2. Historic-social evolution of the situation in Italy

In the last twenty years Italy has gone from being a country of emigration to one of immigration. Immigration to Italy is, therefore, a relatively recent phenomenon: starting in the 1980s, it intensified in the 1990s, especially between 1994 and 1999.
The immigrant population has changed over the years. At present immigrants come mainly from the countries of Eastern Europe (40.1%), followed by Africa (27.8%), Asia (20%), the Americas (11.9%) and other countries (0.2%).

The large number of nationalities represented by these figures is a feature peculiar to Italy and has required our governments to place a particular focus on integration policies and take a more diversified approach to their implementation than is found in other European countries, where immigration is more homogeneous in nature.

Another factor that needs to be considered is the gender imbalance: as regards, for example, immigration from Poland, Peru, or the Philippines, the ratio is 42-49 men for every 100 women. In the case of Senegal, however, the ratio is 1,300 men for every 100 women, and of Tunisia and Egypt, 450:100 and 350:100 respectively. (Second Report on the integration of immigrants in Italy by the Commission for Immigrant Integration Policies).

One feature that Italy has in common with other European countries is the fact that most immigrants are of working age. 40% of those holding permits of stay are aged 25 to 35, while the numbers of very young or elderly people are much lower.

Naturally, we need to bear in mind that the data on the presence of immigrants are to some extent approximate, especially as the figures for children are under-estimated. It should also be noted that in demographic terms the presence of immigrants ensures that the Italian population will grow. And, although the ageing process is now affecting the immigrant population also, with a 198% increase in the 45-49 age-groups, we saw a remarkable 211% increase in the numbers of foreign children between 1992 and 1999.

Immigrant workers make up the majority of the work force in the following sectors: agro-industrial, mining, industrial construction, hotel and catering and transport services.

Legislative Decree 286 of 25 July 1998 (Legislative Decree 286/1998, Consolidated Text of provisions governing immigration and provisions concerning the condition of foreign nationals) is a landmark, in the employment sector, for the integration of immigrants in our country. However, the unemployment rate for immigrants, running at about 10.6% in 2002, continues to be very high.

Many positive signals are coming in from the world of work. In 2000, immigrants accounted for 3% of those in employment. But if we examine the data for the "informal" economy, their numbers increased from 31.2% to 38.3% in 1999.

One negative signal, however, is that immigrants continue to be employed in low-skilled, manual jobs: this is the case for 76%. Our economy, by contrast, has an increasing need for skilled manual workers and highly qualified white-collar workers. Trials are under way with some countries of origin (Albania and Tunisia, for example) to encourage vocational training in a number of sectors.

At the same time, the numbers of small businesses being set up by immigrants are increasing. This is especially true in the case of Egyptians, who hire fellow nationals and consolidate the migratory "chains".

The tendency for certain communities to establish themselves in given occupations – Egyptians in bakeries, the Chinese in manufacturing businesses and the restaurant trade – shows that in Italy too, immigration is entering a more mature stage, with a capacity to identify and respond to market demand.

A large proportion of immigrant workers are engaged in domestic employment, where they account for 50% of the "declared" workforce. This percentage is even higher if undeclared workers are taken into account. This phenomenon is particularly prevalent in the metropolitan areas of Milan and Rome.

Most of those working in domestic employment (or caring for elderly people or children) are from Europe (mainly Eastern Europe) and the Americas, Asia and Africa. Taking domestic work alone, Asians form the biggest group, with 43.1% of the total. 32% of these are Filipinos.

In 2000, for the first time, employers' associations voiced concerns about the structural shortage of manpower and asked specifically for the entry flows to be increased. A number of high profile conferences have taken place on this subject, while the declarations made by the President of the Republic and the Governor of the Bank of Italy are particularly worthy of note.

These positions are in part reflected by public opinion, which recognises that immigrant workers do jobs refused by Italians, and would like to see some form of equality statute for them in the workplace. However, the public is not keen to see any increase in the inward flows of legal immigrants.

Signs are emerging of a degree of stabilisation of the immigrant presence. One of these is the number of foreign pupils in nursery, elementary and secondary schools. According to figures provided by Caritas, there were 140,000 foreign pupils in Italian schools in 2000-2001; this compares with 119,679 in 1999-2000, according to Ministry of Education data.

Another sign of stabilisation is the flow of entrants for family re-unification reasons, which amounted to 45,200 in 1999. This phenomenon indicates a growing sense of security on the part of immigrants, and their intention to settle in our country. We should recognise, however, that while the presence of their family provides immigrants with a source of security, as we have just seen, it can also generate conflicts within the family itself, arising from the roles of the different family members and the difficulties they encounter (nearly always housing-related). Generally, however, the family is an important source of stability and can avert or remedy situations of serious disadvantage in immigrants' lives.

With respect to health, personal health care appears all too often to be a luxury for immigrants, who turn to the public health services only in extreme cases. Job security, too, is seen as a luxury.

Significant progress has been made in terms of Italian language learning, an vital means of integration. The number of courses provided in Italy for adults and children has multiplied. This process has benefited from the instruments envisaged by the Turco-Napolitano Act, with pilot workplace projects and renewed use of the – still highly relevant – "150 hours" provision.

The situation of the Roma and Sinti communities in Italy is another matter. These communities continue to live in very difficult conditions, often as a consequence of their exclusion: unstable housing conditions or, even worse, homelessness; low job security; high educational drop-out rates; poverty-related illnesses; low birth-weight babies; high infant mortality; higher delinquency rates (although, importantly, mainly related to petty crime). The perception among these communities of an environment that continues to be hostile is one reason, for example, for their reluctance to send their children to school (this is more marked among gypsy communities than among immigrants). Naturally, a greater effort should be made to implement more carefully designed integration policies for these communities.

The question of integration reached a significant turning point in 2000, when it was seen to involve not just the integration of persons but also the interaction between Italian citizens and immigrant minorities.

On the one hand we have witnessed a greater openness to immigrants in employment, and on the other a closure against *individual immigrants* and *minority cultures*.

A new element is influencing relations between the majority and the new minorities: the extent of Islamic fundamentalism, and the fear that our traditions may be undermined – a fear that has intensified since the events of 11 September 2001.

The issues cited by those who fear Islamic fundamentalism often include female genital mutilation which, however, is linked to certain geographical areas and not to the Muslim religion as such; and polygamy, a custom that is becoming less common even in Muslim countries.

It must be said that quite apart from religious issues, immigration in itself is a process that always produces tensions and difficulties, no matter where it takes place. Non-conflictual immigration has never occurred, so the tensions it generates should not be overly dramatised.

In the case of Italy, the most positive factor is the persistence of a tolerant attitude that balances out the above-mentioned fears of Islamic fundamentalism. In fact, among European the Italians are most tolerant about the phenomenon of immigration, as emerged from a study on a survey realised at European level on the levels of racism and xenophobia. The final report has been presented on 20 April 2005 from the European Observatory against racism and xenophobia in Vienna to the Commission for culture and education of the European Parliament. The survey focuses on the attitudes of the majorities regarding ethnic minorities in EU Member States. About the negative attitude towards immigrants, Italians are tolerant: only 36% has shown a sort of "resistance" to immigrants. 47% are for a multicultural society. As far as policies of repatriation only 19% think that it is necessary to repatriate regular immigrants, while 79% is for the repatriation for immigrants who have committed crimes. 24% think in Italy immigrants have to be guaranteed their civil rights.

This tolerance is growing in Catholic spheres in particular. It is interesting to note that, according to a statistical analysis, practising Catholics are more inclined to favour the adequate protection of the rights of immigrants in the workplace. A higher percentage of Catholics (72.3%) declare that they "would accept an immigrant as a superior or boss" than is the case for the population in general, for which the average is 66.1%.

In short, Italy appears to have embarked on an important process of social integration. We need to remain alert, however, to the obstacles that will inevitably be encountered. Parliament should not lay too great an emphasis on the fears expressed by part of the electorate, but simply take them into due consideration and attempt to respond to the widespread readiness to welcome immigrants that

we find in large numbers of the population. Our generation must not be responsible for conflicts; and the next generation should not have to suffer the consequences of hostile co-existence.

3.3 The right to education

The transformations affecting migratory flows in recent years, especially the growing impact of family reunification and the progressive establishment of immigrant households in Italy, have had a significant influence on the presence of foreign children in our country and in particular in Italian schools. There is a growing consensus that sees schools as representing the first and main channel for the integration of immigrant children in their host country and as an important arena for different cultures to meet and exchange views and experiences, as well as a place for the transmission and construction of cultural models. It is through our schools that we can gain an initial idea of the presence of foreign children and the increase in their numbers over the years (if children present illegally can also be included, schools become a prime context for the observation of migratory phenomena as affecting the youngest age groups, since they give greater visibility even to those not registered officially).

The number of foreign schoolchildren has risen from just 6,104 in the 1983-84 school year to 232,766 in 2002-03. The latter figure is 50,000 higher than the total for the previous school year. 45% of these children are from European countries and the remaining 55% from non-European countries. The countries of origin of the migratory flows contributing to this increase are distributed fairly evenly throughout the five continents, although there is a more marked increase from the Americas (up 35% on last year) and from Asia (up 32%). If we examine the internal distribution of the continents by type of school, we find African children tending to predominate in early years schooling, while young people from European Union countries and America are more numerous in secondary schools.

For the 2002-03 school year the countries of origin most strongly represented are again Albania, Morocco and the former Yugoslavia, although it should be noted that a total of 189 nationalities are represented in Italian schools. The numbers of children from Rumania, at 15,509, and Ecuador, at 7,273, have almost doubled with respect to the previous year. Foreign pupils account for 2.96% of the total school population, with the highest proportion in primary schools (95,346 pupils, 3.8% of the total) and the lowest in senior secondary schools (33,176 pupils or 1.5% of the total). At all levels, with the exception of senior secondary schools, boys slightly outnumber girls, although the proportion of girls for every 100 foreign pupils has increased from 45.8% to 46.3%. In terms of geographical distribution, Lombardy, Emilia Romagna and Veneto have the highest numbers of non-Italian pupils,

These differences are linked mainly to the fact that immigration is relatively recent in Italy and only in the last few years has seen the entry of immigrant children to middle and senior secondary schools. A consideration of the place of birth of foreign children also seems significant in this respect.

Children born in Italy of foreign parents generally spend all of their school years in Italy and therefore are present from nursery school onwards (in such cases, since the migrations in question are relatively recent, we will need to wait some years for children to arrive in significant numbers at secondary school level, since at present they are proportionately more numerous in the nursery and primary school age-groups). It is mainly children born in other countries and coming to Italy at a later age who are entering primary or middle school directly: the fact that they tend to be older means that they are the first to reach secondary school level, where they are seen as "foreign

pupils". The diversity of countries of birth is an important factor that affects the type of presence of these pupils in schools and the difficulties that they encounter and which their schools find themselves having to handle.

The presence of foreign pupils also differs from region to region, reflecting the more general features of trends in migratory flows, individual migration projects and the force of attraction exerted by individual regions.

Foreign pupils are concentrated mainly in the regions of central-northern Italy, in which respect they reflect the direction taken by migratory inflows, while their numbers are very low in the South and Islands. The percentage of foreign pupils is particularly high in Lombardy, Emilia-Romagna and Veneto, followed by Lazio, Piedmont and Tuscany.

As noted in the analysis of the population of foreign children, the presence of these pupils is characterised not just by the quantitative increase that has taken place but also by the range of countries of origin, which clearly brings diverse cultural problems into the schools themselves. The areas of origin most strongly represented are, in descending order, non-EU countries and Africa, followed by Asia and the Americas. An analysis of the first ten countries of origin shows the differing numbers of children at the various stages of schooling, which are closely connected with the characteristics of family migrations.

In addition to school-age children inserted in the educational system, who in some respects are in a privileged position, some foreign children, although of school age, do not enter schooling as a result of disadvantaged living conditions or choices made by their families. It is above all for foreign children of over 15 years of age that alternatives are available. In this respect, to evaluate the type of protection provided we also need to consider the proportion entering work before, and compared to, young Italians of the same age.

Another thorny question is gender, which for some cultures can be a discriminatory factor in education or entry to employment. Clearly, this cultural factor (which for pre-adolescent girls involves the expectation of eventually reaching motherhood and dedication to everyday domestic chores) needs to be considered alongside possible ways of reconciling different cultures that have been devised by immigrant girls and their families. While for some groups the protection of their daughters focuses on their presence within the domestic environment, or their employment in occupations that do not involve excessive exposure to the public, and thus influences the educational, training and employment pathways followed by these girls, for others the more traditional cultural features are being abandoned to follow different models, in which there is no differentiation between the pathways followed by males and females. In some cases we may find girls attending school and at the same time performing a large amount of housework, as well as girls for whom these domestic responsibilities come to take priority over other pathways and reduce their opportunities for socialisation with their peers and integration in Italian society.

Since it is not possible to generalise, and in view of the fact that the data on the gender of foreign pupils in Italian schools show a significant presence of girls (46%), these reflections once again invite us to a closer consideration of the countries of origin with a view to detecting possible differences.

In the face of this growing presence of foreign children, in Italy as in other European countries schools have since the outset been a key place for reflection on the insertion of foreign boys and girls. In schools, these new arrivals are viewed in a positive light, although this approach is

expressed through a series of circulars (the first dating from 1989) that have not yet been translated into a systematic legal framework.

In our country, the inclusion of foreign children in compulsory education has been regulated in different ways than those adopted in other European countries affected for some decades now by immigration (Germany, Switzerland, France). Italy has decided against creating special classes, and foreign pupils have always been included in the normal school programme. In this way, Italy has succeeded in ensuring the insertion of many foreign children and preventing the risk of combining legislative restrictions with a negative view of the cultural diversity personified by foreign children and adolescents.

This is in some respects a courageous choice, which has also created the need to overcome a series of administrative and political difficulties (we need only think of the difficulties linked to the recognition of educational qualifications or comparisons of educational systems). This choice was made in order to ensure that admission to school, selection of enrolment class and allocation to a particular class do not become a further source of trauma to foreign children, who already are having to cope with the impact with their new environment.

This approach is based on the right/duty of education for all children and adolescents in Italy, in accordance with the provisions of the New York Convention on the Rights of the Child, which were reiterated in Consolidated Text 286/1998 as amended.

The challenge to reception posed by the "otherness" of foreign children has therefore been posed first and foremost with respect to educational policies and to the structures that have become the first places that children of different nationalities attend side by side. From the various alternatives available, inter-cultural dialogue has progressively spread in schools as a possible model for integration, characterised by the recognition of each child's own culture and the importance of respecting "different" children and their cultural identities in the day-to-day quest for forms of collaboration that are able to constructively overcome any situations of potential conflict or disagreement.

If we analyse the educational policies of the last ten years, we can therefore detect a gradual tendency to adopt reception strategies that safeguard the culture of origin of immigrants. These have not always succeeded, however, in combining the question of difference in education with the theme of equality of opportunity.

Proof of this gap in a number of "real" situations can be found in the type of educational pathway followed by many foreign children after lower middle school.

Often, the choice of higher education is channelled towards vocational training institutes, where the number of foreign youngsters is steadily becoming higher in proportionate terms than that of Italians. In many cases this choice is influenced by the recommendations made by teachers, who consider the status of "foreigner or immigrant" to preclude other options (with respect to later employment opportunities, language issues, or assumed learning difficulties).

At the legislative level, the positive reception policies for immigrant pupils adopted by individual teachers, schools and educational authorities to cope with the new arrivals during the first "emergency" were acknowledged by Ministerial Circular no. 205/1990, as subsequently developed by Circulars 5/1994 and 73/1994, where the issue of inter-cultural education was first raised. The focus in these circulars, one that continues to guide educational practice, was on the promotion of

dialogue and a "relational climate", and on the inter-cultural elements of all subjects and inter-disciplinary activities.

Starting with these first pointers, the following are some of the most important new developments in educational laws and regulations in recent years:

1. the recognition of education as a right and obligation for all children, even those not complying with the provisions concerning permits of stay (Act 176/1989, Consolidated Text 286/1998);

2. the identification of arrangements for the enrolment, reception and insertion of foreign pupils, affirming their right/obligation to schooling and envisaging targeted provisions and resources to be activated for Italian language instruction and the facilitation of access to common structures and curricula, including through agreements with local authorities, communities and associations (Act 40/1998 and Ministry Circulars 301/1989, 205/1990, 21/1991,and 400/1991; Presidential Decree 394/1999);

3. the recognition of children's right to enrol in the classes corresponding to their age (Legislative Decree 286/1998);

4. the need to adapt teaching programmes to the ability of foreign pupils and the introduction of qualified cultural mediators, where necessary, to assist foreign pupils newly arrived in Italy.

The official documents point to inter-cultural education as the underlying integrating factor in the educational options provided by individual schools, where the term is taken to signify an approach applied to review curricula and communication styles, and to manage difference and learning needs in the educational context. The operational strategies adopted thus far have seen the realisation of inter-cultural events, additional activities for immigrant pupils (courses in Arabic, Chinese, Italian language workshops) or for all children, the teaching of subjects from an inter-cultural perspective and the review of curricula in an inter-cultural light. Such initiatives have in fact been implemented mainly on an experimental basis in schools with a significant presence of foreign pupils.

The advances made in the legislation often, however, constitute goals to be achieved, a challenge for schools that needs to find concrete strategies to translate intentions into working – and workable – instruments. All too often, the activities put in place in schools do not correspond to the concept of inter-cultural education as a comprehensive review of the educative approach, but consist merely of sporadic, limited actions.

The recent reform of the educational cycles (Act 53/2003) is undoubtedly a significant opportunity to reconsider the types of response that the educational system might activate to address the needs of pupils in a competent manner and solve the problems that thus far have remained without a solution (such as the review of curricula or the definition of reception protocols in individual schools). Much will depend, therefore, on the way the new reform addresses these issues.

DURBAN – PARTE B

b. Prevention: the contribution made by education

Act 53 of 28 March 2003, containing "*Enabling authority to the Government for the definition of general provisions on education and the essential levels of services in education and vocational training*", states at the outset (Article 1) that the fundamental aim of education is to "*foster the*

growth and enhancement of the individual, with due respect...for the differences and identity of each". In Article 2, the law states that schools have the objective, *inter alia*, of "*educating in the fundamental principles of civil co-existence*".

In keeping with this law and on the basis of the Finance Law for 2003 Ministerial Order no. 36 of 7 April 2003 allocates €2,454,000 for priority education and training objectives, including citizenship education initiatives.

In this legislative framework the Ministry has launched two projects, which in the short-term will involve the training of school management and teaching personnel and the content of which, focusing on education for citizenship, fully corresponds to the objectives of the Durban Conference (combating racism, xenophobia and other forms of intolerance).

Educating for Citizenship and Solidarity: an approach based on human rights

This project, launched in 2001, will continue at least until the end of 2005 (the year of democratic citizenship through education).

This is a national project involving 1500 schools. For the current year the financial resources have been allocated in part (€850,000) to the Regional Education Offices and in part (€500,000) to the National Documentation Institute for Educational Innovation and Research (INDIRE) with the expected involvement of universities and training agencies.

The Regions too will link into this project. Using their own financial resources, they will be organising a national seminar each year attended by 220 tutors.

Education for European Citizenship

This project, launched in 2003, is still on-going and again will continue at least until the end of 2005.

It is a European project in which France, Germany, Greece, Spain and Portugal are also taking part on a reciprocal basis. Three meetings have taken place thus far with representatives from the institutions of a number of European countries.

The initiatives above described include a training step in service activities, reserved to teachers and head teachers; they give to the human rights education a central role in the educational praxis, and concern present-day topics that are of the greatest social importance. They have been planned in the perspective of their link with wider educational interventions, to promote respectful behaviours in the face of cultural and individual variety. The main purpose is helping to oppose attitudes of social intolerance in order to develop a universal conscience that puts to the first place – among shared and shareable values – the human rights, the pluralistic democracy and the equality, in social dignity, of all human beings.
In particular:

- ITALIAN 2: Language of contact, language of cultures is a project aimed to implement teachers' training on the topics of Italian ad L2, to address – in an effective way – the whole question of the linguistic insertion of the students of foreign mother tongue in the Italian school. It provides two different levels of training reserved to 1000 participant. The first course is assigned to teachers of all the subjects; the second, deeper, course is reserved to teachers of linguistic area.

- ACTIVE CITIZENSHIP AND HUMAN RIGHTS EDUCATION – National plan of training and search-action for teachers and head teachers of all levels of the educational and training system, offers, for a one-year period, a training intervention reserved to 100 head teachers and 100 teachers of all levels on the topics of active citizenship and solidarity-based education. It attempts to speed up schools' networks to collaborate with other institutions and educational agencies of the territory, with the aim to implement combined training actions. The search-action methodology has been considered as the most adequate in order to promote, through valid didactic actions, activities of participation in which students can be aware protagonists of models of active citizenship and of accomplished solidarity.
- ACTIVE EUROPEAN CITIZENSHIP EDUCATION – National plan of training and search-action for teachers and head teachers leaders of second cycles' schools of the educational and training system, has the purpose is to enlarge the European dimension of teaching, by encouraging the use of education strategies and the realization of didactical units conceived as interdisciplinary items. The deep knowledge of documents and political institutional topics will be able to contribute to develop in students the dimension of belonging, citizenship and supranationality. The plan constitutes a valid training model, addressed to 100 head teachers and 100 teachers of second cycle's schools of the educational and training system, on the topic of European citizenship education, inside the most articulated training offer plan.

One special feature of the role of schools in the prevention of discrimination against pupils of religions other than Catholicism has recently been studied by underscoring that schools are the first and vital link in the integration process, in which classes can be seen as "gyms" for mutual awareness. This view arises from the conviction that any idea of dividing children up into separate classes where the children all speak the same language, come from the same background and follow the same religion, should be rejected. One of the most important tasks of schools is to promote multiculturalism, plurality, a welcoming ethos and the co-existence of different traditions, peoples and faiths, and not to introduce and reinforce divisions.

This is why an initial attempt to separate pupils out, conceived by Lombardy Region with the aim of creating classes solely of Muslim pupils (July 2004), was later abandoned by the same Regional government. The Ministry of Education Moratti stated on 13 July that the idea of separate classes "clashes with principles and constitutional values that are intended to overcome all forms of discrimination and to capitalise on opportunities for integration and dialogue between cultures". The idea, therefore, of a state school system with the function of fostering a spirit of shared citizenship has led Italy to pursue the aim of integration and dialogue without barriers. "Setting up Muslim classes would be like creating a ghetto; they would create a school of hate". These words, spoken by Giovanni Pugliesi, president of the Italian delegation for UNESCO, show Italy's determination to follow the path of dialogue and co-existence by different cultures.

In this light, the work of Campania Region is worthy of mention. The Region has adopted a provision giving schools the possibility of celebrating a number of new holidays such as Ramadam, the Passover and the Chinese New Year: all of these initiatives confirm Italy's determination to foster integration and mutual respect.

All of this shows Italy's commitment to observing ECRI general recommendation no. 8 of 17 March 2004, containing an explicit reference to the need to combat all forms of racism, not least following the events of 11 September 2001.

The two projects described above are flanked by a further initiative, promoted in November 2003 by the Ministry of Labour and Social Policies under the National Operational Programme "Security

for the Development of Southern Italy". This envisages a three-year research project addressed to schools of all categories in southern Italy on the issue of "Schools and Immigration". Funded by the European Union, the aim of the project is to set up a "Standing Observatory on the Status of Immigrants and the State of Reception and Integration Processes in Southern Italy". Partners in the project are the Ministry of Justice's Juvenile Courts Department, which will provide the data on training and education for minors in rehabilitation centres, six Regions (Basilicata, Calabria, Campania, Puglia, Sardinia and Sicily) which have experienced substantial flows of immigration, very often involving people in situations of particular disadvantage, and bodies such as the MIP Consortium, the Information Engineering Training and Research Consortium (Politecnico di Milano), CENSIS, and the Psychoanalytical Institute for Social Research (IPRS).

Of particular interest, finally, is the action undertaken at the local level in this sector with reference to the School Attendance Project for Romany children and adolescents, promoted by Rome City Council for the three school years running from 2005 to 2008.

This project concerns nursery schools, the compulsory school years and subsequent training.

The aims of the initiative are:

- to create the conditions for the day-to-day co-existence of children and young people from different cultures;
- to meet the right of each child, regardless of his or her background, to have access to education and instruments for knowledge that enable them to develop their potential and interact constructively with others;
- to change the attitude to education that is frequently found in adult Roma and Sinti and ensure that schools become the key institution in the formation of the new generations, including for the Romany population.

The general objectives of the project are:

a. to foster the concrete protection of the rights of children as enshrined in the International Convention on the Rights of the Child, by drawing up and implementing the project "Rights for the Camps";

b. to facilitate school attendance, by setting up a service to accompany children to school;

c. to encourage adults to take responsibility for their children's education by promoting actions that change their lack of interest in or opposition to education, and encouraging school-family-city council education pacts;

d. to foster a positive attitude to education in Romany communities, by promoting initiatives in camps with the adults of the community;

e. to improve conditions for learning, by promoting initiatives, including after school hours, that foster the consolidation of learning and the pursuit of an individual study method;

f. to foster mutual knowledge and integration between the world of education and the Romany culture, by taking part in initiatives promoted by schools to explore that culture, as well as in initiatives promoted by local institutions and bodies to promote mutual knowledge by each party;

g. to encourage education for adolescents who have not attended school regularly, by drawing up individual educational projects which, using local training agencies or creating specific opportunities, enable young people to be included in the social context and in the world of work;

h. to increase and "up-grade" attendance by young children at municipal and state nursery schools, by drawing up an education plan for the inclusion of such children, in close liaison with the Educational Coordinators of Municipal Nursery Schools and state Nursery School Managers.

The total value net of VAT of the project tender was €5,832,974.55. The sums allocated for each "lot" of the project were divided thus: 75% for school attendance by Romany children and adolescents, and 25% for the "Rights for the Camps" project. The total number of beneficiaries of the project was 1,872.

CERD

2. The education system

a. Religious freedom and the rights of minorities

The framework of constitutional provisions protecting religious freedom is a wide one, of which an overview is given below.

Article 2 recognizes and guarantees the inviolable rights of man, as an individual, and in the social groups where he expresses his personality

Article 3: provides for non-discrimination, including with respect to religion

Article 7: provides for the reciprocal independence of the State and the Catholic Church, each within its own order, independent and sovereign.

Article 8: provides that all religious confessions are equally free before the law.

Article 19: recognises the right of all individuals to profess freely their own religious faith.

Article 20: prohibits the imposition of special limitations in law, or special fiscal impositions in the setting up, legal capacity and activities of religious associations or institutions.

With particular regard to religious education, the new Concordat entered into by the Italian State and the Holy See on 8 February 1984 repealed Article 1 of the Treaty (according to which the Catholic, Apostolic and Roman faith is the only religion of the State). At the same time, it established a commitment by the State to provide for the teaching of the Catholic religion in non-university public schools, while guaranteeing each individual the right to choose whether or not to attend these lessons, without their choice giving rise to any form of discrimination. Persons choosing not to attend can follow other classes proposed by the teaching staff; spend the time in individual study or else take that hour as being free (Constitutional Court ruling 2003 of 11-12 April 1989 is of fundamental importance in this respect).

With respect to the other rights of minorities, and linguistic and cultural rights in particular, Act n° 482 of 15 December 1999 was issued in implementation of Article 6 of the Constitution

Finally, in the case of education, Article 5 of this Law establishes that the Ministry of Education may, through decrees issued by the Ministry itself, promote and carry out national and local projects concerning the study of the languages and cultural traditions of members of linguistic minorities and also authorised an annual expenditure of €1,032,614 for such projects. This sum is spent in full each year, to the immense satisfaction of the minorities concerned.

Furthermore, according to *Intese* which have been implemented and approved by law with some Denominations, provisions concerning education have been included aiming at guaranteeing the right for students not to participate in religious classes, and the possibility for the schools to respond to eventual requests by students and families, introducing the teaching of one specific religion and explaining its implications; the recognition of diplomas issued by theological institutes and the right to freely set up schools of any order or degree, and educational institutes, according to the Italian educational system.

Moreover, in the absence of conventional relation between the State and Denominations, (Concordat, Intesa.), law n. 1159/1929 and the concerning enforcement regulation (Royal Decree of 28 February 1930, n. 289) apply, according to the supreme principles of the Constitution. It follows that the rule of article 23 of this regulation is always enforceable. It states, among other things, that " When the number of students justifies it and when a temple cannot be equipped for founded reasons, their fathers devoted to a religion that is different from the official one can obtain some school buildings for the religious education of their children. The request is addressed to the local education director who, once he hears the school council, can act directly in a positive sense. Otherwise he can refers to the Ministry of Education that decides with the Ministry of Justice and of the Interior. In this measure they have to establish the days and hours of the teaching and the necessary "precautions" .

A small number of students (at least three children) can justify religious education in schools outside of curriculum hours. It is pointed out that teachers must be chosen by the applicant fathers (that is by the ones who have the parental authority) and must have the necessary requirements evaluated by the school authority.

As testimony to the above, a recent programme instrument – the Action and Funding Plan for the implementation of national and local projects for the study of the languages and cultural traditions of linguistic minorities – promoted by the Minister of Education for academic year 2003-2004 is worthy of mention. Projects designed by schools within the scope of the Plan, in the context of their teaching programmes – were evaluated by a technical Commission (re-established through Ministerial Decree n° 113 of 23 October 2002). In this, priority is given to projects involving significant teaching activities for pupils, accompanied by related training initiatives for teachers engaged in minority language activities, and projects able to set up local networks that include not only the schools working in contact with minorities in their areas of reference, but also those schools in which other linguistic minorities are represented.

b. Equal access to education and equal treatment of Italian and foreign pupils in schools

Without prejudice to the Constitutional principle that Italian schools are open to all, whether Italian citizens or foreign nationals (Article 34 Constitution), and without prejudice to all subsequent legislation, both primary and secondary (see below), which seeks to give effect to that principle,

some preliminary statistical data may be of interest on this issue (Source: MURST, *Pupils with non-Italian citizenship – State and other schools – School year 2003-2004*, Rome September 2004).

The number of non-Italian pupils in the school year 2003-2004 was 282,683, or 3.49% of the total school population. In the school year 1991-1993 the number was 30,547, but the increase (of 49,917) is significant even just with respect to the previous year.

The distribution of these pupils in the various types of school (again in school year 2002-2003) was as follows:

> Nursery school:	54,947 (3.83% of the total school population)
> Primary school:	115,277 (4.47% " " " " ")
> Junior high school:	about 67,000 (4.01% " " " ")
> Senior high school:	about 45,000 (1.87% " " " ")
TOTAL:	282,683 (3.49% " " " " ")

Taking the above quantitative data, the following paragraphs provide an overview of some of the provisions intended not just to ensure equal treatment of Italian and foreign pupils, but also to achieve forms of co-existence and integration within the framework of inter-cultural education.

Ministerial Circular n° 301 of 8/09/1989: "Inclusion of foreign pupils in compulsory education: Promotion and coordination of initiatives for the exercise of the right to study".

Ministerial Circular n° 205 of 22/07/1990 – "Compulsory schooling and foreign pupils – Intercultural education" (This Circular introduces the concept *of intercultural education* for the first time).

Article 36 of Act n° 40 of 6/03/1998, which establishes the formative value of linguistic and cultural difference: "in the exercise of teaching and organisational autonomy, schools shall provide, for all pupils, intercultural projects that expand the range of teaching provision, with a view to properly valuing linguistic and cultural differences and promoting initiatives for inclusion and dialogue".

Legislative Decree n° 286 of 25/07/1998 – "*Consolidated text of provisions governing immigration and the status of foreign nationals*" which, in the matter of education, places a particular emphasis on the organisational aspects of schooling, the teaching of Italian as a second language, the maintenance of the language and culture of origin, teacher training and social integration.

D.P.R. n° 39 of 31/08/1999 – "*Regulations containing the implementing provisions of the Consolidated Text of provisions governing immigration and the status of foreign nationals*" (these Regulations also guarantee the right to education for foreign minors, regardless of their legal status).

Ministerial Circular n° 155/2001, designed to support staff engaged in schools experiencing strong immigration processes.

Ministerial Circular n° 160/2001, providing for language courses for non-EU citizens, whether adults or minors.

In terms of implementation, a useful indicator is to measure educational achievement rates (these data are derived from the publication by the Minister of Education *Survey of the results of Pupils of non-Italian citizenship, School year 2003-2004*, Rome, January 2005). From an observation of the

results achieved by Italian and foreign pupils, we can see that foreign pupils achieve consistently lower success rates in the different types of school. The gap between the pass rates for foreign pupils and Italian pupils increases progressively, from primary school to senior high school:

- in primary schools the pass rate is 3.36% higher for Italian pupils;
- in junior high schools the pass rate is 7.06% higher for Italian pupils;
- in senior high schools the gap is 12.56%, again to the advantage of Italian pupils.

The lower success rate for foreign pupils with respect to their Italian counterparts is therefore fairly marked (especially at senior high school level). This difference is, however, 0.96% lower than in the previous school year at primary school level, 1.55% lower at junior high school level and 0.56% lower for senior high school level. The Ministry recognises, however, that the negative results emerging from the above-mentioned publication provide food for further analysis and research.

We also need to consider that a tendency has been noted for foreign pupils to choose shorter educational pathways that provide qualifications that can be "spent" immediately in the labour market, such as the qualifications issued by vocational training institutes.

Also worthy of mention is the presence of foreign nationals in adult learning courses set up by the Minister of Education through its Local Centres, which can be found throughout the country.

It can also be observed from the above-mentioned publication that in school year 2001-2002, 2,219 courses were held for foreign nationals with a view to fostering social and linguistic integration. These were attended by 42,885 people (22,158 men and 20,697 women), with the highest number of courses recorded in the northern regions of the country (notably Lombardy, Veneto and Emilia Romagna).

With respect to teaching activity, the survey carried out by Minister of Education in 2001 into the presence in the educational world of specific policies for the inclusion and integration of foreign pupils, is worthy of note (Source: *The multicultural transformation of society*, MURST – Automation Service and Educational Development Department, Rome, June 2001).

It is worth mentioning here that on the basis of the recent legislation, the distinguishing features of the policies put in place by individual schools are set out in the Formative Provision Plan (FPP), which provides the basic curricular, extra-curricular and organisational template drawn up by each school on the basis of the general guidelines established by teaching staff, joint educational bodies, local authorities and proposals from parents.

The above-mentioned survey, based on random samples, sought to analyse "how much" and "how" the projects designed to foster the integration of foreign pupils have been inserted in the FPPs of individual schools. It emerged that most schools (53.7%) have envisaged intercultural education initiatives in their annual plans. The highest figures are found in junior high schools (56.2%), followed by primary schools (54.7%) and joint primary-junior high schools (54%).

As mentioned earlier, the survey dates from 2001 and does not appear to have been up-dated. We can however assume that the above percentages will have increased, given the increasing commitment within the Ministry to organise multicultural training courses for teaching staff.

Interesting in this respect, not least in view of the outcomes it intends to pursue and which could up-date the data set out above, is the initiative promoted in November 2003 by the Ministry of Labour and Social Policies under the National Operational Programme "Security for the Development of

Southern Italy". This envisages a three-year research project addressed to schools of all grades and categories in southern Italy on the issue of "Schools and Immigration". Funded by the European Union, the aim of the project is to set up a "Standing Observatory on the Status of Immigrants and the State of Reception and Integration Processes in Southern Italy". Partners in the project are the Minister of Justice's Juvenile Courts Department, which will provide the data on training and education for minors in rehabilitation centres, six Regions (Basilicata, Calabria, Campania, Puglia, Sardinia and Sicily) which have experienced substantial flows of immigration, very often involving people in situations of particular disadvantage, and bodies such as the MIP Consortium, the Information Engineering Training and Research Consortium (Politecnico di Milano), CENSIS, and the Psychoanalytical Institute for Social Research (IPRS).

Of particular interest, finally, is the action recently undertaken by Rome City Council with reference to the School Attendance Project for Romany children and adolescents, for the three school years running from 2005 to 2008. This project involves primary, compulsory and senior secondary schooling levels.

The aims of the initiative are:

- to create the conditions for the day-to-day co-existence of children and young people from different cultures;
- to meet the right of each child, regardless of their background, to have access to education and instruments for knowledge that enable them to develop their potential and interact constructively with others;
- to change the attitude to education that is frequently found in adult Roma and Sinti and ensure that schools become the key institution in the formation of the new generations, including for the Romany population.

The general objectives of the project are:

i. to foster the protection of the rights of children in concrete terms as enshrined in the International Convention on the Rights of the Child, by drawing up and implementing the project "Rights for the Camps";
j. to facilitate school attendance, by setting up a service to accompany children to school;
k. to encourage adults to take responsibility for their children's education by promoting actions that change their lack of interest in or opposition to education, and encouraging school-family-city council education pacts;
l. to foster a positive attitude to education in Romany communities, by promoting initiatives in camps with the adults of the community;
m. to improve conditions for learning, by promoting initiatives, including out of school hours, that foster the consolidation of learning and the pursuit of an individual study method;
n. to foster mutual knowledge and integration between the world of education and the Romany culture, by taking part in initiatives promoted by schools to explore that culture, as well as in initiatives promoted by local institutions and bodies to promote mutual knowledge by each party;
o. to encourage education for adolescents who have not attended school regularly, by drawing up individual educational projects which, using local training agencies or creating specific opportunities, enable young people to be included in the social context and in the world of work;
p. to increase and "up-grade" attendance by young children at municipal and state nursery schools, by drawing up an education plan to promote their inclusion, in close liaison with the Educational Coordinators of Municipal Nursery Schools and state Nursery School Managers.

The total value net of VAT of the project tender was €5,832,974.55. The sums allocated for each "lot" of the project were divided thus: 75% for school attendance by Romany children and adolescents, and 25% for the "Rights for the Camps" project. The total number of beneficiaries of

the project was 1,872.

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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Fourth periodic reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

ITALY*

[23 April 2003]

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Introduction

A. Preparation of the present report

1. The present report, like the previous ones, was drawn up as part of the institutional activities of the Interministerial Committee for Human Rights, which was set up by the Minister of Foreign Affairs in 1978. The Committee includes representatives of the government departments involved in the different sectors of activity, along with bodies, associations and academics with special expertise in the field of human rights. The Committee set up a special Working Group after which the secretariat drew up a draft report which was approved in plenary session by the Committee itself. The report was distributed to various non-governmental organizations (NGOs) for comments and observations.

2. In drawing up the present report account was taken of the observations and recommendations formulated by the Committee on Economic, Social and Cultural Rights when the previous report was discussed.

3. It was felt that the report should be divided into two parts, the first dedicated to the follow-up of some of the previous recommendations. It was deemed useful in some cases to refer readers to the discussion of individual issues in the second part of the report, which provides a framework illustrating the implementation of the provisions of the Covenant in Italy during the period 1998-2001. For this second part a particular emphasis was placed on a discussion of the Government's policy approach in the individual sectors covered by the provisions of the Covenant, including the content of the various national plans adopted in 2001. Account was also taken of the new legislation in this area and of administrative practices and procedures.

23. 5. Please indicate whether non-governmental organizations were consulted in the preparation of the Report.

During the editing of the Report, some contacts with a few qualified ONG were started.

23. 6. Please provide information on the implementation of the recommendations contained in the Committee's concluding observations on the third periodic report been of the party.

Italy has considered with greatest attention all recommendations contained in the conclusive observations of the Committee to the third Report on Economic, Social and Cultural Rights. Concerning the appeal of the Committee in favour of an increased international cooperation, please consider the answer given to question n.7 of the present questionnaire. As regard to regard to disabled people, please refer to the answer given to question n. 8. Controls and inspections against illegal labour market are treated in the answer to question n.12. The most recent measures to protect minors from sexual exploitation and trafficking are considered in answer n. 1. Recent measures against discrimination and violence against the women, are contained in answers n.10 and 12. The health and the vulnerable groups issues are treated in answer 29. Education and school abandonment are considered in answers n. 30, 32 and 34. Please carefully consider the whole questionnaire in considering any theme.

B. Political framework

4. The elections of 13 May 2001 saw a reversal of the previous balance of power between the centre-left (known as the "Ulivo", or Olive Tree coalition) and the centre-right coalition which, having emerged victorious from the ballot, immediately gave rise to the second Berlusconi Government. After its appointment the Government presented a programme of action in the form of a package, known as the "Hundred Days" package, containing a complex and varied set of measures.

5. In the economic sector, Law 383 of 18 October 2001 concerning initial measures for the recovery of the economy (known as the "Tremonti bis" Law) was intended to relaunch the economy through measures including fiscal incentives for investment. The incentives for investment and development also include a tax credit equal to the taxes paid by companies on profits distributed to shareholders in order to encourage company capitalization.

6. In the field of the public administration, a sector considered to be strategic in terms of increasing Italy's economic competitiveness internationally, the Government intends to introduce a series of key principles such as efficiency, effectiveness, simplification, accessibility, transparency and quality of service. The central elements of the entire reform process will be technological innovation, the re-engineering of administrative processes and related structures, and the training of staff.

7. In the field of employment, with the bill on "Delegation of powers to the Government in matters concerning employment and the labour market" the increase in the employment rate towards levels agreed in the European Union (EU) context is being pursued, with the involvement of the social partners, by modernizing the public employment services, the key aim being to achieve convergence towards European standards of guarantees, flexibility and participation.

8. One of the priorities of the government plan, in order to facilitate the entry of young people to the world of work, was the implementation of Directive 99/70/EC (in force since 24 October 2001) concerning the framework agreement on fixed-term work. The

implementing provision was Legislative Decree 368/2001, which also took into consideration the agreement signed by the social partners on 4 May 2001.
9. The powers delegated to the Government in labour market issues make it possible to complete the process of bringing Italy into line with its European partners, through the implementation of Directive 93/104/EEC on working time, Directive 94/45/EC on European Works Councils and Directive 1998/24/EC concerning protection against the risks related to chemical agents. In this context all actions designed to resolve the sensitive question of the informal or "submerged" labour market are of considerable importance.
10. To give a concrete response to the morally unacceptable and harmful problem, especially for southern Italy, of the submerged economy, Law 383 (heading I) of 18 October 2001 envisaged fiscal and contributory incentives that increase in proportion to the volume of work "emerging" into the light of day. Incentives designed to regularize informal economic activities can give rise to a series of advantages such as: discouraging forms of unfair competition that are detrimental to legally operating companies; structurally widening the tax base; and ensuring the full benefits of welfare provision for the many workers who are currently excluded from the social insurance system.
11. The sector of the environment and natural resources was also of key interest to the Government. This is demonstrated by the bill concerning "delegated powers to the Government for the review of the legislation governing environmental issues", which sets out the sectors in which action is considered to be necessary.
12. In the field of research the Government's strategic objective is to bring Italy into line with the standards of the principal European countries.
13. Finally, in the health sector the Government has taken steps to tackle the shortcomings of health-care services in the most disadvantaged areas of the country.

1. Please provide information on whether the party' s various national plans on human rights are consistent with the recommendations of the Vienna Declaration and Programme of Action of 1993. Do the various national plans existing in the State party aim to protect and promote economic, social and cultural rights in an integrated and coherent manner?

With reference to the Vienna Conference of June 14-15 of 1993, and to the engagements taken with the relative Declaration and Program of Action, Italy gives the following information, with particular regard to the following points:

POINT 11

In Italy, the following structures and organisms are operating:

NATIONAL COMMITTEE FOR BIOETHICS

The institution of the National Committee for bioethics followed Resolution n.6-00038, approved on July 5th, 1998 by the Law Chamber at the end of a debate on "the problems of life", with which the Government had promoted a discussion, also at international level, on biomedical research and genetic engineering, in the perspective of the respect of human freedom and dignity. The discussion ended up with the proposal of the establishment of an "ad hoc" Committee, with the following tasks:

- *to elaborate a summarizing description of programs, aims and results of research and experimentation in the field of sciences of life and human health;*
- *to show solutions regarding the control mechanisms aimed to ensure both human security and environment safety in the production of biological material, and the protection from any possible risks of patients under genetic therapy or treated with products of the genetic engineering;*
- *to promote the editing of behaviour codes for all those operators of different sectors who have to provide public opinion with correct information..*

The Committee is an organ of the Presidency of the Council of Ministers and has advise functions towards the Government, the Parliament and other institutions. It is also connected with analogous organisms of other countries, in particular EU and CoE member States of. The Committee will also provide information to associations, research centres, local ethical committees, scholars and other citizens.

NATIONAL COMMITTEE FOR SECURITY AND BIOTECHNOLOGIES

The National Committee for Bio-security and Bio-technologies (CNBB), originally named "Scientific Committee for the Risks deriving from the Use of Biological Agents", was established within the Presidency of the Council of Ministers in 1992 by art. 40 of Law no. 14 of February 19th, 1992. That law implemented European Directive 90/220/CEE on the voluntary emission in the environment of microorganisms genetically modified, and European Directive 90/219/CEE on the limited use of such microorganisms.

The Committee has also the institutional task of co-ordinating and integrating programs, initiatives and activities of Ministries and other public or private institutions working in the sector of biotechnology, in order to guarantee the unity and the coherence of different actions.

The co-ordination function, in particular, qualifies the Committee for interacting with all public and private institutions that are interested in biotechnology. The involvement of the Committee is prior to the decisions of the Presidency of the Council of Ministers. In addition, Ministries and public institutions can directly resort to the Committee, both for the procedures that result in a collegiate act and for those of their own competence.

POINT 15

In the framework of EU policy against racism and xenophobia, the Government has always kept anti-Semitism under careful observation, carrying out initiatives to fight the phenomenon through:

- *the constitution of an Office for the promotion of equality of treatment and removal of discrimination founded on race or ethnic origin, according to art. 29 of Law n. 39, March 1st, 2002. This Office is established within the Presidency of the Council of Ministers Department for Equal Opportunities -DPCM 11 DIC 2003.*
  The Office should guarantee, impartially and with full autonomy of judgement, equality of treatment and ensure the effectiveness of instruments adopted to fight discrimination. Moreover, the Office should contribute to remove discriminations founded on race and ethnic origin, also

analysing the different impact they have on men and women and their relationship with other forms of racism founded on cultural and religious grounds.

- *The establishment, within the Ministry of Home Affairs, of the Committee against Discrimination and anti-Semitism, DM 30 GEN 2004.*
  The Committee has also the task to constantly monitor the possible regression towards forms of intolerance, racism, xenophobia and anti-Semitism, and to identify sanctions and educational instruments to effectively oppose every behaviour inspired by religious or racial hatred;

- *The establishment of the Committee for the Recovery of the Bibliographic Property of the Roman Jewish community, plundered in 1943, following the work of the Committee on Events related to the Acquisition of the Goods of Hebrew Italian citizens by public and private organisms-DPCM 26 NOV 2002.*
  The Committee has the task to promote a careful research to clarify the events relating to the bibliographic property of the Roman Jewish community. This property, which is considered by Italian Government as an element of high cultural interest, had been dispersed following the forays committed in the last months of 1943. In the event of the finding of, at least, part of this property, the Committee has also the task to suggest measures aimed at its recovery. In this field, there is also a very active Inter-Ministerial Committee for the recovery of the art works subtracted in the war period 1940-1945.

Italy has, since March, the honour to chair the International Task Force on the Shoah, an international organization, made up by 16 countries, that aims at keeping alive the collective memory of the extermination of millions of Jewish, through teaching, teachers' training and promotion of researches and studies. This Task Force works to transmit to new generations the memory of atrocities committed by Nazis, in order to prevent such annihilation of the human being, resulting from totalitarism, to happen again. During the celebration of the "Day of Memory", on January 27th, 2004, the Chief of Italian Government took the responsibility to do his best to favour dialogue, respect and acceptance among different cultures and religions.

Therefore, the Italian Government strongly supported, during the 2003 European Council that concluded the semester of Italian chairmanship, the EU engagement against any extremism, intolerance and xenophobia. Condemning all actions that prejudice pacific and democratic cohabitation, Italian Government showed its deep worry for the increase in episodes of anti-Semite intolerance, both against religious places and individuals.

Advisory Committee for Religious Freedom

Established by President of Council Decree on March 14th, 1997, and renewed by analogous Decree on March 14th, 2002, the Committee has the following tasks:

- *to study, research and make proposals on the implementation of Constitution principles related to freedom of belief.*
- *to consider issues related to the preparation of agreements with different religions, also giving a preliminary opinion on agreement drafts;*
- *to elaborate guidelines concerning the drawing-up of the such agreements;*

- *to formulate advises, at the request of the President of the Council of Ministers, on the issue of the relationship between State and religions, both in Italy and European Union;*
- *Signalling difficulties in the implementation of laws, including those deriving from international agreements signed by Italy.*

The Parliament is actually working on the following human rights bills:

C.4230 *The introduction of "human rights education" teaching in high schools.*

S.48 *The establishment of an independent Committee for protection and promotion of human rights.*

C.411 *Establishment of a national Ombudsman for people deprived of personal freedom.*

POINT 21

Concerning the rights of the child, the Low Chamber has approved last year important guidelines on child labour, advising the Government to establish the Ombusdman for Adolescence and Childhood, in order to supervise, co-ordinate and support actions in this field. The Parliament has also approved laws concerning family abuse (Law n.304) and financial support to families in need with at least three minors (Law n.133). Moreover, with the approval of Law 77/2003, the Parliament has ratified the European Convention on Rights of the Child.
On February 26, the experimental management of a free national help line "SOS childhood" has been entrusted to the NGO "S.O.S Telefono Azzurro". Moreover, at the end of the year, an agreement has been reached with Internet providers on a self-regulation code "Internet and minors". While the Parliament has kept on discussing on the possible establishment of a national Ombudsman for childhood, many local and regional councils decided to establish such institution at local level.
Italian Presidency has also actively promoted the approval of the EU Guidelines on Children Participation to Armed Conflicts; these guidelines have then been discussed in occasion of the EU Forum on Human Rights, organised in Rome at the end of 2003, on the topic "The Protection of Children according to International Law. In this occasion, Italian Government has reiterated its commitment to work with all competent international organizations and NGOs to fight trafficking in minors and children sexual abuse.

POINT 23

The Low Chamber First Committee on Constitutional Affairs is currently discussing the Government bill (A.CG 5381) modifying the proceeding concerning the recognition of refugee status, in order to properly implement art.10 of Italian Constitution.

Other bills are currently under discussion in the Parliament:

S. 509 *Norms regarding humanitarian protection and asylum right.*

C. 1238 *Rules in matter of humanitarian protection and asylum right.*

C. 1464 Recognition of foreign citizens' right to vote.

2. Please indicate if the State party envisages establishing to national human rights institution in conformity with the Principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles, General Assembly Resolution 48/134, annex).

National organisms operating in the sector of the protection of fundamental rights

*In Italy there is still no independent human rights organism at the national level, as requested by the UN resolution 48/134 of December 20th, 1993(A/RES/48/134). However, in order to comply with such resolution, the Senate is going to discuss very soon a bill (**S.2666**) aiming at the establishment of national committee to guarantee the promotion and the protection of human rights.*
*The only national organism in this field is the **Inter-ministerial Committee on Human Rights (CIDU)**, established within the Ministry of the Foreign Affairs (MFA) with MFA Decree Affairs N. 519, on February 15th, 197. MFA Decree subsequently changed its composition on February 16th, 1998 and on July 2nd, 2003.*
Representatives of the following institutions are Members of the Committee: Presidency of Council of Ministers, Ministry of Foreign Affairs, Ministry of Home Affairs, Ministry of Justice, Ministry of Education, University and Research, Ministry of Health, Ministry of Defence, Ministry of Employment and Social Policies, Ministry for Equal Opportunities, General Command of "Carabinieri", National Council on Economics and Labour (CNEL), National Statistics Institute, Committee for Equal Opportunities, UNESCO Italian Committee, Italian Society for the International Organization (SIOI), UNICEF Italian Committee.
The Committee also includes three distinguished personalities in the field of human rights, named by the Minister of Foreign Affairs for a three years period.

The Committee has the following tasks:

a) to realize a systematic review of all laws, regulations, administrative ad other acts taken by domestic legislative bodies, with particular attention to Government action, in order to carry out the engagements contained in all those human rights international conventions adopted by international organizations to which Italy is a member State;

b) to promote the adoption of all those provisions that are necessary to assure the full fulfilment of international obligations assumed by Italy, including those obligations that will follow, in the future, the ratification of Conventions already signed by Italy;

c) to supervise the observance of international conventions on national territory and the preparation of reports, periodical or not, that Italy is requested to present to the competent international organizations

d) to collaborate in the organization, in Italy, of activities related to international human rights initiatives, such as conferences, seminars and celebrations of "international days", also maintaining contacts with civil society groups that are active in this field.

The Committee, on behalf of Italian Government, prepares and presents to the UN the reports on the implementation of international human rights conventions signed by Italy (Conventions on: Racial Discrimination, Discrimination against Women, Tortures and other Inhuman and Degrading Treatments, Rights of the Child; Covenant on Civil and Political Rights and Covenant on Economic, Social and Cultural Rights). It furthermore supervises the national implementation of the follow-up to Durban Conference and UNGASS.
Law n.80, approved on March 19th, 1999, regulates the funding of the Committee and prescribes the presentation to the Parliament of an annual report on the Committee human rights activities.
Though not including NGOs representatives (its principal task being the presentation of State Reports, a task of strict governmental nature), the Committee has gradually increased its contacts with civil society, involving NGO representatives in the collection of the information necessary to write the above-mentioned reports and organizing consultations and meetings when the contribution of civil society is deemed necessary (for example on: the situation of Roma people, the role of Civic Defenders, racism and discrimination, rights of the child, women's rights, trafficking in human beings). In occasion of the main international human rights events (as the UN Commission on Human Rights, the UNGA Third Committee and Durban and UNGASS Conferences), the Committee organizes meetings with main NGOs to explain them the essential elements of the Italian position. Informal contacts with NGOs and other civil society representatives (universities, movements, associations...) are also kept in order to discuss specific issues or general themes, such as the abolition of capital punishment and the struggle against torture, on which Italy is especially engaged in international fora.

Other organisms

Moreover, there are other human rights organisms:

National Committee on Bio-ethics

Established in 1990 within the Presidency of the Council of Ministers, the Committee has the task to supervise the use of legislative and administrative instruments to define the criteria to be used in medical and biological practice, in order to protect human rights and avoid abuses. Furthermore, the Committee has the task to guarantee that public opinion receive correct information on different topics such as therapeutic treatments and their consequences, diagnostic techniques and the progress of biomedical sciences.

Committee for Equal Opportunities between Men and Women

The Committee has been established in 1984, by a Governmental Decree, under the name of "National Committee for Equality and Equal Opportunities between Men and Women". Law 164/90 has then defined its competencies, expertise, composition, duration and liquid asset. Government Decree n.226, approved on July 31st, 2003, implemented article 13 of Law n.137, July 6th, 2002, gave Committee the current denomination and turned it in an advisory organ, charged with advising and supporting the Minister for Equal Opportunities in the elaboration and implementation of equal opportunity policies.

Its tasks are the following:

a) Making proposals on the elaboration of normative changes necessary to remove any form of direct and indirect discrimination towards women and to conform the legal system to equal

opportunity principles. This task also includes providing necessary information and technical and statistical documentation.

b) Collecting, analysing and elaborating data to check the implementation of equal opportunity policies in political, economic and social life, and proposing initiatives whenever necessary.

c) Drafting an annual report on the implementation of equal opportunities policies.

d) Providing technical and scientific advise on specific issues, at the request of the Minister or the Department for Equal Opportunities;

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UNESCO Italian Committee

The Committee was instituted by an inter-ministerial decree in 1950 and is made up by representatives of the Presidency of the Council of Ministers, other Ministries and public and private institutions, including experts of cultural sector. The Committee also promotes, at national level, UNESCO activities, including the dissemination and promotion of human rights.

National Observatory for childhood and adolescence

The National Observatory for childhood and adolescence, as well as the Parliamentary Committee for Childhood, has been established by Law n.451/97, and then regulated by DPR n.369 of October 5th, 1998. The Observatory is chaired by the Minister of Employment and Social Policies, and has to promote co-ordination among central, regional and local authorities, associations, professional classes and NGOs working on this subject.

The Observatory promotes and guides policies towards children and adolescent; moreover, with the help of the National Centre for Documentation and Analysis for Childhood and Adolescence, it:

a) Prepares every two years the National Plan of action for the protection of children rights and development, also looking for the best way to fund such actions.

b) Prepares every two years the Report on the situation of children and adolescents in Italy and on the implementation of their rights.

c) Contributes to prepare the Government Report to the UN on the implementation of the International Convention on the Rights of the Child of 1989.

The National Observatory for the Childhood and the Adolescence is made up by representatives of several Ministries, institutions and NGOs and makes part of European Network of National Observatories on Childhood.

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Established by Decree of January 30th, 2004, the Committee has the task to constantly monitor the dangers of regression towards forms of intolerance, racism, xenophobia and anti-Semitism, and to identify educational instruments and sanctions to oppose all behaviour inspired by religious or racial hatred.

C. The most significant elements of the general political approach

1. The fight against poverty and social exclusion

14. In Italy the fight against poverty and social exclusion is considered as one of the key elements for economic progress and the development of employment. Inclusion policies start from the assumption that the conditions of social exclusion include forms of material deprivation and social fragility that go beyond material economic poverty or extreme disadvantage to

encompass failures in terms of family and social bonds, housing systems, the networks of support and social integration services, training and employment and social marginalization. This leads to an awareness that to effectively combat phenomena linked to poverty and social exclusion it is necessary to bring into play actions relating to a wide range of policies: "classic social assistance"; poverty reduction policies; modern social protection and social and cultural integration policies; initiatives for the guidance, training and employment of the most vulnerable sections of the population; policies for the development of the social economy; the harmonization of the times and requirements of family life; policies for housing, health, sport and leisure; and policies regarding the development of knowledge and the new information and communication technologies.

2. National plans

15. In consideration of the above, in terms of planning Italy has launched a series of sectorial plans over the past few years addressing specific categories of social exclusion (Action programme for policies regarding disability; Plan of Action for children and adolescents; National Fund for the drugs problem; Programme of interventions for the elderly; and for nursery schools). To these "vertical" plans have been added a series of national-level plans that act in tandem with them: the National Health Plan; the National Employment Plan; the National Education Plan and, above all, the National Plan for Social Actions and Services. This last-named Plan, which was approved in April 2001 in application of the Framework Law on Social Welfare (Law 328/2000), is characterized by its strongly decentralized network

structure, which enables the system to develop at the local level through the regional and area plans, and directly involves local actors in the planning, programming and implementation of policies and actions. This architecture makes it possible to highlight the differences between one area and another regarding the type of disadvantage experienced and consequently to tailor the priorities for intervention to these different needs, working within a framework of interregional benchmarking.

3. The National Plan for Social Actions and Services

16. The social plan approved in April 2001 in application of Law 328/2000 is structured around the following key objectives:

– to provide an integrated system of social actions and services for individuals and families;

– to guarantee the quality of life;

– to prevent, reduce and eliminate conditions of disability;

– to promote the participation of citizens, the contribution of trade union organizations, and social and consumer protection organizations;

– to enhance and support family responsibilities;

– to strengthen interventions to combat poverty;

– to develop measures designed to foster the inclusion of the immigrant population, the prevention of dependency and efforts on behalf of adolescents.

17. The envisaged aims and measures focus on:

– policies and services in the different spheres of the social realm;

– services for individuals and families, supplemented by economic measures;

– active routes for the optimization of resources.

18. The following priority actions are envisaged:

– economic measures to encourage autonomous living conditions and care in their own homes for totally dependent persons;

– actions in support of minors;

– measures in support of women in difficult circumstances;

– actions to promote the full integration of the disabled;

– actions for elderly and disabled people to enable them to go on living at home, with families, or in residential or semi-residential structures;

– integrated social-educational services to combat dependency on drugs, alcohol, and pharmaceuticals, with preventive actions being aimed at recovery and reintegration;

– information and advice for individuals and families to enable them to benefit from services and self-help initiatives;

– measures to provide individuals and families with an integrated system of social services and actions;

– more incisive measures to combat poverty;

– actions to improve the quality of life;

– measures to prevent, eliminate or reduce conditions of disability, need and disadvantage;

– actions to promote the active participation of citizens and the contribution of trade unions and social and consumer-protection organizations;

– the enhancement and support of family responsibilities;

– the strengthening of minors' rights;

– stronger actions to combat poverty;

– support for persons who are not self-sufficient (especially the seriously disabled) in the form of services provided in the home;

– the development of measures to foster the inclusion of the immigrant population, the prevention of dependency and greater efforts to tackle the problems faced by adolescents.

4. The National Action Plan to Combat Exclusion

19. In accordance with the invitation formulated by the Heads of State and Government at the EU Summit, held in Nice in December 2000, in June 2001 Italy presented the first two-year National Action Plan to combat exclusion. The priorities, lines of action, measures and actions of the various national, sectorial and regional plans operating for the period 2000-2003 were drawn together and summarized within this action plan which, taking into account the four principal objectives of the Nice Council, highlights the priorities identified, the actions planned and the measures drawn up for the following areas for action:

– promotion of direct and transverse policies for employment, through the recognition of innovation and the upgrading of education and training systems not just as factors for development, economic growth and employment, but also as key elements to combat the new forms of social exclusion. The key priorities include the need to reinforce the mechanisms operating in the system for employment integration and lifelong learning, the introduction of income support measures with a view to social and employment reintegration; the enhancement of and support for family responsibilities through a greater harmonization of the needs of working life and family life;

– promotion of the participation of all individuals in resources, rights, goods, and services; as priority actions the Plan envisages: the implementation of the new Framework Law (Law 328/2000) which enhances and diversifies the measures and instruments available for access to the social services, with the aim of implementing welfare policies that are able to offer support and protection to individuals throughout their lives; the enhancement of decision-making autonomy for users in the sectors of health care and social welfare and the reduction of informational imbalances (with a view to social-health integration); guaranteed access (especially for the persons and categories most exposed to the risk of exclusion) to the most important public and private services;

– the drawing up of policies for the prevention of the risks of social exclusion by means of measures and actions to combat social exclusion, develop the opportunities provided by the new technologies and safeguard family solidarity;

– actions to combat poverty and actions on behalf of the most vulnerable persons: children and adolescents, the elderly (especially elderly people who are not self-sufficient), the disabled, and actions for the integration of immigrants;

– implementation of an overall policy of subsidiarity and federalism based on solidarity and the realization of a welfare system resting on responsibilities founded on strong involvement by citizens, both as users and as informed actors and consumers; on the

transformation into active players in social policies of local communities, households and citizens; on the collaboration of the various actors (families, volunteer networks, social partners, local authorities) in the planning and implementation of the integrated system of social services and actions; and on the direct involvement of non-profit organizations in the management of services.

20. In order to ensure the coherency and consistency of the interventions taken as a whole, as well as the efficacy of the measures and the flexibility of the planning mechanisms, the Government of Italy has set itself the objective of developing an overall system of social policy monitoring and evaluation; this system will be built up around a core consisting of the Social Policy Observatory as envisaged by Framework Law 328/2000 and the monitoring structures for social actions financed by the structural funds. With regard to measurement instruments Italy, while accepting the seven indicators set out at Stockholm, which are common to all member States, considers them primarily as a starting point, albeit an essential one, from which to identify forms, processes and contexts of situations of social inclusion/exclusion. Therefore, pending the definition of a conceptual framework of reference to be submitted to the attention of the Commission and the other member States, within the Plan a richer and more varied picture has already taken shape in which further aspects are taken into consideration, such as the geographical area of residence, the housing conditions, or the duration of poverty. Some "subjective" indicators (for example, those relating to the perception of poverty) are also presented.

21. The Social Plan is the foundation on which social assistance in Italy will in future be based; moreover, it corresponds, both in its aims and its field of intervention, to the objectives for combating social exclusion that were approved at the European Summit in Nice. Sometimes this response is direct (Nice Objectives 2 to 4) and sometimes - particularly for the first Nice objective (promoting participation in employment) - the response is at one and the same time direct (promotion of employment through new personal services) and indirect (creation of better conditions for the reconciliation of family and working life).

22. Nearly 10 million pensioners live in 40 per cent of Italian households; about 800,000 over-65s receive social pension. In 1999, 4.8 per cent of Italian households, representing about 1,038,000 individuals, were living in a state of absolute poverty; in the regions of southern Italy the figure rises to 11 per cent.

23. The role of the social protection system - other than pensions - is essentially limited to e distribution of income to needy people. On the basis of 1996 data, following the intervention of social protection mechanisms other than pensions the percentage of "poor" people was reduced from 22 to 19 per cent. Old-age and "seniority" pensions (based on the number of years in employment and social insurance contributions) play a very important role in the distribution of income.

24. Absolute poverty, which refers to those who cannot afford a "basket" of items considered to be essential, affects a smaller proportion of the population, as the threshold set by this measure is lower.

I. GENERAL FRAMEWORK WITHIN WHICH THE COVENANT IS IMPLEMENTED

1. Please provide information on whether the party' s various national plans on human rights are consistent with the recommendations of the Vienna Declaration and Programme of Action of 1993.

Do the various national plans existing in the State party aim to protect and promote economic, social and cultural rights in an integrated and coherent manner?

With reference to the Vienna Conference of June 14-15 of 1993, and to the engagements taken with the relative Declaration and Program of Action, Italy gives the following information, with particular regard to the following points:

POINT 11

In Italy, the following structures and organisms are operating:

NATIONAL COMMITTEE FOR BIOETHICS

The institution of the National Committee for bioethics followed Resolution n.6-00038, approved on July 5th, 1998 by the Law Chamber at the end of a debate on "the problems of life", with which the Government had promoted a discussion, also at international level, on biomedical research and genetic engineering, in the perspective of the respect of human freedom and dignity. The discussion ended up with the proposal of the establishment of an "ad hoc" Committee, with the following tasks:

- *to elaborate a summarizing description of programs, aims and results of research and experimentation in the field of sciences of life and human health;*
- *to show solutions regarding the control mechanisms aimed to ensure both human security and environment safety in the production of biological material, and the protection from any possible risks of patients under genetic therapy or treated with products of the genetic engineering;*
- *to promote the editing of behaviour codes for all those operators of different sectors who have to provide public opinion with correct information..*

The Committee is an organ of the Presidency of the Council of Ministers and has advise functions towards the Government, the Parliament and other institutions. It is also connected with analogous organisms of other countries, in particular EU and CoE member States of. The Committee will also provide information to associations, research centres, local ethical committees, scholars and other citizens.

NATIONAL COMMITTEE FOR SECURITY AND BIOTECHNOLOGIES

The National Committee for Bio-security and Bio-technologies (CNBB), originally named "Scientific Committee for the Risks deriving from the Use of Biological Agents", was established within the Presidency of the Council of Ministers in 1992 by art. 40 of Law no. 14 of February 19th, 1992. That law implemented European Directive 90/220/CEE on the voluntary emission in the environment of microorganisms genetically modified, and European Directive 90/219/CEE on the limited use of such microorganisms.

The Committee has also the institutional task of co-ordinating and integrating programs, initiatives and activities of Ministries and other public or private institutions working in the sector of biotechnology, in order to guarantee the unity and the coherence of different actions.

The co-ordination function, in particular, qualifies the Committee for interacting with all public and private institutions that are interested in biotechnology. The involvement of the Committee is prior to the decisions of the Presidency of the Council of Ministers. In addition, Ministries and public institutions can directly resort to the Committee, both for the procedures that result in a collegiate act and for those of their own competence.

POINT 15

In the framework of EU policy against racism and xenophobia, the Government has always kept anti-Semitism under careful observation, carrying out initiatives to fight the phenomenon through:

- *the constitution of an Office for the promotion of equality of treatment and removal of discrimination founded on race or ethnic origin, according to art. 29 of Law n. 39, March 1st, 2002. This Office is established within the Presidency of the Council of Ministers Department for Equal Opportunities -DPCM 11 DIC 2003.*
  The Office should guarantee, impartially and with full autonomy of judgement, equality of treatment and ensure the effectiveness of instruments adopted to fight discrimination. Moreover, the Office should contribute to remove discriminations founded on race and ethnic origin, also analysing the different impact they have on men and women and their relationship with other forms of racism founded on cultural and religious grounds.

- *The establishment, within the Ministry of Home Affairs, of the Committee against Discrimination and anti-Semitism, DM 30 GEN 2004.*
  The Committee has also the task to constantly monitor the possible regression towards forms of intolerance, racism, xenophobia and anti-Semitism, and to identify sanctions and educational instruments to effectively oppose every behaviour inspired by religious or racial hatred;

- *The establishment of the Committee for the Recovery of the Bibliographic Property of the Roman Jewish community, plundered in 1943, following the work of the Committee on Events related to the Acquisition of the Goods of Hebrew Italian citizens by public and private organisms-DPCM 26 NOV 2002.*
  The Committee has the task to promote a careful research to clarify the events relating to the bibliographic property of the Roman Jewish community. This property, which is considered by Italian Government as an element of high cultural interest, had been dispersed following the forays committed in the last months of 1943. In the event of the finding of, at least, part of this property, the Committee has also the task to suggest measures aimed at its recovery. In this field, there is also a very active Inter-Ministerial Committee for the recovery of the art works subtracted in the war period 1940-1945.

Italy has, since March, the honour to chair the International Task Force on the Shoah, an international organization, made up by 16 countries, that aims at keeping alive the collective memory of the extermination of millions of Jewish, through teaching, teachers' training and promotion of researches and studies. This Task Force works to transmit to new generations the memory of atrocities committed by Nazis, in order to prevent such annihilation of the human being, resulting from totalitarism, to happen again. During the celebration of the "Day of Memory", on January 27th, 2004, the Chief of Italian Government took the responsibility to do his best to favour dialogue, respect and acceptance among different cultures and religions.

Therefore, the Italian Government strongly supported, during the 2003 European Council that concluded the semester of Italian chairmanship, the EU engagement against any extremism, intolerance and xenophobia. Condemning all actions that prejudice pacific and democratic cohabitation, Italian Government showed its deep worry for the increase in episodes of anti-Semite intolerance, both against religious places and individuals.

Advisory Committee for Religious Freedom

Established by President of Council Decree on March 14th, 1997, and renewed by analogous Decree on March 14th, 2002, the Committee has the following tasks:

- *to study, research and make proposals on the implementation of Constitution principles related to freedom of belief.*
- *to consider issues related to the preparation of agreements with different religions, also giving a preliminary opinion on agreement drafts;*
- *to elaborate guidelines concerning the drawing-up of the such agreements;*
- *to formulate advises, at the request of the President of the Council of Ministers, on the issue of the relationship between State and religions, both in Italy and European Union;*
- *Signalling difficulties in the implementation of laws, including those deriving from international agreements signed by Italy.*

The Parliament is actually working on the following human rights bills:

C.4230 *The introduction of "human rights education" teaching in high schools.*

S.48 *The establishment of an independent Committee for protection and promotion of human rights.*

C.411 *Establishment of a national Ombudsman for people deprived of personal freedom.*

POINT 21

Concerning the rights of the child, the Low Chamber has approved last year important guidelines on child labour, advising the Government to establish the Ombusdman for Adolescence and Childhood, in order to supervise, co-ordinate and support actions in this field. The Parliament has also approved laws concerning family abuse (Law n.304) and financial support to families in need with at least three minors (Law n.133). Moreover, with the approval of Law 77/2003, the Parliament has ratified the European Convention on Rights of the Child.
On February 26, the experimental management of a free national help line "SOS childhood" has been entrusted to the NGO "S.O.S Telefono Azzurro". Moreover, at the end of the year, an agreement has been reached with Internet providers on a self-regulation code "Internet and minors". While the Parliament has kept on discussing on the possible establishment of a national Ombudsman for childhood, many local and regional councils decided to establish such institution at local level.
Italian Presidency has also actively promoted the approval of the EU Guidelines on Children Participation to Armed Conflicts; these guidelines have then been discussed in occasion of the EU

Forum on Human Rights, organised in Rome at the end of 2003, on the topic "The Protection of Children according to International Law. In this occasion, Italian Government has reiterated its commitment to work with all competent international organizations and NGOs to fight trafficking in minors and children sexual abuse.

POINT 23

The Low Chamber First Committee on Constitutional Affairs is currently discussing the Government bill (A.CG 5381) modifying the proceeding concerning the recognition of refugee status, in order to properly implement art.10 of Italian Constitution.

Other bills are currently under discussion in the Parliament:

***S. 509** Norms regarding humanitarian protection and asylum right.*

***C. 1238** Rules in matter of humanitarian protection and asylum right.*

***C. 1464** Recognition of foreign citizens' right to vote.*

2. Please indicate if the State party envisages establishing to national human rights institution in conformity with the Principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles, General Assembly Resolution 48/134, annex).

National organisms operating in the sector of the protection of fundamental rights

*In Italy there is still no independent human rights organism at the national level, as requested by the UN resolution 48/134 of December 20th, 1993(A/RES/48/134). However, in order to comply with such resolution, the Senate is going to discuss very soon a bill (**S.2666**) aiming at the establishment of national committee to guarantee the promotion and the protection of human rights.*
*The only national organism in this field is the **Inter-ministerial Committee on Human Rights (CIDU)**, established within the Ministry of the Foreign Affairs (MFA) with MFA Decree Affairs N. 519, on February 15th, 197. MFA Decree subsequently changed its composition on February 16th, 1998 and on July 2nd, 2003.*
Representatives of the following institutions are Members of the Committee: Presidency of Council of Ministers, Ministry of Foreign Affairs, Ministry of Home Affairs, Ministry of Justice, Ministry of Education, University and Research, Ministry of Health, Ministry of Defence, Ministry of Employment and Social Policies, Ministry for Equal Opportunities, General Command of "Carabinieri", National Council on Economics and Labour (CNEL), National Statistics Institute, Committee for Equal Opportunities, UNESCO Italian Committee, Italian Society for the International Organization (SIOI), UNICEF Italian Committee.
The Committee also includes three distinguished personalities in the field of human rights, named by the Minister of Foreign Affairs for a three years period.

The Committee has the following tasks:

a) to realize a systematic review of all laws, regulations, administrative ad other acts taken by domestic legislative bodies, with particular attention to Government action, in order to carry out the engagements contained in all those human rights international conventions adopted by international organizations to which Italy is a member State;

b) to promote the adoption of all those provisions that are necessary to assure the full fulfilment of international obligations assumed by Italy, including those obligations that will follow, in the future, the ratification of Conventions already signed by Italy;

c) to supervise the observance of international conventions on national territory and the preparation of reports, periodical or not, that Italy is requested to present to the competent international organizations

d) to collaborate in the organization, in Italy, of activities related to international human rights initiatives, such as conferences, seminars and celebrations of "international days", also maintaining contacts with civil society groups that are active in this field.

The Committee, on behalf of Italian Government, prepares and presents to the UN the reports on the implementation of international human rights conventions signed by Italy (Conventions on: Racial Discrimination, Discrimination against Women, Tortures and other Inhuman and Degrading Treatments, Rights of the Child; Covenant on Civil and Political Rights and Covenant on Economic, Social and Cultural Rights). It furthermore supervises the national implementation of the follow-up to Durban Conference and UNGASS.
Law n.80, approved on March 19th, 1999, regulates the funding of the Committee and prescribes the presentation to the Parliament of an annual report on the Committee human rights activities.
Though not including NGOs representatives (its principal task being the presentation of State Reports, a task of strict governmental nature), the Committee has gradually increased its contacts with civil society, involving NGO representatives in the collection of the information necessary to write the above-mentioned reports and organizing consultations and meetings when the contribution of civil society is deemed necessary (for example on: the situation of Roma people, the role of Civic Defenders, racism and discrimination, rights of the child, women's rights, trafficking in human beings). In occasion of the main international human rights events (as the UN Commission on Human Rights, the UNGA Third Committee and Durban and UNGASS Conferences), the Committee organizes meetings with main NGOs to explain them the essential elements of the Italian position. Informal contacts with NGOs and other civil society representatives (universities, movements, associations...) are also kept in order to discuss specific issues or general themes, such as the abolition of capital punishment and the struggle against torture, on which Italy is especially engaged in international fora.

Other organisms

Moreover, there are other human rights organisms:

National Committee on Bio-ethics

Established in 1990 within the Presidency of the Council of Ministers, the Committee has the task to supervise the use of legislative and administrative instruments to define the criteria to be used in medical and biological practice, in order to protect human rights and avoid abuses. Furthermore, the

Committee has the task to guarantee that public opinion receive correct information on different topics such as therapeutic treatments and their consequences, diagnostic techniques and the progress of biomedical sciences.

Committee for Equal Opportunities between Men and Women

The Committee has been established in 1984, by a Governmental Decree, under the name of "National Committee for Equality and Equal Opportunities between Men and Women". Law 164/90 has then defined its competencies, expertise, composition, duration and liquid asset. Government Decree n.226, approved on July 31st, 2003, implemented article 13 of Law n.137, July 6th, 2002, gave Committee the current denomination and turned it in an advisory organ, charged with advising and supporting the Minister for Equal Opportunities in the elaboration and implementation of equal opportunity policies.

Its tasks are the following:

f) Making proposals on the elaboration of normative changes necessary to remove any form of direct and indirect discrimination towards women and to conform the legal system to equal opportunity principles. This task also includes providing necessary information and technical and statistical documentation.
g) Collecting, analysing and elaborating data to check the implementation of equal opportunity policies in political, economic and social life, and proposing initiatives whenever necessary.
h) Drafting an annual report on the implementation of equal opportunities policies.
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D. Demographic evolution of the population

25. Italy is one of the countries most affected by the ageing of the population. Between 1980 and 1999 life expectancy rose by about five years for both sexes, reaching 75.9 years for men and 82.3 years for women. Over this same period the average number of children born to each woman fell from 1.68 to 1.20. The improvement in survival rates, together with fertility rates well below the generational substitution rate, brought the proportion of elderly people and those over age 80 in the population to 18 per cent and 3.9 per cent, respectively, in 2000.

E. Employment

26. Employment levels have increased: in January 2001 there were 21,272,000 people in employment, an increase of 656,000 (+3.2 per cent) over January 2000. The employment rate

for the population aged 15-64 was 54 per cent, 1.7 percentage points more than at January 2000. This result is a combination of the increase for males (from 66.4 per cent to 67.7 per cent) and also for women in particular (from 38.3 per cent to 40.3 per cent). Again in January 2001 the unemployment rate, slightly down for both men and women, was 10.1 per cent, while the rate for young people in search of work was 29.2 per cent, compared to 32.3 per cent in January 2000.

F. Education

27. The level of educational attainment strongly conditions access to and the quality of knowledge, which is a powerful factor for social inclusion. Secondary school attendance rates have increased in recent years, from 68.3 per cent in 1990/1991 to 82.3 per cent in 1998-1999, an increase that has particularly affected girls. However, the Italian educational and training system presents a wide range of variations. About 5 per cent of young people each year fail to complete their middle-school (lower secondary) education; 3.3 per cent of 18 to 24-year-olds only holds the primary school diploma; 11.8 per cent of young people enrolled at secondary school drop out of the educational system after the first year; and only 38 per cent of those enrolled at university manage to complete their degree course and graduate.

part of people staying at SERT (81,4%) is mostly dependent from heroin, while the subjects which use only cannabis, ecstasy and cocaine represent an insignificant percentage.
These structures, whose beneficiaries are 19.465 subjects, are aimed to the social rehabilitation and are partially conceived as a residence and generally managed by private subjects which work in the social sector.
The government intention is to give full application either to the E.U. Plan and to the recommendation of the U.N in the matter of the reduction of drugs demand and supply, strengthening the initiatives (DPEF 2002-2006) oriented to the prevention of drug-addiction, and to the recovery of the value of the person in his entirety and its reintegration in the world of labour, Among the most important intervention are to be considered the campaigns of information aimed to promote responsible and respectful personal and social life style.

c) ALCOHOL
The reduction of the sanitary and social damages caused by the alcohol is at present one of the most important aims of public welfare.
Several evidences show that people and in particular young people, when they abuse of alcohol, are more frequently inclined to behaviours dangerous for themselves and for the others (drive and work in inadequate psyco-physical conditions) and also inclined to smoke and/or drug-addiction Alcohol acts as one of the way of approaching, especially among the youngest people, the use of illegal substances. The use of alcoholics in Italy has decreased from 1981; however further efforts have been done to reach the aims fixed by OMS and in particular by U.E. for the reduction of the dangers connected to alcohol.

I. Article 13
Education
Right to education
252. At the end of the 1990s basic education had become a reality for almost the totality of the Italian population. As a matter of fact, about 95 per cent of young children at pre-primary school age today receive some type of education and care, and about 100 per cent of the 6- to 14-year-olds receive formal education in primary and lower secondary schools. This generalization of basic education is the main result of the education policy pursued during the past decades. During the late 1990s the policy on basic education had been focused on three main objectives, the most important of which was combating school failure, in particular the phenomenon of dropping out of schools.
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253. As for young children aged 0 to 3 years, Law No. 285 of 28 August 1997 added to *Asili Nido* (nursery schools) new types of social-educational services which can be organized and provided by the families themselves as well as by associations and private groups. Such initiatives benefit from a public financial support in the framework of a special National Fund for Childhood. By 2000 almost all 3-5-year-old children received a pre-primary school education or were in care setting (the proportion was 95.1 per cent in 1998), and the dropout rate at primary and lower secondary school level should be almost completely brought under control. In 1999, the compulsory school age was extended to 15 years, i.e. for a nine-year period (Law No. 9 of 20 January 1999). At the same time a compulsory vocational training and apprenticeship attendance until the age of 18 was introduced for those who will not continue formal schooling

after completing their compulsory education (Law No. 144 of 17 May 1999).

Improving the quality of education at all levels

254. This priority is pursued through a number of initiatives outlined below.

The reform of the school structure and curricula

255. The principle of the school autonomy has been stated by Law No. 59 of 5 March 1997, which gives legal status to every educational institution with didactic and organizational autonomy. This law has been put into effect with the regulations issued in March 1999. The main objective of the school autonomy is to allow for a greater flexibility and the adjustment of the school curricula to the actual needs of the community. In this framework the educational institutions interact with each other and with the local authorities and promote a closer link between the individual needs and potentials on the one hand and the national objectives of the educational system on the other.

256. A reform of the educational cycles approved in February 2000 by the former Parliament (a seven-year basic education cycle followed by a five-year secondary school cycle) should be drastically changed by the new Government formed after the June 2001 elections. The new reform project will retain the old structure of five years of primary school and three years of lower secondary school, reducing from five to four the upper secondary school, and introducing at the age 14 years a compulsory choice between normal and vocational education.

A new scheme of teacher training

257. A new system of pre-primary and primary school teacher training has been established and implemented from the school year 1998/99 in pursuance of the President of the Republic's Decree No. 471 of 31 July 1996 and the inter-ministerial decree of 10 March 1997. Pre-school and primary school teachers have to follow a specific four-year university course. The same legislation introduces a new principle also for secondary school teacher training, namely that future teachers must attend after obtaining their university degree in the discipline they wish to teach, a two-year specialization, postgraduate course at the end of which they are awarded a diploma that will make them eligible to participate in open competitions for a post of fully fledged teacher in public schools.

258. A national programme called *Centri Territoriali Permanenti* (Standing Territorial Centres), which was launched in 1998, is aimed at giving adult illiterates the opportunity to acquire basic education as well as to improve their basic knowledge, skills and competencies.

Investment in education

259. During the 1990s, the Italian education system had been deeply affected by a number of factors, among which the demographic and economic development had a considerable influence on the education policy.

260. The impact on the school system of the decrease in the birth rate became clear during the 1990s during the 90s with a conspicuous decrease in the young population, in particular at pre-primary, primary and lower secondary school age. This trend is not yet over since the fertility rate continued to decrease during the decade, reaching 1.19 in 1999. The decrease in the school population is significant at all levels of education, particularly in compulsory primary education (-8.3 per cent from the school year 1990/91 to 1997/98) and lower secondary school (-20.1 per cent for the same period). Parallel to the decrease in the school population the number of the schools, classes and teachers has been reduced remarkably. The number of schools decreased by 14.7 per cent from 1990 to 1998, while the number of classes decreased by 16 per cent and the number of teachers by 6.6 per cent. As for schools, classes and teachers the gradual decrease in their numbers is also connected with the current policy defined by the

Ministerial Decree of 24 July 1998, which aims at "rationalizing" the school network by grouping small schools, allowing for a higher classroom/pupils ratio, and reducing the number of teachers accordingly.

261. The public expenditure on education has been changing its structure during the current decade following the above-mentioned changes observed in the school population. School construction, for instance, is one of the entries which virtually disappeared from the budget, replaced by restructuring and adjusting the existent buildings, renewing furniture and school equipment, providing ICT, enriching school libraries, etc. Finally a significant change is taking place in the proportion of the expenditure on teaching and non-teaching staff and that for other current expenditure at primary and secondary school level (94.6 per cent for staff in 1992 against 5.4 per cent for other current expenditure while in 1998 it was 89 per cent and 11 per cent, respectively). This means that more resources have been allocated for non-curricular activities like in-service training of teachers, experimentation, educational materials and equipment, etc.

262. As for textbooks, a Decree of the President of the Council of Ministers (27 August 1999) allocated 200 billion lire (about _____ ___#_ _____$_____)_____%__$_____ families with an annual income of less than 30 million lire (about _____#___*_____%__$___ aimed at helping poor families to buy textbooks for their children attending compulsory lower secondary school and the first year of upper secondary school (textbooks are normally provided free of charge for all children attending primary school).

Table 2
National budget - public expenditure on education
(Consolidated balance sheet 1990-1997)

Year	Public expenditure on education National budget (billions of lire)	Expenditure as a percentage of GNP
1990	64 358 860	1 300 438 000 4.95
1994	78 650 613	1 621 445 000 4.85
1995	82 710 706	1 756 933 000 4.71
1996	90 148 554	1 896 022 000 4.75
1997	90 721 823	2 034 380 000 4.46
2000	63 015 741	- -

Source: MPI - Ufficio SISTAN.

Right to education

263. The consolidated financial statements for 1998 and 1999 are not yet available, since the timescale required for the definitive recording of expenditure has not yet expired. The accounts for 2000 are not directly comparable with the data for the consolidated financial statements. One reason for this is a change in the way that the various items are calculated. However, the data show that spending on education is in absolute terms the highest item in the State budget, amounting to 8.72 per cent of the total and 46.7 per cent of the total central government budget (ministries), compared with 3.4 per cent and 18.22 per cent, respectively, for the Ministry of

Defence, which comes next in quantitative terms.

264. Public spending on education also includes the resources allocated by the local authorities for education and training, as indicated in the following table.

Table 3

Public spending on education, 1993-1997

(in billions of lire)

Local administrations 1993 1994 1995 1996 1997

Regions and autonomous provinces

4 353.1 4 483.8 3 880.7 4 814.7 5 225.2

Provinces 3 162.1 3 298.1 3 223.9 3 251.3 3 789.7

Communes 12 618.0 13 024.4 13 045.2 13 268.0 15 071.8

Total 20 133.2 20 806.3 20 149.8 21 334.0 24 086.7

Source: *Elaborazione MPI su Censis-Rapporto* 1999.

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Table 4

School population, by school level and sex

Schools 1990/91 1995/96 1997/98 1999/2000 (*)

Pre-primary schools M/F 1 575 234 1 582 020 1 588 020 915 011

F 788 832 757 931 765 426 441 035

% F/M 48.8 47.9 48.2 48.2

Primary schools M/F 3 069 767 2 816 128 2 820 919 2 570 064

F 1 493 325 1 360 754 1 362 504 1 241 341

% F/M 48.6 48.3 48.3 48.3

Secondary schools M/F 2 261 569 1 901 208 1 809 059 1 686 408

F 1 072 024 901 207 855 685 797 671

% F/M 47.4 47.4 47.3 47.3

Higher secondary schools M/F 2 856 328 2 693 328 2 597 449 2 419 409

F 1 426 347 1 343 578 1 290 932 1 202 446

% F/M 48.9 49.9 49.7 49.7

Totals M/F 9 762 898 8 993 220 8 815 447 7 590 892

F 4 760 528 4 363 470 4 274 547 3 682 493

% F/M 48.8 48.5 48.5 48.5

The teaching of human rights in the Italian education system

Information and promotion

265. The initiatives undertaken by the Ministry of Education to inform students and teachers and raise their awareness of issues connected with the rights contained in the International Covenant on Economic, Social and Cultural Rights can be divided, for ease of analysis, into three levels. In 1997-2000 the Ministry carried out initiatives of the types outlined below.

Legislative

266. In this respect the following are worthy of note:

– Presidential Decree 249/1998 concerning the "Statute of secondary school pupils" which, with reference to the principles of the Italian Constitution and those of the Convention on the Rights of the Child, sets out the framework of social and cultural rights of young people. A particular emphasis is placed on the respect and enhancement of gender identity; freedom of expression, thought, conscience and religion; mutual respect for all persons, regardless of their age or condition, rejecting all forms of ideological, social or cultural barriers. Pupils have a right to take an active and responsible part in school life and to be informed of the decisions and rules

governing it. The Statute reiterates the need to respect the cultural and religious

diversities of pupils and students and the community to which they belong. Schools promote and encourage initiatives to embrace and protect the language and culture of origin of their pupils and to foster the intercultural dimension of education;
– Article 44 of the provision (Presidential Decree 384/1999) implementing Law 40/1998 concerning immigration and the condition of foreigners in Italy sets out the regulations governing the right to education for all, Italians and foreigners alike, without limitations of an administrative nature (which means there is no obligatory requirement for a permit of stay or official certification of previous educational experience, etc.) or of a cultural or social nature. This provision also sets out the obligation to respect the linguistic and religious identity of pupils and to facilitate the integration process.

Operational-organizational

267. The Ministry of Education has put in place an extensive programme to provide teaching staff with information regarding the intercultural dimension of education, through various operational programmes. The principal ones include:
– General information on issues regarding the right to citizenship, linguistic and religious identity and cultural pluralism. This information is provided to all teaching staff in Italian schools through a national distance learning project run in collaboration with RAI-Radiotelevisione italiana, which is currently at the closing stages (see Circular No. 17 of 14 January 2000);
– The introduction of a specific national programme of refresher courses for teachers of arts and foreign language subjects in issues concerning cultural and linguistic mediation and the teaching of Italian as a foreign language (see national employment contract of teaching staff, article 19 of Ministerial Directive 210/1999) for all teachers;
– The publication - coinciding with the fiftieth anniversary of the Universal Declaration of Human Rights - of a special issue of the official review of the Ministry of Education ("*Annali della Pubblica Istruzione*", Nos. 5-6/1999) dedicated to the issue of rights and distributed to all Italian schools.

Didactic-cultural

268. It should be borne in mind that one of the curricular activities carried out by the Ministry of Education is the provision of information and training in human rights issues for all pupils at all levels and types of school, through the Civic Education Programme, which is an integral part of the teaching of history and related subjects. This programme makes specific reference to economic, social and cultural rights, by presenting information on the principal international agreements and conventions in this field.

269. The Ministry of Education also carries out intense institutional activity:
– Through the creation of a ministerial Committee for Inter-Cultural Education which has carried out study, information and advisory activities on all the legislative provisions regarding rights, and at the same time has put in place a wide range of actions for the dissemination within and outside the educational system of key human rights issues (right of citizenship, right to education for all; the study and promotion

of agreements on religious, linguistic rights, etc);
– Through the promotion and support, including financial, for transnational educational cooperation programmes (Mediterranean Programme, European programmes such as Socrates, Leonardo, Youth for Europe, etc.) intended to provide information on and promote the cultural rights not just of young people but of all persons belonging to minorities or in conditions of marginalization, poverty, etc.

270. The strategic role of innovation and the upgrading of education and training systems has also been recognized, not just as factor of development, economic growth and employment, but also as key means of combating the new forms of social exclusion. The Government, which considers the improvement of the quality, variety and integration of education and training facilities to be one of the key points of its political and administrative effort, has implemented a series of initiatives that have made it possible, inter alia, to comply with most of the commitments entered into with the Social Partners in the Pact of 22 December 1998.

The current reforms

Technical-vocational training

271. In Italy the training system for technical specialists has traditionally been based on two pillars: secondary schools specializing in technical subjects and the vocational training run by the regions. In 1999 an important reform was introduced to expand and diversify the second pillar: training for technical specialists of medium and high skill levels, through a system integrating education, training and work. This laid the foundations for the Technical Education and Training System, which aims to provide Italy with a vocational training network that is comparable with those of the other countries of Europe.

University education

272. A diversified "European" university education system has been drawn up that makes it possible to improve the effectiveness of the system, considerably reduce the dropout rate and develop intermediate skills that can be utilized in the labour market, thus reducing youth unemployment. Decree 509/1999 issued by the Ministry for the Universities and Scientific and Technological Research enabled a new system to be drawn up for the organization of university courses. The new system was planned to enter into full effect in the academic year 2001/2002. However, most universities opted to begin trials for the new system, especially in departments such as economics and engineering, with effect from the 2000/2001 academic year.

The priorities of the education and training system in combating exclusion

273. The policies designed to create guided pathways towards employment and to orient training provision with this aim in mind are part of a wider context of profound reforms that have created a series of intersections between the education, training and labour market systems.

274. The Government has set out the following priorities in this respect:
– Improvement of the level and quality of educational qualifications, in view of the close connection between these and the possibility of finding work;
– A reduction of the gap between the labour markets of the centre-north and those of southern Italy, since one of the main barriers to employment in the south is the backwardness and timelag affecting many regions there;
– Access to the job market for young people and those at a high risk of exclusion such as the disabled, immigrants and older people lacking in skills;
– An increase in the possibilities offered to citizens of all ages to access education and training;

– Preventive and remedial actions to tackle the problem of dropping out of education institutions;
– The reduction of social marginalization.

Education and training for non-Italian children and adults

275. Law 40/1998 envisages the promotion of training courses and Italian language courses for foreign children and adults, literacy courses for foreign adults, and opportunities for them to obtain the school leaving certificate covering the period of compulsory education. For immigrants the mere fact of learning Italian and taking part in multicultural education can already be considered a first important level of "training".

The initiatives

276. The new education and training measures can be set within a framework of policies (intended to create a wider range of educational and training opportunities that are in keeping with the needs of the various life stages and accessible to all) that have been put in place through the involvement at various levels of the institutions and the social partners. They aim to e[illegible]nce:
– New integrated training pathways for the periods following compulsory schooling and the diploma to provide people with professional and technical skills that can be applied in the production of goods and services of high technological and organizational complexity;

– The development of apprenticeships, considered to be an important channel for the enhancement of skills and employment opportunities. This initiative would also extend the field of application, the duration and the age group covered (in 2000, 73,000 apprentices entered training).

277. The National Operational Programme drawn up by the Education Ministry for 2000-2006 includes the following measures:
– Personalized diagnosis for incoming pupils and redefinition of cognitive maps in relation to individuals' specific experience and their family backgrounds and environment;
– Additional educational pathways external to schools (integrated school/training e[illegible]rience);
– Additional educational pathways external to schools (extracurricular experience, workshop activities, incentives for canteens, transport);
– Personalized counselling to provide guidance with education and training decisions and facilitate entry into active life, integrated school/training;
– Wide use of various forms of work experience;
– Awareness-raising and involvement of families in school life;
– Introduction of training credits;
– Development of support infrastructure.

Support infrastructure

278. The construction and enhancement of the support infrastructure are a precondition to develop greater social integration and support any initiative designed to reduce the educational dropout rate. It is therefore essential to reinforce the initiatives designed to create the appropriate infrastructure for the training of young people. These include "resource centres to reduce the dropout rate" (for example, scientific-technological guidance workshops, workshops for environmental analysis or the simulation of production processes, structures for linguistic or

expressive studies) and "resource centres for social inclusion and integration in peripheral areas" (such as training workshops for crafts, information technologies and remote connection systems, "light" structures for recreation and socialization).

30. Law 40/1998 on immigration and the conditions of foreigners in Italy accords children of Italians and foreigners equal access to free and compulsory education. Please explain whether children of immigrants, refugees and asylum-seekers are afforded the same treatments ad nationals.

Equality of access to the education and equality of school treatment between Italian and foreign pupils

Starting from the basic constitutional provisions, and the successive rules of application, for which Italian school is opened to everybody, citizens or foreigners (art.34 Cost), a few statistical data of the Ministry of Education, University and Research (2002-2003 –Private and Public Schools) show that: Foreign pupils are 232.766 and represent a percentage of 2,96% on the total of the school population. They were 30.547 in 1992-1993 with a significant raise respect to the previous school year (+50.999). Their distribution in the different types of schools (2002-2003) is as follows:

> school:	*48.356*	*(3,40% on the total of the school population)*
> Primary school:		*95.346 (3,75% "" "" ")*
> Secondary school:		*55.888 (3,46% "" "" ")*
> Upper school:		*33.176 (1,45% "" "" ")*
TOTAL:		*232.766 (2,96% "" "" ")*

Besides statistics, there are some jurisdictional provisions, which grant not only an equal treatment between Italian and foreign pupils, but also ensure the best conditions for a common life and for the integration in the framework of an intercultural education:

C.M. 09/8/1989, no.. 301, "Integration of foreign pupils in the obligatory school - Promotion and co-ordination of the initiatives for the application of the right to study".

C.M. 07/22/1990, no.. 205, "The obligatory school and foreign pupil - The intercultural education" (this circular introduces, for the first time, the concept of intercultural education).

L. 03/6/1998, no.. 40, art. 36, which underlines the educational importance of the linguistic and cultural differences: "In the realization of didactic and organizational autonomy, the school institutions carry out for all the pupils, intercultural projects aimed to the extension of the formative offer, to the improvement of the linguistic and cultural differences and the promotion of initiatives of hospitality and exchange".

D.L. 07/25/1998, no.. 286-"Legislative Text concerning the discipline of the immigration and the rules on the condition of foreigners", which, in the educational matter, emphasizes the organizational aspects of the school, the teaching of Italian as second language, the maintenance of original language and culture, the training of teachers aimed to the social integration.

D.P.R. 08/31/1999, no.. 39-" Regulations of application of the legislative text concerning the discipline of the immigration and the rules on the condition of the foreigner " (such a regulation, moreover, apart from the juridical position of foreign minors, guarantees them the right to the education).

C.M. no.. 155/2001, aimed to support the staff engaged in schools with high migratory flows.

C.M. no.. 160/2001, aimed to set up language courses for non-E.U. adults and minors citizens.

Actually, a significant statistic element could be the evaluation of the school success (the data are drawn by the mentioned publication).

For the primary and secondary schools, the interpretation of data during the considered three-year period (from 1999-2000 to 2001-2002) and their stability in the time put in evidence that:
- in the primary school the gap between the results of the final examinations of foreign pupils and those of other pupils is slightly higher of a 2% in favour of these lasts;
- in the secondary school this gap reaches about 8% (always in favour of the pupils considered all together);
- the same gap (8%) is registered in the secondary school.

Therefore, the different gap between school improvement of foreign pupils with respect to that of Italian pupils appears of a certain importance with reference to secondary and upper schools; the Ministry recognizes that such a datum should be considered with special analyses and wider researches.
It should also be considered the trend of foreign students to choose shorter educational courses, such as the professional institutes, whose certificates let them easily enter the world of jobs..
It must also be mentioned the presence of foreigners in adults courses, instituted by the M.I.U.R. through the Permanent Territorial Centers, based in all the Country areas.
Moreover the courses settled for the linguistic and social integration of foreign citizens, in the 2001-2002, are 2.219, with 42.855 students registered (22.158 men and 20.697 women), with a majority in the northern areas (especially Lombardia, Veneto, Emilia-Romagna).
For what concerns the didactic activity, the M.I.U.R. carried out a research in the year 2001, on the presence in the school of specific policies for the insertion and the integration of the foreign pupils (MIUR. "The society transformation" Rome, June 2001).
The recent provisions underline the distinctive elements of the policies which the single institutes have to carry out in their Plan of Formative Proposals (P.O.F), which constitutes the formative plans every single institute has to elaborate, following the general addresses established by the School College Representatives, the territorial corporations and the proposals of the parents for the most complete drawing up of each personal curriculum.
This research tried to analyse in which way projects aiming to the integration of the foreign pupils were inserted by the single institutes in their own framework
The results were that best part of institutes (53,7%) inserted in their yearly planning initiatives of intercultural education. The best results have been found in the secondary schools (56,2%), in the primary schools (54,7%) and in institutes including primary and secondary schools (54%).
The research is dated 2001 and it hasn't not yet been updated.
However, it must be considered that the said percentages are susceptible to increase, considered the growing commitment of the administration in planning courses for the multicultural training of of the teaching staff.

31. Please explain why, despite the considerable budgetary allocations to education, there is a decrease in the number of school population, especially at the pre-primary, primary and lower

secondary schools. Is the drop in the birth rate the sole reason for this decrease? Please indicate whether school attendance by children of immigrants has reversed this trend.

Following data published by MIUR in the yearly issue "Pupils with no Italian citizenship – Public and private schools (June 2002), it can be deduced that in our country non Italian students (181.167-2001-2002), though representing a percentage of 2,3% of the whole national school population, and lower than the one desumed in other important European Countries (for instance, England, France, Germany, Belgium or Holland) and in any case lower than the incidence of the immigrant population on the whole Italian population in his complex (4,2%, also considering minors without permit of stay and the one that will become regular), however show a rate of annual increase (+23,3% with respect to 2000-2001, when they were beyond 147.000 and the 1,8% of the whole students in Italy) and underlines an always more important presence in our country.
It is sufficient to notice that in the last 5 school years the foreign pupils are even more than trebled (in1996-1997 were in fact only 57.600, the 0,7% of the students registered in the national schools, and then the five-year increase has been of 215,6%), while in less than 20 years their numerical consistency is practically increased by 30 times (in 1983-1984 they were just 6.104, less than 0,1% than all the pupils counted in the Country). In that way, small towns, which till ten years ago never had, if not in exceptional cases, significant presence of foreign pupils in their schools, at present they have a better amount with respect to the big urban centers.
Furthermore, considering the remarkable trend of growth of foreign students in the schools – an increase decidedly accelerated with respect to the rate of physiological increase in the immigrant population in his complex – in 2002 led the MIUR to revise the criteria used to draw up statistics on the presence of not Italian pupils in a 15 years period, connecting it in a more direct way to the greater growth speed of the immigrants until 18 years of age in the Country.

32. How serious is the problem of dropouts in the State party, especially at the secondary level of education, and what effective measures have been taken to combat it?

The school dispersion, phenomenon which in the last decades underwent a sensible reduction, settled in the primary schools at "physiological" levels, while it is still significant but restricted, in secondary schools. In upper schools, with slight differences with respect to the last school year, the professional and artistic institutes settled as the most demanded.
This is the situation which emerges from the research on the school dispersion realized by the Statistics Bureau of The Ministry Of The Education considering the school year 2001-02. The research concerns the public primary, secondary and upper school students who formally retired within the law terms (excluding those who moved to other schools), students who were not examined because of their absences, students which went out of the circuit of education after they finished the obligatory school without however getting certificates or diplomas..
The research is not exhaustive of the phenomena of abandonment and escape, however it analyses a few important aspects connected to situations of school dispersion which can provide reliable indications on this matter.
For what concerns primary schools, data resulting from the abandonment of school (students registered but not attending or interruptions not formalized) the percentage is about 0,8%, slightly higher than the past year. Any way forwhat concerns school attendance, few cases observed can determine changes and in terms of a hundredth part of per cent unity. Furthermore, the totality of the cases is almost constituted by nomad students whose families decide of move elsewhere without to give

warning or not send the children any more to school: it is this the case, for instance, in which there has been an increase in 0,005% with respect to the last year.
In secondary schools, where values are higher (in 2001-02 the 0,31% of the students abandoned the school), the trend of the last few years has been quite regular, and the values of Italy are at half between those of the southern and insular allotments and those of the Center and North.. The greater concentration of abandonments (0,23% national) is present between the pupils "never attending even though registered", with tips of the 0,45% in the South (0,70 in Calabria) and 0,34% in the islands. Also in this kind of school values are influenced by the choices made by the pupils of nomad origin, which, however, constitute only a part of those who interrupt the studies.
In the upper schools the total percentage of the students who are not evaluated was equal to 4,62% against the 4,54% of the previous year. The increase of the number of students who haven't been is present in all types of education except in the scientific secondary schools whose number is reduced (from 2,15% to 1,84%). From the exam of the typology of the students not evaluated the number of retired students are officially lightly increased (from 2,77% to 2,93%) while the ones withdrawn for other reasons are decreased (from 1,77% to 1,68%). As for the past the school dispersion regards more the professional institutes (8,93%) and school of arts (6,49%) while the phenomenon is quite restricted in the scientific secondary schools (1,84%). The first year of course is the most risky which, even though with respect to the previous school year he registered a light loss for a few types of education, altogether in Italy saw an abstention from the studies of 6,4% with a peak in the islands equal to 10,21%.

34. The State party' s report states that the rights of linguistic and religious minority groups are respected in education. Please explain how these minority rights are actually being implemented.

The range of constitutional rules provided for the protection of the religious freedom is wide. Here below a synthetic review.

Art. 2: It recognizes and guarantees the inviolable rights of the man, also considered the social formations in which his personality is developed.
Art. 3: It sanctions the principle of non discrimination, also with respect to the religion by whoever professed.
Art. 7: It sanctions the reciprocal independence between the State and Catholic church, each being sovereign in its order.
Art. 8: It provides for the same juridical treatment and freedom for the all the religious confessions.
Art. 19: It recognizes the freedom of religion and cult for anyone.
Art. 20: It sanctions the prohibition of special legislative limitations and special taxes for the constitution, juridical capacity and capacity of acting of the religious corporations.

For what concerns, in particular, religious education, the new Agreement stipulated between Italian Government and the Holy Seat on February 8th, 1984, while it abrogated art. 1 of the Treaty (for which "Catholic, Apostolic and Roman religion is the only religion of the state")), it has at the same time established the engagement of the Italian Government to ensure the teaching of the Catholic religion in the public schools (excluded University), however ensuring each school the right to choose if teaching or not, without to be cause for that of any discrimination; students who do not choose Catholic religion can follow an alternative teaching proposed by the college of the teachers or can make individual study or can be free from any obligation during this lesson (as confirmed from the sentence of the Italian Constitutional Court no. 2003 of April 11-12th, 1989).