



Ordine internazionale e diritti umani

International Legal Order and Human Rights
Ordenamiento Jurídico Internacional y Derechos Humanos
Ordre juridique international et Droits de l'Homme

HAS FINALLY ARRIVED THE TIME TO INTRODUCE THE CRIME OF TORTURE? SHADOWS AND LIGHTS OF A LAW NEEDED SINCE A VERY LONG TIME (WITH THE POSSIBILITY THAT IT BE ANOTHER MISSED OPPORTUNITY)

On May 17, 2017 the Senate approved the bill for the introduction of the crime of torture in Italian law.

This measure should enable the fulfillment of constitutional and international obligations imposed on our country. Obligations have so far remained largely unimplemented, as repeatedly highlighted by the ECHR jurisprudence.

The text approved by the Senate has a number of elements that do not seem to allow effective suppression of the episodes of torture in accordance with international law.

Particularly questionable is the decision not to consider torture as a crime of a public official; as well as to punish only repeated episodes of torture

For these reasons, it would be desirable for the Chamber of Deputies to approve a number of improvements.