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Mr. Franco Frattini
Minister of Foreign Affairs
Piazzale della Farnesina, 1
Rome 00135
Italy

**AMNESTY
INTERNATIONAL**



AMNESTY INTERNATIONAL INTERNATIONAL SECRETARIAT
Peter Benenson House, 1 Easton Street
London WC1X 0DW, United Kingdom
T: +44 (0)20 7413 5500 F: +44 (0)20 7956 1157
E: amnestyis@amnesty.org W: www.amnesty.org

19 May 2011

Dear Minister,

OPEN LETTER RE: ITALY'S CANDIDACY FOR ELECTION TO THE UN HUMAN RIGHTS COUNCIL

We write on the occasion of Italy's candidacy for membership of the UN Human Rights Council in the elections scheduled for 20 May 2011. We welcome your submission election pledges to promote and protect human rights at the national and international levels, as indicated in the Annex to the note verbale dated 11 February 2011 from the Permanent Mission of Italy to the Secretariat.

The Office of the UN High Commissioner for Human Rights has issued guidance in the form of a framework for voluntary pledges and commitments by Member States when presenting candidatures for the Human Rights Council, including that these should make specific, measurable and verifiable commitments.¹ We also recall that, according to General Assembly resolution 60/251, members of the Council shall uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council.² We take this opportunity to make some comments on Italy's election pledges and to note some additional opportunities for your government to promote and protect human rights on the occasion of its candidature.

1. Commitments at the international level:

■ *Ratification of international human rights instruments*

We take this opportunity to encourage you to proceed without further delay with the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, pending since 2003, and to also ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

■ *Cooperation with the Special Procedures*

We welcome your commitment to continue to support the work of the Special Procedures and to participate actively in the interactive dialogue with them. In this regard, we would encourage you to facilitate without delay the visit requested by the Special Rapporteur on freedom of opinion and expression (2009) and the visits agreed in principle by the Special Rapporteur on contemporary forms of slavery and the Independent Expert on extreme poverty.

¹ *Suggested Elements for Voluntary Pledges and Commitments by Candidates for Election to the Human Rights Council* prepared by the Office of the High Commissioner for Human Rights <http://www2.ohchr.org/english/bodies/hrcouncil/docs/pledges.pdf>

² Operative paragraph 9.

■ *Cooperation with the treaty monitoring bodies*

We note that periodic reports are due to the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, and the Committee on Economic, Social and Cultural Rights. We urge you to submit these without further delay.

■ *Engagement with the Universal Periodic Review*

We welcome your commitment to devote every effort to improve the effectiveness of the Universal Periodic Review, to draw up a road map to strengthen human rights policy, and to implement all accepted recommendations in a timely manner.

We consider of particular importance the recommendations, made to Italy during the review, to ratify the Optional Protocol to the Convention against Torture and establish an independent National Preventive Mechanism for the prevention of torture and ill-treatment at the domestic level; to establish a National Human Rights Institution in line with the Paris Principles; to incorporate the crime of torture as a specific offence in the domestic legislation; to intensify efforts to combat racial discrimination and intolerance targeting foreign nationals and minority groups; to ensure the full respect of the fundamental rights of asylum-seekers, migrants and refugees; and to counter discrimination against members of the Roma and Sinti communities, as well as full compliance with international law with regard to evictions of Roma and Sinti settlements.

■ *Participation in the deliberations of the Human Rights Council*

We note your willingness, expressed in your election pledges, to work constructively within the Council and its mechanisms and to encourage States with a strong human rights record to run for membership of the Council. In this regard, we urge you to work towards better use of the Council's broad range of working methods and practices to address situations that require its attention and to improve the follow up by the Council of initiatives, including by its expert mechanisms and subsidiary bodies.

2. Commitments at the national level:

■ *National human rights policy*

We note your commitment to eradicate racism, racial discrimination, xenophobia and related forms of intolerance; to establish a National Human Rights Institution consistent with the Paris Principles; to launch a national action plan to implement Security Council resolution 1325; to implement laws and policies to combat violence against women; and to promote implementation of the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

While we welcome your commitment to implement related recommendations accepted in the context of the Universal Periodic Review, we remain deeply concerned by the number of forced evictions of Roma and Sinti currently being carried out throughout Italy. We are also very concerned that derogatory remarks by some representatives of the authorities help foster a climate of intolerance towards Roma, migrants and lesbian, gay, bisexual and transgender people.

We deeply regret that Italy continues to refuse introducing the crime of torture as a specific offence in domestic legislation.

We welcome the pledges and commitments already made by Italy and encourage your government to use this opportunity to further strengthen these by including the additional elements listed above. We encourage your government to announce the steps it will take to fulfil its electoral pledges, whether it is successful in gaining a seat on the Council or not, and to regularly inform the Council of progress in implementing these commitments. This could, for example, be done in the form of an oral or written statement to the Council.

We would be pleased to receive your comments and responses to the issues raised in this letter.

A copy of this letter has been sent to your country's permanent missions in Geneva and New York.

Yours sincerely,

A handwritten signature in black ink that reads "Steve Crawshaw". The signature is written in a cursive style with a large initial 'S'.

Steve Crawshaw
International Advocacy Director
Amnesty International