



Human Rights Council
Working Group on the Universal Periodic Review
Forty-eighth session
Geneva, 20–31 January 2025

Summary of stakeholders' submissions on Italy*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of 27 stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations³ and cooperation with human rights mechanisms

2. The International Alliance for Peace and Development (IAPD), Joint Submission 5 (JS5) and Maat for Peace, Development and Human Rights (Maat) recommended that Italy ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.⁴

3. IAPD encouraged Italy to consider ratifying the European Convention on Nationality.⁵

4. The International Campaign to Abolish Nuclear Weapons (ICAN) recommended that Italy take measures to remove all nuclear weapons from its territory, sign and ratify the United Nations Treaty on the Prohibition of Nuclear Weapons (TPNW) and participate in the TPNW Meetings of State Parties as a first step towards its accession.⁶

5. Maat commended Italy for the continuous standing invitation extended to the special procedures of the Human Rights Council but was concerned that a visit by the Special Rapporteur on extrajudicial, summary or arbitrary executions had not yet taken place despite its approval in 2022.⁷

* The present document is being issued without formal editing.



B. National human rights framework

6. The International Voluntary Service for Development (VIS) and Joint Submission 6 (JS6) noted that Italy was the only country of the European Union still lacking an independent National Human Rights Institution (NHRI) notwithstanding the voluntary pledges made in connection with its membership to the Human Rights Council (HRC) and acceptance of all recommendations from human rights treaty bodies and mechanisms on the need to establish a NHRI.⁸

7. Several organizations recommended Italy to accelerate the establishment of a NHRI aligned with Paris Principles, with adequate human, technical and financial resources to exercise its mandate comprehensively.⁹

8. Associazione Comunita Papa Giovanni XXIII (APG23) recommended to fully implement the law regulating the export, import, and transit of weapons, avoiding any amendments that could ease the restrictions on exporting weapons to countries that violate human rights.¹⁰

C. Promotion and protection of human rights

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

Equality and non-discrimination

9. Amnesty International (AI) stated that Italy failed to strengthen the National Office against Racial Discrimination (UNAR) notwithstanding accepting recommendations to do so during the last universal periodic review cycle.¹¹ The Committee of Ministers of the Council of Europe (CoE-CM) recommended to review the mandate of the UNAR, with a view to strengthening its competences and independence.¹²

10. The CoE-Commissioner noted that Italy lacked a comprehensive national anti-discrimination legislation covering sexual orientation, gender identity and expression and sex characteristics grounds, although some regions had enacted more broad ranging laws.¹³

11. AI reported that Italy had taken inadequate measures to combat advocacy of hatred and abuse motivated by racial or other discriminatory grounds, including by law enforcement officials. It added that racist and xenophobic political discourse remained a concern, including by politicians at national and local level.¹⁴

12. The Organization for Security and Co-operation in Europe-Office for Democratic Institutions and Human Rights (OSCE-ODIHR) observed that since 2018, Italy had not reported data on hate crimes recorded by the prosecution and judiciary.¹⁵

13. CoE-CM and OSCE-ODIHR recommended to condemn promptly and publicly instances of hate crimes, as well as hate speech relating to minorities, migrants or refugees in political discourse, the media and on social media and abstain from any statement or action that exacerbates vulnerabilities.¹⁶ Joint Submission 1 (JS1) recommended to take efforts to provide information on the positive contributions of migrants to society and avoid using or amplifying any disinformation and xenophobic rhetoric.¹⁷

Right to life, liberty and security of person, and freedom from torture

14. JS4 reported that no law established that migrants can be detained in so-called hotspots centres. However, pending transfer to reception facilities, migrants were systematically and unlawfully detained in hotspots for identification and determination of their legal status, particularly in Lampedusa which was periodically subject to overcrowding. It added that this *de facto* detention was denounced on several occasions by the Italian National Preventive Mechanism (NPM).¹⁸ The CoE-Commissioner noted that delays in the onward transfers from hotspots to reception facilities, particularly from Lampedusa, could amount to arbitrary detention.¹⁹ The Institute for protection of women's rights (IPWR) raised

concern over the critical situation in Lampedusa which exposed women to a high risk of experiencing violence.²⁰

15 While stressing that, in principle, no one should be detained on the sole ground of having sought international protection, the CoE-Commissioner called on the authorities to improve the reception conditions at hotspots, to guarantee access to essential services and to ensure a prompt transfer without undergoing prolonged limitations to their personal freedom.²¹ JS4 recommended to cease the systematic practice of illegal and informal detention of foreign nationals in hotspots, other border and first reception facilities.²²

16. The European Association for the Defence of Rights and Freedoms (ASSEDEL), the International Rescue Committee (IRC), Joint Submission 4 (JS4) and AI expressed concern about documented cases of human rights violations and degrading conditions in detention centers for repatriation, the facilities where migrants subject to a deportation order are held, awaiting identification and repatriation.²³ ASSEDEL and JS6 further indicated that the management of Detention centers for repatriation was not regulated by ordinary law but rather by "secondary sources" such as administrative regulations issued by ministries, which did not offer sufficient guarantees for the protection of the rights of persons detained therein.²⁴

17. JS4 recommended to ensure that detention was always a measure of last resort and only applied when repatriation was imminent and feasible.²⁵ JS5 recommended to progressively dismantle the Detention centers for repatriation system and enhance the use of alternatives to detention for irregular migrants facing expulsion.²⁶

18. APG23 recommended to implement the Law 62 of 2011 for special detention of detained mothers and their children in protected family homes and to expand the possibilities of deferring sentences for mothers with children up to 6 years of age.²⁷

19. AI and Maat noted that cases of torture continued to be documented in prisons and recommended Italy to ensure prompt, impartial and effective investigations by an independent authority 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 and accountability of the officers involved.²⁸ The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CoE-CPT) recommended Italy to ensure that police officers are properly trained and equipped to carry out apprehensions using no more force than strictly necessary.²⁹

20. AI recommended Italy to refrain from removing the crime of torture from the criminal code and ensure the full implementation of its obligations under the CAT.³⁰

21. JS1 and Maat were concerned about the overcrowding in prisons leading to adverse effects on the right to health, personal hygiene, and respect for human dignity among incarcerated individuals and the rising levels of suicides in prison.³¹ JS5 recommended to introduce alternative to incarceration to prevent further overcrowding.³²

22. Joint Submission 7 (JS7) stated that the existing weapons export framework did not comply with Italy obligations under the Arms Trade Treaty and raised concern on the effect that this gap could have on human rights.³³ JS7 recommended to integrate a human rights impact assessment into its arms export control mechanisms and take more measures to prevent arms transfers that may facilitate or contribute to human rights violations, particularly impacting women, including sexual and gender-based violence.³⁴

Administration of justice, including impunity, and the rule of law

23. CoE-CPT noted that legal assistance for persons deprived of liberty remained a challenge. It reiterated its recommendation to take appropriate steps to ensure that lawyers effectively provide assistance during police custody, whether they are chosen by the detained person or appointed *ex officio* in accordance with the law.³⁵

24. The Union of Rationalist Atheists and Agnostics (UAAR) noted that the Italian legislation was still providing a privileged treatment to the Catholic Church. It recommended Italy to remove privileges from the Catholic clergy.³⁶

25. The Group of States against Corruption (CoE-GRECO) regretted that the recommendation to put in place practical measures to support the implementation of clear parliamentary integrity rules including through the development of dedicated training activities remained not implemented.³⁷

Fundamental freedoms and the right to participate in public and political life

26. AI noted that Italy had unduly restricted the right to freedom of peaceful assembly, especially targeting climate activists engaging in civil disobedience.³⁸ AI recommended to refrain from using administrative measures lacking legal clarity and violating the presumption of innocence and fair trial standards to target peaceful protesters.³⁹

27. Maat indicated that Italian authorities continued to adopt systematic policies to restrict journalistic work, using the right to litigation as a pretext to encroach on press freedom and the right to expression.⁴⁰ JS5 raised concern over attacks and intimidation against journalists, both physical and online. It noted that the Italian Coordination Centre which was established to ensure the safety of journalists, lacked independence, as it was part of the Ministry of Interior.⁴¹

28. The Commissioner for Human Rights of the Council of Europe (CoE-Commissioner) observed that defamation remained a criminal offence and urged Italy to undertake a comprehensive reform for its full decriminalization.⁴²

29. AI noted that Italy continued to obstruct the work of Human Rights Defenders (HRDs) rescuing people at sea.⁴³ The CoE-Commissioner observed that NGOs continued to be targeted in political debate and were the object of smear campaigns.⁴⁴

30. Several organizations expressed concern about the new legislation decree-law No. 1 of 2023 which restricted the activities of non-governmental organizations in rescuing migrants on the Italian coasts and limited the presence of their ships at sea. They indicated that the decree increased requirements on NGO vessels carrying out rescue missions to enter or transit through Italian territory, which could hamper NGO search and rescue operations. They noted that this was accompanied with Italy's practice of assigning distant ports to disembark people rescued at sea when closer suitable ports would be available. They further stated that the measures risked depriving people in distress of life-saving assistance from NGOs on the deadliest migration route in the Mediterranean.⁴⁵ Médecins Sans Frontières (MSF) documented that this response had harmed health and fundamental human rights of migrants, including their right to seek protection.⁴⁶

31. AI and MSF recommended Italy to end any measures that hinder the work of NGOs engaged in sea rescues and take action so that human rights defenders can operate without fear of reprisals, in accordance with its obligations under international law.⁴⁷ The CoE-Commissioner called on the authorities to abolish the provisions obstructing NGO search and rescue activities and to discontinue the discriminatory practice of assigning distant ports of disembarkation to NGO vessels.⁴⁸

32. Joint Submission 9 (JS9) was concerned about the persistent discrimination against religious minorities despite the increased migration, globalization and religious diversity. It added that the situation was affecting the Islamic community, evangelical churches and other religious communities. JS9 recommended Italy to promulgate a Religious Freedom Act able to overcome and solve all the discrimination happening in many areas.⁴⁹

Right to privacy

33. JS5 indicated that Italy faced challenges in balancing health data collection and privacy safeguards during the COVID-19 crisis. It recommended to improve enforcement consistency and public awareness of privacy rights.⁵⁰

Right to marriage and family life

34. UAAR and JS5 noted that same-sex marriage had not been recognized yet and therefore children of same-sex parents were still not fully recognized and protected. They recommended Italy regulate parenthood comprehensively by recognizing equal parental rights to same-sex families and civil and human rights to their children.⁵¹

Prohibition of all forms of slavery, including trafficking in persons

35. The Group of Experts on Action against Trafficking in Human Beings (CoE-GRETA) was concerned about reports of presumed victims of trafficking being prosecuted and convicted of unlawful activities committed while they were being trafficked. GRETA and The European Centre for Law and Justice (ECLJ) urged the authorities to adopt a specific legal provision on the non-punishment of victims of trafficking and to provide guidance and training to professionals on its application.⁵²

36. CoE-GRETA and Joint Submission 3 (JS3) welcomed the adoption of a second National Action Plan against trafficking and serious exploitation of human beings (2022–2025).⁵³ However, CoE-GRETA noted that several legal acts and regulations related to immigration adopted since 2020 had an impact on the fight against trafficking and the protection of victims.⁵⁴

37. While recognising the challenges faced in the context of the significant arrivals of migrants in Italy, CoE-GRETA urged the authorities to put the National Referral Mechanism into practice for the identification and referral to assistance of victims of trafficking.⁵⁵ JS3 recommended to ensure information on the risks of trafficking and exploitation and early pre-identification in places of first arrival and transit at the borders.⁵⁶

38. JS5 recommended to ensure that migrant workers have legal pathways to regularise their status, which would reduce their vulnerability to trafficking and exploitation and to enhance social reintegration measures for human trafficking victims.⁵⁷

39. ECLJ expressed concern about the decreasing rates of investigations and prosecutions given the scale of human trafficking in the country and recommended to train judges, prosecutors, and law enforcement on human trafficking so that they can effectively combat human trafficking and protect victims.⁵⁸

Right to work and to just and favourable conditions of work

40. Joint Submission 2 (JS2) was concerned about the growing labor exploitation which affected undocumented people working for low wages and in precarious conditions, without formal contracts or social security. It added that undeclared work was common, leaving workers without retirement contributions.⁵⁹

41. The CoE-Commissioner remained concerned about the gender inequality in the domain of work and the widening of the gender gap.⁶⁰ IPWR noted that the gender gap was related to structural weaknesses and the result of traditional welfare policies.⁶¹

42. The CoE-Commissioner, IPWR and Joint Submission 8 (JS8) recommended to create equal conditions for women and men in terms of work and wages including improving the availability of childcare support, and to reverse the widening gender pay gap, giving specific attention to the private sector.⁶²

43. CoE-CM recommended to increase efforts in promoting sustainable employment opportunities and employability of persons belonging to Roma and Sinti communities, with a focus on women and youth, including in the public sector.⁶³

Right to an adequate standard of living

44. Joint Submission 10 (JS10) stated that, since 2021, following a brief pause due to the COVID-19, the pressure of evictions and foreclosure executions had rapidly increased accompanied with an increased number of requests for enforcement by bailiffs and evictions carried out by force.⁶⁴ JS10 recommended to urgently reestablish and finance the social rent relief fund for low-income households.⁶⁵

45. AI, JS5, JS10 and Maat stated that Roma families continued to face forced evictions and were discriminated in their access to social housing.⁶⁶ CoE-CM recommended to further invest in improving the living conditions for persons belonging to the Roma and Sinti communities living in ‘authorised’ and ‘unauthorised’ settlements and ensure that sustainable alternative solutions to forced evictions are proposed, in consultation with those concerned.⁶⁷

Right to health

46. JS1 expressed concern about the increase regional disparities in accessing health care. JS1 recommended to take concrete measures to redress the inequitable distribution of health services.⁶⁸

47. JS5 stated that access to safe abortions remained critical. It further raised concern about the fact that the law that legalized abortions contained provisions which allowed doctors to object to abortion.⁶⁹ UAAR and AI reported that doctors and healthcare providers were abusing the conscientious objections provided in the law by refusing to deliver abortion care. The same organizations raised concern about a parliament vote in 2024 that approved the funding of anti-abortion associations in sexual and reproductive health centres.⁷⁰

48. The CoE-Commissioner urged the Government to ensure that access to sexual and reproductive health services, notably abortion care and contraception, is not undermined through the refusal of health professionals to provide certain forms of health care on grounds of conscience, or by differences in regional policies in this field.⁷¹

49. JS8 was concerned by the total ban on maternal surrogacy and recommended to stop the process of introducing the “universal crime” of surrogacy which aimed to prosecute all forms of surrogacy, even those that occur in countries where the practice is regulated.⁷²

50. JS4 recommended to investigate and mitigate the reported abuse of psychotropic drugs within the Detention centers for repatriation and implement comprehensive mental health support services to address issues of self-harm and suicide attempts among detainees.⁷³

51. The Union of Rationalist Atheists and Agnostics (UAAR) recommended the regulation of assisted suicide in accordance with the recommendation of the Constitutional Court of Italy.⁷⁴

Right to education

52. The Broken Chalk welcomed the efforts made by Italy to enhance the inclusiveness and equal access of education and training systems with the adoption of three national-level plans addressing educational challenges.⁷⁵

53. Despite the initiatives, the Broken Chalk reported that school leaving rates had not improved.⁷⁶ JS3 highlighted that school dropout was a determining factor in producing social, economic, territorial, educational and cultural inequalities and that the dropout rate of students of foreign origin was higher than of Italians.⁷⁷

54. The Broken Chalk noted that Sinti and Roma minorities continued to face challenges such as discrimination within schools, social exclusion and inability to access adequate housing which impacted their schooling opportunities. It also noted that immigrant students in Italy faced significant educational inequalities compared to their non-immigrant peers.⁷⁸ It recommended the government to strengthen financial assistance programs to alleviate the economic burden on migrant families to ensure that all children, regardless of background, have access to equal educational resources and opportunities.⁷⁹

55. The CoE-Commissioner called on the authorities to ensure the provision of mandatory comprehensive sexuality education.⁸⁰

Cultural rights

56. CoE-CM recommended to continue to raise awareness among education professionals about the cultures and traditions of linguistic minorities, Roma and Sinti and religious groups respectively, as well as about their historical presence and contribution to the Italian society, using any relevant means and in close consultation with all relevant stakeholders.⁸¹

Development, the environment, and business and human rights

57. Just Atonement Inc. (JAI) commended Italy for the approval of a National Climate Change Adaptation Plan. However, JAI recommended to improve the Adaptation Plan to include strategies to address the negative impacts that climate change has on women and refugees.⁸²

58. JS1 recommended to adopt a national action plan on Sustainable Forestry Management to deal with the issues of the abandonment of mountain territories, loss of old forest, the use of the wood available and fixing of carbon dioxide levels to ensure that Italian citizens enjoy a clean, sustainable and healthy environment and to provide necessary resources for its implementation.⁸³

2. Rights of specific persons or groups

Women

59. The CoE-Commissioner welcomed the adoption of the National Strategy for Gender Equality 2021-2026 and the inclusion of gender equality among the priorities of Italy's National Recovery and Resilience Plan.⁸⁴

60. JAI and CoE-Commissioner noted a marked contrast between the legal framework and the inequalities, discrimination and violence faced by women and girls.⁸⁵ Maat noted that gender-based violence came at the forefront of women's rights violations in Italy.⁸⁶ JS5 indicated that over 100 femicide victims were recorded in 2023 and that femicide was not specifically recognised under the criminal Code.⁸⁷

61. AI recommended to amend the Criminal Code and introduce a consent-based definition of rape in line with the obligations under the Istanbul Convention.⁸⁸

62. IPWR recommended to take measures and programs to terminate or minimize the violence against women, which in many cases lead to murder⁸⁹ CoE-Commissioner recommended to combat sexism and gender stereotypes and improve support services for victims of gender-based violence.⁹⁰

63. JAI encouraged Italy to continue to strengthen its efforts to increase female representation both in Government and in private companies.⁹¹

Children

64. End of Corporal Punishment (ECP) noted that corporal punishment of children was lawful in home settings, despite recommendations by human rights treaty bodies. ECP recommended to intensify efforts to enact a law that clearly prohibit all corporal punishment of children, however light, in every setting of their lives.⁹²

65. CoE-Commissioner and JS8 recommended to ensure that children born out of surrogacy abroad enjoy adequate safeguards.⁹³ The Commissioner recommended to refrain from retroactively challenging the transcription of foreign birth certificates and recalled that the best interests of the child must be a primary consideration in all measures concerning children.⁹⁴

66. JS4 reported that the Italian law expressly forbade the detention of unaccompanied migrant children. However, at border posts, children were systematically detained within the framework of the so-called hotspot approach.⁹⁵ ASSEDEL was concerned by the treatment of minors within the detention facilities which may violate the principle of the superior interests of the child and the CRC.⁹⁶

67. IRC and JS3 raised concern over the legislation which provided that relevant authorities may derogate from the ordinary age assessment procedure in the case of "large, multiple and close arrivals" and that children older than 16 may be hosted in reception centers for adults for up to 5 months. The same legislation introduced the possibility for fast-track asylum procedures to be extended to children and other vulnerable groups.⁹⁷ VIS noted that the legislation represented a significant step back from the current legislation which had been an example in Europe and recommended to ensure that detention is never applied to children.⁹⁸

68. Several organizations recommended to set up dedicated child-friendly spaces for reception of unaccompanied children, where they can feel protected and access tailored legal, mental health and first aid support and ensure the respect of their rights.⁹⁹ JS3 recommended to guarantee the non-refoulement of minors to the borders.¹⁰⁰

69. JS3 noted that cyberbullying remained a serious problem especially among students. It recommended Italy to encourage school to adopt an internal code for preventing and combating the phenomena of bullying and cyberbullying.¹⁰¹

70. JS3 was concerned about the large number of minors living in a condition of absolute poverty.¹⁰²

Persons with disabilities

71. IAPD noted that Italy had taken steps to strengthen the rights of persons with disabilities including the establishment of the Fund for the Integration of Persons with Disabilities and the provision of incentives to employers to hire women with disabilities. However, 80% of working-age people with disabilities were unemployed, despite the legal requirement for companies to employ a certain percentage of them and the administrative fines often not enforced in practice. IAPD recommended that Italy adopt additional incentives for companies that allow the employment of persons with disabilities.¹⁰³

72. JS3 was concerned about the inaccessibility of school building for minors with disabilities.¹⁰⁴

Indigenous Peoples and minorities

73. OSCE-ODIHR was concerned that Roma and Sinti children were subjected to hate-motivated bullying or harassment within education settings, over-represented in institutional care and were still suffering physical abuse, ill-treatment and ethnic discrimination.¹⁰⁵

74. CoE-CM recommended to take all necessary steps to elaborate and adopt at national level a specific legislative framework for the protection of Roma, Sinti and Caminanti and the advancement of their socio-economic status, in consultation with representatives of these communities at all stages of the process and to ensure that the right to free self-identification of Roma, Sinti and Caminanti is respected.¹⁰⁶

75. CoE-CM recommended to carefully monitor terminology used to refer to Roma and Sinti or their place of residence and ensure that derogatory, stigmatising and inappropriate language is no longer used in practice.¹⁰⁷

Lesbian, gay, bisexual, transgender and intersex persons

76. JS5 noted the increasing hate crimes and hate speech against the LGBTQIA+ community and stated that the Parliament had not passed laws addressing homophobia and transphobia.¹⁰⁸

77. UAAR and AI recommended Italy to approve anti-discrimination legislation to protect LGBTI+ against hate crimes and hate speech.¹⁰⁹

78. The CoE-Commissioner urged the Italian authorities to further align the legislative framework with Council of Europe standards on combating intolerance and discrimination against LGBTI people by including sexual orientation, gender identity and expression and sex characteristics grounds in the existing anti-discrimination, hate speech and hate crime legislation.¹¹⁰

Migrants, refugees and asylum-seekers

79. IRC and JAI noted that Italy had been a major entry point for asylum-seekers and that its response had left tens of thousands of asylum seekers in dire situations while adding to social pressures and political tensions.¹¹¹

80. MSF stated that since the last universal periodic review, migration laws and policies in Italy had shifted towards an increasingly restrictive and emergency-based approach focusing on criminalizing migration, externalizing borders control, and dismantling protection mechanisms.¹¹² JS4 indicated that Italy supported a deterrence strategy designed to keep migrants distant, rather than to protect them.¹¹³

81. The CoE-Commissioner noted that the co-operation between the Italian and Libyan authorities had been strengthened despite serious concerns over the conditions of refugees,

asylum seekers and migrants in Libya. The Commissioner highlighted that co-operation with the Libyan government on interceptions at sea had led to refugees, asylum seekers and migrants being exposed to grave and systematic human rights violations in Libya.¹¹⁴

82. Several organizations called on the Italian government to suspend co-operation activities that may result in an increasing number of migrants rescued or intercepted in the Mediterranean Sea being returned where they faced risks of serious human rights violations, including slavery, forced labour and sexual exploitation.¹¹⁵

83. Several organizations raised concern over the Italy-Albania Memorandum of Understanding on the construction of facilities in Albania, under Italian jurisdiction, to assess the entry requirements of migrants intercepted by Italian authorities in waters outside the territorial sea.¹¹⁶

84. APG23 expressed concern about the Memorandum and its compatibility with European asylum law, which did not provide for accelerated procedures at the border outside European territory.¹¹⁷ JS4 indicated that the system would also amount to a violation of the rights of migrants to equality and non-discrimination.¹¹⁸ AI was concerned that migrants would be at high risk of being subjected to arbitrary detention and would be denied effective access to asylum.¹¹⁹ JS4 also raised concern about the access to physical legal assistance.¹²⁰

85. The CoE-Commissioner urged the Italian authorities to enhance transparency on the terms and actual progression of co-operation activities with third countries in matters of migration[?] and to allow for accurate assessment of their impact in terms of respect for human rights. The Commissioner called on the Italian authorities to focus on improving the efficiency and effectiveness of its domestic asylum and reception systems.¹²¹ JAI highlighted that Italy had to ensure that the right to asylum and the freedom from arbitrary detention were respected in these cooperation agreements.¹²²

86. JS1 recommended to take measures to implement the European Union Pact on Migration and Asylum without delay.¹²³

87. ASSEDEL reported that asylum seekers from countries defined as "safe" for repatriation were immediately held at the Detention centers for repatriation. It noted that the criteria by which certain countries were defined as *safe* were controversial and violated the fundamental principle of non-refoulement.¹²⁴ JS4 added that the identification of migrants from "safe countries" would be ineffective since migrants rescued at sea often did not carry identity documents with them.¹²⁵

88. The CoE-Commissioner stressed that applicants should not be automatically channelled into an accelerated border procedure without having the opportunity to put forward subjective elements against the assumption that their country of origin can be deemed safe and to have their protection needs examined.¹²⁶

89. The CoE-Commissioner encouraged Italy to ensure the systematic and early identification of refugee and asylum seeker women and girls who have been victims or are at risk of gender-based violence or trafficking and to strictly observe the principle of non-refoulement for all migrant women and girls, including on grounds of gender-based violence.¹²⁷

90. IRC, ASSEDEL and JS5 raised concerns over a decree which required a financial guarantee in the range of €2,500 to €5,000 for asylum seekers involved in fast-track asylum procedures who did not want to be detained while their application for international protection was processed.¹²⁸ IRC regretted that the decree had not been repealed even though some Italian courts have found the measure to be in breach of European Union law and lacking proportionality.¹²⁹

91. MSF reported that the uncertainty regarding the asylum application and the limited access to care had heightened the risk of re-traumatization and disrupted the rehabilitation of torture survivors.¹³⁰ IRC recommended to resolve obstacles to the submission of asylum applications, including in digitalized procedures, to ensure that all applicants can register their intent to seek asylum regardless of nationality, language spoken, socioeconomic situation, level of digital literacy, or other circumstances.¹³¹

92. JS2 noted that migrants were still experiencing difficulties in the renewal of residence permits and obtaining medical assistance due to the lack of documents. It recommended to simplify and speed up procedures for the renewal and issuance of residence permits, ensuring that all migrants have access to essential public services.¹³²

93. CoE-GRETA was concerned that the restrictive immigration measures adopted by Italy fostered a climate of criminalisation of migrants, resulting in many potential victims of trafficking not reporting their cases to the authorities for fear of detention and deportation.¹³³

94. IPWR recommended to address the disorderly situation of migrant women who do not have favorable conditions in terms of housing, health, well-being, sexual and even life security.¹³⁴

95. JS5 recommended to abolish the criminal offense of irregular entry and stay.¹³⁵

96. JAI recommended Italy to revise its existing immigration policies and ensure that the law includes sufficient protections for persons displaced from climate-related impacts.¹³⁶

Stateless persons

97. OSCE-ODIHR and JS5 were concerned about the ongoing *de facto* statelessness among Roma in formal settlements, spanning multiple generations, without regular documentation.¹³⁷ CoE-CM recommended to take all the necessary steps to address the *de facto* statelessness situation or risk of statelessness of persons belonging to the Roma community.¹³⁸

98. AI noted that children of foreign nationals born or raised in Italy continued to be deprived of an effective access to citizenship, with more than 1.5 million children facing discrimination in accessing rights as a result.¹³⁹ JS5 and JS1 recommended to facilitate citizenship for minors born or raised in Italy by foreign parents and to shorten the citizenship acquisition process.¹⁴⁰

Notes

¹ A/HRC/43/4, A/HRC/43/4/Add.1, A/HRC/43/2.

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

Civil society

Individual submissions:

AI	Amnesty International, London (United Kingdom);
APG23	The Associazione Comunità Papa Giovanni XXIII (Italy);
ASSEDEL	Association Européenne des droits et des libertés, Strasbourg (France);
Broken Chalk	The Stichting Broken Chalk Amsterdam (Netherlands);
ECLJ	The European Centre for Law and Justice, Strasbourg (France);
ECP	End Corporal Punishment, Geneva (Switzerland);
IAPD	International Alliance for Peace and Development, Geneva (Switzerland);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
IPWR	The Institute for Protection of Women's Rights, Teheran (The Islamic Republic of Iran Republic);
IRC	Fondazione International Rescue Committee Italia, Milan (Italy);
JAI	Just Atonement Inc. (United States of America);
Maat	Maat Foundation for Peace, Development and Human Rights, Cairo (Egypt);
MSF	Médecins Sans Frontières International, Geneva (Switzerland);
UAAR	Unione degli Atei e degli Agnostici Razionalisti, Rome (Italy);
VIS	Volontariato Internazionale per lo Sviluppo, Rome (Italy).

Joint submissions:

JS1	Joint submission 1 submitted by: Franciscans International (FI) and Ordine Francescano Secolare – Sardegna, (Italy);
JS2	Joint submission 2 submitted by: La Fundación Marista para la Solidaridad Internacional (FMSI), La Fondazione Siamo Mediterraneo Onlus and La Cooperativa Marcellino Champagnat Impresa Sociale Onlus, Rome (Italy);
JS3	Joint submission 3 submitted by: The Italian Working Group for the Convention on the Rights of the Child (Gruppo CRC), Rome (Italy);
JS4	Joint submission 4 submitted by: Association for Juridical Studies on Immigration (ASGI), Spazi Circolari and the Roma Tre University International Protection of Human Rights Legal Clinic, Rome (Italy);
JS5	Joint submission 5 submitted by: Italian Coalition for Civil Liberties and Rights (CILD), Associazione Antigone, Associazione 21 luglio, Cittadinanzattiva, Lunaria, Rome (Italy);
JS6	Joint submission 6 submitted by: The Comitato per la Promozione e Protezione dei Diritti Umani (CPPDU) a network of 93 Italian NGOs, Rome (Italy);
JS7	Joint submission 7 submitted by: Asser Institute Center for European and International Law and Global Rights Compliance Foundation, the Hague (Netherlands);
JS8	Joint submission 8 submitted by: Strategic Litigation: International Human Rights Legal Clinic (University of Turin), Associazione Luca Coscioni per la libertà di ricerca scientifica APS and Science for Democracy, Brussels (Belgium);
JS9	Joint submission 9 submitted by: The Italian Evangelical Alliance (Alleanza Evangelica Italiana), The European Evangelical Alliance (EEA), The World Evangelical Alliance (WEA), Geneva (Switzerland);
JS10	Joint submission 10 submitted by: International Alliance of Inhabitants (IAI) and Unione Inquilini(UI), Padua (Italy).

Regional intergovernmental organization(s):

CoE	The Council of Europe, Strasbourg (France); Attachments: (CoE-Commissioner) Report by Ms. Dunja Mijatović, Commissioner for Human Rights of the Council of Europe, Strasbourg, CommDH; (CoE-CPT) Report to the Italian Government on the periodic visit to Italy carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 28 March to 8 April 2022; (CoE-CM) Committee of Ministers, Resolution CM/ResCMN (2023)4 on the implementation of the Framework Convention for the Protection of National Minorities by Italy, adopted on 5 April 2023; (CoE-GRECO) Compliance report on Italy, Fourth Round Evaluation, Corruption prevention in respect of members of parliament, judges and prosecutors, Second Addendum to the Second Compliance Report adopted by the Group of States against Corruption on 17 June 2022, GrecoRC4(2024)4;
OSCE/ODIHR	Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe, Warsaw (Poland).

³ The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR

ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

⁴ IAPD, page 4. JS5, page 10. Maat, page 9.

⁵ IAPD, page 4.

⁶ ICAN, page 2. See also APG23, page 1.

⁷ MAAT, page 1.

⁸ VIS, page 7. JS6, page 6.

⁹ JS6, page 6. IAPD, page 4. AI, pages 2 and 4, CoE-Commissioner, p.5. JAI page 7. JS5, page 23.

MAAT, pages 1 and 9. VIS, page 8. JS10, page 16.

¹⁰ APG23, page 1.

¹¹ AI, page 2.

¹² CoE-CM, Resolution CM/ResCMN (2023)4, p.2. See also JS5, page 23.

¹³ CoE-Commissioner, p.37, JAI page 4.

¹⁴ AI, page 2.

¹⁵ OSCE-ODIHR, page 5.

¹⁶ CoE-CM, Resolution CM/ResCMN (2023)4, p.2. OSCE-ODIHR, page 6. See also JS5, page 23.

¹⁷ JS1, page 11.

¹⁸ JS4, page 10

¹⁹ CoE-Commissioner, page 24.

²⁰ IPWR, page 5.

²¹ CoE-Commissioner, pages 23 and 24. See also JS4, page 12. JS5, page 8. MSF, page 9.

²² JS4, page 12.

²³ ASSEDEL, pages 3 and 4. IRC page 6. JS4, pages 10 and 11. AI, page 3.

²⁴ ASSEDEL, page 3. JAI, page 6.

²⁵ JS4, page 12.

²⁶ JS5, pages 8 and 9. See also IRC, page 6.

²⁷ APG23, page 3.

²⁸ AI, page 4. Maat, page 9.

²⁹ CoE-CPT, page 13.

³⁰ AI, page 4.

³¹ JS1, page 8. Maat, page 5.

³² JS5, page 15.

³³ JS7, page 3.

³⁴ JS7, page 2.

³⁵ CoE-CPT, page 16. See also CoE-GRETA, para. 60.

³⁶ UAAR, para. 11 and page 4.

³⁷ GrecoRC4(2024)4, p. 8.

³⁸ AI, page 3.

³⁹ AI, page 4.

⁴⁰ Maat, page 4.

⁴¹ JS5, page 20.

⁴² CoE-Commissioner, p.36. See also OSCE-ODIHR, page 2.

- 43 AI, page 1. See also CoE-Commissioner, p.10.
- 44 CoE-Commissioner, p.10.
- 45 IRC, page 2. VIS, page 4. JS5, page 3. Maat, page 2. MSF, pages 4, 7 and 8.
- 46 MSF, page 3.
- 47 AI, page 4. MSF, page 9.
- 48 CoE-Commissioner, p.12. See also VIS, page 5.
- 49 JS9 paras. 1, 5 and 9.
- 50 JS5, page 21.
- 51 UAAR, para. 12 and page 4. JS5, pages 17 and 18. See also JS3, page 7.
- 52 CoE-GRETA, para. 128, ECLJ, page 7.
- 53 CoE-GRETA, p. 5, JS3, page 6
- 54 CoE-GRETA, p. 5.
- 55 CoE-GRETA, para. 240.
- 56 JS3, page 6.
- 57 JS5, pages 10 and 17.
- 58 ECLJ, page 7.
- 59 JS2, page 4.
- 60 CoE-Commissioner, pages 26 and. 27. See also JS5, page 16.
- 61 IPWR, page 4.
- 62 CoE-Commissioner, p.34. IPWR, page 6. JS8, page 15.
- 63 CoE-CM, Resolution CM/ResCMN (2023)4, p.2.
- 64 JS10, page 9.
- 65 JS10, page 17.
- 66 AI, page 1. JS5, page 12. JS10, page 10. Maat, page 7.
- 67 CoE-CM, Resolution CM/ResCMN (2023)4, p.3.
- 68 JS1, page 4. See also CoE-CM, Resolution CM/ResCMN (2023)4, p.2.
- 69 JS5, page 16.
- 70 UAAR, para. 5 and page 4. AI, page 3.
- 71 CoE-Commissioner, page 5.
- 72 JS8, page 5.
- 73 JS4, page 12. See also JS8, page 14.
- 74 UAAR, pages 2 and 4.
- 75 Broken Chalk, page 4.
- 76 Broken Chalk, page 5.
- 77 JS3, page 5.
- 78 Broken Chalk, page 6.
- 79 Broken Chalk, page 7.
- 80 CoE-Commissioner, page 34. See also JS5, page 17. JS3, page 10. CoE-Commissioner, page 5.
- 81 CoE-CM, Resolution CM/ResCMN (2023)4, p.2. See also JS3 page 3. JS2, page 6.
- 82 JAI, pages.
- 83 JS1, page 6.
- 84 CoE-Commissioner, page 27.
- 85 JAI, page 4. CoE-Commissioner, pages 4 and 5.
- 86 Maat, page 6.
- 87 JS5 page 17.
- 88 AI, page 4. See also CoE-Commissioner, p.5.
- 89 IPWR, page 6.
- 90 CoE-Commissioner, pages 4 and 5. See also JAI page 4 and JS5, page 16.
- 91 JAI, page 5.
- 92 ECP, pages 1–2. See also Maat, page 6.
- 93 CoE-Commissioner, pages 5 and 6. JS8, page 5.
- 94 CoE-Commissioner, pages 5 and 6.
- 95 JS4, page 9. See also CoE-Commissioner, pages.19 and 20.
- 96 ASSEDEL, page 3.
- 97 IRC, page 2. JS3, page 2.
- 98 VIS, page 6.
- 99 IRC, page 6. JS4, page 12. JS5, page 4. JS3, page 3. See also VIS, page 6.
- 100 JS3, page 3.
- 101 JS3, page 9.
- 102 JS3, page 7.
- 103 IAPD, pages 3–4.
- 104 JS3, page 4.

- 105 OSCE-ODIHR, page 7.
106 CoE-CM, Resolution CM/ResCMN (2023)4, p.1.
107 CoE-CM, Resolution CM/ResCMN (2023)4, p.2.
108 JS5, page 17.
109 UAAR, para. 7 and page 4. AI, page 4.
110 CoE-Commissioner, p.5.
111 IRC, page 3. JAI page 5.
112 MSF, page 3.
113 JS4, page 4.
114 CoE-Commissioner, pages 12 and 16. See also MSF, page 9.
115 CoE-Commissioner, page 16. CoE-GRETA, para. 218. JS4, page 7. AI, page 5.
116 CoE-Commissioner, p.15. CoE-GRETA, para. 22. IRC pages 3–4. IAPD, pages 3–4, APG23, page 2.
AI, page 5. JS4, page 9. MSF, page 9.
117 APG23, page 2.
118 JS4, page 8.
119 AI, page 3.
120 JS4, page 8.
121 CoE-Commissioner, p.16.
122 JAI, page 6.
123 JS1, page 11.
124 ASSEDEL, page 4.
125 JS4, page 8.
126 CoE-Commissioner, p.24.
127 CoE-Commissioner, p.5. See also CoE-GRETA, para. 240.
128 IRC, page 6. ASSEDEL, page 7. JS5, page 3.
129 IRC, page 6.
130 MSF, page 4.
131 IRC, page 4.
132 JS2, page 4. See also MSF, page 4. IRC, page 2.
133 CoE-GRETA, para. 239.
134 IPWR, page 6.
135 JS5, page 4.
136 JAI, page 5.
137 OSCE-ODIHR, page 8. JS5, page 13.
138 CoE-CM, Resolution CM/ResCMN (2023)4, p.2.
139 AI, page 2.
140 JS5, page 11. AI, page 4. JS1, page 11.
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