



UNIONE FORENSE  
PER LA TUTELA DEI DIRITTI UMANI

**Communication on Engagement 2020 (COE)**

**UFTDU, Unione forense per la Tutela dei Diritti Umani**

26 October 2020

## **Statement of continued support to the United Nations Global Compact initiative**

I am proud confirm the support and the ongoing commitment of our Association, *Unione forense per la Tutela dei Diritti Umani*, to the UN Global Compact and to its Ten Principles in the areas of Human Rights, Labour, Environment and Anti-Corruption.

The *Unione Forense per la Tutela dei Diritti Umani* (“UFTDU”) is an association of lawyers, founded on 2 March 1968, with the aim to spread the knowledge of national and international rules on human rights protection. It also aims to promote the actual and effective observance of those rights at the judicial, administrative and legislative level by aligning its strategies and operations with Global Compact’s Ten Principles. In order to achieve its goals, UFTDU has identified, throughout the years, three strategic areas of action: *advocacy*, *education* and *training*.

Avv. Prof. Anton Giulio Lana

*President*

26 October 2020

UFTDU has well-established relations with international organizations, such as the Council of Europe, the European Union and the O.S.C.E., and has participated in numerous institutional activities (surveys, election monitoring, etc.). Moreover:

- ✚ UFTDU is an affiliate member of the [\*Fédération Internationale pour les Droits Humanis\*](#) (FIDH) participating, since the earliest admission, to many activities.



- ✚ UFTDU joined the [\*Institute for Human Rights of European Lawyers\*](#) (IDAHE) and it is still part of its board of directors.



# Areas of Action

## Advocacy

### *Description of Actions and Measurement of Outcomes*

Advocacy aims to influence decisions within political, economic, and social systems and institutions. Advocacy attracts the public's attention on specific issues in order to pressure policy makers into devising possible solutions. UFTDU's advocacy is carried out at different levels, in order to address a large number of stakeholders and to increase the overall influence of its activities. The levels of intervention are:

- ***The political level***, by contributing to the drafting of bills or to the debate on current events concerning human rights.
- ***The judicial level***, by participating as *amicus curiae* to proceedings before national tribunals and the European Court of Human Rights.
- ***The extrajudicial level***, by committing its work to monitor and to denounce the Italian State's fulfilment of the obligations undertaken through the ratification of the treaties related to human rights.

Among the major advocacy activities carried out by UFTDU between 2018 and 2020, it is worth mentioning:

- ***Joint Proposal for a Third-Party Intervention before the European Court of Human Rights (UFTDU – FIDH) | 5 October 2020, Strasbourg***

UFTDU and the *Fédération Internationale pour les Droits Humains* (FIDH) presented a joint application for leave to submit written comments before the European Court of Human Rights, as Third-Party Intervenors in 10 different applications brought by refugees held in Lampedusa's reception centres. Applicants claim several violations of articles 3, 5 and 13 of the European Convention on Human Rights and article 4 of Protocol 4 of the Convention by Italian authorities and both organisations intend to demonstrate how Italian policies may violate the Convention. Moreover, they mean to bring to the attention of the Court the issue of vulnerability of migrants, which has been largely neglected by national legislation. The Third-Party Intervention request is currently under scrutiny from the Court.

- ***Prix Ludovic Trarieux 2020 | 24 September 2020, Geneva***

On 24 September 2020, the Jury met in Geneva for the 2020 edition of the *International Human Rights Prize Ludovic Trarieux*. The Jury was composed by 28 European lawyers representing Bars from all over Europe. UFTDU's President, Mr. Anton Giulio Lana, and Alessio Sangiorgi, member of UFTDU's Board of Director, were named Jury members to represent the association. This year's Prize was jointly awarded to Ebru and Barkin Timtik, two Turkish sisters and lawyers who were arrested in 2017, after several persecutions due to their activity of legal counselling for political dissidents accused of being terrorists. Following years of trials and pre-trial detention, Ebru Timtik went on a hunger strike to demand a fair trial, which eventually caused her death after 238 days of protest. Her sister, Barkin Timtik, is currently in prison whilst her case is still pending before the Court of Cassation.

- ***Communication to the Italian State by the European Court of Human Rights, following UFTDU's application for the 'Porta Portese' case | 7 July 2020, Strasbourg***

Following the discriminatory advertisement published by the local newspaper *Porta Portese* in 2006 and 2007, where landlords and employers expressly excluded immigrants and foreigners

from their offers, UFTDU brought the case to the European Court of Human Rights in 2012. In its application, UFTDU considers the Italian State to be in breach of the European Convention on Human Rights, for the failure of judicial authorities to condemn the discriminatory nature of the advertisements. The case is pending before the Court. On 7 July 2020 the Italian Government was requested to submit written observations on the matter.

- ***UFTDU's President Audition before the Italian Parliament | 5 November 2019, Rome***

On 5 November 2019, Professor Anton Giulio Lana was invited by the Chamber of Deputies of the Italian Parliament to provide an opinion on the legal proposal for the ratification and the implementation of Protocols n.15 and n.16 of the European Convention on Human Rights. UFTDU's President, Anton Giulio Lana illustrated that such legal instruments may cause relevant drawbacks which would negatively affect the appeal procedures to the European Court of Human Rights. In fact, he clarified that Protocol n. 15 would sensibly reduce the term within which appellants may address the Court, whilst the Court's authority to deliver advisory opinions, provided by Protocol n. 16, would additionally extend the overall duration of the trial, disregarding the victims' expectation for a prompt decision.

- ***Prix Ludovic Trarieux 2019 | 8 November 2019, Luxembourg***

The ceremony of the 2019 edition of the *International Human Rights Prize Ludovic Trarieux* took place in Luxembourg on 8 November 2019. Last year's Prize was awarded to Mr. Rommel Jonathan Duran Castellano, a Colombian lawyer particularly active in defending marginalised communities and the victims of human rights violations.

The winner was chosen on 27 May 2019, when the Jury of the 2019 edition gathered at the Palace of Justice in Brussels. The Jury is composed by 28 European lawyers representing Bars from all over Europe. UFTDU's President, Mr. Anton Giulio Lana, was named member of the 2019 Jury to represent the association.

- ***Prix Ludovic Trarieux 2018 - Remise*** | 24 May 2019, Brussels

On 24 May 2019, the ceremony of the 2018 edition of the *International Human Rights Prize Ludovic Trarieux* took place in Brussels. The 2018 Prize was awarded *in absentia* to the Iranian lawyer Nasrin Sotoudeh, sentenced to 38 years of detention and to 148 lashes, for her continuous effort in defending fundamental rights.

- ***Presentation of a Shadow Report in occasion of the 34<sup>th</sup> Session of the Universal Periodic Review*** | 28 March 2019, Geneva

UFTDU and FIDH have jointly submitted a shadow report to the UPR Working Group, in occasion of Italy's periodic review, which occurred on 4 November 2020. The report constitutes an additional and independent source of information regarding Italian migration policies, in alternative to the official report provided by the Government. More specifically, UFTDU and FIDH have pointed out the criticalities of the Italian approach towards migration, highlighting the incompliance with international human rights standards and with the recommendations presented by the UPR Working Group in the previous cycle of review, dated 2014. Therefore, the two associations have suggested their own recommendations to the Working Group, thus granting a more transparent and conscious review of domestic legislation.

## Education and Training activities

### *Description of Actions and Measurement of Outcomes*

The Association is committed to promote human rights in accordance with its statutory principles, through the activities of the Centre for Training and Research. The Centre is devoted to the organisation of specialized courses, roundtables, national and international conferences and events for spreading human rights awareness. Moreover, the Association founded the oldest human rights review in Italy: “*I diritti dell’uomo. Cronache e battaglie*”. The review, created in 1990, aims to provide a critical perspective and an updated technical analysis of the latest legal instruments and jurisprudence dealing with human rights issues.

### Courses

Since the last Communication on Engagement of 2018, the Centre for Training and Research has continued to carry out specialisation courses aiming to provide jurists, lawyers and professionals with technical expertise on human rights issues. The courses have been organised with the support of national bar associations, political institutions, NGOs and Universities.

- **Specialisation School: “*Scuola nazionale di alta formazione dell’avvocato internazionalista*”) – I Edition, 2019/2020**

UFTDU organised the Specialisation School for lawyers in international law. The School is unique in the national scenario and it has been organised in compliance with domestic regulations allowing lawyers to obtain a specialisation title.



The School lasts two years (210 hours in total) and its courses are jointly organised with the assistance of the National High School of Attorneys (*Scuola Superiore dell'Avvocatura*). The overall programme is also supported by three Italian Universities (*Università degli Studi della Campania "Luigi Vanvitelli"*, *Università degli Studi di Firenze*, *Università di Macerata*). For each year, professors and international jurists are invited to teach specific courses, according to different thematic sections. During the first year of lessons, lawyers are taught the legal sources of public international law, international human rights protection, the law of the sea and the principles of private international law. In their second year, lawyers learn the foundations of international business law and international arbitration, international law on migrations, international protection of the environment and international criminal law. At the end of each year oral and written exams must be passed in order to complete the Specialisation School.

The School is a very technical and formative experience which intends, among other things, to prepare future human rights lawyers to enhance the protection and the implementation of the UN Global Compact Ten Principles.

- **Specialisation Course: “*Corso di Specializzazione sulla Tutela Europea dei Diritti Umani*”**  
**| from 13 November – 18 December 2020, online**

UFTDU annually organises the specialization course on the European protection of human rights, a useful tool for legal practitioners and scholars. The course has been held for over 20 years and it certainly considered to be a milestone among human rights defenders. The classes are divided into 6 weekly meetings, where leading experts actively working in the field provide an in-depth explanation of the European system for the protection of Human Rights and of the application of the European Convention on Human Rights. The course also examines the jurisprudence of the European Court of Human Rights, its interpretation of the Convention and its impact on domestic legal systems. Finally, the lectures focus on the evolving relationship between the Strasbourg Court and the Court of

Luxembourg in the light of the Lisbon Treaty (1 December 2009), which assigned binding legal force to the Charter of Fundamental Rights of European Union.

The specialisation course received the Council of Europe and of the National Bar Council (*Consiglio Nazionale Forense*)'s patronages.

- **Specialisation Course: “*Migrazioni, Integrazione e Democrazia. Profili Giuridici, Sociali e Culturali*” | from 25 September – 6 November 2020, online**

The 3<sup>rd</sup> and 4<sup>th</sup> edition of the specialisation course “*Migrazioni, integrazione e democrazia. Profili giuridici, sociali e culturali*” are organised, respectively, in 2019 and 2020. Since the last Communication on Engagement, UFTDU persevered in its educational activity on the complex, yet contemporary, topics of migration and integration. Migration is in fact a phenomenon that has a significant impact on both our social and political lives. Migrants from Africa and Asia arrive in Europe escaping persecution, war, natural disasters, extreme poverty, and starvation. They face dangerous journeys hoping for a better life.

This specialisation course therefore attempts to provide an insightful overview of the topic, by answering to queries such as the number and the origin of migrants, the conditions in which they travel, the effectiveness of the reception proceedings, the various models for their integration and many other interrogatives related to their protection.

Indeed, the course approaches the migration discourse from an interdisciplinary perspective, involving legal, economic, demographic and anthropologic standpoints, as well as journalistic, sociological, medical, and psychological considerations. The course received the UN International Organisation for Migration (IOM)'s patronage as well as the United Nations High Commissioner for Refugees (UNHCR) and of the National Bar Council (*Consiglio Nazionale Forense*) one. The course is divided into ten sessions that deal with different aspects migration, for a total amount of 35 hours.

- **Specialisation Course: “*Corso di specializzazione sulla Convenzione europea dei diritti umani – Moduli monotematici*” | 24 April – 12 June 2020, online**

This specialisation course focuses more specifically on the role that the European Court of Human Rights’ case-law has in shaping Italian jurisprudence and legislation on the matter. The course further considers the importance of the Convention for lawyers engaged in the protection of human rights of their clients. Being a monothematic cluster, lectures are addressed to legal practitioners who are already familiar with the European Convention on Human Rights and who want to develop their expertise on more specific aspects of the subject. The 4<sup>th</sup> edition of the course, organised in 2020, is divided into 7 meetings where legal experts provide an insightful teaching on several human rights protected by the Convention, specifically considering their interpretation and their scope of application.

The course received the National Bar Council (*Consiglio Nazionale Forense*)’s patronage.

## **Conferences and Events**

UFTDU periodically organises conferences, seminars and roundtable discussions to stimulate the debate on human rights issues, including the Global Compact's Ten Principles. These meetings represent a unique opportunity for an in-depth analysis of the emerging issues and the controversial topics related to the human rights context. Conferences and other events are held by experts who dedicated their careers to the protection of fundamental rights and freedoms and they contribute to create an environment for the development of the human rights dialogue.

- **Conference on: “*Intelligenza Artificiale e Diritti Umani*” in contest of the 30<sup>th</sup> anniversary of the law review “*I diritti dell’uomo. Cronache e battaglie*” | 26 October 2020, Rome**

The conference is organised by UFTDU in the contest of the 30<sup>th</sup> anniversary of “*I diritti dell’uomo. Cronache e battaglie*”, a law journal specialised in human rights issues. The Conference will host experts and professors speaking about the new technologies’ implications for fundamental rights, this includes advantages and concerns around the use of artificial intelligence in our society.

- **Conference on: “*Il diritto all’equo processo nella giurisprudenza della Corte di Strasburgo*” | 12 December 2019, Prato**

UFTDU’s President, Anton Giulio Lana, participated to the conference organised by the Prato Bar Association. The conference focused on the notion of the right to a fair trial according to the European Court of Human Rights’ jurisprudence. It also considered the interpretation of the right provided by the European Union and the procedural and substantial limbs of the access to a judicial remedy, under a national and an international perspective.

- **Conference on: “*Fundamental Rights and Rule Of Law*” | 5-6 December 2019, Rome**

The European Economic and Social Committee (EESC) organised the meeting of the *Group on Fundamental Rights and Rule of Law* in Rome, at the *Consiglio Nazionale dell’Economia e del Lavoro* (CNEL). With the aim to promote rights and values set forth in article 2 of the TEU, the Group was invited to discuss about “*Non-discrimination: Roma, migrants, persons belonging to ethnic or religious minorities, persons with disabilities, LGBTI persons, women*”, with the most active NGOs and other relevant stakeholders operating in the field. UFTDU’s President took part to the debate, representing the Association.

- **Seminar on: “*L’influenza della Corte di Strasburgo nel sistema italiano*” | 8 November 2019, Sassari**

The Law Faculty of Sassari hosted the Seminar on the influence of the Strasbourg Court on the Italian legal system. The event received the patronage of UFTDU and of Sassari Bar

Association and it took place in occasion of a course dedicated to the training of criminal lawyers on the respect of their deontological code of conduct.

- **Roundtable on: “Principio del ne bis in idem tra diritto e giurisprudenza nazionale ed europea: riflessi applicativi” | 31 October 2019, Perugia**

The event was organised by the local division of UFTDU in Perugia and it was hosted by the University of Perugia. In this context, professors, lawyers and experts of the topic delivered a specific analysis of the nuances of the *ne bis in idem* principle, considering the interpretation provided by European courts and their influence on domestic jurisprudence.

- **TRALIM Seminar – Training of Lawyers on European Law relating to Asylum and Immigration | Milan 20 February 2019; Athens 5 March 2019; Madrid 26 April 2019; Dublin 23 May 2019; Rome 27 September 2019 & TRAUMA Seminar – Training of Lawyers on European Law relating to Unaccompanied Migrant Minors | Rome 12 March 2019; Athens 10 June 2019; Dublin 12 September 2019, Warsaw 27 September 2019.**

The TRALIM and TRAUMA projects were co-ordinated by the European Lawyers Foundation (*Fondazione del Consiglio degli Ordini Forensi europei – CCBE*) and financed by the European Commission (DG Justice), with the partnership of the *Consejo General de la Abogacía Española* (Spain), the *Law Society of Ireland* (Ireland), the *Athens Bar Association* (Greece), the *Krajowa Rada Radcow Prawnych* (Poland) and the *Barreau de Paris* (France). The projects aimed to prepare 600 lawyers coming from 6 different countries (Italy, France, Spain, Greece, Ireland and Poland) on European Law on migration, through an in-depth and comparative analysis of the legal instruments adopted by both the European Union and the Council of Europe. Additionally, five participants were given the opportunity to visit reception centres for migrants in Italy, Spain or Greece.

Alessio Sangiorgi, member of UFTDU's Board of director, took part to the above-mentioned training representing the Italian Bar.

- **Seminar on: “*Violenza di genere e violenza all’infanzia*” | 16 March 2019, Udine**

The seminar was organised by the *Consultorio Familiare Udinese Onlus*, a non-profit organisation that is specialised in offering health, psychological and legal support in Udine. The Seminar was the closing event of two different courses on, respectively, gender-based violence and violence against children. In this occasion, UFTDU's President intervened alongside experts of the association, to discuss the interrelation of the two phenomena and their consequences on human rights.

- **Roundtable on: “*I riflessi della giurisprudenza internazionale nell’ordinamento interno*” | 1 March 2019, Rome**

The roundtable, organised by UFTDU, focused on the influence of international jurisprudence on the judicial decisions of domestic courts and on the law-making process. Honourable guests and distinguished professionals were invited to the debate.

- **Roundtable on: “*Il diritto all’equo processo tra diritto europeo e Costituzione italiana*” | 21 February 2019, Florence**

UFTDU organised a roundtable of discussions on the right to a fair trial, with the cooperation of the Florence Bar Association and the University of Florence. The event hosted academics, legal scholars and human rights professionals to debate about the human rights implications of the right to a fair trial and the protection of such fundamental right at the European and the domestic level.

- **Roundtable on: “*La procedura di ricorso individuale alla Corte europea dei diritti dell’uomo: le novità e le prospettive di riforma*” | 10 January 2019, Rome**

UFTDU organised a roundtable to discuss the reforms introduced by Protocols n. 15 and n. 16 of the European Convention on Human Rights. The debate focused, among other things, on the procedural innovations which would reduce to 4 months the time within which appellants may bring a claim before the Court and the possibility for the parties to negotiate the settlement of the dispute, as an alternative to the Court's decision. Such considerations were done in the light of the impact that the amendments will have on the fundamental rights of the victims addressing the Court. UFTDU's President, Professor Lana, held the debate where human rights experts were invited to participate.

### **The Law Journal “*I diritti dell'uomo. Cronache e battaglie*”.**

UFTDU conceived Italy's oldest law journal on human rights, called “*I diritti dell'uomo. Cronache e battaglie*” (i.e. “Human Rights, Chronicles and battles”), published since 1990 and edited by an important Italian editor, Editoriale Scientifica. The law journal is recognised as a scientific publication. It is an instrument that aims at contributing to spread human rights awareness and to foster the democratic dialogue on the matter. The journal is structured into different thematic sections: articles and essays are written by prestigious scholars; notes and comments speak about jurisprudence and human rights bodies; news and opinions allow the debate on emerging issues.

The quarterly release of the journal provides a continuous update on the most relevant human rights legislation and a helpful analysis of the leading jurisprudence on human rights matters, both at the national and the international level. The legal expertise of the authors ensures a technical and critical approach to the study of the subjects and it constitutes a cornerstone for lawyers, jurists, human rights defenders, civil society, and NGOs.

# UFTDU's Organizational chart

## *Governance*

**President** | Anton Giulio Lana

**Vice-Presidents** | Matteo Carbonelli

**Secretary-General** | Mario Melillo

**Treasurer** | Francesco Rosi

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## *Staff*

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**External relation and Press Office** | Gioia Silvagni

**Secretariat** | Paola Curci

**Accounting Office** | Antonella Saviola

**Interns** | Beatrice Rendina | Brando Maria Ranalli



## ***Regional sections***

**Lazio Section | President:** Anton Giulio Lana | **Secretary-General:** Mario Melillo

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**Calabria Section | Coordinator:** Maria Marilena Giungato

**Campania Section | Coordinator:** Gaetano Scuotto

**Emilia Romagna Section | Coordinator:** Bruno Guaraldi

**Friuli Venezia Giulia Section | Coordinator:** Gianluca Rubinato

**Liguria Section | Coordinator:** Massimo Benoit Tarsegno

**Lombardia Section | Coordinator:** Paola Regina

**Marche Section | Coordinator:** Iacopo Casini Ropa

**Piemonte Section | Coordinator:** Renato Dabormida

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**Sicilia Section | Coordinator:** Ermanno Zancla | Giovanni Scavello

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**Trentino Alto Adige Section | Coordinator: Valentina Rao**

**Umbria Section | Coordinator: Silvia Ricci**

**Veneto Section | Coordinator: Roberta Pierobon**

## **Board of the Law Journal “*I diritti dell’uomo. Cronache e battaglie*”**

**Director** | Anton Giulio Lana

**Vice-Directors** | Giorgio Zanchini

**Executive Director** | Matteo Carbonelli

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