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the Elimination
of all Forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Seventy-second session

SUMMARY RECORD OF THE 1852nd MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 21 February 2008, at 10 a.m.

Chairperson: Ms. DAH

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The meeting was called to order at 10.15 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (continued)

Fifteenth periodic report of Italy (continued) (CERD/C/ITA/15)

1. At the invitation of the Chairperson, the members of the delegation of Italy resumed their places at the Committee table.
2. Mr. SIMONETTI (Italy) said that access to the main public services of health and education were available to everyone in Italy without distinction. Under current law, Italian nationality was acquired by birth, provided that one of the parents was an Italian citizen. Parliament was currently considering a bill that would amend the nationality law to enable foreigners born on Italian territory to acquire Italian nationality at the age of majority.
3. The Roma community in Italy could be divided into three groups: the estimated 65,000 Roma who had lived in Italy for centuries and were mostly Italian nationals; those who formed part of a more recent influx during the 1990s from the Balkan region, particularly the former Yugoslavia, and who numbered some 35,000; and the most recent influx, mostly Romanian nationals, who were estimated to number 50,000 and had settled chiefly in the large cities. At the European conference on Roma gypsies that had been sponsored by his Government in January 2008, representatives of the Roma community and civil society requested the formal recognition of the Roma as a minority. However, a consensus had not been reached on the matter since the only minorities recognized by the Italian Constitution were linguistic minorities and it was felt that the needs of the Roma community would not be served simply by placing the Roma community in such a category. Nevertheless, the government ministers present had taken note of the request and pledged to explore appropriate measures for recognizing the Roma community.
4. Mr. MORELLI (Italy) said that there were no official statistics on the number of Roma in Italy because Italian legislation did not provide for a census of ethnic groups and made no distinction between citizens on the grounds of ethnic, linguistic or religious origin. Because it was a sensitive issue, membership in a particular ethnic group could be declared only by the individuals concerned. Nevertheless, his Government had estimated that some 150,000 Roma resided in Italy, of whom nearly 60,000 were thought to be Italian citizens, some 50,000 were Romanian and the remainder were mostly from the former Yugoslavia.
5. The only minorities recognized by the Constitution were historical linguistic minorities, which currently did not include the Roma. The law protecting those minorities stipulated the procedures according to which a group could request the right to use a language other than Italian in the context of public education, government and the media. The efforts that had been made to frame a specific law for the Roma had not been successful because their needs revolved more around health and labour issues, which were within the competence of the State, regional authorities and municipal authorities, and a consensus among those various entities had not been reached. Nevertheless, the Ministry of the Interior was following the situation closely through a working group it had set up for the purpose of finding appropriate solutions. Bilateral

cooperation with the countries of origin had been proposed as one way to facilitate the integration of the Roma, and the establishment of working groups composed of representatives of the State and the cities of Milan, Genoa, Turin and Rome was also being considered. The European conference organized in January 2008 had provided an opportunity to strengthen the dialogue between the institutions and the NGOs concerned with the welfare of the Roma, and it was hoped such efforts would be continued.

6. Ms. PIPERNO (Italy) said that the Italian public education system was open to all children living in Italy, regardless of their residence status. Foreign, immigrant, Roma and Sinti pupils were enrolled and assigned to classes according to age and level of ability. Italian schools allowed students to pursue their basic education even if they had already reached the age of majority.

7. In order to promote integration, local authorities made efforts to obtain a balanced distribution of foreign pupils and to avoid confining them to a small number of schools or classes; sanctions were imposed on municipalities that failed to accept foreign students. Sanctions had even been imposed on a Milanese preschool institution in such an instance, despite the fact it operated outside the compulsory school system.

8. There were more than 600,000 foreign pupils in Italian schools, with a large concentration in the north. That figure represented a growing phenomenon, and her Government was monitoring it in order to determine how best to handle it. A national observatory had been set up to promote the effective integration of foreign pupils and to adopt an intercultural approach in school curricula. Research had been conducted into ways of incorporating the intercultural approach and dealing with the influx of foreign pupils, while not abandoning Italian culture and tradition. The results of that research were available on the website of the Ministry of Education in the form of practical guidelines.

9. The diversity and plurality of languages and the intercultural nature of Italian education were considered to be positive factors that provided increased learning opportunities. An intercultural dimension was required in all subjects and was seen as a means of promoting an understanding of other cultures, practices and religions.

10. Teachers, principals and educators had a strategic role to play in developing the new intercultural approach, and training seminars were organized to: discuss problems and find solutions; combat stereotypes and prejudices, in particular anti-Semitism, Islamophobia and anti-Roma attitudes; promote individual and social multilingualism; improve the teaching of Italian as a second language; and provide guidance and assistance to foreign students, notably for vocational training.

11. With regard to the Roma community, the Ministry of Education had taken steps at both the central and local levels to ensure the integration and effective schooling of Roma children and to combat school failure and dropout. That had included an ambitious national project which provided funding to all schools for combating academic failure and organizing teacher training in that respect, and a “protocol of agreement” on schooling of Roma children, which provided for activities intended to achieve integration. Those measures demonstrated that her Government was doing its utmost to integrate all pupils within its education system.

12. Mr. CAPUTO (Italy) said that Act No. 189/2002 governed the entry, residence and expulsion of foreigners. Although people migrated to Italy for various reasons, the figures indicated that most residence permits were issued for purposes of employment, followed by those issued for purposes of family reunification. Access to the labour market by foreigners was controlled by a system of planned immigration in which quotas were used in setting the maximum number of lawful entries, thereby linking the needs of the market to Italy's ability to accommodate immigrants. Special quotas were reserved for non-European Union (EU) foreigners from States with which Italy had concluded agreements aimed at regulating entry flows for work purposes. Preferential treatment was also reserved for those who, in their country of origin, had followed training programmes promoted by the Ministry of Education in collaboration with the Ministry of Labour and Social Policies.

13. Responsibility for immigration policies was centralized in Italy, as opposed to that for integration policies, which lay with the regions and municipalities, thereby creating certain inequalities between citizens and foreigners. With regard to social policies, however, the Turco-Napolitano Law was considered to be inclusive in that full guarantees were provided to legal immigrants and placed them on a par with Italian citizens. The fundamental rights of all foreigners arriving at the Italian border or residing in Italian territory were recognized. The problem lay rather in foreigners' access to services, which was often limited by bureaucratic inefficiency and other difficulties.

14. The national laws on immigration were framework laws, which meant that their related programming, management and implementation were delegated to the regions. The regions had devised their own immigration legislation within the framework laws, in accordance with the constitutional powers they had been granted. They assumed direct management of certain policies towards immigrants, such as those concerning health, welfare and employment. The regions, in turn, delegated the organization and the management of national social services to the municipalities, which resulted in considerable geographic inequalities. It was clear that the effectiveness of local authority action increased where budgets and other investments were higher.

15. Illegal entry into the State territory was not considered a criminal offence and was therefore not punishable by law, but it did carry an administrative sanction. The Turco-Napolitano Law provided for the detention of foreign citizens found in Italy without a residence permit. There were various types of centres for immigrants in Italy. The so-called "temporary stay and assistance centres" could hold individuals for a period of up to 60 days pending deportation for the purposes of establishing identity. If the individual in question did not meet requirements, he or she was ordered to leave the territory within five days. Those who remained in Italy despite the earlier order received a deportation order and were escorted to the border. Subsequent re-entry into the country constituted a punishable offence.

16. Of the many types of reception centres for immigrants in Italy, the most notable was the centre in Lampedusa, which in 2007 had been the destination of multiple waves of asylum-seekers arriving in overcrowded and unseaworthy boats in numbers that had overwhelmed the centre's capacity. At the beginning of August 2006, a new facility designed to accommodate 381 persons had been opened, and double that number could be accepted if necessary. The new facility had enabled the Government to improve its management of extraordinary influxes of the kind that had occurred that month.

17. The procedure to obtain a permit of stay for a family member began with an authorization request by the resident family member to the “Immigration Desk” in the relevant prefecture. The family member was required to show a residence permit or permit of stay of at least one year that had been issued for regular employment or self-employment, or for study, asylum or religious reasons.

18. It was clear that Italy’s immigration policies showed weaknesses in at least two respects. The first concerned the requirement of meeting the needs of the labour market, which reduced the chances of legal entry into the country and was exacerbated by the elimination of the sponsor system; both aspects gave rise to a large number of undocumented immigrants. Secondly, the issuance and renewal of residence permits was now the sole responsibility of the police. For ethical and practical reasons, that situation placed excessive burdens on the bureaucracies involved and on foreign-born residents as well.

19. Proposed new legislation was aimed at responding to those problems by providing a more flexible matching system for labour demand and supply through a three-year programme of quotas for the admission of non-European citizens, the reintroduction of the sponsor system, the simplification of procedures and requirements for issuing and renewing permits of stay, and by extending the initial period of validity of the permit of stay and doubling its period of validity in the event of renewal. Foreign residents who lost their jobs could legally remain in the country for up to one year if they registered with employment centres that provided renewal procedures in cooperation with local authorities to extend the duration of their residence permit.

20. Mr. de GIORGI (Italy), in response to a question on enforcement of new anti-discrimination legislation, said that victims of discrimination could seek redress before a judge, the judiciary playing a fundamental role in the protection of civil rights. All the anti-discrimination bodies that had been established over the previous year had a duty to promote the legislation by raising awareness of human rights and non-discriminatory behaviour and by mediating between parties to stop discrimination, always with due respect for the role of the judiciary.

21. The role of the National Office Against Racial Discrimination (UNAR) related to civil law, and while it was not authorized to bring actions before the courts, it could intervene in trials. It was true that few proceedings had been brought before the courts, the reason being that the relevant associations and NGOs did not have sufficient legal expertise. UNAR was conducting training for associations and individuals in order to increase their capacity for protecting human rights. Those efforts were already yielding results: for example, a decision by the Milan prefecture to ban illegal immigrant children from preschool institutions had been successfully challenged in court, and, thanks to the intervention of UNAR, overturned. UNAR intended to intervene in an appeal against a similar decision in Padua that restricted immigrants’ access to housing. The legal framework was therefore in place and UNAR was committed to putting it into effect. Any reports of criminal offences received by UNAR were passed to the Public Prosecutor’s Office.

22. The independence of UNAR had been a sensitive issue since its inception. UNAR had conducted a comparative study of its counterpart bodies around Europe, and found that only a few were completely independent and that only the equivalent Irish body had the authority to bring cases to court. UNAR had arranged a meeting with the Danish Institute for Human Rights,

which, although independent, was closely connected to the Ministry of Foreign Affairs. UNAR was looking to the United Kingdom's Commission for Racial Equality as an example of good practice; it had been in operation since 1976 but had only become independent in 2007. UNAR was achieving independence gradually and, although it was part of the Government, it did work impartially and independently. Legislative Decree No. 215/2003, which transposed European Council Directive 2000/43/EC, guaranteed the independent functioning of UNAR by ensuring that its activities could not be disrupted by a change of government, by fixing its budget to ensure continuity of activities, and by establishing a system in which independent judges and administrative personnel were recruited by public selection. The European Commission had agreed that those provisions were essential to the impartiality of UNAR. He himself was living proof of the independence of UNAR since he had worked under several Governments of different political persuasions.

23. The media had a great responsibility in influencing public opinion on such sensitive issues as diversity and immigration. UNAR had been working with the Office of UNHCR and the Italian National Press Federation to draft a code of conduct for journalists, which had to be approved by the National Federation of Journalists. The issue was particularly sensitive among the Romanian community because of recent events in Italy. At a meeting with the Romanian anti-discrimination commission in February 2008, UNAR had signed an agreement to cooperate in the provision of training in media and diversity in collaboration with the Italian National Federation of Journalists, and in the promotion of awareness-raising campaigns on the significant contribution that the Romanian community made to Italian economic and social progress and on anti-discrimination legislation.

24. Ms. PLASTINA (Italy), referring to the judicial system and the role of the prosecution service, said that the judiciary in Italy was an independent and autonomous body and, under the Constitution, judges were subject only to the law. Judges were appointed through a public competitive examination. The Public Prosecutor's Office had a duty to initiate criminal proceedings under article 112 of the Constitution and thus acted autonomously. Special or extraordinary judges were prohibited by article 102, but specialized sections within the ordinary judicial institutions could be established for specific issues such as offences relating to the Mafia or terrorism.

25. The Supreme Council of Justice organized training courses for judges in the area of human rights and implementation of the Convention. The first workshop, entitled "Immigration and the criminal system", had analysed changes in the immigration phenomenon from the criminal and procedural standpoints; the second, entitled "Foreigners in Italy", had examined support instruments for foreigners in the light of international conventions and the case law of supranational and domestic courts; and a third, entitled "Immigration, multiculturalism and the criminal system", was scheduled for 2008.

26. Regarding legal aid and recognition of the individual's rights in judicial proceedings, she referred to a number of articles of the Constitution: article 27, which provided for the assumption of innocence; article 111, which provided that any person accused of an offence had the right to be promptly informed of the nature and grounds of the allegation in order to be able to prepare a defence, and the right to an interpreter if necessary; article 24, and article 98 of the Code of Criminal Procedure, which provided for the right to defence and to legal aid if necessary. As well

as the measures described in paragraphs 542 and 543 of the periodic report, other recent measures included the provision of cultural-linguistic mediators to provide information, guidance and support to foreign prisoners. The Court of Cassation had ruled that any judicial act concerning a defendant would be declared null and void if it had not been translated into the defendant's mother tongue. The defendant's right to an interpreter had been upheld in a recent judgement by the Court of Cassation and the Constitutional or Supreme Court (decision No. 254/2007), which had found that, since it was a fundamental right which could not be limited, foreigners receiving legal aid who did not speak Italian had the right to appoint an interpreter. Court of Cassation decision No. 286/2006 had found that the sanction of probation under social services supervision, the main alternative to imprisonment, could be applied to non-EU citizens who had illegally entered the State on the ground of non-discrimination between citizens and illegal aliens.

27. Ms. ROTA (Italy) said that on 8 May 2007 her Government, on the occasion of its candidacy for membership of the Human Rights Council, had pledged to establish an independent authority to promote and protect human rights and fundamental freedoms in accordance with the Paris Principles.

28. On 5 April 2007, the Chamber of Deputies had approved a bill to create a national commission to promote and protect human rights and to safeguard the rights of prisoners. The bill had taken into account the many requests contained in an opinion by the High Commissioner of Human Rights. The main functions of the commission would be to promote a human rights culture, disseminate existing legislation, monitor respect for human rights throughout Italy, submit recommendations to the Parliament and Government, and propose legislation to the Government; the Government would be obliged to consult the commission on any human rights bills and regulations. The commission would contribute to monitoring respect for international conventions on human rights, cooperate with other States, and receive communications about specific violations and take appropriate action. The commission's independence, provided for in article 2 of the bill, was guaranteed by the fact that its members would be appointed by the two Chambers of Parliament for a four-year term, during which they would be prohibited from assuming any elective, government or other public office or any work associated with political parties.

29. Given Italy's commitment to its candidacy for membership of the Human Rights Council, it was clear that the creation of an independent authority would remain a priority for the new Government and Parliament. The Inter-Ministerial Committee of Human Rights would continue to play a role by promoting dialogue with civil society.

30. Ms. CARLETTI (Italy), referring to issues raised concerning implementation of the principle of non-discrimination in Italy, said that improvement of the living conditions of the Roma population came under the competence of local governments. Several initiatives and projects had been organized with relevant bodies and agencies, focusing on measures for the integration and inclusion of the Roma population. Housing problems were being addressed, and the challenge of improving their access to health services required collaboration between institutions and private actors in order to remove cultural and practical barriers and to provide health education with the involvement of cultural-linguistic mediators from the Roma communities.

31. On the question of action by the National Council for Economy and Labour (CNEL), she said that the responsibility for public intervention in housing policies lay with the regions and municipalities. Serious problems in finding resources had necessitated national financing as well as appropriate measures for mobilizing private resources. In order to meet the demands of Italian citizens and immigrants, who were all experiencing the same accommodation problems, the aims were to eliminate obstacles to using available private property and to introduce measures to ensure that the accommodation was well managed and that the contract could be renewed on expiry. Rent ceilings would also be sought through measures such as reducing local and national taxes, supplying low-cost areas for new buildings and creating accommodation in disused buildings. The guidelines for minimum requirements for habitability should be redefined to conform to current circumstances, especially taking into account situations in the big cities. The CNEL had focused on those issues by conducting a study on the creation of a local agency for social housing, and submitted a proposal to that effect to Parliament in May 2007.

32. Mr. AMIR asked whether the Italian Parliament had adopted legislation on obligatory DNA testing of persons from outside the EU to check their blood relationship to Italian residents, and, if so, whether the legislation had been approved by the Constitutional Court. He wondered whether, when there was a change in the Parliament and a different political party came to power, there was also a change in policy and therefore in legislation on immigration, leading potentially to dissociation from the Convention and reduced priority for international law.

33. He stressed the important role the judicial system must play in guaranteeing respect for human rights and promoting tolerance. In the absence of a strong judiciary, the application of international instruments or even national laws could be affected by political or religious considerations. It was important that the State party comply with the European Convention on Human Rights and meet the needs of legitimate immigrants whose only chance for a better life was to leave their homeland. In that regard he recalled the close commercial relationship between the southern Mediterranean countries and the EU, in particular in the area of energy, and wondered what the State party's attitude was to proposals for the creation of a Mediterranean Union based on such notions as freedom of movement and collective security.

34. Mr. AVTONOMOV asked whether the bills mentioned in paragraph 177 of the report - i.e. on protection of the right to nomadism and recognition of gypsy populations as linguistic minorities, and on recognition of the Romany, Sinti and Traveller communities, and the Framework Law to foster the education, occupational training, access to employment and housing of members of Roma communities and regulate their presence on Italian territory - had in fact been enacted.

35. Mr. de GOUTTES enquired whether the number of residence/work permits issued to immigrants was adjusted according to changing needs in the labour market. He noted that illegal entry into Italy was considered to be an administrative not a criminal offence. Given that such offences could nevertheless result in temporary detention or deportation, he wondered whether such offences should not be transferred to the criminal justice system, where there were greater guarantees of due process, hearings before a judge, respect for the rights of the accused, and also avenues of appeal.

36. Mr. HUANG Yong'an welcomed the State party's clear political will to meet its obligations under the Convention and combat xenophobia. Increasing migration, both legal and illegal, had led States to adopt measures to deal with that phenomenon but it was essential that such measures contained guarantees for the protection of the rights of migrants. Immigrants were often discriminated against and more must be done at the social and political levels to promote awareness of the need for immigration as a way of combating xenophobia.

37. Mr. PROSPER, referring to the enforcement of anti-discrimination measures and legislation, enquired whether it would be useful to specifically assign prosecutors, judges and courts with responsibility for the prosecution of discrimination-related offences. That would ensure anti-discrimination efforts received due emphasis; a formal national structure for the prosecution of discrimination would likewise ensure consistency in the application of discrimination-related legislation.

38. Mr. KJAERUM welcomed the progress made towards the establishment of an independent national human rights commission and wondered when that commission would begin its work. In that context he noted that the UNAR, as a branch of the Department for Equal Opportunities, could be subject, for example, to political pressure. He expressed concern at the Ministry of the Interior's authority to deport even a citizen of another EU country whom it deemed to be a serious threat to the interests of the State if that measure was approved by a judge, and asked for examples of any such cases. With regard to illegal immigrants expelled to Libya and Egypt, he asked what the State party had in fact done to monitor their fate. Lastly, he expressed concern that asylum-seekers who left the camps to which they had been assigned were considered to have withdrawn their request for asylum.

39. Mr. KEMAL said it was his understanding that UNAR would play an increasingly important role in combating discrimination. Was it correct that the proposed national human rights commission would have a largely advisory role, for example making recommendations to Parliament, but would not have quasi-judicial powers allowing it to act to resolve complaints? More information would also be welcome on the relationship between the commission and UNAR. For example, would UNAR act as the secretariat of the commission?

40. Mr. PETER requested more information on indirect discrimination, for example, signs and measures in municipalities aimed at nomad populations, and wondered what action UNAR had taken to encourage municipal councils to eliminate discrimination and ensure the right to freedom of movement and residence. He also asked whether there were any measures aimed at offering foreign children who broke the law the possibility of being placed with host families rather than being institutionalized.

41. Mr. LAHIRI took note of the delegation's explanation that under Italy's civil law system UNAR itself could not lodge discrimination complaints but was, for example, trying to encourage individuals and associations to pursue complaints. He asked whether the public prosecutor's office could pursue complaints on its own initiative. He stressed the importance of compiling disaggregated data, for example on the Roma and Sinti minorities, in order to gain a better understanding of the situation of those groups. Although such data could not be gleaned through the national census, he wondered if government institutions and bodies could take steps to compile them.

42. Mr. EWOMSAN expressed concern at the number of young Africans who tried desperately to enter Europe illegally in the mistaken belief that Europe was some kind of paradise; many died or committed suicide. That situation was aggravated by the often negative portrayal of Africa in the media and the difficulty of getting a visa, even a tourist visa, to enter Europe, which was a manifestation of discrimination and racial profiling. He wondered if that situation might be addressed through bilateral contacts or agreements with the African countries of origin with a view to developing solutions to the problem of clandestine immigration.

43. Mr. THORNBERRY requested more information on measures taken at the local level, for example the agreement between the Prefect of Milan and the Mayor of Milan, in the face of growing immigration to that city, to address public concerns about increasing insecurity and criminality. He asked what the legal status of such agreements was and whether they conferred extra powers on the local authorities. He was concerned at the prospect of overzealous application of the measures in question.

The meeting was suspended at 12.25 p.m. and resumed at 12.40 p.m.

44. Mr. SIMONETTI (Italy) said that the Italian Parliament had not adopted any legislation that provided for DNA testing to facilitate family reunification. Regardless of whether the majority party changed in the Government, Parliament was obliged to abide by the Constitution. Moreover, article 117 of the Constitution specifically required the Government to abide by all its international obligations. The process of consideration of draft legislation would have to start again once the current Parliament had been dissolved and the new one inaugurated.

45. The level of offences involving racial discrimination did not merit specific treatment, which was reserved for extremely serious matters, such as organized crime.

46. UNAR had been established by the EU and assigned a specific task. The bill currently before Parliament provided for the establishment of a totally separate, independent human rights commission that would function in accordance with the Paris Principles and cover the whole range of human rights issues. The bill provided the commission with quasi-judicial powers, allowing it to conduct investigations and hand down rulings on individual cases.

47. Almost all the illegal immigrants Italy had returned to Libya were of Egyptian nationality. Italy had monitored their fate. The Egyptian authorities had confirmed that those concerned were Egyptian citizens, and they had been returned to Egypt via Libya. No cases of ill-treatment had been reported in Italy or at the Italian embassy in Tripoli.

48. There was an explicit prohibition against profiling in data collection in Italian legislation. Unless that legislation was changed, the authorities would remain unable to collect statistics on racial or ethnic origin.

49. Mr. CAPUTO (Italy) said that the legal employment of non-EU workers was regulated by “contracts of stay”. Those contracts contained a guarantee from the employer that housing meeting the minimum standard was available to the employee, and that the employer would pay

for the employee's return journey to his or her country of origin. Since "stay permits" were requested from local authorities, there were often differences in interpretation and implementation. Regarding procedure, employers could submit applications for work and stay permits only after the local "Single Desk for Immigration" had processed the documentation establishing the immigrant's entry into the country. Mechanisms were in place to ensure effective communication between employers, employees and the immigration authorities, in order to monitor the progress of non-EU citizens working in Italy. Several administrative bodies were involved in matching the needs of local labour markets with the supply of foreign workers.

50. The decree that had been passed on the expulsion of EU citizens gave immediate effect to the bill implementing a 2004 EU Directive. It did not contain extraordinary measures, and did not provide for mass deportations. It aimed to adopt provisions to monitor truly dangerous individuals.

51. The security agreement between the Prefect of Milan and the Mayor of Milan had been concluded in order to ensure stronger institutional cooperation between the civil authorities and the law enforcement agencies. The agreement gave prefects, mayors and other local authorities the power to cooperate and share a more comprehensive understanding of security issues in their locality. They could set up projects aimed at improving cooperation within their competence. The municipal authorities had allocated 29 million euros to the Milan agreement, which would receive additional funding from regional and provincial administrations. A new board to study the situation of the nomad and Roma populations was to be established and chaired by the prefect. The agreement included areas of concern such as the fight against prostitution, drug abuse, unlawful occupation and unlicensed trade. It did not confer any extraordinary powers on the authorities.

52. Ms. PLASTINA (Italy) said that the rights of the individuals concerned were respected in all cases involving expulsion orders. They had the right to be heard by the judge conducting the case, and they were provided with legal counsel and an interpreter if necessary. The cases went before the regional judicial administration, and not courts of appeal.

53. While the public prosecutor's office could pursue complaints on its own initiative, individuals could also report complaints to the office.

54. Victims of legally proven acts of discrimination were often awarded both moral and financial compensation.

55. Since the entry into force of the Convention on the Rights of the Child, the fundamental rights of all children, including unaccompanied minors or those who were in Italy illegally, were guaranteed without discrimination on any grounds.

56. Mr. de GIORGI (Italy) added that UNAR paid specific attention to the issue of indirect discrimination and had requested the immediate removal of signs targeting the Roma population that had been erected in northern and central Italy.

57. Mr. KEMAL thanked the delegation for the dialogue it had held with the Committee. The concluding observations would focus on several issues, including the requirement for the legal system to provide proper redress in the case of improper administrative actions, particularly those detrimental to members of minorities. There was a need for an independent human rights institution, and UNAR should also be given more independent powers. There was significant concern in many quarters about racially-oriented journalism in the State party. The legislation on nationality should be harmonized and simplified. Measures should be taken to ensure that the rights of the Roma and Sinti minorities were fully respected.

The meeting rose at 1.15 p.m.