

ITALY 2020 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

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

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

Significant human rights issues included: violence or threats of violence against journalists; refoulement; violence or threats of violence motivated by anti-Semitism; and crimes involving violence and threats of violence targeting members of national/racial/ethnic minority groups.

The government identified, 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

On March 2, Naples prosecutors charged a police officer with murder for killing a minor while responding to an attempted armed robbery on February 29. The police officer's lawyers asserted the officer considered the victim to be an imminent threat to his life and acted in self-defense.

Prosecutors investigate crimes committed by police forces and prosecute suspects. Courts investigate and prosecute alleged killings by security forces. Military prosecutors and judges investigate alleged killings by the military.

b. Disappearance

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

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

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

In a report on its March 2019 visit, the Council of Europe's Committee for the Prevention of Torture (CPT) stated that at Viterbo Prison it heard a considerable number of allegations of physical mistreatment of prisoners by staff, mainly with slaps, punches, and kicks. There was a specific allegation of blows with metal cell keys on an inmate's head. At Saluzzo Prison the CPT delegation heard additional allegations of physical mistreatment of inmates by staff consisting of punches and kicks. At Biella and Milan Opera Prisons, it received a few allegations of physical mistreatment, consisting mainly of excessive use of force by staff on inmates.

On July 22, authorities closed a police station in Piacenza and arrested 11 Carabinieri officers suspected of involvement in a criminal gang that made illegitimate arrests, tortured arrestees, trafficked narcotics, and carried out extortion from 2017 to 2020. On July 20, prosecutors in Turin opened an investigation into the director and chief of prison guards of the Turin prison for abetting the mistreatment of detainees in at least 10 cases in 2018 and 2019 and for failing to report those guards responsible to authorities.

According to the daily *Domani*, on April 6, approximately 300 corrections officers rounded up and beat a group of prisoners in the Santa Maria Capua Vetere prison who had protested for more masks, gloves, and sanitizer to protect against the COVID-19. According to testimony given to the nongovernmental organization (NGO) Associazione Antigone, several of the inmates were stripped naked, insulted, and beaten. Prosecutors reportedly opened investigations into 57 corrections officers for torture and abuse of power.

According to the *Conduct in UN Field Missions* online portal, in July there was one allegation of sexual exploitation and abuse by an Italian peacekeeper deployed in the UN Interim Force in Lebanon. The allegation involved an exploitative relationship with an adult. As of September, the government was investigating the allegation.

Impunity was not a significant problem in the security forces.

Prison and Detention Center Conditions

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

Physical Conditions: Prison populations at the Latina, Larino, and Taranto prisons were at more than 170 percent of capacity. While the law requires the separation of pretrial detainees from convicted prisoners, Associazione Antigone reported authorities at those prisons held them together.

The CPT found deteriorating physical and structural conditions in one wing of Viterbo Prison. According to a report in May by Associazione Antigone, the cells in 25 of 98 prisons visited from 2019 to 2020 did not meet the minimum requirement of 32 square feet for each detainee. Lack of activity for inmates contributed at times to self-inflicted violence. The NGO Ristretti reported that 46 prisoners committed suicide as of October. In several cases health care in prisons, including diagnosis, treatment, and psychiatric support, was insufficient. The suspension of family visits enacted as part of the government's response to the COVID-19 pandemic initially triggered prison riots. Between March 7 and April 20, approximately 10,000 inmates rioted in 49 of the 194 detention centers countrywide, resulting in the death of 13 detainees. Nine died in Modena, of whom four died from a drug overdose after they looted the prison pharmacy. NGOs also expressed concern about the prison management's ability to contain the spread of COVID-19 in prisons such as San Vittore in Milan, where several inmates shared small cells. Due to the COVID-19 pandemic, the government authorized judges to release individual inmates considered to be at high risk of COVID-19 and initiated virtual visits with family.

Administration: Authorities investigated credible allegations of mistreatment. Several foreign Muslim prisoners at Biella and Viterbo Prisons complained to the CPT that their religious requirements were not adequately taken into account in the provision of food.

Independent Monitoring: The government permitted independent human rights organizations, parliamentarians, and 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 migrant and refugee detention centers, in accordance with UNHCR's standard procedures. On January 21, the CPT released a report on its visit to the country in March 2019.

d. Arbitrary Arrest or Detention

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

Arrest Procedures and Treatment of Detainees

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

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

Pretrial Detention: Pretrial detention that exceeded the legal time limit of two to six years and trial delays caused problems. Authorities normally adhered to the maximum term for pretrial detention; in no case did it equal or exceed the maximum sentence for the alleged crime. According to independent analysts and magistrates, the large number of drug and immigration cases awaiting trial, the

lack of judicial remedies, the high number of foreign detainees, and insufficient digitalization of trial records resulted in delays. In some cases detainees could not be placed under house arrest, because they had no legal residence or because there was a shortage of resources, including officers, judges, and administrative staff.

e. Denial of Fair Public Trial

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

Trial Procedures

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

Defendants are presumed innocent and have the right to be informed promptly and in detail of the charges against them. Trials are fair and public, but they can be delayed if there is an insufficient number of judges and administrative clerks or due to legal maneuvering. Defendants have the right to be present at their trials.

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

Domestic and European institutions criticized the slow pace of the judicial process. The Ministry of Justice reported the time to come to the first trial for penal offenses in 2019 averaged 392 days, and 840 days if the case was appealed. The country's "prescription laws" (statutes of limitations) in criminal proceedings require that a trial end by a specific date. Courts determine when the statute of limitations applies. Defendants sometimes took advantage of delays in order to exceed the statute of limitations, which allowed them to avoid a guilty sentence at trial or be released pending an appeal. In 2018 the Ministry of Justice reported the statute of limitations applied to 120,907 cases. The percentage of detainees who

received a final sentence, or a sentence that could not be appealed, has risen over the previous 10 years. As of September 30, 66 percent of detainees received a final sentence compared with 51 percent in 2009.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

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

Property Restitution

The government has endorsed the Terezin Declaration and worked toward fulfilling its goals and objectives. The Jewish community has no outstanding restitution claims with the government. The Anselmi Commission, a technical body with the mandate to investigate the confiscation of Jewish assets during the Holocaust and the restitution of them after the Holocaust, reported in 2002 that, in general, deported survivors who claimed assets received them back, but those survivors or heirs who did not claim assets remained uncompensated.

Governmental institutions, however, have not followed up on the Anselmi Commission's recommendations to try to identify survivors or their heirs entitled to unclaimed property. The Union of Italian Jewish communities reported that, in general, most confiscated assets were returned to their owners or next of kin except in cases when the latter could not be identified. It noted that national and local authorities have not been fully effective in seeking out potential claimants for communal and heirless property but characterized the government as cooperative and responsive to community concerns in the area of protection and restoration of communal property. The Rome Jewish Community continued to seek international assistance in restoring the contents of the Jewish communal library of Rome looted by the Nazis in 1943.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly on July 29, 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

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

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

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

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

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

Libel/Slander Laws: Libel and defamation are criminal offenses punishable by up to three years of imprisonment, which may be increased if directed against a politician or government official. Public officials brought cases against journalists under libel laws. Criminal penalties for libel were seldom carried out.

Nongovernmental Impact: Reporters without Borders reported growing hostility toward reporters mainly due to organized crime-affiliated threats. According to the same organization, approximately 20 journalists, especially in and near the South, received around-the-clock police protection because of serious threats or murder attempts. In Rome reporters were at times harassed by neo-Fascist activists and became targets of criticism and harassment on social media platforms by private and political activists, including supporters of the Five Star Movement.

Reporters without Borders reported journalists exposed to threats by criminal organizations increasingly self-censored. On July 14, the national daily *La Repubblica* published transcripts of conversations of organized crime bosses

describing television anchorman Massimo Giletti as an annoyance. Giletti had criticized the release of more than 300 organized crime bosses and associates due to the government's emergency measures aimed at reducing COVID-19 in prisons.

The 2020 report of the Partner Organizations to the Council of Europe Platform to Promote the Protection of Journalism and Safety of Journalists cited concerns over physical and verbal attacks on journalists by neo-Fascist groups.

On April 8, Silvio Palazzolo, a reporter for *La Repubblica*, was threatened in a Facebook post by the brother of an organized crime boss detained in Sicily. Palazzolo had published an article asserting that the generosity of organized crime affiliates during the COVID-19 lockdown was aimed at increasing their infiltration in communities in Palermo. In July 2019 the National Federation of the Italian Press reported that two organized crime members were intercepted discussing a possible assault against Palazzolo. On April 18, the federation expressed solidarity with the editor of *La Repubblica*, Carlo Verdelli. According to investigators, Verdelli was the target of multiple Twitter attacks by far-right groups between January and April. On February 2, the founder and former editor of *La Repubblica*, Eugenio Scalfari, received six letters containing insults.

The National Federation of Italian Press also reported 83 cases of threats against journalists between January and June, of which approximately half were published online.

Internet Freedom

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

Academic Freedom and Cultural Events

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

b. Freedoms of Peaceful Assembly and Association

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

c. Freedom of Religion

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

d. Freedom of Movement

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

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government cooperated with UNHCR and other international and humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern. The uncertainty of EU member states' willingness to accept a share of migrant arrivals and the fear of possible COVID-19 contagion affected the willingness of authorities to protect migrants and asylum seekers brought to the country by rescue vessels.

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

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

The government uncovered corruption and organized crime in the management of resources allotted for asylum seekers and refugees. In June the Ministry of Interior suspended its contract with an NGO that managed a migration center in Cosenza

after one of its managers was accused of corruption in an organized crime investigation.

Refoulement: Amnesty International and other NGOs accused the government of failing to protect migrants when it renewed the 2017 memorandum of understanding on illegal immigration with Libya on February 2. Italian authorities cooperated with the Libyan coast guard to rescue migrants in Libyan waters and take rescued migrants back to Libya. UNHCR did not consider Libya a “safe country” in light of the absence of a functioning asylum system, the widely reported difficulties faced by refugees and asylum seekers in Libya, the lack of protection from abuses, and the lack of durable solutions.

Access to Asylum: On April 7, the minister for infrastructure and transportation signed a decree stating that Italian ports could not guarantee to meet the requirements to qualify as place of safety for migrants rescued by foreign-flagged ships outside the Italian search and rescue area due to the massive outbreak of COVID-19 in the country. The decree effectively continued the highly restrictive policy of former deputy prime minister and interior minister Matteo Salvini. On May 6, the coast guard seized two humanitarian ships, one German and one Spanish, ostensibly because their equipment was inadequate.

NGOs and independent observers identified difficulties in asylum procedures, including inconsistency of standards applied in reception centers and insufficient referral rates of trafficking victims and unaccompanied minors to adequate services.

On October 5, the government adopted a decree reintroducing humanitarian protections for migrants who face risk of life in their countries of origin and authorizing local authorities to provide legal residency to asylum seekers, allowing them to access public services, such as health care and education. Regional adjudication committees took an average of five months to process asylum claims. If a case was legally appealed, the process could last up to two years. On July 31, migration centers hosted 85,000 migrants, a 19-percent decrease from the previous year. From January to June, the government reviewed 71,700 asylum applications.

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

Freedom of Movement: The law permits authorities to detain migrants and asylum seekers in identification and expulsion centers for up to 180 days if authorities decide they pose a threat to public order or if they may flee from an expulsion order or pre-expulsion jail sentence. On March 24, in order to prevent COVID-19 contagion in the expulsion centers, the ombudsman for detainees asked the government to free some of the 381 irregular migrants who could not be repatriated and who were detained in expulsion centers. The government worked to reduce migrant flows across the Mediterranean Sea on smuggler vessels and imposed restrictions on freedom of movement for up to 72 hours after migrants arrived in reception centers.

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

Access to Basic Services: Authorities set up temporary housing for refugees in centers of varying quality, from high-quality centers run by local authorities to repurposed facilities, such as old schools, military barracks, and residential apartments. Some rescued asylum seekers were quarantined off Sicily's coast aboard cruise ships leased by the government. Some refugees who tested positive for COVID-19 were hospitalized in military facilities. UNHCR, the IOM, and other humanitarian organizations and NGOs reported thousands of legal and irregular foreigners, including refugees, were living in abandoned, inadequate, or overcrowded facilities in Rome and other major cities. They also reported refugees had limited access to health care, legal counseling, basic education, and other public services.

Some refugees and asylum seekers working in the informal economy could not afford to rent apartments, especially in large cities. They often lived in makeshift shacks in rural areas or squatted in buildings in substandard conditions. On April 9, authorities in Rome found at least 16 COVID-19-positive refugees squatting in a building with 600 other persons. NGOs and advocacy groups alleged the Rome municipal government failed to provide alternative public housing for evicted persons, including refugees.

Durable Solutions: The government's limited attempts to integrate refugees into society produced mixed results. The COVID-19 lockdown caused an increase in unemployment among refugees and asylum seekers. The government offered

refugees resettlement services. The government and the IOM assisted migrants and refugees who opted to return to their home countries.

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

Section 3. Freedom to Participate in the Political Process

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

Elections and Political Participation

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

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

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government sometimes implemented the law effectively. Officials sometimes engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.

Corruption: On May 21, police arrested Antonino Candela, Sicily's COVID-19 emergency coordinator and former director of the Palermo provincial health authority. He was arrested along with nine others for alleged corruption and rigging of health sector tenders for medical equipment worth 600 million euros (\$720 million) in exchange for promised bribes amounting to approximately 1.8 million euros (\$2.2 million).

Financial Disclosure: The law requires members of parliament to disclose their assets and incomes. The two parliamentary chambers publish a bulletin containing parliamentarians' information (if agreed to by each member of parliament) on their public websites. The law stipulates that the president of each chamber may order noncompliant members to submit their statements within 15 days of their request

but provides for no other penalties. Ministers must disclose their information 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. Government officials were generally cooperative and responsive to their views.

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

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

Women

Rape and Domestic Violence: The law penalizes perpetrators of rape, including spousal rape, with six 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.

The COVID-19 pandemic may have both caused and masked an increase in violence against women. The pandemic at times forced women into closer proximity with their abusers, leading to greater abuse, and restrictions on movement and decreased funding for civil society organizations and agencies lowered the level of social services and hampered the reporting of cases and the delivery of assistance to victims. In one example, on April 19, a man shot and killed his partner near Milan. The two worked in different parts of northern Italy and only visited each other on weekends before the outbreak but were compelled

by financial constraints to reside together during the government-mandated lockdown. The man had a history of domestic violence, with two complaints filed by his former spouse.

Between January and June, 535 women were killed by domestic partners. In April police arrested a Bangladeshi man who repeatedly raped and physically and mentally abused his wife because she refused to stop attending Italian language classes. Their minor daughter also suffered abuse and corroborated the mother's charges.

The Department of Equal Opportunity operated a hotline for victims of violence seeking immediate assistance and temporary shelter. It also operated a hotline for stalking victims. Between March 1 and April 16, the hotline received 5,031 calls, a 73-percent increase from the same period in 2019. In an estimated 93 percent of those cases, the mistreatment occurred at home where, in 64 percent of the cases, children were present.

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

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

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

Children

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

Child Abuse: Sexual abuse of minors is punishable by six to 24 years in prison, depending on the age of the child. Child abuse within the family is punishable by up to seven years in prison. On June 23, a court in Sardinia sentenced three adults to eight years in prison for mistreatment and violence towards a child. The child had been forced to live segregated in a dark room without a bed and was repeatedly slapped and forced to take cold showers as punishment. In 2019 there were 15,044 reports of missing minors, of whom 7,109 were foreigners. During the COVID-19 pandemic, the NGO Telefono Azzurro registered an increase in the number of calls from abused minors. The government implemented prevention programs in schools, promptly investigated complaints, and punished perpetrators.

Child, Early, and Forced Marriage: The minimum age for marriage is 18, but juvenile courts may authorize marriages for individuals as young as 16. Forced marriage is punishable by up to five years in prison, or six years if it involves a minor younger than 18. Forced marriage even for religious reasons is also penalized. In June the Italian embassy in Islamabad intervened to prevent the forced marriage of a 16-year-old girl with Italian citizenship to her underage cousin in Pakistan.

Sexual Exploitation of Children: Authorities enforced 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 5,000 foreign minors were victims of sexual exploitation. According to the Department of Equal Opportunity, the number of minor victims of trafficking who received assistance decreased from 215 in 2018 to 160 in 2019.

On July 20, the daily *La Stampa* reported the break-up of a “psycho-sect,” a child abuse ring led by a 77-year-old man that preyed on children for 30 years in Novara, Milan, and Pavia. The press reported 26 persons were under investigation.

There were reports of child pornography. In July, Florence prosecutors investigated the possession and distribution of images by Italian nationals that showed physical and sexual abuses against children in foreign countries. Police investigated six adults and 19 minors throughout 13 provinces in Italy. In 2019 Postal Police reported 650 persons allegedly involved in child sexual abuse or sexual exploitation.

Save the Children Italy reported the COVID-19 pandemic exacerbated sexual exploitation and other abuses of children, because they were often forcibly abused

in overcrowded apartments without health precautions and received reduced token “payment” from their abusers.

The minimum age for consensual sex is 14, or 13 if the partner is younger than 18 and the age gap is less than three years.

Displaced Children: The Ministry of the Interior reported 1,981 unaccompanied minors arrived in the country between January and August 17. As of July 31, the Ministry of Labor and Social Policies reported the presence in the country of 5,202 unaccompanied minors, of whom 95 percent were boys. It also reported 959 minors previously registered at reception centers were reported missing between January and July, putting them at risk of labor and sexual exploitation. UNICEF estimated more than 6,300 foreign unaccompanied minors were in the country at the end of 2019.

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

Anti-Semitism

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

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 reported 143 anti-Semitic incidents between January and August 18, including the physical assault on a boy wearing a kippah who was punched from behind and spit on.

Internet hate speech and bullying were the most common forms of anti-Semitic attacks, according to the center. On August 18, the center reported 74 cases of insults on the internet and 13 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 Milan, Bologna, and Turin. On January 24, Siena University suspended from teaching a law professor who tweeted anti-Semitic and pro-Nazi comments.

More than 2,000 police officers guarded synagogues and other Jewish community sites in the country. In January the government appointed a national coordinator to combat anti-Semitism.

Trafficking in Persons

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

Persons with Disabilities

The 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 April 29, a Rome court found the local transportation company guilty of not repairing the escalators of a subway station in May 2019 and thereby denying a man with disabilities access to trains. On June 8, a Milan resident urged the Lombardy regional minister to reopen escalators and lifts in public stations closed to prevent the spread of COVID-19, so that she and other persons with disabilities could access public services.

On July 8, police arrested a physiotherapist who raped and mistreated a minor with disabilities in Cosenza in 2019.

Members of National/Racial/Ethnic Minority Groups

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

The press and NGOs reported cases of incitement to hatred, violent attacks, forced evictions from unauthorized camps, and mistreatment by municipal authorities. In 2019 authorities reported 726 crimes of racial hatred, of which 234 were incitement to violence, 147 violations of tombs, and 93 acts of physical violence.

On July 1, local authorities announced their intention to close a Romani camp in the outskirts of Rome. By September 18, only 36 families were still waiting in the camp for alternative housing. The government suspended the closure of all camps. Such camps often had no access to drinking water, power, or sewage. Living in a segregated camp usually meant living in an overcrowded housing (seven or eight persons per trailer, shack, or shipping container) on the periphery of a town or city. Local residents and NGOs claimed that local authorities had not offered adequate and permanent housing for most of the vulnerable families.

The NGO Associazione 21 Luglio reported that in 2019, 12,700 Roma lived in 119 authorized camps in 68 municipalities, and another 7,300, mainly Romanians, lived in informal encampments, primarily in Lazio and Campania. An estimated 55 percent of persons living in authorized camps were minors; 53 percent were foreign. Their average life expectancy was 10 years lower than the rest of the population. The European Roma Rights Commission (ERRC) reported that, in most cases, no masks, hand sanitizer, or hygienic supplies were distributed to Romani camps, even those lacking access to water. The absence of supplies made it difficult, if not impossible, for Roma living there to follow recommended guidelines for preventing COVID-19. The crowded living quarters in some camps led some municipalities to quarantine entire camps rather than single, at-risk individuals.

The ERRC stated that between February and July, it recorded at least seven such evictions.

Acts of Violence, Criminalization, 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 and the government enforced the law effectively. NGOs advocating for the rights of LGBTI persons reported instances of societal violence, discrimination, and hate speech.

The press reported isolated cases of violence against gay and lesbian couples. On July 2, a group of teenagers and young adults verbally and physically assaulted a gay couple in a train station in Vernazza. Police arrested one of the perpetrators. When LGBTI persons reported crimes, the government investigated but in some cases failed to identify the perpetrators.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

The law prohibits union organization of the armed forces. The law mandates that strikes affecting essential public services (such as transport, sanitation, and health services) require longer advance notification than in other sectors and prohibits multiple strikes within days of each other in those services. The law only allows unions that represent at least 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. The penalties were commensurate with those provided under other laws involving denials of civil rights, although administrative and judicial procedures were sometimes subject to lengthy delays. Judges effectively sanctioned the few cases of violations that occurred.

The government 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 commensurate with those of other serious crimes. The actual sentences given by courts for forced and compulsory labor, however, were significantly lower than those provided by law.

The law provides stiff penalties for illicit intermediaries and businesses that exploit agricultural workers, particularly in the case of forced labor but also in cases of general exploitation. It identifies the conditions under which laborers may be considered exploited and includes special programs in support of seasonal agricultural workers. The law punishes so-called *caporalato*, the recruitment of

foreign agricultural workers who are illegally employed at subminimum wages and required to work long hours without premium pay or access to labor or social protections. Penalties range from fines to the suspension of a company's license to conduct commercial activities.

The government continued to focus on forced labor, especially in the agricultural sector. Government labor inspectors and labor organizations expressed concerns during the year that lockdown measures related to COVID-19 exposed caporalato migrant workers, many of whom were designated essential workers, to particular vulnerability, including employer blackmail. In May the government established a system to regularize undocumented foreign workers in the country. According to press reports, some employers exploited the regularization process by blackmailing workers who needed their employers' signature to apply for the program. The program only applies to migrants working in the agricultural sector and as care providers. Approximately 123,000 migrant workers applied for legal status through the program. There were 600,000 undocumented migrants estimated to be in the country.

Forced labor occurred. According to NGO reporting, workers were subjected to debt bondage in construction, domestic service, hotels, restaurants, and agriculture, especially in the south. 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. In the southeastern region of Sicily, 30,000 workers on approximately 5,500 farms worked through the pandemic for as little as 15 euros (\$18) per day. There were also reports of children subjected to forced labor (see section 7.c.).

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

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of children younger than age 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. Government enforcement was generally effective, and penalties were sufficient to deter violations in the formal economy. Penalties were commensurate with those for other serious crimes. Enforcement was not effective in the relatively extensive informal economy, particularly in the south and in family-run agricultural businesses.

There were some reports of child labor during the year, primarily in migrant or Romani communities. In 2019 labor inspectors and Carabinieri officers identified 243 underage laborers, of whom 210 were working in the services sector. In March 2019 police arrested two parents whose underage son was working in a carwash in Acate in the province of Ragusa. He and his two sisters were not enrolled in school.

The law provides for the protection of unaccompanied foreign minors and creates a system of protection that manages minors from the time they arrive in the country until they reach the age 21 and can support themselves. According to Eurostat, 660 unaccompanied minors applied for asylum in 2019, compared with 3,885 in 2018. As of August 17, the Ministry of Interior registered 1,981 seaborne arrivals of unaccompanied minors, compared with 1,680 in 2019.

The Ministry of Labor and Social Policies recognized that unaccompanied minors were vulnerable to becoming child laborers in agriculture, bars, shops, and construction 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, elements of the law have yet to be fully implemented across the country, although significant progress was made.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination with respect to 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 the National Office against Racial Discrimination to intervene in discrimination cases, and for the lack of adequate legal measures to address new types of discrimination. Penalties were commensurate to other laws related to civil rights, but the number of inspections was insufficient to provide adequate implementation.

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

In many cases victims of discrimination were unwilling to request the forms of protection provided by employment laws or collective contracts, according to labor

unions. According to a 2018 Eurostat study, women's gross hourly earnings were on average 5 percent lower than those of men performing the same job.

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.

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 occupational safety and health standards and guidelines for compensation for on-the-job injuries. Responsibility for identifying unsafe situations remains with occupational safety and health experts.

The Ministry of Labor and Social Policies is responsible for enforcement and, with regular union input, effectively enforced standards in the formal sector of the economy. The penalties for wage, hour, and occupational safety and health violations were commensurate with those for similar crimes. Labor standards were partially enforced in the informal sector, especially in agriculture, construction, and services, which employed an estimated 16 percent of the country's workers.

The number of inspectors, resources, inspections, and remediation were generally adequate to ensure compliance in the formal sector only. Labor inspectors were permitted to make unannounced inspections and initiate sanctions. Penalties were commensurate with those for similar violations but remained insufficient to deter violations.

In 2019 labor inspectors and Carabinieri officers inspected 128,367 companies (including agricultural companies), identifying 93,482 workers whose terms of employment were in violation of the labor law. In 2019 there were 1,156 workplace deaths due to industrial accidents as well as a total of 644,800 reported incidents that caused injuries to workers.

Informal workers were often exploited and underpaid, worked in unhygienic conditions, or were exposed to safety hazards. According to the Confederazione Generale Italiana del Lavoro (CGIL), a national trade union, such practices occurred in the service, construction, and agricultural sectors. Unions reported

significant numbers of informal foreign workers living and working in substandard or unsafe conditions in some areas of Calabria, Puglia, Campania, and Sicily.