**

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

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

***Reply to the Call for input*** ***from the Special Rapporteur on the right to development for two thematic reports of 2023***

***June 2023***

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**Call for input from the Special Rapporteur on the right to development for two thematic reports of 2023**

Following the request from the competent Special Rapporteur, Italian authorities are pleased to provide this contribution.

HRC Report (September 2023) – “Reinvigorating the right to development: A vision for the future”

Italy supports the vision and guiding principles set out in the 2030 Agenda aimed at fostering peaceful, just and inclusive societies, which are free from fear and violence, and strongly reaffirms that there can be no sustainable development without peace and no peace without sustainable development. Italy recalls the UN General Assembly Resolution on the aggression against Ukraine and deplores such a shattering blow against the 2030 Agenda, a plan of action for people, planet and prosperity to strengthen peace in larger freedom.

Italy’s second voluntary national review (VNR), presented on the 2022 HLPF session in New York, is the result of a year long collective process involving different levels of government and actors and it is aimed at further strengthening the implementation of the 2030 Agenda by analyzing progress achieved so far since the first VNR and by providing a common vision to move forward. This process is built on participatory mechanisms set in place at national and local level to implement the National Sustainable Development Strategy (NSDS) and the Three Year Planning Document for International Cooperation.

Italy’s VNR includes three thematic deep dives on policy coherence for sustainable development (PCSD), on localizing the SDGs through the NSDS and on stakeholder engagement. It also includes voluntary local reviews prepared by local authorities cooperating with central institutions in the NSDS implementation as well as a position paper drafted by the National Forum for Sustainable Development in collaboration with the National Council for Development Cooperation.

The VNR, integrated with the territorial approach, reflects and valorises effective multilevel governance enacted by Regions, Autonomous Provinces and Metropolitan Cities in declining national sustainability objectives at local level. Supported by coordination mechanisms established between central and local authorities, such process is proving crucial to boost a coordinated and deeper integration of the SDGs in national and local planning processes.

The contribution of stakeholders, reflected in the position paper for the VNR, is key to further increase, also by strengthening links with local initiatives, the active role into the policy cycle of Non-state Actors, including youth and under-represented categories.

The severe impact of COVID 19 on the economic and social textures of Italy has halted progress in SDG implementation, widening inequalities and social exclusion, increasing poverty and weakening social capital in particular in terms of education and training. Long months of strict lockdowns affected the most vulnerable, in particular, younger generations, elderly and especially women that have been increasingly overburdened with care responsibilities.

Italy’s efforts to recover from COVID 19, supported by the European Union through the Recovery and Resilience Facility, are aimed at building a more sustainable and resilient future by aligning short and medium term recovery measures with long-term overarching sustainable development objectives. Effective governance mechanisms, both horizontal and vertical, supported by a whole-of-society approach ensure that policy responses for a sustainable recovery are crafted considering interlinkages and potential risks, including spill over and transboundary effects. It is in this context that Italy has decided to institutionalize policy coherence by including a National Action Plan (NAP) on PCSD as an Annex to the NSDS. Elements of the NAP, informed by thorough consultations linked to the NSDS implementation and revision processes, have benefited from the scientific support of OECD through the Structural Reform Support Programme of the European Commission.

A coherent framework of indicators is conducive to pursuing a unitary approach to the 2030 Agenda implementation. Italy can count on a system of “Equitable and well-being indicators” that integrates the traditional economic indicators, as well as on the NSDS set of indicators and the annual SDG National Report compiled by ISTAT, all of which are undergoing a process of mutual fertilization.

International development cooperation is for Italy at the core of the implementation of the external dimension of the 2030 Agenda. The NSDS incorporates our Three Year Planning Document for International Cooperation. Symmetrically the latter fully reflects the principles and vision of the 2030 Agenda, of which it adopts logic, spirit and timeframe.

UNGA report (October 2023) – “Role of businesses in realizing the right to development”

Priority commitments undertaken in the framework of the 1st Italian NAP-BHR (2016-2021) have been progressively implemented and expected results have allowed Italy to carefully assess not only the opportunity to reaffirm their relevance, in order to guarantee a unceasing action for the effective implementation of the UNGPs, but also to consider new elements of interest, solicited by international bodies, for the definition of renewed and innovative national priorities in this field.

To this end, national priorities have been put at the core of the 2nd NAP-BHR officially adopted on 10th December 2021 and in progress as for its enactment until 2026:

1. strengthening of the process to outline a regulatory framework for human rights due diligence, in accordance with international standards and developments in the EU, in order to identify, prevent and mitigate risks and manage eventual human rights violations by business companies;

2. the promotion of fundamental rights through business activities both offline and online along the supply chain, at local, national, regional and global level;

3. combating all forms of discrimination in the definition of business companies’ strategic priorities in order to guarantee a performance that respects diversity, with particular reference to automated information management mechanisms and digital systems;

4. a collective awareness of the impact that new technologies, especially artificial intelligence, could have on the enjoyment of human rights, while paying attention to the promotion of corporate due diligence processes on human rights within the activities of those companies involved in research and development of new technologies;

5. strengthening of measures to prevent and combat all forms of exploitation in the labour sector, both public and private, inferring vulnerable groups as victims, with particular reference to women, minors, persons with disabilities and lgbtiq+ people;

6. strengthening of legislative and policy measures relating to the prevention and combating of the phenomenon of 'caporalato' (especially in the agricultural and construction sectors);

7. the protraction of planning and implementation of supervisory actions and information initiatives for the prevention of offences and the promotion of legality in the field of outsourcing of entrepreneurial activities and subcontracting chains, aimed at guaranteeing adequate protection for workers and effective awareness of their rights;

8. the consolidation of Italy's role in the context of international cooperation processes for human rights-based development, with a view to achieving the sustainable development goals set out in the 2030 agenda;

9. the promotion of protection of the ecosystem and environmental sustainability processes, taking into consideration the impact of business companies’ actions on people and communities in the medium and long term.

Indeed in the 2nd NAP now in force (2021-2026) each UN Guiding Principle is examined by introducing the most relevant actions and interventions (legislative, programmatic, administrative) adopted at the national level, followed by a list of planned measures, to implement at the best the Guiding Principles. With a specific focus on key topics such as labour, environment and digital, some targeted measures have been envisaged, that are now under implementation and monitoring by the ad hoc Working Group on Business and Human Rights (GLIDU), which is tasked with monitoring the gradual implementation of the NAP, of coordinating the activities of updating the commitments undertaken and of foreseeing, where appropriate, a revision to review them with in relation to changing needs depending upon BHR intrinsic dynamism at an international and European level.

Just to report some samples of planned measures under implementation, the following ones are worth of mentioning:

*Labour*

3. Strengthen the role of competent bodies and inspection activities in combating and controlling the emergence of irregular work and caporalato, pursuant to Art. 103 of the "Relaunch" Decree-Law No. 34 of 19 May 2020 ("Emergence of labour relations").

4. Ensure the full implementation of the Three-Year Plan to Combat Labor Exploitation in Agriculture and Caporalato 2020-2022.

5. Develop new coordination measures in the activities of prevention and control of the phenomenon of irregular work and to encourage the operation of the "Network of quality agricultural work";

14. Update the information on the current legislative framework to combat illegal work and labour exploitation in the agricultural, construction, manufacturing and service sectors;

*Environment*

17. With regard to key actions to be implemented in the context of environmental policies, the following ones are provided:

- encourage the reduction of single-use plastic consumption towards systems based on the use of reusable products;

- encourage repair, sharing and exchange of used goods;

- encourage the development, emergence and consolidation of business models based on the 'Product as a Service' (Paas) model, so as to promote the design, manufacture and use of products that are resource-efficient, durable, decomposable, repairable, reusable and upgradeable, as well as the use of materials obtained from waste;

- reduce waste, including through the recovery for social purposes of products (food and non-food) in surplus on the market or with characteristics unsuitable to be placed on the market;

- strengthen the role of prevention and reuse within extended producer responsibility schemes, in particular by establishing a regulatory framework that allows a share of resources to be used to support waste reduction initiatives and to encourage prevention or production decrease;

- promote cultural transformation by training, communicating and raising awareness on change needed and tools available.

18. In collaboration with other Ministries composing the Inter-ministerial Committee for the Ecological Transition (CITE) and, in particular, with the Ministry of the Economy and Finance and with the DIPE/CIPESS (for SACE guarantees), to the following measures will be promoted:

● the alignment of sustainability indicators within the "Voluntary environmental certification system for sustainable finance" (Art. 1, paragraphs 743, 744 and 745, of Law No. 178/2020) in relation to Regulation (EU) 2020/852;

● the assessment of criteria for the issue of guarantees by SACE S.p.a. in favour of green investments and provision of a quota of resources to be allocated to support projects to be launched within Environmental Economic Zones (ZEA) with an update commitment yearly due on 28 February.

19. Among the measures identified in the 2021 programme and in the 2020-2022 multi-year programme, to be adopted to remove obstacles to full effectiveness of environmental certification and management systems within the activities of the Sections of the competent Committee, more directly the Ecolabel Section, engaged in the process started at European level on the issue of "sustainable finance" (COM 2018/97 "Action Plan to finance sustainable growth"), with the participation of central Administrations (Ministry of Economy and Finance, Ministry of Economic Development, Ministry of Health and ISPRA), the following measures are promoted:

- allocation of resources for the implementation of interventions to develop EU Ecolabel and EMAS schemes;

- realization of information events, addressed to potential users and stakeholders (companies, consumer associations, public administration, etc.);

- realization of meetings with local actors in order to make users aware of added value of certifications;

- involvement of public administration, both at local and central level, in order to identify specific training, information and regulatory tools to encourage the dissemination of EU Ecolabel and EMAS systems;

- commitment, through collaboration with competent ministries, to enhance the use of the two certification systems within the initiatives over Circular Economy and the New Green Deal.

20. In line with the EU Commission's forthcoming guidelines on biodiversity, the following measures are to be taken:

● coverage over seabed and possible action on how to reconcile biodiversity targets in marine environments, including regulating by-catches of endangered species to be properly recovered;

● intensified collection of by-catch data on all sensitive species;

● fisheries management measures for all marine protected areas in accordance with clearly defined conservation objectives using the best available scientific advice;

● on land consumption, urban regeneration and redevelopment of heritage, promote an efficient use of buildings for significantly reduced emissions, as well as enhanced protection of green areas:

- urban forestry;

-digitalization of parks;

- implementation of an advanced and integrated system for monitoring and preventing hydrogeological instability;

● on water, as envisaged by the PNRR, guarantee of sustainable management of water resources: this goal should be pursued through the development of primary water infrastructures, interventions for distribution networks and irrigation, sewage and purification systems.

*Digital*

On a general note: the need to study in depth innovative issues related to technological development and artificial intelligence – also in relation to the Declaration of Rights in the Internet adopted by the Italian Parliament on 31 July 2015, in order to highlight their possible impact on the enjoyment of human rights, as well as an adequate action of corporate Due Diligence, and further innovative issues related to activities promoted by cultural companies with an important impact on the promotion of human rights;

More specifically:

23. Monitor the application of artificial intelligence in the workplace (e.g. recruitment mechanisms) for the purpose of assessing impact on human rights in terms of inclusion and non-discrimination;

48. Disseminate principles adopted in relation to emerging technologies such as artificial intelligence for human rights compliance with a Due Diligence approach;