

UPR Statement CILD (Italy)

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Implementation of previous recommendations

- Continue efforts to respect the rights of persons in detention & take necessary measures to ensure access to legal aid for foreign national prisoners & detainees (South Korea) **Not implemented**
- Ensure the safety of migrants and trafficked victims stranded in its territory (Myanmar) **Not implemented**
- Intensify humanitarian measures for providing relief & shelter for refugees (Iraq) **Not implemented**
- > 60 recommendations made on migration in the last UPR cycle - more than in any other area of policy for Italy. **Almost all remain to be substantively implemented.**

New developments

- The scope of temporary visas called “special protection” was shrunk (Law N.50/2023);
- Cooperation agreement with Libya to curb arrivals renewed, contributing to illegal pushbacks, in breach of non-refoulement obligations;
- Length of immigration detention again increased to 18 months (Law N. 162/2023);
- Recent externalisation agreement between Italy and Albania (Law N. 14/2024);
- List of safe countries updated to 19 countries, despite obvious human rights concerns (Decree Law N. 158/2024)



- Enhance procedural safeguards;
- Comply with European Court of Human Rights' (ECtHR) sentences on the prohibition of torture and inhumane treatment;
- Enhance a right-based reception system;
- Provide safe and legal entry pathways;
- End illegal pushbacks to Libya and suspend the Italy/Libya Memorandum of Understanding;
- Dismantle immigration detention;
- End the externalisation agreement with Albania.

Implementation of previous recommendations

- Take concrete measures to ensure the non-criminalisation of migrant rights defenders, including asylum seekers & victims of human trafficking (Ecuador)
Not implemented - situation deteriorated
- Implement effective measures to ensure the full independence of journalists, human rights defenders and non-governmental organizations (Uzbekistan)
Not implemented - situation deteriorated
- Fully involve civil society & other relevant stakeholders in establishing a national human rights institution & ensure its functional and financial independence (India) - **Not implemented**
- Take steps to ensure that fairness & due process are followed in administration of justice involving rights defenders/journalists (Ghana) - **Not implemented**
New developments
- Law 15/2023 (so-called *Piantedosi* decree) is hampering humanitarian Search and Rescue (SAR) operations carried out by NGOs, by imposing excessive or illegitimate administrative burdens or impoundments. They are prevented from making multiple rescues and ports for disembarkation are often assigned arbitrarily, making their journeys unnecessarily longer and exposing the life of people to greater risk.
- Law N. 1660 under discussion in the Parliament, it hashly undermines civic space;
- Still no National Human Rights Institution (NHRI).

- Stop hampering NGOs engaged in Search and Rescue operations in the Central Mediterranean;
- Ensure the prompt access of NGO vessels to the first safe ports available;
- Enhance the collaboration of the Coast Guard in SAR operations;
- Do not pass Bill No. 1660;
- Establish a NHRI.

Implementation of previous recommendations

- Implement effective measures to ensure the full independence of journalists, human rights defenders and non-governmental organizations (Uzbekistan) **Not implemented - situation deteriorated**
- Continue efforts to preserve and protect freedom of speech, especially if it concerns journalists exposing corruption and criminal organisations (Sweden) **Not implemented - situation deteriorated**
- Adopt further measures and safeguards to ensure the independent functioning of the media and the safety of journalists (Czech Republic) **Not implemented - situation deteriorated**

New developments

- Italy's media freedom has declined, ranking 46th (World Press Freedom Index);
- Government legal actions on journalists, censorship and political interference in public service media have increased;
- New laws restricting the right to assembly and protest with police violence against protestors (including schoolchildren) and rampant racial profiling, as highlighted in international reports (A/HRC/57/71/Add.2 by the UN Human Rights Council, September 27 2024; the report by the European Commission against Racism and Intolerance, October 22 2024).

- Improve defamation laws, by aligning them with the EU Anti-SLAPP Directive;
- End the criminalisation process which targets dissent by specific categories (e.g. migrants, eco-activists);
- Take action to tackle police violence and racial profiling.

**Thank you on
behalf of CILD
and our partner
organisations
involved in the
UPR submission.**



ANTIGONE
PER I DIRITTI E LE GARANZIE NEL SISTEMA PENALE

