



13 May 2020

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of Italy and welcome the constructive engagement of your Government during the 34th session of the UPR Working Group in November 2019.

As the final outcome report on the review of Italy has been recently adopted by the Human Rights Council at its 43rd session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Italy – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 121 delegations and the presentation made and responses provided by the delegation of Italy. I have also considered the actions taken by the Government to implement the 176 recommendations fully supported as well as those that were partially accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the development of a new National Action Plan of Action against Trafficking and Serious Exploitation of Human Beings, as well as the adoption of the third National Action Plan on Women and Peace and Security, and the revision of the National Action Plan on Business and Human Rights following a multi-stakeholder mid-term review. I also welcome the adoption of the new "Red Code" law (Act N° 68/2019) on domestic violence and gender-based violence, and the establishment and recent enhancement of a national preventive mechanism against torture, in compliance with the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

His Excellency
Mr. Luigi Di Maio
Minister of Foreign Affairs and International Cooperation
Italy

I encourage Italy to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate the preparations for Italy's fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities.

I also encourage Italy to continue efforts to strengthen the Interministerial Committee for Human Rights for comprehensive reporting and follow-up on recommendations received from all international and regional human rights mechanisms and on treaty obligations, while linking these to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome the practice of Italy to submit a mid-term report and encourage the Government to do so again on follow-up to the third cycle of the review, by 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

Finally, kindly allow me to use this opportunity to express my Office's profound solidarity with your country and all Member States in connection with the negative impact of the COVID-19 pandemic. I hope that despite unprecedented challenges it will soon be over in all countries worldwide, including through implementation of human rights based approaches to our collective response to the pandemic. I look forward to discussing with you ways in which my Office may assist Italy in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc: Mr. Manlio Di Stefano
Undersecretary of the Ministry of Foreign Affairs
and International Cooperation
Italy

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the human rights instruments to which Italy is not yet a party, including the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families, and the European Convention on Nationality.

National human rights framework

- Establishing a national human rights institution in accordance with the Paris Principles.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Enhancing policies and programmes to combat racism, racial discrimination, xenophobia and related intolerance against persons of African descent, ethnic minorities and migrants, by adopting a new national action plan and by strengthening the capacity of the National Office against Racial Discrimination.
- Adopting further legal and policy measures, including awareness-raising campaigns, to counter racism, discrimination, hate speech and xenophobia against Roma, Sinti and Camminanti communities, and to ensure their full access to the enjoyment of economic, social and cultural rights.
- Strengthening laws and programmes to combat discrimination based on sexual orientation and gender identity, including by adopting a holistic non-discrimination law that includes the bases of sexual orientation and gender identity, by enhancing the capacity of the National Office Against Racial Discrimination, and by strengthening the role of the Advisory Working Group for the Promoting of the Rights of Lesbian, Gay, Bisexual and Transgender Persons.

Development, the environment, and business and human rights

- Implementing the first National Action Plan on Business and Human Rights in line with the United Nations Guiding Principles on Business and Human Rights.

B. Civil and political rights

Right to life, liberty and security of person

- Bringing the definition of torture into line with Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Continuing to tackle overcrowding prisons, improving prisons conditions and developing further alternative measures.

Fundamental freedoms

- Ensuring a safe environment for journalists, human rights defenders and Non-Governmental Organizations, including those working with migrants and with victims of human trafficking, ensuring that their work is not criminalized or penalized, and investigating all acts of intimidation against them.

Prohibition of all forms of slavery

- Adopting further measures to fight against trafficking in persons and labour exploitation, including by ensuring that perpetrators are punished appropriately, by strengthening legal and social protection for victims, and by finalizing the new National Action Plan of Action against Trafficking and Serious Exploitation of Human Beings.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Enhancing further efforts to address unemployment disproportionately affecting certain groups, including young persons, women, persons with disabilities, and persons of minority groups, and guaranteeing equal remuneration for men and women for work of equal value.
- Strengthening protections for workers in the informal economy (including the agricultural labour market), by enhancing initiatives against labour exploitation, by providing access to regular labour opportunities, by improving identification of victims, and by ensuring access to basic services and living services.

Right to an adequate standard of living

- Adopting further measures, including further implementation of the “Universal Basic Income”, to combat poverty and to promote social inclusion programmes, especially for persons with disabilities, ethnic minorities and migrant workers.

Right to education

- Enhancing measures to ensure equal access to inclusive and quality education for children with disabilities, including through the implementation of the Rules for

the Promotion of Inclusive Schooling for Student with Disabilities and the strengthening of the Fund for School Inclusion of Students with Disabilities.

- Strengthening measures and policies to reduce the number of school dropouts in primary and secondary school, especially amongst girls, ethnic minorities and migrants.

D. Rights of specific persons or groups

Women

- Continuing efforts to combat gender discrimination and stereotypes and to eradicate all forms of violence against women, including by ensuring the effective implementation of the National Strategic Plan on Male Violence against Women 2017-2020 and its Operative Plan, and by implementing the legislative framework.

Children

- Strengthening the legislative framework, the role and the financial resources of the National Observatory for Childhood and Adolescence.

Persons with disabilities

- Adopting additional measures to integrate persons with disabilities in society, including by further improving their accessibility.

Minorities

- Enhancing efforts to further integrate minority groups, particularly, Roma, Sinti and Caminanti, by increasing their access to education, health, housing and employment, and by implementing the National Roma Inclusion Strategy 2012-2020 among other measures.

Migrants, refugees and asylum seekers

- Enhancing legislative and policy measures to protect the human rights of asylum-seekers, refugees and migrants and to prevent and combat discrimination against them, including by conducting additional awareness raising campaigns and by punishing discriminatory and xenophobic acts.
 - Adopting further measures to achieve greater integration of asylum-seekers, refugees and migrants, including victims of trafficking in the context of migration.
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