

ITALIA



MINISTERO DEGLI AFFARI ESTERI E DELLA COOPERAZIONE INTERNAZIONALE
COMITATO INTERMINISTERIALE PER I DIRITTI UMANI

Contributo dell'Italia

26 febbraio 2024

ITALY'S CONTRIBUTION

Further to your query, we are in position to provide, **for your information only**, as follows:

The Italian Constitution determines the political framework for action and organization of the State. The fundamental elements or structural principles of the constitutional law governing the organization of the State are, as follows: Democracy, as laid down in Article 1; the *personalistic* principle, as laid down in Article 2, which guarantees the full and effective respect for human rights; the pluralist principle, within the framework of the value of democracy (Articles 2 and 5); the importance of work, as a central value of the Italian community (Articles 1 and 4); the principle of solidarity (Article 2); the principle of equality as laid down in Article 3 (it is also the fundamental criterion applied in the judiciary system when bringing in a verdict); the principles of unity and territorial integrity (Article 5); and above all the relevant principles, including the social state, the rule of law and the respect for human rights and fundamental freedoms, such as freedom of correspondence, freedom of movement, freedom of religion or belief, and freedom of opinion and expression.

From a constitutional standpoint, the general principle of equality enshrined in Article 3 of the Constitution stipulates as follows: *“All citizens have equal social dignity and are equal before the law without distinction of sex, race, language, religion, political opinion, personal and social conditions. It is the duty of the Republic to remove those obstacles of an economic or social nature which constrain the freedom and equality of citizens, thereby impeding the full development of the human person and the effective participation of all workers in the political, economic and social organization of the country”*.

- For further details, and a more specific overview of the Constitution, the powers of State, and the constitutional and non-constitutional guarantees, please kindly refer to the **Common Core Document of Italy forming part of the reports of States parties (UN Doc. HRI/CORE/ITA/2016, dated July 25, 2016)**.

The Central Directorate of Civil Services for Immigration and Asylum-Interior Ministry manages the Second Reception System, under **SAI (Reception and Integration System)** network.

Following changes introduced by Decree-Law No. 130/2020, this system ensures two levels of services: a) The first-level for asylum-seekers; b) The second-level, on integration, for other categories of reception-related beneficiaries.

The above *SAI* system was recently amended by Law Np. 50/2023, converting Decree-Law No. 20/2023, which particularly redefined beneficiaries entitled to access it.

SAI does not apply to applicants for international protection save specific exceptions. Access is for: Afghans requesting international protection who arrived through evacuation operations by Italian authorities; Ukrainians pursuant to Legislative Decree No. 16/2023 and further relevant provisions; international protection applicants arrived following humanitarian corridors and similar programs which provide for beneficiaries' identification in collaboration with UNHCR; international protection applicants who belong to vulnerable categories under **Article 17 of Legislative Decree No. 142/2015** (Children, UAMs, disabled, elderly, pregnant women, single parents with children, trafficked victims, people suffering serious illnesses or mental disorders, people ascertained as victims of torture, rape or other serious forms of psychological, physical or sexual violence or violence linked to sexual orientation or gender identity, victims of genital mutilation).

As of December 2023, *SAI* had 913 funded projects covering 43,193 places, to which to add 39,213 places activated by the Municipalities.

Article 17 regulates reception modalities of persons with special needs. To provide uniform procedures and tools to take charge of vulnerable persons at all stages of reception, from arrival onwards, a *Vademecum* for detection, referral and taking charge of vulnerable persons included in protection and reception system was adopted and published on Civil Liberties and Immigration Department website (June 2023).

Of relevance are the dedicated institutional websites, including from the Ministry of Interior and the Ministry on Labor and Social Policies.

Conclusion

The Italian Authorities take this opportunity to reaffirm their firm commitment to fully cooperating with UN HR machinery.