



***MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL  
COOPERATION***

***Inter-ministerial Committee for Human Rights***

***ITALY***

***Comments to the Report made by***

***the Conference of INGOs of the Council of Europe***

***following the fact finding visit to Italy (25-26 May 2019)***

***October 2019***



## ITALY

### Introductory Speech

Italian Authorities thank the Conference of INGOs of the Council of Europe for its reporting following the Fact finding visit to Italy in May 2019, and want to provide the following contribution to the strengthening of its action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity.

1. Italy confirms its effective commitment towards the strengthening of the vision and mission of the Conference of INGOs through the active promotion of fruitful and good-faith cooperation, which can encourage the respect for human rights and fundamental freedoms, facilitate the exchange of good practices and lessons learnt, prevent mass and flagrant violations of human rights and fundamental freedoms and strengthen international peace and security.
2. In pursuing the implementation of international norms in the field of human rights at national, regional and local levels, Italy resolutely reaffirms the indivisibility and interdependence of human rights, promotes an open and inclusive approach to human rights, including the ownership by local actors and civil society organizations, and recognizes in the mechanisms of international cooperation an effective, valuable and desirable instrument for their protection and further promotion.
3. Italy has developed the first Italian National Action Plan (NAP) on Business and Human Rights for 2016-2021 in line with the implementation of the “Guiding Principles on Business and Human Rights” unanimously endorsed by the UN Human Rights Council in 2011. In 2018 Italy, first country to do so, did a mid-term review of the Italian National Action Plan on Business and Human Rights, and shared the outcome at the 2018 United Nations BHR Forum. The Action Plan was elaborated and revised by an *ad hoc* working group, coordinated by the Inter-ministerial Committee for Human Rights, composed of representatives of several ministries and institutions. Its contents have also emerged from wide consultations with experts, business representatives, trade unions and non-governmental organizations.
4. Italy strongly supported the adoption of UNSC Resolution 1325(2000) and is among the UN Member States that adopted a National Action Plan on WPS, currently at the third edition, in order to strengthen initiatives to reduce the impact of conflict and post-conflict situations on women and children, especially girls, and improving their involvement as ‘agents of change’ in conflict prevention and resolution. In this context Italy commits to a more inclusive dialogue with NGOs, given the centrality of their activities in the field, as well as their ability to assess sectoral initiatives and identify existing gaps and challenges, both present and future. This last NAP, focussing inter alia on vulnerable groups, women Human Rights Defenders and SDGs 5 and 16, has been recently extended for one more year, to 2020, and has been

receiving about 1 million Euros, per year. This NAP includes indicators for each relevant Action (44 Actions under seven Objectives), which have been designed with a view to a comprehensive assessment by both institutions and civil society organizations. Accordingly, this multi-stakeholder mechanism oversees the implementation of the present National Plan, including by *progress reporting* to be conducted with relevant CSOs, in order to guarantee operational effectiveness and a more holistic and synergic approach.

5. Operating as the National Focal Point for the National Action Plan, the Inter-ministerial Committee for Human Rights (CIDU) intends to strengthen cooperation with civil society, in particular with relevant NGOs. To bolster civil society's action, which focuses considerably on the territorial dimension – on guaranteeing opportunities to women to express their views and apply their abilities to the economy, environmental protection, decision-making processes and, in general, within national structures and institutions. A Roster of Experts has thus been opened on the CIDU website, available to administrations concerned - and involved in the UNSCR1325 Action Plan -, allowing users to directly access expertise in gender issues, especially on Women, Peace and Security. Similarly, when assessing the impact of conflicts and actual job opportunities for women in territories where peace-building operations are underway, we welcome further contributions of NGOs to gathering and analyzing gender disaggregated data. The Italian Authorities commit to strengthening dialogue with sector NGOs – as per the recommendations of the thematic working group on gender policies created in 2006 - through periodic consultations and specific initiatives. Regular consultations are also scheduled between the General Directorate for Development Cooperation and the National Focal Point of the CIDU. Italy's efforts to implement the Women, Peace and Security Resolutions are also linked to the overall promotion and protection of women's and girls' human rights and equality within the framework of Italy's obligations under relevant international Conventions and in view of all commitments made *inter alia* within the framework of the UN 2030 Sustainable Development Agenda, especially SDG 5 and SDG 16.
6. The CIDU, established in 1978, reflects Italy's full adherence to fundamental principles of International Law as integral component of the national commitment to strengthening human rights rules and systems. The CIDU has a long-standing cooperating with the civil society sector, whose representatives are also involved in conferences and events organized by the CIDU in cooperation with relevant Administrations as well as in online consultations for the compilation of national plan of actions. The CIDU commits to spare no effort to support the role of civil society organizations as an effective vehicle for a far-reaching successful implementation of National Action Plans.

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7. The CIDU shows its appreciation for the recognition of the efforts made to ensure the Conference of INGOs delegation in Rome the highest degrees of transparency, reciprocity, impartiality and objectivity as regards the information shared, the quantity and quality of scheduled meetings and the commitment by the relevant Authorities to comply with the recommendations made. In particular, the Department for Equal Opportunities, the UNAR-National Anti-Racial Discrimination Office and the National Guarantor for the Rights of Persons Detained or Deprived of Liberty have emphasized the fruitful collaboration with the Conference of INGOs delegation.
8. The Italian Authorities acknowledges that progress is expected in some areas of public policy. However, they appreciate how the Conference of INGOs emphasizes in its reporting “the constant effort and progress already made by a number of governmental institutions, as shown by the exchange of views with the Minister of Public Administration and the Department of Equal Opportunities”.
9. The Italian Authorities reiterate the recognition of the existing expertise in the NGO sector in Italy as well its essential place in the design, implementation, and evaluation of the public policies. Furthermore, Italy restates its commitment to prioritize the dialogue with NGOs, seize their expertise and experiences to develop the content of the policies and legislative changes very needed on some sensitive issues.
10. As regards the **Reform of the Third Sector**, with particular reference to the 2017 Code of the Third Sector, the Italian authorities reiterates the complexity of the activity, which involves a wide range of public administrations, sub-state (at regional level) and autonomous administrations. Indeed, the creation of the Single Register is being implemented, as it envisages an activity involving, in addition to the Ministry of Labor and Social Policies, 21 regional and provincial administrations, each of which has its own register, as well as the Tax Revenue Agency which is an autonomous national administration. Finally, it is expected to complete this activity by the middle of next year. Assistance and support activities are already provided to small entities both through administrative acts and through local volunteer social centers.
11. The Civil Code envisages the following control system on Third Sector:
  - a) controls on the existence of the requirements necessary for registration in the National Single Register of the Third Sector, established at the Regions and at the Ministry of Labor and Social Policies, under the responsibility of the Office of the Single National Register of the Third Sector territorially competent;

- b) fiscal controls under the responsibility of financial administrations;
  - c) controls on the correct use of public resources, under the responsibility of the individual administrations that provide financing;
  - d) controls on the compliance of the activities of general interest with the particular rules governing their registration, assigned to the single Administrations competent for the subject.
12. As regards the **Participation in Decision-making Process**, the involvement of NGOs in the OGP Actions Plans has been gradual. However, Italian authorities consulted civil society organizations throughout the whole implementation period of the 3rd action plan. From November 2018 to April 2019 the process for the drafting of the 4th National Action Plan was conducted starting from the proposals coming from NGOs and going through a consultation phase; a more active role for the multi-stakeholder Forum is envisaged for the implementation phase of the Plan, that will end in June 2021.
13. As regards the **Interactions between public authorities and NGOs in the context of migration policy**, the National Guarantor for the Rights of Persons Detained or Deprived of Liberty suggests amending the data on the CPRs' population presented in the Conference of INGOs' reporting as follow: in 2017, CPRs hosted 4,087 migrants, out of which 769 were women. By implementing Article 9 of Legislative Decree No. 24/14, on 26 February 2016 the first National Plan of Action against trafficking and serious exploitation of human beings was adopted for the years 2016-2018. It should be considered an important tool aimed at defining multi-annual strategies of intervention for the prevention and contrast of the phenomenon of trafficking and serious exploitation as well as actions aimed at raising awareness, social prevention, the emergence and social integration of the victims themselves. The definition and implementation of the NAP is attributed to an ad hoc Control Room, re-established by the Prime Minister's Decree of 9 April 2019. At the same time also a Technical Committee was created, appointed by the Prime Minister's Decree of 10 April 2019 and composed of representatives of central and local administrations, law enforcement agencies, third sector bodies involved in combating human trafficking and trade union organisations. The Technical Committee supports the Control Room in all its functions; it was convened on 30 July 2019 to debate over the key lines for the drafting process of the new National Action Plan against trafficking 2019-2021 and some NGOs have already submitted their contributions to this scope. Indeed among relevant areas for improvement for the forthcoming Plan that one aimed at strengthening the strategic partnership with NGOs and other actors involved in the field of trafficking is provided.
14. As regards **Immigration and Integration Policies**, the measures recently put in place by the Ministry of Labour and Social Policies – Directorate General to foster social labour inclusion of vulnerable migrants in Italy are the following:
- a. **INSIDE**: this pilot project, started in 2015 and completed in 2016, was aimed at promoting 672 social-labour inclusion paths for beneficiaries of international protection and at strengthening the multilevel local network of subjects active in reception as well as in labour policies. For each participant an individual integration plan, including a set of services intended to support the skills development and the

search for job opportunities (assessment of competencies, orientation, company coaching and scouting) was defined; the integration path also included a six months traineeship in a company, selected by the job agencies according to the participant needs and the local labour market demand. The project was co-financed by the European Social Fund (ESF) and the national Migration Policies Fund, for a total amount of 4.500.000 euro. A total grant of 5.500,00 euro was allocated for each integration path (2.000,00€ for the employment services/job agency; 500,00€ euro for the employer/company; 3.000,00€ euro for the trainee).

- b. PERCORSI: this project, started in 2016 and still progress, is designed to strengthen the social-labour inclusion of unaccompanied children and young migrants entered in the country as unaccompanied children, by providing them with vocational training opportunities and facilitating their access to the labour market, in order to support them in their transition to adulthood and to prevent the risk of their discrimination or exploitation. The structure of the project is similar to that of INSIDE and foresees the participation in a 5 months vocational training; a total grant of 5.000,00 euro was allocated for each integration path (2.000,00€ for the employment services/job agency; 500,00€ euro for the employer/company; 2.500,00€ euro for the trainee). The project is funded by ESF for a total amount of about 10.000.000 euro. During the first and the second phase of the project, out of the 1810 integration paths provided, 1604 were successfully completed. The third phase, which foresees 170 additional paths, is in progress.
  - c. PUOI: this project, started in 2019 and built on the basis of the projects INSIDE and PERCORSI, is aimed at strengthening the social-labour inclusion process of vulnerable migrants (refugees, beneficiaries of subsidiary or humanitarian protection, beneficiaries of one of residence permits for special cases and migrants entered in Italy as unaccompanied children) in Italy, through the provision of 4.500 individual integration paths. PUOI is jointly financed by the European Social Fund – ESF (13.500.000,00€) and the Asylum, Migration and Integration Fund-FAMI (13.230.000,00€). A total grant of 5.940,00€ is allocated for each integration path (2.340,00€ for employment services/job agency; 600,00€ for the employer/company; 500,00€ per month for the trainee).
15. As regards **Violence Against Women**, the "National Strategic Plan against male violence against women (2017-2020)", approved at the meeting of the Council of Ministers on 23 November 2017 after the agreement reached by the Unified Conference the same day, defines the overall strategy to implement the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), through a path shared by all institutional and non-institutional actors involved, according to a logic of partnership and integrated policy-making. Recalling the structure of the Istanbul Convention and in compliance with international standards, the Plan is divided into three axes of intervention: Prevention, Protection and Support, Prosecution and Punishment; a further cross-cutting implementation axis (Assistance and Promotion) aimed at building an integrated data collection system together with monitoring and evaluation is foreseen. The Operational Plan, released in July 2019, is a complementary and update document. It is flexible and dynamic in its nature: during the implementation period it will be possible to update and

integrate it with further concrete actions and dedicated resources, according to priorities and needs that will emerge from time to time in the debates of both the Technical Committee and the Control Room. In the Technical Committee civil society organisations have been involved to give their active contribution according the respective areas of competence.

16. The Italian Authorities aim to deliver on their commitment to implementing the specific recommendations made by the reporting of the Conference of INGOs of the Council of Europe to public authorities, through an effective multi-stakeholders, integrated and holistic approach, with the full involvement of civil society organizations, academia, NGOs, private sectors, and trade unions. Aware of the complexity of this task, Italy will keep the spirit of the fact-finding visit alive and will foster its implementation, thanks to a constant fine-tuning with the necessities on the ground and all relevant stakeholders.
17. Finally, the President of the CIDU reaffirms its commitment to foster the dialogue with the Conference of INGOs of the Council of Europe and to closely monitor the follow-up to the 2019 Fact-finding visit to Italy, according to clear and transparent procedures, by facilitating the necessary formalities and coordination mechanisms with the relevant Authorities. Furthermore, he reaffirms the desire and willingness to develop full cooperation and exchange of information and good practices.

Italian Authorities take this opportunity to further reiterate their firm willingness to continue full and extensive cooperation with the Conference of INGOs of the Council of Europe and all other relevant mechanisms and bodies, and their commitment to share additional relevant information once made available.