

# ITALY 2015 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 in 2013 to be free and fair. Civilian authorities maintained effective control over the security forces.

During the year a flood of migrants and refugees into the country overwhelmed the government's capability to adjudicate their claims for asylum in a timely manner. Migrants and refugees lived in often inadequate or substandard shelters for extended periods and were vulnerable to forced labor and other abuses; unaccompanied minors were particularly at risk. Delays in the country's legal system resulted in denial of justice in many cases to both the innocent and the guilty. Corruption remained a significant problem.

Other human rights problems included excessive and abusive police use of force, prison overcrowding and incarceration of pretrial detainees with convicted criminals, sexual abuse of children, and anti-Semitic vandalism. Persons were trafficked for both labor and sexual exploitation. There was discrimination against persons with disabilities. Societal prejudice and municipal government policies permitted the mistreatment of minorities, including Roma, exacerbating their social exclusion and restricting access to education, health care, employment, and other social services. Observers also reported cases of violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons and discrimination in schools and workplaces based on sexual orientation. Forced labor, labor exploitation, and child labor were problems, especially in the service sector and the southern agricultural region of the country.

The government investigated, prosecuted, and punished officials who committed crimes and abuses whether in the security forces or elsewhere in the government. Impunity sometimes existed.

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

### **a. Arbitrary or Unlawful Deprivation of Life**

There were some reports security forces committed arbitrary or unlawful killings. On July 29, a Carabinieri officer in Padua shot and killed Mauro Guerra. Guerra suffered from a psychological disorder and had demonstrated aggressive behavior. His parents had requested police assistance, which Guerra was fleeing when he assaulted an officer.

### **b. Disappearance**

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices. Nongovernmental organizations (NGOs) and international organizations highlighted the lack of a law criminalizing torture as a loophole in the judicial system. Under existing law prosecution for torture may occur only if the victim comes forward to accuse the perpetrator of an assault.

There were reports that police occasionally used excessive force against individuals, particularly immigrants detained in connection with common criminal offenses or in the course of identity checks. On May 8, a judge in Rome sentenced police officers Guido Faggiani, Adriano Cramerotti, Andrea Serrao, and Roberto Marinelli to five years in prison, issued a permanent ban on their holding public office, and fined them 100,000 euros (\$110,000) for calumny and submitting a false report on the arrest of Stefano Gugliotta in 2010. In June 2014 a judge had already sentenced the four officers to four years in prison and ordered them to pay 40,000 euros (\$44,000) in compensation for abuse of power and violence against Gugliotta.

### **Prison and Detention Center Conditions**

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

Physical Conditions: On October 31, the Ministry of Justice reported 52,434 inmates were held in 197 prisons designed to hold a total 49,640 persons. Overcrowding in the system was 106 percent, but in some prisons it was severe:

Como (185 percent), Taranto (174 percent), and Larino, in the province of Campobasso (168 percent). The law requires the separation of pretrial detainees from convicted prisoners, but authorities sometimes held both in the same sections of prison facilities. According to Ristretti Orizzonti, an NGO that tracks information on incarceration, between January 1 and November 5, 37 of the 98 prisoners who died in custody were suicides.

In December 2014 a Milan judge acquitted Roberta de Simone, a psychologist working in a Milan prison, of charges related to the 2009 suicide of a prisoner, Luca Campale. A judge had previously convicted de Simone for manslaughter for having denied adequate treatment to Campale.

Some regional governments did not implement a 2014 law requiring them to create special centers for detainees with psychiatric disorders by March 2015 to replace existing judiciary psychiatric hospitals considered inadequate. In April the Social Sector Epidemiology Observatory reported that more than 40 percent of prisoners suffered from psychiatric problems and that 57 percent of those cases related to narcotic dependency.

Administration: Prisoners could submit complaints to judicial authorities, who generally investigated credible allegations.

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 irregular migrants in accordance with UNHCR's standard modalities.

Improvements: On March 11, the minister of justice established the office of national prisoners' ombudsman to promote the constitutional rights of prisoners and detainees and the implementation of international norms on human rights ratified by the government.

#### **d. Arbitrary Arrest or Detention**

The constitution prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

#### **Role of the Police and Security Apparatus**

Two of the country's five national police forces, the National Police and the Carabinieri, maintain internal security. The Carabinieri is the national military police. Although it is also one of the five branches of the armed forces, it carries out certain civilian law enforcement duties. The Ministry of 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 three other police forces are the Prison Police, which operates the prison system; the National Forestry Corps, which enforces law in parks and forests; and the Financial Police, the customs agency under the Ministry of Economy.

Civilian authorities maintained effective control over the National Police and the Carabinieri, and the government has effective mechanisms to investigate and punish abuse and corruption. 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. As a safeguard against unjustified detention, detainees may request a panel of judges (a liberty tribunal) to review their cases on a regular basis to determine whether to continue the detention. 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.

Pretrial Detention: Lengthy pretrial detention and trial delays were a problem. In October approximately 34 percent of all prisoners were in either pretrial detention or awaiting a final sentence. The maximum term of pretrial detention is two to six years, depending on the severity of 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 insufficient distribution of offices and resources, including shortages of judges and staff. In April parliament gave judges discretionary power to avoid incarceration of a defendant before a conviction and established alternatives measures to pretrial custody, such as house arrest and participation in community service projects.

Protracted Detention of Rejected Asylum Seekers or Stateless Persons: Authorities may detain rejected asylum seekers in expulsion centers for a maximum of 18 months.

#### **e. Denial of Fair Public Trial**

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

#### **Trial Procedures**

The constitution provides for the right to a fair 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, as well as access to interpretation or translation services, as needed. Trials are public.

The courts of assizes, which have jurisdiction in the initial trial for the most serious crimes, consist of two professional judges and six laypersons chosen at random from among citizens between the ages of 30 and 65. Although the law provides for defendants to have access to an attorney in a timely manner, authorities did not always respect this right. Defendants had adequate time to discuss and prepare cases with their lawyers in appropriate facilities available in all prisons. Prosecutors must make evidence available to all defendants and their attorneys

upon request. 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. These rights extend to all defendants.

Domestic and European institutions continued to criticize the slow pace of the judicial process. On June 13, the Ministry of Justice reported civil cases that included an appeal to the Supreme Court lasted an average of 103 months. 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. Defendants often took advantage of delays in proceedings in order to exceed the statute of limitations. By doing so, they could avoid a guilty sentence at trial or gain release pending an appeal.

### **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. Individuals may bring a case of alleged human rights violations by the government to the European Court for Human Rights once they exhaust all avenues for a remedy in the country's court system. According to the court of cassation, in 2014 the average length of civil trials was 44 months.

### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The law prohibits such actions, and there were no reports that the government failed to respect these prohibitions. Searches and electronic monitoring are generally permissible with judicial warrants and in carefully defined circumstances. The Supreme Court's lead prosecutor may authorize wiretaps of terrorism suspects at the request of the prime minister. According to independent observers, 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 seize transcripts of recordings that are irrelevant to the judicial case or are from commercial eavesdropping. In July, Rosario Crocetta, the regional president of Sicily, sued the weekly magazine *L'Espresso* for 10 million euros (\$11 million) in damages for the publication of an

alleged transcript of wiretapped calls in which he was involved. Prosecutors had not included the transcript in any judiciary proceedings.

According to media reports, the city of Florence failed to provide information on a database containing personal data on beggars living in the city to the national guarantor for the protection of personal data, as requested in December 2014. In November 2014 three Romanian citizens filed a complaint with the national guarantor against the municipality after having been fined multiple times for begging and being included in the municipal database.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to provide for freedom of speech and press.

Freedom of Speech and Expression: Speech inciting violence based on racial, ethnic, national, or religious discrimination is a crime punishable by up to 18 months in prison. On October 16, the parliament approved a law making Holocaust denial 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 (\$56 to \$340). There were no reports regarding enforcement of these laws during the year.

On September 2, Member of Parliament Giorgia Meloni protested against the government after receiving a letter from the National Office to Combat Racial Discrimination, a part of the Prime Minister's Office, which asked her to moderate her at-times inflammatory language on Muslim immigrants and to avoid racist comments. Although the letter was private, Meloni published it as part of her protest. The office has no ability to officially sanction or censure a member of parliament.

Press and Media Freedoms: Laws that restricted freedom of speech apply to the print media as well. The independent media were active and expressed a wide variety of views. There was frequent political debate over the threat posed by bias

and partisanship on the part of some of the country's leading media outlets. Through his family holding company, Fininvest, former prime minister Silvio Berlusconi held a controlling share in the country's largest private television company, Mediaset; its largest magazine publisher, Mondadori; and its largest advertising company, Publitalia. Berlusconi's brother owned one of the country's nationwide daily newspapers, *Il Giornale*. Media organizations tended to reflect the point of view of their proprietors or backers, whether a business entity or a political group.

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. On January 14, Andrea Signorelli, editor of the online magazine *Blogo.it*, paid 8,000 euros (\$8,800) to Senator Nitto Francesco Palma to avoid a trial for defamation. In 2013 Signorelli erroneously cited the senator as being one of a group of politicians allegedly providing illicit funds to political parties. According to Reporters without Borders, the number of cases for defamation brought against journalists increased from 84 in 2013 to 129 in 2014.

Nongovernmental Impact: The National Federation of the Italian Press reported some instances of threats against journalists made by members of criminal organizations. On May 5, the prefect of Rome placed journalist Sandro Ruotolo under special protection. Ruotolo had received death threats from an organized criminal gang after reporting on its suspected illicit activities.

## **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. According to International Telecommunication Union statistics, 62 percent of the population used the internet in 2014. 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.

## **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/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

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, and other persons of concern.

#### **Protection of Refugees**

During the year many countries in the EU and Southeast Europe experienced an unprecedented wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum seekers/potential refugees, economic migrants, and trafficking victims, among others. For simplicity, this report will refer to these populations as “migrants and asylum seekers” if more specific information is not available.

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.

During the year high numbers of migrants and refugees arrived in the country, overwhelming the system for granting asylum. Between January 1 and November 27, the government received 62,917 requests for asylum and granted asylum or some form of legal protection to 26,767 persons. The flows of migrants and refugees arriving by boat from Greece and Turkey (largely Syrians) decreased from the previous year, but the number of arrivals originating from Sub-Saharan Africa via Libya markedly increased. Between January 1 and December 14, a total of 149,400 migrants and refugees reached the country by sea. Approximately 26 percent of these were Eritrean, 14 percent Nigerian, 8 percent Somali, and 5 percent Syrian.

NGOs and independent observers reported on shortcomings in the identification of foreigners and asylum procedures, including inconsistency of standards applied in reception centers and difficulties accessing information. As of December 18, the country transferred 160 refugees to other EU member states as part of an EU plan agreed to in May.

Between January and October 10, a total of 10,322 unaccompanied minors arrived in the country. As of August 31, approximately 8,900 unaccompanied minors were hosted in protected communities (see section 6, Children).

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. Between January and August, the government deported or repatriated 8,497 migrants, primarily to Tunisia, Egypt, and Nigeria. Between January and December 1, authorities also expelled 60 foreigners from the country due to their alleged ties to Islamic extremist groups.

Refugee Abuse: Representatives of UNHCR, the International Organization for Migration, and other humanitarian organizations condemned alleged abuse of minors who were seeking asylum, prolonged periods of their detention, and their inadequate access to cultural mediators and lawyers. Mixed populations of refugees and migrants often remained in centers longer than the 35-day limit set by law.

On August 7, approximately 300 migrants and refugees occupied a highway near Naples to protest against poor living conditions at the shelter where they were staying. During the year asylum seekers also staged protests against substandard living conditions and protracted asylum processes at shelters for asylum seekers in Bresso, Crotona, and Bari.

Employment: Employers continued to discriminate against noncitizens in the labor market. Employers and organized criminals also continued to take advantage of the lack of legal protection for noncitizens against exploitation to subject them to abusive working conditions. NGOs and immigrant communities alleged that the lack of counseling and training programs limited refugees' access to jobs. The paucity of official protective measures for new immigrants, legal or otherwise, made these communities particularly vulnerable to exploitation by criminal organizations. In June the agro-industrial union FLAI CGIL and the association Faso Zekola condemned what they termed labor exploitation and unacceptable

living conditions of several workers from Nigeria, Ghana, and Burkina Faso who were working as farmers in Campania (also see section 7.d. and 7.e.).

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 number of arrivals. NGOs reported thousands of legal and irregular foreigners, including migrants and refugees, lived in abandoned buildings in Rome and other major cities and had limited access to public services. The press reported limited health care, inadequate and overcrowded facilities, and a lack of access to legal counseling and basic education. Representatives of UNHCR, the International Organization for Migration, and other humanitarian organizations denounced inhuman living conditions, in particular overcrowding, in reception centers.

Durable Solutions: The government generally attempted to provide for integration, resettlement, and returns as aspects of durable solutions for refugees, with mixed results. Formal efforts to integrate immigrants into the country's society were limited. Additionally, high unemployment limited the possibility of legal employment for large numbers of refugees. 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. Processing times for asylum claims lasted from six to 15 months depending on the region.

Temporary Protection: The government also provided protection to individuals who may not qualify as refugees. Between January and October 20, the government provided humanitarian protection to 10,821 persons and subsidiary protection to 7,242 persons.

### **Section 3. Freedom to Participate in the Political Process**

The constitution provides citizens the ability to choose their government through free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

#### **Elections and Political Participation**

Recent Elections: National and international observers considered the parliamentary elections in 2013 to be free and fair.

## **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. There were incidents of government corruption during the year.

Corruption: The Financial Police announced that in 2014 approximately 2.6 billion euros (\$2.9 billion) of public funds were lost due to corruption by public officials and that fraud accounted for the loss of an additional 1.3 billion euros (\$1.4 billion). Authorities found irregularities in public contracts worth 1.8 billion euros (\$2 billion). Between January and June, the Court of Audits charged 4,835 public officials employed in the public health sector with tax evasion or corruption.

In June judges in Rome responsible for preliminary criminal investigations ordered the arrest of 44 local officials and public employees. The officials detained included a former chairman of the Rome municipal council, Mirko Coratti, who was implicated in a case of corruption in the management of some reception centers for migrants in Rome.

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 agrees to posting the information online. The law stipulates that the presidents of the two chambers order noncompliant members to submit the statements in 15 days but provides for no other sanctions. Ministers' disclosures must be posted online. The Ministry of Simplification and Public Administration encouraged adherence to voluntary guidelines for financial disclosure by the leaderships of all ministries below the ministers.

Public Access to Information: The law gives citizens the right to access government documents and to be informed of administrative processes. With some exceptions related to security, the government and local authorities respected this right for citizens, noncitizens, and the foreign press. The law was effectively implemented, but typically there were long delays in responding to requests.

## **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations 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 cooperative and responsive to their views.

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, 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. On February 24, the European Commission against Racism and Intolerance expressed concern that the office was not sufficiently independent of the government.

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

The law prohibits discrimination based on race, gender, religion, political opinion, national origin or citizenship, social origin, sexual orientation or gender identity, age, language, disability, HIV-positive status or other communicable diseases. It provides some protection against discrimination based on disability, language, or social status. While the government generally enforced these prohibitions, some societal discrimination continued against women, persons with disabilities, immigrants, ethnic minorities such as Roma, and LGBTI persons.

### **Women**

Rape and Domestic Violence: The 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. 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. A specific law on stalking includes mandatory detention for acts of sexual violence, including by partners. The law leaves responsibility for the provision of shelter to victims with local municipalities, some of which did not provide sufficient funds for shelters.

On September 24, the National Institute for Statistics (ISTAT) reported that 21 percent of women were victims of sexual violence at least once in their lives, while 20 percent were victims of physical violence and 5 percent victims of sexual assault and rape.

The Department of Equal Opportunity operated a hotline for victims of violence seeking immediate assistance and temporary shelter. The department also operated a hotline for victims of stalking. Between August 2014 and July, the Ministry of Interior reported 10,002 complaints for stalking, 76 percent of which were made against men. Police took action against 1,395 perpetrators and in many cases ordered stalkers to leave the municipalities where victims lived.

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. Most of the mutilations were performed outside the country. Some victims were subjected to infibulation by relatives, very often without anesthesia or with rudimentary scalpels. On August 7, police arrested a Nigerian couple resident in the country for having FGM/C performed on their two underage daughters during a trip to Nigeria. Police operated a hotline for victims and other affected parties who requested the support of authorities and NGOs. An interagency committee headed by the Department of Equal Opportunity was in charge of combating FGM/C.

Sexual Harassment: Sexual harassment is illegal. The law on sexual violence prescribes penalties of five to 12 years in prison. Minor cases of verbal sexual harassment in public are punishable by up to six months' incarceration and a fine of up to 516 euros (\$568). The government effectively enforced the law. By government decree, emotional abuse based on gender discrimination is a crime. Many victims, however, failed to report incidents to authorities. Police investigated reports of harassment that were submitted to authorities.

Reproductive Rights: The government recognized the basic right of couples and individuals to decide freely and responsibly the number, spacing, and timing of their children; to manage their reproductive health; and to obtain the information and means to do so, free from discrimination, coercion, and violence.

Discrimination: Women have the same legal status and rights as men, including rights under family, labor, property, nationality, and inheritance laws. In many cases victims of discrimination were unwilling to request the forms of protections provided by employment laws or collective contracts. Women continued to be underrepresented in many sectors, including management, entrepreneurship, and

specialized professions. There were reports of discrimination against women with respect to employment and occupation (see section 7.d.).

## **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. Unaccompanied minors entering the country automatically receive a residence permit.

Child Abuse: In 2014 Telefono Azzurro, an NGO that advocates for children's rights, received 2,098 calls regarding child abuse, of which 13 percent of the cases regarded physical abuses, 12 percent difficult relations with parents, and 9 percent emotional discomfort. In 72 percent of the cases, the victims were girls. In 44 percent of the cases, the victims were 11 years old or younger. From 2012 to 2014, the percentage of calls involving online pedophilia more than tripled from 4 to 14 percent.

Early and Forced Marriage: The minimum age for marriage is 18, but juvenile courts may authorize marriages for individuals as young as 16. During the year a study estimated that 2,000 girls born in the country were forced to marry men in their countries of origin, mostly in Bangladesh, Pakistan, India, and Sri Lanka.

Female Genital Mutilation/Cutting (FGM/C): See information for girls under 18 in the women's section above.

Sexual Exploitation of Children: The penalty for child pornography ranges from six to 12 years in prison. The National Center for the Fight against Child Pornography, a special unit within the postal and communications division of the National Police, monitored approximately 18,000 websites. In 2014 the center added 1,745 sites to the list. Authorities reported 428 persons to prosecutors and arrested 38 for crimes involving online child pornography. On June 20, police, in collaboration with German authorities, arrested 17 persons and initiated investigations of an additional 91 for pedophilia.

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

Displaced Children: The Ministry of Interior reported that between January and October 10, approximately 10,300 unaccompanied minors arrived in the country. As of August 31, approximately 8,900 were hosted in protected communities. Of the total, 23 percent were Egyptians, 15 percent Albanians, and 10 percent Gambians.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at [travel.state.gov/content/childabduction/en/legal/compliance.html](http://travel.state.gov/content/childabduction/en/legal/compliance.html) and country-specific information at [travel.state.gov/content/childabduction/en/country/italy.html](http://travel.state.gov/content/childabduction/en/country/italy.html).

### **Anti-Semitism**

There were approximately 30,000 Jews in the country. 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.

According to a study published by the Israel-based Kantor Center for the Study of Contemporary Jewry, documented cases of anti-Semitism in the country doubled between 2013 and 2014, from 12 to 23.

On November 12, an orthodox Israeli national living in Milan was stabbed while walking home in one of the city's heavily Jewish neighborhoods. The assailant fled, and no motive was officially declared by authorities.

In April anti-Semitic slogans appeared on schools and street walls in Rome after the death of the ex-chief rabbi of Rome, Elio Toaff.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**



The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel, and other transportation, access to health care, and the provision of other government services. The government enforced these provisions, but there were incidents of societal and employment discrimination (see section 7.d.).

Although the law mandates access to government buildings for persons with disabilities, physical barriers, particularly in public transit, continued to pose challenges, especially in the south. Many cities lacked infrastructure (such as subway elevators, funicular stations, and ramps on sidewalks) for persons using wheelchairs or with limited mobility. Many municipalities provided free transportation to persons with disabilities who requested it.

The Ministry of Education reported that 74,000 teachers were assigned to assist students with disabilities. The rights of persons with disabilities to vote and participate in civic affairs are guaranteed. The Ministry of Welfare is responsible for the implementations of programs in favor of persons with disabilities.

### **National/Racial/Ethnic Minorities**

Societal violence and discrimination against Roma, Sinti, Caminanti, and other ethnic minorities remained a problem. In 2014 the National Office to Combat Racial Discrimination received 252 cases of alleged discrimination based on race or ethnicity. Prosecutors opened investigations of alleged perpetrators of 99 cases of discrimination. There were reports of discrimination in occupation and employment based on race or ethnicity (see section 7.d.).

NGOs estimated between 150,000 and 180,000 Roma, including 75,000 Italian citizens, were concentrated on the fringes of urban areas in the central and southern parts of the country.

The press and NGOs reported cases of demagoguery, violent attacks, forced evictions from unauthorized camps, municipal mistreatment, and government efforts to remove Romani children from their parents. The press reported social media were also used to spread discriminatory messages against Romani communities in some cities. On July 14, the Turin criminal court convicted six persons of hate crimes against Roma and awarded the victims 15,000 euros (\$16,500) in compensation.

Housing remained a major problem for many Roma. Amnesty International (AI) claimed that at least 4,000 persons lived in segregated camps with inadequate services. According to the NGO Associazione 21 Luglio, housing remained a serious concern for foreign-born Roma. On May 30, a civil court in Rome ruled that Romani camps established by the municipality resulted in segregation and discrimination based on ethnicity, and thus violated national and European antidiscrimination laws. The court ordered local authorities to end their discriminatory treatment and to address the needs of the Romani community.

AI reported that the government had not implemented most of the National Strategy for the Inclusion of the Roma, Sinti, and Caminanti Communities. Government officials at the national and local levels, including those from the Ministry of Interior and the National Office to Combat Racial Discrimination, met periodically with Roma and their representatives.

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

Antidiscrimination laws exist and apply specifically to LGBTI victims of homophobic and transphobic offenses, but there is no provision for a victim's sexual orientation to be considered an aggravating circumstance in hate crimes.

In 2014 Gay Help Line, an NGO that runs a hotline providing support to LGBTI persons, received 20,000 calls. Approximately 40 percent of callers under the age of 25 reported problems at school and with their families, while most adults (38 percent) reported discrimination at work (see section 7.d.). The press reported isolated cases of violence against gay and lesbian couples during the year.

On May 26, the Rome-based association Gay Center reported that five teenagers insulted and assaulted a transsexual in Latina. The five boys threatened the victim with a knife and spat on her.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law, including related regulations and statutes, provides for the right of workers to establish and join independent unions, bargain collectively, and conduct legal strikes. The government respected these rights. 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 and allows company and territorial-level agreements to deviate from the sectoral national collective agreements that regulate the working rights and conditions. The law mandates that strikes affecting essential public services (such as transport, sanitation, and health services) require longer advance notification and precludes multiple strikes within days of each other. The law allows only 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 of up to 50,000 euros (\$55,000), imprisonment for up to three months, or both. These penalties were generally sufficient to deter violations, although administrative and judicial procedures were sometimes subject to lengthy delays. Judges effectively sanctioned few cases of violations.

The government and employers generally respected freedom of association and the right to bargain collectively. Employers generally respected the rights of workers to organize and 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. Resources and inspections were generally adequate. Penalties of eight to 20 years' imprisonment were sufficiently stringent. Actual sentences for forced and compulsory labor were significantly lower than those provided by law.

In 2014 the Financial Police identified 13,369 irregular workers (persons working with a contract, but who are in some way in violation of their contract, typically the result of exploitation by their employer), including 11,936 informal workers (persons working under the table without a formal contract, receiving cash-only salaries), of whom some, especially undocumented migrants, were victims of exploitation. These irregular workers were often underpaid, worked in unhygienic conditions, or were exposed to safety hazards. Such practices occurred in the service, construction, and agricultural sectors. In 2014 inspectors from the

Ministry of Labor and other public agencies reported 181,629 irregularities, including cases of workers with no contracts, excessive working hours, and safety violations.

Forced labor occurred during the year. Workers were subjected to debt bondage in construction, domestic service, hotels, restaurants, and agriculture, especially in the south. Chinese men and women were forced to work in textile factories, and persons with disabilities from Romania and Albania were coerced into begging. On June 5, police arrested seven recruiters of migrant day laborers in Reggio Calabria on charges of labor exploitation and employment of irregular workers. The laborers had been subjected to humiliating treatment and provided minimal pay. There were reports that children were also 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/](http://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 boys under the age of 18 and girls and women under the age of 21. 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, where family-run businesses were common.

There were reports of child labor during the year. Irregular migrants between the ages of 15 and 18 continued to enter the country from North Africa and Asia and worked primarily in the manufacturing and service industries. On September 11, authorities discovered an eight-year-old Chinese boy working in a sweatshop in Varese along with his father and 20 other undeclared laborers. Save the Children estimated that 340,000 minors were employed in 2014, of whom 28,000 worked in unsafe conditions. Approximately two-thirds were boys and 7 percent were foreigners; 45 percent worked with their families and 22 percent worked in restaurants. In 2014 labor inspectors reported 172 cases of minors working illegally, 70 percent of whom worked in the service sector.

The Ministry of Labor, working with police and the Carabinieri, is responsible for enforcement of child labor laws, but its efforts produced limited results. As of

August 31, the Ministry of Interior had identified 14,378 unaccompanied minors in the country, of whom 8,944 were housed in authorized shelters. Of those assisted, 95 percent were boys and approximately 81 percent were between the ages of 16 and 17. The top three countries of origin for child laborers were Egypt, Albania, and Eritrea.

Romani adults continued to use Romani children of all ages for forced begging and, in some instances, for sexual exploitation and theft (see section 6, Children). Police did not always intervene to prevent forced begging by Romani children.

The Ministry of Labor recognized that unaccompanied minors were more vulnerable to child labor and worked to prevent exploitation by placing them in protected communities that provided education and other services.

#### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination in employment based on race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation or gender identity, age, language, HIV-positive status or other communicable diseases. The law requires equal pay for equal work. The government effectively enforced the law by imposing fines sufficient to deter violations.

There were reports of employment discrimination based on race or ethnicity. In 2014 the National Office to Combat Racial Discrimination reported that 80 percent of the 252 cases of alleged discrimination based on race or ethnicity it received involved discrimination in access to employment. The office provided legal assistance and helped mediate disputes.

Discrimination based on gender, religion, disability, sexual orientation, and gender identity also occurred. On September 25, an unemployed worker set himself on fire in a local government building near Lecce to protest discrimination he claimed to have suffered at his former place of employment because of his sexual orientation.

Women were underrepresented among executives and managers, accounting for 26 percent of the total according to the International Labor Organization. The national authority monitoring the Milan stock market reported that in 2014 some 23 percent of the board members of listed companies were women. According to

Eurostat, the earnings of women were on average 73 percent those of men. Employment discrimination based on pregnancy or maternity was also reported.

### **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. During the year the government set the official poverty line at 1,047 euros (\$1,152) per month for a family of two. The legal workweek is 40 hours. Overtime work may not exceed two hours per day or an average of 12 hours per week. 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. Premium pay is required for overtime. The law sets basic health and safety standards and guidelines for compensation for on-the-job injuries. The law prohibits labor exploitation and illicit mediation.

The government, with regular union input, effectively enforced standards in the formal sector of the economy. Labor standards were only partially enforced in the informal sector. The Ministry of Labor is responsible for enforcement.

Resources, inspections, and remediation were generally adequate to ensure compliance in the formal sector only. Penalties for violations included up to six months' incarceration and fines of up to 6,400 euros (\$7,000) but were not sufficient to deter all violations.

An independent research center, Fondazione Studi dei Consulenti del Lavoro, estimated that approximately two million individuals worked in the informal sector in 2014. Informal workers were often underpaid and exposed to safety hazards. Irregular workers were employed in the service sector (66 percent), construction (15 percent), industry (14 percent), and agriculture (6 percent). Authorities fined a total of 41,030 persons for informal work.

According to ISTAT, 43 percent of the country's 1.2 million agricultural workers did not have legal employment agreements and faced harsh working and living conditions. Family members and minors who worked in small, family-owned businesses faced similar conditions. In October the independent research center Eurispes estimated that 32 percent of workers in agriculture, mainly foreigners, were irregular and that employers required them to work for up to 12 hours a day

for a daily wage averaging 20 euros (\$22). In 2014 the Ministry of Labor and Social Policies ordered 6,800 companies suspended for having hired unregistered workers.

The union monitoring organization Observatory Placido Rizzotto reported that approximately 70,000 foreign workers were employed illegally in agriculture and often exploited by Italian intermediaries. The average salary was an estimated three euros (\$3.30) per hour for an average 10 hours a day. There were reports from some areas of Calabria, Apulia, Campania, and Sicily of significant numbers of informal foreign workers living and working in substandard or unsafe conditions.

According to the National Institute for Insurance against Accidents at Work, workers were generally able to remove themselves from dangerous health or safety conditions without jeopardizing their employment, and authorities protected employees in these situations.