

Public Appeal

Rome, 8 October 2026

For the attention of the Boards

of the **National Authority for the Rights of Persons with Disabilities**

of the **National Guarantor for the Rights of Persons Deprived of Personal Liberty**

and in copy to:

Ms. Giorgia Meloni, President of the Council of Ministers

Mr. Ignazio La Russa, President of the Senate of the Republic

Mr. Lorenzo Fontana, President of the Chamber of Deputies

Ms. Alessandra Locatelli, Minister for Disabilities and President of the National Observatory on the Condition of Persons with Disabilities

Interministerial Committee on Human Rights (CIDU)

Committee on the Rights of Persons with Disabilities (CRPD)

High Commissioner for Human Rights

European Parliament

European Disability Forum

Subject: request for a review of the composition and functioning of the National Observatory on the Condition of Persons with Disabilities and for the introduction of safeguards for transparency and independence in decision-making processes

Esteemed Members of the Boards addressed by this Appeal,

We are three entities¹ working in various capacities towards the full implementation of the United Nations Convention on the Rights of Persons with Disabilities², with particular regard to the respect for the self-determination of persons with disabilities, the promotion of Independent Living, and the prevention of, and fight against abuse, violence, and institutionalization. We are addressing you to report a number of issues concerning the lack of transparency that we have identified with regard to the National Observatory on the Condition of Persons with Disabilities (OND), having received no response on these matters both from the Minister for Disabilities, Ms. Alessandra Locatelli, and from the other members of the OND.

¹ At the bottom of this letter we give a short description of our associations.

² Ratified in Italy with Law 18/2009.

Our concerns arise from multiple objective elements. For the sake of brevity, we will mention here only the most significant ones.

Despite the process initiated by Law 180/1978 to overcome psychiatric institutionalization, and despite the UN Convention requiring the countries that have implemented it to ensure that persons with disabilities “are not obliged to live in a particular living arrangement”³, as well as to guarantee that “the existence of a disability shall in no case justify a deprivation of liberty”⁴. The latest Istat data on this matter, relating to 2023⁵, show that this discriminatory practice is increasing in our country. Almost 400,000 persons with disabilities and older persons are accommodated in residential social-assistance and social-healthcare facilities, an increase of 6% compared with the previous year, whereas in 1978, the year Law 180 was adopted, the population of institutionalized persons (54,284 people⁶) was only one seventh of the current figure.

For some time, we have been identifying and publicly expressing our opposition to situations that appear to warrant scrutiny from the perspective of conflicts of interest, arising from the fact that some entities sit on the Observatory in the dual capacity of managers of residential and semi-residential facilities for persons with disabilities and, at the same time, are representatives of persons with disabilities. Likewise, we have pointed out that the composition of the OND is incompatible with the recommendation of the UN Committee on the Rights of Persons with Disabilities: “those with financial or other interests in keeping institutions open must be prevented from influencing decision-making processes related to deinstitutionalization”⁷.

This issue is particularly significant considering that Legislative Decree 62/2024, one of the implementing decrees of Delegated Law 227/2021 on disability, omitted both the reference to institutionalization and the reference to deinstitutionalization contained in the enabling law⁸. Furthermore, the aforementioned decree retained the possibility of resorting to institutionalization under certain conditions⁹: a provision whose compatibility with the principles and guiding criteria of Law 227/2021, which provide for promoting deinstitutionalization and preventing institutionalization, as well as with the obligations arising from the UN Convention, we consider it necessary to have reviewed, including with regard to the risk that any deficiencies or inadequacies in services may, in practice, result in limiting a person’s ability to choose where and with whom to live. It should also be borne in mind that, although ten years have now passed since the Concluding Observations¹⁰ in which the UN Committee expressed deep concern about the trend towards the re-institutionalization of persons with disabilities, and recommended that Italy adopt safeguards for the right to independent living and redirect resources from institutionalization towards community-

³ Article 19, first comma, letter (a) of the UN Convention on the Rights of Persons with Disabilities.

⁴ Article 14, first comma, lettera (b) of the UN Convention on the Rights of Persons with Disabilities.

⁵ As of 1 January, 2024 in Italy there are 12.987 working residential care facilities with approximately 426,00 total beds, paramount to 7,2 out of 1.000 inhabitants (+4,4% increase compared to the previous year). [...] Total number of guests are 385,871, a 6% increase when compared to the previous year; three out of four are elderly, the vast majority are women over eighty», published by Istat, [Le strutture residenziali socio-assistenziali e socio-sanitarie – Al 1° gennaio 2024](#), on 13 January 2026.

⁶ Look up: Francesco Bruno e Maurizio Gaiti, [Perchè bisogna riformare le disposizioni sulla salute mentale \(“Legge 180”\) in Italia](#), (Why do we need to amend the “Law 180” on mental disorders in Italy) published in «Journal of Psychopathology», n. 12, pages 151-163, 2006.

⁷ Point 34 of [Linee guida sulla deistituzionalizzazione, anche in caso di emergenza](#), published by UN Committee on the Rights of Persons with Disabilities on 9 September 2022.

⁸ Article 2, comma 2, letter c, number 12 Law 227/2021.

⁹ Article 20, comma 1 Legislative Decree 62/2024.

¹⁰ Please see points 47 e 48 delle [Osservazioni conclusive al primo rapporto dell’Italia](#) dated 31 August 2016.

based services, this process continues to present significant critical issues. One example is the third Action Plan for the promotion of the rights and inclusion of Persons with Disabilities¹¹, covering the three-year period 2026–2028, which does not provide for the adoption of a National Plan specifically dedicated to deinstitutionalization, nor does it set out an explicit and verifiable process for redirecting resources towards community-based services.

All this is taking place while news reports and investigations continue to document cases of violence and ill-treatment against persons with disabilities and older persons accommodated in residential and semi-residential facilities. This issue is also relevant in light of the functions of the National Guarantor for the Rights of Persons Deprived of Personal Liberty as the National Preventive Mechanism (NPM), which include, among other things, monitoring and visiting healthcare, social-healthcare and social-assistance facilities, including residential facilities for persons with disabilities and older persons, where de facto forms of deprivation of liberty may occur.

The aforementioned issue of conflicts of interest has been the subject of extensive public discussion¹² and, as mentioned above, was promptly brought to the attention of Minister Locatelli¹³ and the members of the Observatory¹⁴, who nevertheless declined to respond.

These elements are further compounded by issues raised by investigations published by the newspaper “Domani”¹⁵ concerning the management and transparency of the activities of the Ministry for Disabilities. Following these issues, several parliamentary questions¹⁶ were submitted, as well as a complaint to the Regional Prosecutor’s Office of the Lazio Court of Audits, in which it is argued that the Observatory’s mandate expired on 1 December 2025 and that the subsequent 45-day extension ended on 15 January 2026¹⁷. The complaint further argues that, from that date onwards, the body would have lost its legal standing and that any acts subsequently adopted would therefore be null and void.

¹¹ Approved by the National Observatory on the Condition of Persons with Disabilities on 28 November 2025, and enacted by the Presidential Decree - [Decreto del Presidente della Repubblica del 12 marzo 2026](#).

¹² See highlighted texts of the following: [Confronto sul rinvio della Riforma sulla disabilità](#), «Informare un’h», 7 March 2025; [Riforma della disabilità: eliminiamo la possibilità di istituzionalizzare le persone](#), «Informare un’h», 20 June 2025.

¹³ [Lettera aperta](#) open letter sent to the Minister for Disabilities, Ms. Alessandra Locatelli on 4 March 2026 by Coordinamento PERSONE, discussing: “Institutionalization of persons with disabilities and conflict of interest within the National Observatory on the Condition of Persons with Disabilities”.

¹⁴ [Appello pubblico](#) Public appeal sent by Coordinamento PERSONE to all OND members on 5 May 2026, concerning: “i/le componenti dell’Osservatorio Nazionale sulla Condizione delle Persone con Disabilità prendano posizione riguardo al conflitto di interessi in tema di deistituzionalizzazione”.

¹⁵ See articles published by journalist Stefano Iannaccone: [Affitti e conflitti di interessi. Disabilità, mistero Locatelli](#), «Domani», 3 May 2026; [Amichettismo leghista: al ministero di Locatelli i fedelissimi senza titoli](#), «Domani», 4 May 2026; [Nomine e disabilità, «Danno erariale dall’Osservatorio»: nuovo caso da Locatelli](#), «Domani», 5 May 2026; [Il giovane carrarino, alla Disabilità la Lega fa il pieno](#), «Domani», 11 May 2026; [Soldi e consulenze: Locatelli porta al ministero la “sua” associazione](#), «Domani», 17 May 2026; [Poltrone e Disabilità, Speciale lascia il suo ruolo in Fish](#), «Domani», 24 May 2026; [Grandi eventi Disabilità, il bando da 5,2 milioni della ministra Locatelli](#), «Domani», 21 June 2026.

¹⁶ To such regard we point out: [Un’interrogazione parlamentare chiede alla Ministra Locatelli chiarimenti su incarichi e risorse](#), «Informare un’h», 20 May 2026; [Un’interrogazione parlamentare rivolta al Ministero per le Disabilità sulla gestione di ExpoAID](#), «Informare un’h», 23 June 2026.

¹⁷ See: Isabella Faggiano, [Osservatorio nazionale sulla disabilità, tutti gli atti della vicenda: dalla legge del 2009 all’esposto alla Corte dei Conti](#), «Sanità Informazione», 5 August 2026.

By Decree of the President of the Council of Ministers of 7 August 2026, published in the Official Gazette on 1 September 2026, the Observatory was extended, thus maintaining its current composition, for another three years as of 1 September 2026. The extension therefore results in the current composition of the OND remaining in place for a further three years and makes it even more urgent to review the potential conflicts of interest already reported, as well as the safeguards adopted to ensure the independence and pluralism of the representation of persons with disabilities. The extension also takes place while the issues raised in the complaint submitted to the Regional Prosecutor's Office of the Lazio Court of Audit remain subject to challenge and examination, and while, to the best of our knowledge, the reasons for choosing to extend the current composition rather than initiate a new selection or appointment procedure for members have not been clarified.

The review of the Observatory's composition also concerns the effective participation of persons with disabilities and gender representation in its working bodies: among the five coordinators of the working groups appointed in 2023, there is no person with a disability and no woman. This fact warrants review in light of the principle enshrined in Article 4(3) of the UN Convention and developed in the UN Committee's Guidelines on deinstitutionalization, according to which persons with disabilities and their representative organizations must be closely involved in decision-making processes concerning them, as well as in light of the Committee's guidance on the participation of women and girls with disabilities¹⁸.

The fact that neither Minister Locatelli nor any of the parties concerned—including the National Federations that participate in institutional processes representing persons with disabilities¹⁹—have, to the best of our knowledge, provided a public and documented response to the issues we brought to their attention leading us to request that the conditions of transparency, pluralism, independence and accountability through which decisions are made in the field of national disability policy be reviewed. This situation also leads us to express serious concerns about the effective representation of the rights and demands of persons with disabilities in institutional decision-making processes, and to fear that the absence of adequate safeguards for independence, transparency and participation may undermine the full implementation of disability reform and the obligations arising from the UN Convention, particularly with regard to independent living, inclusion in the community and deinstitutionalization.

We believe that the issues identified can also be addressed through the introduction of clearer transparency rules and mechanisms capable of ensuring pluralism, participation and independence in decision-making processes.

We have therefore identified your Boards, each within its respective remit, as the oversight bodies to which the issues and proposals set out in this Appeal should be submitted, asking them to review the concerns identified and to take, within their respective areas of competence, the measures they deem necessary.

We are aware that this Appeal involves different areas of competence and procedures and that, from a formal standpoint, it may not be the only instrument provided for by the legal system to address the issues raised. We are nevertheless certain of one thing: under no circumstances are we willing to relinquish the rights that the UN Convention and the legal system recognize to persons with disabilities, nor to give up asking that these rights be effectively safeguarded in decision-making processes and in the organization of services. We consider your

¹⁸ See [General comment No. 3 \(2016\) on women and girls with disabilities](#), adopted on 26 August 2016, enacted on 25 November 2016.

¹⁹ FISH (Federazione Italiana per i Diritti delle Persone con Disabilità e Famiglie) and FAND (Federazione tra le Associazioni Nazionali delle Persone con Disabilità).

involvement in this process essential, and therefore ask for a response to the issues brought to your attention, as well as to the initiatives you consider that you may undertake within your respective areas of competence.

In light of the foregoing, we ask you to join us in calling for:

- **a review of the compatibility** of Article 20 of Legislative Decree 62/2024 with the principles and guiding criteria of Law 227/2021 and with Article 19 of the UN Convention, with particular reference to the clause concerning the inability to ensure the intensity of interventions or the necessary specialist quality, and, where necessary, the adoption of the resulting legislative or interpretative amendments;
- **the preparation and adoption of a national deinstitutionalization strategy**, with verifiable objectives, implementation timelines, responsibilities, indicators, resources and public monitoring mechanisms, in accordance with the UN Convention and Law 227/2021;
- **a review of whether any direct or indirect conflicts of interest exist** in the composition of the Observatory, and the introduction of public and verifiable rules for the disclosure, prevention and management of such situations, including with regard to participation in decision-making processes concerning deinstitutionalization;
- the introduction of rules aimed at ensuring the **effective participation** of persons with disabilities also in **coordination and leadership roles** within the Observatory's working groups, in accordance with the principle of equal opportunities for women and men;
- **the introduction of open consultations** also to smaller, independent organizations that are not part of the major national networks;
- **the systematic and accessible publication** of all appointments and consultancy engagements related to disability policies;
- **the introduction of objective, public and transparent criteria** for selecting representatives who sit on institutional bodies;
- **periodic forms of public reporting** on the activities carried out by those involved in decision-making processes.

We thank you for the attention you will devote to the issues raised in this Appeal and therefore ask for a response regarding the reviews you consider that you may undertake and any initiatives that may be taken within your respective areas of competence. We remain available for any further clarification or documentation that may prove useful.

Kind regards,

For the PERSONE Coordination

Katia Salice and Sandra Vincenzi

For the Diritti alla Follia Association

Carla Cannas and Maria D'Oronzo

For the Informare un'h Centre

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Note on the Organizations Bringing the Public Appeal

PERSONE – National Coordination Against Discrimination of Persons with Disabilities is a network bringing together persons with disabilities, family members, caregivers and organizations from across Italy, operating since 2024. Its objective is to implement the UN Convention on the Rights of Persons with Disabilities, Delegated Law 227/2021 and deinstitutionalization.

Website: <https://personecoordinazionale.it/>

Diritti alla Follia is an Italian national association established in 2018, whose members are predominantly (former) users and survivors of psychiatric internment. The association is committed to protecting and promoting the rights of persons with psychosocial disabilities, with particular attention to self-determination and combating coercive practices in psychiatric institutions. It operates within the framework of the UN Convention on the Rights of Persons with Disabilities and promotes information, research and reform proposals, with particular reference to compulsory psychiatric treatment, restraint, security measures, and legal guardianship and supported decision-making arrangements. It is a member of ENUSP – European Network of (Ex-)Users and Survivors of Psychiatry and Mental Health Europe.

Website: <https://dirittiallafollia.it/>

Informare un'h – Centro Gabriele e Lorenzo Giuntinelli is an information service and disability documentation centre of the Pisa section of UILDM (Italian Muscular Dystrophy Association), operating since 2001. Among the causes it has promoted over the years, by way of example, are Independent Living and self-managed personal assistance; combating multiple discrimination and violence against women with disabilities; and reform of legal protection arrangements. It is currently promoting a campaign calling for an end to the institutionalization of persons with disabilities.

Website: <https://informareunh.it/>