
amnesty international

ITALY

Summary of a recent Amnesty International intervention on alleged ill-treatment in prisons

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Under Article 1 c) of its Statute, Amnesty International opposes the “torture or other cruel, inhuman or degrading treatment or punishment of prisoners or other detained or restricted persons, whether or not the persons affected have used or advocated violence.”

In a letter sent to the Minister of Justice in May, the Secretary General of Amnesty International expressed concern about allegations of ill-treatment emanating from Italian prisons and pointed out that over the last decade the organization has frequently expressed concern that a number of criminal proceedings relating to alleged ill-treatment by prison officers have been subject to excessive delays and that some have appeared to lack thoroughness. The letter also pointed out that fears have been expressed that the failure of the criminal justice system to function swiftly and efficiently in such cases might be creating a climate of impunity. The Minister’s attention was drawn to a report which Amnesty International submitted to the UN Committee against Torture and the former Italian government in April 1999 and which described some of the organization’s concerns relating to alleged ill-treatment, not only by prison officers but also by law enforcement officers and by members of the Italian armed forces in Somalia.¹

Amnesty International’s letter, which was copied to the Director General of Prison Administration, expressed particular concern about the allegations that on 3 April 2000 over 40 inmates of the Sassari district prison of San Sebastiano (Sardinia), were subjected to cruel, inhuman and degrading treatment, in some cases amounting to torture, by prison officers employed in various Sardinian penal institutions and in the presence of the director of San Sebastiano prison and the regional director of prisons for Sardinia.

¹ Italy - A briefing for the UN Committee against Torture (AI Index: EUR 30/02/99)

The organization welcomed the opening of both administrative and judicial investigations and, while asking to be kept informed of their eventual outcome, urged the Minister to do all in his power to ensure that the investigations be carried out thoroughly, promptly and impartially, in the manner required by international standards, including the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Amnesty International also urged that the findings be made public, that those responsible be brought to justice and that, if there is evidence that any prisoners were subjected to torture or cruel, inhuman or degrading treatment or punishment, the prison authorities compensate the victims.

In its letter Amnesty International expressed concern about a number of other allegations of ill-treatment and deaths in disputed circumstances which have emanated from Italian prisons in recent years and sought further information about relevant judicial and administrative proceedings. These included:

- the alleged ill-treatment of Abdelaziz Ziad in Sassari Prison in November 1997;
- the death of Luigi Acquaviva in Badu'e Carros Prison, Nuoro, in January 2000;
- the death of Francesco Romeo, in Reggio Calabria prison in September 1997;
- the alleged ill-treatment of minors in Ferrante Aporti Prison for Minors, Turin;
- the alleged ill-treatment of inmates of Secondigliano Prison, Naples.

Amnesty International also pointed out that the Concluding Observations issued in August 1998 by the UN Human Rights Committee following its examination of Italy's fourth periodic report on its implementation of the International Covenant on Civil and Political Rights, listed, amongst its principal subjects of concern, continued delay in introducing a criminal offence of torture, "as defined in international law". Similarly, in May 1999 the UN Committee against Torture, following its examination of Italy's third periodic report on its implementation of the Convention against Torture welcomed the introduction of a draft law put forward in December 1998 by a group of senators proposing, *inter alia*, the introduction of a crime of torture, based on Article 1 of the Convention and the establishment of a fund for victims of torture, attached to the Prime Minister's office, in order to ensure compensation for acts of torture, in line with Article 14 of the Convention. At the same time the Committee urged that "the legislative authorities proceed to incorporate into domestic law the crime of torture as defined in Article 1 of the Convention and make provision for an appropriate system of compensation for torture victims."

In its letter Amnesty International therefore asked for news of the progress made towards addressing these concerns and recommendations as well as news of any reforms envisaged in the training of prison officers.

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