

State of the Rule of Law in Europe in 2022

Reports from National Human Rights Institutions

Italy



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Independence and effectiveness of the NHRI

International accreditation status and SCA recommendations

Despite several initiatives over many years, a National Human Rights Institution has not yet been established in Italy. Other state bodies, such as the National Authority (*Garante nazionale*) for the rights of persons deprived of liberty carry out important human rights work in the country. However, they do not have a broad human rights mandate and do not fulfil other criteria under the UN Paris Principles to be considered an NHRI.

In November 2019, at the occasion of the Universal Periodic Review (UPR) of Italy, delegations from over 40 countries included in their recommendations the establishment of an NHRI in Italy, in compliance with the UN Paris Principles (1). As a result, the Italian government reaffirmed its commitment to establish an NHRI.

Multiple actors, including ENNHRI, have been calling for the establishment of an Italian NHRI in compliance with the UN Paris Principles. In January 2019, ENNHRI addressed the Italian Chamber of Deputies to underline the importance of establishing an NHRI in Italy and how it would differ from other existing national mechanisms (2). This message was reiterated later that year during a roundtable in Italy, organized by ENNHRI with Amnesty International, which brought together representatives from Italian civil society, European NHRIs and regional organisations (3).

In October 2020, the Committee on Constitutional Affairs of the Italian Chamber of Deputies adopted a unified text version based on three draft proposals for the establishment of an Italian NHRI. The unified proposal will serve as a basis for the discussions on the establishment of an Italian Commission on human rights an anti-discrimination (4).

In January 2021, ENNHRI intervened in a conference organised by the EU's Fundamental Rights Agency and a group of leading academics on the establishment of an Italian NHRI. ENNHRI highlighted that an Italian NHRI, in compliance with the UN Paris Principles, will contribute to greater promotion and protection of human rights in Italy.

As far as ENNHRI is aware, after a governmental crisis in February 2021, the draft bill has not been rescheduled for discussion in the Chamber of Deputies.

ENNHRI is closely monitoring developments in the country and stands ready to provide its expertise on the establishment and accreditation of NHRIs to relevant stakeholders in Italy, including the legislature, government, academics and civil society organisations. In December 2021, ENNHRI has reached out to Italian authorities to ask for any steps taking towards establishing an Italian NHRI.

References

- (1) <https://undocs.org/A/HRC/43/4>
- (2) <http://ennhri.org/news-and-blog/the-case-for-an-nhri-in-italy-presented-before-italian-law-makers/>
- (3) <http://ennhri.org/news-and-blog/civil-society-actors-call-for-parliament-debate-and-greater-collaboration-on-the-establishment-of-an-nhri-in-italy/>
- (4) <https://www.camera.it/leg18/824?tipo=A&anno=2020&mese=10&giorno=29&view=filtered&commissione=01#data.20201029.com01.allegati.all00010>