



**THE IDENTIFICATION OF AN AUTONOMOUS OFFENCE AND THE DEFINITION OF
"VICTIM" AS OPEN QUESTIONS IN THE RELATIONSHIP BETWEEN ITALY AND THE
COMMITTEE ON ENFORCED DISAPPEARANCES (CED)**

This article deals with the dialogue engaged by the Committee on Enforced Disappearances (CED), set up under the Convention on the Protection of All Persons from Enforced Disappearance (2006), through its Concluding observations, presented in April 2019. These latter, in turn, were based on the first periodic report submitted by Italy. After a short overview of the commitments established by that Convention and of the features of CED monitoring function, the analysis focuses on two critical elements: the relevance of legislative measures aimed to make enforced disappearance an autonomous offence in domestic law, specifically in the Italian legal framework, and the impact of this condition on the strengthening of victim protection. As it will be shown, these two aspects, repeatedly underlined by the CED, are closely connected with each other and can influence the effective compliance with the obligations incumbent on States that have ratified the Convention. In conclusion, it submitted that this treaty, being of an universal character, has the potential to promote, albeit with certain limitations, the formation of an harmonized practice against any enforced disappearance.