



Statement by Sweden in the interactive dialogue on Italy

*Delivered by H E Ambassador Jan Knutsson,
Geneva, October 27 2014*

Mr President,

We have noted that Italy ratified the Rome Statute in 1999 and its additional protocol in 2006. However, Italy has not adopted any specific legislation on the implementation of Rome Statute definitions of crimes.

Sweden therefore recommends Italy to fully align its national legislation with the Rome Statute of the ICC, in particular by incorporating provisions to investigate and prosecute genocide, crimes against humanity and war crimes effectively before its national courts.

Italy summarily returns to Greece adults and children who are detected after travelling from Greek ports to Italy. Italian border police in Ancona, Bari, Brindisi and Venice fail to screen adequately for people in need of protection. As a result, unaccompanied children and adult asylum seekers are summarily sent back to Greece.

During its previous UPR Italy accepted recommendations to "review legislation ensuring its compliance with the principle of non-refoulement." However, these summary returns violate Italy's obligations under national, European and international law to ensure access to a fair asylum procedure and protection against refoulement, as well as the prohibition of expulsion of unaccompanied children.

Sweden underlines the importance that Italy fulfils the obligations under the Common European Asylum System.

Sweden recommends Italy to immediately suspend summary returns to Greece, as recommended by the Council of Europe Commissioner for Human Rights and the UN Special Rapporteur on the human rights of migrants.

Sweden recalls the 1996 Supreme Court ruling against violence in childrearing. Nevertheless, there is no legislation in place prohibiting corporal punishment of children. Sweden therefore recommends Italy to explicitly prohibit all corporal punishment of children, bringing legislation into line with the 1996 Supreme Court ruling against violence in childrearing.

Thank you, Mr. President