



ITALY

**62nd SESSION OF THE GENERAL ASSEMBLY
THIRD COMMITTEE**

**PRESENTATION OF THE REPORT (A/62/306)
OF THE SPECIAL RAPPORTEUR ON RACISM, MR. DIÈNE
INTERACTIVE DIALOGUE**

STATEMENT BY

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TO THE UNITED NATIONS**

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Mr. Chairman, Mr. Special Rapporteur, distinguished delegates,

Allow me to thank, on behalf of the Italian Government, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance for his report (A/62/306). I also wish to renew the commitment of the Italian Authorities to granting him and other relevant Human Rights mechanisms our co-operation and assistance.

I am grateful to the Special Rapporteur for acknowledging both in his Report before us today (A/62/306) and in the ad hoc mission Report (A/HRC/4/19/Add.4) presented to the Human Rights Council in March 2007, “the Italian Government’s commitment to combating racism and xenophobia, the efforts to improve the situation of Roma and Sinti communities and for the recognition of those communities, and finally, a greater sensitivity to multiculturalism (A/62/306, para.62).”

The Italian Government is determined to effectively protect and promote human rights – be it civil and political, economic, social and cultural. This commitment is one of the pillars of Italy’s domestic and foreign policy. The Italian legal system seeks to create a framework of guarantees, inspired by the non discrimination principle, enshrined in Art. 3 of the Italian Constitution. Thus, Italian Authorities are specifically committed to combating any forms of racism, racial discrimination, xenophobia and related intolerance.

In this very welcome ongoing Dialogue with Mr. Diene, over the last months my Authorities have provided the Special Rapporteur with several documents, to clarify issues that, also due to their complex and technical nature, need to be carefully followed throughout their development and that are not always properly and exhaustively addressed in the mission Report (A/HRC/4/19/Add.4).

Italy has a very strong tradition of protection and promotion of human rights. Our past experience of emigration has played a fundamental role. Our history and geographic position are at the foundations of Italy’s receptive attitude toward foreigners. Located in the middle of the Mediterranean sea, Italy has been always the crossroads of different peoples and cultures. Nowadays, the Italian population bears the signs of this diversity, more than ever.

In this framework, let me briefly touch upon some outstanding issues, raised in the Reports under reference:

1. Italy submitted the **National Plan of Action on the Follow up to the World Conference against Racism, Xenophobia and Related Intolerance**, on March 2006, at the end of a negotiation process involving important NGOs. In July 2007, Italy sent the Office of the High Commissioner for Human Rights its contribution to the Report on the implementation of UNGA Res. 149/61. Our focus was on the following areas: the activities of existing regional bodies and centres that combat racism, racial discrimination, xenophobia and related intolerance; the role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance; the racism in sport events.

2. As to the integration process, the Italian Parliament is currently examining the **Bill on The Citizenship** (within the Unified Text of August 4, 2006). Once adopted, it will envisage the following proceedings: citizenship - to be granted by Decree of the Ministry of the Interior, upon the request of the individual concerned - may be released to foreigners who have resided legally in Italy for five years and meet specific income requirements, asylum-seekers who have had refugee status for at least three years, and foreign youths - above the age of 18 - who have been adopted by Italian citizens (in the latter case, s/he may apply for Italian citizenship, five years after his/her adoption). More importantly, foreigners granted Italian citizenship are not required to relinquish their citizenship of origin.

3. In the area of **integration**, Italy has recently adopted the “**Charter of values of citizenship and integration**”. By recalling relevant principles and values set forth in the Italian Constitution, this Charter seeks to clarify the Constitutional provisions, to be recalled and implemented in all those situations in which Italians meet immigrants.

The drafting process involved all the relevant stakeholders, including the representatives of “new” or “future” Italians. The Italian Authorities studied: salaries and wages; access to health-care services and education; right of worship and freedom of religion; secularization and its implications; women’s human rights; and the rights of the child. This Charter has been thus adopted in order to raise awareness of duties and rights for immigrants who enter Italian territory. This Charter will be promptly disseminated nation-wide, including in the schools.

4. To protect the freedom of religion, there are seven recently signed agreements, to be added to the six currently in force under Art.8, para.3, of the Italian Constitution.

The **inclusion of the Muslim communities** in Italy, namely AMI, the Muslim Cultural Centre, COREIS and UCOI, has been facilitated by the Italian Presidency of the Council of Ministers, through these agreements. The proceedings to recognize the various creeds have to be conducted by representatives of that creed, but such an individual has not yet been indicated.

5. On the occasion of the International Day on **Roma People** (April 4th), the Italian Minister of the Interior chaired an *ad hoc* meeting of the Committee against Discrimination and Anti-Semitism. There he reiterated the need to promote specific actions, including an **international conference** on the situation of Roma and Sinti communities. This Conference will take place, in Italy, at the end of January 2008. At the same time a national Conference is being prepared, in cooperation with Roma associations, to overcome wide-spread distrust and counter prejudices against minorities.

The Committee against Discrimination and Anti-Semitism is studying whether or not to set up an Observatory, involving the Roma and Sinti communities, to draft measures to be discussed in the course of these conferences. Further to requests made by the EU Parliament, consideration is being given to recognizing Roma people as a **linguistic minority**. Existing legislations only recognize the rights of the historical linguistic minorities. The Roma people were not included due to their lack of compliance with the territorial requirement.

On a more general note, we wish to stress the debate at both the Government and Parliament levels, on various **draft laws, aimed at either “protecting Roma people and their cultural identity”, or “recognizing Roma people as a linguistic minority”, or “establishing an *ad hoc* enquiry Parliament Commission”, or “ratifying the European Charter on Linguistic Minorities”**. An Inter-ministerial Working Group, including representatives of local and municipal authorities, is currently working on a relevant comprehensive/omnibus bill.

Some good practices have been implemented, in the past year, by the Ministry of the Interior, to improve contact and cooperation between the Police and vulnerable groups, including the Roma people. Since June 2005, an *ad hoc* Memorandum of

Understanding between the Association for Nomads and the Ministry of Education is in force, to ensure and protect Roma children's rights to educational access. The above MoU was translated into conventions with regional Education Offices, aimed at promoting the integration of Roma pupils at the local level.

Several initiatives have been also launched by the Ministry on Rights and Equal Opportunities, such as meetings with Roma NGOs, the establishment of a specific Working Group, mandated to carry out a comprehensive study on Roma and Sinti communities-related issues, and the funding of relevant ad hoc projects nationwide.

6. The flow of foreigners entering Italy illegally is a growing concern. Italy is engaged in the implementation of **a comprehensive law on asylum**. We must naturally take into account the goals of the EU, specifically the political integration process provided for by the Amsterdam Treaty concerning the right to freedom of movement and asylum. Once the three main EU Directives on asylum have been integrated into domestic level, the possibility of tabling a Bill in order to integrate and harmonize regulations in force, will be promptly considered.

7. As to the situation of illegal immigrants, particularly in the **Centres for Temporary Stay and Assistance** (acronym in Italian, CPTA), by General Directive, dated **March 5th, 2007**, the Minister of the Interior underlined his specific commitment to work on **guidelines and strategies, in order to improve the living conditions in and, more generally, the management of, the facilities devoted to host illegal immigrants and asylum-seekers**. All relevant agreements - in force or to be signed - must be consistent with the so-called "Guidelines for the Management of the Centres (CPTA)," to guarantee respect for the various cultural, ethnic, religious and linguistic origins; appropriate health-care services; legal aid; and cultural mediation, including translation service.

Mr. Chairman, distinguished delegates,

By reiterating the importance of this exercise, I wish to sincerely thank, once again, the Special Rapporteur for his visit to Italy and for giving me the opportunity to reaffirm the willingness of the Italian Authorities to **continue cooperating, in a spirit of open, constructive and fruitful dialogue, with him and with all the other Human Rights mechanisms**.