were any mechanisms established to allow people living in poverty to participate in the design, implementation and assessment of economic recovery plans?

As for the questions posed by the Special Rapporteur on extreme poverty and human rights, Italy is pleased to provide a comprehensive reply as follows in relation to legislative/economic recovery measures adopted by the Government.

By Law-Decree No. 9 of 2 March 2020 financial measures have been introduced to support employers (through, for instance, the possibility to activate the extraordinary layoff, that is an allowance provided by the National Social Security Institute to the employees of those companies that are facing a crisis or reorganisation situation) and self-employed workers.

Law-Decree No. 14 of 9 March 2020 has provided that healthcare departments and institutions are allowed to hire additional staff. Self-employed medical staff could therefore be hired – considering the insufficiency of the existing public lists – with 6-month working contracts. These contracts are meant to expire with the end of the emergency period. The Decree also specified measures to ensure the continuity of general practitioners and paediatricians’ services.

By Protocol of 14 March on measures to contrast and limit the propagation of Covid-19 in the workplace, professional associations and trade unions – at the request of the Prime Minister and the Ministries of Economics, Labour, Economic Development and Health – negotiated a protocol indicating the measures and actions to be implemented to ensure workers’ safety and limit the propagation of the virus in those workplaces that were still active and could not apply smart-working to the employees. The protocol is divided into 13 sections concerning different aspects of the working activity that need be reformed and monitored during the emergency: information provision to the employees; access to the companies’ premises; access of external suppliers to the premises; cleaning and sanitation of the premises; personal hygienic precautions; individual protection devices; shared spaces management (canteen, changing-rooms, smoking areas, vending machines etc.); business organisation (smart-working, shifts, business trips etc.); management of employees’ entrances and exits; internal displacements, meetings, internal events and training; how to deal with a symptomatic employee; health surveillance; updating of the protocol.

Law-Decree No. 18 of 17 March 2020, converted into the Law No. 27 of 24 April 2020, has been aimed at supporting the economic system and all the people who are financially suffering due to the shortcomings of the pandemic (for instance, those who had precarious or irregular jobs and lost them; small companies that had to stop or reduce their production). The Law-Decree is complex and envisages many measures.

Art. 19 provides for Ordinary Redundancy Pay. This benefit is used to supplement or to replace wages of workers and employees who are laid off or have a reduction in working hours, due to events of Covid-19. Art. 19 also provides for Ordinary Allowance, that is a financial supplement for workers’ and employees’ wages, in case of closure or declining of working activity. Special Redundancy Pay is provided by National Social Security Institute (INPS) to support firms without ordinary provisions. As far as maternity is concerned, during the emergency period (until July 31) Italian legislation provides a special leave of maximum 30 days for working parents of private and public sector with children up to the age of 12 years, covered by an indemnity of 50 per cent of the retribution. This leave is alternative between the two parents and it’s covered by figurative contribution (Art. 23). The entitlement of this leave is subject to the condition that the other parent in the household is not unemployed or non-working nor does receive an income support for employment suspension or termination. Besides the above-mentioned conditions, working parents with sons/daughters up to 16 have the right to abstain from work for the entire period of suspension of school and educational services, without payment of compensation or recognition of figurative contribution, with prohibition of dismissal and right to remain in employment. As an alternative to the aforesaid leave, private employees can choose to receive one or more bonuses for the purchase of baby-sitting services up to an overall maximum limit of EUR 1200, to be used for services carried out during the period 5 March - 31 July 2020. Also as an alternative to special leave for Covid-19, for public and accredited private employees in the healthcare sector (doctors, nurses, laboratory technicians) the bonus for the purchase of baby-sitting services for the care of children under 12 years of age is recognized within the overall maximum limit of EUR 2000, to be used for services performed during the period March 5 – 31 July 2020. The provision also applies to personnel in the security, defence and public aid sector employed for the needs related to the epidemiological emergency by Covid-19. Regarding disability, the emergency regulation has considerably strengthened protection for both disabled people and care givers. In fact, in addition to the three days of monthly leave already due to them, an additional 12 days of paid leave to be taken in March and April have been provided (Art. 24) for these two categories of workers, and another 12 days for the months of May and June, which can also be taken continuously or divided into hours (Art. 73 of of Law-Decree No. 34/2020). Another important provision introduced by Art. 26) is that concerning the possibility, until July 31, for some categories of workers considered “fragile”, to be absent from work: this absence is to be considered as hospitalization from a legal and economic point of view. The categories of workers covered by this provision are: 1. Serious disabled persons, according to Art. 3, paragraph 3, of Law No. 104/1992; 2. Workers affected by oncological diseases or immunodepression or undergoing life-saving therapies, in possession of appropriate certification. In these cases, certification of serious disability is not required. With regard to these categories of workers, public and private employers have the obligation, until the end of the state of emergency due to health risk on the national territory, to ensure exceptional health surveillance of workers most at risk of infection, due to their age or to their particular risky condition (Art. 83 Law-Decree No. 34/2020). As far as smart working is concerned, we have to stress that: employees with disabilities or who have a disabled person in their household have the right to perform smart working (pursuant to Arts. 18 to 23 of Law No. 81 of 22 May 2017), provided that the latter is compatible with job characteristics.; workers in the private sector suffering from serious and proven pathologies with reduced working capacity shall be given priority in the acceptance of applications to perform smart working; the aforesaid provisions also apply to immune-depressed workers and the cohabiting family members of immune-depressed persons.

Afterwards, Circular No. 1 of 27 March 2020 of the Ministry of Labour and Social Policies – General directorate for combating poverty and for social programming, provided specific indications aimed at stressing the centrality of the social services system in the Covid-19 emergency situation, paying attention to those in fragile conditions, including children and young people living outside their families of origin, temporarily placed in communities or placed in foster families. The circular aims to ensure continuity and uniformity in the national territory of social services, ensuring that services are provided in a safe way, both for users and operators, both in the case of services provided by public administrations and in the case of outsourced services.

The Decree of the President of the Italian Government of 1st April 2020 prolonged the validity of the Decree of the President of the Italian Government of 22 March 2020 until 13 April 2020. The Decree of 22 March imposed the suspension of all manufacturing and commercial activities except for those listed in Annex I to the Decree. Professional activities were not suspended, and public administrations could continue providing essential services, respecting tough the health safeguards (use of facemasks, hand sanitiser etc.; the obligation to maintain a 1-metre compulsory distance between people). It was allowed to continue those working activities that are necessary to ensure continuity to the activities listed in Annex I, as well as to public utilities. The decision to continue such activities must be communicated to local *Prefects*. Museums and cultural institutions are not included – for the purposes of this Decree – in public utilities; schooling is not included neither and it must be ensured using long-distance teaching methods. Transportation, production and delivery of medicines, medical devices, agricultural and food products are allowed. Continuous production-cycle activities are permitted if the suspension can severely compromise the plant or cause serious accidents: *Prefects* can suspend such activities if they consider that such risks do not actually exist. Some productive sectors – such the defence, aerospace industry and other strategic productive sectors – can continue their activities. All the companies whose activities are not suspended are compelled to respect the measures aimed at contrasting the virus propagation in workplaces (established through the Protocol of 14 March 2020 , negotiated by the Government and the social partners). This regime was further confirmed by the Decree of the President of the Italian Government of 26 April 2020 , introducing the so-called Phase 2 of the emergency. However, the Decree allowed stores selling food and restaurants to restore the take-away services (and not only home delivery), if the interpersonal distance is respected and with the prohibition of consuming the products in the facility and of clients gathering nearby the facility.

Law-Decree No. 23 of 8 April 2020 has governed a wide range of crucial issues, such as the measures fostering companies’ access to credit, the continuity of production, protection of work and health. Art. 30 introduced tax credits aimed at sustaining the purchase of safety equipment (such as facial masks and any other device to ensure the 1-metre interpersonal distance) in the workplace. Art. 41 extended to the employees hired between 24 February 2020 and 17 March 2020 some of the support measures that had been introduced with the Law-Decree No. 18 of 17 March 2020 , namely wage subsidies and the extraordinary redundancy fund (*cassa integrazione in deroga*).

Decree of the President of the Italian Government of 10 April 2020 has confirmed the suspension of all commercial activities with the exception of those listed in Annex I to the Decree. Differently from previous Decrees, bookshops, flower shops, shops selling children clothes and art supply stores were included in the list of allowed commercial activities. These activities must ensure the respect of the 1-metre interpersonal distance and a strict control of the accesses in order to avoid clients gathering inside the facility and staying more time than needed to purchase the goods. Other safety measures – such as the cleaning and disinfection of the premises, the availability of hand sanitiser for the employees and clients – are recommended and listed in Annex 5 to the Decree. Art. 2 confirmed the suspension of all manufacturing activities (unless they are performed with smart working techniques) with the exception of those listed in Annex 3 to the Decree and those providing essential services, as defined by Art. 1 of the Law No. 146 of 12 June 1990 – namely those aimed at ensuring the fundamental rights to life, health, freedom, security, assistance and social security, education, the freedom of movement and communication. Theatres, museums, and schools are temporarily suspended. The production, transport, sale and delivery of medicines, medical technologies and devices, agricultural and food products are allowed. The continuous-cycle manufacturing activities and the activities of strategic economic sectors (such as the defence) are allowed as well.

Law-Decree No. 33 of 16 May 2020 has provided that economic, productive and social activities can be carried out respecting the protocols and guidelines aimed at preventing the propagation of the virus, that are adopted at regional level for each economic sector. If no such protocols/guidelines exist, the national legislation preventing the propagation of the virus is applied. Regional authorities are in charge of daily monitoring the pandemic situation and – on grounds of this data – assess the necessity to adopt provisions that temporarily limit specific economic and productive activities. The time validity of these provisions cannot exceed 31 July 2020 – the date of the end of the State of emergency in Italy.

Decree of the President of the Italian Government of 17 May 2020 has introduced provisions implementing the Law-Decree No. 33/2020. These provisions are valid until 14 June 2020. Retailing commercial activities are allowed as long as the 1-metre interpersonal distance is respected. Clients are allowed to stay in the facility for the time needed for the purchase. The catering sector – including restaurants, bars, pubs etc. – is allowed to work if the regions (or autonomous provinces) have adopted the protocols and guidelines governing these activities and preventing the virus propagation. Home delivery and take-away services are allowed: however, the interpersonal distance must be respected, and clients cannot gather inside or outside the facilities to consume the products. Smart working must be fostered as much as possible for all professional activities. Safety protocols preventing the virus propagation must be adopted in the workplace; if the interpersonal distance cannot be respected, the use of facial masks is made compulsory. Beach resorts were included for the first time in the legislative provisions concerning the pandemic governance: these activities are now allowed as long as they respect the protocols and guidelines adopted at regional level. Moreover, the interpersonal distance must be respected, and any kind of gathering must be avoided.

Law-Decree No. 34 of 19 May 2020 has introduced economic support measures earmarking a budget of EUR 55 billion. The Law-Decree is immediately effective but must be converted into Law by the Italian Parliament within 60 days. A non-reimbursable contribution is ensured to business and self-employed workers whose activities were compromised by the pandemic (the revenue in April 2020 is inferior by two thirds compared to the revenue of April 2019), if their revenue in the last tax period is inferior to EUR 5 million. The managers of activities and professions whose revenues diminished by 50% because of the pandemic are entitled to receive a financial contribution amounting to 60% of the rental fee of the facilities they use for their professional activities. This provision is offered to professionals whose revenue is inferior to EUR 5 million in the last tax period; managers of hotels are entitled to this provision, regardless of their revenue. Workers who received the EUR 600 financial compensation in the month of March are entitled to the same contribution also for the month of April 2020: this provision is destined to freelancers, self-employed workers, seasonal workers.**Questions by the Special Rapporteur on the right to food**

The thematic report of the Special Rapporteur, Mr. Michael Fakhri, to the General Assembly will focus on international trade. The report’s main objective will be to identify the limits of the current international food system, explore to what extent the WTO is still suitable, and propose principles and mechanisms for a new food system. COVID-19 highlights the pre-existing weaknesses and inequities of the current system, but also provides a way to find new paths forward.

1. To what extent, and how, were international and domestic food supply chains disrupted during the pandemic? What were the measures taken by national, federal, provincial or local governments? Did authorities close particular local markets or impose export restrictions on certain goods? What was the reasoning for the actions taken by the respective authorities?

2. What measures did national, federal, provincial or local governments put in place to ensure access to food for the individuals in vulnerable situations such as older persons, children, women, rural communities, LGBT persons, national or ethnic, cultural, religious and linguistic minorities, and indigenous peoples?

3. What were the conditions under which food workers such as agricultural labourers, store workers, transporters, cooks, and shopkeepers had to work? What measures did national, federal, provincial or local governments put in place to ensure the safety and welfare of these workers? Were any special provisions and protections made for migrant workers?

1. Can you provide examples of any other measures taken by national, federal, provincial or local governments in your country to prevent hunger during the pandemic and in its aftermath?

As for the questions posed by the Special Rapporteur on the right to food, Italy is pleased to provide a comprehensive reply, as follows.

On a general note, in addition to the minimum income measure already present in the system, called *“Reddito di cittadinanza”* (RdC), an emergency income support measure was introduced for a period of two months, without access requirements linked to the duration of the residence period and with more updated economic requirements than those required to access the RdC. EUR 400 million have been allocated for the Municipalities to distribute food aid to those who, in this emergency phase, are in need, through vouchers that can be used to buy food or direct distribution of food and primary products need.

As for the National Anti-discrimination Office (UNAR), with specific reference to the persons belonging to vulnerable groups among migrants (especially members of Roma Communities, homeless etc.), the activities were undertaken in order to assure that measures adopted by the Government (aimed at providing “support to the primary needs of people in particular need and which should be addressed to families most exposed to the economic effects of the Covid-19 virus”) are provided without discrimination. In particular UNAR has paid special attention to ensure that the municipality criteria for access to the so-called ‘vouchers’ or food solidarity funds - one of the main national mainstream measures which had the aim of in dealing with the emergency dictated by the coronavirus – are established to guarantee the principle of not discriminatory. In fact, following to the complaints of many NGOs and CSOs, on the fact that many municipalities have chosen to allow access only to those that have a legal residence as a criterion for accessing the measure (thus excluding all the social groups most exposed to the risk of poverty such as: homeless people, Roma and Sinti), the UNAR Director General has at first envoy the letter to the President of the National Association of Italian Municipalities (ANCI) calling for "non-discriminatory and inclusive” approach in delivering of aid (for more information see http://www.unar.it/emergenza-covid-19-lunar-scrive-allanci-no-a-ordinanze-comunali-discriminatorie-sugli-aiuti-alimentari/) and, secondly, published specific Guidelines (Guidelines on food solidarity interventions in execution of the order No. 658 of 29 March 2020) for the municipalities. The both documents firmly underlined the necessity to extend ‘food aid’ to all foreign citizens legally residing as well as those who, without a residence permit, are temporarily forced on the territory due to the blocking of mobility imposed by the emergency.

**Questions by the Special Rapporteur on the right to adequate housing**

The report of the Special Rapporteur on the right to adequate housing, Mr. Balakrishnan Rajagopal, to the General Assembly focuses on the impact of the COVID-19 crisis on the right to housing. It will analyse measures taken to prevent and stop evictions during and in the aftermath of the crisis and to protect groups at risk of marginalization, including persons living in situation of homelessness and in informal settlements. The report will discuss whether emergency measures implemented may have had discriminatory outcomes, map out emerging good practices to counter them by local and national governments, and analyse medium and long term interventions required to protect during and after the crisis the right to adequate housing for all.

1. Please elaborate on measures taken by national, federal, provincial or local governments to ensure persons are protected from the virus at their home or place of living:
2. Has your country declared a prohibition on evictions? If a prohibition was declared, indicate its legal basis and how long it will last. Please specify if it is a general prohibition and if it also applies to persons living in informality or in informal settlements. Is the prohibition of evictions restricted to tenants or mortgage payers who have been able to pay their rent or serve their mortgages, or broader?
3. If no general prohibition on evictions was declared, please indicate how many evictions have taken place, the number of people affected, and the specific details of time, location and reasons.
4. Have any measures been taken to ensure that households are not cut-off from water, heat or other utility provision when they are unable to pay their bills?
5. Please provide any information about other legal or financial measures aimed to ensure that households do not lose their home if they cannot pay their rent or mortgage payments? Have any other tenant protection measures been adopted in response to the pandemic?
6. What measures have been taken to protect persons living in informal settlements, refugee or IDP camps, or in situation of overcrowding from COVID-19?
7. What measures have been taken by authorities to ensure that migrant and domestic workers housed by their employers continue to have access to secure housing during the pandemic and in its aftermath? If migrant workers left their place of work to return to their place of origin, what measures were taken to ensure their right to housing?
8. Have any measures been taken to provide safe accommodation for persons in situation of homelessness? If yes, how many persons were housed, in what form, where and for how long? How will it be ensured that persons provided with temporary accommodation will have access to housing after the crisis?
9. Can you provide examples of any other measures taken or planned by national, federal, provincial or local Governments in your country to protect the right to adequate housing during the pandemic and in its aftermath?

As for the questions posed by the Special Rapporteur on the right to adequate housing, Italy is pleased to provide a comprehensive reply, as follows.

By Ordinance of 29 February 2020 home mortgages were suspended for people living in the area listed in Annex I of the Decree of the President of the Italian Government of 23 February 2020 until the end of the emergency situation. Banks and financial institutions were compelled to inform their clients about this possibility. In addition, with reference to homeless people, it is specified that they can access the *“Reddito di cittadinanza”* (RdC) on the basis of the duration of their effective residence in the country, which can also be demonstrated with evidence other than the personal registration in the municipal register.

On 25 March, the Italian Federation of Organisms for Homeless People (*Federazione Italiana Organismi per le Persone Senza Dimora* - fio.PSD) sent a letter to the Italian Civil Protection and to the Italian Government, asking to distribute individual safety devices (such as facial masks) to professionals providing essential services to homeless people and to foster emergency shelters and accommodations on the entire national territory destined to homeless people who must undergo the compulsory isolation period, homeless people who tested positive but without symptoms or those who have been in contact with infected people. The Federation also stressed that many local services destined to homeless people – such as shelters, social canteens, health practices etc. – had to increase their activities since the beginning of the emergency, often arriving to a 24-hour provision. This is the reason why – according to the letter – it is pivotal to design and implement shared operative protocols involving municipalities and local healthcare departments, that can be promptly activated at the local level to cope with vulnerable situations. On 9 April, the Italian Civil Protection replied to the letter, stressing that: individual safety devices can be booked and obtained through the official website of the Italian Civil protection; Municipalities are the public authorities in charge of managing the resources to be destined to emergency accommodation solutions; the Ministry of Health has been informed about the necessity to adopt the above-mentioned protocols.

In Italy, the Municipalities are given the mandate to provide services and assistance to homeless people, in general and during this emergency period. The situation of homeless people is therefore extremely different, depending on the municipality. In the city of Rome, municipal authorities have extended the opening hours of emergency shelters active in the winter period from 15 to 24 hours per day, allowing the people to spend the whole day in the centre. Some local associations – such as the “Comunità di Sant’Egidio, Caritas and the association “Binario 95” – are continuing providing meals and essential goods to people living in the street and have converted some facilities they can dispose of into 24-hour shelters. The association “Binario 95” – that runs a shelter nearby Termini railway station – started distributing hygienic kits and offering a shower service, as well a psychological support service . On 5 April, the NGO “Amnesty International” sent a letter to the Mayor of Rome , asking her to introduce specific measures to support the 8,000 homeless people living in the city, ensuring an accommodation and the access to essential healthcare services. On 27 April, the NGO “Intersos” reported that – since the beginning of the emergency – the measures so far adopted at local level are not adequate . The NGO carried out 600 medical visits and monitored 1,800 homeless people living in Rome: in its report, the NGO stressed that there is an overall lack of coordination among stakeholders and the practices that are adopted by Rome local healthcare departments are extremely different. There are no reception facilities for the most vulnerable subjects. Eventually, the NGO stressed the lack of a coordination mechanism involving all the competent public authorities and the civil-society organisations active in this field.

The National Anti-discrimination Office (UNAR) has paid specific attention to the needs of the people in so called informal settlements (many of whom belonging to Roma community). Following to the break-up of the emergency, the UNAR carried out a recognition of the situation through numerous NGOs members of UNAR’s Roma National Platform. Luckily, as for health aspects, according to the to INMP, the National Institute of Poverty Medicine, an institution of the Ministry of Health with which UNAR carries out a specific project on the health of the Roma, no major problems were found related to the contraction of the corona virus by people living in the settlements (which, of course, would have been very alarming considering the concentration of people who live in close contact in settlements). On the other side, critical issues arise with reference to the shortage of foodstuffs and basic necessities and DPI (medical devices, masks, sanitizing gels, etc.) as well as relation to the limited access to online classes for students living in marginalized areas.

Upon such recognition, UNAR has agreed with NGOs that carry out so called PAL Project (Local action plans for Roma inclusion), currently implemented on the territory of the major Italian cities, to expand their activities in order to include a series of interventions to respond to the most critical issues due to the Covid-19 emergency. In particular, UNAR has allocated part of the resources of the European funds available to respond to the emergency, providing for an emergency expansion of the PAL project mentioned above (through supply of food and medical equipment etc.).

**Questions by the Special Rapporteur in the field of cultural rights**

The next report to the Human Rights Council by the Special Rapporteur in the field of cultural rights, Ms. Karima Bennoune, will focus on the impact of the COVID-19 crisis on the exercise of cultural rights and on the role of culture and cultural rights in responding to the pandemic.

1. What have been the impacts on cultural rights and on cultural life\* of:
2. the pandemic?
3. measures taken to respond to the pandemic?

*\* Cultural rights include the rights to take part in cultural life without discrimination, to access and enjoy heritage, to artistic and scientific freedom, and to benefit from scientific knowledge and its applications. Cultural life includes performing arts, museums, heritage sites, sports and public spaces used for a variety of cultural and social gatherings*.

1. What efforts have been made to guarantee the exercise of cultural rights, in accordance with the requirements of public health? How has the message that cultural life must be enjoyed in ways that respect public health and medical expertise been communicated?
2. What roles have culture and cultural rights played in responding to the pandemic:
3. At the individual and collective levels, including in building resilience and solidarity, and memorializing victims?
4. At the scientific level, to provide adequate information to inform public policy and ensure public awareness?
5. In any other relevant manner?
6. What steps have been taken to mitigate the impacts of the pandemic, and of measures to counter the pandemic, on the cultural sector and on the human rights of those working in it (including artists, athletes, cultural heritage professionals, cultural workers, librarians, museum workers and scientists)?
7. How have the cultural sector and those working in it adapted to the pandemic? How have these adaptations been received by the public and how have they been supported, including financially? Are there sectors of the population that may risk exclusion from such adaptations?
8. What kind of measures will be necessary to rebuild the cultural sector going forward? How will inclusion be addressed?
9. Has your Government already envisaged / announced specific measures to support the culture sector during and after the pandemic? How will relevant constituencies participate in their development and implementation?
10. Have scientific and medical experts been able to express themselves freely about the pandemic, its impacts and needed responses? What measures have been taken to address the denial of scientific information about the pandemic, and to ensure access to reliable scientific information to guide policymaking and personal choices.

As for the requests posed by the Special Rapporteur in the field of cultural rights, Italy is pleased to provide replies for each question, as follows.

*1. What have been the impacts on cultural rights and on cultural life\* of:*

*a. the pandemic?*

*b. measures taken to respond to the pandemic?*

*\* Cultural rights include the rights to take part in cultural life without discrimination, to access and enjoy heritage, to artistic and scientific freedom, and to benefit from scientific knowledge and its applications. Cultural life includes performing arts, museums, heritage sites, sports and public spaces used for a variety of cultural and social gatherings.*

Although the Italian cultural sectors involves different stakeholders, artists and cultural professionals under the free spirit of expression and creation and (Arts. 19-21 Italian Constitution), the unexpected pandemic situation has deeply influenced the general social life affecting, in particular, the artistic production and the accessibility to cultural contents and places (for example museums, heritage sites, libraries, archives, theatres, cinemas).

Several measures have been taken to respond to the lockdown-impasse through the use of technological instruments that have allowed the increasing use of digital platforms (e.g. websites, virtual heritage- tours and artistic-performance ), communication campaigns and social networks (Facebook, Instagram, Twitter, Youtube, etc).in order to constantly keep spreading the arts and knowledge of our cultural places and to reach out to staying-home beneficiaries.

*2) What efforts have been made to guarantee the exercise of cultural rights, in accordance with the requirements of public health? How has the message that cultural life must be enjoyed in ways that respect public health and medical expertise been communicated?*

To combining the requirements of public health with the exercise of cultural life as essential component for the society, some activities and services have been converted in online modalities.

During the pandemic, for example, the Ministry of Culture has been guaranteeing the free digital enjoyment of museums and cultural places while it has launched a media communication campaign with the hashtag #iorestoacasa #laculturanonsiferma #cultureneverstops with the aim to invite people to stay home and to enjoying culture from their cellphones, pc, tablets etc. Despite the contingent situation and isolation of people related to, these initiatives encouraged the dissemination of multiple digital contents (e.g. training online videos, museums virtual tours, art-stories, individual/collective artistic performances) and the raising-awareness of the importance of culture as a vehicle of social cohesion.

*3) What roles have culture and cultural rights played in responding to the pandemic:*

*a) At the individual and collective levels, including in building resilience and solidarity, and memorializing victims?*

*b) At the scientific level, to provide adequate information to inform public policy and ensure public awareness?*

*c) In any other relevant manner?*

Culture and cultural rights played a key role in responding to the pandemic: despite the inability to access public spaces, the individual and collective freedom of creation contributed dynamically to lay progressive groundwork for adaptive social-environment as a response of co-building resilience and development-change. As a matter of the fact, for example, music and arts-sectors promoted online-performances (e.g. playing instruments, opera singing and reciting theatrical pieces) or a solo concerts.

Moreover, to keeping the public participative and informed, the TV and radio have broadcast a variety of cultural and scientific programmes. These last hosted different professional profiles allowing widely interdisciplinary public debates, which were occasions to promote, in some cases, solidarity and fundraising, as it happened by a day web-streaming #l’italiachiamò.

Furthermore, the Ministry of Culture launched a digital flash-mob #artyouready aimed at the web- participation -within a common virtual space- of the civil society which was invited to share and exchange contents ( e.g. photographs of arts, of museums, archives and libraries, foyers and stages of theatres, landscapes etc...), information, experiences and knowledge.

*4) What steps have been taken to mitigate the impacts of the pandemic, and of measures to counter the pandemic, on the cultural sector and on the human rights of those working in it (including artists, athletes, cultural heritage professionals, cultural workers, librarians, museum workers and scientists)?*

*a) How have the cultural sector and those working in it adapted to the pandemic? How have these adaptations been received by the public and how have they been supported, including financially? Are there sectors of the population that may risk exclusion from such adaptations?*

*b) What kind of measures will be necessary to rebuild the cultural sector going forward? How will inclusion be addressed?*

*c) Has your Government already envisaged / announced specific measures to support the culture sector during and after the pandemic? How will relevant constituencies participate in their development and implementation?*

As far as the pandemic continued, a set of measures have been adopted to mitigate the impacts of cultural sector at large: from the adoption of smart working modality to the financial support to artists and vulnerable categories of professionals, as a consequence of the lock of the cultural places and their sanitation.

The condition of cultural sector impacts was stately discussed publicly by the media in response to the various cultural live-events already scheduled and skipped.

By a constant stakeholders consultation, the Government adopted a series of legal measures and allocated an extraordinary budget (in total, approximately EUR 800 million), as follow:

By Law-Decree of 17 March 2020 (then Law No. 27 of 24 April 2020) the Italian Government and the Parliament adopted a package of measures, aimed at supporting the Italian economy in the framework of the Covid-19 crisis) includes for the culture sector:

• extension of unemployment benefits to cultural workers and non-profit organisations (for all employees, both permanent and fixed-term);

• Extension of social safety to seasonal tourism and entertainment workers, aid to authors, artists, performers and agents;

• allowance for self-employed and pseudo-self-employed (para-subordinate) workers (for the month of March) in 2020. The allowance was extended to the month of April by the subsequent Law-Decree of 19 May 2020;

• allowance (for the month of March) for freelancers in the performing arts sector/entertainment business. The subsequent “Law-Decree of 19 May 2020 extended the allowance to the months of April and March and included those workers who had at least 7 daily contributions in 2019 with an income up to EUR 35,000;

• suspension, without payment of interest, of tax and social security payments, welfare contributions, compulsory insurance premiums and other levies and taxes (including VAT) for museums, libraries, archives, monuments, historical sites, theatres, concert and film venues and other cultural and artistic organisations, extended until 16 September 2020 by the Law-Decree of 19 May 2020;

• vouchers for reimbursement or replacement of tickets already sold (e.g. cinema, museums, theatre, concerts, other cultural venues) valid for 12 months (extended to 18 months by the subsequent Law-Decree of 19 May 2020);

• establishment of two emergency funds (increased by the subsequent Law-Decree of 19 May 2020) to support the audio-visual, cinema and performing arts sectors in 2020. The funds are aimed at supporting authors, interpreters, artists, performers, distributors, exhibitors and producers hit by the measures taken in the framework of the Covid-19 emergency, implying the cancellation of their activities and the closure of venues;

• general support measures referred to micro, small and medium-sized enterprises subject to debt exposure;

• facilitation of access to credit by SMEs, including creative and cultural ones, for 9 months, drawing on the SME Guarantee Fund;

• 30% tax credit, up to a maximum of EUR 30.000, for cash and in-kind donations supporting measures combating Covid-19 emergency; beneficiaries include public and private bodies active in the cultural sector;

• 10% of income from “private copy” levies collected by SIAE (*Società Italiana degli Autori ed Editori*) in 2019 devolved to support authors, interpreters, performers and self-employed copyright agents.

Law-Decree No. 34 of 19 May 2020 adopts further measures aimed at supporting the resumption of activities. The culture package includes:

• emergency Fund for non-State run institutions and businesses, for the year 2020, to support bookshops, publishing and related supply chain; non state-run museums and other cultural establishments; recovery of losses due to cancellation of performances, congresses, fairs and exhibitions;

• State museums and cultural locations fund, for the year 2020, allocated to compensate for ticketing revenue losses following the adoption of containment measures for Covid-19 pandemic, in order to ensure the functioning of State-run museums and other cultural locations museum sector;

• performing Arts Fund (FUS): For the years 2020 and 2021, the FUS share devoted to opera-symphony foundations will be exceptionally distributed based on the average share for the three-year period 2017-2019. For the year 2022, said criteria will be adjusted taking into account the activities carried out in the framework of Covid-19 pandemic, the needs for protecting employment and the rescheduling of performances. Performing arts bodies other than opera-symphony foundations that benefitted from FUS in the three-year period 2018-2020 will receive in 2020 an advance payment corresponding to 80% of the amount received in 2019; the remaining 20% will be paid based on the activities carried out during the pandemics, the needs for protecting employment and the rescheduling of performances. In 2021 contributions will be paid based on the activities carried out and reported in 2020. Performing arts organisations will be able to use FUS also to supplement the income of their employees in 2020;

• development of digital platform for arts and culture, enabling the online enjoyment of cultural heritage and live performances. The initiative is aimed at supporting the restart of cultural activities and might be supported also through the “Cassa Depositi e Prestiti” (Deposits and Loans Fund). In due course it might be established that operators benefitting from public funding should provide content for the platform;

• Culture Fund, for the year 2020, will be devoted to the promotion of investments and interventions for the preservation, enhancement, use and digitisation of tangible and intangible cultural heritage. The endowment of the fund can be increased by the contribution of private bodies;

• Fund for performing artists: a fund for performing artists is established based on the remaining funds from the liquidation of IMAIE (Mutual institute for the protection of performing artists);

• tax credit for rents of cultural locations: small and medium enterprises, including theatres, cinemas, cultural organisations, with a turnover of up to EUR 5 million, are entitled to a tax credit up to 60% of the costs of the monthly rent or lease of the premises where their activities take place, on the condition that they have suffered a decrease in turnover of at least 50% in the reference month compared to the same month of the previous tax period;

• tax credit “ArtBonus”: 65% tax credit for donations to culture is extended to include instrumental ensembles, concert and choral societies, circuses and travelling shows;

• tax credit for cinema and audio-visual: flexibility is introduced for the maximum tax credit percentages in the cinema and audio-visual sector;

• tax credit for sanitization: businesses and not-for-profit organizations are entitled to a tax credit of 60% of the expenses incurred in 2020 for sanitization of spaces and tools and for purchase of protective equipment and devices to counter the spread of Covid-19, up to a maximum of EUR 60,000 per beneficiary;

• contributions for sanitization, depending on the number of employees, can be claimed by businesses for extraordinary interventions aimed at containing and contrasting the spread of Covid-19 in work environments;

• IRAP exemption. Enterprises with a turnover of up to EUR 250 million are exempted from paying the 2019 open balance and 2020 advance payment of the Regional Tax on productive activities (IRAP);

• Italian capital of culture. Parma, Italian capital of culture in 2020, will keep the title in 2021. The selection procedure for the next Italian capital of culture currently ongoing will award the title for 2022.

Other measures taken by the Italian Ministry of Culture include:

• the unblocked tax credit incentives and released other funds by the Directorate-General for Cinema and Audio-visual;

• the production and distribution on TV or on-demand platforms of Italian and international theatrical pieces (up to 40%), as provided in the Ministerial Decree of 4 May 2020.

The general and responsive legislative framework adopted by the Ministry of Culture is based on the mitigation of negative impacts due to the Covid-19 for workers in culture, entertainment, cinema and audio-visual sectors by extraordinary allowances, which are also extended to workers without social safety net and to seasonal workers of entertainment.

Additional tax benefits have been provided for the entire cultural sector with the suspension of withholding tax payments and social security contributions for the entities responsible for the cultural management and organization (e.g. theatres, concert halls, cinemas, fairs or events of an artistic or cultural nature, museums, libraries, archives, historical places and monuments, bars, restaurants, spas, amusement or theme parks, transport services, rental of sports and recreational equipment or structures and equipment for events and shows, tour guides and assistants).

*5) Have scientific and medical experts been able to express themselves freely about the pandemic, its impacts and needed responses? What measures have been taken to address the denial of scientific information about the pandemic, and to ensure access to reliable scientific information to guide policymaking and personal choices?*

According to the Italian Constitution (Arts. 21 and 32) the circulation of news and the free expression of opinions are essential elements of democracy, which favour the full enjoyment of other constitutionally relevant individual rights including those connected to health and the public interest.

In the context of the epidemiological emergency, the public information acquired a special importance especially for the aspects of the social life interdependent with public health. Therefore, the scientific and medical experts have been able to freely express themselves on the pandemic analysis, its impacts and responses, in accordance to the current institutional set-up interventions against fake news.

An accurate actions were adopted by the Government Agencies (COPASIR - *Comitato parlamentare per la sicurezza della Repubblica* - and AGCOM – *Autorità per le garanzie nelle comunicazioni*) through permanent committees and consultative round-tables responsible for the monitoring of big data and online platforms ( e.g. fake profiles sources ore passively re-launch target contents) aimed at the contrasting online medical-health disinformation without limiting the respect of the freedom of expression.

The fake news monitoring unit, in fact, represents a tool for citizens, as web users, to strengthen the right to information in favour of accredited sources and to prevent pandemic risks in the country, according to the guidelines of the Ministry of Health and institutional organization of the Italian Civil Protection which held daily press conferences with the constant participation of scientific representativeness.

**Questions by the Independent Expert on the human rights of older persons**

The report of the Independent Expert, Ms. Claudia Mahler, will focus her report to the General Assembly on the impact of the COVID-19 pandemic on the enjoyment of the human rights of older persons. The report aims to highlight the challenges for the rights of older persons in the current national and international legal framework. It will analyse different risks to older persons human rights which were exacerbated and heightened and made more apparent during the pandemic. Ageism and age discrimination have continued, together with violations to older persons’ right to health and care service support, including their right to life, their right to information, their right to live free from violence, abuse and neglect, and their right to participate and to social inclusion. The report will provide best practices and case studies.

1. Please provide more information on the situation and measures taken in state run or financed facilities with a focus on the needs of older persons with underlying health conditions. Please provide any information concerning shelters for older women to protect them from abuse or from homelessness.

2. Please provide information how and how many older persons called for assistance, help or made official complaints during the pandemic.

3. Please provide information on reports, speeches and measures which had a special focus on older persons during the pandemic. Please include best and bad practices.

4. Please provide examples how older persons have participated in decision-making processes during the pandemic. Please describe how their perspective and needs have been integrated in national policies and programmes on the way to recovery from COVID-19 to make it a more inclusive and age friendly society.

As for the questions posed by the Special Rapporteur on the human rights of older persons, Italy is pleased to provide a comprehensive reply, as follows.

In Italy, on 6 March 2020, the Italian Society of Anesthesiology, Reanimation and Intensive Care (*Società Italiana di Anestesia Analgesia Rianimazione e Terapia Intensiva* – SIAARTI) issued guidelines on how to manage shortages of places in intensive-care departments during the Covid-19 emergency. According to this medical professional association, in case of shortages of available places in intensive care – and considering the expected increase of patients in need of this kind of therapy – priority should be given to those patients who have highest expectations of recovery. This extraordinary admission criteria should be applied in this phase to all patients needing intensive care – not just those affected by Covid-19 – and can be applied differently depending on the local situation.

The Decree of the President of the Italian Government of 10 April 2020 confirmed the limitations to the possibility for relatives and family members to visit older people living in hospices and institutions (the *Residenze Sanitarie Assistite* – RSA): the managers of such facilities can introduce specific procedures to allow the visits in specific cases, adopting protocols to avoid the propagation of the infection. This regime was further confirmed by the Decree of the President of the Italian Government of 26 April 2020, introducing the so-called Phase 2 of the emergency.

On 24 March the National Health Institute (*Istituto Superiore di Sanità* – ISS) started a national survey in cooperation with the Authority for the Protection of the Rights of People who are Detained or Deprived of their Personal Freedom (*Garante nazionale dei diritti delle persone detenute o private della libertà personale*) on the propagation of Covid-19 in Italian RSAs. The survey is aimed at monitoring the situation and adopting strategies to reinforce prevention programmes and principles. The survey is destined to the 3,400 RSAs mapped in Italy and is based on an online questionnaire gathering information on the management of suspect or confirmed cases of Covid-19 infections. Period reports showing the emerging results have been published on the ISS website. According to the third report – released on 14 April 2020 - 3,276 RSAs have been contacted for the survey, that is 96% of the mapped ones, covering the entire Italian territory. As of 14 April, 33% of them (1,802 RSAs) have replied to the questionnaire. On average, each RSA can count on 2.5 doctors, 9 nurses and 33 social-health professionals (*operatori socio-sanitari*, OSS). 11% of the of the facilities declared that no doctors were working for the RSA. On average, 43 professionals work in each RSA; each RSA offers on average 77 places (capacity ranging from 8 to 667 places).

The ratio between available places and members of staff is, on average, 2 places for each member of the staff; if only doctors and nurses are considered, this ratio is 8 places for each member of the staff (ratio ranging from 0.6 to 49). As of 1st February 2020, the 3,276 facilities reported that 80,131 patients were living in the facilities. If all causes of death are considered, 6,773 people died in the considered RSAs since 1st February: 45% in Lombardy, 16.1% in Veneto and 10.1% in Piedmont. The mortality rate was estimated at 8.2%. Out of these 6,773 patients, 40.2% (2,724 patients) either had tested positive to Covid-19 (364) or showed flu symptoms (2,360). RSAs were also asked to indicate the most crucial challenges they had to face while dealing with the emergency (more than one option could be chosen): 1,018 RSAs replied to the question. 82.7% (842 RSAs) reported the lack of individual safety devices; 19.9% (203 RSAs) reported the inadequacy of information provided by public authorities; 10.3% (105 RSAs) reported the lack of medicines; 32.9% (335 RSAs) reported the lack of staff; 10.9% (111 RSAs) reported difficulties in transferring patients with Covid-19 to hospital facilities; 25.5% (260 RSAs) reported difficulties in isolating the patients affected by Covid-19; 143 RSAs reported the impossibility to carry out tampon tests. As per the other difficulties mentioned by the respondents, these include receiving inconsistent or discordant information and the lack of coordination mechanisms.

On 17 April 2020 the ISS issued ad interim guidelines on how to prevent and control the propagation of the pandemic of Covid-19 in RSAs.

*Share of persons 60+ in the total number of persons in the community infected, recovered and died in relation to Covid-19*

• Infected by Covid-19

In Italy, according to the data released by the National Health Institute (ISS) , since the beginning of the pandemic until 26 May 2020, 230,811 cases of Covid-19 were registered by Italian authorities. 106,035 cases concerned men (45.9%) and the average age is 62. As per the age groups, 30,880 infected people were aged 60-69 (13.4% - 18,494 were men and 12,385 were women); 33,141 infected people were aged 70-79 (14.4% - 19,033 were men and 14,107 were women); 40,532 infected people were aged 80-89 (17.6 % - 16,497 were men and 24,027 were women); 18,602 infected people were aged 90+ (8.1 % - 3,818 were men and 14,783 were women).

• Recovered from Covid-19

In Italy, according to the data released by the National Health Institute (ISS), since the beginning of the pandemic until 26 May 2020, 199,135 recovered from Covid-19 in Italy. As per the age groups, 27,621 recovered people were aged 60-69 (13.9% - 16,004 were men and 11,616 were women); 24,579 recovered people were aged 70-79 (12.3% - 13,034 were men and 11,544 were women); 27,552 recovered people were aged 80-89 (13.8% - 9,174 were men and 18,370 were women); 18,602 recovered people were aged 90+ (9.3% - 1,996 were men and 11,190 were women).

• Died in relation to Covid-19

In Italy, according to the data released by the National Health Institute (ISS), since the beginning of the pandemic until 26 May 2020, 31,676 people died in relation to Covid-19 in Italy. As per the age groups, 3,259 were aged 60-69 (10.3% - 2,490 were men and 769 were women); 8,562 were aged 70-79 (27% - 5,999 were men and 2,563 were women); 12,980 were aged 80-89 (41% - 7,323 were men and 5,657 were women); 5,415 were aged 90+ (17.1% - 1,822 were men and 3,593 were women).

*Share of persons 60+ in the total number of persons in institutional settings infected, recovered and died in relation to Covid-19*

The requested data is not officially available at this level of detail: however, on 24 March the National Health Institute (ISS) started a national survey in cooperation with the National Guarantor for the Rights of Persons Detained or Deprived of Liberty on the propagation of Covid-19 in Italian Assistance Medical Institutions (RSA). The survey is aimed at monitoring the situation and adopting strategies to reinforce prevention programmes and principles. The survey is destined to the 3,400 RSAs mapped in Italy and is based on an online questionnaire gathering information on the management of suspect or confirmed cases of Covid-19 infections. According to the third and most recent report – released on 14 April 2020 - 3,276 RSAs have been contacted for the survey, that is 96% of the mapped ones, covering the entire Italian territory. If all causes of death are considered, 6,773 people died in the considered RSAs since 1st February: 45% in Lombardy, 16.1% in Veneto and 10.1% in Piedmont. The mortality rate was estimated at 8.2%. Out of these 6,773 patients, 40.2% (2,724 patients) either had tested positive to Covid-19 (364) or showed flu symptoms (2,360).

The institutions considered in the above-mentioned survey are the Assistance Medical Institutions (RSA), which were the institutions most affected by the propagation of Covid-19 among Italian elders. According to the ISS, 3420 RSAs currently exist in Italy: these include both public institutions and private institutions that are affiliated to the national healthcare system. According to the RSA database developed by the National Guarantor for the Rights of Persons Detained or Deprived of Liberty, the number of existing RSAs amounts to 4,629. The above-mentioned survey covered 96% of the 3,420 facilities mapped by the ISS: however, a comparison between the ISS and the Guarantor’s databases is being carried out to include all the institutions in the survey.

*Other activities:*

- the National Health Institute (ISS) released guidelines in several languages destined to the caregivers of older people : the guidelines provides information about the virus and suggests some indications on how to safely deal with older people, at the same time preventing the virus propagation.

- the National Health Institute (ISS) released during the emergency period an infographic destined to people aged 65+ concerning the risks of spending much time at home for the general health and wellbeing of the individuals and suggesting some physical exercises to do at home .

- the Ministry of Health released a video – titled “Remote Love” (Amore a distanza) – inviting relatives, family members and friends of older people to avoid visiting them because of the high risk it would entail, but at the same time showing them support and affection, using technological devices and/or helping them in practical ways, such as going shopping for them so that they can stay home.

- the Ministry of Health developed a support network for older people. A specific free helpline – active 24 h, 7 days per week – can be contacted by phone to ask for home delivery of medicines: this service is managed by the local branches of the Italian Red Cross thanks to the support of volunteers. Using the same phone number, older people could also ask home delivery of food and any other essential good. Moreover, a free helpline was activated providing information and assistance to fragile people, including older people. Users can obtain information on how to prevent the infection and about the procedure in case of close contact with the virus. A psychological support helpline was activated as well, which was not destined specifically to older people: the helpline is accessible also to deaf people.

**Questions by the Working Group on Persons of African Descent**

The Working Group of experts on people of African descent will focus its annual report to the 45th session of the UN Human Rights Council on the impact of COVID-19 and the response to the pandemic, on the human rights of people of African descent.

1. What measures have been taken to assess and address the impact of COVID-19 and associated efforts on people and communities of African descent in the country? For example, is data disaggregated on the basis of race being kept on infection, severity, recovery, and availability and access to both health and non-health resources and interventions? Are economic stimulus, public health, and health care efforts related to the pandemic penetrating communities of African descent and what data supports these conclusions?

 2. What measures have been taken to explicitly ensure bias is not motivating medical and policy decisions during this pandemic?

3. What measures have been taken to ensure the impact of the COVID-19 pandemic does not disproportionately fall to people of African descent? This question includes (a) the impact of infection, (b) the impact of new or existing policy, including access to health care and social safety net, and (c) the non-infection impact (like loss of livelihood and income).

4. Given the particular 'social invisibility' of people of African descent in many countries, what measures have been taken to ensure that the unique needs of people of African descent – with respect to both health and policy - are fully understood? What planning has taken place to address these unique needs of communities of African descent during this pandemic?

5. What representation by people of African descent exists in high-level decision making relating to this crisis? What specific efforts have the State used to ensure adequate expertise, and understanding to responsibly plan on behalf of communities of African descent? What measures have been taken to ensure equal protection, including ensuring that interventions that appear neutral on their face do not license or facilitate racial bias and stereotypes?

6. What protection efforts have centred public health issues specific to people of African descent? How have States leveraged existing civil society expertise to define key concerns and to effectively implement policy with respect to people of African descent? How have concerns and assessments relating to people of African descent impacted research and knowledge production agendas developed in response to the COVID-19, including to investigate specific barriers to care, or recognize the racially discriminatory intent or impact of policy?

7. To what extent do people of African descent have access to justice in the time of the pandemic? What remedies are available to people of African descent for the racism, racial discrimination, xenophobia they face in the midst of COVID-19? What independent investigations are conducted for the racially motivated violations of their human rights? What sanctions are imposed on responsible entities and individuals? Please provide examples.

All the legislative measures that have been adopted by the Italian Government and competent Ministries to manage the Covid-19 emergency have been applied without any distinction to all African citizens residing and living on the national territory.

As for the questions posed by the Working Group on Persons of African Descent, Italy is pleased to provide the following thoughts, in line with previous contribution for the compilation of the annual reports of the Working Group based on the relevance of the principle of non-discrimination within the national legislative framework and related policies.

Among the most relevant activities promoted in 2019 on the issue the following are worth of mentioning.

The second edition of the international Afropean Bridges workshop organized by the Center for the Humanities and the Social Change took place at Ca' Foscari University in Venice on 21-22 March 2019 on the topic “Africa and Europe: challenges, identity, representation”

The workshop, falling within the International Decade for People of African Descent (2015 - 2024) promoted by the United Nations, was a moment to reflect on the African diaspora, on post-colonial social and cultural dynamics, on the identity of European Afro-descendents, on still rooted stereotypes and prejudices, on 'Afropolitan' and feminist philosophy, and finally on the present and future economic-entrepreneurial links between Africa and Europe. During the debate the significance emerged to focus on the African continent no longer as a place of need but as an economic and cultural partner with whom to ponder exchanges and business opportunities.

The National Summit of Diasporas 2018-2019 project is the second relevant example: it is funded by the Italian Agency for Development Cooperation, the Foundations For Africa- Burkina Faso and the Charlemagne Foundation. It is carried out in partnership with the Italian Ministry of Labour and Social Policies, the Migration and Development Group of the National Council for Development Cooperation (CNCS) and Studiare Sviluppo, with the technical support of CeSPI and Le Reseau Association.

The Third National Summit of the Diasporas was held in Rome on December 14, 2019, at the conclusion of a 3-years path of knowledge, training and partnerships’ opportunities on the Italian territory, aimed at the inclusion of foreign associations and entrepreneurs into the Italian system of development cooperation in line with the claim “BEING PART - KNOWING - BUILD”. It was attended by over 300 people from associations, institutions, NGOs and companies.

In particular Panel 2 was devoted to debate over the topic “New generations and international cooperation: expectations and opportunities”: the methodology and timing of the a factual inclusion of young people in the development cooperation system was questioned. It is through the sharing of responsibilities and inclusion, also in decision-making processes, that the co-responsibility for the creation of a system to deal with sustainable development is achieved. Moreover, it is necessary to consider the fact that in recent years the ‘migration phenomenon’ has been counter-narrated, impacting negatively on the expectations and access to labour market of young people with a migratory background: so far in Panel 2 A comparison between young people, their networks, the first generations and development cooperation has been carried out to deepen expectations and obstacles, to collect suggestions, to design corrective actions.

**Questions by the Special Rapporteur on the rights of indigenous peoples**

The Special Rapporteur on the rights of indigenous peoples, Mr. José Francisco Cali Tzay, will present a report to the General Assembly in October 2020.[[3]](#footnote-3) The report will examine how to ensure effective protection of indigenous peoples, who may be at greater risk of negative impacts on their human rights both from the virus and States’ responses to it, while guaranteeing their right to autonomy and self-determination.

The report will also seek to help States avoid impunity for violations and abuses of indigenous peoples’ rights by States or businesses, related to the pandemic. The Special Rapporteur will also present examples of good practices of indigenous participation in implementing innovative responses to the pandemic that include the vision and approaches of indigenous peoples.

1. How has your Government assessed and redressed potential disproportionate impact of the virus on the health of indigenous peoples, and avoided contamination in remote communities? What measures were taken to ensure access to information, health care and other forms of urgent assistance for remote communities? How were such measures adapted to the cultural and other specific characteristics of indigenous communities?
2. Has your Government observed any disproportionate impact of the pandemic and measures in response, on indigenous peoples’ access to traditional livelihood, food and education, or the right to be consulted and provide consent in the context of development and business operations on their territories?
3. How has your Government supported indigenous peoples in their own initiatives to fight the pandemic, protect health and provide assistance in their own communities?
4. How are indigenous peoples ensured a role in shaping the national COVID-19 response to avoid discriminatory effects on their communities and including their actual socio-economic and cultural requirements in recovery programmes? How is their input sought and respected in all relevant programs that could affect them?
5. What measures have been taken to protect the lands, territories and resources of indigenous peoples against potential increased militarization and land-grabbing by external actors during the pandemic, including when indigenous people’s mobilization may be restricted by lockdown and quarantine?

**Questions by the Special Rapporteur on contemporary forms of slavery**

The thematic report of the Special Rapporteur on contemporary forms of slavery, Mr. Tomoya Obokata, to the Human Rights Council at its 45th session in September 2020 will analyse how increasing poverty and rising unemployment caused by the COVID 19 health crisis push people into exploitative employment in informal or illegal economies, increasing their vulnerability to forced labour, worst forms of child labour and other slavery-like practices such as bonded labour, as well as forced marriage. The impact on those who are already in a situation of enslavement will also be highlighted, given that resources for anti-slavery initiatives may be further limited in the context of the economic crisis, likely disrupting services for the prevention and response to contemporary forms of slavery. Finally, the report will offer recommendations with regards to interventions that are required to address these problems and to protect most vulnerable groups.

1. What is the impact of the COVID-19 crisis on contemporary forms of slavery, including descent-based slavery; forced labour; debt bondage; serfdom; sexual slavery; commercial sexual exploitation of children; child labour; domestic servitude; and servile forms of marriage?
2. What steps have been taken by the Government to reduce increased risks of contemporary forms of slavery in the context of the outbreak? Please, share any good practices and identify persistent challenges, including with regards to prevention; identification of victims; provision of access to recovery and rehabilitation services; and investigation and prosecution of slavery-related crimes.
3. Are there indications of an increase in the number of people employed in informal or illegal economies since the outbreak of the pandemic? Are there reports of forced labour and exploitative labour practices in such business sectors, such as long working hours, low pay, no adequate time to rest, and no holiday pays, etc.?
4. Has there been engagement with business entities and other stakeholders to develop joined strategies on reducing the risk of vulnerable workers in their operations and supply chains becoming exposed to contemporary forms of slavery in the context of the pandemic.
5. Since the outbreak, has the Government continued investigating and prosecuting human rights violations related to decent-based slavery; forced labour; debt bondage; serfdom; sexual slavery; commercial sexual exploitation of children; child labour; domestic servitude; and servile forms of marriage?
6. In light of the Sustainable Development Goals and global commitments to eradicate slavery (target 8.7) and measure progress in this area, has the Government been able to ensure timely collection and analysis of disaggregated data? If available, please share the data collected in the first quarter of 2020, including information regarding the number, age, gender and nationality of identified victims; number of prosecution of perpetrators; types of services provided to the victims; industries where victims were identified. Has any of these data significantly varied from previously recorded trends due to factors related to the COVID-19 pandemic?

As for the questions posed by the Special Rapporteur on contemporary forms of slavery, Italy is pleased to provide a comprehensive reply as follows.

The Italian Government has considered the opportunity to introduce specific measures to provide a regular residence permit to all the third-country citizens irregularly working in Italy, especially in some economic sectors such as the agricultural one. This possibility was suggested by the Italian Ministry of Agricultural, Food and Forestry Policies and it would concern either irregular workers of specific economic sectors (such as domestic care and agriculture) or all the irregular third-country citizens living in Italy. This regularisation was requested also by some trade unions operating in the agricultural field – supported by several NGOs and civil-society organisations – who sent a public appeal to the President of the Italian Republic and other Ministerial authorities asking for the regularisation of irregular labourers living in informal encampments in appalling living conditions and irregularly employed in the Italian agricultural sector. Italian political forces are currently negotiating this measure, even if some political parties are not in favour of the regularisation.

Specific residence permits were introduced for third-country citizens living irregularly in Italy and whose residence permits expired before 31 October 2019. These residence permits have a six-month validity since the lodging of the requests and are destined exclusively to third-country citizens who were employed in specific economic sectors: agriculture and farming; domestic work. The request for these residence permits must be lodged to the police headquarters between 1st June and 15 July 2020. Third-country citizens holding these residence permits are allowed to sign a work contract and request the conversion of the temporary residence permit into a regular work residence permit. Third-country citizens who have been issued a return order, as well as those who are involved as perpetrators in criminal proceedings for specific offences – such as, for instance, drug dealing, sexual exploitation, labour exploitation or facilitating irregular immigration – are excluded from this regularisation mechanism. Third-country citizens who are considered a threat for public security and order are excluded as well.

**Questions by the Special Rapporteur on the sale and sexual exploitation of children**

The report of the Special Rapporteur on the sale and sexual exploitation of children will explore how the COVID-19 crisis threatens to further erode the situation of children most vulnerable to sale and sexual exploitation. The report will focus on identifying push and pull factors, scaling up good practice, and providing recommendations on the measures to address the heightened risks of sale and sexual exploitation of children, during and in the aftermath of the pandemic. The recommendations of the report will seek to: operationalize the pledges made under Agenda 2030 as far as they relate to SDG targets 5.3, 8.7 and 16.2. and ensure implementation of effective child protection responses arising in the context of emergencies.

1. What is the impact of COVID-19 crisis on the nature and scope of various manifestations of sale and sexual exploitation of children, including sexual exploitation and abuse of children, both online and offline; child marriage; trafficking of children; surrogacy and sale of children; illegal adoptions and child labour?
* What are the new forms and manifestations of sale and sexual exploitation of children in the context of COVID 19 crisis?
* What are the key trends and accelerators in the context of the pandemic that may increase children’s vulnerability to the sale and sexual exploitation?
1. What essential protection measures, , including identification, reporting, referral and investigation, have been put in place to detect and prevent child sexual abuse and exploitation cases and how effective have they been since the outbreak?
2. Have there been any initiatives on collecting disaggregated data on specific forms and manifestations of sale and sexual exploitation of children during the pandemic and assessing the near and long-term impacts of COVID-19?
3. Please, share information about challenges faced in the provision of undisrupted healthcare, education and legal aid, as well as care recovery and reintegration services for the victims in the context of the outbreak.
4. Have there been examples of innovative solutions to ensure effective functioning of child protection and justice systems that are resilient, adaptable and able to withstand the next crisis?
5. How relevant and functional were the existing legal frameworks dealing with prohibition, prosecution, protection, care, assistance and prevention in relation to all forms of physical, mental and sexual violence against, exploitation and neglect of, and harmful practices in relation to children?
6. Has there been a surge of resource allocation, actions plans or coordination mechanisms, prevention and response services for the protection of children from all forms of violence, abuse and exploitation?

As for the questions posed by the Special Rapporteur on the sale and sexual exploitation of children, Italy is pleased to provide a comprehensive reply, as follows.

The Service “114 - Children Emergency Number” (http://114.it/) is an emergency helpline - led by the Department for Family Policies of the Presidency of the Council of Ministers, and managed by “S.O.S. Il Telefono Azzurro” - which is active 24 hours a day, and can be called free of charge from all over the country by anyone willing to report discomfort or dangerous situations involving children and adolescents.

Given the situation caused by the Covid-19 emergency, the Department verified the existence of critical issues with respect to the protection of minors, in order to be able to identify any need for specific interventions and actions for the protection of minors from abuse and exploitation, by asking Telefono Azzurro for an Update Report related to the “114 - Children Emergency Number”. The Report, referred to the period 21 February – 29 March 2020, shows that the cases handled have slightly decreased compared to the same period of time in 2019 (143 cases compared to 158 in 2019). The Report also shows that among the situations reported - by relatives / friends / acquaintances of the victims - there are cases of abuse and domestic violence (mostly physical and psychological) and cases related to mental health (having suicidal ideations), which risk worsening in a context of forced coexistence due to the lockdown. Moreover, forced and continuous coexistence between reference adults and children and young people can also make access to the request for help more difficult.

In the face of such findings, the Department for Family Policies considered necessary to intervene to ensure the right enshrined in Art. 19 of the UN Convention on the Rights of the Child, since in this complex period, the adoption of appropriate measures for the protection of collective and individual health risks making it more difficult for children and adolescents themselves to have access to protection. For this reason, it has been considered urgent to promote an institutional information and communication campaign aimed at disseminating the Service “114 - Children Emergency Number”, intended for children and adolescents as final recipients with particular attention to the needs of children with disabilities.

Furthermore, the Department is currently developing a specific institutional communication campaign on cyberbullying aimed at raising awareness on the phenomenon.

The Italian Government is particularly engaged in implementing activities aimed at preventing and combating violence against children, as well as all forms of child abuse and exploitation, particularly through the action of the Observatory for the Fight against Paedophilia and Child Pornography, a strategic body established within the Presidency of the Council of Ministers – Department for Family Policies, with the aim of studying and monitoring the phenomenon.

In November 2019, the Department for Family Policies published a Public Call for Proposals for the funding of projects for the protection and support of children victims of abuse and sexual exploitation. The total amount allocated for the Call is EUR 5 million and its strategic objectives are to: 1) prevent peer violence, also perpetrated through the use of new technologies; 2) support parents and families of children who are victims of violence or sexual abuse; 3) prevent and combat child sexual exploitation; 4) prevent, protect and support victims of violence and abuse in world of sport. The committee established at the Department is currently working on the evaluation of the 147 projects that have been submitted.

The Observatory for countering child paedophilia and pornography has been re-established by decree of the Minister for Equal Opportunities and the Family on April 15, 2020 and related regulations will be issued in short time. The Observatory's database is an additional tool managed through an ad hoc agreement for the service management signed in the first months of 2020. An overview for the collection of data about offences concerning sexual abuse and sexual exploitation of children (especially those ones introduced into the Criminal Code as a result of the so-called “Red Code”, e.g. revenge porn) is on-going. A study is currently underway on the extension of the different institutional actors involved in data collection.

On 5 May 2020, to celebrate the National Day against children paedophilia and pornography, a webinar hosted by the *Istituto degli Innocenti* was held to reflect on violence against children, even in the current emergency and post-emergency situation

**Questions by the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity**

The report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Mr Victor Madrigal-Borloz, will be presented to the General Assembly in October 2020. It will focus on the impact of the COVID-19 pandemic on the human rights of lesbian, gay, bisexual, trans, and gender diverse (LGBT) persons, communities and/or populations. It will build on consultation and research processes triggered since the start of the pandemic, and also the work of States and civil society to create an LGBT-inclusive response to the health crisis. It will analyse the particular circumstance of LGBT persons who are living with disabilities, older persons, youths and children, migrants, minorities, those affected by poverty and homelessness, as well as those who face health challenges. The report will further analyse measures adopted in the context of the pandemic, aimed at persecuting LGBT persons, with indirect or unintended discriminatory effects, and identify and analyse good practice.

1. How did the State evaluate the situation of LGBT persons vis-à-vis the pandemic and potential specific vulnerabilities?
2. What measures were adopted by the State to ensure that LGBT persons would not be subjected to discrimination in the implementation of COVID-19 related interventions?
3. Did LGBT civil society participate in the design of measures taken to respond to the pandemic? If no, why not?
4. What is the information available to the State as to the impact of the COVID-19 pandemic on the general situation of LGBT persons and their access to education, housing, health and employment and on their living conditions?
5. Can you identify good practices in the State interventions in relation to COVID-19 and LGBT persons? Can you identify good practices stemming from civil society actions? Have lessons be learned from the pandemic on how not to leave LGBT persons behind in emergency situations?

As for the questions posed by the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Italy is pleased to provide a comprehensive reply, as follows.

In relation to the National Anti-discrimination Office (UNAR) mandate, as far as LGBTI people are concerned, during the Covid-19 emergence several measures are currently under process of reprogramming (for example within the so called National Operational Program “Inclusion”), in order to respond more effectively to the needs related to the effects the pandemic.

In the first place, such measures are aimed at contrasting violence (including domestic) against LGBTI people, also through establishment of network of so called ‘refuge centers’ (centers of protection and social and work inclusion for LGBT people victims of family violence). Other measures relate to the job inclusion activities for transgender people as well as interventions aimed to enhance/improve knowledge about access to local health services. With reference to the last, the UNAR, in cooperation with National Health Institute, has also launched an experimental project aimed at the development of the first institutional web portal for transgender people (called INFOTRANS.IT).

The above activities are carried out in a close cooperation with the NGOs and CSOs, active in the framework of the so-called Consultation Table (composed by 66 NGOs and CSO) established and chaired by the Minister for Equal Opportunity and the Family. At the recent meeting of the Table, held on 26 May 2020, the Minister formally announced her intention to work in the coming months on the adoption of the new LGBT National Strategy, that should contain the concrete measures to ensure the LGBT rights in different fields. The LGBT NGOs and CSOs will be strongly involved in the process of the elaboration of the Strategy.

Last but not the least, it should be mentioned that is currently under discussion the law proposal on legal measures against homo-lesbo-bi-transphobia.

**Questions by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes**

The Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Mr. Baskut Tuncak, would welcome in addition responses to the following specific questions related to his mandate:

What evidence have you collected on environmental factors (such as exposure to hazardous substances and wastes, air and water pollution) that are contributing to serious or deadly cases of COVID-19?

Which initiatives and measures have been taken to understand such link and to currently address this problem?

As for the questions posed by the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Italy is pleased to provide a comprehensive reply, as follows.

With regard to the possible link between air pollution and Covid-19, that the *Istituto Superiore di Sanità* (ISS) and the *Istituto Superiore per la Protezione e la Ricerca Ambientale* (ISPRA) with the *Sistema Nazionale per la Protezione dell’Ambiente* (SNPA) launched a national epidemiological study last May to assess whether and to what extent air pollution levels are associated with the health effects of the pandemic. For further information the link to the news is as follows: https://www.isprambiente.gov.it/files2020/area-stampa/comunicati-stampa/comunicato7maggioariacovid.pdf

**Questions by the Independent Expert on foreign debt and human rights**

The report of the Independent Expert on foreign debt and human rights, Ms. Yuefen Li, to the United Nations General Assembly will focus on debt servicing and debt sustainability of low-income and developing countries in view of the current COVID-19 pandemic and its impact on financing for development , economy, poverty and the right to an adequate standard of living. To inform her report Ms. Li welcomes contributions from States, International Financial Institutions, Regional Banks, national human rights institutions, civil society organisations, academics and other stakeholders, on the following issues:

1. Did your Government benefit or have been allocating (as a creditor, lender or donor) any forms of debt alleviation including debt standstill, relief, moratorium, restructuring or cancellation. Was human rights a major consideration in making decisions and the use of the financial resources? Were there any specific groups at risks identified and if so, please detail specific measures considered to protect their human rights.
2. How much additional resources have been deployed to deal with the pandemic and COVID-19 relief if applicable? If any forms of debt alleviation have been allocated/received, were there any adjustments made to social spending and COVID relief programmes, if so, please provide further details.
3. In addition, have the debt repayment requirements pressed your Government to cut some of the social expenditures, including on health? If so, do you think that this has hampered the current response of the health system to the COVID-19 crisis?
4. Going forward, what measures or policy recommendation are being considered by your Government/institution for economic recovery and debt sustainability and to prevent and mitigate human rights impacts of the COVID-19 economic fallout?
1. Special Rapporteur on extreme poverty and human rights, Mr. Olivier De Schutter; Special Rapporteur on the right to food, Mr. Michael Fakhri; Special Rapporteur on the right to adequate housing, Mr. Balakrishnan Rajagopal; Special Rapporteur in the field of cultural rights, Ms. Karima Bennoune; Independent Expert on the enjoyment of all human rights by older persons, Ms. Claudia Mahler; Working Group on Persons of African Decent; Special Rapporteur on the rights of indigenous peoples, Mr. José Francisco Cali Tzay; Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Mr. Tomoya Obokata; Special Rapporteur on the sale and sexual exploitation of children, Ms. Mama Fatima Singhateh; Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Mr Victor Madrigal-Borloz; Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Mr. Baskut Tuncak; Independent Expert on foreign debt and human rights, Ms. Yuefen Li. [↑](#footnote-ref-1)
2. Source: Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications, Country: Italy Contractor’s name: Fondazione “Giacomo Brodolini”, Date: 23 March 2020; Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications, Country: Italy Contractor’s name: Fondazione “Giacomo Brodolini”, Date: 4 May 2020; Coronavirus COVID-19 outbreak in the EU Fundamental Rights Implications, Country: Italy Contractor’s name: Fondazione “Giacomo Brodolini”, Date: 3 June 2020. These sources have been used also for the replies to questions posed by each Special Procedure throughout the Questionnaire. [↑](#footnote-ref-2)
3. The full call for input is available at: https://www.ohchr.org/EN/Issues/IPeoples/SRIndigenousPeoples/Pages/Callforinput\_COVID19.aspx [↑](#footnote-ref-3)