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**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR
THE PROTECTION OF NATIONAL MINORITIES**

**COMMENTS OF THE GOVERNMENT OF ITALY
ON THE THIRD OPINION OF THE ADVISORY COMMITTEE ON THE
IMPLEMENTATION OF THE FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES
BY ITALY**

(received on 30 May 2011)

**ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL
MINORITIES**

Third Opinion on Italy adopted on 15th October 2010

Comments written by the Italian authorities

Introduction

The following considerations are submitted in response to the Third Opinion (hereinafter: the Opinion) of the Advisory Committee on the Framework Convention for the Protection of National Minorities (hereinafter: the Advisory Committee) adopted in Strasbourg on 15th October 2010 with No. ACFC/OP/III (2010)008 and concerning the report of Italy (hereinafter: the Report). They were drafted relying on the contributions provided by the competent Administrations and by other actors implied in the implementation of the Convention.

First of all the Italian Government would like to stress its commitment to a constructive dialogue with the Advisory Committee, which must draw inspiration from the principles of an open approach, cooperation and transparency.

In the framework of its priority commitment towards the promotion and the protection of human rights and fundamental freedoms, Italy will continue to support the aims of the Framework Convention.

For the sake of completeness and for an easier reading, all considerations were listed in connection with the corresponding paragraphs of the Opinion.

Executive summary

As a preliminary remark it is worth mentioning that the Italian legal system envisages a specific system of criminal protection to counter expressions of racism and xenophobia, which include expressions of thoughts aimed at disseminating ideas based on racial or ethnic superiority or hate as well as at the incitement to commit acts of discrimination or of violence for racial, ethnic and/or religious reasons.

The legislation punishes the setting up of organizations, associations, movements or groups which, among others, incite discrimination or violence for racial, ethnic and/or religious reasons; furthermore it lays down a special aggravating circumstance for all crimes committed with a view to discrimination or racial hatred.

Over the last few years many initiatives in our country have strengthened the protection and promotion of the rights of persons belonging to minority linguistic minorities. There has also been a considerable increase of the regional legislation aimed at the promotion of local languages and culture.

According to Ruling No. 159/2009 of the Constitutional Court, this protection is a fundamental principle of the Italian legal system – it is a meeting point among other “supreme” principles, such as the principle of pluralism and the principle of equality.

The Department of Regional Affairs of the Presidency of the Council of Ministers has accepted a proposal made by the Technical Advisory Committee for the Protection of Historical Linguistic Minorities, which gives its opinion on the projects submitted according to Law No. 482/99; as a result the Department has allocated the resources necessary for the setting up (or for the continuation of the activity) of linguistic helpdesks, which, according to the experience acquired so far, are the real contact point between the minority language speaking population and the public administration.

As regards the concern reported in connection with the extremely limited human resources employed in the linguistic helpdesks and to their limited working hours, it should be borne in mind that in a time when all expenditures of the State Budget are cut to face the economic crisis, it is unavoidable that the funds allocated for the protection of historical linguistic minorities are also decreased.

However it must be taken into account that in regions such as Valle d’Aosta/Vallée d’Aoste, Friuli Venezia-Giulia and Sardegna or Trentino/South Tyrol ad hoc legislations exist which considerably supplement state funds intended for linguistic minorities and which favour the promotion of minority languages and culture at all levels; therefore considerable expectation is laid on the forthcoming joint programmes, drafted under the point of view of subsidiarity and diversification.

Hence, it is possible to draw a positive balance on the implementation of law No. 482/1999, as it is shown by the increase in the demand to use the minority languages, by a greater awareness of their value, by the cultural and social progress of the communities concerned, by the organization of official events and by the preservation of the written heritage.

As far as the protection of Roma and Sinti communities is concerned, the Italian Government is making use of considerable national and community resources in order to:

- *Monitor the real size of the settlements;*
- *Favour the social inclusion of the communities;*
- *Confirm actions that tend at overcoming camps;*
- *Improve the scholarisation of minors;*
- *Provide employment opportunities.*

Local authorities have adopted many initiatives aimed at integration, including the assignment of housing units, access to education, to training and to vocational training, cultural mediation and medical assistance.

In any case it is necessary to start a synergic action among European States to better carry out the fight against the exclusion of Roma, which is a priority for the Italian Government.

Art. 3 of the Framework Convention (paragraphs 37- 38)

The Italian Authorities share the content of **paragraph 12** of the Opinion concerning the positive developments reported at local and regional levels in connection with the protection of linguistic minorities and preservation of their identity. More specifically they confirm that it is important that **the demarcation of municipalities traditionally inhabited by the Slovene minority has been completed , to which four new municipalities have been added**, three in the province of Torino (Franco-Provençal minority) and one in the province of Catanzaro (Albanian minority).

In consideration of the complex demographic, linguistic and cultural conditions existing in the Country, the asymmetric system of protection of minorities adequately meets existing needs, in compliance with the principles enshrined in the Framework Convention.

As regards the controversy concerning the inclusion of the populations settled in the valleys of Resia, Natisone and Torre (in the province of Udine) (**paragraphs 38-41**), especially in connection with the **measures adopted to protect the Slovenian minority (paragraph 38)**, both the Prefect of Udine and the Joint Committee for the Slovenian Minority are committed to finding the most adequate solutions for the protection of the Resian language – a form of linguistic and cultural heritage that is not dependant on the linguistic definition given to it. The dialogue with the representatives of the municipality of Resia continues.

The Status of Roma and Sinti (paragraphs 44-48)

Among the various communities of Roma, there exist very different legal situations as these groups include Italian citizens, European Union citizens, Third Country nationals as well as persons who have lost their origin **citizenship** as a result of geopolitical events. From a legal viewpoint, each of these groups has a story of its own.

There is no specific legal framework for Roma, however there are various bills as well as studies which demonstrate to what extent the problem is felt both at political and social level.

Despite the lack of a national legal framework, the Italian Government **supports** the Roma and Sinti populations **through specific measures**, particularly in connection with education, housing and inclusion in the labour market.

Such specific measures, whether adequate or not, can be considered as a form of recognition in substantial terms, as a formal recognition of the Roma community as a minority is missing. The multiplicity of the provisions that have been adopted does not apparently indicate that the legal system rejects a recognition of the Roma and Sinti as national minorities, it rather contains an **implicit**, sectoral, diversified **recognition**, which mirrors the complex institutional structure envisaged by the Italian legal system.

On 9th February 2011, the Senate Special Committee for the Protection and Promotion of Human Rights adopted its **Final Report on the Survey of the Condition of Roma, Sinti and Travellers in Italy**, with the unanimous vote of all parliamentary groups. This work is the result of research, interviews and visits at

Roma communities and its aim is providing a shared knowledge basis for parliamentary debates to make them more constructive.

The report envisages the proposal of a flexible national plan on Roma and Sinti, which also favours the use of European resources allocated to integration policies.

However, it is not possible to conclude that such a complex issue has a univocal, homogeneous solution – recent experience shows that practical, diversified reactions can yield tangible results implying a complex structure, decentralization and direct accountability of local authorities.

Ethnic data collection (paragraphs 49-51)

Any census of ethnic type requires a clear understanding of linguistic groups. The present legislation (Laws No. 482/1999 and No. 38/2001) envisages that the identification of minorities is based on their historical presence and does not depend on the size of the minority in a given area.

Furthermore, it should be mentioned that following integration process, with many mixed marriages and bilingual families, an increased number of persons opt for a double linguistic identity when choosing one's own linguistic affiliation.

The Census of the Roma (paragraphs 54-57)

The Government would like to reiterate that the census of the populations living in nomad camps in Lombardia, Lazio and Campania ended on 15th October 2008 and it was carried out by the Prefects of Milan, Rome and Naples, acting as Government Commissioners.

The census was a preliminary, fundamental stage of a process in which the Italian authorities are to adopt social and integration measures aimed at improving the living conditions of the Roma population.

As far as the procedure is concerned, no data concerning ethnic origin or religion were collected and the sole aim of the collection was gathering information necessary to draft the above mentioned measures.

The Guidelines for Person Identification laid down by the Ministry of the Interior were endorsed by “The Independent National Authority for the Protection of Personal Data”. The Guidelines indicate that:

- The Government must comply with the general principles of the national legal system, as well as with the relevant EU Directives; furthermore it must ensure that the fundamental rights and human dignity of involved persons are fully respected;
- Intentions, measures and effects that may lead, including indirectly to a profiling based on community membership or ethnic origin, given that nomad camps normally host persons belonging to various ethnic groups and with different citizenships, including Italians;
- There must not be reference to the possibility of setting up separate databases. The personal data that were collected must be used in compliance with relevant national rules and provisions for a

numerical study of the camps and as a means to guarantee the improvement of living standards in authorized camps and access to social services, in particular for most vulnerable persons likely to be abused and exploited, as is the case for Roma children;

- In case it is impossible to identify persons by means of documents or of facts, fingerprinting may be carried out as envisaged by the law and fully respecting the dignity of the persons concerned; children can be fingerprinted when this is necessary to prevent any form of exploitation or abuse.
- The personal data that have been collected will not be used to set up separate databanks or archives; they will only be used for administrative purposes, as provided for by the law (application to acquire the Italian citizenship, residence permits, population register offices, deportations, etc.).

As regards the outcome of the census, 167 camps were identified out of which 124 were non authorized and 43 were authorized; the number of persons amounted to 12,300, out of which 5,400 were children. The procedure was carried out by the National Police in close cooperation with the Italian Red Cross and the Municipal Police Forces.

By way of example, it is worth mentioning the setting up of the village of Caivano (Naples), which was made possible after the census through an extraordinary measure, i.e. the appointment of the Prefect as extraordinary Commissioner and the utilization of areas seized to organized crime groups. The village hosts 120 persons, living in the area on a permanent basis.

Articles 4-6 of the Framework Convention

Anti-discrimination legal and institutional framework (paragraphs 60-72)

In the Third Opinion no particular criticisms are leveled against the activity of UNAR, but rather it is recommended to provide the office with adequate human and financial resources and to widen its scope of action by empowering it to carry out legal action to protect the victims of discrimination.

These considerations refer to possible structural modifications, that can only be carried out through legislative interventions.

With specific reference to the relatively low number of civil actions against discrimination (68) carried out in compliance with art. 44 of legislative Decree No. 286/98 and art. 4 of legislative decree No. 215/2003 as well as to the insufficient number of Regional Observatories against Discrimination, Italy reiterates what has already been outlined to the Delegation of the Council of Europe during its visit in June 2010.

As far as the former criticism is concerned, Italian lawmakers intended to provide **foreign citizens who are victims of discrimination with a preferential form of treatment**, even before Community directive EC 2000/43 was adopted; **they introduced a special procedure according to art. 44 of legislative decree No. 286/1998**. This special procedure was immediately reiterated by art. 4 of legislative decree No. 215/2003 as a primary form of protection.

The aim of this instrument is providing an ad hoc civil jurisdictional protection, which is both immediate and effective, in cases of violations of fundamental rights caused by discriminatory behaviours; the instrument is based on the pattern of the precautionary procedure and it makes it possible to remove the discrimination and to sentence the respondent to moral damages compensation, following a full trial confirming that the actual violation of the right did occur.

The civil action in a case of racial discrimination as envisaged by the above mentioned art. 44, par. 2 of legislative decree No. 286/1998 starts with the lodging of a petition, including personally by the applicant, at the office of the clerk of the Court in the place where the applicant has his/her domicile. The civil action is subdivided in a preliminary summary phase and in a subsequent full trial, which starts upon the adoption of the precautionary measure of either acceptance or rejection of the application. The full trial phase ends with a sentence. In these types of cases, the Ordinary (Civil) Judicial Authority retains its competence even when the discriminatory behavior is connected with the issuing of an administrative document. In such cases the Ordinary (Civil) Judge is entitled to order that the discriminatory act is removed, provided he is convinced that the discrimination actually exists.

Despite its simple nature, this instrument is rarely used in practice, on account of both the following reasons: little, sometimes non-existent knowledge of this protection system by the victim and costs of the procedure, which are often incompatible with the poverty of the victim.

To offset these hindrances, **UNAR** has intervened in all possible jurisdictional spheres.

First of all, as UNAR has no standing to litigate, **the relations with associations and bodies entitled to act in the name and on behalf or in support of discrimination victims were strengthened** (art. 5 legislative decree No. 215 of 9.7.2003)

Starting in May 2010, eight regional meetings with the associations and bodies included in the Register of Associations and Bodies active in the area of the fight against discrimination which was established at the department of Equal Opportunities. As a result it was possible to acquire an updated picture of the various local situations as well as to assess best practices and difficulties of intervention.

The regions involved were Lazio, Campania, Sicilia, Calabria, Lombardia, Piemonte, Toscana, Emilia Romagna; 93 associations participated in the meetings; a further 25 also participated on account of their activities at local level, although they are not yet included in the above mentioned Register.

On 9th April 2010 the Minister of Labour and Social Policies and the Minister of Equal Opportunities signed an interministerial decree, which updated the list of associations and bodies and recognized the standing to litigate to 458 bodies as against only 321 included in the previous interministerial decree.

Furthermore, UNAR has started a fruitful **cooperation with legal professionals** to favour the access of victims to the civil action; to this end UNAR signed many memoranda of understanding with well known associations of professionals in order to provide free legal aid to victims.

UNAR also urged lawmakers to take action by submitting effective legislative updates in its yearly Report to Parliament to counter the malfunctioning of the free legal aid system (including by establishing an ad hoc Solidarity Fund for discrimination victims); in line with the recent reform of the entire Italian civil trial system now heading towards the introduction of a preliminary compulsory phase of conciliation (Law No. 69/2009), UNAR also envisaged the setting up of ad hoc conciliation bodies provided with examining and decision-making powers.

In connection with the **Observatories on discrimination** envisaged by art. 44, par. 12 of legislative decree No. 286/98, the Advisory Committee recommended an intervention and urged that they are implemented.

In this connection, thanks to the constant work of UNAR, the results achieved in this sector in the previous year have been absolutely favourable.

Actually in the years 2009 and 2010 UNAR initiated an organic system of interventions including guidelines, training itineraries and strategic proposals aimed at the promotion and coordination of the **Centres for the Observation, Information and Legal Assistance** to foreigners who are victims of discrimination for racial, ethnic, national or religious reasons.

The final objective is achieving a governance of a **Network of Territorial Antennas**, based on public/private partnerships, promoted at regional and local level to spread the culture of non-discrimination.

The project of UNAR is in line with the provisions of art. 44, par. 12 of legislative decree No. 286/98 which states as follows: *“The task of setting up centres of observation, information and legal assistance for foreigners who are victims of discrimination for racial, ethnic, national or religious reasons falls under the responsibility of Regions, in collaboration with Provinces, Municipalities, immigrants’ associations and social volunteers’ associations”*.

The aim is being able to detect discrimination acts for ethnic-racial reasons at local level over the next few years and report them to UNAR, which would in turn provide legal and scientific support as well as process statistical data and prepare analyses and interpretations.

Thus, local authorities, associations, helpdesks for immigrants and observatories will be enabled to share a similar modality of intervention for the prevention and the fight against racial discrimination; this will also be possible through an electronic interaction platform capable of collecting in a standardized way the reports received by the Centres, monitoring in real time the discrimination cases both at local and at national level, as it works as an interface among the various structures and between them and UNAR.

Finally, in the light of the concern expressed by the Committee concerning the situation of the **Roma and Sinti** in Italy, it is worth mentioning a synthesis of the following initiatives taken in order to guarantee the respect of the fundamental rights of this population in terms of both the **prevention and the fight of discrimination** and in connection with the carrying out of **awareness raising campaigns** aimed at countering the most common prejudices and stereotypes.

Since its setting up, UNAR has given specific attention to the problems related to the Roma, Sinti and Travellers.

The study of racial discrimination cases reported to the **Contact Center of UNAR** made it possible to focus the activity of UNAR towards this specific sector, as they have increased over the last few years and essentially referred to education and housing – two sectors in which the needs of these populations can be perceived. In some cases UNAR has given a decisive contribution towards the elimination of an unequal treatment ; in other cases, as the facts reported to UNAR suggested that a crime might have been committed, UNAR reported them to the competent Judicial Authority, as it considered that no other type of intervention was possible.

The following interventions of UNAR are particularly important: removal of discriminatory measures or of administrative practices violating the principle of equal treatment.

The actions of UNAR to **support Roma associations** are equally meaningful – they aim at guaranteeing the right to education and at reaffirming the ban on segregational practices in schools, or at allowing free access to bar, restaurants and similar establishments to Roma or Sinti persons.

The regular meetings with Roma associations made it possible to have a complete picture of the main problems affecting this population as well as to utilize the intermediary role carried out by the associations to know more about this complex reality, identifying core areas for possible intervention by the State or by the competent local authority, such as housing, access to employment, education, health and legal status.

A further important indication addressed to the Roma communities and their needs in our Country is art. 1, par. 1267, of Law No. 296 of 27.12.2006 (Financial Law of 2007), whereby the **“Fund for the Social Inclusion of Immigrants”** was established at the Ministry of Social Solidarity: in 2007 the Fund was allocated 50 million Euros.

On 3rd August 2007 the Minister of Social Solidarity in concertation with the Minister of Equal Opportunities issued a directive, which identified the priority areas for interventions to be financed by the Fund in 2007 – they include support measure for access to housing in favour of the Roma, Sinti and Travellers communities.

A further area of intervention has been identified to ease the itinerary of inclusion and school guidance of Roma children and support the relations between families and schools.

In the framework of the National Strategic Framework of the Structural Funds for the period 2007-2013, the Department of Equal Opportunities has drawn up action plans that envisage structural interventions in favour of the Roma communities through ESF and ERDF Funds, which were agreed upon by the competent Managing Authorities.

More specifically, in the framework of the National Operational Programme (PON), Governance and System Actions (GAS), ESF 2007-2013 Axis D Equal Opportunities and Non Discrimination, the following action,

directly managed by UNAR is envisaged: "Promotion of the Governance of Policies and Instruments aimed at Social Inclusion and Fight of Discrimination against the Roma, Sinti and Travellers Communities".

The aim of the action is removing all forms of discrimination and favouring a greater participation of the Roma, Sinti and Travellers communities in the economic and social development processes in the Regions included in the Convergence Objective (Campania, Basilicata, Calabria, Sicilia, Puglia).

The underlying intention is promoting the strengthening of protection strategies in favour of the above mentioned communities, by lending regulatory, administrative and managerial support to the Regions in connection with the identification, planning and monitoring of guidance policies to overcome hindrances existing at local level that prevent the inclusion of these communities. The action has experimental and innovative nature, for this reason it requires a preliminary survey of the socio-demographic and socio-economic features of the communities living in the Regions covered by the Convergence Objective, as well as a mapping of institutions and services existing on the territory in the following areas: education, vocational training, access to employment, social and medical services; finally interventions at local level concerning social inclusion on the part of municipal and third sector entities must also be surveyed.

Tolerance and intercultural dialogue. Fight against racism and xenophobia (paragraphs 73-91)

One of the priorities of U.N.A.R. in the fight against stereotypes concerning Roma and Sinti is awareness raising, in this connection in December 2007 U.N.A.R. promoted a **campaign against prejudice** concerning these populations (the contents of the initiative are posted in the U.N.A.R. section of the official site of the Department of Equal Opportunities at www.pariopportunita.gov.it).

An important project launched by U.N.A.R. in 2010, which will also continue in 2011, is the **campaign "Dosta"** promoted by the Council of Europe and aimed at the fight against prejudices and stereotypes against Roma and Sinti,, the campaign implements a global strategy based on interaction and mutual knowledge.

The initiative has already been successfully disseminated in various European countries. The carrying out of the campaign in our country has strong symbolic value because Italy is one of the first European Union countries which adopted this awareness raising instrument that has yielded excellent results so far.

The "target groups" include journalists, teachers of primary and higher schools, students, young people, sectors of civil society, of the enterprises and associations, decision makers connected with social inclusion policies, representatives of institutions and local services.

The campaign includes initiatives addressing the general public at national level (media campaigns and national prizes), while awareness raising events addressing specific groups (journalists, local authorities, schools, young people) will be organized at local level.

Furthermore the campaign also includes a number of itinerant events, such as concerts and photo exhibitions aimed at disseminating the cultural and artistic forms of expression of the Roma people as well

as at raising the awareness of local institutions as far as the main problems affecting Roma are concerned, including the access to medical services, to the labour market and to housing.

A kit for teachers entitled “Beyond prejudices and stereotypes against Roma and Sinti” has been prepared – it is an instrument to help students learn more about a little known culture by presenting a different image of this people, other than that normally present in the media.

In the framework of the campaign “Dosta”, U.N.A.R. coordinated and financed the **project “Information without prejudices”**; this initiative was promoted by the Council of Europe and it was organized by the Association “Giornalisti Scuola” of Perugia.

The aim of the event is favouring an exchange of views and considerations among journalists on how the media report the life of the Roma community, which is very often the core of news reports of daily papers and television; the aim of this debate is defying commonplace, fighting prejudices and shedding light on the world of Roma.

In order to discuss and share the activities and contents of the campaign with Roma and Sinti associations, U.N.A.R. set up a permanent **coordination table** with them, whereby the essential features of the campaign were drafted by collecting ideas, projects and initiatives to be carried out in Italy.

A further important initiative aimed at ensuring the respect of fundamental rights of the Roma population is the **European Training Programme for Roma and Sinti Intercultural Mediators** active in public entities and in private associations, which was drafted by the Council of Europe and to which U.N.A.R. lends logistical and operational support.

The Training Programme for Roma Mediators addresses 20 mediators active in the area of labour and social inclusion with the aim of improving the quality and effectiveness of their work by providing expertise, tools and an innovative methodological approach.

Furthermore, it is worth mentioning that the Italian legal system includes specific criminal provisions aimed at countering racist and xenophobic expressions, including expressions of thoughts aimed at disseminating ideas based on racial or ethnic superiority or hatred as well as aimed at the incitement to commit acts involving discrimination or violence for racial, ethnic and religious reasons.

The **present criminal regulatory system of racial and ethnic discrimination** is laid down by Law No. 654 of 13th October 1975 with subsequent modifications (the so called Mancino Law No. 205 of 25th June 1993), ratifying and implementing the 1966 International Convention on the Elimination of All Forms of Racial Discrimination, as well as by Law No. 85 of 24th February 2006.

In addition to the above mentioned crimes, these provisions sanction the establishment of organizations, associations, movements or groups which pursue the incitement to discrimination or violence for racial, ethnic or religious reasons; furthermore they envisage a special circumstance of aggravation for all crimes committed with a view to discrimination or racial hatred.

When U.N.A.R detects criminal implications in the cases it examines, it **systematically reports them to the territorially competent Judicial Authority**, as provided for by art. 331 of the Criminal Procedure Code.

Training of law enforcement members (paragraph 76)

Paragraph 76 of the Opinion states that “ *The Advisory Committee encouraged the authorities to improve human rights training for police officers and ensure transparent and effective investigation in alleged cases of excessive use of force*”.

The protection of human rights and the fight against all forms of discrimination and inhuman and degrading treatment count among the most outstanding items covered during the **training of members of the National Police**.

The experimental study of the languages and cultures of the various foreign ethnic groups living in Italy was introduced as early as in the year 2000 and today it is a fact thanks to the introduction of 60 teaching units in the training of police officials and inspectors and of 20 teaching units in the training of police officers and senior police officers.

“Human rights” as a subject has also been included in the training curricula of all National Police members, regardless of their rank. Teachers are purposely chosen among police officials especially trained in specialized seminars at university level so that the learners perceive that the respect of the principles connected with human rights is an integral part of police activity and it is not something that is forced upon the police from the outside. This subject is also studied in greater depth during specialized seminars organized at the National Police Training Institutes, in cooperation with the organizations and associations active in this specific sector (for example: “The International Cooperation against the Trafficking of Human Beings “; “Immigration and the Protection of Human Rights”; “Hunger and Large Scale Migrations”; “The Protection and the Rights of Minors”; “On the Road – Protection and Assistance to Victims”; “Peace and Security – the Dialogue among Religions and the Protection of the Victims of Interethnic and Interreligious Conflicts”).

Since 2006 the “Code of Police Ethics in a Democratic Society”, adopted by the Committee of Ministers of the Council of Europe in 2001, has been a core issue in refresher courses addressed to National Police members and taught by officials of the Prefectures-Government Territorial Offices.

The Italian National Police, in partnership with some NGO’s active in connection with the promotion and the protection of human rights, is participating in a project financed by the European Commission aimed at stepping up the respect of human rights and the fight against all forms of discrimination within the police forces of the involved Countries (Italy, Spain, Ireland, Sweden and Cyprus). In Italy the project has resulted in the drawing up of a handbook entitled “The Police Services in a Multicultural Society”. The volume includes, among others, many practical cases and life experiences as well as considerations on persons belonging to minority ethnic groups, in particular the Chinese, the Roma and the Nigerians. The handbook

is intended for National Police officials who have a responsibility in managing and evaluating the work of staff members as well as for those having responsibilities, at various levels, in connection with the training and re-training of staff members.

Lastly, the National Police has taken part in a series of international projects over the last few years, which aim at raising the awareness of staff members in connection with the respect of human rights and the promotion of intercultural dialogue. The project "Consultancy on Institutional Discrimination" is particularly relevant to the area of training; the National Police has participated in it in partnership with ONG COSPE (Co-operation for the Development of Emerging Countries) and it was financed by the European Commission in the framework of the Action Plan for the implementation of art. 13 of the Treaty of Amsterdam; the aim of the project was the drawing up of a system of guidelines for the provision and use of advisory services on institutional discrimination.

On 2nd September 2010, the **Observatory for the Security against Discriminatory Acts (OSCAD)** was set up; it is presided over by the Vice Director General of Public Security ; its aim is receiving reports from institutions, associations or private citizens concerning acts of discrimination committed against individuals belonging to minorities, initiating targeted interventions on the territory, to monitor the progress of complaints, to summon the representatives of the involved minorities and the representatives of police forces, to train staff members, to ease and promote communication between citizens who were discriminated against and the security system and to favour the connections with the public or private institutions dealing with discrimination acts (particularly with U.N.A.R. , the Office for the Promotion of Equal Treatment and the Elimination of Discrimination based on one's Race and Ethnic Origin).

Apparently in the Third Opinion (**paragraph 86**) the meaning of the measures adopted by the Italian Government is misunderstood. **Their objective- the protection of the Roma communities- has not been highlighted.** The ordinances and the appointment of Commissioners are the prompt reaction of the Government to deal with a situation of distress of the communities themselves. The Government has adopted a number of measures that have a qualitative and quantitative impact on the improvement of the situation of Roma, especially of minors, who are often forced to beg, abused and sexually exploited.

The reference to an "emergency decree issued in 2008" (paragraph 107) is inaccurate in that actually they are legal and administrative measures of civil protection, whose aim is enabling the employment of human resources and extraordinary funding to deal with an emergency situation. The President of the Council of Ministers adopted a number of **ordinances** that empower the Prefects of 5 metropolitan areas (Rome, Milan, Naples, Venice and Turin) to utilize, where necessary, urgent procedures as well as develop the necessary forms of collaboration with the regions (according to the Decree of the President of the Council of Ministers of 17th December 2010 the special powers connected with the emergency have been extended until 31st December 2011).

Operations have been scheduled, in collaboration with the Italian Red Cross, with the aim of **monitoring** the settlements of families- a preliminary phase in view of the adoption of social, welfare and integration measures.

Actually an immediate and practical reaction must be provided to the serious environmental deterioration in a number of camps, where Italian and foreign Roma are hosted.

Contrary to what the Opinion states, the ordinances do not refer to the Roma ethnic group, but to “illegal nomad settlements”.

It is necessary to stress that following the various appeals that were submitted, the ordinances were considered to be legitimate.

According to the administrative case law (judgment No. 6352/09 of the regional Administrative Tribunal of Lazio) and more recently according to ordinary case law (Milan Tribunal section I, ordinance No. 49050/10) the interventions that were carried out in connection with the activities of the Commissioners are intended without distinctions for all occupants, regardless of their nationalities and ethnic membership.

Furthermore, the monitoring of both authorized and illegal camps bearing in mind a correct balance among values to be protected, is a preparatory measure necessary to overcome the emergency and to include the Roma community in the social fabric, which are objectives that are pursued by the ordinances themselves; these measures, therefore do not limit the fundamental rights of citizens and immigrants.

Hence, there can be no doubt that emergency measures were needed to eliminate illegal settlements with heavily lacking and degraded structural, hygienical-medical and security conditions, located well below the minimum standards of civilized life.

The progressive closure of non authorized camps meets inter alia the need of guaranteeing security, also in favour of residents themselves- the right to housing and to personal integrity cannot certainly be guaranteed in a precarious situation.

Furthermore , **Recommendation 4(2005)** of the Committee of Ministers to Member States concerning the improvement of housing of Roma and Travellers in Europe, specifies under point II.3 concerning the “ choice of lifestyle of Roma” that “All conditions necessary to pursue these lifestyles should be made available to them by the national, regional and local authorities” although this must be done “in accordance with the resources available and to the rights of others and within the legal framework relating to building, planning and access to private land.”.

It is deemed advisable to specify that during **evictions** (paragraph 106) the competent facilities are always involved to provide assistance to the persons concerned (cultural and medical mediation), who however do not accept such assistance very often.

Furthermore, the programming of the rehousing of entitled persons in fully equipped camps and all the activities connected with the practical transfer of nomads are preceded by contacts and meetings with the

involved community, including through spokespersons of the different ethnic groups, who describe the needs of the families.

In these settlements, the pair legality/security is accompanied by inclusion programmes through training, labour, education and medical integration as well as through mechanisms of participation in the management of the village on the part of its inhabitants.

Situation of the Roma and Sinti

Housing (paragraphs 100-103)

The first issue that has clearly emerged is the need to **diversify the range of the solutions**.

If you consider the heterogeneity of the Roma world and the multiplicity of itineraries and projects that exist within this world, you have to give in that in principle any formula can be applied, but none has a general validity. No intervention can be excluded a priori from the range of solutions – ordinary houses, social housing, equipped areas for rest, recovery of dismissed buildings, self-construction and self recovery with appropriate technologies, support and regularization of solutions that were achieved autonomously.

None of these solutions is more effective than others in terms of social/housing inclusion. On the basis of empirical experience, “models “ and “best practices” only work when there is a sharing and a dialogue with each different reality.

The housing situation of the small Roma communities have different features if compared to those living in large cities such as Rome and Milan.

In many instances , local governments have been the protagonist of experiences and positive processes leading towards the social/labour/housing integration of the Roma and Sinti populations. A few examples may prove useful **(Encl.1)**.

Alternatives to camps

A number of successful examples have been provided by the Association of the Municipalities of Italy (ANCI) **(Encl. 2)**.

Access to employment (paragraphs 104-105)

Training and access to employment are a priority which is a real alternative to welfare or illegality – therefore the activities of the Government are aimed at favouring the use of the instruments that enable the access to employment by the Roma and Sinti communities; these instruments are provided for by the law in favour of all disadvantaged categories.

It should be borne in mind that the Roma and Sinti are involved in very diversified economic activities. There are a number of traditional activities which are still practiced almost everywhere: metal working; recovery and sale of various types of materials; horse trading; jobs connected with entertainment and circuses; jobs connected with itinerant entertainment, in particular merry-go-round operators; itinerant sale or sale in markets, manufacturing and sale of various objects; jobs in agriculture, often of seasonal type. Other occupations have largely disappeared: knife sharpeners, umbrella menders and makers of wrought iron etc..

The most outstanding feature of Roma and Sinti when they carry out these activities is their considerable ability to adapt to places, times and opportunities.

A number of interesting initiatives are provided as examples (**Encl. 3**).

Roma Minors

As far as Roma minors “at risk” are concerned, it is meaningful to present the experience of the “Centre to Counter the Begging of Minors” of **Rome Municipality**. It is a centre equipped to promptly accept and host minors who are reported by citizens themselves through a call center, which is active 24 hours a day. The project also includes a street unit also relying on Roma cultural mediators specifically dedicated to minors at risk.

About 40% of guests is made up by children and adolescents – the first victims of living conditions that are often unacceptable. Often Mayors have to face the dramatic issue of minor exploitation ranging from begging to illegal activities and to the most serious involvement of minors in prostitution. However it is worth emphasizing that these phenomena do exist, but they are limited and should not be generalized.

Scholarisation is considered a strategic sector of intervention. Data indicating an increase of the scholarisation rate of children and adolescents living in non degraded situations confirm the direct connection between better living conditions and school integration. The most complete interventions are the ones that succeed in supporting on the one hand families in understanding the importance of the school and of attendance by their children and on the other schools in welcoming children, understanding them and adapting their teaching strategies to their needs.

In this connection the experience of the **Municipality of Milan** is worth mentioning – through projects financed in order to favour the scholarisation of Roma and Sinti minors, it promoted a service carried out by female Roma mediators operating both in school classes and in the communities and also contributing towards the empowerment of the women of the community.

Health (paragraph 105)

All over Italy the Roma and Sinti have access to public health care. New measures for the protection of health and for the access to employment have been adopted following the setting up of the Fund for Immigrants’ Inclusion as well as of the Fund for Social Policies.

Article 5 of the Framework Convention

Support for the preservation and development of minority languages and culture (paragraph 120)

In connection with the remarks contained in the Third Opinion concerning the activities carried out by the **Department of Regional Affairs**, charged with the implementation of protection activities envisaged by Law No. 482/99, more specifically by articles 9 and 15 concerning the funding of projects submitted by local authorities in four intervention areas: linguistic helpdesks, linguistic training, topographical indications and cultural activities, the following considerations are made here.

Following a proposal of the Advisory Technical Committee for the Protection of Historical Linguistic Minorities, which gives its opinion on the projects submitted according to Law No. 482/99, the Department allocated the main part of available funds to the setting up (or continuation of activities) to linguistic helpdesks which, according to experience acquired so far, are the real point of contact between the minority language speaking community and the public administration.

The reports concerning the use of funds in previous years are forwarded to the Department by the Regional Authorities of the Regions where the minorities live; they show that **almost all the projects were realized in a satisfactory form**; through the linguistic helpdesks, many municipalities have translated relevant documents into the minority language and then made them available on the Internet.

The linguistic training of local administration staff accompanies the activities of linguistic helpdesks, thereby enhancing the opportunities that the citizens have to use the historical minority languages in relations with public offices.

As far as **topographical indications** are concerned, interventions aim at completing existing ones with indications typical of historical linguistic minorities, giving precedence to the territories where these activities have not yet been carried out.

Projects submitted in accordance with articles 9 and 15 of Law No. 482/99 have been started in all 13 regions where the presence of historical linguistic minorities is recognized.

The number of interventions, the human resources and the services provided depend on the size of the **yearly allocations**, which have actually changed over time – following the cuts in public spending allocations have been reduced. This occurred in 2009 (2,272,416.00 Euros) when it became necessary to deal with an adverse economic situation and funds had to be used more sparingly.

However, within the various communities the activities aimed at the enhancement of minority culture and languages have continued. **(Encl. 4)**

Article 9 of the Framework Convention

Access to media for persons belonging to minorities

Following the digital switchover new prospects have opened up for linguistic minorities.

As far as the **reception problems of RAI programmes in Slovenian** (paragraph 143) are concerned, the digital switchover which took place on 14th December 2010 in Friuli Venezia Giulia made it possible to receive the programmes throughout the territory where the minority is settled; furthermore all the main programmes of the public and private broadcasting companies of the Republic of Slovenia can also be seen.

The regional branch of RAI in Friuli Venezia Giulia (paragraph 144) broadcasts programmes in Italian, Friulian and Slovenian; a special editorial office has been set up for the Slovenian minority; the Trieste offices broadcast a Slovenian edition of the RAI regional news programme with graphics and tune identical to the Italian version of the same regional news programme; the Italian version is also broadcast by the Slovenian public broadcasting company. A collaboration with the Slovenian broadcasting company is being studied in order to set up a real transfrontier television company.

In 2008 radio broadcasts in Friulian have begun on the regional frequencies of Radio 1. Thanks to the funding provided for by legislation and to the contributions by the technical scientific Committee of ARLeF (Regional Agency for Friulian), considerable impulse has been given to the publication sector and to the printing of newspapers.

Autonomous Province of Trento

As regards print media and radio and television programmes in minority languages at local level, TRAIL, the daily news programme in Ladin, broadcasts programmes on the Ladin culture and territory and it realizes many high quality documentaries.

TCA, the regional (Trentino and South Tyrol) broadcasting company broadcasts a weekly programme from Trento in the Ladin of Fassa entitled Ercaboan (rainbow) including a weekly information programme wholly devoted to the Ladin world and a news programme on the Gardena, Fassa and Badia valleys.

In 2009 the provincial government adopted a convention establishing that the RAI programmes in Ladin and German are broadcast in the digital mode throughout the provincial territory.

In May 2010 the Municipality of Luserna/Lusérn was granted funds to carry out an initiative entitled: "Internet Portal of the Cimbrian Community of Luserna/Lusérn" aiming at the unification and rationalization of the Internet service of all institutional operators of the Cimbrian community of Luserna/Lusérn (Kamou vo Lusérn, Kulturinstitut Lusérn, Dokumentationszentrum Lusérn).

According to the project a new single Internet portal should be set up – a point of access to the Cimbrian community at the disposal of anybody; the portal will be easily and autonomously updated by operators and it will be organized so as to emphasize the value of a large quantity of documents.

As regards the print media, the daily “Alto Adige” of Bolzano and its province publishes a weekly page in Ladin. Recently the publication of a page for the Cimbrian and Mòcheno minorities of Trentino has also begun.

The 2011 information programme was adopted by the provincial government in February 2011. In connection with protection provisions a programme of interventions aimed at information in the minority languages has been adopted; it is financed by the provincial fund for the protection of linguistic minorities. The programme for the information in the minority languages envisages a set of financial interventions to support the media.

Article 10 of the Framework Convention

Use of minority languages in relations with local administrative authorities (paragraph 163)

As regards general aspects reference is made to previous comments made in connection with art. 5.

ARLeF – Agenzie regionâl pe lenghe furlane (Regional Agency for Friulian) was established by Regional Law No. 4 of 26th February 2001 and subsequent modifications; its headquarters are in Udine and it is provided with public legal personality and with administrative and financial autonomy; it is a regional body entrusted with the definition and implementation of regional actions connected with linguistic policy.

Article 11 of the Framework Convention

Bilingual identity cards and use of minority languages for personal names

The decree of the Minister of Public Administration and Innovation of 2nd February 2009 is being implemented. The decree provides that all State administrations must write in a single way the diacritical signs of Latin alphabets appearing in the names and surnames of Italian citizens. To this end the software used by the registry offices has been updated. As a result, Slovenian speaking citizens can apply for a bilingual Italian-Slovenian identity card, with diacritical signs.

Articles 12 to 14 of the Framework Convention

Teacher training and curricula

As regards training (**paragraph 187**), a master degree course is being organized to provide for qualified training which is certified by Universities; the course is intended for teachers dealing with the early learning of minority languages, including through the CLIL methodology (Content and Language Integrated Learning).

As regards textbooks, one of the priorities to obtain funding is the drafting of handbooks or didactic instruments to be posted on a web platform made available by the Ministry of Education; this should be the objective of projects submitted by school networks.

As regards **paragraph 193**, the attempt to continue to give priority to measures capable of protecting the minority languages in **kindergartens, primary schools and junior high schools** is affected by the present economic crisis. Although taking account of the fact that in the Regions Friuli Venezia-Giulia, Sardegna or Trentino-South Tyrol, among others, the various regional legislations envisage considerable integrations of state funding intended for linguistic minorities, great importance is attached to the increase of regional and state joint programmes, in the light of subsidiarity and diversification which will aim at meeting the needs of the various stakeholders.

The issues discussed in **paragraph 195** are based on the concern raised by the implementation of Law No. 133/08 providing for the introduction of **higher thresholds of students in individual schools**, resulting in an alleged more limited opportunity to teach the mother tongue to persons belonging to minorities.

In this connection it is worth mentioning that the rates to which schools have to refer to ensure the best possible use of human resources and equipment are identified in President's of the Republic Decree No. 233 dated 18th June 1998; they correspond to a well established student population between 500 and 900 students for each school, predictably stable for the next five years.

More specifically, the minimum threshold can be lowered to 300 students, when the school is located in a small island, in a mountain municipality, or in a geographic area characterized by special ethnic or linguistic features.

Paragraph 197. The measures adopted by the Italian Government to enhance the quality of teaching and to increase the level of learning of the twelve minority languages recognized by Law No. 482/99 as well as in view of a recognition of quality training, already carried out at local level, are all the result of a far reaching involvement of linguistic minorities representatives, as is envisaged by the departmental decree of the Ministry of Education No. 12 of 2010, whereby a **Working Group** was set up.

The above mentioned Master degree course (see reference to paragraph 187) is the reaction to a need that has been often voiced by stakeholders and by teachers, i. e. the need to receive training in a glottodidactic methodology that is homogeneous throughout the national territory but at the same time respectful of local linguistic diversity. This need was stressed in a scientific piece of research entitled "Minority languages and the school. Ten years after law No. 482/99" and in March 2010 it was confirmed by a seminar organized by the representatives of the twelve minority languages.

Circular letter No. 58 of 2010 of the Ministry of Education continued a trend begun in 2008 and provided primary and junior high schools with common objectives and specific indications for the planning of itinerary for the teaching of minority languages used as vehicular language and following the CLIL method.

The Working Group set up through the above mentioned Departmental Decree No. 12 of 2010 has allocated the relevant funds giving preference to the projects submitted by interregional networks of schools so as to mitigate the difficulties arising from the gap between the northern and southern part of

the Country. The local projects in the area of teaching and training which were funded as envisaged by articles 4 and 5 of Law No. 482/99 include the following as examples of **best practices**:

“Local Lingue Infanzia”: network of schools for the qualified and certified training of kindergarten teachers in CLIL and integrated learning of language and contents in a playful environment for the teaching of minority languages.

“Sentieri”: network of schools for the promotion of the learning of minority languages in primary schools and in junior high schools. The project provides for the exchange of mother tongue teachers, involving neighbouring municipalities in Austria and Slovenia, to enhance the early learning of 2 or 3 languages at the same time.

“Lulalbies”: network of primary schools for the promotion of Friulian, Arbëreshe, Griko; it compares experiences in Friuli Venezia-Giulia, Calabria, Puglia and Basilicata.

Housing (paragraphs 100-103)

In the **Region Lombardia** there has been a first phase in which activities especially aimed at the elimination of totally illegal and precarious camps, while in the second phase the activity of the Commissioner appointed for the nomad camps emergency focused on the identification of alternative solutions for the persons entitled to remain in Italy; local authorities have also been involved.

An itinerary named "From the camp to the village" has been identified, including access to employment and social inclusion, as well as autonomous housing with sustainable rent, supplemented by accompanying and support measures.

The aim has been raising the awareness of the Roma population concerning the importance of cultural training and school attendance, including with the assistance of Roma women with an adequate degree of training within camps. These activities were coordinated by municipal offices and they were carried out in a twofold way: collaborating directly with school operators by providing support for both didactic and non didactic activities (personal hygiene, clothing, checks on vaccinations etc.) and helping families with their often non existent relations with schools.

The following activities were aimed at: real inclusion of children in their classes, job searching through vocational guidance, organization of paid activities specially aimed at women, health care for all family members, with special attention to minors.

At present the Commissioner's activity focuses on the projects submitted by Municipalities in compliance with art. 61, par. 18 of Law No. 113/2008; the implementation of these projects implies a number of actions likely to put an end, in due course, to long established precarious situations, with a view to the overcoming of the concept of camps.

As regards a project in the municipality of Pioltello, following a number of meetings with the mayor, it was agreed to ask a third sector personality to act as point of reference for the management of an area where temporary accommodation modules have been set up to house Roma persons interested in following an integration itinerary.

An integration itinerary for each family has been envisaged and actions have been identified on a case by case basis, including inclusion and support at school, job searching, health care, organization of common space.

More specifically, as far as minors are concerned, 24 children have been taken care of through contacts with their schools, educational support in the afternoon, play and recreational activities, as well as a pediatric assistance service organized thanks to the invaluable collaboration of volunteer doctors.

A system of grants has been introduced to fund jobs intended for the adult members of the families aimed at social/employment inclusion as well as at the acquisition of a minimum income making it possible to relinquish the camp.

In order to achieve housing autonomy support contributions to purchase or rent a house have been envisaged.

In consideration of the difficulties encountered in finding useful solutions, different projects have been considered for a number of families; these include accompanying measures and support to the return to the country of origin in collaboration with the Rumanian town of Tintareni, whose authorities have been charged with the monitoring of the projects. The final objective was finding a stable house and job in the country of origin, where a relevant traineeship was carried out.

On 15th November 2010 the area was dismantled and the positive outcome of the project of Pioltello fully validates this model, in line with the guiding directives of the Order of the President of the Council of Ministers, as the model is based on the one hand on the elimination of a large illegal settlement, which had been existing since long, and on the other on the overcoming of the concept of camp through the implementation of social actions.

In the **Region Campania** a number of meetings with the municipal and regional authorities were organized; later on inspection visits were carried out as follows: to the authorized settlements aimed at the necessary renovation works; to the sites identified for use and to the centres to be set up through renovation of buildings; thus the final action programme for the province of Naples was drafted and implemented in 2010. Furthermore, in collaboration with universities and local authorities a single unified plan was uniformly adopted for all housing units.

Six projects involving the municipalities of Naples, Afragola, Torre Annunziata and Casoria have been financed through funds envisaged by Law No. 133/2008 – a total sum of 16,060,000.00 Euros was used for structural interventions and social integration, especially of minors. Furthermore, two projects in the municipalities of Naples and Acerra were financed with NOP funds.

Meetings with the mayors of the municipalities where nomad communities are present and with the regional government member responsible for social policies were organized at Caserta Prefecture, in order to share possible housing solutions to be adopted in favour of the communities themselves.

In the sector of hygienical-medical initiatives it is worth mentioning the signing of a Protocol of Understanding among the Government Commissioner, the Local Branches of the National Health Service, the Italian Red Cross, the Community of Sant'Egidio and the provincial representative of Opera Nomadi; the aim of the protocol is drafting and implementing a social-medical plan of interventions aiming at the vaccinating against and preventing the possible spread of infectious diseases in nomad camps, especially in the municipality of Naples and in the surrounding province. The vaccination campaign of minors has been

completed ad training meetings on basic medical prevention took place with the assistance of cultural mediators.

As regards scholarisation, initiatives aimed at the transport of minors from camps to schools have been organized. The Commissioner's Office chose various projects which envisage inclusion itineraries, artistic workshops, integration activities for parents, study grants and vocational training courses. The activity of Unicef in connection with many initiatives related to the educational itineraries of minors is particularly important.

Furthermore, the Department for Civil Liberties and Immigration of the Ministry of the Interior financed the project: "The Right to the School – The Right to a Future; School Integration Itineraries for Roma Minors" which was submitted by the Community of Sant'Egidio.

Training courses to teach separate waste collection have been carried out in collaboration with local authorities at the two largest settlements of Naples.

In the **Region Lazio**, in view of the progressive closure of illegal camps and of the regular accommodation of persons and families, the step by step reception of the Roma present in the Capital was planned in renovated camps or in camps undergoing renovation.

To this end 3 areas have been equipped and the Government Commissioner's Office submitted 3 projects; total funding amounted to 19,447,077.00 Euros.

Training and access to employment are a priority since they can be a real alternative to welfare and illegality.

The activities aiming at the use of instruments for the access to employment on the part of the Roma and Sinti communities are particularly interesting – such instruments are already provided for for all disadvantaged categories.

The projects are carried out by a team made up by socio-cultural mediators, social workers, operators for school inclusion and services to minors, integration operators provided by the Municipality all working together with the Italian Red Cross.

In the **Region Veneto**, 11 municipalities have drawn up 16 projects aimed at the upgrading of camps and at adapting them to hygienical-medical standards, to safety regulations, as well as at the social inclusion of the persons involved.

The projects that have been selected cover camps located in the municipalities of Padova, Verona and Vicenza. The choice was made with the agreement of local authorities and on the basis of priorities arising from structural and hygienic-medical conditions as well as from the conditions of the population living in the camps.

More specifically, interventions include renovation, extraordinary maintenance works and the setting up of adequate sanitation facilities.

Alternatives to camps

As far as the overcoming of “macro-camps” is concerned, it is interesting to note the approach chosen by the **municipality of Modena**. In the territory of Modena, the itinerary towards the setting up of micro-areas begins in 1996 and it ends in 2007 when the nomad camp of strada Baccelliera 25 was finally closed and 75 families settled in 13 new family areas. The methodology that was chosen is respectful of the organization of the enlarged family, typical of these communities. A defined space was allocated to each family and specific responsibilities in terms of maintenance and management of the allocated areas were assigned. Thus a process of mutual knowledge began, which was capable of reducing the gap and of allowing a “mutual recognition of actors belonging to the same territory”.

Thanks to ministerial funding, the **municipality of Padova** promoted the completion of 11 flats, through the method of self-construction; at present 32 persons are now living in the flats, after having resided in camps. The construction of the flats involved 8 Sinti, who also participated in a training itinerary. The families who reside in the flats have signed an ordinary contract with ATER the territorial authority for housing and they pay a rent which is calculated according to their income.

A similar project was concluded in the **municipality of Settimo Torinese (TO)**; the project was named “Self-construction and self-recovery”; in 2007 a group of Rumanian Roma together with other foreign citizens took part in the construction of the community where they are now living and where they can stay for three years until they find a stable accommodation. The community is perfectly integrated in the local social texture and it is managed by a local association.

The case of the **municipality of Bologna** is particularly interesting. In 2007, the service of Intercultural Integration of the Municipality completed the accompanying itineraries towards social inclusion of Rumanian Roma families, who until then had been accommodated in emergency facilities. The intervention was partly funded by the *Extraordinary Action Plan for Reception*, adopted by the Region Emilia Romagna. The Service carried out a social integration itinerary by identifying housing opportunities; the itinerary was concluded by accommodating 44 families, including 198 persons, in flats. The Municipality of Bologna carried out a fundamental role in terms of social mediation in the allocation of the flats as well as in connection with the use of a further 7 flats, 5 owned by the Municipality and 2 by IAR (Joint Institutes of Assistance); they are all managed by the Intercultural Integration Service and they have been assigned to seven families, who have to pay a rent.

The **Autonomous Province of Trento** regulated the situation of Roma by means of Provincial Law No. 12 of 29th October 2009, entitled “Measures to Favour the Integration of Sinti and Roma Groups residing in the Province of Trento”. This law confirms the experience of the Provincial Committee, an institutional body charged with the protection and the study of Sinti and Roma groups living in Trentino as well as with the submitting of instruments to favour their integration; it does so by establishing a table which works in view of the promotion, empowering and growth of these groups.

To overcome camps, “residential areas for communities” have been organized; their size is consistent with that of an enlarged family; these are smaller than rest areas and the head of each family is identified as the responsible person in charge of the management of the respective area.

Each area is assigned to a family according to its capacity to bear the costs of public utilities, as well as according to the willingness of at least 50% of the members of the group to accept training itineraries and jobs. Provided the families who have access to the residential areas for communities meet the ten year residence prerequisite, the territories must bear the burden of the groups belonging to each community. The Valley Communities are charged with the setting up and allocation of areas to the individual families; these activities are funded by means of transfers to local budgets, agreed upon during the yearly programming procedure.

Finally the experience of the **Province of Lecce**, where, under the auspices of the Prefect, a concertation activity has been carried out over the years in the Panareo Camp; Third sector Associations, the Camp representatives and the municipal social services have participated in the concertation to improve the living conditions of the community , with a view to its social inclusion.

Since the inception of the project, the priority objective of the municipality of Lecce has been the recognition of residents as “bearers of rights”, with a preferential treatment for minors. Thus, programmatic guidelines have been drafted to encourage the Roma population to modify its behavior and become fully involved in the problems existing in the camp.

The educational situation is carefully monitored; at present 97% of the minors attend school and the new generations are reportedly more involved in school activities; furthermore minors and parents are constantly involved through meetings and talks, also involving all the concerned persons, with school representatives.

In order to improve the living conditions of Camp Panareo residents, important interventions have been carried out including the assignment of prefabricated houses to ten families on the basis of loan for use agreements as well as the drafting of the project PRO.NOMA, in concertation with the Ministry of the Interior, in connection with the Framework Programme Agreement “Security for Development of the Region Puglia”; aim of the project is the construction of 16 housing units, which were assigned in July 2009.

These experiences show not only that the different needs of the communities require different reactions but also that different situations (large cities as opposed to medium size or small towns) and the approach of neighbouring residents are relevant in connection with the identified solutions. It is not easy to harmonise sometimes conflicting needs, however hastily choosing a way out or rhetorically refusing any solution doesn't help. The local dimension makes integration processes real, making it possible to share civic rights and duties, as well as to define and learn the rules of co-existence.

Access to employment (paragraphs 104-105)

Thanks to funds provided by the Ministry of Labour, Health and Social Policies the **Region Lombardia** has started an experimental programme of interventions aimed at the access to employment of the disadvantaged groups of the population. The programme is known as **Valore lavoro** and it is based on a piece of research carried out by the Regional Observatory for Integration and Multiethnicity concerning the Roma and Sinti populations living in Lombardia; the programme was drawn up relying on a preliminary survey carried out by analyzing experiences of access to employment and thanks to meetings with personalities in privileged positions both within the institutions and the social private sector. Through the access to employment of the weakest individuals "Valore lavoro" aims at the following: favouring the implementation of the equal treatment principle without any distinction as to race and ethnic origin; preventing the social marginalization of the populations belonging to the Roma and Sinti communities; favouring an exchange between employment services and associations active in the sector of social integration on the one hand and Roma and Sinti workers on the other; enhancing the potential of women's work; increasing the access of Roma and Sinti boys and girls to vocational training. The project was carried out with the participation of bodies belonging to the social private sector with a reliable experience and specific know how concerning the issues that were examined (Caritas, Casa della carità, Community of Sant'Egidio, Opera Nomadi and Sucar drom); it resulted in the vocational training and access to employment of about seventy Roma and Sinti living in the territory of Lombardia.

Programme RETIS - Network of social inclusion set up in Rome

It is a structural programme devoted to social inclusion processes intended for persons living in a marginalized condition.

Retis is the contact point between the entrepreneurial, social and economic texture of the city and the needs of the persons who are most disadvantaged in terms of access to and retention of employment; it provides for the knowledge and monitoring of social and economic decay of the city; it provides for the collection and transfer of information on employment opportunities, on vocational training programmes as well as on the use of instruments aimed at training and access to employment, including self employment. The beneficiaries of the Programme, at present still in the implementation phase, include all citizens in a vulnerable condition, especially persons with disabilities, unemployed adults, mothers with children, unemployed middle age persons over 50, former detainees, persons belonging to ethnic minorities, migrant workers, persons affected by various forms of addiction. The intervention priorities include guidance and accompanying measures aimed at the social inclusion of persons covered by the "Municipal Ordinances" and falling under the municipal programmes of social integration (e. g. Piano Nomadi). The programme is provided with a Social Inclusion Fund to finance projects aimed at individuals and at groups, training activities, jobs, a rotation fund for microcredit and self-employment; the programme is subdivided in three macro-areas : research, experimental projects and institutional fund raising. The most important tasks of

the Programme include the strengthening and the development of the network of interaction among institutional actors working for/in the territory in order to favour the rationalization of interventions, by harmonizing the use of the economic resources aimed at the promotion of the social autonomy of the persons involved in Retis.

“Progetto Rom” deserves special attention; it is carried out by the **municipality of Pescara** in collaboration with Caritas of Pescara, with the province and with the Municipality of Montesilvano; the project aims at launching administrative actions aimed at favouring the school and employment integration of the Roma families living on the territory. The programme of interventions provides for the establishment of an “interethnic Laboratory” charged with an updated mapping of persons present on the territory. Afterwards the “Laboratory” creates direct contacts with the involved persons, including at home, it builds trust and starts a cultural mediation activity to ensure a form of tutoring both at school and in the relations with employers, including with the involvement of no-profit associations. The objective is succeeding in starting at least 15 projects aimed at individuals and capable of countering the school drop out and favouring the access to employment.

In the **province of Trento**, in the sector of policies aimed at training and employment access for Roma the Valley Communities are entitled to promote initiatives aimed at the scholarisation of adults as well as to start itineraries including training, access to employment or a change of occupation. Furthermore the Province favours the setting up of cooperatives aimed at the access to employment of Sinti.

The project “Equal Rom” is an interesting experience in **Turin**. The project was supported by the Ministry of Labour and by the Regions Piemonte, Lombardia and Puglia with Equal community funds. The Province and its Centres for Employment have actively participated in the project in the territory of Turin. The activities that were carried out include cultural-linguistic support through the presence of mediators, employment guidance and active employment search and the organization of 20 traineeships each adapted to individual needs.

A further project of the **municipality of Rome** is worth mentioning in connection with access to employment. The project is based on a programme agreement between the Ministry of Labour and the Municipality - Municipal government department for social policies, funded by the 2007 Migration Policy Fund. The aim of the intervention was experimenting new forms of access to employment for a group of 30 Rumanian Roma aged between 18 and 35 and supported through accompanying measures adapted to individual needs. The content of the project was starting a highly specialized 300 hour training in the building sector. In the second phase various traineeships have been organized with the aim of access to employment.

Support for the preservation and development of minority languages and culture (paragraph 120)

The most important developments are related to the regions with a special statute.

More specifically, Law No. 6 of 19th June 2008 of the **Autonomous Province of Trento** entitled “Provisions for the Protection and Promotion of Local Linguistic Minorities” opened up new prospects; the new regulatory framework allocates to Municipalities and Valley Communities important prerogatives and unique self-government powers.

Thanks to this legal instrument the following bodies were set up: Conference of Minorities, the Mòcheno Assembly and Council and the Authority for Linguistic Minorities, established at the Provincial Council. The innovative aspects include the choice of adopting a single regulatory system for the three minority communities of Trentino, although they differ in terms of languages, size, socio-economic conditions and settlement on the territory.

According to the above mentioned law, a real protection of the identity and a development that enhance the diversity and peculiarity of minorities are only possible if there is an institutional system that leaves room for self-government, autonomy and administrative decentralization and provided the various communities have a unitary representation, also in consideration of the new competences granted to these communities as far as institutional relations are concerned.

The establishment of an independent Authority – the Authority for the Policies Supporting Minorities tasked with evaluation, monitoring and submitting of proposals – deserves specific mentioning.

The above mentioned law provides for important opportunities, including the entrusting of schools with the teaching of the minority language to adults and of Municipalities and Valley Communities with the support to cultural activities; the possibility for local authorities to report meaningful initiatives and projects drafted by well known associations with a strong connection with the territory to the Province with a view to funding; the introduction of the principle of supporting to the publication sector in the minority language as a responsibility and commitment of Municipalities, Comunità di Valle and of the province.

During the last decade, the Autonomous Province of Trento has tested a number of important innovations which refer on the one hand decentralization below the provincial level (establishment of Valley Communities) and on the other the system of protection and promotion of autochthonous historical linguistic minorities (Ladins, Mòcheni and Cimbrians).

More specifically, provincial Law No. 3 of 16th June 2006 entitled “Provisions concerning the Management of Autonomy in Trentino” introduced protection provisions in favour of the three minority communities depending on the level of self government that in this case is located between the autonomous province and the Municipalities: the Cimbrian municipality of Luserna (Lusérn) becomes part of the Magnifica Comunità degli Altipian Cimbri; the three municipalities of the Valley of Mòcheni join others to set up the

Community of Alta Valsugana and finally the seven Ladin municipalities form an intermediate level entity denominated with the ancient name of *Comun general de Fascia*.

Autonomous Province of Bolzano

South Tyrol enjoys far reaching prerogatives provided for by the Special Statute for Trentino-South Tyrol (President's of the Republic decree No. 670/1972) and by the many implementing provisions adopted by the Government with the support of the relevant joint committees. According to this autonomy framework, the German and Ladin minorities of South Tyrol are entitled to manage the sector most directly relevant to linguistic minorities, such as the school and culture in the respective languages; furthermore these minorities are granted extensive powers in the area of local public administration.

Law No. 191 of 23rd December 2009, entitled "*Provisions for the Drawing up of the Yearly and Multiannual Budget of the State (Financial Law 2010)*" identify reliable parameters to measure the guaranteed fiscal transfer from the state to local authorities ; furthermore the financial autonomy of local authority is extended and the possibility of delegating to them further functions and competences is envisaged.

Autonomous Region Friuli Venezia-Giulia

In schools, in public offices and in the regional information organs there has been a strengthening of the use of Friulian as minority language. The enhancement of the minority identities becomes apparent not only in the implementation of linguistic and cultural policies as such, but also in connection with numerous initiatives that relate to the territory in various ways – urban planning, architecture, regulations concerning historical centres of towns, protection of the landscape, regulations concerning tourism, economic activities and production of hand-made goods - these initiatives concur in enhancing the diversities typical of minority communities.

As far as the Slovenian minority of Friuli Venezia Giulia is concerned, please refer to the considerations provided in the other parts of the document.

Region Sardegna

Sardinian and "Catalan" spoken in Alghero are specifically protected, included by means of Regional Law No. 26 of 15th October 1997.

The opening of linguistic helpdesks continues in the island municipalities; their aim is the use of Sardinian (or Catalan in the case of Alghero) in public communication.

Furthermore, the project of the Province Olbia-Tempio Pausania is about to be launched; the project objective is setting up an "itinerant linguistic helpdesk" at the municipalities taking part in the initiative, in order to disseminate the language and to translate the administrative documentation; thus support will be provided to municipal offices and to local schools.

Region Molise

In the region Molise the linguistic helpdesks set up at the seven protected municipalities work regularly. Furthermore, the bilingual signs needed for the topographical indications have been defined in the seven protected municipalities.