



European Network of
National Human Rights Institutions

Implementing the Council of Europe Recommendation on National Human Rights Institutions: The State of Play

The situation in Italy



Italy Country Report

Overview

Name of NHRI and mandate:

- Italy does not have a National Human Rights Institution.

Sources:

- ENNHRI: [State of the Rule of Law in Europe in 2022, Italy Country Report](#)

Key recommendations which require improvement:

- **CM Recommendation 1:** notwithstanding several initiatives and proposals over the years, a National Human Rights Institution has not been established yet in Italy and there are no indications currently that a new initiative would be taken to establish and NHRI in Italy.

Specific findings per Principle

The tables below includes data on the assessment of the implementation of Principles (i.e. the individual parts) within the Recommendation from one source: ENNHRI. Overall, the findings are considered in one group: the establishment of NHRIs.

I. Establishment of NHRIs

<p>Principle 1</p>	<p>Member States should ensure that NHRIs are in place and that they are established, accredited and function in full compliance with the Paris Principles</p>
<p>Assessment of implementation by ENNHRI</p>	<p><i>ENNHRI, State of the Rule of Law in Europe in 2022, p. 1:</i></p> <p>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.</p> <p>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. 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. This message was reiterated later that year during a roundtable in Italy, organized by ENNHRI with Amnesty International, which</p>

brought together representatives from Italian civil society, European NHRIs and regional organisations.

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 would serve as a basis for the discussions on the establishment of an Italian Commission on human rights and antidiscrimination. 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.

Since a new government is in power, currently three new proposals are tabled for discussion in the Chamber of Deputies. ENNHRI has been providing information on their compliance with the Paris Principles at the request of Amnesty International Italy and the European Commission.