

SUBMISSION TO THE 34th SESSION OF THE UNIVERSAL PERIODIC REVIEW

ITALY

1. The current report has been finalized and submitted on March 2019, taking in account all data available until the time of the submission.
2. The issues addressed are related to public health risks connected to military facilities, violation of human rights of migrants, selling of weapons to warring countries.

3. PUBLIC HEALTH RISKS CONNECTED TO MILITARY FACILITIES: MUOS

4. The MUOS (Mobile User Objective System) station in Niscemi (Sicily, Italy) is part of a worldwide network of telecommunications of the U.S. Army: the network consists of three other similar stations (two in the U.S. and one in Australia) and a fleet of satellites. The MUOS in Niscemi, now in full operation, has become the most important telecommunications hub of the U.S. military forces in Europe, Africa and the Middle East.
5. Initially, its construction was planned within the perimeter of the military airport of Sigonella; however, the project was eventually moved to the military telecommunications facility NRTF of the U.S. Navy (Naval Radio Transmitter Facility) in Niscemi. A study of 2006¹, in fact, commissioned by the U.S. Army, showed that the strong electromagnetic emissions implied interference risks and accidents for military flights. The project was then presented for its siting in NRTF, together with an insufficient environmental impact study². Recent studies show that the same problems would occur for civilian flights, since 4 airports are located within 70 km from the MUOS site in Sicily. A large portion of that Region should become a no-fly zone.
6. The telecommunications station NRTF-Niscemi, instead, operates since 1991, just 4 Km from the centre of the small town of the same name. Within NRTF-Niscemi, 46 large antennas are present: as stated by the U.S. military, only 27 of them are actually operational, 26 of them emitting in HF (High Frequency) band, at frequencies between 3 and 30 MHz, and one in the LF (Low Frequency) band, at 46 KHz. The emissions of the MUOS should therefore be added to those generated by the existing antennas.
7. At the time when the base-NRTF Niscemi was built in 1991, the Italian legislation for radiation protection against electromagnetic emissions of radio frequency was lacking, and therefore just a gross preliminary environmental assessment was carried out. Currently, the situation is very different: in fact, Italy has now an updated legislation, starting from 2001. These principles were implemented in the "Electronic Communications Code" (Italian Law 1

¹ Fanelli P. (2008) Studio di Incidenza Ambientale relativo al progetto "MUOS Mobile User Objective System – MUOS. GEMO – Team MUOS Niscemi and LAGECO Parini Adriana, on behalf of NAVFAC (Naval Facilities Engineering Command) Europe and South West Asia.

² See footnote above.

August 2003, n. 259), which defines a procedure to authorize the installation of repeaters and radio-transmitters (Radio Base Station), dealing with a detailed collection and processing of technical data in order to verify safety conditions for the exposure of workers. The safety for public exposure to electromagnetic fields have been addressed instead by the Italian Law no. 36 of 2001 and subsequent Decrees (DPCM July 8, 2003), which set out some safety thresholds for the population.

8. Investigations of ARPAS in years 2009-2013 showed that safety limits for population were exceeded, without the MUOS in operation³. After a grassroots opposition movement (NOMUOS Committees) tried to avoid the construction and operation of the MUOS device (since 2010) evidence of risk and health effects were confirmed by study of independent scientists⁴, either with models, measurements, and experiments on living cells.
9. Studies on the potential health effects due to exposures to electromagnetic fields have focused on their genotoxicity. The exposure to EMF can produce high damage to DNA though the production of different types of reactive oxygen species, which might explain the relationship between this source of radiation and childhood leukemia⁵. These biological effects on cells can be furthermore related to the epidemiologic data and to the power density environmental signal, leading to affirm that radar radiations add non necessary quantities to the people health risks in Niscemi.
10. Strictly speaking, therefore, not only one cannot grant permissions for more transmitting stations, which lead to additional emissions, but one should rather proceed to the immediate reduction of emissions of the existing station (according to the procedure of "reduction in conformity" required by Italian Law, DPCM 8 July 2003-RF art. 5 and Annex C). For these reasons, it can be said that the MUOS project should not have been authorized, since it would violate the existing law to protect Italian population against exposure to electromagnetic fields.
11. Other risks due to MUOS installation have to be considered, for instance: direct exposure to the beam emitted by MUOS in case of pointing error, due to plane crash, accidental irradiation of aircraft during normal operation, harmful effects on the surrounding environment.
12. In a letter sent on October 2018 to the minister, Elisabetta Trenta, the mayor of Niscemi, Massimiliano Conti made an appeal "in order to safeguard the health of the citizens and the environment of the territory of Niscemi from electromagnetic exposures caused by the three large satellite parables of the Muos system put into operation in the American military base within the oriented reserve of the cork oak of Ulmo district, and by the 46 radio antennas that have been active for some time in the same site"⁶.

³ M. Coraddu; E. Cottone; A. Levis; A. Lombardo, F. Marinelli, M. Zucchetti, Electromagnetic Fields (EMF) Biological and Health Effects and The MUOS Case, *Fresenius Env. Bull.* 24,5a (2015) 1896-1903.

⁴ M. Coraddu, A. Levis, M. Zucchetti, Biological and Sanitary Effects of the Exposures to Non Ionizing Electromagnetic Fields (EMF) and the MUOS Case, *International Journal Of Ecosystems And Ecology Science (IJEES)*, 3/4 (2013) 623-630.

M. Coraddu, A. Levis, M. Zucchetti, Biological Effects of Low-Intensity Electromagnetic Radiation Exposure and the MUOS Case, *Proc. International Conference of Ecosystems (ICE) Tirana, Albania, June 1-5, 2013*, p. 22.

M. Coraddu; E. Cottone; A. Levis; A. Lombardo, F. Marinelli, M. Zucchetti, A new trend on Electromagnetic Fields (EMF) risk assessment, *International Journal Of Ecosystems And Ecology Science (IJEES) ISSN 2224-4980* (2016)

Güler G. et al. (2012) The effect of radiofrequency radiation on DNA and lipid damage in female and male infant rabbits. *Int Journal of Radiation Biol.* 88(4), 367-73.

⁵ Burlaka A. et al. (2013) Overproduction of free radical species in embryonic cells exposed to low intensity radio frequency radiation, *Experimental Oncology*. 35, No.3.

⁶ La Sicilia, 13 Sept. 2018.

13. Another alike situation concerns health effects on Sardinian population near military bases. Quirra is a village located in the Italian Sardinia Island, close to a big military polygon where ballistic missiles and weapons are tested. Since many years, the zone has been driven to the attention of the media and of the Italian justice, due to the so-called “Quirra syndrome”, an off-normal incidence of illnesses in that zone. Military tests of Depleted Uranium missiles were initially identified as a possible cause of the above situation. Further assessments identified the presence of Thorium radioactive pollution, besides many other chemical pollutants, and electromagnetic fields, all originated by the activities of the military base. Other similar bases and polygons exist all over Sardinia, where environmental pollution and health effects have become evident. The Italian Justice is addressing the question in many different trials, either dealing with the military base as a whole, or denounced by former personnel, soldiers and population in and around the military installations⁷.

14. **VIOLATION OF MIGRANTS HUMAN RIGHTS: PUSH-BACKS OF MIGRANTS IN THE MEDITERRANEAN SEA**

15. Vincent Cochetel, special envoy for the UNHCR (UN High Commissioner for Refugees), gives news from his official twitter profile: from January 1 to September 30, 2018, against "14,500 people intercepted by the Libyan Coast Guard units, the arrivals from Libya to Italy are 12,543. A radical change compared to just over a year ago, the result of the policy of agreements with Tripolitania, the part of Libya governed by Al Serraj, promoted first by former Interior Minister Marco Minniti and now by his successor Matteo Salvini. A policy strongly questioned by UNHCR itself and by numerous humanitarian agencies for the real risk of violence and abuse of power against migrants once they returned from where they left, that is, from that unstable land and prey to continuous armed conflicts that today is Libya.

16. The SAR and SOLAS Conventions, as amended in 2004, and ratified by Italy, require that the State that is the first to be informed of the event - or that in any case has assumed the coordination of rescue operations - has the obligation to identify on its territory a safe place ("place of safety" or POS) where rescue operations can be considered concluded, if there is no agreement with a State closer to the area of the event. Malta, however, has never ratified these amendments and therefore, although it must respond to the obligation to coordinate rescue operations, it is not obliged to identify a safe place on its territory; and when it does, it does on the basis of political assessments. Libya, still the scene of a violent internal conflict, cannot be considered a safe place, because it has not ratified the 1951 Geneva Convention, and has not adopted internal legal standards for the protection of refugees and asylum seekers precisely from those systemic violations of human rights (including torture, violence and arbitrary detention in inhumane circumstances) perpetrated against migrants in the country⁸.

⁷ Mauro Cristaldi, et. al., * Toxic Emissions from a Military Test Site in the Territory of Sardinia, Italy, *Int. J. Environ. Res. Public Health* 2013, 10(4), 1631-1646; <https://doi.org/10.3390/ijerph10041631>

M. Zucchetti, "Environmental Pollution and Population Health Effects in the Quirra Area, Sardinia Island (Italy) and the Depleted Uranium Case", *J. Env. Prot. And Ecology* 1, 7 (2006) 82-92.

M. Zucchetti, M. Coraddu, B. Littarru, M. Cristaldi, "Environmental Pollution And Health Effects In The Quirra Area, Sardinia (Italy)", *Fresenius Environmental Bulletin*, 20,3a (2011) 810-817.

M. Zucchetti, M. Esposito, "Measurements Of Environmental Pollution In The Quirra Area, Sardinia Island (Italy)", *Fresenius Env. Bull.* 21, 11 (2012) 3272-3277.

⁸ Report by OXFAM Italy and Borderline Sicilia, 1 Feb. 2019.

https://www.oxfamitalia.org/wp-content/uploads/2019/01/SCACCO_AI_DIRITTI_UMANI_IN_4_MOSSE_DEF..pdf

17. The case of the Lifeline boat, the second after that of the Aquarius forced to go to Valencia, after a spring and roll between the various European governments, represents the precedent that has led to the EU Member States to include in point 6 of the Conclusions of the European Council held on 28 and 29 June, the possibility for Member States to authorize the landing subject to a prior agreement on the redistribution of migrants on board. A measure enshrining the European States to abandon the search for structural solutions and to inaugurate a phase in which the decisions are made on a case-by-case basis. In the following weeks there have been several episodes of failure to authorize the landing of vessels (including merchant vessels) which had rescue of migrants at sea, up to the case of the Italian coastguard ship Diciotti and the ship Sea Watch.
18. For years, crimes against humanity have been committed systematically against migrants in Libya, both in government prisons and in traffickers' torture camps, and this is a documented and incontrovertible fact. MEDU (Medici per i Diritti Umani -Doctors for Human Rights) documented it with the "Report on the conditions of serious violation of the human rights of migrants in Libya"⁹ based on thousands of direct testimonies¹⁰. According to data collected by Medici per i Diritti Umani in the 2014-2017 time period - confirmed if not aggravated in recent months - 85% of migrants from Libya have suffered torture and inhuman and degrading treatment in that country and specifically 79% have been detained / seized in overcrowded places and in poor sanitary conditions, 70% have suffered constant deprivation of food, water and medical care, 65% serious and repeated beatings and lower percentages but still significant rape and sexual outrage, burns caused by the most disparate tools, *falaka* (beatings on the soles of the feet), electric shocks and tortures from suspension and stressful positions (handcuffing, standing for a long time, suspension upside down, etc.).
19. UN Secretary General Antonio Guterres said that in Libya: "Migrants have been subjected to arbitrary detention and torture, including rape and other forms of sexual violence", based on the investigations of UNSMIL¹¹. Indiscriminately, in government centres as well as in illegal camps, "kidnappings due to extortion, forced labour and illegal killings take place", says the document handed over to the Security Council on 12 February 2018.
20. "Migrants and refugees suffer unimaginable horrors during their transit through and stay in Libya. From the moment they step onto Libyan soil, they become vulnerable to unlawful killings, torture and other ill-treatment, arbitrary detention and unlawful deprivation of liberty, rape and other forms of sexual and gender-based violence, slavery and forced labour, extortion and exploitation by both State and non-State actors." as stated in the Report published on December 31 2018 by United Nations Support Mission in Libya and Office of the High Commissioner for Human Rights.
21. It is therefore evident that refugees pushed back in the Mediterranean and "returned by EU-funded ships are trust back into a world of exploitation"¹².

⁹ <http://www.mediciperidirittiumani.org/wp-content/uploads/2017/12/Rapporto-per-Tribunale-Permanente-dei-Popoli.pdf>

¹⁰ On the occasion of the first day of the Permanent Peoples' Tribunal Session on migrants (18-20 December 2017), Medici per i Diritti Umani (Medu) presented in Palermo a report on the conditions of serious violation of the human rights of migrants in Libya. The report is based on more than two thousand six hundred direct testimonies of migrants who have passed through Libya, collected by the operators of Medu over four years (2014-2017), of which more than half in 2017 alone.

¹¹ S/2018/140, Report of the Secretary-General on the United Nations Support Mission in Libya, 12 February 2018.

¹² <https://www.irishtimes.com/news/world/europe/rescued-at-sea-locked-up-then-sold-to-smugglers-1.3759181?mode=amp>

22. SELLING OF WEAPONS TO WARRING COUNTRIES: ITALIAN BOMBS USED IN DEADLY SAUDI-COALITION AIRSTRIKE IN YEMEN

23. Italy rejects war as an instrument of offence to the freedom of other peoples and as a means of resolving international disputes (art. 11 of the Italian Constitution).
24. Killing children in a conflict is prohibited by international humanitarian law. The Italian law on the control of the export, import and transit of weapons (law 185/90) prohibits the export to countries that violate human rights.
25. To protect children in conflict it is therefore necessary and urgent to stop the export, supply and transfer of arms and other military equipment to the parties in the conflict where there is a risk that they will be used in illegal attacks on children, and on civilian in general. Reports and photos taken in Yemen document that some remains of bombs that exploded in civilian areas, on houses and villages where families with children were present, bore the code A4447 that leads back to an arms factory in Sardinia, Italy.
26. RWM Italia S.p.A. is an armaments factory part of the German industrial conglomerate of Rheinmetall. The main activity is the production of antimine systems, ammunition and weapons of medium, large calibre. The company has its registered office in Ghedi, Brescia and production plant in Domusnovas, in the province of Carbonia-Iglesias, Sardinia. The use of MK series bombs from 500 to 2000 pounds of Italian manufacture by Saudi aviation is confirmed by the Final Report of the group of experts on Yemen, commissioned by the UN: the documents show the use in two attacks in September 2016 on the capital Sana'a of inert bombs marked with the identification code A4447, which distinguishes the products of RWM Italy¹³. In addition, there is the case documented by Mwatana, Rete Disarmo and ECCHR on October 8, 2016 in which at 3 am an Italian-made bomb was dropped on a civilian home occupied by a pregnant woman, 4 children and her husband ¹⁴ .
27. The Italian Parliament and the Government, through the Ministry of Foreign Affairs, have a fundamental role in the control of this trade: The Ministry of Foreign Affairs in fact, through the National Authority UAMA¹⁵, is responsible for releasing the authorizations for the export of military weapon systems, in accordance with Italian and international regulations in force and must submit an annual report to Parliament. Parliament can and must actively exercise control over the authorizations it issues.

28. SUGGESTED RECOMMENDATIONS:

- a. Define safety protocols in areas where there are military installations that could potentially pose a risk to public health, take measures to eliminate existing established sources of risk and rigorously apply the precautionary principle. Do not be allowed any further installation of electromagnetic field sources at the station NRTF Niscemi, and indeed is necessary to plan a rapid reduction of current emissions, according to the procedure "reduction in conformity" under Italian law in force:

¹³ S/2017/81 *Final report of the Panel of Experts on Yemen* (pp. 171/242).

¹⁴ <https://www.ecchr.eu/en/case/european-responsibility-for-war-crimes-in-yemen/>

¹⁵ <https://www.esteri.it/mae/it/ministero/struttura/uama>

- b. Stop the forced rejections of migrants in Libya and to allow rescue actions, also through civil society organizations, through the safe harbours of Italy.
- c. Prioritize respect for human rights and include verified human rights protection as a prerequisite for concluding bilateral agreements with any country, in particular with Libya on the issue of migrants. Stop practices that indirectly involve Italy in maintaining the status quo in Libya with regard to detention centres of migrants and human trafficking.
- d. Stop the sale of Italian weapons to Saudi Arabia which are used in deadly Saudi-coalition airstrikes in Yemen.