



"Italy should eradicate discrimination and xenophobia and improve its migration policy" says Commissioner Hammarberg

[16/04/09] "Although efforts have been undertaken, serious concerns remain about the situation of Roma, migration policy and practice, and the non-respect of binding interim measures requested by the European Court of Human Rights" said today Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, presenting his [report](#) on Italy.

"The authorities should condemn more firmly all racist or intolerant manifestations and ensure effective implementation of anti-discrimination legislation", he said He also recommends that the representation of ethnic groups in the police should be increased and that an independent national human rights institution, such as an Ombudsman, should be established in order to reinforce human rights protection.

Commissioner Hammarberg further recommends improving the situation of Roma. "There is a persistent climate of intolerance against them and their living conditions are still unacceptable in a number of settlements that I visited. Local good practices exist in the country, and they should be broadened." He further expresses his deep concern about the appropriateness of the census in Roma and Sinti settlements and remains worried about its "compatibility with European standards guiding the collection and processing of personal data."

Moreover, the Commissioner urges the authorities to create consultative mechanisms at all levels with Roma and Sinti, avoid evictions without offering alternative housing and offer appropriate education solutions for children. He also hopes that "the new action plan for social welfare and integration measures is soon implemented and the authorities implement promptly their pledge to ratify without reservation the Council of Europe Convention on Nationality, which would benefit in particular *de facto* stateless Roma children."

The Commissioner reiterates his critique of the draft law on public security for its possible negative effects on migrants' rights. "Criminalising migrants is a disproportionate measure which risks igniting further discriminatory and xenophobic tendencies in the country" he said. "Furthermore, the recent provision introduced by the Senate which allows medical personnel to report to the police irregular migrants who access the health system is profoundly unjust and could further marginalise migrants."

Commissioner Hammarberg remains worried by a number of forced returns, on security-related grounds, to Tunisia of individuals who seriously risk torture in that country. "In their duty to protect societies from terrorism, states should not contravene human rights standards such as the absolute prohibition of torture or inhuman treatment. Italy has ignored binding interim measures requested by the European Court of Human Rights to halt deportations, thus seriously jeopardising the effectiveness of the European system of human rights protection."

Finally, the Commissioner welcomes certain positive steps taken by the Italian authorities, in particular the adoption of intercultural education programmes, the decision to ratify the Council of Europe's Convention on action against trafficking in human beings and the development of a national programme on unaccompanied foreign minors.

The report is based on the visit carried out last January and follows up on the recommendations set up in the Commissioner's memorandum of July 2008. It is published together with the authorities' response and a photo gallery illustrating the visit.



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