



European Trade Union Confederation (ETUC)
Confédération européenne des syndicats (CES)



Mr. Silvio Berlusconi
Prime Minister
Presidenza del Consiglio dei ministri
Palazzo Chigi
Piazza Colonna 370
00187 Roma - Italy

HTUR/EQ/JB/NT/ETUC/CP

2nd February 2010

Serious concerns about the situation of Migrant workers in Italy

Dear Prime Minister,

The ITUC represents 175 million members in 311 affiliated organisations globally. The ETUC represents trade unions with together 60 million members in 36 European countries. Both organisations include the national trade union centres CISL, UIL and CGIL in Italy. We write to express our serious concerns about the situation of migrant workers in Italy.

Recent incidents and the extreme violence suffered by migrant workers in Rosarno is yet another indication of rising xenophobia and growing racist tendencies in your country as in many others.

While acknowledging the positive steps taken by Italian Governments in the past, including the ratification of ILO Conventions 97 on Migration for Employment and 143 on Migrant workers, ITUC and ETUC would continue to stress the importance of effective implementation of both Conventions and their binding status in International Law.

The situation of migrant workers in Italy and the abuse, discrimination and exploitation incurred is unacceptable and a consequence of currently inadequate national legislation and insufficient governmental commitment. The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) raised these points in an Individual Observation concerning Convention 143 and an Individual Direct Request concerning Convention 97. In its report to CEACR in 2009, your Government reaffirmed its commitment to fully protect and respect the rights and dignity of migrants on Italian soil.

Within the European context, ITUC and ETUC want to draw attention to clear and unambiguous obligations under Council of Europe and EU legal instruments¹ to combat discrimination and exclusion in all its forms, and guarantee the human dignity of every person on your territory, regardless of their employment- or immigration status.

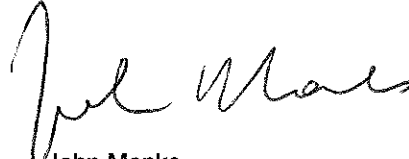
Despite existing legislation to implement these obligations, and the putting in place of administrative and advisory bodies, racism and xenophobia, and violations of basic human rights of the immigrant population persist.

We urge you and your government to urgently and effectively address this climate of intolerance, violence and discrimination towards migrant workers in Italy, to ensure their protection in law as well as in practice, to take measures to help migrants assert their rights, to ensure that provisions of the legislation concerning discrimination are better understood and observed, and that breaches be penalized.

We urge you in particular to pursue an open dialogue with the trade union organizations in Italy, in order to consult and discuss with them how to break through the vicious circle of the denial of rights, exploitation, discrimination and exclusion of increasing numbers of immigrant workers.

Yours sincerely,


Guy Ryder
General Secretary
ITUC


John Monks
General Secretary
ETUC

¹ The European Convention on Human Rights of the Council of Europe applies to all persons within a State party's jurisdiction, regardless of their nationality or legal status. The EU Treaties (and especially articles 12 and 13, new numbering in Lisbon Treaty: ..) oblige the Union to take measures against discrimination on the basis of nationality, as well as to combat discrimination based among other things on race and ethnic origin.

Directive 2000/43/EC, implementing these Articles, applies to all persons on the EU territory, regardless of their legal status, and contains the obligation for Member States to ensure appropriate sanctions and remedies, including access to judicial procedures. It also includes the obligation to promote social dialogue with a view to fostering equal treatment.

The EU Charter of Fundamental Rights, which has become legally binding on all EU Member States with the entry into force of the Lisbon Treaty, in its Article 1 declares the human dignity as an inviolable right of every human being, and obliges to respect and protect it. Article 31 of the Charter recognizes the right of every worker, regardless of his legal status, to healthy, safe and dignified working conditions.