

**2022 REPORT ON THE APPLICATION OF THE EU CHARTER OF FUNDAMENTAL RIGHTS:
THE CIVIC SPACE AND ITS ROLE IN PROTECTING AND PROMOTING THE FUNDAMENTAL
RIGHTS UNDER THE CHARTER**

CONSULTATION OF EU MEMBER STATES

Answers to Questionnaire:

PREAMBLE

ITALY has a rooted network of free Civil Society Organisations that work horizontally in the territory to support a variety of social and individual rights and needs; by contrary, the figure of the Ombudsman is new, conceived as a social mediator and still in evolution, since it does not belong to the Italian tradition.

The features of the Italian legal system will be outlined hereunder in general terms, bearing in mind that the intensity of presence of CSOs and rights defenders depends on different regional needs and the rate of local social acceptance. During the pandemic the presence of Civil Society Organizations proved to be fundamental to fill gaps and inefficiencies of the public administration.

The so called Third Sector, officially recognized and supported by the State (composed by the entities dedicated to civil rights defense and enhancement), and the high presence of lawyers (244.846), many of them dedicated to the advancement of civil and fundamental rights, certainly help to build a more inclusive society.

Different branches and Ministers of the government gave their contribute to the answers through an inter-ministerial cooperation.

The Minister of Justice provided for the final draft of this report.

A – The role of CSOs and rights defenders in ensuring the effective implementation of the Charter at national level

1. How do CSOs contribute to activities aimed at making the fundamental rights enshrined in the Charter a reality in your country? Please give examples.

The Italian legal system boasts a consolidated associational tradition, which greatly contributes to ensuring respect for fundamental rights, including those provided for by the Charter of Nice. This is by virtue of the cardinal principles that inform the Constitution, the pluralist one and the personalist one.

In fact, the Constitutional Charter considers as a rights holder the person conceived not in his/her individual dimension, but also and above all in a relational one. Art. 2 states

the inviolable rights of the person "both as an individual and in the social groups where his personality takes place".

Unlike a libertarian notion of rights, the owner of these rights is not the individual abstractly understood and detached from society, but the one who is perfectly inserted in a context of reality: s/he lives in a specific social, political and cultural environment; s/he is part of many social groups, from family to school, work, religious community, and leisure time associations.

Namely, to enhance the relational aspect fundamental rights are grouped in the Constitution into sections of the first part that use the word "Relations" in the title. In particular, "Civil Relations", "Ethical and Social Relations", "Economic Relations", "Political Relations".

In the panorama of contemporary constitutional charters and international rights charters the chosen constitutional approach is unique. Having placed the emphasis on the term "relationship" allows us to attribute extreme importance to the intermediate bodies that speak out for individuals' needs, well aware of their specific community needs.

The participation of individuals in public life through associations is not only enhanced by the constitutional rules that protect the family, school, savings, work - through the explicit recognition of the role of trade unions - but also by the fact that the Italian constitutional system is characterized by being an "open" democracy. That is, it does not provide for anti-system rules that preclude certain political or associative forces from being representative of society.

In order to support an open and free society, the XII final provision of the Constitution prohibits to reorganize, in any form, the dissolved Fascist party. The "Scelba" law of 20 June 1952, no. 645 (art. 3), later modified in 1975, provides for the dissolution of political movements and parties that promote or organize the constitution of an association, a movement or a group that pursues *"anti-democratic purposes proper to the fascist party, exalting, threatening or using violence as a method of political struggle or advocating the suppression of the freedoms guaranteed by the Constitution or denigrating democracy, its institutions and the values of the Resistance, or carrying out racist propaganda"*. It is required a judicial decision that has ascertained the reorganization of the dissolved fascist party: in this case, the Minister of the Interior, after consulting the Council of Ministers, orders the dissolution and confiscation of the assets. Alternatively, the Government provides for the dissolution directly with a decree law, but only in extraordinary cases of necessity and urgency. So far the end of fascist movements has been decreed following judgments of the judiciary held in the 70s and 90s of the past century.

Finally, the "Mancino" law of 25 June 1993, no. 205, bearing: *"Urgent measures regarding racial, ethnic and religious discrimination"* punishes those who carry out gestures, actions and slogans linked to the Nazi-Fascist ideology, which have the purpose of inciting violence and discrimination for racial, ethnic, religious, or national reasons, as well as those who use symbols linked to these political movements.

Apart from the barriers placed to protect the principles of democracy, at the constitutional level the relevance of intermediate bodies is also ensured by the principles of solidarity (Article 2 of the Constitution) and horizontal subsidiarity (Article 118 of the Constitution, last paragraph) set as Fundamental Principles of the Italian Constitution.

The above constitutional principles have allowed to root in all the territory active experiences of social volunteering also at the legislative level, starting with the framework law on volunteering no. 266 of 1991, the Legislative Decree no. 460/1997, concerning non-commercial bodies and non-profit organizations of social utility, up to the current law no. 117/2017 which organically regulates the “Imprese del Terzo Settore” (Third Sector Bodies), i.e. any non-profit organizational body committed to the so-called social volunteering, to which promotional and self-financing incentives are guaranteed (crowdfunding), as well as public funding and tax relief.

2. In which areas do CSOs contribute the most to the protection of fundamental rights?

The areas in which CSOs have contributed most to the protection of fundamental rights in Italy are the environment, health, rights of workers, rights of prisoners, rights of consumers, refugees and minorities, children.

Thanks to a free and not excessively onerous access, at every level, to ordinary or administrative jurisdiction, the judicial authority has anticipated in many cases the legislator in the protection of the collective and widespread interests represented by CSOs in various forms (companies, recognized or de facto associations, committees, or foundations).

Below are some of the most recent pronouncements that have marked the perimeter of the abilities and powers assigned to the CSOs present in the territory at local or national level, in whatever form they are constituted.

The CSOs, in whatever time or form established, are entitled to request compensation for non-pecuniary damage in the event of damage to the interest they bear, identifiable, on a legal level, in the good of life protected by the violated rules, regardless from the individual and personal dimension that it can also assume (Civil Cassation, Section 3, decision no. 22885 of 10/11/2015, Rv. 637821). For example, in the matter of discriminatory acts linked to different sexual orientation in the workplace, the jurisprudence has recognized to the associations representing the right or the infringed interest the legitimacy to initiate a trial to ascertain the violation of the obligations of Directive 2000/78 /EC and to obtain compensation for the damage (Civil Cassation Section 1 -, Ordinance n. 28646 of 12/15/2020, Rv. 660047).

For the protection of the workers' right to health, in the context of a criminal trial for a serious fatal accident at work, linked to structural breaches of the legislation aimed at protecting workers, the seeking to join a civil action by an association was allowed (Democratic Medicine) having for purpose the protection of the patient's right to health and dignity (Criminal Cassation Section U, Sentence no. 38343 of 24/04/2014 Hearing (dep. 18/09/2014) Rv. 261110 - 01 ; Criminal Cassation Section 4, Sentence no. 7597 of 08/11/2013 Hearing (dep. 18/02/2014) Rv. 259120).

In another case, consumer associations of national importance (Codacons), regulated pursuant to art. 137 of Legislative Decree no. 206 of 2005 ("Consumer Code"), were admitted to intervene in criminal proceedings as an offended person, pursuant to art. 90 Code of Criminal Procedure and not as a body equivalent to the offended pursuant to art. 91 Code of Criminal Procedure (Criminal Cassation Section 6, Sentence no. 51080 of 13/11/2014, dep. 05/12/2014, Rv. 261373).

In the administrative judgments, an autonomous and general legitimacy of the subjects with collective and widespread interests to challenge administrative acts was recognized, regardless of an extraordinary legitimacy conferred by the legislator, without prejudice to the general prohibition to assert as one's own a right of others pursuant to art. 81 Code of Civil Procedure (see Council of State - Ad. Pl. - sentence no. 6 of 20-02-2020; Council of State - Ad. Pl. - sentence no. 7208 of 11-12-2019).

Lastly, it should be noted an important change that further enhances the participation of civil society for the defense of fundamental rights: from January 2020, it is expected the intervention of CSOs as "*Amicus Curiae*" in the proceedings before the Constitutional Court aimed at ascertaining the compliance of the legal rules and statutes to the Constitution. Namely, non-profit social organizations, as bearers of collective or widespread interests relating to the constitutionality issue, may submit a written opinion. The Constitutional Court keeps record of such interventions.

The procedural legitimacy of the CSOs, widely recognized by the Courts, is accompanied by the general ability of these legal entities to capillary and extensively act in the territory as driving bodies of rights and principles of equality and social solidarity of constitutional importance (see art. 2 and 3 Cost.; legislative decree 3 July 2017, n. 117, containing <<Code of the Third Sector>>; Cost Court. judgment no. 131/2020 in reference to the wide latitude of the abilities and powers inherent to them regardless of formal recognition in the laws of the State).

Regardless of the wide and free space given to CSOs as promoters of human rights, the Italian Courts are equally proactive in offering innovative solutions and mediation paths to avoid heated social conflict situations and promote an inclusive society. In this regard, the ruling of the Cassation civ., J. Section, of 9 September 2021, n. 24414 is worthy of mention. In the context of a civil trial between a public educational institution, which had allowed the display of the crucifix in the classroom at the request of the students, and a teacher who in this respect claimed his own freedom of teaching and conscience, the Court applied the "principle of reasonable accommodation" in balancing the different freedoms of worship and thought and it consequently declared the illegitimacy of the school circular who had acknowledged the decision taken by the majority of the class assembly, deeming the simple majority criterion invalid when personal fundamental rights of equal value are opposed.

3. How do rights defenders, including NHRIs, Equality bodies and Ombuds-institutions, contribute to activities aimed at making the fundamental rights enshrined in the Charter a reality in your country? Please give examples.

Traditionally non-profit organizational bodies spread in all the territory have been providing for personal and social needs of any sort, as well as covering different cultural, leisure time and educational demands in the territory. They act as a "hinge"

between personal needs and educational, health and social public services, by virtue of the principle of subsidiarity which is well established in the Italian legal system since old times, in order to respond territorially and widely to possible inefficiencies of the central government.

A National Commission for the promotion and protection of human rights and for the fight against discrimination, still not existing at a central level, is going to be established in the Italian legal system; in fact, the parliamentary examination of the unified text of the draft laws on the subject, to which the Government has expressed full support, is underway.

However, the lack of a national human rights institution does not translate into a lack of protection. At the domestic level, in fact, alongside multiple public authorities with sectoral mandates (for example, the Department for equal opportunities and the Office for policies in favor of people with disabilities at the Prime Minister's Office), the Inter-ministerial Committee for human rights (CIDU), established at the Ministry of Foreign Affairs, which institutionally carries out focal point activities in Italy for the monitoring bodies of international organizations, is operational.

It is also worth noting the presence of equality bodies, which aim to overcome obstacles to economic, political, and social participation for reasons related to gender, religion, race, disability, age, sexual or political orientation. It must also be mentioned at central level, alongside the Department for Equal Opportunities, functional to the implementation of government equality policies, the National Commission for Equal Opportunities between men and women, established at the Prime Minister's Office, and the National Equality Committee, established at the Ministry of Labor, whose focus is the removal of discriminatory behavior based on sex and any other obstacle that limits, in fact, the equality between men and women in access to work and at work (the Committee, in particular, formulates proposals for the implementation of equal opportunities, draws up codes of conduct, draws up guidelines on the promotion and financing of equal opportunity projects).

In addition, the National Councilor for equality deals with the treatment of cases of gender discrimination in the workplace of national importance and the promotion of equal opportunities for male and female workers, and he/she coordinates the National Conference of Equality Counselors. Also, at the territorial and decentralized level, different bodies are operational: Councils, Commissions for Equal Opportunities, Counselors of Equality who exercise similar competences within the territory.

Finally, the new figure of the *ombudsman*, as social mediator, should be mentioned. Although in Italy there is no ombudsman at national level, through regional laws most of the Regions and autonomous Provinces - apart from three of the southern area - have adopted this figure, whose task is to verify the existence of abuses, delays or dysfunctions in the relationship between citizens and public administration, and to attempt, with moral suasion, to heal conflicts and prevent disputes between public administration and citizens; the *ombudsman* (*Difensore Civico*), acting as mediator between the administration and the citizen, can intervene to solve specific maladministration cases, having the right to acquire, by the impulse of a party or even on his own initiative, information on the administrative activities undertaken, up to

stimulating the administrations to adopt procedures that respect citizens' rights, especially with regard to civic access to administrative acts, provided for and regulated by means of a state law.

There are two draft laws (C855 and C1323) meant to establish a National Ombudsman for Human Rights.

The regional ombudsman, playing the role of a social mediator, so far is not entitled to intervene in civil, criminal, and administrative judgments, as well as in constitutional proceedings. However, the attitude of courts might change with the institution of a National Ombudsman for Human Rights.

The ombudsmen appointed by the regional authorities meet annually during the National Conference of Ombudsmen to exchange experiences and evaluate the results of their respective interventions and best practices. The experience is reported positively, without prejudice to the feared risk that their activity may overlap with that of other institutional figures that have taken root over the years, such as the guarantor of privacy or the tax authorities, or other bodies, based on associations, in charge of overseeing segments of economic sectors of public importance (supply of water, energy, telecommunications or other public services).

As an example, UNAR (National Anti-Discrimination Office) of the Department for Equal Opportunities of the Presidency of the Council of Ministers) publishes every year a Public Notice for the promotion of positive actions aimed at combating ethnic-racial discrimination and it is addressed to associations and bodies registered in the Register referred to in art. 6 of Legislative Decree 215/2003. The Public Notice, with a total funding of 350,000 Euro aims at promoting positive actions to combat ethnic-racial discrimination through culture, arts and sport, and has to be realized on the occasion of the Week of action against racism that takes place from 15 to 21 March.

Furthermore, as an example of action to combat discrimination, the UNAR Contact Center service constitutes a space for welcoming and collecting reports of discrimination originating from ethnic-racial reasons and from other factors such as age, disability, religion, sexual orientation, and gender identity. The broad sphere of competence and the many years of activity of the Contact Center have allowed thousands of victims and witnesses of discrimination to be listened to, advised, and supported with the authority of a public institution aimed at protecting those who, often, for a weak legal status or the fear of negative repercussions, does not overcome the fear of reporting violence, harassment, and abuses.

The Contact Center, as an operational security office, has therefore contributed to combating discrimination and promoting the integration of the most vulnerable social categories, such as elderly and disabled people, as well as to fight against homophobia and transphobia, with attention to the gender perspective and the phenomenon of the so-called multiple discrimination.

The service consists of a centralized activity of a professionally qualified listening, taking charge and management of reports of behaviors and events with potentially discriminatory content received by the Office through the many available channels (Toll-free number, website www.unar.it, e-mail, press monitoring, etc.), to be

implemented also through mediation, relationship and interconnection work with formal and informal actors who deal in various ways with discrimination on the national territory, as well as with communities subject to discrimination. The investigation is aimed at removing the discriminatory elements/facts also through the support and assistance to the discriminated subjects.

This activity is also carried out through an operational support action for the management of the procedures identified and aimed at detecting, analyzing, and monitoring discrimination phenomena.

4. In which areas do right defenders contribute the most to the protection of fundamental rights?

As illustrated in the answer to the previous question, the operational areas of the bodies for the protection of human rights are manifold.

There are, nevertheless, some areas in which experience has assumed a particularly significant importance: reference is made to the protection of personal data, freedom of religion, gender equality, minor's rights.

As regards the protection of personal data, the related Guarantor, an independent administrative authority, was established in 1996. The Guarantor has a variety of skills: he/she checks that the personal data processing is in compliance with the legislation in force and possibly he/she prescribes the measures to be taken to carry out the processing correctly in compliance with the fundamental rights and freedoms of individuals; he/she examines complaints; in the case of processing that does not comply with the regulatory provisions, he/she may issue warnings and injunctions to conform the processing to the provisions of the Regulation and also prohibit the processing; he/she can order the rectification or cancellation of personal data; he/she takes part in regulatory activity in the sector, both in the ascending phase (by reporting to Parliament and other bodies and institutions the need to adopt regulatory and administrative acts, formulating opinions, participating in hearings in Parliament and preparing an annual report on the activity carried out and on the state of implementation of the privacy legislation to be transmitted to the Parliament and the Government); he/she takes care of information and the development of awareness of the public and data controllers regarding the protection of personal data, with particular attention to the protection of minors.

In the field of children's rights, the establishment, in 2011, of a Guarantor Authority for children and adolescents was envisaged, who holds many skills involving different types of actions, such as listening and participation, promotion and awareness raising, collaboration, drafting proposals, opinions and recommendations.

In the matter of freedom of religion, there is the coexistence of governmental bodies (at the Presidency of the Council of Ministers and at the Ministry of the Interior), with consultative, coordination and supervisory tasks. Highly significant is the experience, strongly rooted in various territories, of the interreligious councils, in which the municipalities (minor territorial bodies) also participate, which are involved in promoting the interreligious dialogue also through cultural and popular initiatives.

The Interfaith Councils group together different faith communities, from the most numerous (Christianity, Islam, Judaism, Buddhism, Hinduism) to the less widespread

ones. Regardless of the Catholic religion, which finds a particular regulation in the Italian legal system, the attention paid to the Islamic community is also particularly relevant, which is increasingly widespread in the country (it is the second in terms of number of adherents). Although today there isn't an agreement with the Muslim community, unlike for other religious confessions, the Consultation for Italian Islam was first established at the Ministry of the Interior, with the task of offering suggestions on issues of interest for Muslims in Italy and their integration, and then also the Committee for Italian Islam, to formulate proposals on specific topics such as mosques, the training of Imams, the burqa etc.

B – The work of the Member States to protect CSOs and rights defenders

5. How do you ensure that CSOs and rights defenders work in a safe and enabling environment?

Besides the above mentioned “Scelba” law that provides for the dissolution of political movements and parties that pursue *“anti-democratic purposes proper to the fascist party”* and the “Mancino” law bearing *“urgent measures regarding racial, ethnic and religious discrimination”*, the Italian legal system sets various legal instruments aimed at protecting CSOs both from illegal activities that may mature within them, due to inadequate organizational models, and from external, criminally relevant conduct by third parties.

In this latter case, general criminal law provisions are suitable. Among the most relevant ones, crimes against the person (Title XII, Book II of the Criminal Code, including the facts endangering the fundamental individual assets, such as life, integrity, honor, freedom), as well as crimes against property (Title XIII, Book II of the Criminal Code, punishing conduct harmful to the another's assets carried out with the specific intent of making a profit from their criminal action or through violence against things or people, or through fraud).

CSOs, ultimately, in case they carry out an activity having a lawful object, are widely protected by law as entities with legal capacity, as autonomous centers of interests and legal relations, regardless of the membership form and the formal recognition of their status, being the expression of precepts of various nature and matrix, as well as the decisions and activities of the entities acting in their name and on their behalf. As for the adoption of an adequate internal organizational, accounting, and administrative structure, the main reference is to the institution of the administrative responsibility of the Entities, ruled by the Legislative Decree no. 231 of 8 June 2001. In this context, an entity may be found guilty of crimes committed for its own benefit or for the benefit of the managers or persons under its supervision. This law applies to entities with legal status as well as to companies and associations that do not have legal status, but it does not apply to the State, local public bodies, other non-economic public bodies and carry out functions of constitutional relevance.

The sanctions provided for are pecuniary, pre-emptive and ablative (confiscation of property) and are joined to the criminal ones directed at their persons in charge, on the assumption that the responsibility of an entity for a crime cannot be separated from that

of the person who committed it; this innovative paradigm of responsibility, by which *societas delinquere potest*, introduces a sort of corporate liability joined to that of the person who committed the criminal act to "advantage" or "in the interest of the organization", without necessarily resulting in a real profit.

Pursuant to art. 5 paragraph 2 of Legislative Decree 231/2001, the entity is not liable if the recipients of the rule (subjects in top positions, subjects subjected to the management of others, including those not necessarily in the organization chart, such as consultants or brokers) acted in the exclusive interest of themselves or third parties, and therefore the institution presents itself as a victim of the offense; art. 6 of the aforementioned decree, on the other hand, considers as a special exemption condition the adoption and effective implementation by the body of organization and management models, suitable for preventing crimes of the type established.

More generally, the organization and management models provided for preventive purposes can be drawn up in compliance with codes of conduct adopted by trade associations, which are subject to a verification and control procedure by the Ministry of Justice, ruled by articles 5, 6 and 7 of the Ministerial Decree no. 201 of 26 June 2003 and by the provisions of the Head of the Department for Justice Affairs adopted on 2 December 2009. The procedure is initiated by the Office I - Department II of the Directorate General for Internal Affairs (former Directorate General for Criminal Justice), which also cares the moment of consultation with the ministries concerned, the Bank of Italy and the CONSOB, and it must be defined within thirty days with the formulation of observations and with the approval of the Director General, which works as a condition for its disclosure for any subsequent use.

Furthermore, the corporate compliance system must adapt to possible changes in the corporate structure, such as the opening of new offices, acquisitions or reorganizations, thanks to constant mechanisms for updating and revising of organizational models, for the purpose of a lasting preventive/dissuasive effectiveness of the same. The suitability of the organization and management model is in any case subject to independent assessment by the judge in relation to the specifically alleged offenses.

Thus, overall, the legal system guarantees not only that CSOs receive recognition and protection for the performance of their legitimate activities, but also that the original and statutory purposes do not undergo illegal deviations over time by those who represent them.

6. Please explain the main features of the legal framework applicable to CSOs (for example, rules on declaration/registration/dissolution, rules governing the exercise of their activities, court decisions relating to the application of this legal framework, etc.). Please add relevant references to such rules.

The CSOs regime is related to the legal nature of the institution, attributable to the phenomena of private law associations and the Third Sector Bodies (*Enti del Terzo Settore* –ETS–), according to the special category discipline and that provided, lastly, in support of the so-called *non-profit* sector.

In the associations context, the general rules of the civil code apply (see articles 14 and following of the civil code) for the establishment of such legal entities, internal regulation and property regime: the value of the legal personality conferred by the State to *recognized*

bodies is in the “perfect capital freedom” and in the specular “limitation of liability” for the individuals who are part of it, resulting in a separation of the assets of the body from that of the members who act in its name and behalf.

As for the foundations, the Supreme Court of Cassation clarified how the same, as an act of private autonomy not participating in the nature of the administrative provision of recognition, is regulated in relation to its validity and effectiveness by private law, generating relationships of private law and positions of subjective right (Cass. Civ. Section U., Decision no. 3892 of 26/02/2004 - Rv. 570587 - 01); moreover, the deed of incorporation of an association constitutes an expression of negotiation autonomy and are ruled by the general principles of the legal transaction in relations between members (Cass. Civ. Section 3, Decision no. 8372 of 08/04/2010 Rv. 612260 - 01). For the same principles, disputes about the validity or effectiveness of the instrument of incorporation of such bodies fall within the jurisdiction of the ordinary court, even after the order for recognition of legal personality has been issued (UU. SS. civ. 3892/2004, cited above).

A relevant rule is art. 19 of the civil code, which does not allow legal entities to object limitations on the power of representation of their bodies if they do not appear in the prescribed register, unless it is proven that the third contracting party was aware of them; a rule which, having an exceptional nature, does not apply to *de facto* associations (*not recognized*), for which no advertising form is established and they are in any case allowed to carry out activities that are directly and necessarily attributed to the associates who in actual fact represent them and spend their name (Cass. Civ. Section 2, Sentence no. 7724 of 07/06/2000 Rv. 537381 - 01; Cass.civ. Section 3 -, Sentence no. 22891 of 10/11/2016 Rv. 642969 - 01).

For recognized associations, the declaration of dissolution by the legal representatives is followed by the material liquidation procedure (art.30 with the appointment of one or more liquidators (art.11 implementing provisions), which ends, after the settlement fulfilment referred to in articles 12 to 19 of the provisions of the civil code, with the cancellation from the register of legal persons by the President of the Court (article 20 of the civil code). Finally, it was clarified that for the liquidation process of non-recognized associations (see articles 36 et following of the civil code on related *status* and regime) the rules laid down for the dissolution of those recognized do not apply, and therefore, this could be done by the same legal representatives in office on the date of dissolution, in a regime of extension of the relative powers, or even by an ad hoc liquidator appointed by the members. Since there is no formal extinction provision, t5/9/2022he dissolution does not entail the extinction of the non-recognized association, which remains alive until all its relationships are not resolved (Civil Cassation Section 3, Sentence no. 5738 of 10/03 / 2009 Rv. 606866 - 01; Cass. Civ. Section 2 -, Sentence no. 12528 of 21/05/2018 Rv. 648757 - 01; Cass. Civ. Section 3 -, Order no. 30606 of 27/11/2018 Rv. 651 853 - 01).

The so-called Third Sector Bodies (Enti del Terzo Settore- ETS), which receive particular protection and support (also from a fiscal point of view), have always been particularly appreciated, most recently defined by the enabling act 106/2016 as the set of private bodies set up with civic, solidarity and social utility purposes, in consistency with what is established in the respective statutes or articles of incorporation; this category *does not* include political parties and associations, trade unions and professional associations of economic categories; furthermore, the ETS regulations do not apply to banking foundations.

With note no. 2088 of 2020, the Ministry of Labor and Social Policies identified the distinctive elements of the ETS such as: the private nature of the body; pursuit of civic, solidarity and social utility purposes; absence of the purpose of profit; carrying out,

exclusively or principally, of one or more activities of general interest in the form of voluntary action or free provision of money, goods or services, or of mutuality or production or exchange of goods or services; registration in the single national register of the Third sector (RUNTS, set up at the Ministry of Labor and operationally managed on a territorial level).

The Third Sector Code (Legislative Decree 117/2017) lists the bodies that are part of it, identified in: voluntary organizations (*organizzazioni di volontariato*, ODV), social promotion associations (*associazioni di promozione sociale*, APS), philanthropic bodies, social enterprises, including social cooperatives, associative networks (Article 41 of the Code and circular no. 2 of March 5, 2021 of the Ministry of Labor and Social Policies) and mutual aid companies. In this regard, it has to be underlined that: Titles IV and V of the Third Sector Code, containing the rules on the establishment and organization and administration of third sector associations and foundations and voluntary organizations, respectively; Title VI, relating to the single national register of the third sector (see art. 45; as well as art. 47 on registration and art. 49 on dissolution or extinction with an assessment also by own motion of the related causes); Title VIII, on the promotion and support of Third Sector bodies (including the regulation of service centers for volunteering; art. 61); Title X, relating to the tax regime also with facilitated disciplines for TSB registered in the single register (articles 79-89) and Title XI, on the controls and coordination system (see article 90 and following on Controls and powers over the third sector foundations).

At the application level, the administrative rulings highlight a simpler operating regime for the ETS even if necessarily based on the general principles (deriving from Community law or of constitutional rank) responsible for the correct exercise of administrative action (as for Regional Administrative Court Naples Campania section III, 02/07/2019, hearing 02/04/2019, dep. 02/07/2019, no. 3620); the power of the autonomous regions and provinces was also recognized to cancel the association from the Register of voluntary organizations with a motivated provision, since the public authority could not dissolve the recognized associations, nor ordering the extraordinary administration procedure (State Council section I, 13/10/1993, no. 903 - editorial maxim Giuffrè 1994, State Council I, 1659).

7. Do you have in place a system for reporting and monitoring threats or attacks (including physical attacks) on CSOs activists and rights defenders? If yes, how does it work?

In the Italian legal system, any report of criminal attack or threat is registered in a public record and investigated by the police officers and public prosecutors, with small room for discretionary power. When there are concrete and relevant risks of attacks for certain groups or associations the police shall provide for a program of special protection of their premises, property, and members, as well as for individuals.

8. Do you provide for, support, or finance an alert mechanism and/or supporting services in case of physical and on-line attacks to CSOs activists and rights defenders?

The public support consists in tax facilities and supporting services provided for the Third Sector Entities by law. The CSOs have their own autonomous organization and assets and receive also private or special public funds. Many of them build up an internal security system, if necessary. Usually, they provide for an alert system through a Toll-free number.

9. Are you part of the Open Government Partnership¹ (OGP)? If yes, could you share the link to your latest OGP action plan?

The answer is affirmative: since 2011 the government is part of OGP. See the latest OGP action plan in <https://open.gov.it/notizie/open-gov-week-2022-primi-appuntamenti-calendario>

10. Do you assess how CSOs are impacted by legislative proposals in the legislative preparatory work? If yes, please briefly describe the process/mechanism.

The answer is affirmative. For instance, the Directorate General for Active Policies at the Ministry of Labor, within the scope of the competences contained in articles 14 paragraph 1 (Right to education) and 15 paragraph 1 (Professional freedom and right to work) of the Charter of Fundamental Rights of the European Union, explained that with regard to the right to vocational and continuing training, it has always guaranteed the involvement of civil society organizations (in particular the social and economic partners such as trade unions and groups of employers, as well as representatives of Third Sector associations) in the formulating process of regulatory and administrative acts relating to policies regarding lifelong learning for adults, pursuant to Law 92/2012 (Article 4, paragraphs 51-68), understood as any activity undertaken by people in a formal, not formal and informal way, in the various stages of life, in order to improve knowledge, skills and competences, in a personal, civic, social and employment perspective; this involvement was ensured both by the presence on the technical workshops specifically set up for this purpose and by means of written consultation procedures.

Concerning the promotion of the freedom to work and to exercise a freely chosen profession within the territory of the European Union, all economic and social partners as well as Third Sector organizations have been involved in the drafting of the Reference Report of Qualifications to the European EQF (European Qualifications Framework), through the activation of a public consultation and specific information meetings. The EQF is part of the wider context of existing European cooperation in the field of education and training within the European Strategic Framework Education and Training 2020 - ET 20206 (and the future European strategic frameworks) and, namely, it aims at the achievement of the following objectives:

- to help modernize education and training systems.
- to increase workers and learners' employability, mobility, and social integration.
- to ensure a better link between formal, non-formal and informal learning and to support the validation of learning outcomes in different contexts (for example in work).

11. Do you consider it necessary to improve the cooperation between Member States and the EU to strengthen the level of protection of CSOs and rights defenders working to protect fundamental rights? How?

¹ <https://www.opengovpartnership.org/>

The strengthening of cooperation between the Member States and the European Union to raise the protection level of civil society organizations and human rights defenders is certainly appropriate at this stage.

In this regard, being a variety of internal interventions and approaches it is preferable to adopt cooperation actions between Member States and the European Union to harmonize and strengthen the existing systems, at various levels, such as:

- the promotion of information and training on the subject of human rights (both with the public and with specific categories of recipients, for example, public administration officials, journalists, etc.);
- the exchange of good practices in the individual Member States.
- the development of a support network and the strengthening of already existing figures and structures.
- the identification of priority sectors in which to promote the activities of CSOs and rights defenders, also for the purpose of granting public funding or other incentives.
- the conducting monitoring and data collection to concretely identify any critical issues and prevent them for the future.

Another reason that leads us to prefer, at least in the first instance, cooperation between Member States and the European Union consists in the need to exactly identify the outlines of the phenomenon: the subject of human rights is very vast, and it requires an increasingly actualized and a concrete vision of the level of protection necessary to strengthen the work and role of CSOs and rights defenders in civil society.

The involvement of the European Union in the promotion, also from a financial point of view, of CSOs and rights defenders, already widely present in the Member States under different forms and entities (such as, for example, in Italy) would facilitate the harmonization of the purposes for which they make bearers, in various capacities and levels, by strengthening the impact of their work in the area through a supporting, coordination and monitoring work of results that it is currently lacking at an organic and holistic level.

C – The work of the Member States to support CSOs and rights defenders

12. Please indicate which public authorities are competent to disburse public funding and the main programmes of funding available at national and local level for CSOs working to protect and promote fundamental rights.

(a) How do authorities select the CSOs, and what are the main conditions they have to fulfil?

The answers were provided by the Directorate General of the Third Sector and Corporate Social Responsibility at the Ministry of Labor and Social Policies, which specified that not all civil society organizations (OCS) can be qualified as Third Sector Entities (TSE), as the latter constitute a limited set of legal entities with specific characteristics (Article 4 of Legislative Decree No. 117/2017), aimed at "pursuing the common good" (art. 1), to carry out "activities of general interest" (art. 5), without pursuing subjective profit-making purposes (art. 8), and are subjected to a public registration system (art. 11) and rigorous controls (arts. 90 - 97).

In this regard, it provided the following observations regarding the OCS/TSE that carry out, among the activities of general interest referred to in art. 5 of the legislative decree no. 117 of 3 July 2017 (so-called Third Sector Code), the promotion and protection of human, civil, social, and political rights (paragraph 1, letter w).

The Directorate General of the Third Sector and corporate social responsibility finances annually, using the resources referred to in the Fund for the financing of projects and activities of general interest in the third sector, established pursuant to Article 72 of Legislative Decree no. 117/2017, projects presented by the TSE supporting activities of general interest, including, as mentioned above, the promotion and protection of human, civil, social and political rights.

The Minister for Labor and Social Policy shall determine annually, for a period of three years, by his own action of address, after agreement at the Permanent Conference on relations between the State, the Regions and the Autonomous Provinces of Trento and Bolzano, the general objectives, the priority areas of intervention and the lines of activities that can be financed within the limits of the resources available from the Fund itself (Art. 72 Code of the third sector, paragraph 3).

More generally, according to art. 1 of Law No. 241 of 7 August 1990, administrative activity pursues the purposes determined by law and it is ruled by cost-effectiveness, impartiality, and transparency criteria in accordance with the procedures laid down by the same law and the other provisions governing individual proceedings as well as by principles of Community law.

Therefore, the identification of projects to be financed is carried out according to procedures of public evidence, carried out pursuant to Law No. 241 of 7 August 1990, art. 12 *"Measures conferring economic advantages"* under which: *"1. granting subsidies and financial aids and the allocation of economic advantages of any kind to persons and public and private bodies are subject to predetermination by the proceeding administrations, in accordance with their respective legal systems, the criteria and procedures to be followed by the administrations themselves. The effective compliance with the criteria and modalities must result from the individual measures relating to the interventions referred to in paragraph 1"*.

- (b) **How do authorities ensure a fair distribution of funds among CSOs?**
- (c) **Is there public funding available for organizations' core costs for administrative expenditures and infrastructure?**
- (d) **Is there public funding available for human rights advocacy?**

The answer is affirmative. For instance, the UNAR (National Office against Racial Discrimination) of the Department for Equal Opportunities of the Presidency of the Council of Ministers manages a Register of associations and entities that carry out activities in the field of combating discrimination, provided for by art. 6 of Legislative Decree 215/2003 (Implementation of Directive 2000/43/EC for equal treatment for people regardless of race and ethnic origin). The article 6 establishes the necessary requirements for registration, giving UNAR a mandate to provide for an annual update of the Register. The Office also has the task of carrying out periodic hearings with associations and entities registered in the Register, as well as initiating, with them, the

promotion of studies, research, training courses and exchanges of experiences. The registration procedure in the Register is provided for by a Regulation containing rules on the procedures for registering and updating the Register of Associations and Bodies that carry out activities in the field of the fight against discrimination. The registration and updating procedure take place electronically on the online platform through a special dedicated area on the institutional website www.unar.it. Enrollment in the Register is assessed and confirmed every year, following the presentation of the documentation relating to the activity carried out in the last year, the new annual income and expenditure budget and the communication of the confirmation of the other requirements presented at the time of the first registration and already in possession of the Office. 430 Associations are currently registered in the Register. The Office, by email, informs members of the publication of Notices and other communications of interest of the associations.

13. Do you have a system in place to get an overview or to coordinate the funding opportunities available at the different levels? By whom is it coordinated, and how does it work?

Yes, the National Forum of the Third Sector (<https://www.forumterzosettore.it/>) and, in the international sector, the Italian Agency for Development Cooperation (Agenzia Italiana per la Cooperazione allo Sviluppo – AICS-<https://www.aics.gov.it/>) play this role

14. Has any process to simplify and speed up access to funding been considered/adopted/implemented?

The answer is yes, starting from 21 November 2021 through the digital platform set by the Minister of Labor (<https://servizi.lavoro.gov.it/Public/login?retUrl=https://servizi.lavoro.gov.it/&App=ServiziHome>) the CSOs may be registered at the RUNTS (Unique Register of the Third Sector)

15. Does your taxation system provide for a tax exception/relief/incentive in case of donations to CSOs?

The Directorate General of the Ministry of Labor and Social Policy gives an affirmative answer as it is foreseen, pursuant to art. 83 ("Deductions for donations"), paragraph 1, of the Third Sector Code, that from the gross personal income tax it is deducted an amount equal to 30% of the charges incurred by the taxpayer for in cash or in kind donations in favor of non-commercial third sector entities referred to in Article 79, paragraph 5, for a total amount in each tax period not exceeding € 30,000.00 with the possibility that said amount is raised to 35% of the charges incurred by the taxpayer, if the donation is in favor of voluntary organizations. The deduction is allowed by law for donations in cash, provided that the payment is made through banks or post offices or through debit, credit and prepaid cards, bank, and cashier's checks.

The same article 83, paragraph 2, provides that the in cash or in-kind donations made in favor of non-commercial third sector entities by individuals, entities and companies are deductible from the total net income of the donor subject up to a limit of 10 per cent of the total declared income.

The same affirmative answer is given by the Minister of Finance, which underlines the different fiscal treatment of donors and donations in various sectors:

- Contributions of individuals to NGOS are deductible from personal income up to 2% (art. 10, comma 1, lett. g), TUIR-d.P.R. 22 Dec. 1986, n. 917) ;
- Any sort of donations given to the Entities of the Third Sector are deductible from the personal income up to 30% (art. 83, comma 2, del Codice del Terzo settore-d.lgs. 3 luglio 2017, n. 117)
- Contributions to “foundations and associations for scientific research” are deductible up to 10 % of the personal income within the limit of 70.000 euro per year (art. 14, par. 1, del d.l. 14 marzo 2005, n. 35);
- Contributions in favor of trusts or special funds established for persons with serious disabilities and no family support are deductible up to 10 % of the personal income within the limit of del 20 % of the personal income up to 100.000 euro per year (art. 6, comma 9, della legge 22 giugno 2016, n.112).

Other donations or contributios are deductible from gross tax in terms of tax relief for individuals:

- Money contributions are deductible at 19%, if in favor of “foundations or nonprofit associations aimed to study , research and documentation of relevant artistical or cultural value “(art. 15, comma 1, lett. h, TUIR);
- Money contributions are deductible at 26 % and up to a maximum amount of 30.000 euro per year, if in favor of nonprofit organizations (ONLUS), humanitarian lay or religious activities lead by foundations, associations, organizations as indicated by a decree of the Prime Minister and operating in countries outside of “OCSE” (art. 15, comma 1, lett. h, TUIR);
- Money contributions or donations are deductible at 30 % per cent and up to a maximum amount of 30.000 euro per year, if in favor of nonprofit ETS. The percentage is of 35% if the donation is given to volunteer associations (art. 83, comma 1, del Codice del Terzo settore-d.lgs. 31 July 2017, n. 117);
- Money contributions and donations are deductible at 35 per cent, if given by individuals in favor of trusts or special funds established for persons with serious disabilities and no family support (art. 6, comma 9, della legge 22 giugno 2016, n.112).

16. What is the legal framework applicable to donations for other EU countries or third countries to CSOs ?

It is the same as above described by the Minister of Finance.

D – The work of the Member States to empower CSOs and rights defenders

17. Is there a structured dialogue policy between CSOs and public authorities at local, regional, and national level? Is there a body representing the interest of CSOs? How is it composed, and which are its competences?

Initially, the Italian legal system did not conceive a general policy of structured dialogue between CSOs and public authorities at local, regional, and national level as, traditionally, it is composed by the plurality and autonomy of the various bodies

distributed to territorial level, whereas they act for lawful purposes. Moreover, the intervention of the individual protagonists still passes through specific sector legal rules, as outlined above, without the need for a political or value filter.

In more recent times law no. 125/2014 established the Italian Agency for Development Cooperation (*Agenzia Italiana per la Cooperazione allo Sviluppo* – AICS-), which operates to strengthen the effectiveness, economy, unity and transparency of the development cooperation policy in Italy, as well as to promote values of peace and justice through solidarity and sustainable development of peoples and individuals. The competences and operating rules of the Agency are ruled by the decree of the Ministry of Foreign Affairs and International Cooperation (MAECI) no. 113 of 22 July 2015, under the MAECI direction and supervision (<https://www.aics.gov.it/>).

The Agency, pursuant to Article 17, paragraph 1, of the founding law, has legal personality under public law. It is responsible for the technical-operational activities connected with the preliminary, formulation, financing, management, and control phases of international cooperation initiatives; in this context, the objectives lie in the eradication of poverty, the reduction of inequalities, the affirmation of human rights and the dignity of individuals - including gender equality and equal opportunities -, the prevention of conflicts and the support for the peace process.

Furthermore, the National Forum of the Third Sector (<https://www.forumterzosettore.it/>), a non-profit organization representing the Italian Third Sector, must be mentioned. It was officially established in June 19, 1997 as a recognized social partner. In October 2017, and then in January 2021, the Ministry of Labor and Social Policies announced that the National Forum of the Third Sector, at the conclusion of the public notice procedure for the implementation of articles 59 and 64 of the Third Sector Code, turned out to be the most representative association of Third Sector bodies in the national territory, by reason of the number of member organizations: it represents 100 national second and third level organizations - for a total of over 158,000 territorial offices - operating in the fields of voluntary work, associations, social cooperation, international solidarity, ethical finance, fair trade in our country, all organizations with the purpose of social solidarity traditionally very rooted in the Italian civil society, which have also operated successfully during the pandemic in order to meet the primary needs of vulnerable people (such as the elderly, homeless and needy people).

The Third Sector Forum has as its primary objective the enhancement of the activities and experiences that autonomously organized citizens carry out widely on the ground to improve the quality of life, of the communities, through paths, including innovative ones, based on equity, social justice, subsidiarity, and Sustainable Development. The main tasks include:

- social and political representation towards the Government and Institutions.
- coordination and support for inter-association networks.
- communication of values, projects, and requests of the Third Sector organized realities.

- training of Third Sector Bodies to enhance their capacity to intervene in the territories and to respond to social and economic changes.

Finally, the UNAR (National Office against Racial Discrimination) of the Department for Equal Opportunities of the Presidency of the Council of Ministers, as a national equality body maintains a continuous and structured dialogue with the world of associations, often acting as a *trait d'union* with central or territorial institutions.

This dialogue is conducted in different ways and intensities, based on the complexity of the objectives to be achieved. In particular, the following structured comparison methods, starting from those established by Ministerial or Directorial decree, should be noted:

- a) Gypsy, Sinti and Caminanti National Platform (wandering nomads), including 79 member associations. On the basis of the topics on the agenda, the Ministries of Interior, Labour and Social Policy, Education, the Conference of the Regions, IANCI, IUPI, Research Centres and Universities, individual experts are constantly invited to participate.
- b) National LGBT Table, including 66 member associations;
- c) Consultation table for the drafting of a National Plan against Racism, Xenophobia and Intolerance 2021-2025, including 120 members.

Finally, many local Bar associations learned the importance of this sector, sponsoring a new concept of “social lawyer” specialized in the Third Sector (<https://www.ordineavvocatimilano.it/it/sportello-terzo-settore/p566>).

18. What is the process of consultation of CSOs regarding legislative proposals having an impact on civil society and civic space?

In Italy, a hearing with stakeholders in the legislative procedure is envisaged by law.

In identifying and comparing the options, the competent administrations must consider the need to ensure the correct competitive functioning of the market and the protection of individual freedoms.

In particular, the regulatory impact analysis (AIR) on the social partners was introduced by article 5 of law no. 50 of 1999. After an experimental phase, the law n. 246 of 2005 has profoundly revised the topic, introducing - alongside the impact analysis (preventive assessment to be conducted by the legislator in the preliminary phase) - the impact assessment (VIR): that is, a verification of the effects produced by the regulatory act.

Article 5 of the regulation referred to in the decree of the President of the Council of Ministers 11 September 2008, n. 17017, provides that the AIR is preceded by an adequate investigation, including consultation of the main categories of public and private entities, direct and indirect recipients of the regulation proposal by comparing alternative options.

On the other hand, the AIR is not carried out for some types of acts, as stated by article 8: a) draft constitutional law; b) regulatory acts on internal and external security of the

State; c) draft laws to ratify international treaties, which do not involve costs or establishment of new offices.

Mechanisms for consultation of stakeholders are also envisaged at the level of local public bodies, based on the principle of subsidiarity strongly present in the Italian state system, internally divided into regions or autonomous provinces in order to protect ethnic minorities who have settled in the territory since time immemorial, as well as the different local traditions, including the use of languages other than Italian (such as, for example, ancient Albanian, German, French, Ladin, whose teaching is also guaranteed at primary and secondary school level).

Law no. 180 of 2011 established that the State, regions, local authorities, and public bodies are deemed to assess the impact of legislative and regulatory initiatives, including those of a fiscal nature, on businesses, before their adoption, through the effective application of the regulations relating to AIR and VIR (article 6). Said peripheral territorial bodies, having legislative power for certain constitutionally assigned matters, like the central State are required to provide for and regulate the use of the consultation of the most representative organizations of the enterprises before the approval of a legislative, regulatory, or administrative proposal, also of a fiscal nature, intended to have consequences for businesses. Pursuant to article 8, by 31 January of each year, the state administrations send the Presidency of the Council of Ministers a report on the overall budget of the administrative burdens, at the expense of citizens and businesses, introduced. Finally, the directive of the President of the Council of Ministers of 16 January 2013 identified the methods and models to be used for the purposes of the AIR of the regulatory acts transposing European directives and updated the AIR report model ([https://www.senato.it / application / xmanager / projects / leg18 / file / repository / UVI / 01 _- _ Airuna_panoramica_sulla_normativa_vigente.pdf](https://www.senato.it/application/xmanager/projects/leg18/file/repository/UVI/01_-_Airuna_panoramica_sulla_normativa_vigente.pdf)).

19. Do you have an easily accessible one-stop-shop online platform in place, which regroups all consultations with CSOs and the public?

The answer is positive: there is the Forum of the Third Sector (<https://www.forumterzosettore.it/>) and the RUNTS platform established by the Minister of Labor: <https://servizi.lavoro.gov.it/runts/it-it/> . Furthermore, there are many regional platforms.

20. Do you have any guidelines or standards on public participation?

A secondary source of law, the decree of Prime Minister (DPCM) of 15 Sept 2017, No.169 establishes guidelines for the analysis of impact and standards on public consultations

Furthermore, the Directorate General of the Ministry of Labor highlights the M.D. no. 72 of March 31, 2021 for the adoption of the "Guidelines on the relationship between Public Administrations and Third Sector Entities in Articles 55-57 of the legislative decree no. 117/2017 (Third Sector Code) ", which indicates the forms of active involvement of Third Sector entities by public administrations in the exercise of their planning and organization functions at the territorial level of interventions and services in the sectors of activities of general interest. Active involvement means, first, developing on a legal level form of confrontation, sharing and co-realization of

interventions and services in which both parties - TSE and PP.AA. (Public administrations) - are effectively enabled to collaborate in all activities of general interest.

21. Are CSOs or, where relevant, NHRIs included in the committees set up to monitoring the implementation of EU funded programmes under the Common Provisions Regulation (CPR)² and are they involved in the arrangements set up under the horizontal enabling condition to ensure compliance with the Charter? If so, what is their role in this context?

Within the framework of the programming of the Cohesion Policy 2021-2027, the Italian Partnership Agreement, approved by the European Commission on 17 January 2022, stated the ways to ensure the fulfilment of the enabling condition on the application and implementation of the EU Charter of Fundamental Rights required by the Regulation (EU) 1060/2021 in the self-assessment Report on the Effective Application and Implementation of the EU Charter of Fundamental Rights. This document was issued jointly by the Territorial Cohesion Agency, the National Agency for Active Labor Policies (ANPAL) and the General Inspectorate for Financial Relations with the EU of the Ministry of Economy and Finance, as a result of the coordination work carried out by the Cohesion Policy Department of the Presidency of the Council of Ministers, and it has been updated taking into account the results of the informal negotiations conducted with the European Commission and, in particular, the observations made by the Commission.

As explained in the Report, in the context of European shared management funds, the compliance with the principles of the Charter is ensured both in the programming process of the Partnership Agreement and the Programs, where the application of the European Code of Conduct on Partnership contributes to ensure the broad involvement of civil society representatives in the process, both in the implementation phase, in which, alongside the establishment of the Supervisory Committee, the identification of a contact point is envisaged, based on the structure of the Managing Authority of each program holder administration. Through the Supervisory Committee, civil society carries out a specific surveillance and control function on the programs, starting from the phase of defining the selection criteria to be adopted, to ensure that any actions contrary to the Charter are not financed.

The contact point has the task of supervising the compliance of the programs financed by the Funds with the provisions of the Charter, examining any complaints and, in the event of non-compliance ascertainment, involving the competent bodies in the matter. This will ensure compliance with the provisions of the Charter in the implementation of the programs.

Civil society organizations, therefore, have the possibility of detecting the infringements of the provisions of the Charter, in order to ensure that the programmes are in conformity with the Charter and that they are implemented, and to report or contest any decision or action that infringes the rights enshrined therein in accordance

² <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32021R1060>

with Article 47 concerning the "*Right to an effective appeal and to an impartial court*", thereby making those rights enforceable.

As part of the 2014-2020 programming of the European Structural and Investment Funds (EIS), the Monitoring Committee, involved in the National Operational Programmes owned by ANPAL Youth Employment Initiative (PON IOG) and Active Employment Policy Systems (PON SPAO), established pursuant to Regulation (EU) No 1303/2013, consists of representative bodies of civil society, including environmental partners, NGOs and bodies promoting social inclusion, gender equality and non-discrimination, alongside the representatives of the competent authorities of the Member State, the Intermediate Bodies, the regional authorities, the economic and social partners (executive decree of the Ministry of Labor and Social Policies no. 59/2015).

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