

AMNESTY INTERNATIONAL

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Italy: European Social Forum -- freedom of assembly and expression must be respected

In the run-up to the European Social Forum (ESF) and demonstrations scheduled to take place in Tuscany between 6 and 10 November, Amnesty International is calling on the Italian authorities to ensure that the right to peaceful demonstration is protected and that international human rights standards are fully observed during policing operations.

"The Italian authorities have a responsibility to ensure the safety and security of local inhabitants and property. However, it is also their duty to ensure that people are able to exercise peacefully their rights of freedom of assembly and expression," said Amnesty International.

Policing operations surrounding several international meetings and large demonstrations in Italy in recent times have resulted in numerous violations of international standards by law enforcement officials.

"The Italian government must ensure that the sorts of human rights violations seen during previous demonstrations are not repeated," said Amnesty International.

"Amnesty International does not condone violence aimed at police or property, nor does it oppose the lawful use of reasonable force by law enforcement officials. However, policing must be carried out in such a way as to protect the rights of people engaged in peaceful protest," the human rights organization added.

In the past, operations by law enforcement officials have violated international standards on the use of force and firearms. The rights of freedom of expression and assembly and the right not to be subjected to arbitrary arrest or detention have been infringed.

In addition the fundamental rights of people deprived of their liberty have also been violated. These include:

the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment;

the right to have a relative or third party informed of their whereabouts ;
the right for foreign nationals to contact consular officials;
the right of prompt access to a legal counsel of their choice;
the right of prompt provision of adequate medical care;
the right to humane conditions of detention;
the right to be duly informed of their rights and of any charge(s) against them in a language they can understand.

Amnesty International will be closely monitoring the ESF policing operation in the light of these internationally recognised rights and standards and its concerns about human rights violations during previous policing operations.

Amnesty International urges the Italian authorities to heed the specific recommendations which the European Parliament issued to member states on 12 December 2001 'to ensure better protection of fundamental rights' during international meetings.

Background

The European Parliament requested states to 'avoid blocking borders or denying individuals or groups of people who seek to participate peacefully in legitimate demonstrations the right to cross borders.' It pointed out that Article 2.2 of the Schengen Convention -- invoked by Italy for the period of the European Social Forum -- allows states 'to reintroduce border controls only where public policy or national security so require' . The European Parliament underlined that 'the stopping at borders of thousands of persons travelling by train or boat, without assessing if they are a serious threat to one of the fundamental interests of society' is 'disproportionate' and contrary to the Charter of Fundamental Rights of the European Union and relevant provisions of community law.

The Italian authorities should also heed the European Parliament's recommendation that states 'avoid the use of guns', 'avoid a disproportionate use of force and instruct national police forces to control violence and preserve individual rights even in confused crowd scenarios where violent lawbreakers are mixed with peaceful law-abiding citizens.'

Amnesty International has accepted an invitation to speak at the Forum. For further information on Amnesty International's contribution to the ESF see:
http://web.amnesty.org/web/web.nsf/pages/ec_briefings_fora

Further information on AI concerns about the policing of international meetings and demonstrations in Italy is available on the web. See in particular:

Italy: G8 Genoa policing operation of July 2001. A summary of concerns (EUR 30/012/2001)
Concerns in Europe: January - June 2002, Italy (EUR 01/007/2002)

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