

ITALY 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Italian Republic is a multiparty parliamentary democracy with a bicameral parliament consisting of the Chamber of Deputies and the Senate. The constitution vests executive authority in the Council of Ministers, headed by a prime minister whose official title is president of the Council of Ministers. The president of the republic is the head of state and nominates the prime minister after consulting with political party leaders in parliament. Parliamentary elections in 2018 were considered free and fair. Members of parliament and regional representatives elect the president of the republic; the last such election was held in 2015.

The National Police and Carabinieri (gendarmerie or military police) maintain internal security. The National Police reports to the Ministry of Interior. The Carabinieri report to the Ministry of Defense but are also under the coordination of the Ministry of Interior. They are primarily a domestic police force organized along military lines, with some overseas responsibilities. The army is responsible for external security but also has specific domestic security responsibilities such as guarding public buildings. Civilian authorities maintained effective control over the security forces. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: violence or threats of violence against journalists; criminal libel laws with penalties of up to three years in prison; denial of access to asylum; crimes, violence or threats of violence motivated by anti-Semitism; crimes involving violence and threats of violence targeting members of national, racial, and ethnic minority groups as well as lesbian, gay, bisexual, transgender, queer, or intersex persons; and labor exploitation.

The government identified, investigated, prosecuted, and punished officials who committed human rights abuses. It sometimes implemented effectively laws against official corruption.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports of arbitrary or unlawful killings committed by police officers.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices, but there were some reports that government officials employed them.

On January 11, a court in Piacenza indicted five of the 11 Carabinieri officers arrested in July 2020 on charges of participating in a criminal gang that made illegitimate arrests, tortured arrestees, trafficked narcotics, and carried out extortions from 2017 to 2020. On July 21, prosecutors in Turin requested the indictment of the director and chief of prison guards of the Turin prison for abetting the mistreatment of detainees in at least 10 cases in 2018 and 2019, and for failing to report those guards responsible to authorities.

On June 30, the Ministry of Justice suspended 52 prison guards accused of beating a group of prisoners in the Santa Maria Capua Vetere prison who in 2020 had protested for more masks, gloves, and hand sanitizer to protect against COVID-19. On July 15, Prime Minister Mario Draghi and Justice Minister Marta Cartabia visited the prison and ordered a full internal investigation. Prosecutors opened investigations into the actions of 110 individuals, including prison guards of various ranks and the prison director. Associazione Antigone, an Italian nongovernmental organization (NGO) that reports on the human rights of prisoners, filed complaints for similar episodes that allegedly occurred in three other prisons.

The government found an allegation in 2020 of sexual exploitation and abuse by Italian peacekeepers deployed on a UN peacekeeping mission to be unsubstantiated and closed the case.

Impunity was not a significant problem in the security forces.

Prison and Detention Center Conditions

Prison and detention center conditions met international standards overall, but some prisons were overcrowded and antiquated.

Physical Conditions: Prison populations at the Taranto, Brescia, Lodi, and Lucca prisons were at more than 180 percent of capacity. While the law requires the separation of pretrial detainees from convicted prisoners, Associazione Antigone reported that authorities at those prisons held the two groups of prisoners together.

According to a March report by Associazione Antigone, 23 percent of the 44 prisons that the NGO visited in 2020 and 2021 did not meet the minimum requirement of 32 square feet for each detainee. Additionally, the report noted that 29 percent of the cells lacked hot water. Lack of access to physical activity for inmates contributed at times to self-inflicted violence.

Ristretti Orizzonti, an NGO that tracks prison deaths, reported that 35 prisoners committed suicide, and 52 died of other causes as of September 4. Associazione Antigone believed that overcrowding and lack of services caused several deaths.

In several cases health care in prisons, including diagnosis, treatment, and psychiatric support, was insufficient. The ombudsman of detainees for the national prison system reported that in some overcrowded facilities, authorities did not allow prison personnel to implement all government-recommended measures to prevent the spread of COVID-19. In December 2020 more than 1,000 detainees and over 700 prison guards and staff tested positive for COVID-19.

The most recent publicly available report by an international prison-monitoring body was a January 2020 report by the Council of Europe's Committee for the Prevention of Torture (CPT) on its 2019 visit to the country. The report stated that at Viterbo Prison, the CPT heard a considerable number of allegations of physical

mistreatment of prisoners by staff, mainly slaps, punches, and kicks. At Saluzzo Prison, the CPT heard additional allegations of physical mistreatment of inmates by staff consisting of punches and kicks. At Biella and Milan Opera Prisons, it received a few allegations of excessive use of force by staff. The CPT found deteriorating physical and structural conditions in one wing of Viterbo Prison.

Administration: Authorities investigated credible allegations of mistreatment. In July prisoners at two separate prisons in Florence and Genoa violently protested mistreatment. The protests came following the prisons' denial of visitor permits, their refusal to allow prisoners to work outside the prison, and in response to overcrowding and a lack of services.

Independent Monitoring: In addition to periodic visits by the CPT, the government permitted independent human rights organizations, parliamentarians, the national and regional ombudsmen of detainees, and media to visit prisons and detention centers. The government also provided access to migrant and refugee detention centers to representatives of the Office of the UN High Commissioner for Refugees (UNHCR), the Italian Red Cross, the International Organization for Migration (IOM), Medecins sans Frontieres, and the European Asylum Support Office.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

To detain an individual, police must have a warrant issued by a public prosecutor, unless a perpetrator is caught in the act or there is a specific and immediate danger to which a police officer is responding. The law requires authorities to inform a detainee of the reason for arrest. If authorities detain a person without a warrant, an examining prosecutor must decide within 24 hours of detention whether there is enough evidence to validate the arrest. An investigating judge then has 48 hours to affirm the arrest and recommend prosecution. In cases of alleged terrorist activity, authorities may hold suspects up to 48 hours before bringing the case to a

magistrate. These rights and processes generally were respected.

There is no provision for bail, but judges may grant detainees provisional liberty while awaiting trial. The government provides a lawyer to indigent persons at its expense. The law requires authorities to allow a detainee to see an attorney within 24 hours of his or her arrest, or within 48 hours for cases of suspected terrorist activities. Access to an attorney can take up to five days under exceptional circumstances if the investigating judge needs to interrogate the accused concerning organized crime or if the judge foresees a risk the attorney may attempt to tamper with the evidence.

Pretrial Detention: Pretrial detention that exceeded the legal time limit of two to six years and trial delays caused problems. Authorities normally adhered to the maximum term for pretrial detention; in no case did it equal or exceed the maximum sentence for the alleged crime. According to independent analysts and magistrates, the large number of drug and immigration cases awaiting trial, the lack of judicial remedies, the high number of foreign detainees, and insufficient digitalization of trial records resulted in delays. In some cases detainees could not be placed under house arrest because they had no legal residence or because there was a shortage of resources, including officers, judges, and administrative staff.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence and impartiality. There were isolated reports that judicial corruption and politically motivated investigations by magistrates impeded justice. Several court cases involved long trial delays.

Trial Procedures

The constitution provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants are presumed innocent and have the right to be informed promptly and in detail of the charges against them. They have the right to a fair and public trial, although trials can be delayed due to an insufficient number of available judges and administrative clerks or due to legal maneuvering. Defendants have the right

to be present at their trials.

The law provides for defendants to have access to an attorney of their choice in a timely manner or to have one provided at public expense if they are unable to pay. Defendants had adequate time to discuss and prepare cases with their lawyers in appropriate facilities available in all prisons. Judiciary experts reported foreign detainees were unable to access needed interpretation or translation services in a timely manner. A defendant has the right to confront and question opposing witnesses and to present his or her own witnesses and evidence. Defendants may not be forced to testify or confess guilt, and they have a right to appeal verdicts.

Domestic and European institutions criticized the slow pace of the judicial process, which the COVID-19 pandemic exacerbated. The Ministry of Justice reported that the period between a criminal charge and the start of a trial was on average 478 days. Additionally, on average 1,038 days elapsed for a case to arrive at the court of appeals from the time of the initial indictment. The country's "prescription law" (statute of limitations) in criminal proceedings requires that a trial end by a specific date. Courts determine when the statute of limitations applies. Defendants sometimes took advantage of delays to exceed the statute of limitations, which allowed them to avoid a guilty sentence at trial, or to be released from prison pending an appeal by the prosecutor's office. In 2019 the Ministry of Justice reported the statute of limitations applied to 113,524 cases. The percentage of detainees who received a final sentence that cannot be appealed has risen over the previous 10 years. As of September 2020, 66 percent of prisoners had received a final sentence, compared with only 51 percent in 2009. In October a new penal reform law modified the maximum length of time allowed for various trial stages in an effort to accelerate the judicial process. Specifically, the new law created a statute of limitations of two years for cases to be heard on appeal, and one year for cases that reach the Court of Cassation (the country's highest court).

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

By law individuals and organizations may seek civil remedies for human rights

violations through domestic courts. Individuals may bring cases of alleged human rights violations by the government to the European Court of Human Rights once they exhaust all avenues for a remedy in the domestic court system.

Property Seizure and Restitution

The government has endorsed the Terezin Declaration and worked toward fulfilling its goals and objectives. The Jewish community has no outstanding restitution claims with the government. The Anselmi Commission, a technical body with the mandate to investigate the confiscation of Jewish assets during the Holocaust and the restitution of assets thereafter, reported in 2002 that, in general, deported survivors who claimed assets received them back, but those survivors or heirs who did not claim assets remained uncompensated. Governmental institutions, however, have not followed up on the Anselmi Commission's recommendations to try to identify survivors or their heirs entitled to unclaimed property. The Union of Italian Jewish Communities (UCEI) reported that, in general, most confiscated assets were returned to their owners or next of kin except in cases when the latter could not be identified. UCEI additionally noted that national and local authorities have not been fully effective in seeking out potential claimants for communal and heirless property but characterized the government as cooperative and responsive to community concerns in the areas of protection and restoration of communal property. The Rome Jewish Community continued to seek international assistance in restoring the contents of the Jewish communal library of Rome looted by the Nazis in 1943.

A December 2020 law expanded compensation to Holocaust survivors, Jewish victims of persecution, and their heirs facilitating access to a 500 euros (\$575) per month government benefit. The new law also simplifies procedures to obtain the benefit, easing the requirement of proving that discrimination occurred.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home,

or Correspondence

The law prohibits such actions, and there were no reports of arbitrary or unlawful interference by the government.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of expression, including for the press and other media, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to safeguard freedom of expression, including for members of the media.

Freedom of Expression: The law criminalizes insults against any divinity as blasphemy and penalizes offenders with fines. There were no reports of enforcement of this law or of convictions during the year.

Speech based on racial, ethnic, national, or religious discrimination is a crime punishable by up to 18 months in prison. Detention is legitimate only in the case of serious violation of fundamental rights and hate crimes. Holocaust denial is an aggravating circumstance carrying additional penalties in judicial proceedings.

Libel/Slander Laws: The law criminalizes defamation and libel with penalties of up to three years in prison. On June 22, the Constitutional Court ruled unconstitutional a law punishing libel and defamation with up to six years of imprisonment if committed through the press and consisting of “attribution of a specific fact.” Criminal penalties for libel were seldom carried out, but on April 21, a Rome judge sentenced a former editor and a journalist of daily newspaper *La Repubblica* to pay 50,000 euros (\$57,500) to former interior minister Matteo Salvini as compensation for an article regarding a canceled trip to Israel.

Nongovernmental Impact: The NGO Reporters without Borders stated there was growing hostility toward reporters, mainly due to organized crime-affiliated threats. According to the NGO, approximately 20 journalists – mostly in Rome and the South – received around-the-clock police protection because of serious

threats or murder attempts. In Rome reporters were at times harassed by neo-Fascist activists and became targets of criticism and harassment on social media platforms by private and political activists.

Police reported 123 cases of intimidation against journalists between January and July compared with 103 during the same period in 2020. The Committee to Protect Journalists (CPJ) alleged some attacks against reporters. It reported that on April 11, an unidentified man attacked Rete-4 TV reporter Carmen La Gatta and two support staffers while they were conducting interviews in the northwestern city of Cuneo, using physical force including a metal chain to attack the reporting team and the vehicle in which they were traveling. According to the CPJ, on August 28, a mob in Rome protesting the country's measures against COVID-19 surrounded Antonella Alba, a journalist working for public broadcaster Rai News 24. The mob harassed her verbally, assaulted and injured her physically, and tried to steal her cell phone.

The CPJ also reported that on August 30, at another rally in Rome against the anti-COVID-19 measures, a protester threatened to leave Francesco Giovannetti, a video journalist for *La Repubblica*, "lying on the ground" unless he turned off his camera. The protester then punched Giovannetti in the face four or five times. One report stated police intervened and apprehended the attacker and that Giovannetti was taken to the hospital and treated for head injuries.

Reporters without Borders reported that journalists exposed to threats by criminal organizations increasingly chose to self-censor out of fear. In February and April, the editor of the Livorno-based daily *Il Tirreno* reported verbal attacks, threats, and a physical assault against journalists at the newspaper. The newspaper also received a tape recording threatening a violent attack against the newsroom.

On April 15, a Bari court convicted a member of an organized crime gang to 16 months in jail for violence and threats against Maria Grazia Mazzola, a journalist from the national broadcaster Rai.

The National Federation of Italian Press also reported 110 cases of threats made against journalists between January and June, 18 of which were made by organized crime gangs and 36 of which were made by extremist political organizations.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. The National Center for the Fight against Child Pornography, part of the National Police, monitored websites for crimes involving child pornography.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government cooperated with UNHCR and other international and humanitarian organizations in providing protection and assistance to refugees, asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection for refugees.

Through December 13, a total of 63,062 seaborne irregular migrants had entered the country, compared with 32,919 during the same period in 2020. The increase, together with the fear of possible COVID-19 transmission, affected the ability of authorities to provide housing and other services to migrants and asylum seekers. The Italian Red Cross was responsible for managing migrants during their period of COVID-19 quarantine.

Authorities regularly authorized disembarkation of migrants rescued by NGO ships despite an April 2020 decree by the minister for infrastructure and transportation stating that, due to the COVID-19 pandemic, Italian ports could not guarantee that they meet the requirements to qualify as places of safety for migrants who were rescued by foreign-flagged ships outside the Italian search and rescue area. NGOs and independent observers identified difficulties in asylum procedures, including inconsistencies in the application of standards in reception centers and insufficient referral rates of trafficking victims and unaccompanied minors to appropriate, adequate services. NGOs asserted authorities did not properly identify many of the victims on arrival, potentially leaving some trafficking victims unidentified within the system and classified instead as asylum seekers or undocumented immigrants subject to deportation.

Some territorial adjudication committees took more than one year to process asylum claims, due in part to preventive measures adopted in response to COVID-19. If a case was legally appealed, the process could last up to three years.

Safe Country of Origin/Transit: The country is party to the EU's Dublin III Regulation and its subsequent revisions, which identify the member state responsible for examining an asylum application based primarily on the first point of irregular entry.

Refoulement: Amnesty International and other NGOs accused the government of failing to protect migrants when, on February 7, it renewed with Libya the 2017 memorandum of understanding on illegal immigration. Italian authorities cooperated with the Libyan coast guard to seize vessels carrying migrants in Libyan waters to take them back to Libya. UNHCR did not consider Libya a "safe country" due to the absence of a functioning asylum system, the widely reported difficulties faced by refugees and asylum seekers in Libya including the lack of

protection from abuses, the lack of durable solutions, and a heightened risk of trafficking facing migrants forced to remain in Libya.

Abuse of Migrants and Refugees: International humanitarian and human rights organizations accused the government of endangering migrants by encouraging Libyan authorities, through cooperation and resources, to seize migrants at sea and return them to reception centers in Libya. Aid groups and international organizations deemed the Libyan centers to have inhuman living conditions.

The IOM, UNHCR, and NGOs reported labor exploitation, including labor trafficking, of asylum seekers, especially in the agricultural and service sectors (see section 7.b.), and sexual exploitation, including child sex trafficking, of unaccompanied migrant minors (see section 6, Children).

The government uncovered corruption and organized crime in the management of resources allotted for asylum seekers and refugees. On March 9, police arrested three persons and investigated another five accused of fraud and money laundering in Frosinone. They were suspected of holding migrants in overcrowded facilities in unhealthy conditions and inflating official reports of the center's population in order to receive public funds.

Freedom of Movement: The law permits authorities to detain migrants and asylum seekers in identification and expulsion centers for up to 120 days if authorities decide they pose a threat to public order or if they may flee from a deportation order or predeportation jail sentence. The ombudsman for detainees noted that only half of the migrants in expulsion centers were repatriated in 2020 and lamented the lack of independent monitoring of the centers and judicial remedies for abuses. The government worked to reduce the flow of migrants across the Mediterranean Sea on smuggler vessels and restricted their movement for up to 72 hours after they arrived at reception centers.

Employment: According to labor unions and NGOs, employers continued to discriminate against refugees in the labor market, taking advantage of weak enforcement of legal protections against exploitation of noncitizens. High unemployment in the country and the COVID-19 lockdown also made it difficult for refugees to find legal employment.

Access to Basic Services: UNHCR, the IOM, and other humanitarian organizations and NGOs reported that thousands of legal and irregular foreigners, including refugees, were living in abandoned, inadequate, or overcrowded facilities in Rome and other major cities. They also reported that these persons had limited access to health care, legal counseling, basic education, and other public services.

Some refugees working in the informal economy could not afford to rent apartments, especially in large cities. They often lived in makeshift shacks in rural areas or squatted in buildings in substandard conditions.

Durable Solutions: The government's limited attempts to integrate refugees into society produced mixed results. Many asylum seekers moved to other European countries; based on conversations at welcome centers in Catania, Sicily, most Tunisians sought to move to France or Germany, while in contrast, most Bangladeshis sought to remain in the country. The government offered refugees resettlement services, while both the government and the IOM assisted migrants and refugees who opted to return to their home countries.

Temporary Protection: Between January and July, the government provided special protection to 185 persons and subsidiary protection to 2,258 persons.

g. Stateless Persons

According to UNHCR, at the end of 2020 approximately 3,000 stateless persons lived in the country. Most of them were children born in Italy to parents coming from the former Yugoslavia. The law gives Italian citizenship to children born in Italy to stateless individuals, both of whom must have obtained formal recognition of stateless status. Otherwise, Italian citizenship will not be conferred upon the child at birth, and the child will be born stateless. The law provides that individuals formally recognized as stateless may request to become naturalized citizens after five years of legal residence in the country.

According to the NGO Tavola Apolidia, many stateless individuals reported difficulty in obtaining their rights, due to the low level of knowledge in the country's administrative bodies concerning statelessness. Individuals who are stateless but have not received stateless status do not receive fundamental rights such as the rights to work; to go to school; to own property; or to receive welfare,

identity documents, and travel documents. They were also at risk of detention and expulsion.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: National and international observers considered the 2018 parliamentary elections free and fair.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government sometimes implemented the law effectively. Corruption was a problem. Officials sometimes engaged in corrupt practices with impunity, and there were isolated reports of government corruption during the year.

On March 29, the Council of Europe's Group of States against Corruption noted the absences of "clear and enforceable conflict of interest rules" for parliamentarians, "a robust set of restrictions concerning donations, gifts, hospitality, favors and other benefits for parliamentarians," "practical measures ... to support the implementation of clear parliamentary integrity rules including through the development of dedicated training activities," and "a restriction on the simultaneous holding of the office of magistrate and that of a member of local government."

Corruption: In January the trial of 325 members of the 'Ndrangheta organized-crime syndicate began in Calabria. The charges against defendants included

murder, extortion, usury, money laundering, drug trafficking, corruption, and belonging to a criminal syndicate. The prosecution aimed to expose the deep links between organized crime and other elements of society. The trial continued at year's end.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating, and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

Government Human Rights Bodies: The National Office to Combat Racial Discrimination under the Department of Equal Opportunity in the Prime Minister's Office assisted victims of discrimination. The Interministerial Committee for Human Rights of the Ministry of Foreign Affairs and the Senate's Human Rights Committee focused on international and high-profile domestic cases.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law penalizes convicted perpetrators of rape of either gender, including spousal rape, with six to 12 years in prison. The law criminalizes the physical abuse of women (including by family members) and provides for the prosecution of perpetrators of violence against women and assistance in shielding abused women from publicity. Judicial protective measures for violence occurring within a family allow for an ex parte application to a civil court judge in urgent cases. A specific law on stalking includes mandatory detention for acts of sexual violence, including by partners. Police officers and judicial authorities prosecuted perpetrators of violence against women, but survivors frequently declined to press charges due to fear, shame, or ignorance of the law.

The COVID-19 pandemic may have both caused and masked an increase in violence against women. The pandemic at times forced women into closer proximity with their abusers, leading to greater abuse, while restrictions on movement and decreased funding for civil society organizations and agencies lowered the level of social services and hampered the reporting of cases and the delivery of assistance to survivors.

Between August 2020 and July, 62 women were killed by domestic partners or former partners. In the same period, authorities reported 11,832 cases of stalking. On June 22, for example, police arrested a man accused of having abused his wife for more than 30 years in Catanzaro. The woman had been repeatedly stabbed, beaten, and raped.

The Department of Equal Opportunity operated a hotline for victims of violence seeking immediate assistance and temporary shelter. It also operated a hotline for stalking victims. Between January and March, the hotline received 7,974 calls, a 39 percent increase from the same period in 2020. In 72 percent of those cases of violence, the mistreatment occurred at home where, in 48 percent of the cases, children were present.

Sexual Harassment: By law gender-based emotional abuse is a crime. Minor cases of verbal sexual harassment in public are punishable by up to six months' incarceration and a fine. The government effectively enforced the law. Police investigated reports of harassment.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Independent observers and NGOs reported that government health authorities did not provide sufficient resources to adequately supply the public with reproductive health services and counseling.

The government provided access to sexual and reproductive health services for survivors of sexual violence. Emergency contraception was available as part of clinical management of rape. NGOs reported that in some cases government personnel were not sufficiently trained to identify victims and refer them to the requisite sources of assistance.

Discrimination: Women have the same legal status and rights as men, and the government enforced laws prohibiting discrimination in all sectors of society and economy. Women nonetheless experienced widespread discrimination, particularly with respect to employment (also see section 7.d. regarding pay disparities between genders).

Systemic Racial or Ethnic Violence and Discrimination

The law protects members of racial and ethnic minorities from violence and discrimination. Governmental and societal violence and discrimination against ethnic minorities, including Roma, Sinti, and the nomadic Caminanti, remained a problem. There were reports of discrimination based on race or ethnicity in employment (see section 7.d.).

The press and NGOs reported cases of incitement to hatred, violent attacks, forced evictions from unauthorized camps, and mistreatment by municipal authorities. In 2019, authorities reported 726 crimes of racial hatred, including 234 incidents of incitement to violence, 147 acts of grave desecrations, and 93 acts of physical violence. On September 22, police in Foggia arrested three persons and put three additional persons under investigation for two episodes of violence against a Colombian minor and a Paraguayan who were also insulted for their nationalities and cultural backgrounds.

The European Roma Rights Center reported at least seven evictions of Roma from their unauthorized camps between January and July. On July 1, local authorities closed a Romani camp on the outskirts of Rome. Of the 105 persons living in the camp, 33 found alternative housing and 48 received financial assistance to rent apartments or were hosted in public facilities. Such camps often had no access to drinking water, power, or sewage. Living in a segregated camp usually meant living in overcrowded housing (seven or eight persons per trailer, shack, or shipping container) on the periphery of a town or city.

The NGO Associazione 21 Luglio reported that in 2020, 11,500 Roma lived in 119 authorized camps in 68 municipalities, and another 7,000, mainly Romanians, lived in informal encampments, primarily in Lazio and Campania. More than half of persons living in authorized camps were minors. Their average life expectancy

was approximately 10 years lower than that of the rest of the population. The absence of supplies made it difficult, if not impossible, for Roma living there to follow recommended guidelines for preventing COVID-19. The crowded living quarters in some camps led some municipalities to quarantine entire camps rather than single, at-risk individuals.

Children

Birth Registration: A child acquires citizenship automatically when one of the parents is a citizen, when the parents of children born in the country are unknown or stateless, when parents are nationals of countries that do not provide citizenship to their children born abroad, when a child is abandoned in the country, or when the child is adopted. Local authorities require registration immediately after birth.

Child Abuse: Abuse of minors is punishable by six to 24 years in prison, depending on the age of the child. Child abuse within the family is punishable by up to seven years in prison.

On March 10, police arrested 29 persons and investigated another 64 suspected of exploiting minors by forcing them to commit robberies and other crimes in Rome. The press reported that most of the victims, who were Romani and younger than age 14, did not attend school.

On September 1, authorities reported a case of a mother abusing an 11-year-old child living in a facility shared by some Romani families. The victim was prevented from attending school and forced to collect reusable items from dumpsters. In 2020 the NGO Telefono Azzurro registered a 41 percent increase in the number of reports of abused minors. In 2020 there were 13,527 reports of missing minors, approximately 70 percent of whom were foreigners. The government implemented prevention programs in schools, promptly investigated complaints, and punished perpetrators.

Child, Early, and Forced Marriage: The minimum age for marriage is 18, but juvenile courts may authorize marriages for individuals as young as 16. Forced marriage is punishable by up to five years in prison, or six years if it involves a minor. Forced marriage for religious reasons is also penalized. On April 30, a Pakistani woman disappeared in Reggio Emilia after a meeting with her parents,

who had attempted to force her to marry a cousin in Pakistan. Prior to her disappearance, she had contacted local social service centers and moved to a protected community. Her parents returned to Pakistan after her disappearance.

Sexual Exploitation of Children: Authorities enforced laws prohibiting child sexual exploitation, the sale of children, child sex trafficking (offering or procuring a child for commercial sex), and practices related to child pornography.

Independent observers and the government estimated at least 4,000 foreign minors were victims of sexual exploitation, including child sex trafficking. According to the Department of Equal Opportunity, the number of minor victims of trafficking who received assistance decreased from 160 in 2019 to 105 in 2020.

On July 26, police arrested a janitor working at a primary school in Brescia on charges of engaging in sexual acts with children. The man also allegedly engaged in child sex trafficking by attempting to force some of the child victims into commercial sex.

There were reports of child pornography. In July authorities arrested four persons and investigated three others in Lombardy for producing videos and photos of exploited minors having sexual intercourse with adults and animals. In 2020 Postal Police reported 1,578 cases of online pedophilia, representing a 232 percent increase compared with 2019. Save the Children Italy reported that the COVID-19 pandemic exacerbated sexual exploitation and other abuses of children, who were often forcibly trapped unprotected in overcrowded apartments without access to health care.

The minimum age for consensual sex is 14, or 13 if the age gap with the partner is less than three years.

Displaced Children: The Ministry of the Interior reported 5,101 unaccompanied minors arrived in the country between January and August 17. As of July 31, the Ministry of Labor and Social Policies reported the presence in the country of 8,382 unaccompanied minors, of whom 97 percent were boys. It also stated that 325 minors previously registered at reception centers were reported missing between January and July, putting them at risk of labor and sexual exploitation, including trafficking.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

There were approximately 28,000 Jews in the country. The law criminalizes the public display of the fascist stiff-armed Roman salute and the sale or display of fascist or Nazi memorabilia. Violations can result in imprisonment from six months to two years, with an additional eight months if fascist or Nazi memorabilia were sold online.

Anti-Semitic societal prejudices persisted. Some extremist fringe groups were responsible for anti-Semitic remarks and actions, including physical violence against Jews, vandalism of Jewish-owned business and synagogues, and publication of anti-Semitic material on the internet. The Observatory on Anti-Semitism, part of the Center of Contemporary Jewish Documentation, reported 123 anti-Semitic incidents between January and August 17, including acts of violence. In March a food delivery rider in Rome stabbed a Jewish colleague several times, after screaming anti-Semitic insults. On May 23, three men wearing Palestinian and Algerian flags assaulted and spit on a Jewish man in Milan. The victim required hospitalization. In August a Bangladeshi migrant attacked an Israeli tourist in Pisa with a souvenir statue, yelling "Jews are murderers!"

On April 29, an estimated 800 neo-Nazis marched in Milan, with groups of persons performing the Nazi salute. On June 7, antiterror police dismantled a far-right extremist group, the Roman Aryan Order, and arrested 12 persons. Police seized photographs of Hitler, swastikas, and a book listing Jewish surnames.

Internet hate speech and bullying were the most common forms of anti-Semitic attacks, according to the center. On February 19, a Holocaust survivor's attempt to encourage older adults to receive the COVID-19 vaccine resulted in anti-Semitic comments on social media. On August 18, the center reported 41 cases of insults on the internet and five cases of graffiti against Jewish residents. Most incidents

occurred during Jewish holidays or celebrations. Anti-Semitic slogans and graffiti appeared in some cities, including Milan, Rome, and Busto Arsizio.

More than 2,000 police officers guarded synagogues and other Jewish community sites in the country.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The constitution and the law require authorities to guarantee access to education, health services, public buildings, and transportation to persons with disabilities on an equal basis. The government enforced these provisions, but there were incidents of societal and employment discrimination. Although the law mandates access to government buildings and public transportation for persons with disabilities, physical barriers continued to pose challenges, and government information was not always provided in accessible format. On March 10, the NGO Associazione Coscioni reported that a court ordered the Sperlonga municipality to remove physical barriers preventing persons with disabilities from visiting the historic center of the city. The press reported several cases of escalators and elevators out of order in public buildings and persons with disabilities being denied access to public transportation and other services.

On July 28, police arrested three persons accused of having raped a woman and committed violence against other residents in a nursing home in Serradifalco.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

NGOs advocating for the rights of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons reported instances of societal violence, discrimination, and hate speech. The website Gay.it received 70 reports of discrimination against gay men between January and July compared with 64 registered in 2020.

The press reported isolated cases of violence against LGBTQI+ individuals. On May 24, a Milan court sentenced a former banker to 18 years in prison for killing a transgender escort from Brazil. When LGBTQI+ persons reported crimes, authorities consistently investigated them but in some cases failed to identify the perpetrators.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to establish and join independent unions, bargain collectively, and conduct legal strikes. Antiunion discrimination is illegal, and employees fired for union activity have the right to request reinstatement, provided their employer has more than 15 workers in a unit or more than 60 workers in the country.

The law prohibits union organization of the armed forces. The law mandates that strikes affecting essential public services (such as transport, sanitation, and health services) require longer advance notification than in other sectors and prohibits multiple strikes within days of each other in those services. The law only allows unions that represent at least one-half of the transit workforce to call a transit strike.

The government effectively enforced these laws. The penalties were commensurate with those provided under other laws involving denials of civil rights, although administrative and judicial procedures were sometimes subject to lengthy delays. Judges effectively sanctioned the few cases of violations that occurred.

The government generally respected freedom of association and the right to bargain collectively, although there were instances in which employers unilaterally annulled bargaining agreements. Union representatives suffered casualties while raising awareness and advocating for labor interests. In June, during a demonstration, a truck driver ran over and killed a union leader who was protesting for better working conditions in the logistics sector. The truck dragged the labor leader for several yards as the driver drove away from the scene. Police arrested

the driver for alleged vehicular homicide and failure to provide assistance to the union leader. Two other protesters were also reportedly hit by the truck driver and suffered minor injuries. Employers continued to use short-term contracts and subcontracting to avoid hiring workers with bargaining rights.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, and the government effectively enforced the law. Penalties for violations were commensurate with those of other serious crimes. The actual sentences given by courts for forced and compulsory labor, however, were significantly lower than those provided by law.

The law provides stiff penalties for illicit intermediaries and businesses that exploit agricultural workers, particularly in the case of forced labor but also in cases of general exploitation. It identifies the conditions under which laborers may be considered exploited and includes special programs in support of seasonal agricultural workers. The law punishes so-called *caporalato*, the recruitment of agricultural workers who are illegally employed at subminimum wages and required to work long hours without premium pay or access to labor or social protections. Penalties range from fines to the suspension of commercial and business licenses and in some cases imprisonment.

The government continued to focus on forced labor, especially in the agricultural sector. Government labor inspectors and labor organizations expressed concerns during the year that lockdown measures related to COVID-19 made migrant workers more vulnerable to exploitation. Some migrant workers were designated “essential,” which put them at risk of exploitation, including employer blackmail. The government has a system to legalize undocumented foreign workers in the country. According to press reports, some employers manipulated and blackmailed migrant agricultural workers and care givers to obtain employer signatures on applications. More than 220,000 migrant workers applied for legal status through the program. The government estimated there were 600,000 undocumented migrants in the country.

Forced labor occurred. According to NGO reporting, workers were subjected to debt bondage in construction, domestic service, hotels, restaurants, and agriculture,

especially in the South. The practice has reportedly spread to other sectors and regions. There were anecdotal media reports that a limited number of Chinese nationals were forced to work in the textile sector and that criminal groups coerced persons with disabilities from Romania and Albania into beggary. In the southeastern region of Sicily, 30,000 workers on approximately 5,500 farms worked through the pandemic for as little as 15 euros (\$17) per day. There were also reports of children subjected to forced labor (see section 7.c.).

In 2020 a new three-year plan (2020-22) revitalized the government's efforts to fight labor exploitation and other illegal practices in the agricultural sector. In the same year, the European Commission and the Ministry of Labor funded projects to coordinate labor inspections with law enforcement agencies and the private sector. While the COVID pandemic made labor inspection activities challenging, nationwide in 2020 authorities identified 1,850 potential victims of caporalato and other labor law offenses, of whom 119 were undocumented migrants. Teams in several provinces in central and southern Italy inspected 758 sites, checked 4,767 positions, and identified 1,069 violations of labor rules and 205 potential victims. As a result of the inspections, 22 individuals were summoned for prosecution. The multiagency approach expanded to include an ad hoc group made up of local health officials, inspectors from other regions, and cultural mediators provided by the IOM.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of children younger than 16 in all sectors as well as all the worst forms of child labor, and there are specific restrictions on employment in hazardous or unhealthy occupations for minors, such as activities involving potential exposure to hazardous substances, mining, excavation, and working with power equipment. Children between the ages of 16 and 18 are limited to working eight hours a day or 40 hours a week. The government generally effectively enforced laws related to child labor in the formal economy. Penalties were commensurate with those for other serious crimes. Enforcement was not effective in the relatively extensive informal economy, particularly in the South and in

family-run agricultural businesses.

There were some reports of child labor during the year, primarily in migrant and Romani communities. In 2020, labor inspectors and Carabinieri officers identified 127 underage laborers, of whom 51 were working in the services sector (hotels and restaurants). The remainder worked in the art, sports, and entertainment sector, wholesale and retail trade, and car and motorbike repair.

The law provides for the protection of unaccompanied foreign minors and creates a system of protection that manages minors from the time they arrive in the country until they reach the age of 21 and can support themselves. The Ministry of Labor and Social Policies recognized that unaccompanied minors were vulnerable to child labor exploitation and worked to prevent abuse by placing them in protected communities that provided education and other services. The law also created a roster of vetted and trained volunteer guardians at the juvenile court level to help protect unaccompanied minors. According to a report by Save the Children, elements of the law were not yet fully implemented across the country, although significant progress has been made.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination with respect to employment and occupation, based on race, religion, national origin, color, sex (including pregnancy), ethnicity, disability, age, sexual orientation or gender identity, HIV or AIDS status, or refugee or stateless status. However, there were media reports of employment discrimination based on race or ethnicity. Unions criticized the government for providing insufficient resources to the National Office against Racial Discrimination to intervene in discrimination cases and for the lack of adequate legal measures to address new types of discrimination. Penalties were commensurate with other laws related to civil rights, but the number of inspections was insufficient to provide adequate implementation.

Discrimination based on gender, religion, disability, sexual orientation, and gender identity also occurred. The government implemented some information campaigns, promoting diversity and tolerance, including in the workplace.

In many cases, according to labor unions, victims of discrimination were unwilling

to request the forms of protection provided by employment laws or collective contracts, due to fear of reprisal. According to a 2021 Eurostat study, women's gross hourly earnings were on average 14.1 percent lower than those of men performing the same job in the country in 2019.

In 2020 Ministry of Labor inspectors carried out 309 inspections to protect working mothers and pregnant women. The sectors with the most violations included hospitality, wholesale and retail trade, tourism, and health- and home-care assistance.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law does not provide for a minimum wage. Instead, collective bargaining contracts negotiated between unions and employers set minimum wage levels for different sectors of the economy. These minimum wages were above the poverty income level.

Unless limited by a collective bargaining agreement, the law sets maximum overtime hours in industrial firms at no more than 80 hours per quarter and 250 hours annually. The law prohibits compulsory overtime and provides for paid annual holidays. It requires rest periods of one day per week and 11 hours per day.

The Ministry of Labor and Social Policies is responsible for enforcement and, with regular union input, effectively enforced standards in the formal sector of the economy. The penalties for wage and hour violations were commensurate with those for similar crimes. The number of inspectors, resources, inspections, and remediation were generally adequate to ensure compliance in the formal sector. Labor inspectors were permitted to make unannounced inspections and initiate sanctions. Penalties were commensurate with those for similar violations but remained insufficient to deter violations.

Occupational Safety and Health: The law sets occupational safety and health standards and guidelines for compensation for on-the-job injuries. Responsibility for identifying unsafe situations remains with occupational safety and health experts of government institutions

Occupational safety and health inspections were conducted by the same inspectors

as wage and hour violations under the same authorities. The government effectively enforced occupational safety and health laws, and penalties were commensurate with similar violations but remained insufficient to deter violations.

In 2020 labor inspectors and Carabinieri officers inspected 103,857 companies (including agricultural firms) and identified 93,482 workers whose terms of employment were in violation of labor law. Migrants in the agricultural sector faced unsafe work conditions, including working outdoors for prolonged periods of time while being exposed to temperatures above 100 degrees Fahrenheit and receiving wages below legal minimum wage requirements. In addition to farmworkers, unions and workers in the logistic sector expressed concerns regarding the grueling pace of work, work-related pain and injuries, and mental health issues as well as the lack of employment stability and security for temporary workers. In 2020 there were 1,270 workplace deaths due to accidents in the industrial sector as well as 554,340 reported incidents that resulted in injuries.

Informal Sector: Informal workers were often exploited and underpaid, worked in unhygienic conditions, or were exposed to safety hazards. Labor standards were partially enforced in the informal sector, especially in agriculture, construction, and services, which employed an estimated 16 percent of the country's workers. According to the Confederazione Generale Italiana del Lavoro, a national trade union, such practices occurred in the service, construction, and agricultural sectors. Unions reported significant numbers of informal foreign workers living and working in substandard or unsafe conditions in some areas of Calabria, Puglia, Campania, and Sicily. According to the National Institute of Statistics, the informal sector of the economy was responsible for more than 11 percent of the country's GDP.