

**Optional Protocol:** Signed 30 April 1976; ratified: 15 September 1978.

*Reservations and Declarations:* Paragraph 2 of article 5.

**Second Optional Protocol:** Signed: 13 February 1990; ratified 14 February 1995.

### Racial Discrimination

Signed: 13 March 1968; ratified: 5 January 1976.

Italy's 10th and 11th periodic reports were submitted as one document (CERD/C/317/Add.1) which is pending for consideration at the Committee's March 1999 session; the 12th periodic report is due 4 February 1999.

*Reservations and Declarations:* Paragraphs (a) and (b) of article 4; article 6.

### Discrimination against Women

Signed: 17 July 1980; ratified: 10 June 1985.

Italy's third and fourth periodic reports were due 10 July 1994 and 1998 respectively.

*Reservations and Declarations:* General reservation on signature.

### Torture

Signed: 4 February 1985; ratified: 12 January 1989.

Italy's third periodic report (CAT/C/44/Add.2) has been submitted and is yet scheduled for consideration at the Committee's May 1999 session; the fourth periodic report is due 10 February 2002.

*Reservations and Declarations:* Declarations under articles 21 and 22.

### Rights of the Child

Signed: 26 January 1990; ratified: 5 September 1991.

Italy's second periodic report was due 4 October 1998.

## REPORTS TO TREATY BODIES

### Human Rights Committee

Italy's 4th periodic report (CCPR/C/103/Add.4, October 1996) was considered by the Committee at its July 1998 session. The report prepared by the government covers the period to June 1996 and contains examples of case law of the Constitutional Court as well as information on, *inter alia*: law reform in a number of areas addressed by the Covenant; the establishment of the Ministry for Equal Opportunities, concerned with equal rights for women and men; abolition of the death penalty and extradition considerations; legislation and case law related to torture and ill treatment; amendments to the Code of Criminal Procedure; measures to prevent violence at sports competitions; the situation of, and conditions in, prisons, measures related to the treatment of prisoners (including those with HIV), the training of Prison Service police, detention facilities and prisons for juvenile offenders; non-EEC and illegal aliens, entry and residence, assistance for aliens, deportation procedures (including those in preventive detention); the new Code of Civil Practice; reforms in the administration of justice, including a reorganization of the courts; the nature and trial function of the Pubblico Ministero (State Attorney

or Public Prosecutor); the National Anti-Mafia Directorate; reforms transforming minor crimes such as reporting accidents to administrative wrongs; computer crime and data protection; religious freedom and the proposed National Observatory on Religious Freedom; provisions in law related to mercenaries and ratification of the Convention on the use of mercenaries; measures to combat racial, ethnic and religious discrimination; the protection of children, prevention of drug dependency, protection of child workers; and case law of the Constitutional Court regarding the rights of minorities.

The Committee's concluding observations and comments (CCPR/C/79/Add.94) welcomed: Italy's ratification of the Second Optional Protocol to the Covenant, and the Constitutional Court decision in 1996 declaring unconstitutional the law ratifying a treaty of extradition on the grounds that there was no absolute guarantee in law that the person concerned would not be executed; the action taken to reduce the length of a nominal life sentence to a maximum finite sentence; the fact that the judiciary has begun to treat offences concerning trafficking of women and others for the purpose of prostitution as acts which can be assimilated to slavery and contrary to international and national law; the institution of the Ministry of Equal Opportunities and the 1997 plan to implement the results of the Fourth World Conference on Women; changes in legislation concerning controls applied to illegal immigrants, which improve their rights while awaiting a decision on admission and the possibility of family reunion in the case of admission; adoption of legislation to regulate the collection and use of personal computerized data along with another measure subjecting wire-tapping to strict control; the establishment of the National Observatory on Religious Freedom and the fact that its activities include dealing with complaints about constraints on this freedom; and new laws regulating the extent of control of mass information media, addressing the Committee's previous concerns about the excessive concentration of power of the mass information media by a small group of people.

The principal subjects of concern identified by the Committee included, *inter alia*: that Italy had still not withdrawn any of its reservations to the Covenant; continuing structural and cultural problems preventing the full realization by women of equal opportunities in public and political life and in employment and the fact that equal pay is often not given for work of equal value; the inadequacy of sanctions against police and prison officers who abuse their powers; continuing serious overcrowding in prisons; and increased incidents of racial intolerance. The Committee also expressed concern over continuing delays with respect to passing legislation concerning: the introduction into the Criminal Code of the offence of torture as defined in international law; the provision of both criminal and civil sanctions against those who perpetrate domestic violence; and the introduction of measures giving effect to further improvement of the rights of persons belonging to ethnic, religious and linguistic minorities and for the protection of the rights of the Slovenian minority.