

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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ITALY: VIOLATIONS OF ROMA, REFUGEE AND MIGRANTS' RIGHTS CONTINUE, ACCOMPANIED BY THE CRIMINALIZATION OF RESCUE NGOS

HUMAN RIGHTS COUNCIL ADOPTS UNIVERSAL PERIODIC REVIEW OUTCOME ON ITALY

Amnesty International welcomes the discussion on the situation of human rights in Italy. We particularly welcome the acceptance by Italy of recommendations regarding the need to create a National Human Rights Institution¹, to tackle hate speech and hate crimes², and to stop discrimination against Romani people, including in access to adequate housing³.

Although Italy accepted relevant recommendations in previous UPR cycles, human rights violations have continued, such as segregation in housing and forced evictions of Romani communities. Italy has failed to implement immediate measures to address the risk of serious and irreparable harm to the Roma as recently requested by the European Committee of Social Rights of the Council of Europe following the submission of a complaint by Amnesty International concerning Roma housing.⁴

Italy also continues to violate the rights of refugees and migrants. Amnesty International has documented how the cooperation with Libya on border control, recently extended for another three years, has led to the arbitrary detention of thousands of women, men and children in detention centres where torture is rife, and which are located near conflict zones.⁵ Amnesty International deeply regrets that no State submitted recommendations calling on Italy to condition its cooperation with Libya upon the abolition of the system of arbitrary detention and the removal of other relevant human rights violations.

¹ Human Rights Council, Report of the Working Group on the Universal Periodic Review – Italy, UN Doc. A/HRC/43/4, Recommendations 148.17-61, (Bolivarian Republic of Venezuela, Australia, Slovakia, Slovenia, South Africa, Sri Lanka, Togo, Tunisia, Uganda, Ukraine, Uruguay, Bangladesh, Bulgaria, Burkina Faso, Canada, Chile, Colombia, Costa Rica, Zambia, Egypt, France, Georgia, Greece, Albania, India, Iraq, Ireland, Kenya, Lebanon, Liechtenstein, Luxembourg, Malaysia, Maldives, Mexico, Mongolia, Morocco, Mozambique, Nepal, North Macedonia, Portugal, Republic of Korea, Rwanda, Senegal, Serbia and Seychelles)

² A/HRC/43/4, Recommendations 148.74-5 (Bolivarian Republic of Venezuela, State of Palestine), 148.77-8 (Tunisia, Turkey), 148.83-5 (Belgium, Canada, Cuba), 148.87 (Djibouti), 148.92 (Indonesia), 148.94-7 (Jordan, Madagascar, Malaysia, Mauritius), 148.99 (Norway), 148.109-11 (Belgium, Canada, France), 148.113 (Ireland), 148.120 (Senegal), 148.209 (Colombia) and 148.283 (Mexico)

³ A/HRC/43/4, Recommendations 148.98 (New Zealand), 148.117-120 (Austria, Brazil, Myanmar, Senegal), 148.188 (Turkey), 148.195 (Islamic Republic of Iran), 148.197 (Peru)

⁴ European Committee of Social Rights, Amnesty International v. Italy Complaint No. 178/2019, Decision on Admissibility and on Immediate Measures, 4 July 2019

⁵ Amnesty International, *Libya: Renewal of migration deal confirms Italy's complicity in torture of migrants and refugees*, 30 January 2020, <https://www.amnesty.org/en/latest/news/2020/01/libya-renewal-of-migration-deal-confirms-italys-complicity-in-torture-of-migrants-and-refugees/>

We also regret that Italy rejected recommendations highlighting the need to respect the principle of non-refoulement.⁶ Despite the Italian government's statement that "Italy has never carried out collective expulsions"⁷, rulings by domestic courts and the European Court of Human Rights demonstrate the opposite.

Indeed, there are additional ways in which Italy has continued to fail refugees and migrants: by removing guarantees for asylum-seekers coming from countries deemed as "safe", which is inconsistent with the obligation to assess each individual's situation; by restricting access to humanitarian protection, which increases the number of people exposed to destitution; and – as we highlighted in a new report published last week⁸ – by criminalizing and hindering the life-saving activities of rescue NGOs that have stepped in to rescue people at sea, where European governments have failed to do so.

BACKGROUND

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Italy on 12 March 2020 during its 43rd session. This is Amnesty International's statement on the outcome prior to the adoption of the report of the review. The statement was not delivered in the session as the organization took the decision to protect its staff from the COVID 19 pandemic and to ensure it actively contributes to minimizing spread of the virus. Amnesty International also contributed to the information basis of the UPR review through its submission on Italy.

⁶ A/HRC/43/4, Recommendations 148.279 (Kenya) and 148.281 (Thailand)

⁷ Comment on non-acceptance of Recommendation 148.289 (Burkina Faso), UN Doc. A/HRC/43/4/Add.1,

⁸ Amnesty International, *Europe: Punishing Compassion: Solidarity on Trial In Fortress Europe*, 3 March 2020, <https://www.amnesty.org/en/documents/eur01/1828/2020/en/>