



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

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Summary record of the 2146th meeting

Held at the Palais Wilson, Geneva, on Monday, 27 February 2012, at 10 a.m.

Chairperson: Mr. Avtonomov

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The meeting was called to order at 10.10 a.m.

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

Informal meetings with NGOs

Discussion concerning the sixteenth to eighteenth periodic reports of the Lao People's Democratic Republic

1. **Ms. Chanthavong** (Alliance for Democracy in Laos) said that a friendship and cooperation treaty concluded in 1977 between the Government of the Lao People's Democratic Republic and Viet Nam had legalized the latter's de facto control of the country. The Government discriminated against Lao people in education and employment by favouring people from Viet Nam or China. Contrary to article 5 of the Convention, the authoritarian regime in Laos restricted political rights; there were no free elections, and only one party, the People's Revolutionary Party, had been approved since 1975. The right to housing had been restricted by special treaties and special economic zones. Although civil rights were constitutionally guaranteed, they were applied in a discriminatory manner. There was no right to freedom of expression or peaceful assembly; student groups were closely monitored and repressed; the right to leave and return to the country was also restricted.
2. **Mr. Mounnivongs** (ADL Women and Youth) said that, before 1975, women had played an important role in the economic and social life of the country. Today, however, because of a lack of jobs, they were the victims of exploitation and trafficking in persons. Thousands of Lao women had been taken to Thailand, where they had had to resort to prostitution to supplement their incomes. On returning to their country, many of them had married and had children, unaware that they had contracted diseases while working as prostitutes. As a result, the country now faced a serious public health situation.
3. **Mr. Douangvichith** (ADL Environment and Nature) said the Government had violated citizens' rights to work and education. According to official figures dating from 2005, the unemployment rate had been 1.7 per cent; however, according to estimates by the International Monetary Fund, it was 30 per cent, and NGOs operating in the country had indicated that rates were particularly high among young people. Youth unemployment led to violence, drug abuse and a range of illegal activities; young people seeking work abroad were vulnerable to trafficking in persons. Education was expensive and of poor quality, the Government had neglected the public education system, and teachers were paid late if at all. Well off families and those close to the Government sent their children to private schools. As to political rights, the fact that only the People's Revolutionary Party was recognized under the Constitution blocked any prospect of political change and violated article 5 of the Convention.
4. **Mr. Cooper** (INDIGENOUS) said the pursuit of profits and control of natural resources was leading to the racial segregation of the indigenous peoples of Laos. He expressed particular concern about the granting of 99-year leases to China in the area of the "Golden Triangle" and the subsequent removal of Lao people. Another area of concern was deforestation and the resulting displacement of indigenous people, often carried out with the involvement of military forces. There was a lack of freedom of expression; people were imprisoned for exercising their basic rights, with no recourse to justice. Those who held protest meetings faced disproportionate punishment; the organizers of a peace protest arrested in 1999 were still in prison. He expressed concern about reports of ill-treatment in prisons, including torture. The trafficking of Lao girls into prostitution in neighbouring countries was another issue of serious concern. A national human rights institution should be established in accordance with the Paris Principles. All international human rights

treaties should be widely disseminated in order to enable the people of Laos to realize their rights.

5. **Mr. Moua** (Congress of World Hmong People) said that the massacres of the Hmong indigenous people, which had already been brought to the attention of the Committee at previous sessions, were continuing in the Phou Bia mountain area. Between 2009 and 2011, the Government had used chemical agents in 11 separate attacks on Hmong civilians, including children and older persons. The victims of those attacks had experienced severe consequences to their health, including blindness. The presence of Vietnamese military forces in the region had recently been confirmed. The goal of Government action was to completely eliminate the Hmong by 2015. Since the Government had taken power in 1975, some 250,000 Hmong men, women and children had been killed in a campaign of genocide. The Government had now restricted access to the region to prevent reports from reaching the international media. The international community should assist in establishing a safe zone for the Hmong people and providing humanitarian assistance. He called on the Committee to reiterate its previous recommendations concerning the Hmong people's economic, social and cultural rights and their right to self-determination.

6. **Mr. de Gouttes** (Country Rapporteur) asked whether all the country's ethnic communities were represented by the NGOs present at the meeting. One of the great challenges facing the country was the contrast between the strong economic growth in urban areas and the poverty experienced by ethnic minorities, particularly in rural areas. According to the State party report (CERD/C/LAO/16-18, para. 38), the investigation into allegations of rape and physical abuse of Hmong women by members of the armed forces in Xaisomboune Special Zone on 19 May 2004 had concluded that the incident had been a fabrication intended to harm the image of the army. He asked the NGO representatives to comment on that finding.

7. He requested further information on reports that some rural communities, in particular the Montagnard people, faced both racial and religious discrimination. He noted that, during the Human Rights Council's universal periodic review of the Lao People's Democratic Republic, the Government had apparently ruled out the establishment of a national human rights institution.

8. **Mr. Douangvichith** (ADL Environment and Nature) said that his organization sought to represent all population groups living in Laos, including the approximately 50 ethnic groups. The unequal economic development of urban and rural areas in Laos was in marked contrast with the experience of neighbouring countries such as Thailand and Viet Nam. Montagnard people were the victims of both racial and religious discrimination. They had been targeted as an ethnic group, displaced from their places of worship and forced to assimilate Buddhist religious practices.

9. **Mr. Cooper** (INDIGENOUS) said there had been no significant progress with regard to the establishment of a national human rights institution. The Government should be encouraged to move forward on that issue.

10. **Mr. de Gouttes**, referring to the displacement of mountain communities and recalling the Government's claims that it was creating "village development communities", asked about the actual impact of mining and hydroelectric projects on local communities. He enquired whether compensation had been provided, whether consultation had taken place and whether the people had been able to share in the benefits brought by those projects.

11. **Mr. Mounnivongs** (ADL Women and Youth), speaking on the issue of forced displacement, drew the Committee's attention to the fact that 350 Hmong people had recently been moved to inaccessible areas which NGOs had been unable to visit. Those

communities had been forced to start again from scratch, and their forced displacement was a blatant example of connivance between the Thai and Lao Governments.

12. With regard to the dam projects, the Government took no heed of the environment or the people concerned. Displaced communities would take years to adjust to their new surroundings as they would have to plant trees and rice fields, and find new fishing and farming areas. New housing meant little when communities lost access to ancestral hunting and fishing grounds.

13. **Mr. Moua** (Congress of World Hmong People), referring to the Hmong communities in Phu Bia, recalled the Committee's recommendation, made at its sixty-ninth session, that the matter should be handled by a Special Rapporteur. That recommendation had yet to be implemented, and his organization called for action as the situation was deteriorating.

14. **Mr. Douangvichith** (ADL Environment and Nature) said that the Government had carried out what it referred to as "consultations" concerning the dam projects and some compensation had been paid. However, the sums amounted to only a third of what had been promised, and the Government's hidden agenda with regard to the projects was to uproot those communities, move them to the plains and rob them of their traditional way of life.

15. **Mr. Cooper** (INDIGENOUS) said that the principle of free, prior and informed consent had been ignored on dam, mining and other projects. The people had been forced to accept such decisions and to adapt as best they could.

16. **Mr. Saidou** asked whether NGOs or human rights associations could act as civil parties in the Lao judicial system; the Committee would welcome information on any such cases.

17. **Mr. Kemal**, referring to people displaced by large-scale projects, said that such projects generally received funding from international entities such as the World Bank or the Asian Development Bank, which were supposed to insist on the principle of prior consultation. It was therefore necessary to obtain clarification as to why international agencies had allowed such projects to go ahead.

18. **Mr. Mounnivongs** (ADL Women and Youth) said that significant financial assistance was supposed to be given to people displaced by projects, but only part of the money ever reached them owing to the high level of corruption. Children in rural areas faced particular difficulties and the school dropout rate was very high.

19. **Mr. Thornberry**, referring to the Declaration on the Rights of Indigenous Peoples, said that the State party's report had given no impression that it recognized the rights of indigenous peoples, but merely referred to ethnic groups and minorities. He requested clarification on the matter. With regard to land, the Government did not recognize the link between indigenous communities and the land, including sacred sites; such concepts were not well represented in national legislation. The language used in the report appeared to imply that indigenous people were backward, reflecting a "progressivist" kind of thinking.

20. **Mr. Cooper** (INDIGENOUS) said that, within the framework of the Permanent Forum on Indigenous Peoples, many groups identified themselves as indigenous. However, the Government did not recognize the principle of the self-identification of indigenous peoples and ignored their spiritual connection to the land.

21. **Mr. Moua** (Congress of World Hmong People) said that the Hmong had lived on the territory of what was now the Lao People's Democratic Republic for thousands of years. Since 1975, when the new Lao Government had taken over, it had adopted a hostile attitude towards that community because of their past affiliation with the West. The Government tended to deny that there were any problems, and claimed that the Lao and the

Hmong lived in peace. Although that was to a certain extent true, the Hmong in the Phoubia region, who had supported the West, suffered the most discrimination. Those problems were not discussed at the international level and it seemed that, in spite of the recommendations made at the Committee's sixty-ninth session, little had changed. He hoped that the Committee would recognize the needs of the Hmong people and find productive solutions to put an end to human rights violations.

22. **Mr. Amir** said that although various ethnic groups had always coexisted in the Lao People's Democratic Republic, the Hmong community represented a special case. Since 2002, there had been an outflow of Hmong people seeking refuge in neighbouring countries. An agreement had been concluded between the Lao Government and the Governments of various neighbouring States whereby the Hmong had been invited to return to their own territories and live in peace. He wished to know what had happened to them following that agreement.

23. The Hmong faced the greatest level of discrimination for historical and political reasons. They had been displaced from their homelands, and prevented from continuing their economic and cultural activities and maintaining their traditions and customs. Once displaced, they lost access to the resources they needed in order to survive.

24. He wished to know what had happened to the internally displaced Hmong and whether they had been able to return to the forests they had previously inhabited. Had their situation changed? That community had a very specific way of life and their situation was a matter of concern to the Committee.

25. Although the European journalists arrested while investigating the situation of the Hmong had been freed following an international outcry, the locals who had accompanied them remained in custody, and one — a member of the Hmong community — had been sentenced to death. He (Mr. Amir) had personally visited the Permanent Mission of the Lao People's Democratic Republic in New York to enquire about a stay of execution, and a letter to that effect had been sent to the Lao Government. However, the final outcome was not yet known, and information from the State party delegation would be welcome.

26. **Mr. Cooper** (INDIGENOUS), referring to earlier comments on the Government's notion that indigenous peoples were backward, said that such stereotypes highlighted why basic human rights education was so important. The Hmong, for example, lived close to the land but had a sophisticated and sustainable way of life.

27. **Mr. Pao Yang** (Hmon Chaofa States of Laos) said that he had prepared an information pack on current problems in the jungles of Laos, including CDs and information on how the Lao Government treated the Hmong people. The pack contained important evidence, which he wished to submit to the Committee.

Discussion concerning the sixteenth to eighteenth periodic reports of Italy

28. **Ms. Terenzi** (Comitato per la Promozione e Protezione dei Diritti Umani) said that there was an urgent need for an independent human rights institution in Italy, in line with the Paris Principles, as had been stated in the Committee's concluding observations at the seventy-second session. The most recent of the four bills on the question tabled in parliament (Bill No. 4,534) had been blocked by the Second Chamber. It had been drafted without any consultation with civil society and thus failed to comply with the Paris Principles. It had a number of shortcomings. In order to guarantee the autonomy of the new human rights institution, its president and two members should be selected through public competition (rather than by the Senate and the Chamber of Deputies), and its staff should be human rights experts. The Bill failed to ensure that. Moreover, article 9 — relating to professional secrecy — was a cause for serious concern as any human rights institution should have direct contact with the public or be able to use the media to broadcast its

recommendations or advice. In addition, the annual report should be published on the same day as it was transmitted to parliament to ensure broad publicity.

29. At present, Italy had two national bodies which addressed equality issues, namely the Ombudsman for the Rights of the Child, appointed in 2011, and the National Office against Racial Discrimination (UNAR), a governmental body established under the auspices of the Ministry of Equal Opportunities and located in a Government building. The problem of its location and access thereto had an impact on the effectiveness of its work. For example, members of certain vulnerable groups, such as irregular migrants, would feel uncomfortable telephoning UNAR to access services provided within a government building. UNAR's status was not consistent with the Paris Principles and it was therefore not an independent national human rights institution.

30. Her organization requested the Committee to call on the Government to create, as soon as possible, an independent commission for the promotion and protection of human rights and fundamental freedoms, in line with the Paris Principles, to amend Bill No. 4,534, and to recommend that it engage in a constructive, participatory and transparent dialogue with civil society. It also asked the Committee to recommend that parliament avail itself of the services of the National Institutions Unit in the Office of the United Nations High Commissioner for Human Rights, as well as the best practices of many countries which had already met the requirements stipulated in the United Nations resolution on national institutions for the promotion and protection of human rights (No. 48/134) of 1993.

31. Lastly, she asked the Committee to remind the Government that only a national human rights institution which complied with the Paris Principles could be accredited by the Human Rights Council.

32. **Ms. Sanguinato** (Volontariato Internazionale per lo Sviluppo) said that while she welcomed the adoption of Act No. 169/2008 on the teaching of citizenship and the Constitution in schools, no mechanisms had been established for verifying its implementation. In practice the subject was not taught or assessed as a distinct module. Her organization asked the Committee, in its concluding observations, to call on the Government to promote human rights education and training for teachers and to make human rights education an official school subject.

33. She expressed concern at the Government's halving of the education budget over the period 2011/14 and asked the Committee to call on the Government to provide for the necessary funding to implement article 2 of the Convention. Expressing concern at the introduction for the school year 2010/11 of a 30 per cent cap on non-Italian children in all classes, she requested the Committee to call on the Government to pursue anti-discriminatory policies in order to give effect to the principles contained in articles 2 and 7 of the Convention.

34. **Mr. Pertichini** (Italian NGO Group for the Convention on the Rights of the Child) expressed a number of concerns about the absence of minimum standards for children's welfare, education and health, and concerns about children with disabilities, and their possible links to racial discrimination.

35. **Ms. Galano** (Antigone) said that racial discrimination was widespread at all stages of the Italian criminal justice system, including Government policy, arrest, imprisonment and police investigations.

36. Foreign prisoners were held in very poor conditions owing to overcrowding. One third of all suicides in Italian prisons in 2011 had been committed by non-Italians, who as at January 2012 had accounted for some 36 per cent of the entire prison population. She requested the Committee to call on the State party to eliminate the overrepresentation of foreign nationals in Italian prisons. Racial discrimination existed at two levels: there was

legislative provision for more severe punishment for non-Italians than for Italians, and foreign prisoners were treated in a discriminatory manner in practice.

37. Most foreign prisoners were serving sentences for drug, immigration or prostitution-related offences. She requested the Committee to recommend that the Italian parliament amend or repeal the current legislation on drugs and immigration and the provision that prohibited repeat offenders from benefiting from alternatives to detention. Police officers often adopted a discriminatory approach in their everyday law enforcement activities and there was no independent authority to oversee their work.

38. She called on the Committee to recommend that the Italian Justice Department guarantee equal rights for Italian nationals and non-nationals alike with regard to probation measures. It was also necessary to provide for more visits, phone calls, interpreters and teachers for foreign prisoners, and to enhance the role of cultural facilitators in prisons. The conditions suffered by migrants in Italian prisons constituted a form of double punishment, which was incompatible with national and international principles.

39. **Mr. Trucco** (Associazione per gli Studi Giuridici sull'Immigrazione) expressed concern that, as part of the package of measures on immigration and asylum known as the "security package", Act No. 125 of 2011 on administrative detention for migrants awaiting expulsion had extended that period to 18 months. That problem was compounded by the fact that there was no effective jurisdictional control, since the relevant competence lay with a non-professional judge. That had serious consequence in terms of the right to equal treatment in the administration of justice.

40. The legal aid system for asylum-seekers in Italy functioned badly, and varied from province to province. Asylum-seekers wishing to appeal against a ruling were required to submit a request for legal aid to the local Bar association. The Bar association made its decision on the basis of not only the applicant's income but also the merits of the case, with the result that many asylum-seekers were unable to appeal. Stateless persons were also denied access to legal aid, which was only available to persons who were subjects of law in Italy.

41. Local support networks were not given access to detention centres for migrants awaiting expulsion and it was very difficult to obtain information. The situation was similar for reception centres for asylum-seekers, where there was a lack of adequately trained staff, no checks were carried out on length of stay and unaccompanied minors were often held. It was difficult to gain access to the asylum procedure and many asylum-seekers were treated as undocumented migrants. The events in Lampedusa in 2011 had been symbolic in that regard, with many of the migrants in question having remained in informal detention for weeks, with no controls of any kind.

42. **Ms. Hermanin** (Open Society Justice Initiative) said there had been increasing concern since 2008 about racial discrimination and the support of public authorities for potentially discriminatory acts. Those acts included a series of "emergency measures" by the Government and public authorities, who propagated the view that immigrants, non-nationals and members of minorities were a threat to the local population. Of particular concern was the package of measures on immigration and asylum known as the "security package". In 2008, Italy had proclaimed a national state of emergency in the face of the exceptional influx of persons fleeing the unrest in North Africa; some 50 per cent of them were asylum-seekers.

43. In 2008, the Government had also declared a national state of emergency in relation to the presence of communities described as "nomadic", namely the Roma, Sinti and Camminanti communities. As part of the discriminatory "emergency measures", hundreds of Roma had been forcibly evicted on the grounds that they posed a risk to Italians in terms of hygiene, social and security considerations. The evictions had not been notified, and

consequently it had not been possible to challenge them. A special “Roma census” had been carried out in order to summarily identify members of the Roma community, whose fingerprints and photos had been taken and kept in a special database. The data had then been used to facilitate the forced evictions.

44. Plans had recently been adopted for the nomadic communities to be housed in segregated villages. In November 2011, the highest administrative court in Italy had declared that measure illegal but, crucially, had not found that it constituted racial discrimination, which meant that the victims were not entitled to seek compensation or redress. Their data were still retained by the public authorities in special databases.

45. No effective remedies were provided for cases of racial discrimination. Criminal sanctions for hate speech or acts inciting racial violence had been halved in 2006. Civil remedies against racial discrimination were poorly enforced, and NGOs wishing to support discrimination complaints needed to be registered in two ministries in order to engage in litigation. The system established discretionary control over those able to bring complaints of discrimination. UNAR was not independent and did not have its own staff. It had no powers to bring or support litigation, and had to rely on NGOs for any formal action it wished to take.

46. She requested that the Committee include in its concluding observations a recommendation to the State party on the following issues: discrimination against Roma; the discriminatory nature of the “emergency measures”; the need to delete the illegal databases compiled from the “Roma census”; and the need for the Italian Government to improve procedures for individual and collective redress in cases of racial discrimination.

47. **Ms. Hein** (Unione Forense per la Tutela dei Diritti Umani) said that she was deeply concerned at the increasingly racist and xenophobic attitude of Italian politicians. Also of concern was their de facto impunity since, in the rare cases when they were prosecuted for racist or discriminatory statements, they received a suspended sentence. The openly racist statements of some politicians blatantly contradicted paragraph 15 of the Committee’s previous concluding observations. Politicians invoked the principle of freedom of speech to justify racist and hate speech, thereby contradicting the Supreme Court’s ruling that the right to freedom of expression did not justify behaviour prejudicial to other constitutional principles such as the principle of equality. Several political parties linked immigration with insecurity, and stigmatized migrants as threats to public health and national or local identity.

48. Another area of concern was the spread of social networking groups that promoted and incited hatred, racism and violence against immigrants. There was an urgent need to design effective tools at the national level in order to detect and ban racist content on the Internet, and to adopt legislative measures aimed at criminalizing the promotion and distribution of racist and xenophobic material via the Internet. The Italian Government should ratify the Additional Protocol to the Council of Europe’s Convention on Cybercrime, concerning the criminalization of acts of a racist and xenophobic nature committed through computer systems.

49. **Mr. Amir** (Country Rapporteur) requested further information about the situation of the Roma and Sinti communities. He asked whether their treatment might be deemed to be incompatible with the provisions of the European Convention on Human Rights.

50. **Ms. Hermanin** (Open Society Justice Initiative) said that the Roma and Sinti population totalled around 170,000, of whom roughly half were Italian and half foreigners. Although they currently accounted for less than 1 per cent of the Italian population, a sizeable number had been in Italy since the fifteenth century. In 2008, after a racist attack in Ponticelli, a suburb of Naples, the Government had adopted emergency measures focusing on the Roma community. Human rights organizations had been emphasizing for decades

that the Government's policies were entrenching segregation. The Roma were still held to be nomads even though they were largely sedentary and they had been relegated since the 1980s to encampments on the outskirts of the main cities, a situation that impeded their integration into Italian society. Italian citizens with identity documents had been fingerprinted and photographed in recent years because they belonged to the Roma community. Villages inhabited solely by members of the Roma community were kept under surveillance by cameras and private security staff. Complaints to the European Court of Human Rights were ineffective because of the unreasonable length of proceedings.

51. **Mr. Diaconu** said that, according to the Italian report submitted to the Working Group on the Universal Periodic Review (A/HRC/WG.6/7/ITA/1), in 2008 there had been a total of 167 encampments, of which 124 had been unauthorized. He asked whether the legal encampments had been maintained and the illegal ones dismantled. Had any attempt been made to resettle the inhabitants of unauthorized encampments?

52. He asked whether the current economic and financial crisis had had an adverse impact on the protection of the human rights of vulnerable groups.

53. The recent uprisings in a number of Arab countries had led to an influx of migrants into Italy. Referring to the clashes that had occurred in Lampedusa, he enquired about the current behaviour of the authorities towards immigrants.

54. **Ms. Crickley** said she understood that the NGOs considered that UNAR, which formed part of the Ministry of Equal Opportunities, was not really an independent institution. She asked what role they expected a genuinely independent human rights institution to play in preventing racial discrimination. She also wished to know whether steps were being taken to implement the European Union (EU) Racial Equality Directive and to inform people about its provisions.

55. She enquired about racial discrimination targeting children from minority communities, especially unaccompanied minors.

56. The security package that had been introduced the previous year, ostensibly in response to the "Arab spring", was, in her view, merely a continuation of measures that had already been in place for a number of communities. She asked whether there had been a discernible increase in racial discrimination once the intense media coverage had subsided.

57. In her own experience, Roma communities in Italy preferred not to be characterized as nomads. Noting that the NGOs wished to have them recognized as a national minority, she asked whether such recognition would yield any benefits for the 50 per cent of Roma who had emigrated from Romania or Bulgaria over the past decade and who had no status under Italian law because of the State's derogation from the principles of accession to the EU in respect of citizens of those countries. Was she right in thinking that the new encampments served mostly as holding centres — a term she used advisedly — for Roma who had entered the country in the past 10 years? In her view, they resembled a detention centre for asylum-seekers.

58. She asked whether measures under the so-called state of emergency were still causing special problems in Rome, where the authorities were particularly concerned about tourism.

59. **Mr. de Gouttes**, noting that the economic and financial crisis had led to a change of government in Italy, asked whether there had been a discernible decline in xenophobic political speeches and repressive attitudes towards migrants.

60. **Mr. Kemal** said he understood that immigrants fleeing the unrest in North Africa had met with quite a hospitable response from local Italian communities, for example in

Lampedusa. He asked whether attitudes had changed in the meantime and whether a considerable proportion of the refuge-seekers had returned home.

61. **Mr. Ewomsan** enquired about the situation of people of African descent in Italy and asked whether any racist crimes had been committed against them.

62. **Ms. Hermanin** (Open Society Justice Initiative) said that the change of government had led to a slight improvement in the situation of minorities. However, it was a government of technocrats and new elections would be held within 10 months. The political spectrum in Italy remained virtually unchanged.

63. The emergency decree adopted in May 2008 had been extended twice, so that it had now been in effect for three and a half years, which was an abnormally long period for an emergency. It had first been applied in Naples, Milan and Rome and had then been extended to Venice and Turin. In November 2011, the highest administrative court, the Council of State, had ruled that the state of emergency was unlawful because it failed to comply with the criteria of urgency and necessity. The Council had found that the decree was not racially discriminatory on the ground that it had not been adopted with discriminatory intent but only with discriminatory effect. Article 1 of the Convention, however, prohibited acts that had a discriminatory effect.

64. The Council's ruling had not been implemented. It was unclear whether the Government would destroy the data that had been collected, reverse the evictions and pay compensation to the evicted persons. It was also unclear whether it would proceed with the plans to create new villages. Both authorized and unauthorized encampments had been affected by the eviction measures. The largest Roma encampment in Milan was at Tribognano. Although it was an authorized camp, about 500 people had been evicted in May 2011. In Rome, 300–400 people had been evicted from the unauthorized Casilino 900 camp. No comprehensive alternative housing solution had been provided. The local plan for Rome envisaged the establishment of 13 “villages”, which would in fact be encampments, but none had been built to date. No alternative housing facilities had been provided in Milan. A proposal to offer the Roma public housing had been blocked by the municipal authorities. However, they had funded a repatriation programme whereby Romanian citizens who agreed to return home were offered about €1,000.

65. Recognition of the Roma as a national minority would have a symbolically positive impact on Roma who were Italians, from EU countries other than Romania and Bulgaria or stateless persons. It would help to bridge the gap in the area of education and would facilitate access to nationality for stateless persons.

66. **Ms. Terenzi** (Comitato per la Promozione e Protezione dei Diritti Umani) said Roma and Sinti NGOs in Milan had reported that property rights, even of Italian citizens, had been denied.

67. The proliferation of sectoral and local human rights mechanisms highlighted the need for a national human rights institution and an integrated plan of action. The Committee had recommended, in paragraphs 13 and 24 of its concluding observations on the previous periodic report (CERD/C/ITA/CO/15), that Italy should take the necessary steps to establish an independent national human rights institution in accordance with the Paris Principles. UNAR engaged in the activities described in the current report, but it could not operate as an independent institution because it formed part of the executive branch.

68. **Mr. Pertichini** (Comitato per la Promozione e Protezione dei Diritti Umani) said that the lack of minimum standards for social services had a great impact on immigrant children. Many immigrant families, especially those in an irregular situation, were reluctant

to go to hospitals for medical check-ups and many children were born under difficult conditions. They also lacked financial assistance for schooling and other social services.

69. The imposition of a 30 per cent limit on the number of foreign children permitted in a school was a highly racist measure. Under such circumstances, non-Italian children could be moved to a different school without their family being consulted.

70. **Mr. Lindgren Alves**, noting that many Roma with Italian citizenship were no longer nomadic, asked whether they were still forced to live in camps and hence segregated from society, although most of them presumably had regular employment.

71. **Mr. Trucco** (Associazione per gli Studi Giuridici sull'Immigrazione) said that in early 2011 the Government had issued a decree declaring a humanitarian emergency. In April 2011, it had issued an additional decree offering temporary protection to refugees arriving from Tunisia. They had been given a six-month permit because the Government assumed that most of them would leave in due course for France. However, the situation had escalated with the subsequent arrival of an increasing number of refugees, especially from Libya, who were seeking international protection. They were denied refugee status because many of them were not Libyans but nationals of Mali and other African countries. While they were entitled to appeal and a large network of lawyers had offered them support, many Bar associations had refused to grant legal aid and appeal proceedings were very expensive. They were now in a highly precarious situation. Human rights organizations had requested the Government to issue a new decree similar to that according temporary protection to Tunisians and other North Africans.

The meeting rose at 1 p.m.