**

***Ministry of Foreign Affairs and International Cooperation***

***Inter-ministerial Committee for Human Rights***

***OHCHR request pursuant to***

***UNGA Resolution A/RES/74/165 on the effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities***

***March 2021***

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Following to your query, Italian Authorities are in a position to provide the following selected information.

*National-linguistic minorities*

As far as the national historical linguistic minorities are concerned, the well-known national legislation has been completed with the Law No. 482 of 15 December 1999 on “Provisions for the protection of the historical linguistic minorities”. Although it should be reviewed after 20 years from its publication, this law entailed to counterbalance/ offset the principle of national unity with the pluralism of linguistic and cultural expressions existing in Italy, thus recognizing the value to local autonomies.

Law No. 482/1999, under Art. 6 of the Constitution, is aimed at protecting the 12 historical linguistic minorities recognized in the national territory (Catalan, Ladin, Greek, Germanic, Croatian, Sardinian, Occitan, Franco-Provençal, French, Albanian, Slovenian and Friulian). The Department of Regional Affairs and Autonomies ensures by annual plans the financing of projects submitted by public administrations and local authorities pursuant to Articles 9 and 15 of the mentioned Law. The allocation procedures are set out in the relevant implementing Regulation (Presidential Decree nr. 345 of 2 May 2001, Art. 8).

A specific Fund for the financing of projects submitted by local authorities and local state administrations has been established at the Presidency of the Council of Ministers – Department of Regional Affairs; so far the priority use of the fund has been guaranteeing the oral and written use of protected languages. For the granting of funding, local authorities, territorially competent for the defined areas, submit the projects – through the Region - to the Presidency of the Council of Ministers ( with the exception of the public administrations submitting directly to Department of Regional Affairs) on the following issues: linguistic helpdesks, training, toponymy and cultural activities.

Among the highlighted priorities, there is the urgent need to strengthen the protection of the minorities fewer in numbers compared to larger minorities which enjoy greater protection. For complete ongoing review of the protection and guarantees of minority communities, prefectures – in cooperation with the local authorities, have carried out a monitoring survey on the implementation of the mentioned law throughout the national territory. The monitoring activity, in addition to the collection of statistical data, focused specifically on the number of actions and initiatives dedicated to minority communities in the following issues: use and teaching of minority language in carrying out educational and training activities in schools at all level of education; oral and written use of minority languages in public offices and in municipalities where the language is under protection and before the judicial authorities and in the municipal councils; radio and TV broadcasts of programs in minority language both on public and private channels, along with the provision of state and regional funds to minority language newspapers , specifying their publishers; toponymy; cooperation in the EU programs.

In compliance with articles 17, 18, 19 and 20 of the Italian Constitution, various regional statutes and a number of laws issued by Regions where minorities live guarantee the freedom of assembly, association, expression, thought, conscience and religion for all citizens, including the members of minorities. Associationism is a fundamental means to guarantee the above mentioned principle and the various minorities often resort to it. CONFEMILI is the main body that groups the associations of the 12 recognised historical linguistic minorities and which carries out an activity of coordination, guidance and planning connecting local authorities and the associations themselves.

*Religious minorities*

Religious pluralism has become a reality in Italy, also thanks to immigration. Next to the Catholic Church, which represents the majority of the believers, there are, in descending order, non-Catholic Christians denominations (Protestants, Orthodox), Islam, Hinduism, Buddhism and other Eastern religions, and Hebraism. Interreligious dialogue has become over the years one specific target of social cohesion policies. Article 8 of the Italian Constitution states that all religious Denominations are equally free before the law and that the Denominations different from the Catholic one have the right to organize themselves, according to their Statute, and to organize their relations with the State on the base of a law, namely on the basis of bilateral agreements called Intese. In the first phase of implementation of this provision (in the eighties), an experimental procedure has been adopted, in order to identify the right tools for the fulfillment of the constitutional mandate. Only after the adoption of Law No. 400 of 1988 and Legislative Decree No. 303, 1999 (on the organization of the Presidency of the Council of Ministers), the procedure used till then by the Prime Minister had the force of law. The Intese, once approved as laws, entitle the religious Denomination of some of rights and liberties accorded to the Catholic Church by the Concordato, such as spiritual assistance to the people restricted temporally, in hospitals and in prisons or in the army and police force, allowing access to their respective Ministers of Worship; the recognition of the civil effects of marriage celebrated by religious rites; the recognition of some rites, such as the burial of deceased’s; religious holydays and the opportunity to stay away from work or school for religious raisons in those days.

A part these legislative interventions Italy is a strongly committed to prevent racism, xenophobia, radicalisation and violent extremism, raising public awareness and ensure the memory of the Holocaust lives on especially among students and young people. Italy celebrates the Holocaust Memorial Day (Giorno della Memoria) on the 27th of January of each year (Law No. 211 of 20 July 2000).

On 17 January 2020, the Italian Council of Ministers, in line with the resolution on combating antisemitism adopted by the European Parliament on 1 June 2017 and the conclusions of the European Council of 13-14 December 2018, endorsed the following definition of antisemitism: “Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities”. Furthermore, on that date the Council of Ministers appointed Professor Milena Santerini as National Coordinator for the fight against antisemitism.

On 27 January 2020, during the International Holocaust Remembrance Day, the Council of Ministers reaffirmed the commitment to promoting and reinforcing remembrance of the Shoah (Holocaust) and combating all forms of antisemitism and endorsed the entire IHRA document on antisemitism.

To this end, a Technical working Group for the recognition of the definition of antisemitism approved by the IHRA was established by Prime Ministerial Decree of 16 June 2020, with the participation of institutional representatives, several Ministries and Jewish organisations, as well as experts, chaired by the National Coordinator for the fight against antisemitism. After holding 14 hearings in addition to meetings reserved to members, the Group delivered its Final report in January 2021 and presented it to the previous Government. This strategy is drafted following the requirements of the Council of the European Union set forth in Declaration no. 13637/20 of 2 December 2020, which asks Member States to integrate the fight against antisemitism transversally across policy areas. https://www.consilium.europa.eu/media/47065/st13637-en20.pdf.

At national level, the key elements of the Strategy are the coordination and promotion of a concrete collaboration between the institutions concerned, Jewish communities, the world of culture, universities, schools, instruction, the social sphere, sports, media and politics. In particular, the intention is to enact a collaboration with the Extraordinary commission for combating phenomena of intolerance, racism, antisemitism and incitement of hatred and violence, created in the Senate with Motion no. 136 proposed by Senator for Life Liliana Segre and approved on 29 October 2019.

As regards measures to counter extremist political parties, movements, ideologies and groups of a racist and xenophobic character the Strategy suggests to:

• Expand the scope of the criminal implications of and sanctions applied to conduct defending fascism.

• Sanction both direct active propaganda of fascist or Nazi Socialist parties (production, distribution, dissemination or sale of propagandistic materials, images, objects, gadgets or symbols) and public conduct (symbols and gestures).

Regarding measures aimed at combating hate speech online the strategy suggests to approve parliamentary proposals that favour changes in social media platform policies in order to guarantee a uniform and efficient system for reporting and removing hate speech (also establishing administrative fines for operators that do not comply with these requirements).

In conclusion, this Strategy, presenting a comprehensive plan of action to combat antisemitism, and more in general any form of discrimination, may be considered itself a good practice in the fight and eradication of antisemitism and discrimination.

*Structural and operational national patterns concerning minorities in Italy*

Indeed, within the institutional framework two bodies are in charge to detect, analyse, prevent and countering any forms of racial discrimination affecting inter alia minorities living on the national territory.

The Observatory for security against acts of discrimination (OSCAD), established at the Ministry of Interior – Department of Public Security – Central Directorate of Criminal Police in late 2010, has the purpose of improving the action of the Italian Police agencies (in particular National Police and Carabinieri Corps) in preventing and combating hate crimes.

In January 21st 2020 the Observatory for Security Against Acts of Discrimination (OSCAD) at the Ministry of the Interior organized a conference entitled “The victims of hatred” in order to enhance the commitment made by the Law enforcement to prevent and to combat all forms of discrimination and promote the values of tolerance and inclusion. The event was held at the Presidency of the Council of Ministers, in the presence, among others, of the Minister of the Interior, the Minister for Equal Opportunities, and the President of the Italian Inter - Ministerial Committee for Human Rights (CIDU). During the event was launched the Publication on the official National Police magazine “Polizia Moderna” of an article on hate crime - “When hate becomes crime” - realized by OSCAD Secretariat (January 2020). The article translated into English and French will be published on the official Ministry of Interior and Italian National Police web-site soon.

Along these lines, following the spreading of the pandemic, in Europe there have been several cases of attacks accompanied by coughing, spitting and explicit references to the virus against citizens, health workers and law enforcement agencies. With regard to our Country in particular, as explained by the Prefect Vittorio Rizzi, Central Director of the Criminal Police and President of OSCAD, a comprehensive monitoring of cases of discrimination related to the COVID-19 emergency has been carried out. Being aware of the risk that the pandemic could be an opportunity for increased intolerance and violence against minorities, since the end of January 2020 about 30 cases have been recorded: more than half of them were physical attacks accompanied by insults, the other were verbal attacks, comments on social media and bans. In addition, there have also been cases of owners of bars, restaurants, pizzerias refusing to serve mainly Chinese but also Filipinos, Japanese, Dominicans customers.

In relation to awareness raising and information activities, the role and mandate of the National Anti-Discrimination Office (UNAR) is relevant. Indeed UNAR, since its establishment, has paid particular attention to the phenomenon of discrimination on religious grounds during its monitoring and enforcement activities, with related collection of reports and treatment of cases through its Contact Center.

In order to strengthen the activity of prevention and fight against discrimination, the Office has established since 2016 an Observatory against Discrimination in the media and the Internet which, expanding the monitoring action related to traditional media (newspapers, TV and Radio), aims to research, monitor and analyse daily - with a specific software and a set of keywords - potentially discriminatory contents from the main social networks (Facebook, Twitter, GooglePlus, Youtube) and from social media (articles, blogs and comments in forums). The Observatory adopts an interdisciplinary strategy that combines the analysis, monitoring and protection of victims with study, research and design of campaigns and initiatives aimed at raising awareness of Internet users in the fight against hatred, intolerance and violence online, including a specific focus on hate speech of religious origin.

To this purpose in the COVID-19 context last April the UNAR Director addressed a letter to the President of the National Association of Italian Municipalities (ANCI) to motivate that, in implementing the Civil Protection Ordinance N. 658/2020 about urgent measures of food solidarity, the audience of potential beneficiaries most at risk - in particular homeless, Roma, Sinti and Caminanti Communities and all those who, despite living in critical economic and housing situations are not in possession of residence or Italian citizenship – should not suffer from the full access to food. For example data reported by numerous associations belonging to the National Platform Roma Sinti and Caminanti, established by UNAR and other associations operating throughout the country refer to potential discrimination.

To ensure that individuals belonging to groups of the population and minorities at risk of discrimination and subject to extreme housing and social precariousness are properly assisted, UNAR has encouraged ANCI to carry out overall guidance and monitoring of the interventions implemented by the Municipalities, also in a non-discriminatory and inclusive manner, in order to ensure that at this delicate time stronger attention is drawn to the needs of vulnerable sections of the population more difficult to reach by social support interventions.