



# International Convention for the Protection of All Persons from Enforced Disappearance

Distr.: General  
12 April 2019

Original: English

---

## Committee on Enforced Disappearances Sixteenth session

### Summary record of the 277th meeting

Held at the Palais Wilson, Geneva, on Monday, 8 April 2019, at 3 p.m.

*Chair:* Ms. Janina

## Contents

Consideration of reports of States parties to the Convention

*Initial report of Italy*

---

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.

GE.19-05928 (E) 100419 120419



\* 1 9 0 5 9 2 8 \*

Please recycle The recycling symbol, consisting of three chasing arrows forming a triangle.



*The meeting was called to order at 3 p.m.*

### **Consideration of reports of States parties to the Convention**

*Initial report of Italy (CED/C/ITA/1; CED/C/ITA/Q/1 and CED/C/ITA/Q/1/Add.1)*

1. *At the invitation of the Chair, the delegation of Italy took places at the Committee table.*
2. **Mr. Cornado** (Italy) said that the Italian authorities believed firmly in the protection of human rights for all and attached the utmost importance to the interactive dialogue with the Committee. He welcomed the presence alongside the delegation of representatives of the national mechanism for the prevention of torture.
3. **Mr. Petri** (Italy) said that the Constitution of 1948 provided for the protection of all the rights and fundamental freedoms enshrined in relevant international human rights instruments, such as the International Convention for the Protection of All Persons from Enforced Disappearance. The protection and promotion of rights, whether civil, political, economic, social or cultural, including the right to personal liberty, constituted one of the fundamental pillars of Italian domestic and foreign policy. The Italian legal system prohibited any arbitrary conduct that might violate fundamental freedoms, including in the application of counter-terrorism measures. The system of procedural guarantees included the right to a defence, a multi-tiered justice system, the principle of due process of law, the Constitutional Court, mandatory prosecution and the inviolability of personal liberty, as enshrined in article 13 of the Constitution.
4. The Government remained deeply committed to protecting human dignity and to countering any possible violation or arbitrary deprivation of liberty and inhuman or degrading treatment. Although the Criminal Code did not define enforced disappearance as an autonomous crime, the Government deemed article 605 on kidnapping, the aggravating circumstances applicable to that offence and other criminal acts defined in the Criminal Code to comprehensively cover that crime. Article 605 provided, inter alia, that any person who deprived another person of his or her liberty was liable to receive a prison term of between 6 months and 8 years. The prison term could range from 1 to 10 years when the offence was committed against a close relative or by a public official by abuse of powers inherent to his or her duties.
5. By early 2017, all judicial psychiatric hospitals had been closed and replaced by residences for the execution of security measures, where the care needs of residents were met by regional authorities through local health-care departments. The Italian authorities remained committed to providing all law enforcement officers and members of the judiciary with adequate training on human rights. By way of example, all preliminary training courses for new recruits to the Carabinieri Corps included a specific module on the Convention. Continuous, lifelong learning was also a priority for all law enforcement agencies, and both the Carabinieri Corps and the Guardia di Finanza had undertaken specific training activities, including e-learning courses. The Observatory for Security Against Acts of Discrimination had provided training to more than 11,000 officers and cadets.
6. A bill on the establishment of an independent national human rights institution was currently being discussed by the Constitutional Affairs Commission of the Italian Senate. The Inter-ministerial Committee for Human Rights would hold a follow-up meeting with relevant civil society organizations, the national preventive mechanism and the Autorità Garante per l'Infanzia e l'Adolescenza (the Italian Authority for Children and Adolescents) following the publication of the Committee's concluding observations.
7. **Mr. Teraya** (Country Rapporteur) said that, while the Committee appreciated the information contained in the State party's written replies to the list of issues (CED/C/ITA/Q/1/Add.1), it noted with regret that they had been submitted only on 29 March 2019. While he understood that drafting such documents could be time-consuming, he wished to remind the State party of the importance of submitting them in a timely fashion.

8. Paragraph 1 of the written replies appeared to suggest that the Inter-ministerial Committee for Human Rights had shared the draft initial report only with the national preventive mechanism and that civil society had not had the opportunity to provide input at the drafting stage. It would be useful to know whether that was indeed the case. Noting that the State party had, however, shared the final version of the initial report with relevant civil society organizations ahead of its consideration by the Committee, he asked which organizations had reviewed the report at that stage and what contribution the national preventive mechanism had made to the document. The delegation should also provide more information on the follow-up meeting to be held once the Committee's concluding observations were published and translated into Italian.

9. Turning to the status of the Convention in domestic law, he asked how cases of conflict between the provisions of international treaties and those of domestic legislation were resolved, particularly when the Constitutional Court did not find them to be incompatible. According to paragraph 6 of the written replies, the Constitutional Court had issued a number of judgments declaring some domestic legislative provisions to be incompatible with the European Convention on Human Rights and the European Social Charter, which had a similar status to that of the Convention. The delegation should explain that status and clarify whether the provisions of the Convention could be applied directly by the courts. He would also like to hear about any further progress made towards establishing an independent national human rights institution.

10. Given that it had already made similar declarations under other United Nations human rights treaties, he would be interested to know whether the State party intended to make the declarations provided for in articles 31 and 32 of the Convention relating to the Committee's competence to receive and consider individual and inter-State communications.

11. While he understood that Italian counter-terrorism legislation did not provide for or allow any derogations from the rights or procedural safeguards laid out in domestic legislation or the international human rights instruments to which Italy was a party, it would be useful to know whether it comprehensively covered the crime of enforced disappearance as defined in article 2 of the Convention. What safeguards were in place to prevent the exceptional circumstances described in article 1 (2) of the Convention from being used to justify derogations, given the absence of any clear provisions to that effect?

12. Despite the State party's assertion that article 605 of the Criminal Code on kidnapping and other domestic provisions punishing related criminal acts comprehensively covered the offence of enforced disappearance, he found the wording of the article too vague and the penalties of imprisonment that it prescribed too lenient in view of the extreme seriousness of the offence. The delegation should also clarify the meaning of the terms "free-form crime" and "general intent", which appeared in paragraph 20 of the written replies. It was his impression that the scope of article 184 (b) of the Military Criminal Code, which punished military personnel who violated the prohibition on the capture of hostages during an armed conflict, was insufficient to cover the crime of enforced disappearance as defined in article 2 of the Convention. The delegation should explain what exactly "capturing hostages" entailed. He wondered whether the State party's failure to establish enforced disappearance as an autonomous crime might not also prevent it from defining the widespread or systematic practice of enforced disappearance as a crime against humanity, in line with article 5 of the Convention. It would be helpful to receive, in English or another working language of the Committee, the text of article 110 of the Criminal Code, which also dealt with the crime of kidnapping, and article 112 of the Criminal Code, which set out the aggravating circumstances relating to article 605. He asked whether those aggravating circumstances included enforced disappearance when it constituted a crime against humanity and whether, in the light of the issues highlighted, the State party intended to define enforced disappearance as an autonomous crime in the future.

13. Noting that, to date, no cases had been recorded in which responsibility for cases of enforced disappearance had been attributed to the hierarchical superiors of State police officers, he would like to know how the State party would address any such cases that might arise in the future. It would also be useful to hear more about the judgment of the Court of Cassation mentioned in paragraph 25 of the written replies, which he understood

to broach the issue of invoking superior orders as a justification for enforced disappearance and the associated criminal liability. The delegation should describe the legal recourse available to subordinates against any potential disciplinary measures resulting from their refusal to carry out a criminal act ordered by a superior.

14. **Mr. Baati** (Country Rapporteur) said that, although article 605 of the Criminal Code recognized the involvement of public officials in kidnapping as a specific aggravating circumstance, it still failed to address all the constituent elements of the crime of enforced disappearance set out in article 2 of the Convention. He would welcome clarification on whether the statute of limitations for the crime of kidnapping provided for in article 605, which was considered to be a continuous crime, was applicable both to isolated cases of enforced disappearance and to enforced disappearance when it constituted a crime against humanity. Referring to paragraph 27 of the written replies, he asked why Act No. 3/2019, which provided for the suspension of the statute of limitations following a first instance trial for the duration of the proceedings, would enter into force only at the beginning of 2020 and what had become of Act No. 103/2017, mentioned in paragraph 59 of the initial report.

15. He also wished to know whether the State party, upon taking into custody a foreign national suspected of having committed an offence of enforced disappearance, systematically notified the relevant consular authorities and how and when it obtained the consent needed to inform the family of the person concerned of his or her arrest. He would also like to receive statistical data on complaints of non-observance of those requirements.

16. He asked why the military authorities were obliged to bring to the attention of both the ordinary and the military judicial authorities any facts that might constitute a crime that could be prosecuted *ex officio* and why, unlike military personnel and members of the Carabinieri Corps, police officers suspected of having committed one of the crimes provided for in the Criminal Code did not face automatic suspension.

17. It was his understanding that, following the ratification by the State party of the Convention and its subsequent entry into force, the majority, but not all, of the provisions of the Convention had been incorporated into its domestic legislation. The delegation should list the provisions that had not yet undergone that process.

18. According to paragraph 31 of the State party's written replies, the police reported all the information relevant to a given complaint, including sources, to the Public Prosecutor's Office; he would like to know how the protection of complainants and witnesses was ensured in such cases. It would also be interesting to learn why the established practices referred to in paragraph 35 of the written replies had not been codified into law. He would like clarification regarding the exclusion of law enforcement personnel from the investigation of allegations of enforced disappearance in the event that one or more of such persons were suspected of having committed the crime. Statistical data on complaints relating to enforced disappearance submitted to the authorities would be appreciated.

19. Regarding extradition, he would like clarification on whether the dual criminality requirement referred to in paragraph 47 of the State party's written replies was in itself justification for extradition. He would also like clarification with respect to situations in which the Ministry of Justice, in accordance with the Code of Criminal Procedure, could deny a request for extradition, even when the relevant judicial authority had ruled in favour of the extradition. Examples of cases in which the Ministry of Justice had denied such requests would be appreciated. It would be useful to know whether such terms were set out in any agreements on mutual assistance signed by Italy. He wondered whether Italy cooperated with States that were not parties to the Convention and, if so, on what basis. It would be useful to learn whether the State party understood the concept of mutual assistance to cover access to all places where victims of enforced disappearance might be found. Lastly, in reference to paragraph 69 of the initial report, the Committee would be interested to hear whether the State party had extradited Italian nationals under the International Convention for the Protection of All Persons from Enforced Disappearance or any other international convention.

20. **Mr. Huhle**, referring to estimates of large numbers of missing migrant children throughout Europe, and the obligation of European States to search for them, said that he

would like to know whether there was an Italian authority tasked with keeping statistics on and searching for migrants who were reported missing. While such persons were not necessarily victims of enforced disappearance, it was important to investigate such cases to be sure.

21. **Mr. Decaux** said that he would appreciate more detailed information on the State party's competence to exercise jurisdiction over the offence of enforced disappearance in cases when the disappeared person was one of its nationals and the offence was committed abroad. Noting that the State party's written replies referred extensively to extraterritorial jurisdiction, he said he would like further details on such jurisdiction, including whether it covered operations carried out by the Italian naval forces.

*The meeting was suspended at 3.45 p.m. and resumed at 4.10 p.m.*

22. **Mr. Petri** (Italy) said that, in drafting its initial report, the Government had sought to provide a broad overview of the Italian system and so had decided not to involve civil society at that stage. However, it had subsequently shared the report with civil society; in addition, it had recently held a meeting to which it had invited a number of prominent Italian and international civil society organizations. The Government was deploying significant efforts to engage meaningfully with civil society, all the more so given that a national human rights institution had yet to be established. The establishment of such an institution was currently being debated in the Chamber of Deputies. In preparation, the Inter-ministerial Committee for Human Rights had held a seminar with major human rights experts from academia and had set up a group to advocate for the establishment of a national human rights institution and to provide support to the Government in that regard.

23. Italy had not taken a decision regarding the declarations provided for in articles 31 and 32 of the Convention, but the issue would be taken up again following the delegation's constructive dialogue with the Committee.

24. **Mr. Pastore** (Italy) said that article 117 (1) of the Constitution, according to which the legislative power of the State and the regions was conditioned by respect for international obligations, was regularly the subject of interpretation by the Constitutional Court. In the event of a breach of domestic legislation or of a conflict between the provisions of a treaty and domestic legislation – when it could not be overcome by interpretation – the Court could declare the constitutional illegitimacy of domestic legislation. Moreover, in the light of judgments Nos. 348 and 349 of the Court, where international treaties ratified by Italy contained sufficiently specific provisions, and therefore did not require further implementing measures, they could be applied directly by the courts. For example, on the basis of article 13 of the Convention, bilateral treaties on extradition signed by Italy always contained a provision stating that Italy would not consider as a political offence any act that was not considered as such in the international conventions signed by both parties and therefore would not refuse extradition on such grounds. The same principle was applied in any extradition proceedings involving other States parties to the Convention. As for compatibility, the Constitutional Court was competent to assess whether domestic legislation was in line with international instruments. In the event of a discrepancy between a treaty provision and a domestic rule, the judge before whom the treaty provision had been invoked, or who had been requested to do so by the parties, could and must lodge a complaint before the Court.

25. **Ms. Rizzato** (Italy) said that the legislation adopted in Italy after the terrorist acts of the 1970s and amendments made after the terrorist attacks of 11 September 2001 ensured the highest level of cooperation and coordination, both nationally and internationally. There was no derogation in terms of the protection of human rights under domestic law, regardless of the seriousness of the offence in question, although there were specific procedural rules for terrorism and crimes of a similar rank.

26. Although under domestic law there was no specific offence of enforced disappearance by that name, there was ample scope for prosecuting cases of enforced disappearance. While it might appear that article 605 of the Criminal Code, on the crime of kidnapping, did not cover all the elements referred to in article 2 of the Convention, such as refusal to acknowledge the deprivation of liberty or concealment of the fate or whereabouts of the disappeared person, the circumstances described were similar. Furthermore,

aggravating circumstances, such as those concerning the number of perpetrators, were covered in the Criminal Code under, *inter alia*, article 112, relating to the number of perpetrators; article 479, on the falsification of documents to conceal an offence; or article 375, on the hindrance of justice. Moreover, the crime of kidnapping, as described in article 605 of the Criminal Code, was considered a continuous crime; the statute of limitations for that offence, pursuant to article 158 (1) of the Criminal Code, therefore began to run from the day on which a victim regained his or her liberty. She recalled that the recently adopted Act No. 3/2019, which provided that, following a trial in a court of first instance, the statute of limitations remained suspended for the entire duration of the proceedings, would come into effect fully on 1 January 2020.

27. Regarding the responsibility of superiors, under Italian law, all the participants in the commission of an offence were subject to punishment in accordance with their role; for instance, the instigators of an offence would receive a harsher sentence than those with a lesser role. Superiors who were prosecuted for the commission of enforced disappearance as a case of aggravated abduction would be tried along with any others who had participated in commission of the crime. In a case related to Operation Condor that was currently being appealed, involving the abduction and subsequent murder of several Italian citizens living in Latin America, both superiors and subordinates were being tried for murder under article 110. In addition, under article 40 of the Criminal Code, not preventing an event which one had the legal obligation to prevent was tantamount to causing it. Therefore, a superior who failed to prevent an enforced disappearance committed within the framework of an activity that he or she had the obligation to oversee could be charged with the crime of “aggravated kidnapping”, as a co-perpetrator together with the subordinate.

28. **Ms. De Paolis** (Italy) said that the Military Criminal Code applied to serving military forces only. The Carabinieri Corps held a special status, acting as both a law enforcement authority and a military force. The State Police, however, was no longer a military force. Article 184 of the Code, which related specifically to the capture of hostages by military personnel during armed conflict, therefore did not apply to the State Police.

29. **Mr. Pastore** (Italy) said that article 10 of the Criminal Code provided that, at the request of the Minister of Justice, the Italian judiciary could exercise jurisdiction over offences committed against Italian citizens by foreign nationals abroad in cases where the offence committed was punishable by a prison sentence of not less than 1 year, which was the case for the offence of kidnapping committed by public officials of foreign States. During the judicial phase of extradition proceedings initiated at the request of another State, the Court of Appeal and, where appropriate, the Court of Cassation were responsible for determining whether the requirements for extradition had been met. If the courts found that the requirements had not been met, the Minister of Justice did not have the power to overrule their decision. If the requirements had been met, however, the Minister of Justice had the power to refuse to grant the extradition request if doing so would endanger the sovereignty, security or other interests of the State or if the person concerned risked being subjected to cruel, degrading or inhuman treatment in the country of destination. The decisions of the Minister of Justice could be challenged in, and suspended by, the administrative courts.

30. The Constitution prohibited the extradition of Italian nationals in the absence of a bilateral or a multilateral convention between Italy and the requesting State. In recent years, Italy had signed a number of such conventions and Italian nationals were regularly extradited to other States, such as Switzerland and the United States of America, sometimes with the condition that the person concerned should be returned to Italy to serve his or her sentence. Italy was a party to numerous bilateral and multilateral conventions relating to international legal assistance. In the absence of an applicable convention, international legal assistance was provided on the basis of the principles of international courtesy and reciprocity. The Minister of Justice and the judiciary could refuse to grant international legal assistance if the offence in respect of which the request had been submitted did not exist under Italian law. However, in order for an offence to qualify as such in Italy, it was sufficient that the facts as described in the request constituted an offence under Italian law.

31. Act No. 6 of 11 January 2018 provided for the protection of witnesses participating in judicial proceedings. A series of incremental protection measures could be implemented

where it was determined that a witness was at risk, regardless of the nature of the offence being tried. Under article 386 of the Code of Criminal Procedure, the police had an obligation to inform foreign nationals deprived of their liberty, at the moment of arrest, of their right to contact their consular representatives and relatives.

32. **Ms. Viviano** (Italy) said that, between 1998 and 2018, the Government had registered 44 requests from parents seeking the repatriation of a child to Italy or another country because the child's whereabouts could not be determined. However, the fact that those children could not be located did not necessarily mean that they were missing, as it was possible that they had been transferred to a third country without the central authorities having been informed.

33. **Mr. Petri** (Italy) said that the High Commissioner for Missing Persons had specific responsibility for such cases and would be requested to provide further information that would be submitted to the Committee within 48 hours of the conclusion of the constructive dialogue.

34. **Mr. Albano** (Italy) said that the national preventive mechanism had been involved in the preparation of the State party's initial report from the outset of the drafting process. The mechanism had been operational since March 2016 and acted as a safeguard against enforced disappearance.

35. **Mr. Teraya** said that he was interested to know whether, during the State party's consultation with civil society during the preparation of its report, any stakeholders had expressed views that contradicted the State party's own and, if so, how those views had been taken into account. It would be useful to know when the State party planned to have the Committee's concluding observations translated into Italian and to organize an inclusive, participatory meeting to discuss their content. He wished to know whether the State party's anti-mafia legislation addressed the crime of enforced disappearance. It would also be useful to have English translations of the provisions of its criminal procedure legislation that had been quoted. He would be grateful for confirmation that judges' interpretation and application of article 607 of the Criminal Code was in line with the Convention. In relation to article 605 of the Criminal Code, he would like an explanation of the circumstances in which a prison sentence of only 6 months could be imposed. Lastly, he would be grateful for a response regarding the legal recourse available to subordinates who faced disciplinary reprisals as a result of their refusal to carry out a criminal act ordered by a superior.

36. **Mr. Baati** said that it was important for the public to be aware of the seriousness of a given crime. To that end, the law must be sufficiently clear. That was why the Committee insisted on the importance of making enforced disappearance an autonomous crime. While, under article 605 of the State party's Criminal Code, the involvement of a public official in an act of kidnapping was considered to be an aggravating circumstance in respect of the kidnapping, under the Convention, such involvement was an inherent part of the definition of the offence of enforced disappearance. He would appreciate clarification on why Act No. 3/2019 would not come into force until 2020 and further information regarding the legislation adopted in May 2017. It would be interesting to know why best practices established under military criminal legislation could not be extended to all public authorities. Regarding extradition, he would like clarification as to why certain provisions of the Criminal Code were only considered by the Minister of Justice at the end of the procedure, rather than by the judiciary from the outset.

37. **Mr. Ayat** said that paragraph 20 of the State party's report demonstrated that it was fully aware of the gravity of the crime of enforced disappearance. He therefore urged it to incorporate the definition of the crime of enforced disappearance into its national legislation. The acts criminalized in article 605 of the Criminal Code constituted serious violations of human rights law but did not constitute enforced disappearance, as defined in the Convention. If definitions were such that they could cover different offences, grey areas would emerge that were incompatible with the key goal of the Convention, which was to highlight the gravity of the specific crime of enforced disappearance. He noted that Italy was a party to the Rome Statute of the International Criminal Court, article 7 of which recognized enforced disappearance as a crime against humanity.

38. **Ms. Kolaković-Bojović** said she wished to know whether the State party's legislation recognized the obligation to involve civil society organizations in the legislative process, for instance in the drafting of policy and strategy documents. If that was not the case, were decisions on whether and how to cooperate with such organizations left to individual public institutions?

39. **Mr. Huhle** said that, according to a document received by the Committee from the *Autorità garante per l'infanzia e l'adolescenza*, which was apparently a State-run institution, more than 11,000 migrant children had been registered as missing or disappeared. He would appreciate information on the procedures followed in attempting to return children to their families or other parties.

40. **Mr. Ravenna** said that, unlike the offence of kidnapping as defined in Italian law, enforced disappearance was an autonomous offence rather than a plurality of offences. It was an extremely serious offence committed or authorized by public officials who sought to guarantee their own impunity or that of the perpetrators. He would appreciate information on the severity of the sentences handed down for such offences compared to those for homicide in the State party. He underscored the importance of ensuring compliance with bilateral agreements that had a bearing on the Convention, such as that concluded between Italy and his own country, Argentina, which had not always been respected on either side.

41. **Mr. Petri** (Italy) said that the Inter-ministerial Committee for Human Rights had been taking vigorous action to promote the establishment of an independent national human rights institution. It cooperated closely with civil society organizations in many areas and hoped to involve them, following the current constructive dialogue with the Committee, in implementing the Convention. The concluding observations and recommendations would be translated as speedily as possible and discussed with civil society organizations. Although there was no specific legislation requiring all ministries to engage in such cooperation, many meetings were held with civil society organizations in both the Senate and the Chamber of Deputies.

42. **Mr. Pastore** (Italy) said that the Code of Criminal Procedure did not permit the derogation of fundamental rights for any type of offence, including participation in mafia-related associations. Italy complied with article 1 (2) of the Convention because no exceptional circumstances could be invoked to justify enforced disappearance. The ruling by a court in Milan in the Abu Omar case demonstrated quite clearly that the legal system accepted no justification for that offence, even when the disappeared person had committed serious crimes, such as acts of terrorism.

43. **Ms. De Paolis** (Italy) said that a military officer who had received a manifestly unlawful order should refrain from implementing it and should report it to a superior officer.

44. **Ms. Rizzato** (Italy) said that the basic 6-month prison term for offences under article 605 of the Criminal Code was not applicable in cases of enforced disappearance involving aggravating circumstances, such as abuse of authority by a public official, for which the prescribed penalties ranged from 1 to 10 years' imprisonment. Article 605 criminalized various offences committed by one or more persons that led to deprivation of liberty involving removal of a person from the protection of the law or concealment of a person's fate or whereabouts from his or her relatives.

45. With regard to the Abu Omar case, the European Court of Human Rights had condemned Italy in the related case (*Nasr and Ghali v. Italy*) for various violations of the European Convention on Human Rights. However, 33 Italian and foreign public officials had been charged in Italy for offences under article 605, with aggravating circumstances, and with aiding and abetting such offences. The public prosecutors had requested prison terms of 12 and 13 years and the judge had reduced the penalty to 9 years. The Court of Cassation had endorsed that sentence and ordered the perpetrators to pay substantial sums in compensation to the victim and his wife, thereby demonstrating the gravity of the crime. Thus, although enforced disappearance did not exist as an autonomous offence in Italian law, in the rare cases that did occur, the Ministry of Justice acted fully in line with the spirit of the Convention. However, Italy would certainly consider the Committee's observations

on the importance of criminalizing the offence of enforced disappearance in line with article 2 of the Convention.

46. The delay in the entry into force of the amendment to the Criminal Code whereby the statute of limitations would be suspended for the duration of criminal proceedings following a trial at first instance was due to the need to implement a corresponding amendment to the Code of Criminal Procedure.

47. **Ms. De Paolis** (Italy) said that the Military Code of Conduct provided for mandatory or optional suspension from service of personnel in certain cases. Similar disciplinary regulations were applicable to the police force. Officers were also suspended if they were under investigation for a serious offence.

48. **Mr. Petri** (Italy) said that Italy had decided to address the major issue of unaccompanied minors by adopting Act No. 47/2017, which provided for substantial financial support, the establishment of new structures and the designation of tutors who were subject to the independent authorities responsible for minors. The delegation would provide further information on how the Act was implemented within 48 hours.

49. **Mr. Pastore** (Italy) said that, in the Operation Condor case, the Assize Court of Rome had imposed sentences of life imprisonment on persons responsible for the kidnapping and murder of a number of victims. The judiciary played a key role in assessing requests for extradition in light of the provisions of applicable international law or the Code of Criminal Procedure. The Ministry of Justice conducted a second administrative assessment, taking into account national security, State sovereignty and other factors. However, the Ministry rarely disagreed with the judiciary when it came to the final decision.

*The meeting rose at 5.55 p.m.*