



# HUMAN RIGHTS IN ITALY



# Situation in Italy

## Issue 1: Rights of migrants, refugees and asylum seekers

### Implementation from previous recommendations

- The protection of migrants', asylum-seekers' and refugees' rights has suffered a further setback, after the regression Amnesty International noted already in the submission for the 3<sup>rd</sup> UPR.

### New developments

- Italy continued to support Libya to contain people and obstructed the NGOs' lifesaving with unnecessary requirements, including by assigning them distant ports of disembarkation when closer suitable ports would be available.
- Italy introduced accelerated border procedures to examine asylum applications from people coming from countries regarded as "safe". The accelerated border procedures provide for the use of administrative detention.
- In 2023, Italy and Albania agreed the creation of two detention facilities on Albanian territory but under Italian jurisdiction, for asylum-seekers and migrants rescued at sea by Italian ships.

# Recommendations

## Issue 1: Rights of migrants, refugees and asylum seekers

We recommend Italy to

- Stop the implementation of the Italy-Albania agreement
- Ensure the right of personal liberty of asylum-seekers and migrants and limit the adoption of detention measures to the most exceptional circumstances
- Abolish the Memorandum of Understanding with Libya and end all support for the Libyan authorities and the Libyan Coast Guard
- End any measures that hinder the work of NGOs engaged in sea rescues

# Situation and recommendations

## Issue 2: Right to freedom of assembly

### Implementation from previous recommendations

- There were no previous recommendations on this theme. This is a new development which Amnesty International would like to flag given its extended research on the topic and a repressive trend in the country under review

### New developments

- Italy is increasingly taking measures to unduly restrict the right to freedom of peaceful assembly, especially targeting climate activists engaging in civil disobedience
- Italy misused administrative measures to obstruct protesters' freedom of movement

### Recommendations

- Repeal or substantially amend domestic laws prohibiting or criminalizing conduct that is protected under the right to freedom of peaceful assembly
- Refrain from adopting legislation which criminalises peaceful protest and legitimate acts of civil disobedience

# Situation in Italy and recommendations

## Issue 3: Torture and National Human Rights Institution

### **Torture and other inhuman or degrading treatment**

#### **Implementation from previous recommendations**

- There were no measures to strengthen the fight against torture while new legislative proposals were advanced to abolish the crime of torture

#### **New developments**

- There were several documented and suspected cases of torture and other ill-treatment by prison and police officers
- Italy continues to fail to ensure that law enforcement officers can be effectively identified when carrying out their functions, including during the policing of protests, undermining efforts towards accountability of law enforcement

#### **Recommendations**

- Refrain from removing the crime of torture from the criminal code
- Ensure that members of the police and other law enforcement officers can be effectively identified at all times when carrying out their functions
- Ensure prompt, impartial and effective investigations by an independent authority and access to compensation for victims into cases of deaths in custody and into all allegations of torture, ill-treatment and excessive use of force by police and other law enforcement officers

# Situation in Italy and recommendations

## Issue 3: Torture and National Human Rights Institution

### **National Human Rights Institution (NHRI)**

#### **Implementation from previous recommendations**

- Despite accepting recommendations to do so in the 2<sup>nd</sup> and 3<sup>rd</sup> UPR cycles, Italy has yet to establish an NHRI in line with the Paris Principles

#### **New developments**

- Several bills have been tabled to follow up on the commitment to establish a NHRI, but there has been no will to prioritise the issue and start an examination of the various proposals in the Parliament
- Some proposals seek to extend the mandate of the privacy authority and would not meet the requirements of the Paris Principles

#### **Recommendations**

- Establish without delay a NHRI in line with the Paris Principles

Thanks for your attention!