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2016 Report on International Religious Freedom - Italy

Executive Summary

The constitution protects freedom of religion and the right of religious communities to establish their own institutions. The constitution specifies the state and the Catholic Church are independent, their relations governed by a concordat granting the Church a number of privileges and benefits, as well as financial support. Other religious groups must register to receive tax and other benefits. Registered groups may request an accord with the state that provides most of the same benefits granted the Catholic Church. Muslims continued to report difficulties in acquiring permission from local governments to construct mosques. The regional governments of Veneto and Liguria enacted laws restricting the construction of places of worship. Critics said the laws were aimed at Muslims. The Constitutional Court ruled a regional law on religious buildings adopted by Lombardy in 2015 was partially unconstitutional because it could make the establishment of new mosques or other religious buildings by non-Catholic groups more difficult. The city of Milan suspended the designation of sites for the construction of two mosques and a Protestant church announced by the previous mayor in 2015, although the newly elected mayor announced on October 17 a new mosque might be built within two years and the city might allow the construction of several smaller mosques. The city of Rome ordered the closure of five "garage mosques" of the Bangladeshi community between July and September, citing lack of authorizations and safety reasons. Some Bangladeshi Muslims protested the closures in October. The Ministry of Interior (MOI) created an Islamic advisory council to promote the integration of Muslims in society, and the interior minister made statements reaffirming the freedom of religion, including for Muslims.

There were anti-Semitic and anti-Muslim incidents. The Anti-Semitism Observatory, a nongovernmental organization (NGO), recorded 62 acts of anti-Semitism between January and November 10. A Somali man was arrested after telling residents of a migrant reception center to kill God's enemies. A bishop told two priests not to allow Muslim refugees to pray in their churches. Teenagers verbally and physically attacked a group of Jewish boy scouts. According to a Pew Research Center poll, 69 percent of respondents had unfavorable views of Muslims, up from 61 percent in 2015. Individuals wrote anti-Semitic and pro-Nazi graffiti and posters on walls in several major cities and engaged in anti-Semitic speech online. A Ghanaian man was arrested for vandalizing four churches in Rome.

Representatives from the U.S. embassy and consulates general met with national and local government officials to encourage respect for religious freedom and equal treatment for all faiths. They also discussed the integration of immigrant communities, many of whose members are Muslim, and their ability to worship freely, efforts to combat violent extremism, and the lack of formal agreements between the state and Muslim groups. The embassy and consulates met with civil society groups and religious leaders to discuss their views on

religious freedom and to promote tolerance and dialogue among different religious groups and the social inclusion of immigrants.

Section I. Religious Demography

The U.S. government estimates the total population at 62 million (July 2016 estimate). According to a 2016 survey by the private Institute for Political, Social, and Economic Studies, 71 percent of citizens identify as Roman Catholic. Religious groups together accounting for less than 5 percent of the population include other Christians, Muslims, Jews, Hindus, Bahais, and Buddhists. Non-Catholic Christian groups include Eastern Orthodox, Jehovah's Witnesses, Assemblies of God, the Confederation of Methodist and Waldensian Churches, The Church of Jesus Christ of Latter-day Saints (Mormons), and a number of smaller Protestant groups. The remaining 24 percent have no religious affiliation. According to estimates by the Initiatives and Studies on Multiethnicity Foundation, of approximately five million resident foreigners, there are 1.6 million Muslims, 1.6 million Eastern Orthodox Christians, one million Roman Catholics, and 250,000 Protestants. The prime minister's office estimates the Jewish population at approximately 30,000.

According to the MOI and the national agency for statistics, the Muslim population is composed of native-born citizens, immigrants, and resident foreigners, but most of its growth comes from large numbers of immigrants from Eastern Europe, Africa, the Middle East, and South Asia, the majority of who live in the north. Moroccan and Albanian immigrants are the two largest groups. The MOI reports Muslims are overwhelmingly Sunni.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution states all citizens are equal before the law regardless of religion and are free to profess their beliefs in any form, individually or with others, and to promote them and celebrate rites in public or in private, provided they are not offensive to public morality. According to the constitution, each religious community has the right to establish its own institutions according to its own statutes as long as these do not conflict with the law. It stipulates the state may not impose special limitations or taxes on the establishment or activities of groups because of their religious nature or aims. The constitution specifies the state and the Catholic Church are independent of each other and their relations are governed by concordat between the government and the Holy See.

The law considers insults against any divinity to be blasphemy, a crime punishable by a fine ranging from 51 euros (\$54) to 309 euros (\$326). The government generally does not enforce the law against blasphemy.

The constitution states all religious groups are equally free and relations between the state and non-Catholic groups are governed by law based on agreements ("accords") between them. Representatives of a non-Catholic faith requesting an accord must first submit their request to the Office of the Prime Minister. The government and the group's representatives then negotiate a draft agreement, which the Council of Ministers must approve. The prime minister then signs and submits the agreement to parliament for final approval. Once the parliament approves the implementing legislation, the accord governs the relationship between the government and the religious group, including state support. Groups with an accord include the Confederation of Methodist and Waldensian Churches, Seventh-day Adventists, Assemblies of God, Jews, Baptists, Lutherans, Mormons, Orthodox Church of the Constantinople Patriarchate, the Italian Apostolic Church, the Buddhist Union, Soka Gakkai Buddhists, and Hindus.

The law provides religious groups with tax-exempt status and the right to recognition as legal entities as long as they have completed a registration process with the MOI. Legal recognition is a prerequisite for any group seeking an accord with the government. A religious group may apply for recognition of its legal status by submitting to a prefect, a local representative of the MOI, a request including the group's statutes, a report on its goals and activities, information on its administrative offices, a three-year budget, certification of its credit status by a bank, and certification of the Italian citizenship or legal residency of its head. To be approved, a group's statutes must not conflict with the law. If approved, the MOI is required to monitor the religious group. The MOI may appoint a commissioner to administer the group if it identifies irregularities in its activities. The Catholic Church is the only legally recognized group exempted from MOI monitoring, in accordance with the concordat between the government and the Holy See.

An accord grants clergy automatic access to state hospitals, prisons, and military barracks; allows for civil registry of religious marriages; facilitates special religious practices regarding funerals; and exempts students

from school attendance on religious holidays. Any religious group without an accord may request these benefits from the MOI on a case-by-case basis. An accord also allows a religious group to receive funds collected by the state through a voluntary 0.8 percent set-aside on taxpayer returns. Taxpayers may specify to which eligible religious group they would like to direct these funds. The Catholic Church received more than 80 percent of the total 1.24 billion euro (\$1.3 billion) set aside by the government in 2015, the most recent year for which data were available.

On April 6, the regional council of Veneto adopted a law confining new places of worship to urban peripheries and introducing new requirements regarding the use of the Italian language in religious services, the availability of adequate parking spaces and bank guarantees, and approval by public referendum prior to construction. On September 27, the regional government of Liguria enacted similar legislation allowing municipalities to require prior authorization of construction of new places of worship, and to hold referenda to measure public opinion on the issue.

The law allows the Catholic Church to select teachers, paid by the state, to provide instruction in weekly "hour of religion" courses taught in public schools. The courses are optional, and students who do not wish to attend can study other subjects or, in certain cases, leave school early with parental consent. Church-selected instructors are lay or religious, and the instruction includes material determined by the state and relevant to non-Catholic religious groups. Government funding is available only for these Catholic Church-approved teachers. If a student requests a religion teacher from a non-Catholic religious group, that group must cover the cost of instruction. Some local laws provide scholarship funding for students to attend private religiously affiliated schools, usually but not always Catholic, that meet government educational standards.

Hate crimes, including those motivated by religious hatred, are punishable by up to four years in prison. On June 8, parliament approved a law codifying Holocaust denial as an aggravating circumstance in the prosecution of hate crimes, punishable with two to six years in prison and fines up to 6,000 euros (\$6,300). The law applies also in case of denial of genocide or crimes against humanity.

All missionaries and other foreign religious workers must apply for special religious activity visas before arriving in the country.

This country is a party to the International Covenant on Civil and Political Rights.

Government Practices

There was no progress in ongoing negotiations for accords between the government and the Jehovah's Witnesses, the Romanian Orthodox Church, and the Episcopal Church. Through the end of the year, no Muslim groups had obtained an accord with the government or begun negotiations for one.

In a regular periodic review of the accord system published on November 2, the national Court of Audit noted the lack of checks on the use of funds the government provided to religious groups and the risk of discrimination against faiths that had not signed an accord with the government.

Following the decision of 30 French municipalities to ban the burkini swimsuit, in August former Interior Minister Angelino Alfano discounted the possibility of any such prohibition in Italy, citing the freedom of religion provided for in the constitution. Afterward, Vice President of the Senate Roberto Calderoli, a member of the Northern League Party, called for a new law banning both burqas and burkinis. On October 10, Roberto Maroni, the Northern League Governor of Lombardy, appealed to parliament to amend an existing law banning head coverings in public places for security reasons to include explicit prohibitions on burqas and *niqabs*. There were no reports of enforcement of a ban on garments impeding personal identification in public hospitals that the Lombardy government announced in late 2015.

On February 8, Florence Mayor Dario Nardella and Izzedin Elzir, a local imam and president of the Union of Italian Muslim Communities (the country's largest Muslim organization), signed a first-of-its-kind agreement committing the local Muslim community to hold Friday religious ceremonies in the city in Italian. The agreement called for Arabic translation to be provided for those who did not understand Italian. It also specified mosques would be open to people of all faiths and provided for the establishment of booths in Muslim places of prayer to give information on local religious and cultural events.

Muslims continued to encounter difficulties acquiring permission from local governments to construct mosques. As of November there were four officially recognized mosques, one each in Ravenna, Rome, Colle Val D'Elsa, and Milan, but more than 800 unofficial, informal places of worship for Muslims. Local officials continued to cite a lack of zoning plans authorizing the establishment of places of worship on specific sites.

Some regional governments continued to impose restrictions on the construction of new places of worship. On February 24, the Constitutional Court ruled that a 2015 regional law introducing strict new construction requirements for religious buildings by unregistered religious groups in Lombardy was partially unconstitutional.

The court declared some aspects of the law limited the freedom of religion of non-Catholic religious groups that had not signed an agreement with the national government, violating the principle of equality of all religious groups. The court upheld other parts of the regional law, recognizing the power of regional governments to adopt general rules (mostly related to urban planning) on places of worship.

Following the court's February 24 ruling declaring parts of the Lombardy law unconstitutional, on March 31, the municipal government of Milan suspended the designation of three sites for the construction of two mosques and a Protestant church announced by the previous administration in August 2015, citing technical problems with one of the proposals and obstacles stemming from the portions of the regional law that remained in effect. On October 31, the Bangladesh Cultural and Welfare Association, which had been assigned one of the sites on which to build a mosque, submitted an appeal against the suspension to the Lombardy regional administrative court. On October 17, newly elected Mayor of Milan Giuseppe Sala told reporters that a new mosque might be built in two years based on new requirements, and indicated the municipality was considering allowing the construction of several smaller mosques instead of the two previously called for. On November 3, religious associations from a variety of faiths submitted 23 plans for the establishment of places of worship to Milan municipal authorities for approval.

The Veneto and Liguria laws placing restrictions on the construction of new places of worship drew widespread criticism. On April 5, the Catholic Patriarch of Venice, Archbishop Francesco Moraglia, said the Veneto law limited religious freedom. Representatives of the Confederation of Methodist and Waldensian Churches, as well as the Union of Italian Muslim Communities, stated the initiatives were intended to block the construction of mosques. On September 26, Raffaella Paita, the Democratic Party leader in the Liguria regional council, called the law "misguided and unconstitutional," saying, "it violates the right of Ligurian citizens to practice their own religion."

Between July and September local authorities closed five of the 14 informal Muslim places of worship, commonly referred to as "garage mosques" (many function in spaces intended for use as garages) used by members of Rome's Bangladeshi community, citing irregularities such as lack of construction permits or safety requirements. Community representatives organized public demonstrations, stating they had no legal means of establishing new places of worship. In October hundreds of Muslims in Rome held peaceful prayer protests against the closure of the five "garage" mosques, stating that the administrative reasons given for the closures, such as limited numbers of toilets, could have been addressed.

Local government officials in Rome met with community members to identify temporary and permanent facilities to use as place of worship and a cultural center. On May 31, soon after the Veneto law restricting unregistered religious groups from building houses of worship was enacted, the government filed an appeal to the Constitutional Court for review. The court had not issued a decision at year's end.

Local governments continued to rent out public land at discounted rates to religious groups, usually Catholic, for constructing places of worship. Government funding also helped preserve and maintain historic places of worship, which were almost all Catholic.

In August the local chapter of the Forward Italy (*Forza Italia* or FI) Party led a campaign against the construction of a mosque in Pisa, which the city council had provisionally approved. Provincial council member and FI member Gianluca Gambini said a poll showed that 57 percent of Pisa residents opposed it, and that people were aware that mosques were places with "a risk of radicalization."

On January 19, then-Interior Minister Alfano announced the creation of a new "Council of Relations with Italian Islam," an advisory body on the integration of Muslims in the country. The minister was quoted as saying Muslim members of the group would work towards "the formation of an Italian Islam" "that would align the religion more with the country's "Christian and humanist tradition." Alfano said the council aimed to further integrate Muslim immigrants and prevent extremism by providing guidance on training and certification of imams and establishment of new mosques. The council met approximately once a month.

In comments to the *Washington Post* in December, the leader of the Northern League party, Matteo Salvini, spoke out against the immigration of Muslims to Italy saying, "The problem of the Muslim presence is increasingly worrying. There are more and more clashes, more and more demands and I doubt the compatibility of Italian law with Muslim law, because it's not just a religion but a law."

The government held a series of events in commemoration of the liberation of the Auschwitz concentration camp on Holocaust Remembrance Day, January 27. President Sergio Mattarella hosted a ceremony in which he encouraged the public "to learn, investigate, study, reflect and prevent" intolerance, discrimination, and violence. On January 18 and 19, Minister of Education Valeria Fedeli accompanied a group of 100 students to visit the Auschwitz concentration camp in cooperation with the Union of the Italian Jewish Communities.

The government is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

Because religion and ethnicity are often closely linked, it was difficult to categorize many incidents as being solely based on religious identity.

The Observatory of Contemporary Anti-Jewish Prejudice recorded 82 acts of anti-Semitism in 2016, compared with approximately 90 incidents in 2015. The Union of Italian Jewish Communities and the Center for the Jewish Contemporary Documentation (CDEC), which continued to operate an anti-Semitism hotline for victims of, and witnesses to, anti-Semitic incidents, reported receiving 62 calls between January 1 and November 30, a slight increase over the same period in 2015. Reports of anti-Semitic incidents included online and verbal harassment, graffiti, and discrimination.

In 2015, the most recent year for which data were available, the contact center of the National Office against Racial Discrimination (UNAR) received 28 reports of discrimination based on religion, three of which concerned online discrimination. The Observatory for the Security against Discriminatory Acts of the national police reported four anti-Islamic incidents in 2015.

On May 24, teenagers verbally and physically assaulted a group of Jewish boy scouts in Milan who were wearing clothing identifying them as Jewish, shouting anti-Semitic profanities and punching one of the scouts. There were no reports of arrests or injuries.

On March 8, a 22 year-old Somali imam and asylum seeker was arrested for telling migrant residents in Campobasso that God ordered them to kill his enemies, organize a "jihad market," preach sharia, and "punish the sinner."

On January 8, five teenagers reported being threatened by a group of five Muslim men (four North African and one Albanian) in Vignola, Modena Province. The assailants, who were reportedly drunk, lined the teenagers up, shot a gun into the air, and asked if they believed in Allah or were Christians. After the teenagers stated they did not believe in anything the group left them alone. There were no injuries reported. The national police (Carabinieri) investigated the incident. The Northern League organized a candlelight vigil to protest the incident in Vignola.

In March the Catholic bishop of Pistoia, Fausto Tardelli, told two priests in his Tuscan diocese not to allow Muslims to pray inside their churches. The priests had pledged to allow 18 Muslim refugees to pray inside their churches. According to media reports, the regional council of bishops backed Tardelli's order, while at the same time underscoring the need for parishes to welcome and help Muslim refugees. The priests told media they would defy the bishop's orders and respond to Pope Francis' plea to help and support immigrants. Both priests reported receiving threats by telephone and online.

In March the newly appointed Archbishop of Bologna, Matteo Maria Zuppi, called for the construction of a mosque in the city at a conference organized by the local Muslim community. He also called for the inclusion of Islamic celebrations in schools, "as already requested by Archbishop of Milan Angelo Scola." He stated, "We shouldn't be carried away by hateful generalizations, like the comparison between Muslims and terrorists."

On June 11, the national daily *Il Giornale* distributed free copies of an annotated version of Adolf Hitler's *Mein Kampf* to readers who bought the newspaper and the first volume of William Shirer's book "The Rise and Fall of the Third Reich," generating protests from Jewish community leaders and the Israeli embassy. The president of the Union of the Jewish Communities of Italy, Renzo Gattegna, characterized the initiative as "indecent" and "light years away from any logic of study and research on the Holocaust." Then-Prime Minister Matteo Renzi also criticized the giveaway, tweeting that it was "sleazy." The editor of the newspaper, Alessandro Sallusti, defended the decision, stating that, to understand the birth of pure evil, it was necessary to go to the source.

Press reported online hate speech was the fastest growing source of anti-Semitism. In September the Observatory on Anti-Semitism reported an increase in anti-Semitic attacks on social media following the death of former Israeli Prime Minister Shimon Peres on September 28.

In a presentation of its annual report to the Chamber of Deputies on July 12, CDEC Director Betti Guetta cited statistical studies showing 7 to 12 percent of the population held unfavorable views of Jews.

According to a July poll released by the Pew Research Center, 69 percent of respondents held unfavorable views of Muslims in the country, up from 61 percent in 2015.

On January 27, Holocaust Remembrance Day, the newspaper *Il Foglio* distributed kippot (male Jewish headcovering) in its daily edition as a "sign of solidarity" and in response to a French Jewish leader who had

called on Jews to hide their identities to prevent physical attacks. The paper stated, “the West should not obscure its roots and its religious symbols” and “the Jews and the West must not hide.”

On July 31, thousands of Muslims attended Mass in Catholic churches in several cities to express solidarity after the July 26 killing of a Catholic priest by two supporters of ISIS in the French city of Rouen.

On September 30-October 1, four churches in Rome were vandalized and had property damaged or destroyed, including statues, crucifixes, and candlesticks. Police arrested a 39-year-old Ghanaian man as a suspect in all four attacks, whose motives were under investigation.

The press reported examples of anti-Semitic graffiti and posters including depictions of swastikas on walls, anti-Semitic stereotypes, and praise of neo-Nazi groups in cities including Viareggio, Rome, Turin, and Vicenza. On April 17, authorities found dozens of swastikas painted on bus stops and street signs in the town of Gargazzone, in the province of Bolzano.

On June 26, in Bologna, vandals spray-painted the base of a statue of Saint Petronio with the text “Allahu Akbar.” The mayor and the Archdiocese of Bologna condemned the act. Police made no arrests.

Section IV. U.S. Government Policy

Representatives from the U.S. embassy and consulates general met with national and local government officials in Rome, Milan, Turin, Bologna, Florence, Prato, and Ravenna to encourage respect for religious freedom, particularly within the context of the continuing unprecedented arrivals of migrants and asylum seekers, most of whom were Muslim. These meetings included discussions with the MOI and the presidency of the Council of Ministers, as well as UNAR, on the government’s efforts to promote integration of immigrant communities, their ability to worship freely and build places of worship, to prevent the spread of violent extremism, as well as the lack of official accords between the state and Muslim groups. At these meetings, the officials emphasized their government’s support for religious freedom and hope for eventual formalization of relations with the country’s Muslim communities.

The U.S. embassy and consulates also continued to meet with representatives of civil society groups including Caritas, Sant’Egidio, Integra, and Anolf, as well as Catholic, Muslim, and Jewish leaders in cities throughout the country, to promote social inclusion of immigrants, many of whom were Muslim, and dialogue among various religious groups, and to monitor their ability to practice their religion freely.

The Ambassador hosted an annual Eid al-Adha reception, attended by many representatives of Muslim groups throughout the country. At the reception, the Ambassador stressed the importance of ensuring that all religious groups have the freedom to practice their religion and emphasized the need for the country to continue to work to integrate the thousands of arriving migrants and refugees, many of whom were Muslim.

The embassy and consulates continued to meet regularly with Jewish leaders to discuss the state of the country’s Jewish community and concerns over anti-Semitic incidents. The Ambassador met with the newly elected president of the Italian Union of Jewish Communities in September to discuss anti-Semitism in the country and reiterate the importance of religious freedom.