

Italy

The September election of a coalition government led by Giorgia Meloni of the hard-right, nationalist Brothers of Italy raised serious concerns about more abusive migration policies and restrictions on reproductive rights. Italy continued to support Libya to intercept boats and return migrants and asylum seekers to abuse in that country, while often delaying disembarkations in Italy of people from nongovernmental organization (NGO) rescue ships.

Authorities' failure to include racist motivation when addressing such crimes as the brutal July killing of a Nigerian street vendor or the 2020 killing of a Black Italian man, for which four men were convicted, raised concerns. Poverty levels remain at a record high, harming people's rights. Significant barriers to accessing abortion, including high rates of conscientious objection, remained. The European Commission called for continuing efforts to ensure judicial independence and efficiency, while noting shrinking civil society space.

Migrants and Asylum Seekers

The positive treatment of Ukrainians in Italy contrasted with abusive policies and practices affecting others seeking protection or safety.

By the end of July, almost 150,000 people coming from Ukraine had been granted temporary protection; and approximately 27,500 Ukrainian students were enrolled in Italian schools by the beginning of June. While the government allocated funds for nongovernmental small-scale accommodation programs for Ukrainian refugees and created 8,000 more places in the national asylum and refugee reception system, refugee rights organizations expressed concern that asylum seekers and refugees from other nationalities were being displaced to make space for the new arrivals.

The police, who process all initial asylum claims, prevented asylum seekers from countries other than Ukraine from lodging claims, leaving hundreds homeless and destitute.

In July, the Italian government renewed funding for Libya for migration controls despite the finding that same month by the UN Fact-Finding Mission to Libya that

migrants and refugees are exposed to risk of crimes against humanity in Libya. At this writing, the agreement between Italy and Libya on migration cooperation was expected to automatically renew in February 2023 for three years.

According to government statistics, more than 85,000 people reached Italy, including 9,930 unaccompanied children, by sea by the end of October, a significant increase over 2021. The continued failure to ensure adequate facilities and swift transfers meant the reception center on Lampedusa was periodically overwhelmed.

Italian authorities allowed NGO rescue ships to disembark, usually after some delay, but also often held NGO ships in port, inhibiting rescue efforts. In August, the Court of Justice of the European Union ruled in a case brought by the rescue organization Sea-Watch that holding ships is legitimate only if the state can demonstrate there is a "clear risk" to safety, health, or the environment. According to the think tank ISPI, between August 2021-August 2022, only 14 percent of people disembarked in Italy were rescued by NGOs.

The trial of 21 people from three rescue organizations on charges of aiding and abetting unauthorized immigration was expected to reopen in late 2022, after the court suspended the proceedings in June citing procedural errors on the part of the prosecutor's office.

About 28 months after a flawed program was launched to provide residency permits to undocumented migrants working in agriculture, domestic work, and home care, only 61 percent of the roughly 207,800 applications had led to a positive response as of December 2022, with tens of thousands of applications still pending (roughly the 20 percent).

The former mayor of Riace, Domenico Lucano, had an appeal pending at time of writing against his September 2021 sentence to over 13 years in prison on charges of abetting irregular immigration and irregularities in an otherwise celebrated integration program for asylum seekers.

In May, a court acquitted the president and two members of Baobab Experience, a nongovernmental association helping needy migrants in Rome, of aiding and abetting unauthorized immigration for having helped nine migrants buy bus tickets to travel from Rome to Ventimiglia.

Discrimination and Intolerance

In July, a court sentenced two brothers to life in prison and two others to over 20 years in prison for the brutal beating to death in September 2020 of 21-year-old Willy Monteiro Duarte, a Black Italian, in a town on the outskirts of Rome. The men were not charged with the aggravating circumstance of racial bias. Also in July, an Italian man beat and strangled in broad daylight a Nigerian street vendor as onlookers failed to intervene. The police and prosecutor quickly ruled out racist motivation for the killing, prompting criticism.

In May, the Democratic Party reintroduced a bill, passed in the Chamber of Deputies in 2020 but rejected by the Senate last year, to make incitement to violence or discrimination “based on sex, gender, sexual orientation or gender identity” a crime. The bill would broaden existing law on bias crimes in Italy, increase funding for victim support, and institute a national day against prejudice based on sexual orientation or gender identity. The recently elected coalition government is composed of political parties that have long opposed the bill.

The Labor Ministry presented in March new guidelines to foster access to quality and sustainable jobs for people with disabilities in keeping with its commitments under the EU Strategy for the Rights of Persons with Disabilities 2021-2030.

Poverty and Inequality

The Covid-19 pandemic dramatically increased the number of people experiencing absolute poverty in Italy. In 2021, about 5.6 million people, including nearly one-third of all non-national residents, were unable to buy goods and services essential to achieve a minimally acceptable standard of living as defined by the Italian government.

An estimated 22 percent of people living in Italy are at risk of food poverty or are food insecure. Exacerbating existing issues with social exclusion and equitable distribution of resources, the prices for groceries and unprocessed foods increased by 8.2 percent between June 2021 and June 2022.

In May 2022, the government approved a package of measures to counter the impacts of price inflation, including increasing income-based subsidies for do-

mestic gas and electricity and providing families earning less than €35,000 annum a one-time €200 stimulus payment.

Almost one third of women and over one third of foreigners were employed in “non-standard” work with fewer rights protections.

At its periodic review of Italy’s record in late September, the UN Committee on Economic, Social, and Cultural Rights expressed concerns about the limited enjoyment of rights by migrants, asylum seekers, and refugees; the punitive approach taken towards workers in the informal economy; and exploitative practices in the agriculture, construction, and garment and textile industries especially of migrant workers, including undocumented migrants. The Committee also expressed concerns about persistent rates of high poverty, the adequacy of the old-age pension system and unemployment benefits, and the rights of disadvantaged and marginalized groups to food security, housing, and protection from discrimination.

Women’s Rights

The Interior Ministry reported that 79 women were killed by relatives or people they knew in the first ten months of the year, 46 of them by a partner or ex-partner.

In April, the European Court of Human Rights condemned Italy for failing to sufficiently protect a woman and her children from domestic violence despite repeated complaints. The woman’s partner stabbed their one-year-old boy to death and gravely injured her in September 2018. The case illustrates the ongoing problems that women who experience domestic violence have obtaining protection from the authorities in practice.

Despite abortion being legal in Italy, and a recent survey finding 73 percent of Italians support access to abortion, there remain multiple barriers to abortion, including large numbers of medical professionals invoking conscientious objection, and lack of an enforced requirement that persons in need of an abortion be referred to another provider.

Latest data from the Health Ministry, published in June with respect to 2020, showed that 64.6 percent of gynecologists and 44.6 percent of anesthesiolo-

gists in Italy refuse to perform abortions. Access to medical abortions—using prescription drugs to end safely a pregnancy—also varied significantly among regions of the country, with a national average of 35 percent across procedures.

After formal ratification at the end of 2021, the International Labour Organization convention on violence and harassment in employment is scheduled to enter into force in October.

Children's Rights

The Education Ministry did not act on reports that the products it authorized for education during the pandemic surveilled or had the capacity to surveil children online, outside school hours, and deep into their private lives. One EdTech product transmitted children's personal data to advertising technology companies, enabling these companies to track and target children across the internet.

Rule of Law

In June, Parliament adopted reforms to restructure the justice system. In its July European rule of law report, the European Commission noted that implementing legislation would need to include provisions to ensure judicial independence in line with European standards, and the need for continuing efforts to improve efficiency and reduce notoriously lengthy proceedings. The report notes the continuing lack of an independent national human rights institute and the narrow civic space, in particular for groups working with migrants.

A March Interior Ministry decree significantly limits access under freedom of information procedures to documents relating to migration and border policies, including cooperation agreements with third countries, for broad reasons of nationality security, defense, and protection of international relations.

Environment and Human Rights

Parliament amended the constitution in March to include protection of the environment, biodiversity, and ecosystems as a fundamental principle, and to place responsibility on private enterprise to avoid harm to health or the environment.

In July, the UN special rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes called on Italy to take steps to protect people from exposure to toxic substances and speed up remediation processes, stop exporting pesticides banned from use in the EU, and make a drastic change in its approach to waste management.