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RIGHTS OF PERSONS BELONGING TO NATIONAL, ETHNIC,
RELIGIOUS AND LINGUISTIC MINORITIES

Comments received from Governments pursuant to
Commission resolution 14 A (XXXIV)

Addendum

ITALY

[Original: French]
[11 September 1979]

Italy expresses its appreciation of the initiative taken by Yugoslavia in preparing a draft declaration on this subject, and of the work and devotion put into it by the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

Italy recognizes that it is desirable to prepare a declaration aimed at safeguarding the rights of minorities, because - as recognized by Professor Capotorti in his 1977 report - article 27 of the International Covenant on Civil and Political Rights is of a general nature and therefore a specific indication of the means and instruments for safeguarding those rights, and of the content of those means and instruments, is required.

Moreover Italy is aware of the complexity and vast extent of the work to be done in this field and considers that the Sub-Commission on Prevention of Discrimination and Protection of Minorities is specially competent to tackle it, possibly through a small working group which would use both the comments of States and the pertinent sections of the reports of States signatories of the International Convention on the Elimination of All Forms of Racial Discrimination. The Sub-Commission might even propose to the Commission on Human Rights that it should be authorized to hold a special session devoted exclusively to examining the preparatory work done by the working group.

In order to formulate a declaration on minorities' rights that would take full account of the complex problems involved in the question - which arises in a great variety of forms - it is first necessary to reach agreement on the exact meaning of the term "minority". Such a concept cannot be formulated without taking into account the real situation of several minorities, the considerations which motivate them, and the historical, linguistic and cultural traditions of each country.

In the opinion of Italy, it is equally important that the declaration should make a clear distinction between the many forms of protection of minorities, which can be grouped in two main categories: what we may call the "negative" category, which covers prohibition of the practice of forms of racial discrimination; and what we may call the "active" category, which covers the issue of specific international and national standards designed to safeguard the historical, cultural and linguistic characteristics of every minority.