

# COUNCIL OF EUROPE

## COMMITTEE OF MINISTERS

### **Resolution ResCMN(2006)5 on the implementation of the Framework Convention for the Protection of National Minorities by Italy**

*(Adopted by the Committee of Ministers on 14 June 2006  
at the 967th meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”);

Having regard to Resolution (97) 10 of 17 September 1997 setting out rules adopted by the Committee of Ministers on the monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the voting rule adopted in the context of adopting Resolution (97) 10;<sup>1</sup>

Having regard to the instrument of ratification submitted by Italy on 3 November 1997;

Recalling that the Government of Italy transmitted its state report in respect of the second monitoring cycle under the Framework Convention on 14 May 2004;

Having examined the Advisory Committee’s second opinion on Italy, adopted on 24 February 2005, and the written comments of the Government of Italy, dated 4 October 2005;

Having also taken note of comments by other governments,

1. Adopts the following conclusions in respect of Italy:

a) Positive developments

Italy has taken steps to improve the implementation of the Framework Convention following the adoption of the first opinion of the Advisory Committee in September 2001 and the Committee of Ministers’ Resolution in July 2002. This process has included valuable efforts to implement the coherent legislative framework designed to secure general protection of the historical linguistic minorities (Law 482/99). Moreover, a number of commendable measures aimed at promoting the language and culture of minorities have continued to be taken at the regional level.

There has been a welcome development of educational projects promoting minority languages and cultures funded by the state budget. Similarly, a range of laudable initiatives have been taken at the municipal level to encourage the use and reinforce the visibility of minority languages in their respective territorial areas of protection. These achievements have to a large extent benefited minorities living outside regions enjoying special autonomy. The national legislative framework has therefore proven instrumental in reducing the sometimes significant differences in the level of protection available to various minorities.

The participation of representatives of historical linguistic minorities covered by Law 482/99 in public affairs has improved in recent years both at the national and regional levels through their inclusion in various bodies, especially those established to assist in the implementation of relevant legislation.

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<sup>1</sup> In the context of adopting Resolution (97) 10 on 17 September 1997, the Committee of Ministers also adopted the following rule: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

## b) Issues of concern

There remain difficulties in the implementation of the legal framework protecting minorities. For example, the implementation of the specific legislation protecting the Slovene minority in the region Friuli-Venezia Giulia started four years after its adoption in 2001 due to the persisting political, legal and technical difficulties within the Joint Institutional Committee over the demarcation of the Law's territorial scope of application.

Initiatives to tackle discrimination and negative stereotypes in the media must be stepped up as these problems continue to affect certain minority groups.

Participation of representatives of minorities could be further strengthened through the setting up of a specific structure to improve the institutional dialogue with the authorities. It is noted in this regard that the authorities are currently studying the possibility of establishing a Permanent Conference of Minorities, which would have an advisory capacity and would also include representatives of the Roma, Sinti and Travellers.

While there exists a commendable number of radio and television programmes in minority languages spoken in regions enjoying special autonomy, there remains a need to increase the number of such programmes and develop new ones in other minority languages. Legal obligations in this field, which derive from the national legislative framework on minorities, have been partially implemented to date. The reception of existing programmes remains difficult for technical reasons in certain provinces with a traditional presence of minorities, such as the Slovenians and the Ladins.

The lack of tangible progress in the integration of the Roma, Sinti and Travellers, the widespread discrimination they often face and the poor living conditions prevailing in many camps is a source of concern. A comprehensive strategy of integration at national and local level needs to be completed in consultation with those concerned. Legal guarantees at the state level for the Roma, Sinti and Travellers need to be developed so as to enable these persons to better preserve and further develop their identity and culture.

## 2. Adopts the following recommendations in respect of Italy:

In addition to the measures to be taken to implement the detailed recommendations contained in chapters I and II of the Advisory Committee's opinion, the authorities are invited to take the following measures to improve further the implementation of the Framework Convention:

- address the remaining difficulties in the implementation of Law 482/99 on the protection of historical linguistic minorities, including through increasing the volume of minority language television and radio broadcasts and providing further support for educational projects both in terms of resources and sustainability;
- increase awareness-raising measures to encourage the municipalities and schools concerned to make better and more frequent use of the possibilities offered by Law 482/99 on the protection of historical linguistic minorities in the field of education and public use of minority languages;
- take further measures to implement those provisions of Law 38/01 on the Slovene minority which are not strictly linked to the approval of the territorial areas of protection and facilitate the implementation of the Law in those municipalities whose inclusion in the territorial area of protection raises no objection;
- consolidate the participation of minority representatives in existing bodies assisting in the implementation of the legal framework on minorities and pursue initiatives to establish specific participation structures such as the planned Permanent Conference of Minorities, which would also include representatives of the Roma, Sinti and Travellers;
- consider the reinforcement of procedural guarantees and legal remedies so as to make existing legal provisions against discrimination more effective and thereby better ensure equality before the law and equal protection of the law for persons belonging to minorities;

- step up efforts at the state level to ensure legal protection of the Roma, Sinti and Travellers and enable them to preserve and develop their identity;
  - intensify existing measures to enable Roma, Sinti and Travellers to enjoy adequate living conditions and pursue efforts to adopt, in consultation with those concerned, a comprehensive strategy of integration at national level focusing on access to housing, employment, education and health care.
3. Invites the Government of Italy, in accordance with Resolution (97) 10:
- a. to continue the dialogue in progress with the Advisory Committee;
  - b. to keep the Advisory Committee regularly informed of the measures it has taken in response to the conclusions and recommendations set out in section 1 and 2 above.