



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: CAT/Follow-up

27 June 2019

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honor to refer to the follow-up to the examination of the combined fifth and sixth periodic reports of Italy, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of the 62nd session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/ITA/CO/5-6, para. 48) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 23, 27 and 39 of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 21 December 2018 providing your Government's response on the above-mentioned paragraphs (CAT/C/ITA/CO/5-6/Add.1) and to make the following comments:

Memorandum of Understanding of 2 February 2017 between Italy and Libya (para. 23)

While taking note of the information provided by the State party on the implementation of capacity-building activities supporting the conduct of search and rescue operations by the Libyan authorities, the Committee notes with concern that the follow-up replies do not clarify whether the co-operation with the Libyan Coast Guard and other Libyan security actors has been reviewed in light of human rights violations. In this connection, the Committee would like to draw your attention to the extremely disturbing findings contained in the report published jointly by the United Nations Support Mission in Libya (UNSMIL) and the Office of the UN High Commissioner for Human Rights (OHCHR) on 20 December 2018 (see '*Desperate and Dangerous: Report of the human rights situation of migrants and refugees in Libya*') (1/B2).

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H. E. Mr. Gian Lorenzo Cornado
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Monitoring of immigration detention facilities (para. 27)

The Committee takes note of the detailed information provided by the State party on the existing legal framework concerning the monitoring activities carried out by the National Authority for the Rights of Persons Detained or Deprived of Liberty and by non-governmental organizations. However, the follow-up replies do not indicate whether the State party has taken any new specific measures to guarantee in practice the unrestricted access of the National Authority and its regional counterparts to all places of deprivation of liberty, including immigration detention facilities. The Committee also regrets the absence of information regarding any action taken by the State party in response to the recommendations of this mechanism (2/C).

Excessive use of force (para. 39)

The Committee appreciates the extensive information provided by the State party regarding the existing general training programmes on human rights for law enforcement officials. Nevertheless, the Committee notes with concern that no concrete information has been included on specific training on the use of force, especially in the context of demonstrations. While taking note of the information provided by the State party regarding the initiation of court proceedings on torture-related cases in Palermo, Turin and Naples, the Committee regrets not having received detailed information on the number of complaints, investigations, prosecutions, convictions and sentences handed down in cases of police brutality and excessive use of force (2/C).

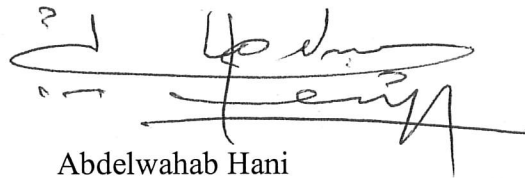
Implementation plans (para. 48)

The Committee regrets that the State party has not provided information about its plans for implementing, within the coming reporting period, some of all of the remaining recommendations included in its concluding observations (C).

The Government of Italy is encouraged to provide additional information, if any, which may further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the combined fifth and sixth periodic reports of Italy.

The Committee looks forward to a continued constructive dialogue with the authorities of Italy on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.



Abdelwahab Hani

Rapporteur for Follow-up to Concluding Observations
Committee against Torture