

ADVANCE QUESTIONS TO ITALY

AUSTRIA

- Concern is being expressed by stakeholders on the impact of the new law on public security, the so-called “security package”, in particular about the empowering of associations of citizens to patrol municipalities.
What measures are being foreseen to ensure that such groups are accountable for their actions to the public authorities, including for possible discriminatory and other abusive behaviour against marginalised groups?
- How can the Government avoid that such a “legitimization” of private citizens’ groups does not lead to a higher level of harassment and abuses vis-à-vis marginalized groups?

DENMARK

- Italy has been recommended to ratify a number of international human rights obligations, including the Optional Protocol to the Convention against Torture, the Council of Europe Convention on Action against Trafficking in Human Beings and the International Convention on the Protection of the Rights of All Migrant Workers and to establish an independent national human rights institution. Which actions will be undertaken and when will the required domestic procedures be fulfilled in order to meet the recommendations?
- Italy has been recommended to ensure full respect of the fundamental rights of asylum-seekers, migrants and refugees, including a satisfactory asylum procedure for migrants and asylum-seekers rescued at sea. How does Italy plan to respond to the recommendations?

NORWAY

- How did the Government of Italy include civil society organizations in the elaboration of its national report?
- What steps will Italy take to follow up and implement the recommendations of the Human Rights Council? How will civil society be involved in this process?
- What steps is the Government of Italy taking to ensure that attacks on migrants, Roma and other ethnic minorities are strongly condemned, investigated by the police and that those responsible are brought to justice.
- What steps is the Government of Italy taking against racist and xenophobic statements, especially by public and elected officials?
- What steps is the Government undertaking to prevent homophobic attitudes and what is the Government doing to protect LGBT people from violent attacks?

- How is the Government of Italy ensuring that cases of hate-crime are being investigated properly and cases brought to justice?
- Does the government intend to compile statistics on hate-crimes against LGBT people?
- What is the Italian government doing to prevent and protect journalists from threats by criminal groups?
- What will the Italian government do to prevent the abuse of libel cases against journalists?

SWEDEN

- In its latest consideration of Italy, the Committee on Economic, Social and Cultural Rights cited continuing forced evictions of Roma communities. The frequency of these evictions, also concerning Sinti persons, is reported to have increased in the past few years following the adoption of new security measures. The communities are seldom previously notified or consulted about evictions, a provision provided for in national legislation, leaving the communities limited possibilities to challenge evictions through judicial procedure. The communities are not offered other adequate alternative accommodation and the education of children living in the communities may be negatively affected if forced to move away from school in the middle of a school year.
- What measures is the Government of Italy taking to ensure everyone the right to adequate standard of living and to not be arbitrarily deprived of one's property, as well as to guarantee members of the Roma and Sinti minorities equal rights?
- Recent legislative measures on immigration and asylum are a cause for concern. This includes the criminalization by Law 94 of 2009 of undocumented entry and stay in Italy, punishable by a fine of up to 10,000 euros. Recent legislation also obliges public officials to report "irregular migrants" to the police or face criminal charges. There have also been reports of Italian authorities keeping migrants from seeking asylum by returning them to countries where they face a risk of being subjected to torture and ill treatment without properly assessing their needs in a fair and effective asylum procedure.
- Could the Government of Italy elaborate on the measures it is taking to ensure the full respect of the fundamental rights of migrants, asylum seekers and refugees?

UNITED KINGDOM OF GREAT BRITAIN & NORTHERN IRELAND

- The UK would be grateful if Italy could please elaborate on the role played by civil society in the preparation of the Government of Italy's national report.
- Could you please provide further information on the likely timetable for the establishment of a national human rights institution in Italy, in accordance with Paris principles?
- The UK would be interested to learn about Italy's position on promoting lesbian, gay, bisexual and transgender rights (LGBT), and what steps are being taken to promote further inclusion. How is Italy able to tackle incidences of intolerance and violence against LGBT people?
- We would be interested to know whether the Italian law allows for transgender people to marry in their reassigned sex? If such a law does not exist, will Italy be making provisions for such a law to enter into force in the foreseeable future?
- The UK would be interested to learn what steps the Italian government is taking to improve conditions in its jails, following recent reports of overcrowding by more than 20,000 inmates.
- Following the publicity surrounding the living conditions of the Roma population in Italy, and a visit to Italy by the Council of Europe Commissioner for Human Rights, we would be interested to know what is the latest situation report on this group's presence and living conditions in Italy.
- We understand that Italy expelled Mr Ali Toumi, a Tunisian citizen, to Tunisia on 2 August 2009 in spite of the European Court of Human Rights in Strasbourg having issued an order under Rule 39 of its rules of procedure: what are Italy's comments on this case and could Italy provide details of any other similar cases?
- We noted from media reporting that many immigrant workers in Rosarno (Calabria) and Castel Volturno (Campania) are reported to be living in slum conditions outside major cities and exploited by criminal gangmasters in charge of poorly-paid work opportunities. Are any steps being taken to remedy this situation?
- We understand that Italian state vessels have been returning migrants from the high seas, either to Libyan territory or to Libyan state vessels, without examining their possible claims to international protection. We also understand that a case against Italy on this issue has been referred to the European Court of Human Rights in Strasbourg. How does Italy ensure compliance with any applicable rules of international law?
