



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination 110th session

### Summary record of the 2986th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 9 August 2023, at 10 a.m.

*Chair:* Ms. Shepherd

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*The meeting was called to order at 10 a.m.*

**Consideration of reports, comments and information submitted by States parties under article 9 of the Convention** (*continued*)

*Twenty-first periodic report of Italy (continued)* (CERD/C/ITA/21)

1. *At the invitation of the Chair, the delegation of Italy joined the meeting.*
2. **Ms. Esseneme** (Country Rapporteur) said that she wished to know whether the definition of racial discrimination as set out in article 1 of the Convention, which referred explicitly to colour, descent and national and ethnic origin, was included in the State party's national legislation. She also wished to know whether the bill establishing a national human rights institution had been enacted and, if so, what actions had been taken in the application of that law to support the implementation of the Convention.
3. She would like to know more about the scope of the political power of the National Office Against Racial Discrimination, the measures taken by the State party to ensure the Office's independence, the nature of its relationship with the judicial system and its annual budget. She wondered whether instability at the helm of the Office, which had reportedly had five different directors since 2012, was adversely affecting its ability to discharge its duties and whether the disciplinary immunity supposedly enjoyed by the director served any purpose, since the director could be replaced at any time. She wished to know the number of cases for which the Solidarity Fund set up by the Office had provided funding. It would also be useful to know whether information on the Fund's existence, financing procedures and outcomes was publicly available and, if so, via which channels, and what procedures a victim of racial discrimination must follow to benefit from the Fund's financing. She would like to know whether the State party had evaluated the outcomes of the National Plan against Racism, Xenophobia and Related Intolerance, which had concluded in 2017, and whether it had developed – or intended to develop – a new plan on that basis.
4. In view of the State party's reservation to article 6 of the Convention to the effect that reparation for damage suffered as a result of racial discrimination must be sought against the person responsible, she would like to learn more about the procedure to be followed where a discriminatory act arose in the provision of a public service or the application of a law or regulation containing discriminatory provisions or as a result of judicial error. She wished to know who was responsible for initiating the ex-officio prosecution of acts of defamation or hatred based on ethnic origin, nationality, race or religion; whether a complaint by the victim was required; and what procedure was in place to provide reparation to the victim.
5. She wished to know what measures had been taken to prevent the excessive use of force, ill-treatment and abuse of authority by law enforcement officials against members of minority groups, including persons of African and Arab descent and members of Roma, Sinti, and Camminanti populations. Information on the complaint mechanisms available to victims of racial discrimination and excessive use of force by law enforcement officials would also be appreciated, as would information on the number of complaints submitted, the number of investigations launched, the results of those investigations and the number of such investigations that had led to criminal proceedings and convictions.
6. She would be grateful for information on the reasons behind the overrepresentation of non-citizens in Italian prisons and, in general, in the criminal justice system. She also wished to know whether law enforcement personnel were trained to avoid racial profiling, in line with the Committee's general recommendation No. 36 (2020); whether the State party intended to adopt a law prohibiting racial profiling among law enforcement officials; and what measures the State party had taken to guarantee victims of racial profiling access to remedies and reparations. Statistical information on identity checks carried out by law enforcement authorities, disaggregated by race, skin colour and national and ethnic origin, would be appreciated. She would be interested to know about any measures taken to evaluate the impact of the use of facial recognition software and similar technologies by the police on those persons most affected by or exposed to racial discrimination. It would also be useful to know what measures had been taken to ensure that the use of artificial intelligence systems in law enforcement complied with human rights standards and respected the principles of equality and non-discrimination.

7. Of the court cases listed in annex I to the State party's report (CERD/C/ITA/21), she wished to know which of those cases had specifically concerned racial discrimination, what the outcomes of those cases had been and what reparation had been provided to the victims. She also wished to know to whom the burden of proof fell in civil and criminal proceedings concerning racial discrimination. In relation to the provisions in the Sport Justice Code and other legislation for the punishment of behaviour recognized as a direct or indirect offence, an act of denigration or insult based on race, skin colour, nationality or ethnic origin, she wished to know which authority was responsible for determining when discriminatory behaviour constituted an offence and what procedures were in place to bring proceedings in such cases. Information on the application of that legislation, particularly in cases involving racial discrimination in football, would be useful.

8. Lastly, she would be grateful for information about the procedure for providing legal aid to persons in poverty and women victims of violence. In particular, she would like to know the eligibility criteria for such aid and the extent of the legal aid provided. She wondered whether any aid received through the Solidarity Fund of the National Office Against Racial Discrimination would complement such aid.

9. **Mr. Payandeh** (Country Task Force), noting that the two institutions created by the State party to include representatives of the Roma, Sinti and Camminanti communities in the development and implementation of the National Strategy for the Inclusion of Roma, Sinti and Camminanti Communities were, reportedly, not fully representative, said that he wished to know what measures the State party intended to take to ensure the full representation of those communities. He would be grateful for more information on the "representativeness-related criteria" applied by the State party for that purpose. He wondered whether those criteria had been developed with the participation of the communities concerned. As to the National Strategy itself, he wished to know more about the role played by the National Office Against Racial Discrimination in monitoring its implementation. He also wished to know whether the impact of the Strategy had been evaluated and, if so, whether the Roma, Sinti and Camminanti communities had been included in that process and what the results of the evaluation had been. He would be interested in learning more about the new strategy introduced following the conclusion of the National Strategy in 2020. In particular, he would like to learn how the new strategy reflected the recommendations made in the Committee's previous concluding observations (CERD/C/ITA/CO/19-20) regarding the participation of the affected communities.

10. Further to Ms. Esseneme's questions on racial profiling, he would like to know what measures the State party was taking specifically to ensure that members of Roma, Sinti, Camminanti communities were not targeted. He also wished to know what specific action was being taken to counter hate speech and hate crimes against those communities and to ensure the provision of remedies and reparations for human rights violations suffered by Roma, Sinti and Camminanti, in particular as a result of the so-called nomad emergency decree in effect from 2008 to 2011. In addition, he would be grateful for information about specific measures to address the high rate of statelessness among members of Roma, Sinti, Camminanti communities and to provide information to persons recognized as stateless about their rights.

11. Regarding housing, he understood that the National Office Against Racial Discrimination and other institutions had conducted an analysis of the practice of evictions with a view to producing guidelines on the matter. He would be grateful if the delegation would outline the conclusions of that analysis and describe the State party's approach to ensuring that evictions were not discriminatory against Roma, Sinti and Camminanti communities and that those communities were included in homelessness prevention measures in a non-discriminatory manner. He would appreciate details on how the State party intended to end the system of segregated camps for the Roma, Sinti and Camminanti communities while also ensuring that the closure of such camps did not result in homelessness or other hardship for former residents. He wished to know how the State party ensured that housing policies, which fell within the competence of local governments, complied with the State party's international obligations, including under the Convention. It would also be useful to know how the State party ensured equal access to housing and social

benefits and how it was addressing direct and indirect discrimination against Roma persons on the private housing market.

12. More detail on measures taken to improve education for Roma, Sinti and Camminanti children and to boost their school attendance rates would be appreciated. He wondered whether there were plans to extend the National Project for the Inclusion and Integration of Roma, Sinti and Camminanti Children, which seemed to have been successful in the realms of both education and health care. He would be interested to know whether the State party planned to adopt a more systematic approach to the provision of adequate health care for Roma, Sinti and Camminanti communities. Lastly, he would be grateful for information on how the State party was addressing discrimination against Roma, Sinti and Camminanti in the labour market.

13. **Mr. Diaby** said that he wished to know to what extent the State party had implemented the recommendation issued by the European Commission against Racism and Intolerance to guarantee the full independence of the National Office Against Racial Discrimination, both in law and in practice, and to expand its remit to include discrimination on the basis of colour, ethnic origin and other traits. He also wished to know to what extent the State party's past involvement in the transatlantic slave trade was covered in school textbooks and whether the State party intended to provide any form of reparation in connection with that involvement.

14. **Ms. Tebie** said that she would be grateful for up-to-date information on the total number of homeless people in the State party and the number of homeless persons in the Roma, Sinti and Camminanti communities. In addition, she wished to learn about the outcomes and impact of the Zero Homeless awareness-raising campaign launched in 2016. Information about any other measures to support homeless persons would be appreciated.

15. **Mr. Yeung Sik Yuen** said that he wished to know whether the State was vicariously liable for acts of racial discrimination committed by public officials. He also wished to know whether demonstrations of racial discrimination against footballers during matches were still punishable, since public insult was no longer a criminal offence in the State party.

16. **Mr. Amir** said that he would be grateful if the delegation could outline the State party's broad vision for the future with regard to environmental issues, economic development and other matters.

17. **The Chair** said that she would like to know how successful the State party had been in its efforts to train law enforcement officers on matters relating to the Committee's general recommendation No. 36 (2020), on preventing and combating racial profiling. She also wondered whether there had been any demand from people of African descent in Italy and from others keen to eliminate Afrophobia for awareness-raising activities in schools and in wider society in connection with the International Decade for People of African Descent.

*The meeting was suspended at 10.40 a.m. and resumed at 11.00 a.m.*

18. **A representative of Italy** said that the Court of Cassation had handed down a number of judgments concerning remarks made by political figures, including a member of the European Parliament and some local councillors, who had used language and expressed views regarding the Roma, Sinti and Camminanti communities that had been deemed tantamount to racist hate speech. The expression of such views among politicians was certainly not normalized in Italy; on the contrary, officials in the justice system paid special attention to such cases, given the key role played by politicians in public life.

19. Since the decriminalization of the unlawful entry and stay of foreign nationals, the penalties handed down to individuals committing such infractions consisted only of fines, as custodial measures had been eliminated. In addition, although the Constitutional Court had confirmed the constitutionality of article 10 bis of the Consolidated Immigration Act, on punishment of illegal entry into Italy, the Court had called on judges to take into account a migrant's reasons for entering the country illegally and to consider refraining from imposing a punishment in such cases, given the relatively minor nature of the offence. Furthermore, the Court of Cassation had overturned several convictions handed down under article 10 bis in the light of facts surrounding those cases and the individual circumstances of the defendants.

20. **A representative of Italy** said that the declaration of the state of emergency issued by the Council of Ministers on 11 April 2023 did not provide for restrictions on freedoms or fundamental rights. The state of emergency had been put in place to address a significant influx of migrants into the country, which had resulted in overcrowding in parts of Lampedusa, and to ensure that migrants there could receive adequate support. A special commissioner for the migration emergency had been appointed to coordinate the implementation of the emergency response and issue civil defence orders to facilitate the provision of relief and assistance to the people affected. The first directive issued by the commissioner had concerned the need to identify suitable locations for the accommodation of migrants and provide amenities such as food, clothing, health care and cultural and linguistic support.

21. **A representative of Italy** said that the National Institute of Statistics did not routinely collect disaggregated data on sensitive matters such as religion or ethnic origin. It did, however, conduct regular surveys to gather data on self-identification and experiences of discriminatory attitudes and violence.

22. In 2022, there had been 1,135,000 citizens of African countries living in Italy – around 700,000 men and 400,000 women – who represented 22 per cent of the foreign-born population. Most had arrived from northern Africa: 37 per cent had come from Morocco, 12.3 per cent from Egypt, 10.5 per cent from Nigeria, 9.7 per cent from Senegal and 8.7 per cent from Tunisia. As of January 2021, 370,000 naturalized citizens from African countries had been residing in Italy, 25.2 per cent of the total of 1.3 million naturalized citizens. Of the population of naturalized Italian citizens of African origin, 30.6 per cent had been from Morocco, 26.8 per cent from Tunisia, 19.6 per cent from Senegal and 16.6 per cent from Egypt. Family reunification was the main reason for the presence of foreign nationals in Italy. Around 18,000 children born in 2021 had held citizenship of an African country, as had 30 per cent of children enrolled in preschool education in the same year, 28.3 per cent of children in primary education, 25.8 per cent of children in lower secondary education and 22.7 per cent of children in upper secondary education.

23. The numbers of people arriving in Italy for humanitarian reasons had increased in 2021 as a consequence of larger migration flows from Africa and new migration flows from Egypt, Mali and Côte d'Ivoire. Increased numbers of asylum-seekers were entering the country. In 2021, nearly 10 per cent of all asylum-seekers had been minors, compared to 3 per cent in 2016.

24. **A representative of Italy** said that the fundamental principles of the Constitution, in particular those contained in article 3, were fully consistent with the Convention, and that all discriminatory acts prohibited by the Convention were punishable under Italian criminal law. Since the provisions of the Convention had been incorporated into domestic law, Italian judges at all levels of the justice system were obliged to interpret laws in line with the Convention. Several amendments had been made to existing legislation to enhance protection against discrimination and racism, including the addition of denialism as an aggravating factor in criminal law and the incorporation of provisions on combating xenophobia.

25. Turning to the right to effective remedies under article 6 of the Convention, he said that victims of acts of racial discrimination that violated human rights were automatically assured of protection under the justice system without the victim needing to file a complaint. During legal proceedings, victims also had the opportunity to obtain assistance from lawyers and organizations specializing in the area of racial discrimination. There was a growing awareness among judicial authorities of hate crimes and hate speech. Two relevant training courses aimed at magistrates, prosecutors and judges were offered each year by the judicial training academy (Scuola Superiore della Magistratura), an independent institution, and were recorded to enable virtual participation. Around 160 judges and magistrates had engaged in such training in 2022.

26. **A representative of Italy** said that the remedies available in the civil justice system in cases of discrimination were broader in scope than the remedies available in the criminal justice system. If an act of discrimination did not meet the criteria to be classed as a criminal offence, a civil court judge could hand down a judgment ordering the cessation of such acts and their impact, and could award compensation for pecuniary and non-pecuniary damages.

In cases where a discriminatory act did constitute a criminal offence, victims could choose whether to initiate civil or criminal proceedings.

27. Regarding the burden of proof in civil proceedings on discrimination cases, it was sufficient for complainants to provide facts and statistical data to support their claim that an act of discrimination had been committed. It was then incumbent on the defendant to prove otherwise. Complaints of discrimination could be brought not just against private individuals but also against the Government; for instance, the Court of Cassation and the civil courts had issued various judgments on matters such as the denial of welfare benefits to foreign nationals, in which such measures had been deemed discriminatory.

28. A number of European Union directives on the right to compensation had been incorporated into domestic law. Accordingly, victims of practices such as *caporalato*, had the right to receive compensation from the State. In the event of the death of the victim, their relatives could file a claim for compensation. The State was accountable in criminal and civil proceedings for the actions of public servants.

29. **A representative of Italy** said that domestic legislation on protection from discrimination on the basis of race and ethnic origin included Legislative Decree No. 215 of 2003, which incorporated the provisions of European Council Directive 2000/43/EC on the equal treatment of persons irrespective of racial or ethnic origin and established the National Office against Racial Discrimination, and Legislative Decree No. 216 of 2003, which incorporated European Council Directive 2000/78/EC into domestic law, establishing a general framework for equal treatment in employment. The Office's mandate had been expanded in February 2022, and it was now the national agency charged with preventing discrimination. Its independence was enshrined in law and its activities could not be modified through directives or secondary legislation enacted for political purposes.

30. The Office's operations were financed through a budget set on an annual basis through primary legislation from a revolving fund allocated for the implementation of European Union initiatives. In addition to its regular budget of €2 million, in the period 2014–2020 it had managed €23 million from the European Structural and Investment Funds and it expected to manage €40 million for the period 2021–2027. The director of the National Office Against Racial Discrimination was selected through a public call for candidates and was thus not appointed by the Government or any political authority. The director could not be removed during his or her three-year term of office. Directors had not completed a full three-year term in only two cases, both of which had related to voluntary resignation. To ensure the Office's independence, directors had full responsibility for managing its financial resources.

31. **Mr. Petri (Italy)**, responding to a question on the establishment of a national human rights institution, said that Bill No. 303 had been presented to the Senate in November 2022 shortly after the opening of Parliament following the recent general election. The aim of that bill was to strengthen the public authority for the protection of personal data, which would become the national authority for the protection of human rights. The new entity would be in line with the Paris Principles. A list of other relevant bills that had been presented before Parliament would be submitted for the Committee's information. The Interministerial Committee for Human Rights had done much of the work of a national human rights institution in recent years, including engaging in regular dialogue with civil society. For example, consultations with civil society had taken place during the development of the National Action Plan on Business and Human Rights. Civil society groups were also consulted before periodic reports on the Government's activities were submitted to the human rights treaty bodies.

32. **A representative of Italy** said that the original mandate of the Observatory for Security against Acts of Discrimination had been broadened to include the promotion and protection of human rights. As a result, the type of data it monitored would be expanded to include, for example, labour exploitation and crimes involving women and child victims. The Observatory developed its police training courses in partnership with Amnesty International and other civil society groups and organizations. Close to 60,000 officers had received the training, which was now provided to 3,000 new recruits annually. Online courses were provided to inspectors and superintendents, and the instructors themselves also attended training sessions. A training module on racial profiling had been introduced in 2014 and was

available both in person and online to the Carabinieri Corps and the national and local police forces. It drew on research conducted in various countries and made use of case studies, defining racial profiling and explaining to officers its negative impact and the extent to which it hampered police work and made it difficult to forge good relations with some communities.

33. **A representative of Italy** said that a new national action plan against racism, xenophobia and intolerance was being developed with the participation of 140 stakeholders. The new plan was aligned with the European Union Anti-Racism Action Plan 2020–2025 and would be adopted by the end of 2023. It covered areas such as employment, housing, education, health, culture and sport, including provisions designed to protect the victims of hate speech and hate crime. The situation of the Roma, Sinti and Camminanti communities and the issue of Afrophobia, which the previous plan had not addressed sufficiently, would also be taken into account. The new plan would be the subject of training and capacity-building initiatives, including training courses for law enforcement, legal and education officials.

34. Discrimination based on race or ethnicity continued to account for the majority of discrimination cases in the country, although such cases were on the decline. In 2020, discrimination based on race or ethnicity had accounted for approximately 60 per cent of cases, compared with 54.1 per cent in 2021 and 49 per cent in 2022. Additional data on discrimination cases would be provided in writing.

35. **A representative of Italy** said that approximately 55 per cent of the Solidarity Fund for the legal protection of victims of discrimination was allocated to individual victims of discrimination, with the remainder being set aside for collective discrimination cases.

36. The National Office Against Racial Discrimination had adopted a new strategy for 2021–2030 for the inclusion of the Roma and Sinti communities. It built on the previous strategy and incorporated the fruits of 12 thematic debates involving 30 organizations representing the groups in question, along with representatives of local, regional and national government bodies and institutions. The National Roma Platform and the Roma, Sinti and Camminanti Community Forum had also been involved in formulating the new strategy. Participation in the Platform and the Forum was open to any organizations representing the Roma, Sinti and Camminanti communities that expressed interest in participating. The National Office Against Racial Discrimination did not select Platform and Forum participants.

37. International and national guidelines, along with local and regional action plans, gave the new strategy its framework. Its comprised several chapters focusing on issues such as education, housing, health, cultural promotion and combating anti-Gypsyism. It included cross-cutting activities to promote capacity-building and empower associations that worked with or within the target communities. Efforts would also be made to give less visible members of those communities, such as Roma women, greater representation. Facilitators and mediators representing the Roma, Sinti and Camminanti communities helped ensure proper planning, organization and ongoing monitoring of the initiatives put in place under the strategy.

38. Between 2014 and 2021, the National Office Against Racial Discrimination had allocated €14.4 million to activities intended to increase the inclusion of the Roma, Sinti and Camminanti communities, including €8.6 million to boost their inclusion in the labour market; €2 million had been earmarked for health-related activities, and €1.5 million had been used to fund training and awareness-raising initiatives designed to combat anti-Gypsyism and contribute to efforts to promote better knowledge of Roma, Sinti and Camminanti culture and history, including among members of those communities. As part of the Government's commitment to help promote Roma culture, every year on 2 August, Italy commemorated the tragedy suffered by the Roma population in the concentration camps of Auschwitz and Birkenau. The fifty-eighth Venice Biennale had featured an entire pavilion showcasing Roma culture.

39. With regard to housing, the results of a survey published in 2015 looking at the outcome of activities under the previous strategy for the inclusion of the Roma and Sinti communities indicated that approximately 30,000 of the 185,000 members of the Roma, Sinti and Camminanti communities in Italy lived in formal settlements. By 2021, that number had

halved. Some 90 housing transition initiatives had been carried out nationwide. Regional resettlement schemes run by local authorities had been particularly successful in Sardinia and the Emilia-Romagna. The National Office Against Racial Discrimination had conducted visits to Spain to learn from successful resettlement schemes there. Statistical data on evictions of Roma, Sinti and Camminanti persons indicated a 50 per cent drop between 2014 and 2021.

40. In an attempt to increase the inclusion of Roma, Sinti and Camminanti in the labour market, members of those communities had been provided with training opportunities, including on-the-job training in selected companies, under an initiative similar to one that had produced positive results in Spain. In return, those companies were offered financial incentives for subsequently taking on trainees on a longer-term basis.

41. Health-related activities had included efforts to improve access to health care and enhance health literacy in the Roma, Sinti and Camminanti communities and provide training to help health workers meet the specific needs of those communities. In addition, a portal had been set up to provide the Roma, Sinti and Camminanti communities with health information, and health education modules had been developed with those communities in mind. In the area of education, initiatives backed by the European Social Fund had been introduced to promote the full inclusion of Roma, Sinti and Camminanti children in schools.

42. **A representative of Italy** said that the most recent available data, published by the National Institute of Statistics on 15 December 2022, had been based on statistics from the national census. Gathering data about certain population categories was challenging, particularly persons living in institutions such as prisons, care homes or migrant reception centres; persons living in formal or informal settlements; and homeless persons. The Institute used figures obtained from local registers in an effort to overcome underreporting where those categories were concerned.

43. Those three categories accounted for approximately 500,000 persons, or 0.8 per cent of the national population. Of the first group, 21 per cent were housed in migrant reception centres, where 81 per cent of occupants were Nigerian. The second category accounted for some 15,000 persons, who lived in settlements based in 202 local authority areas. Finally, there were around 96,000 known homeless persons. Men outnumbered women in that category and foreign nationals made up 30 per cent of the group. Half of foreign homeless persons were from African countries, with 27 per cent coming from Morocco, Nigeria, Mali and Somalia; 22 per cent were from European countries; and 17 per cent from Asian countries. Persons without an official residence were provided with a virtual address that enabled them to gain access to essential services.

44. **A representative of Italy** said that, in the event of hate crimes or hate speech being perpetrated by law enforcement officials, the State was held responsible for their conduct in both criminal and civil proceedings. Between 2015 and 2020, an average of approximately 50 sentences had been handed down each year for offences in which racial discrimination had been an aggravating circumstance. In the same period, some 20 sentences per year had been handed down for crimes covered by article 604 bis of the Criminal Code, which included propaganda and incitement to racial hatred.

45. **A representative of Italy** said that, in accordance with article 2 of Act No. 205 of 1993, it was a crime to display items or make gestures of a verbal or non-verbal nature that were racist or motivated by ethnic, national or religious hatred at a sporting event or other public gathering. Offenders could be banned from sporting venues for a period of between 1 and 5 years. Eliminating racial discrimination at sporting events was one of the aims of the Observatory for Security Against Acts of Discrimination and, since February 2023, it had participated in the Council of Europe Combating Hate Speech in Sport project. Furthermore, in June 2023, the Government and other key stakeholders had signed a letter of intent aimed at combating antisemitism in football.

46. **Ms. Esseneme** said that she would like to hear more about the training provided by the judicial training academy and the ways in which the State party guaranteed the independence of that body. She would also welcome further information about the procedure for the appointment of the director of the National Office Against Racial Discrimination. It would be useful to learn whether there were any particular barriers preventing the adoption



of the bill establishing a national human rights institution, which had been under consideration for several years. Lastly, she would be interested to know whether the Interministerial Committee for Human Rights, as the national mechanism for reporting and follow-up, had been informed about the reports that various civil society organizations had submitted to the Committee.

47. **Mr. Payandeh**, noting that the use of racial profiling by law enforcement personnel was the subject of much debate across Europe, said that he would be interested to know whether any specific discussions on that subject were currently taking place within the Ministry of Justice or the Ministry of the Interior. It would also be helpful to hear whether the National Office Against Racial Discrimination was taking any action to tackle racial profiling or to gather more information on the practice.

48. **A representative of Italy** said that the judicial training academy was a functionally and financially autonomous body. It was governed by a steering committee of 12 members, most of whom were appointed by the High Council of the Judiciary. Although the Minister of Justice could make suggestions concerning subjects on which training might be offered, the academy had full discretion in that regard.

49. **A representative of Italy** said that a public call for candidates was issued whenever the process to appoint a new director of the National Office Against Racial Discrimination was initiated. A public selection committee was formed to review applications and compile a roster of candidates. Although the National Office Against Racial Discrimination did address the issue of racial profiling, in cooperation with law enforcement agencies and the Observatory for Security Against Acts of Discrimination, its work was more focused on other aspects of discrimination.

50. **Ms. Stavrinaki** said that the current meeting had served as an opportunity for the delegation to engage in a truly constructive dialogue with the Committee about sensitive issues such as racial profiling and immigration, which could be fuelling racial tension in the State party. Although Italy had made good progress with respect to its legislation and practices, it continued to face considerable challenges in its efforts to combat racial discrimination. The influx of migrants was a particularly sensitive topic. How the State party chose to deal with those arrivals had a significant impact on the lives of the entire population. It was important for the delegation to speak openly about such issues in order to aid the Committee's understanding of the specific challenges facing the State party.

51. **Ms. McDougall** said that she would welcome further information concerning persons of African descent and other minority groups who had been living in the State party for a number of years, in particular with regard to their experience of discrimination and the barriers they faced in terms of integration into Italian society. She would particularly appreciate any information the delegation could offer regarding the results achieved under any relevant laws or programmes.

52. **Mr. Yeung Sik Yuen** said that he would appreciate further clarification of the procedure by which the bill on establishing a national human rights institution had been submitted. If he had understood correctly, members of Parliament had been asked to vote only "yes" or "no" on the legislation without having the opportunity to propose alternatives.

53. **Mr. Petri (Italy)** said that the bill had been submitted to a cross-party parliamentary committee, which was tasked with studying the proposal in depth and adopting a final text. That was a special, expedited procedure that was only used for particularly important pieces of legislation, and it was considered to be a positive sign that the Parliament had made the creation of a national human rights institution a priority.

54. **A representative of Italy** said that foreign nationals who had been living in Italy for five years or more were considered to be long-term residents. Such residents of African origin were mainly from Algeria, Egypt, Morocco, Tunisia, Ghana, Côte d'Ivoire, Nigeria, Senegal, Ethiopia and Eritrea.

55. **Ms. Esseneme** said that she would also like to receive further information in writing on the subject of homelessness. The delegation had indicated that a programme had been put in place specifically to address that issue. However, homelessness remained criminalized under national law and the Committee understood that it was mainly persons of African

descent and members of Roma communities who were punished for it. She encouraged the State party to redouble its efforts to combat Afrophobia and anti-Gypsyism.

56. **Mr. Petri** (Italy) said that the constructive dialogue had contributed to a greater understanding of the progress made and the challenges faced concerning his country's implementation of the Convention. The Government was fully committed to taking all necessary measures to combat racial discrimination. It was conscious of the need to maintain an open dialogue with civil society and non-governmental organizations on all matters relating to human rights, particularly since a national human rights institution had not yet been established. The Government would therefore continue to ensure that those organizations, as well as local and regional authorities, were consulted during the preparation of all reports submitted to United Nations bodies.

*The meeting rose at 12.55 p.m.*