

# Freedom in the World 2015 - Italy

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## 2015 Scores

Status: Free

Freedom Rating (1 = best, 7 = worst): 1.0

Civil Liberties (1 = best, 7 = worst): 1

Political Rights (1 = best, 7 = worst): 1

## OVERVIEW

In February, Prime Minister Enrico Letta resigned amid tensions within the Democratic Party (PD). He was replaced by newly elected PD leader Matteo Renzi, who had been calling for thorough governmental reform. Renzi formed a government with members of the PD, Civic Choice, and the New Center Right-Union of the Center alliance. It is both the youngest and most gender-balanced Italian cabinet to date, and Renzi, who had not previously served in Parliament, became Italy's youngest-ever prime minister.

The new government announced plans to reduce spending and reform the labor market in order to counter the economic problems that had challenged its predecessors. In 2014, Italy's public debt remained above 130 percent of its gross domestic product, and the unemployment rate stood at 12.9 percent in December. In August, economic figures showed that Italy had entered its third recession since 2008.

## POLITICAL RIGHTS AND CIVIL LIBERTIES

**Political Rights:** 36 / 40 (-1)

*A. Electoral Process:* 12 / 12

The bicameral Parliament consists of the 630-member Chamber of Deputies and the 315-member Senate; most members of both houses are popularly elected to five-year terms. The Parliament and regional representatives elect the president, whose role is largely ceremonial but sometimes politically influential, for a seven-year term. The president may appoint up to five senators for life. The president also appoints the prime minister, who is often, but not always, the leader of the largest party in the Chamber of Deputies. The prime minister proposes a Council of Ministers that needs to be confirmed by Parliament.

In general elections, most members of both houses are elected through closed party-list proportional systems, with thresholds that encourage political groups to form coalitions. A so-called majority bonus guarantees that whatever grouping emerges with the most votes at the national level will gain at least 340 of the seats in the lower house; in the upper house, victory in a given region ensures the winning party or coalition a 55 percent majority of that region's allotment of seats. The most recent parliamentary elections

took place in February 2013 and were positively assessed by the Organization for Security and Co-operation in Europe (OSCE). The PD won the most votes and claimed 345 seats, including the majority bonus.

In March 2014, the Chamber of Deputies approved a new electoral law initiated by Renzi, which included provisions for fixed lists and higher electoral thresholds in order to promote accountability and simplify governance. The draft had yet to be considered by the Senate at year's end. Renzi also launched a process to replace elected provincial governments, long considered an excessive bureaucratic level, with a new management system based on appointments.

In August, the Senate approved a controversial draft plan to reform the Parliament. Part of a package of overarching constitutional change, the draft proposes abolishing perfect bicameralism by, among other measures, reducing the number of senators from 315 to 100 and shifting most of the power of legislative approval to the Chamber of Deputies. The Five-Star Movement, Left Ecology Freedom, and Northern League opposed the plan, as did some left-leaning members of Renzi's coalition. Critics say that the plan would enhance the influence of regional governments, which are often corrupt and rule by factionalism. Two rounds of approval in each house are necessary before the plan can be implemented.

### *B. Political Pluralism and Participation: 14 / 16 (-1)*

The Italian party system is characterized by a high level of pluralism and political competition. However, its structure is very unstable since political coalitions easily change their compositions, and new political parties are often created. Throughout 2014, the PD continued to consolidate its role in facilitating parliamentary unity.

If passed, Renzi's electoral reforms would affect the Italian party system, as the threshold and new runoff provisions would allow a single party to gain seats more easily. Although critics allege that the system could allow one party to gain excessive power, proponents argue that it would reduce the complexity of coalition-building and the potential for parliamentary gridlock. Renzi's reform plans received support from former prime minister Berlusconi, who remains influential through his Forza Italia party, the second-largest party in the Senate, despite a two-year ban on him holding public office.

In order to protect linguistic minorities, the electoral law stipulates that parties representing such groups can gain seats in the lower house if they obtain at least 20 percent of the vote in their constituency. In 2014, the German-speaking South Tyrolean People's Party had four representatives in the Chamber of Deputies and three in the Senate.

The children of non-European Union (EU) immigrants do not have the right to apply for citizenship until after 18 years of continuous residence; the right is forfeited if not exercised within a year. Naturalization laws stipulate that applicants must present valid birth certificates, thus excluding children of undocumented immigrants. Issues of concern to ethnic minorities play only a marginal role in national and local political agendas.

### *C. Functioning of Government: 10 / 12*

Italy experienced a series of high-level corruption scandals in 2014. In May, an investigation was launched into a group of former politicians and entrepreneurs accused of influencing procurement and construction contracts for Milan's Expo 2015 world's fair. In June, the mayor of Venice and more than 30 others, including current and former public officials, were arrested in a sweeping investigation into the acceptance of €25 million (\$34 million) in kickbacks and bribes from private companies in exchange for contracts to build the city's underwater barrier system. The mayor, accused of accepting illegal donations from the companies during his election campaign, resigned following his arrest.

Renzi responded to these cases by enhancing the powers of Italy's National Anticorruption Authority, allowing the body's president, Raffaele Cantone, to take charge of public works projects involved in

corruption investigations, including Expo 2015. A magistrate distinguished for investigating organized crime and corruption, Cantone was appointed in March to lead the newly created agency, which was established through legislative efforts to strengthen national anticorruption mechanisms in 2012.

Italy continued to attack mafia organizations in 2014. During the 12 months ending in August, police arrested 1,779 mafia members and seized €4.1 billion (\$5.4 billion) in mafia assets.

Since 2011, Italy has been an active member of the Open Government Partnership. In this context, a 2013 legislative decree established greater transparency of information within public administration. Italy's 2014 Compliance Report of the Council of Europe's Group of States against Corruption (GRECO) registered modest progress in strengthening legal anticorruption mechanisms.

In 2013, Berlusconi was convicted on tax-fraud charges. In April 2014, his sentence of four years' imprisonment was reduced to one year of part-time community service out of consideration for his age; convicts over age 70 rarely serve time in prison in Italy. In July, Berlusconi was acquitted of charges of paying for sex with an underage prostitute.

## **Civil Liberties: 53 / 60**

### *D. Freedom of Expression and Belief: 15 / 16*

Freedom of expression and the press are constitutionally guaranteed. There are more than 100 daily newspapers, most of them locally or regionally based, as well as political party papers, free papers, and weekly publications. Political party newspapers are supported by public funds; the others are financed by advertising and sales. Despite the rapid growth of the online news industry, traditional media still play a large role in news consumption. Although worse when then prime minister Berlusconi controlled up to 90 percent of the country's broadcast media through state-owned outlets and his own private media holdings, media concentration remains a major concern. Internet access is generally unrestricted.

In September, the Senate approved a bill to abolish imprisonment as a punishment for defamation and limit financial penalties in criminal cases. However, media watchdogs have criticized the bill for not fully decriminalizing libel and failing to limit damages in civil cases, noting that its provisions fall short of European and international standards. The bill is pending a second round of parliamentary approval.

Religious freedom is constitutionally guaranteed and respected in practice. Although Roman Catholicism is the dominant faith and the state grants some privileges to the Catholic Church, there is no official religion. Agreements between the government and a number of religious groups have been signed, but an omnibus religious freedom bill has yet to be passed.

Italy's level of academic freedom is high. Freedom of private discussion is respected. A draft "internet bill of rights" was put up for consideration in October that would strengthen restrictions on personal data collection.

### *E. Associational and Organizational Rights: 12 / 12*

Italian citizens are free to assemble, establish social and political associations, and organize demonstrations. The constitution recognizes the right to strike but places restrictions on strikes by those employed in essential services such as transport, sanitation, and health, as well as a number of self-employed professions, such as lawyers, doctors, and truck drivers. In December, the parliament passed the Jobs Act, a reform package meant to create flexibility in Italy's rigid labor market and combat unemployment. Two major labor unions called for a nationwide strike following the act's approval, protesting measures that ease restrictions on dismissing employees and weaken their right to protest unfair dismissal.

### *F. Rule of Law: 12 / 16*

The judicial system is undermined by long trial delays and the influence of organized crime. A March 2014 report by the European Commission showed extremely high numbers of pending civil cases in proportion to Italy's population as compared to other EU countries. Italy also has one of the lowest numbers of judges per capita. The Renzi government announced its plan for judicial reform in August aiming to simplify civil law, improve management of judicial proceedings, and encourage the settlement of disputes outside court.

Italian prisons remain overcrowded, with more than 53,000 detainees held in facilities built for about 49,000, according to a December report by the Ministry of Justice. In January 2014, the European Court of Human Rights ruled that prison overcrowding had violated the rights of seven inmates in Italy. Before resigning in February, Letta rushed through a law targeting prison overcrowding that introduces early-release programs and alternatives to prison sentencing, which the Parliament approved in August.

Despite legal prohibitions against torture, there have been reports of excessive use of force by police, particularly against illegal immigrants. Italy is a major entry point for undocumented immigrants trying to reach Europe, and the government has been criticized for holding illegal immigrants in overcrowded and unhygienic conditions and denying them access to lawyers. In 2014, Italy faced increased migration by sea from the Middle East and North Africa. Mare Nostrum, a search-and-rescue program that has saved an estimated 150,000 migrants at sea since October 2013, ceased operations at the end of 2014, and the status of future sea rescue responsibilities is unclear. Immediate emergency services for arriving migrants have become routine, including medical treatment, food, water, and temporary shelter. However, longer-term services such as asylum and housing are not easily accessible. In January, Parliament initiated a process for decriminalizing illegal entry into the country, voting to remove a law that subjects migrants to imprisonment and fines before deportation.

Although Italian law specifically bans discrimination on the basis of sexual orientation, there is no legal recognition of same-sex relationships, and same-sex couples may not adopt children together. In September 2013, the lower house passed a bill targeting anti-LGBT (lesbian, gay, bisexual, and transgender) discrimination; the Senate was still considering the bill at year's end. LGBT organizations say that the effectiveness of the bill, which extends protection against hate crimes and speech to LGBT individuals, has been undermined by broad free-speech exemptions for political and religious organizations.

*G. Personal Autonomy and Individual Rights: 14 / 16*

Italian citizens enjoy a high level of personal autonomy as well as freedom of residence, movement, and work. The right to education is guaranteed by the constitution.

Despite some recent improvements, the Heritage Foundation still rates Italy as a moderately free economy due to the perpetuation of structural problems that seriously undermine access to economic opportunities and resources. It also rates Italy's property rights protections as low for Europe, mainly because court proceedings are exceedingly slow, delaying enforcement against infringements.

Gender-based discrimination is prohibited by law. Women's political representation increased in 2013 in both the Chamber of Deputies (28 percent) and the Senate (27 percent). Female ministers comprise half of Renzi's cabinet. However, gender inequality remains widespread. According to the 2014 Global Gender Gap report, Italian women face severe obstacles in both labor force participation and wage equality. Violence against women continues to be a serious problem. In 2013, Italy ratified the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence.

**Scoring Key: X / Y (Z)**

X = Score Received  
Y = Best Possible Score  
Z = Change from Previous Year

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