

ITALY 2018 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, who is the head of state, nominates the prime minister after consulting with political party leaders in parliament. International observers considered the national parliamentary elections on March 4 to be free and fair.

Civilian authorities maintained effective control over the security forces.

Human rights issues included criminalization of libel, crimes involving violence targeting members of minority groups, and the use of forced or compulsory or child labor.

The government investigated, prosecuted, and punished officials who committed human rights abuses.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

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

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated 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, and there were no reports that government officials employed them.

Prison and Detention Center Conditions

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

Physical Conditions: Overcrowding was severe in some prisons: prisons in Como, Brescia, and Larino (Campobasso province) were at 200 percent of capacity. The law requires the separation of pretrial detainees from convicted prisoners, but authorities sometimes held both in the same sections of prisons, according to the nongovernmental organization (NGO) Associazione Antigone.

According to a report in July by Associazione Antigone, inmates in some prisons suffered from insufficient outdoor activity, and a scarcity of training and work opportunities. In extreme cases these constraints contributed to episodes of self-inflicted violence.

On October 25, the European Court of Human Rights (ECHR) condemned the government for degrading and inhuman treatment against mafia leader Bernardo Provenzano, aged 83, for not having lifted special limitations in 2016. He died in prison the same year, four months after requesting home detention.

Administration: Authorities conducted proper investigations of credible allegations of mistreatment.

Independent Monitoring: The government permitted independent human rights organizations, parliamentarians, and the media to visit prisons and detention centers. The government also provided representatives of the Office of the UN High Commissioner for Refugees (UNHCR) and NGOs access to detention centers for migrants and refugees in accordance with UNHCR's standard procedures.

Improvements: On August 2, the government adopted three decrees reforming the detention system to improve the quality of health services, personalize services for inmates, and facilitate relations with prisoners' families.

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/her arrest or detention in court, and the government generally observed these requirements.

Role of the Police and Security Apparatus

The National Police and the Carabinieri national military police maintain internal security. Although it is also one of the five branches of the armed forces, the Carabinieri carry out certain civilian law enforcement duties. The Ministry of the Interior coordinates between the National Police and nonmilitary units of the Carabinieri. The army is responsible for external security but also has specific domestic security responsibilities, such as guarding public buildings. The two other police forces are the Prison Police, which operates the prison system, and the Financial Police, the customs agency under the Ministry of Economy and Finance.

Civilian authorities maintained effective control over the National Police and the Carabinieri, and the government has effective mechanisms to investigate and punish abuse. There were no reports of impunity involving the security forces during the year, although long delays by prosecutors and other authorities in completing some investigations reduced the effectiveness of mechanisms to investigate and punish police abuses.

Arrest Procedures and Treatment of Detainees

To detain an individual, police must have a warrant issued by a public prosecutor, unless a criminal act is in progress or there is a specific and immediate danger to which police officers must respond. 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 request the validation of the arrest. The investigating judge then has 48 hours to confirm the arrest and recommend whether to prosecute. In cases of alleged terrorist activity, authorities may hold suspects up to 48 hours before bringing the case to a magistrate. These rights were generally respected.

There is no provision for bail, but judges may grant provisional liberty to detainees awaiting trial. The government provides a lawyer at government expense to indigent persons. The law requires authorities to allow a detainee to see an attorney within 24 hours, or within 48 hours in cases of suspected terrorist activities. In exceptional circumstances, usually in cases of organized crime or when there is a risk that attorneys may attempt to tamper with evidence, the investigating judge may take up to five days to interrogate the accused before allowing access to an attorney. The law permits family members access to detainees.

Detained foreign nationals did not systematically receive information on their rights in a language they understood. According to Associazione Antigone's 2018 report, in 2017 almost one-fourth of arrested foreigners did not consult with a lawyer before being interrogated by authorities because interpreters were unavailable. The confidentiality of medical examinations of detainees was not guaranteed.

Pretrial Detention: Lengthy pretrial detention and trial delays were problems. Authorities adhered to the maximum term of pretrial detention, which is two to six years, depending on the severity of the alleged crime. According to the latest available data provided by the Ministry of Justice, as of October 31, approximately 17 percent of all detainees were in pretrial detention, but in no cases equaled or exceeded the maximum sentences for the alleged crime. According to independent analysts and magistrates, delays resulted from the large number of drug and immigration cases awaiting trial, the lack of judicial remedies, and the presence of more foreign detainees. In some cases these detainees could not be placed under house arrest because they had no legal residence, and there were insufficient officers and resources, including shortages of judges and 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. A significant number of 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 have the right to the presumption of innocence and to be informed promptly and in detail of the charges against them. Trials are fair and public, but they can be delayed. 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 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 as well as access to interpretation or translation services as needed. All defendants have the right to confront and

question witnesses against them and to present witnesses and evidence on their own behalf. Defendants may not be forced to testify or confess guilt, and they have a right to appeal verdicts.

Domestic and European institutions continued to criticize the slow pace of the judicial process. On January 23, the Ministry of Justice reported that in 2017 the first trial of civil cases lasted an average of 360 days. The country's "prescription laws" (statutes of limitations) in criminal proceedings require that a trial must end by a certain date. Courts determine when the statute of limitations should apply. To avoid a guilty sentence at trial or gain release pending an appeal, defendants often took advantage of delays in proceedings in order to exceed the statute of limitations.

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 a case of alleged human rights violations by the government to the ECHR once they exhaust all avenues for a remedy in the country's court system. According to the Ministry of Justice, in 2017 the average length of civil judicial proceedings, including appeals, was 935 days. In the case of appeals to the Court of Cassation (Supreme Court), they lasted approximately eight years on average.

Property Restitution

Holocaust-era restitution is no longer a concern. The government has laws and mechanisms in place and has endorsed the Terezin Declaration of 2009. The 2001 Anselmi report commissioned by the government found that private property confiscated before and during the Holocaust era had generally been returned and that significant progress had been made in dealing with restitution of communal and heirless property. The Union of Jewish communities reported no outstanding Holocaust-era claims, including for foreign citizens, and characterized the government as cooperative and responsive to community concerns in the area of protection and restoration of communal property. The Rome Jewish Community continued to seek international assistance in tracing the contents of the Jewish communal library of Rome, which the Nazis looted in 1943.

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

The law prohibits such actions, but there were some reports that the government failed to respect these prohibitions. The Supreme Court's lead prosecutor may authorize wiretaps of terrorism suspects at the request of the prime minister. According to independent observers, such as former Carabinieri police officer Angelo Jannone, who has written on the subject, prosecutors did not always limit the use of wiretaps to cases of absolute necessity as the Supreme Court required. The law allows magistrates to destroy illegal wiretaps that police discover or to seize transcripts of recordings that are irrelevant to the judicial case.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

Freedom of Expression: Speech inciting violence based on racial, ethnic, national, or religious discrimination is a crime punishable by up to 18 months in prison. Holocaust denial is an aggravating circumstance in judicial proceedings against such speech. No convictions were reported during the year.

The law considers insults against any divinity to be blasphemy, a crime punishable by a fine ranging from 51 to 309 euros (\$59 to \$355). There were no reports regarding enforcement of this law during the year.

Press and Media Freedom: The independent media were active and expressed a wide variety of views without restriction.

Violence and Harassment: The NGO Reporters without Borders (RSF) characterized the level of violence against reporters as "alarming," particularly in Campania, Calabria, and Sicily (including verbal and physical intimidation and threats). On April 10, police arrested three persons suspected of planning a violent attack against a journalist, Paolo Borrometi for publishing articles and photos on his brother, who had been convicted for mafia-related crimes in Syracuse.

The RSF reported that journalists felt pressured by politicians and organized crime and increasingly opted to censor themselves. Because of threats from organized crime, in 2017, 10 journalists received around-the-clock police protection, while 200 others received occasional protection in 2017, according to the 2018 RSF report. Although authorities generally did not participate in or condone violence or harassment of journalists, the RSF condemned Deputy Prime Minister and Interior Minister Matteo Salvini's threat in June on social media to remove police protection from celebrated journalist Roberto Saviano, who has received death threats for his coverage of organized crime. Saviano criticized Salvini's efforts to reduce migration flows and engaged in a lengthy public debate with the minister. Salvini did not act on his threat.

On September 12, according to the National Federation of the Italian Press, the European Federation of Journalists, and the International Federation of Journalists, Deputy Prime Minister Luigi Di Maio, head of the populist Five Star Movement, threatened to cut government advertising to newspapers that "were polluting the public debate."

On September 13, on the orders of prosecutors in the Sicilian city of Catania as part of an investigation into a suspected leak violating the confidentiality of a judicial investigation, police searched the home and examined the contents of the mobile phone and computer of investigative reporter Salvo Palazzolo. Palazzolo, who specialized in covering the Sicilian mafia and other criminal networks for the Rome-based newspaper *La Repubblica*, revealed, in an article in March, law enforcement information about the investigation into the 1992 "Via d'Amelio bombing" in the Sicilian city of Palermo.

Libel/Slander Laws: Journalists face prison sentences of up to six years if convicted of libel. Public officials continued to bring cases against journalists under libel laws. For example, on June 20, Minister Salvini sued Saviano for defamation after Saviano called Salvini "a buffoon" and "minister of the underworld" on Twitter.

Nongovernmental Impact: The RSF noted that many journalists, especially in Rome and the south of the country, claimed they were subjected to pressure from mafia groups and local criminal gangs, and the National Federation of the Italian Press reported some instances of threats against journalists by members of criminal organizations. Marilu Mastrogiovanni, a Puglia-based investigative reporter and

editor of *Il Tacco d'Italia*, a regional news website, has been under police protection for years.

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, a special unit of the postal and communications division of the National Police, monitored websites for crimes involving child pornography. According to International Telecommunication Union statistics, 61 percent of the population used the internet in 2017.

Academic Freedom and Cultural Events

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

b. Freedom of Peaceful Assembly and Association

The constitution provides for the freedoms of 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 www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

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

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, or other persons of concern. The continued unpredictability of migrant flows and uncertainty over whether other EU member states would take a share of migrant arrivals taxed the ability of authorities to protect migrants and asylum seekers brought to the country by rescue vessels.

Abuse of Migrants, Refugees, and Stateless Persons: Mixed populations of refugees and migrants often remained in reception centers longer than the 35-day limit set by law. Representatives of international humanitarian organizations accused the government of endangering migrants by encouraging Libyan authorities to rescue migrants at sea and return them to reception centers in Libya where aid groups and international organizations deemed living conditions inhuman.

Media reported some cases of violence against refugees. On February 3, a right-wing militant, Luca Traini, drove through the city of Macerata shooting at and wounding six migrants. Traini was arrested and charged with attempted murder.

The International Organization for Migration (IOM), UNHCR, and NGOs reported instances of labor exploitation of asylum seekers, especially in agriculture and the service sector (see section 7.b.), and sexual exploitation of unaccompanied minors (see section 6, Children).

Corruption and organized crime diverted some resources away from asylum seekers and refugees. On June 26, police arrested six managers of an association responsible for the management of some migration centers in the province of Latina, on charges of fraud and mistreatment of asylum seekers.

Protection of Refugees

Refoulement: Some NGOs, including Amnesty International, accused the government of encouraging refoulement by pressuring NGOs to limit rescues of migrants in the Mediterranean Sea and encouraging the Libyan coast guard to take rescued migrants back to Libya, which UNHCR did not consider a “safe port” and which has not signed the applicable UN refugee conventions. UNHCR did not indicate that this constitutes a case of refoulement, but stated that it was looking into the legality of the country’s actions.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. NGOs and independent observers identified difficulties in asylum procedures, including inconsistency of standards applied in reception centers and insufficient rates of referral of trafficking victims and unaccompanied minors to adequate services. Interior Minister Salvini announced his intent to increase the number of asylum adjudicators but also issued a circular urging them to be more restrictive in

granting humanitarian protection, claiming that many economic migrants were being erroneously granted legal status.

Regional adjudication committees took up to nine months to process asylum claims, depending on the region. When legal appeals were taken into account, the process could last up to two years. Interior Minister Salvini pledged to cut funding for migrant reception, protection, and integration, and devote more resources to expulsion of illegal migrants. He contended that the existing migrant reception system did little to integrate migrants and was a source of corruption.

Large numbers of migrants and refugees who arrived in the country since 2014, mostly across the central Mediterranean Sea from Libya, strained the asylum system. Between January and August, the government received approximately 38,000 asylum requests. Between January and September authorities granted asylum or other forms of legal protection to 23,700 persons.

Between January 1 and November 5, a total of 3,368 unaccompanied minors arrived in the country (see section 6, Children and section 7.c.).

Safe Country of Origin/Transit: The country is party to the EU's Dublin III Regulation and its subsequent revisions, whereby members generally transferred asylum applications to the first EU member country in which the applicant arrived or returned applicants to safe countries of origin.

Freedom of Movement: The law permits authorities to detain migrants and asylum seekers in centers for identification and expulsion for up to 90 days if authorities decide they pose a threat to public order or may try to flee an expulsion order or pre-expulsion jail sentence. Government efforts to reduce the flow of migrants crossing the Mediterranean Sea to the country on smuggler vessels were accompanied by restrictions in freedom of movement for up to 72 hours once rescued migrants arrived in reception centers. As of December 2017, 417 foreigners were held in five centers. The Council of Europe's Committee on the Prevention of Torture (CPT) noted "several categories of foreign nationals may be prevented from leaving the "hotspots" [temporary centers], without a clear legal basis."

Employment: Asylum seekers may work legally two months after submitting an asylum request. According to labor unions, including the Federation of Agroindustrial Workers, an affiliate of the Italian General Labor Confederation (CGIL), employers continued to discriminate against noncitizens in the labor

market, taking advantage of insufficient enforcement of legal protection for noncitizens against exploitation. In addition, high unemployment in the country limited the possibility of legal employment for large numbers of refugees.

Access to Basic Services: Authorities set up temporary centers to house mixed-migrant populations, including refugees and asylum seekers, but could not keep pace with the high rate of arrivals and the increased number of asylum claims. On July 31, there were 160,458 persons housed in sites throughout the country. Some were housed in centers run directly by local authorities, generally considered of high quality, while the rest were in centers whose quality varied greatly and included many repurposed facilities, such as old schools, military barracks, and apartments in residential buildings. On April 10, the CPT reported that all the temporary centers it visited in June 2017 “regularly exceeded the official capacity” with concomitant degradation of living conditions. It found living conditions at the Caltanissetta Closed Removal Center overcrowded and the facilities in poor state of repair and under furnished. The sanitation facilities were in need of extensive repair. The CPT also reported services provided to migrants in the Lampedusa transit center were inadequate, and that insufficient places were made available in shelters for unaccompanied minors, resulting in prolonged stays at temporary transit centers. Representatives of UNHCR, the IOM, and other humanitarian organizations and NGOs reported thousands of legal and irregular foreigners, including migrants and refugees, living in abandoned buildings and in inadequate and overcrowded facilities in Rome and other major cities, and having limited access to health care, legal counseling, basic education, and other public services.

In some cases, refugees and asylum seekers who worked in the informal economy were not able to rent apartments, especially in large cities. They often squatted in buildings where they lived in substandard conditions with their children. On March 21, police forcibly evicted 100 migrants and refugees who had squatted in a building in the outskirts of Rome. NGOs and advocacy groups alleged that the Rome municipal government failed to provide alternative public housing for those evicted migrants who qualified for it, including refugees with legal status.

On August 10, 34 asylum seekers in Toscolano Maderno protested the lack of medical assistance, language classes, and vocational training in the migration center where they lived.

Durable Solutions: The government made limited attempts to integrate refugees into the country’s society with mixed results. The government distributed asylum seekers throughout the country and provided shelter and services while their

requests were processed as well as some resettlement services after granting asylum. In cooperation with the IOM, the government assisted migrants and refugees who opted to return to their home countries.

Temporary Protection: The government also provided protection to individuals who may not qualify as refugees. Between January and September, the government provided humanitarian protection to 16,761 persons and subsidiary protection to 2,614 persons.

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 parliamentary elections on March 4 to be free and fair.

Participation of Women and Minorities: No laws limit participation of women and members of minorities 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. The government usually implemented these laws effectively, but officials sometimes engaged in corrupt practices with impunity.

Corruption: According to the National Anticorruption Authority, in 2017 citizens reported approximately 5,190 cases of corruption to the authority. Between January and July, the Financial Police arrested 115 persons and investigated approximately another 642 for abuse of power, corruption, embezzlement, and fraud.

On January 21, the Lombardy regional court of auditors seized assets worth five million euros from former regional governor Roberto Formigoni, who had been convicted of bribery. On September 19, an appeals court in Milan increased his prison sentence to seven and a half years. On January 26, the Supreme Court (Court of Cassation) upheld the 2014 conviction of former Lombardy regional

alderman Massimo Ponzoni, a political ally of Formigoni, to five years and 10 months in jail for corruption. He was charged with receiving bribes in exchange for having authorized the construction of a commercial center.

Financial Disclosure: The law requires members of parliament to disclose their assets and incomes. The two chambers created a publicly accessible bulletin on each of their websites containing information on each parliamentarian, but only if the parliamentarian agreed to the online posting. The law stipulates that the presidents of the two chambers may order noncompliant members to submit their statements in 15 days but provides for no other sanctions. Ministers' disclosures must be posted online.

Section 5. Governmental Attitude Regarding 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. While government officials were generally cooperative and responsive to their views, Minister Salvini rejected an announcement on September 10 by the UN high commissioner for human rights that the commissioner's office planned to send a team to the country to "assess the reported sharp increase in acts of violence and racism against migrants, persons of African descent, and Roma." He countered that the government might consider reducing its current level of funding to the United Nations in response.

Government Human Rights Bodies: The Interministerial Committee for Human Rights at the Ministry of Foreign Affairs and the Senate's Human Rights Committee focused on international and high-profile domestic cases. The National Office to Combat Racial Discrimination (UNAR), a part of the Department of Equal Opportunity of the Presidency of the Council of Ministers (the Prime Minister's Office), assisted victims of discrimination.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The legally prescribed penalty for rape, including spousal rape, is five to 12 years in prison. The law criminalizes the physical abuse of women (including by family members), provides for the prosecution of perpetrators of violence against women, and helps shield 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.

Between January and July, 44 women were killed by their domestic partners. On July 22, a man killed his wife and then committed suicide in Caserta. In 2017 the woman had reported her husband to authorities for mistreatment but later withdrew her complaint.

The Department of Equal Opportunity operated a hotline for victims of violence seeking immediate assistance and temporary shelter. It also operated a hotline for victims of stalking. Authorities reported a 53-percent increase in calls to a governmental hotline regarding cases of violence and abuse between January and June, compared with the same period of 2017.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was a problem in some immigrant communities. It is a crime punishable by up to 12 years' imprisonment. Experts estimated between 60,000 and 81,000 women, especially Nigerian and Egyptian, were victims of genital mutilation. Most of the mutilations were performed outside the country. The Department for Equal Opportunities operated a hotline for victims and other affected parties who requested the support of authorities and NGOs.

Sexual Harassment: Minor cases of verbal sexual harassment in public are punishable by up to six months' incarceration and a fine of up to 516 euros (\$593). The government effectively enforced the law. By government decree, emotional abuse based on gender discrimination is a crime. Police investigated reports of harassment submitted to authorities.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: Women have the same legal status and rights as men. They do experience discrimination, but the government enforced laws prohibiting every form of discrimination in all sectors.

Children

Birth Registration: A child acquires citizenship automatically when the parents are citizens, when the parents of children born in the country's territory are unknown or stateless, or when the parents are foreigners whose countries of origin do not recognize the citizenship of their children born abroad. Citizenship is also granted if a child is abandoned in the country and in cases of adoption. Local authorities required immediate birth registration.

Child Abuse: Sexual abuses against minors are punished with six to 12 years in prison. The government implemented prevention programs in schools and promptly investigated complaints and punished perpetrators. Telefono Azzurro, an NGO that advocates for children's rights, reported a 7-percent increase in reports of child abuse submitted in 2017 compared with the previous year. Approximately 5,600 persons, mostly teenagers, contacted its help center through social media.

Early and Forced Marriage: The minimum age for marriage is 18, but juvenile courts may authorize marriages for individuals as young as 16. According to NGOs, hundreds of women were victims of forced marriages.

Sexual Exploitation of Children: Authorities enforced the laws prohibiting sexual exploitation, the sale of children, offering or procuring a child for prostitution, and practices related to child pornography. Independent observers and the government estimated at least 6,000 foreign minors were victims of sexual exploitation. According to the Department of Equal Opportunity, the number of assisted minor victims of trafficking increased from 82 in 2016 to 199 in 2017.

There were reports of child pornography. On July 6, postal police announced the arrest of two persons and an investigation into another 12 individuals from different cities throughout the country suspected of having established a network on Facebook to exchange video and photos of abused children. The investigation continued at year's end.

On July 26, Save the Children Italy reported testimonies of some migrant children who had been victims of sexual exploitation by smugglers who had helped them to cross the border with France or provided food and temporary accommodation.

The minimum age for consensual sex varies from 13 to 16, based on the relationship between partners.

Displaced Children: The Ministry of the Interior reported that, between August 2017 and July, 6,042 unaccompanied minors arrived in the country, representing approximately one-fourth of those registered in the two-year period that ended in July.

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.html>.

Anti-Semitism

There were approximately 30,000 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 bring prison terms of six months to two years, with an additional eight months if those goods are sold online. On October 23, Milan judges indicted four leaders of the far-right association Loyalty and Action for supporting fascism by exhibiting symbols and chanting fascist slogans during a 2016 parade in Milan.

Anti-Semitic societal prejudices persisted. Some extremist fringe groups were responsible for anti-Semitic remarks and actions, including vandalism and publication of anti-Semitic material on the internet. The Observatory on Anti-Semitism of the Foundation Jewish Contemporary Documentation Center (the Center) reported 163 anti-Semitic incidents between January and November 5, but no violent assaults.

Internet hate speech and bullying were the most common forms of anti-Semitic attacks, according to the center. Between January and November 5, the center reported 109 cases of insults on the internet and 11 cases of graffiti or vandalism against Jewish residents. Most episodes occurred during Jewish holidays or celebrations.

Anti-Semitic slogans and graffiti appeared in some cities, including Rome, Milan, and Turin. On January 25, authorities discovered a "Stolperstein" commemorating victims of the Holocaust dislodged and damaged in Florence. Some commemorative plaques and markers in other cities were stolen.

On June 12, police opened an investigation into an incident in San Maurizio Canavese (Piedmont) in which a barbershop owned by a Jewish citizen was spray-painted with the words “this is a Jewish shop.” A car was also set on fire near the vandalized shop.

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 www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law protects the rights of persons with disabilities. 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.

On March 25, police arrested 15 persons, including nurses, doctors, and a priest, accused of mistreating a group of persons with disabilities in a rehabilitation center in Venosa in the province of Potenza. The victims had scratches, bruises, and other signs of aggravated violence on their bodies.

National/Racial/Ethnic Minorities

Governmental and societal violence and discrimination against Roma, Sinti, Caminanti, and other ethnic minorities remained a problem. There were reports of discrimination in occupation and employment based on race or ethnicity (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. On July 26, national and local police forcibly evacuated a Romani camp where more than 400 persons lived in containers provided by the city of Rome. The city established the camp in 2005 to host Romani families coming mainly from Bosnia and Herzegovina, and Romania. NGOs and other government ministers criticized Interior Minister Salvini for his announcement in June that he planned to conduct a

“census” of the Romani community and that he would take steps to expel noncitizen Roma, commenting that “unfortunately we have to keep Italian Roma here at home.”

According to the NGO Associazione 21 Luglio, in 2017 housing remained a serious concern for the country’s 28,000 Roma, most of whom came from Balkan countries. A total of 18,000 persons lived in approximately 150 authorized camps, and another 10,000, many of whom were Romanian and Bulgarian, lived in informal encampments, mainly in the Latium and Campania regions.

On July 26, Rome municipal authorities and police cleared the “Camping River” site, the largest informal Romani camp in the capital, citing reasons of public health and protection of minors. Most of those living in the camp refused alternative housing proposed by authorities because they wanted to remain close to relatives and members of their clans. Some of them established unauthorized encampments in public parks.

On July 18, the European Roma Rights Center objected to Interior Minister Salvini’s statements calling for a “mass cleansing street-by-street, piazza-by-piazza, neighborhood-by-neighborhood.”

On August 17, 10 North African migrants forced their way into a Romani camp in Pisa and assaulted a member of the local community.

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

The law prohibits discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons in housing, employment, nationality laws, and access to government services. NGOs advocating for LGBTI rights reported instances of societal violence, discrimination, and hate speech.

The press reported isolated cases of violence against gay and lesbian couples during the year. On August 22, the NGO Gay Center Rome reported that three persons attacked and injured a gay man in Rome after having asked him if he was homosexual. The case remained under investigation at year’s end.

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 and prohibits multiple strikes within days of each other in those services. The law only allows unions that represent at least half of the transit workforce to call a transit strike.

The government effectively enforced these laws. Employers who violate the law are subject to fines, imprisonment, or both. These penalties were generally sufficient to deter violations, although administrative and judicial procedures were sometimes subject to lengthy delays. Judges effectively sanctioned the few cases of violations.

The government and employers generally respected freedom of association and the right to bargain collectively, although there were instances in which employers unilaterally annulled bargaining agreements. 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 sufficiently stringent to deter violations. 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 middlemen 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 illegal recruitment of vulnerable workers and forced work (the so-called *caporalato*). Penalties range from fines to the suspension of a company's license to conduct commercial activities. In 2017, the most recent year for which data are available, the Ministry of Labor and Social Policies dedicated an increased amount of attention to this problem. Government

labor inspectors and the Carabinieri carried out 7,265 inspections of agricultural companies, and identified 5,222 irregular workers, of which 3,549 were undeclared workers (off the books) and 230 were foreign workers without residence permits. These irregularities remained in line with 2016 figures.

Forced labor occurred during the year. Workers were subjected to debt bondage in construction, domestic service, hotels, restaurants, and agriculture, especially in the south, according to the NGO Parsec. There continued to be anecdotal evidence that limited numbers of Chinese nationals were forced to work in textile factories, and that criminal groups coerced persons with disabilities from Romania and Albania into begging. There were also limited reports that children were subjected to forced labor (see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of children under the age of 16. 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. Penalties for employing child labor include heavy fines or the suspension of a company's commercial activities. Government enforcement was generally effective in the formal economy. Enforcement was not effective in the relatively extensive informal economy, particularly in the south and in family-run agricultural businesses.

There were some limited reports of child labor during the year, primarily among migrant or Romani communities. In 2017, the most recent year for which data was available, labor inspectors and Carabinieri officers identified 220 underage laborers. The number of irregular migrants between the ages of 15 and 18 entering the country by sea from North Africa decreased. According to the Ministry of the Interior, the number of unaccompanied minors arriving in the country by sea dropped from 15,779 in 2017 to 3,177 as of September. Most of these minors were from Sub-Saharan Africa. The majority arrived in Sicily, and many remained there in shelters, while others moved to other parts of the country or elsewhere in Europe.

The law provides for the protection of unaccompanied foreign minors, creating a system of protection that manages minors from the time they arrive until they reach

the age of majority and can support themselves. As of the end of January, the Ministry of Labor and Social Policies had identified 14,939 unaccompanied minors, of whom 4,332 had left the shelters assigned to them. Of those assisted, 93 percent were boys and 84 percent were 16 or 17 years of age. Girls were 7 percent of the total with 60 percent from Eritrea and Nigeria; this group was especially vulnerable to sexual abuse and violence.

The Ministry of Labor and Social Policies recognized that unaccompanied minors were more vulnerable to becoming child laborers and worked to prevent exploitation by placing them in protected communities that provided education and other services. The law also created a roster of vetted and trained voluntary guardians at the juvenile court-level to help protect unaccompanied minors. According to a report by Save the Children, there are still elements of the law that have yet to be fully implemented across the country, but significant progress was made. Over 4,000 volunteers became guardians and supported migrants integrating into local communities.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in respect of employment and occupation. There were some media reports of employment discrimination based on race or ethnicity. Unions criticized the government for providing insufficient resources to UNAR to intervene in all cases of discrimination and for the lack of adequate legal measures to address new types of discrimination.

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 victims of discrimination were unwilling to request the forms of protection provided by employment laws or collective contracts, according to labor unions. According to Eurostat, in 2016 (the most recent year for which data was available) women's gross hourly earnings were on average 5.3 percent lower than those of men performing the same work.

e. Acceptable Conditions of Work

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. In 2017 the government set the official poverty line at 1,085 euros (\$1,248) per month for a family of two.

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 law sets basic health and safety standards and guidelines for compensation for on-the-job injuries.

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. Labor standards were only partially enforced in the informal sector, which employed an estimated 16 percent of the country's workers.

Resources, inspections, and remediation were generally adequate to ensure compliance in the formal sector only. Penalties for violations include incarceration and fines but were not sufficient to deter all violations.

In 2017, the most recent year for which data was available, labor inspectors and Carabinieri officers inspected 160,347 companies (including agricultural companies), identifying 252,659 individual workers whose terms of employment were in violation of labor laws. Of these, 48,073 were undeclared (off the books); and 1,227 were irregular migrants. Inspectors found 12,800 violations of regulations on working hours and suspended approximately 6,932 companies for the specific violation of employing over 20 percent of their workers without a formal contract. The number of companies found to be in violation remained roughly in line with 2016 (7,013).

Informal workers were often exploited and underpaid, worked in unhygienic conditions, or were exposed to safety hazards. According to the main labor confederation, the CGIL, such practices occurred in the service, construction, and agricultural sectors.

In 2016 an independent research center, the Association of Artisans and Small Businesses of Mestre, estimated that there were 3.1 million irregular workers in the country, of whom 40 percent were based in southern regions. Some areas of Calabria, Puglia, Campania, and Sicily reported significant numbers of informal foreign workers living and working in substandard or unsafe conditions. This data was still considered reliable.