

# European Union Agency for Fundamental Rights, selection of relevant and recent passages from published reports related to Italy

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References to Italy marked with **bold**

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## Data Explorers and Tools

Violence against women survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>

EU LGBT Survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-lgbt-survey-2012>

Indicators on the right to political participation of people with disabilities

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/political-participation>

Mapping victims' right and support in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/victims-support-services>

Mapping child protection systems in the EU

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/comparative-data/child-protection>

## Annual Reports

Fundamental Rights Report 2018

<http://fra.europa.eu/en/publication/2018/fundamental-rights-report-2018>

1. Shifting perceptions: towards a rights-based approach to ageing  
No mention of Italy here.

## 2. EU Charter of Fundamental Rights and its use by the Member States

“Most Charter-relevant requests for preliminary rulings in 2017 came from **Italy** (10), followed by Germany (8), Austria (6) and the Netherlands (6).” (p. 39)

## 3. Equality and non-discrimination

“Regarding same-sex couples, the ECtHR held in *Orlandi and Others v. Italy* that not registering or recognising the union of same-sex couples who had their marriages contracted abroad violates the right to respect for private and family life (Article 8 of the ECHR).” (p. 57)

“In **Italy**, the Ministry of Education, Higher Education and Research sent a circular to all seven school authorities in the country to mark the international day against homophobia, transphobia and biphobia. Calling for its wide diffusion among educational institutions, the circular stressed the important role schools play in raising awareness of discrimination on all grounds. The circular encourages school authorities to provide educational institutions with the means to enable staff to promote an inclusive culture. To support this initiative, the ministry relaunched an online platform called “We are equal” (*Noi siamo pari*) to enable an exchange of good practices implemented by educational institutions to promote equal opportunities.” (p. 59)

## 4. Racism, xenophobia and related intolerances

“For example, **Italy** adopted legislation that increases the penalty for intentionally denying or grossly trivialising crimes of genocide, crimes against humanity and war crimes. The law also introduces administrative responsibility for companies that engage in racist and xenophobic conduct.” (p. 78)

## 5. Roma integration

“In **Italy** the “Don’t say Roma” programme continued to research the language used in the media and its impact on racial stereotypes targeting Roma.” (p. 101)

“Similarly, civil society organisations raised concerns regarding the increasing number of forced evictions in **Italy**. In response, the municipality of Rome earmarked € 1.5 million to provide Roma with alternative housing options to encampments. Several court cases addressed informal encampments. For example, in **Italy**, a court upheld a complaint that the mayor of Milan issued, requesting the closing of an informal encampment. The court found that health and safety reasons prevailed over the right to “maintain Roma identity”.” (p. 107)

“In **Italy**, the municipality of Naples created a reception centre for Roma, which provides access to healthcare services.” (p. 109)

## 6. Asylum, visas, migration, borders and integration

“Globally, the number of displaced persons remained at a record, but arrivals in the EU dropped significantly. According to the European Border and Coast Guard Agency (Frontex), some 204,300 people entered EU territory irregularly in 2017 (compared to some 500,000 in 2016). Nigerians and Syrians formed the largest shares. Most crossed the Mediterranean Sea to reach **Italy** (some 119,000 people) or Spain (nearly 22,900); or crossed the land or sea borders into Greece (some 45,600 people).” (p. 127)

“The main change in 2017 concerned **Italy**. Bilateral cooperation with the Libyan authorities resulted in a significant drop in the number of arrivals to **Italy** in the second half of the year, as Figure 6.2 shows.” (p. 127)

“Several measures contributed to the drop in arrivals. First, in February, **Italy** signed a Memorandum of Understanding with the Libyan Government of National Accord covering various areas, including the fight against irregular migration and trafficking in human beings. In early August, following a Libyan request, the **Italian** Parliament gave the green light to

deploying military assets inside Libyan territorial waters. Financial support to enhance Libyan border and migration management followed. Meanwhile, the Libyan Coast Guard increased their search and rescue capacities. According to data reported to the **Italian** National Coordination Centre established under the European Border Surveillance System (Eurosur), the Libyan Coast Guard rescued 6,118 people in 2017, compared to some 2,490 in 2016.” (p. 127)

“Operationally, the developments in **Italy** reflect the approach taken by Spain, where the Spanish authorities cooperate with states on the West African coast and Morocco.” (p. 128)

“Amnesty International commented that “**Italy** and other European governments have substituted clearly prohibited push-back measures with subsidised, or subcontracted, pull-back measures”. Indeed, the enhanced cooperation between **Italy** and Libya raises the question of whether **Italy’s** assistance to Libya complies with the EU Charter of Fundamental Rights and in particular with the principle of *non-refoulement*. Could, for example, the real-time sharing with Libyan authorities of co-ordinates of locations where migrants are embarking or found at sea engage **Italy’s** responsibility, if as a result the intercepted migrants are brought back to Libya, detained, and subjected to ill-treatment? In the absence of case law, this remains an open question.” (pp. 128-129)

“The possible legal consequences for EU Member States supporting operationally third countries to prevent the departure of migrants towards the EU depend on the individual circumstances of each operation. It is presumably for this reason that the Council of Europe’s Commissioner for Human Rights requested clarification about the details of **Italy’s** bilateral cooperation. FRA developed practical guidance on preventive steps EU Member States can take to avoid *refoulement*; in 2017, it translated this into several official EU languages, including Greek, Italian and Spanish.” (p. 129)

“In practice, these new policies resulted in many refugees and migrants on their way to Europe being stranded in Libya, often detained in inhuman conditions and subjected to serious forms of ill-treatment. Efforts to address their plight prompted discussions on new opportunities for legal entry into the EU. These resulted in a first group of 162 vulnerable refugees being directly evacuated from Libya to **Italy** at the end of the year. Other vulnerable refugees, including unaccompanied children, women at risk, victims of torture or severe ill-treatment, and persons with serious medical conditions, were temporarily transferred from Libya to an Emergency Transit Mechanism UNHCR established in Niger, with a view to identifying solutions for them. UNHCR also issued an urgent call for an additional 40,000 resettlement places for refugees (on top of states’ regular pledges) from the 15 countries hosting refugees along the Central Mediterranean route. Fewer than one third of the requested resettlement places had been pledged by the end of 2017.” (p. 129)

“However, reception conditions remained critical in some locations. Among the EU Member States hosting larger numbers of asylum applicants, France, Greece and **Italy** continued to face emergency situations, with overcrowded facilities and/or homeless asylum applicants.” (p. 131)

“**Italy** faced massive challenges in providing adequate housing to an ever-increasing number of asylum applicants, as the following two examples illustrate. In June, a parliamentary commission published a report on the largest **Italian** reception facility in Mineo (Sicily), noting disrespect of hygienic standards, serious gaps in medical and psychosocial services, as well as security issues. In May, at the reception centre in Sant’Anna in Isola di Capo Rizzuto (Calabria), the police arrested 67 people accused of having embezzled € 36 million from funds allocated to the reception of asylum applicants over the years. In response, the

Ministry of Interior established the Permanent Observatory for the Reception of Asylum Seekers to organise the oversight and discuss the findings of inspections, and announced the closure of all large reception facilities. It also implemented an EU-funded project on “Monitoring and improvement of reception conditions (MIRECO)”. Auditors coordinated by the ministry have carried out inspection missions since May 2017, visiting a significant number of reception facilities by year’s end. Plans exist to make the oversight work more permanent (and not project-based), but – at the time of writing – little information was available on follow-up measures taken to address situations where serious disrespect of standards persists.” (p. 131)

“In response to the large number of arrivals, the Council of the EU in 2015 established a temporary relocation scheme in support of Greece and **Italy**. It foresaw transferring to another Member State some 160,000 persons in clear need of international protection over a two-year period.” (pp. 131-132)

“According to data provided by the Greek and Italian authorities, by year’s end, only 21,704 asylum applicants had been relocated from Greece (primarily Syrians), and 11,464 from **Italy** (mostly Eritreans). Under the scheme, almost 600 unaccompanied children were relocated – 492 from Greece and 99 from **Italy**. The relocation requests of some 300 applicants in Greece and 1770 applicants in **Italy** were still pending. Although overall only a small portion of the originally envisaged number of applicants benefitted from relocation, this temporary scheme helped significantly reduce the pressure on the Greek and **Italian** reception systems, which, as noted in Section 6.1.4., remained challenging throughout the year.” (p. 132)

“The Action Plan on measures to support **Italy** indicates that “**Italy** should draft, in consultation with the Commission and on the basis of a dialogue with the NGOs, a Code of Conduct for NGOs involved in search and rescue activities.”” (p. 142)

“At the same time, the **Italian** authorities took measures to address actions by NGO-deployed vessels considered to exceed their rescue-at-sea activities. In August, a court in Trapani (**Italy**) ordered the seizure of the “Juventa”, the rescue boat deployed by the NGO “*Jugend Retter*”. In October, the **Italian** police conducted a search on board of the “Vos Hestia”, the Save the Children ship, after an undercover agent worked on the ship. These legal proceedings will have to deal with the delicate question of determining the scope of acts covered by the humanitarian clause excluding punishment for what would otherwise be deemed smuggling of migrants.” (p. 142)

## 7. Information society, privacy and data protection

No mention of Italy here.

## 8. Rights of the child

“For example, in **Italy**, the Law on urgent provisions on the safety of cities establishes that, in cases of squatting of buildings, the mayor can decide to prevent forced eviction if children or particularly vulnerable people live in the building.” (p. 180)

“People continue to arrive in Europe and apply for asylum, but their number has considerably decreased. [...] However, in other Member States, mainly on the Mediterranean arrival route, such as **Italy**, Greece, Spain, as well as in France, the number of applications remained similar or increased compared to 2016.” (pp. 181-182)

“In **Italy**, by 31 December 2017, 18,303 unaccompanied children, 93 % male and 7 % female, were registered as being present, according to the Ministry of Labour and Social Politics.” (p. 182)

“For example, in Slovenia, an administrative court rejected the Ministry of the Interior’s decision to return a Somali woman and her child to **Italy**, the Member State through which they entered the EU; it held that assessing the best interests of the child required the authority to make a more detailed and deliberate investigation of the conditions in the Member State to which it proposed to return them.” (pp. 184-185)

#### 9. Access to justice including the rights of crime victims

“In **Italy**, the Senate conducted informal hearings to assess the impact of, and reforms introduced by, Draft Law No. 1950 on “Dispositions Concerning Class Actions”. Notably, in one of the hearings, civil society organisations proposed changes to the draft law based on the common principles of Commission Recommendation 2013/396/EU.” (pp. 205-206)

#### 10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“FRA also conducted qualitative fieldwork research in five EU Member States (Bulgaria, Finland, Ireland, **Italy** and Slovakia) to explore the drivers of and barriers to deinstitutionalisation at the local level. The results of this fieldwork will be published in December 2018.” (p. 227)

“In February 2017, the municipality of Ardea in Lazio, **Italy**, created a municipal council consisting of both delegates of municipal authorities and people with disabilities and their representative organisations.” (p. 229)

“A consistent theme of FRA’s research is the role of strategies and action plans in guiding implementation of the CRPD. The year 2017 was no exception, with several Member States adopting either overall or sector-specific action plans linked to the CRPD. Those adopted in Croatia, **Italy** and the Netherlands are the most comprehensive. All three put significant focus on how best to assess and measure implementation of the plans.” (p. 230)

### Fundamental Rights Report 2017

<https://fra.europa.eu/en/publication/2017/fundamental-rights-report-2017>

#### 1. Between promise and delivery: 10 years of fundamental rights in the EU

“Over one million refugees and migrants entered the EU through Greece and **Italy** in 2015.” (p. 20)

“87.5 % of all children who arrived in **Italy** by sea in 2016 were unaccompanied.” (p. 20)

“Furthermore, four legal opinions, which the European Parliament requested, highlighted the fundamental rights impact of certain EU responses, namely a proposed EU common list of safe countries of origin, the situation in the hotspots established in Greece and **Italy**, and the effects on children of proposals to revise the Dublin and Eurodac regulations.” (p. 20)

“In the hotspots established in Greece and **Italy** in 2015, providing adequate conditions includes having a qualified person responsible for child protection issues, as FRA’s 2016 legal opinion proposed.” (p. 22)

#### 2. EU Charter of Fundamental Rights and its use by Member States

“In 10 Member States, no court asked the CJEU for an interpretation in the context of the Charter. Meanwhile, other Member State courts sent quite many Charter-related requests. In Spain, eight initiated preliminary ruling procedures concerned the Charter (21 % of all requests sent by Spanish courts to the CJEU). In Belgium, this figure was seven (35 %), in **Italy** it was five (13 %), in Hungary it was four (29 %), and in Poland it was also four (27 %).” (p. 40)

“Nevertheless, exercises of legal scrutiny do sometimes refer to and use the Charter. Indeed, only in a few Member States were no such examples reported both for 2016 and 2015 (Cyprus, Estonia, **Italy**, Malta and Slovakia).” (p. 47)

“However, as in previous years, there are also examples of Charter references that go beyond the technical implementation of EU legislation. In 2016, these examples covered areas such as gender equality and identity and lesbian, gay, bisexual, transgender and intersex (LGBTI) issues (in Spain); disability (in **Italy**); consumer protection (in Germany); legal aid (in Austria and Slovakia); the regulation of the accountancy profession (in Malta); education (in Belgium); and the death penalty (in Cyprus).” (p. 49)

“The Charter has also been mentioned as an argument in favour of adopting laws. For instance, in **Italy**, a member of parliament stressed that the approval of Draft Law no. S 2232 on support to persons with disabilities deprived of family support would contribute to the implementation of not only the Convention on the Rights of People with Disabilities, but also Articles 22 and 26 of the Charter.” (pp. 49-50)

“The EU-funded project Active Charter Training through Interaction of National Experiences (ACTIONES) is coordinated by the EUI Centre for Judicial Cooperation in **Italy**. [...] The Judicial Academy (Croatia), the Superior School for Magistracy (**Italy**), the National Institute for Magistracy (Romania), the Judicial Training Centre (Slovenia) and the Judicial School (Spain) hosted such workshops, each with a specific focus (consumer protection, migration and asylum, non-discrimination, effective judicial protection). The workshops endorsed a bottom-up approach, whereby academics and practitioners exchange views directly, in light of their real needs and difficulties as highlighted by practice. Another transnational and EU-funded initiative – called ‘Judging the Charter’ – was launched in September 2016. [...] One focus of the project will be the role of Charter rights in asylum cases. Expert institutions from Austria, Croatia, Greece, **Italy** and Poland are carrying out this project, which will last until August 2018.” (p. 52)

### 3. Equality and non-discrimination

“The EU Member States covered by the 2016 conclusions of the European Committee on Social Rights include Austria, Belgium, Bulgaria, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, **Italy**, Latvia, Lithuania, Malta, Poland, Portugal, Romania, Slovakia, Spain and the United Kingdom.” (p. 63)

“In that respect, Member States could take inspiration from the proceedings of the Council of Europe’s December 2015 seminar on ‘National Action Plans as effective tools for the promotion and protection of human rights of LGBT people’, published in June 2016. Six EU Member States had such action plans in place at the time of the seminar, namely Denmark, France, **Italy**, Malta, the Netherlands and the United Kingdom.” (p. 67)

“Throughout the year, a number of EU Member States did take steps to advance LGBTI equality. These involved the status of same-sex partnerships (Czech Republic, Greece, **Italy**, Portugal, Slovenia); the de-pathologisation of sexual orientation, gender identity and gender expression (Denmark, Malta); and putting a stop to unnecessary surgical interventions on intersex children (Finland).” (p. 67)

“Concerning partnerships, legislation allowing for same-sex marriages came into force in **Italy** in June.” (p. 67)

“In its recommendations to **Italy**, the [UN] committee [on the Rights of Persons with Disabilities] raised its concern “about the absence of legislation and mechanisms with a mandate that addresses multiple discrimination, including effective sanctions and remedies”. This recommendation appears to contradict findings of the European Network of Legal

Experts in Gender Equality and Non-Discrimination, according to which Italy explicitly mentions multiple discrimination in its legislation.” (pp. 68-69)

“Information is also available on Member States not covered by Equinet’s survey. Evidence published by FRA in 2012 and 2013 shows that Greece, **Italy** and Romania cover multiple discrimination in national legislation. [...] By the end of 2016, nine EU Member States explicitly covered multiple discrimination in national legislation: Austria, Bulgaria, Croatia, Germany, Greece, **Italy**, Romania, Slovenia and Sweden.” (p. 69)

#### 4. Racism, xenophobia and related intolerance

“For example, a survey by the Pew Research Center shows that many Europeans perceive migration as being linked to the threat of terrorism. On average, in the 10 EU Member States surveyed, 59 % of respondents believe that the presence of refugees in their country increases the likelihood of terrorist attacks. The Member States surveyed were France, Germany, Greece, Hungary, **Italy**, the Netherlands, Poland, Spain, Sweden and the United Kingdom.” (p. 80)

“The Framework Decision on Racism and Xenophobia penalises racist and xenophobic hate speech and hate crime. In December 2015, the European Commission initiated formal inquiries with Member States in which major transposition gaps remained, with a view to launching infringement proceedings where necessary. This prompted notable legislative developments in Cyprus, France, Hungary, Ireland, **Italy** and Slovakia. **Italy** introduced legislative provisions on hate speech and propaganda based on racial and ethnic grounds, an explicit reference to Holocaust denial, crimes of genocide, crimes against humanity and war crimes, providing for a penalty of two to six years of detention.” (p. 80)

“Although monitoring online content under the code of conduct is a continuous process, results are available for the first monitoring exercise, which covered the six weeks from 10 October to 18 November 2016. Ten civil society organisations and two equality bodies (Austria, Belgium, Denmark, France, Germany, **Italy**, the Netherlands, Spain and the United Kingdom). Eight of these organisations are members of the International Network Against Cyberhate; the equality bodies are the Belgian Interfederal Centre for Equal Opportunities and the Italian National Office against Racial Discrimination.” (pp. 81-82)

“The Committee on the Elimination of All Forms of Racial Discrimination (CERD), in its concluding observations on **Italy** and Portugal, recommended that authorities allocate sufficient human and financial resources to their equality bodies.” (p. 87)

“CERD also raised concerns about practices of police discriminatory ethnic profiling in **Italy** and Spain.” (p. 88)

“Similarly, in its reports on **Italy** and Lithuania, ECRI called on the authorities to set up independent police complaints services with the task of investigating allegations of racist violence committed by law enforcement officials.” (p. 89)

“In others, dedicated action plans that had expired were not renewed by the end of 2016, with no indication of when they would be reactivated (**Italy**, Luxembourg, Spain).” (p. 89)

“The national equality body in **Italy** has organised annual weeks of action against racism since 2004. Through this, the equality body aims to promote social dialogue to sensitise public opinion to the benefits of a multi-ethnic, open and inclusive society.” (p. 90)

## 5. Roma integration

“Promising practices combating early marriage are in place in some Member States. An EU-funded project called ‘Marry when you are ready’ – covering Austria, Bulgaria, Croatia and **Italy** – aims to tackle the issue of early and forced marriages among Roma.” (p.106)

“In its concluding observations on the nineteenth and twentieth periodic reports of **Italy**, the UN Committee on the Elimination of Racial Discrimination reiterated its deep concern about the persistent and entrenched discrimination that Roma, Sinti and Camminanti communities continue to experience. In particular, forced evictions continue; they continue to live in segregated camps or housing areas with substandard accommodation, many unsuitable for human habitation, and in remote areas far from basic services, including healthcare and schools; municipal authorities build new segregated Roma-only camps; and local authorities have introduced discriminatory criteria to assess social housing and housing benefits.” (p. 111)

“Three countries’ strategies also include specific measures to combat anti-Gypsyism – those of the Czech Republic, **Italy** and Spain.” (p. 112)

“The UN Committee on the Elimination of Racial Discrimination published its concluding observations on the nineteenth and twentieth periodic reports on **Italy**, noting the prevalence of racist discourse, stigmatisation and negative stereotypes in political debates, which are also directed against Roma. UNAR (*Ufficio Nazionale Antidiscriminazioni Razziali*), the Italian equality body, detected 1,366 cases of online hate speech targeting the Roma population from 1 August to 31 October 2016.” (pp. 112-113)

“In **Italy**, the Italian National Observatory on Hate Speech against Roma and Sinti (*Osservatorio nazionale sui discorsi d’odio nei confronti di rom e sinti*) reported nine violent attacks against Roma in various Italian cities from 1 January to 31 October 2016.” (p. 113)

“In **Italy**, a court found that a politician, a member of the European Parliament, was in breach of legislation for using derogatory language intended to humiliate Roma and contribute to a hostile and intimidating social environment that would hinder Roma integration.” (p. 114)

“The European Commission has reported that 12 Member States (Austria, Belgium, Bulgaria, the Czech Republic, France, Greece, Hungary, **Italy**, Poland, Romania, Slovakia and Spain) chose to fund measures under the investment priority of the ESF on socio-economic integration of marginalised communities, such as Roma, and they allocated € 1,5 billion to them.” (p. 114)

“The European Court of Auditors’ report also calls for the inclusion of “indicators and target values which deal with anti-discrimination or, more specifically, anti- Gypsyism”. In 2016, FRA contributed to these efforts by coordinating and providing technical expertise to a working party on Roma integration indicators – comprised of Austria, Belgium, Bulgaria, the Czech Republic, Croatia, Finland, France, Greece, Hungary, Ireland, **Italy**, the Netherlands, Portugal, Romania, Slovakia, Spain and the United Kingdom – which developed a detailed reporting template to support reporting by Member States following the structure of the Council recommendation.” (pp. 114-115)

## 6. Asylum, visas, migration, borders and integration

“According to Frontex, some 500,000 people irregularly entered EU territory in 2016, with Syrians and Afghans forming the largest shares. Most crossed the Mediterranean Sea to reach **Italy** (181,000 people) or crossed the land or sea borders into Greece (178,000 people).” (p. 125)

“FRA presented a comprehensive overview of the fundamental rights challenges at hotspots as observed during its regular missions to Greece and **Italy** in its opinion submitted to the European Parliament in November 2016.” (p. 126)

“The fourth legal opinion concerned the hotspot approach applied to new arrivals in Greece and **Italy**, and summarised FRA’s experiences during its six-month presence on the Greek islands and its regular visits to hotspots in **Italy**.”

“Limited progress occurred on the initial target of relocating 160,000 asylum seekers from Greece and **Italy**, set in 2015. [...]By 8 December 2016, a total of 8,162 asylum applicants had been relocated (6,212 from Greece and 1,950 from **Italy**), the majority of them Syrians.” (p. 127)

“Relocating unaccompanied and separated children remained a significant challenge. By the end of 2016, only one separated child was relocated from **Italy**, and 164 children (85 unaccompanied and 79 separated) were relocated from Greece; see Figure 5.2. **Italy** is hosting a significant number of Eritreans who could benefit from relocation.” (p. 127)

“In 2016, some Member States announced that they were increasing the use of immigration detention. For example, at the end of the year, **Italy** announced the creation of an immigration detention facility in each of its 20 regions.” (p. 130)

“Meanwhile, other humanitarian admission programmes – such as humanitarian corridors to **Italy** initiated for vulnerable migrants by the country’s Federation of Protestant Churches – continued to be implemented alongside EU and national resettlement schemes.” (p. 134)

#### “Humanitarian corridors to Italy established for vulnerable migrants

The Federation of Protestant Churches in **Italy** (FCEI) – a member of the Churches’ Commission for Migrants in Europe (CCME) – in partnership with the Sant’Egidio Community and the Waldensian and Methodist churches, launched a Humanitarian Corridors Programme at the beginning of 2016. The initiative is largely funded by the Waldensian Church. The organisations signed a memorandum of understanding with the Italian interior and foreign affairs ministries, allowing them to issue 1,000 humanitarian visas to vulnerable persons in Lebanon, Morocco and Ethiopia during 2016 and 2017. In January 2017, the Italian government and the Italian Catholic Bishops’ Conference signed another protocol, providing for a further 500 visas.

By the end of January 2017, 600 asylum seekers had arrived in **Italy** through these corridors. They are accommodated in facilities funded and managed by the different ecumenical organisations.” (p. 134)

“FRA reports every month on the fundamental rights situation in the Member States most affected by the arrivals of refugees and migrants. FRA’s September 2016 report includes a thematic focus on family tracing and family reunification. It highlights, among other things, restrictive legislative changes at national level and lists practical obstacles faced by people who wish to bring their family members to the EU through legal family reunification procedures. The focus report covers Austria, Bulgaria, Germany, Greece, Hungary, **Italy** and Sweden. Subsequent monthly reports also refer to legislative changes concerning family reunification in 14 Member States.” (p. 135)

“Meanwhile, negative – and in some cases even violent – reactions by locals and parents of native children in **Italy** and Greece have cast a shadow on the effort to send migrant and refugee children to school like all other children.” (p. 136)

“However, a significant number of EU Member States have opted to integrate third-country national pupils directly in normal mainstream classes, regardless of whether they offer a first phase of introductory support. Bulgaria, Croatia, Cyprus, Estonia, Finland, Latvia, **Italy**, Poland, Portugal, Romania, Slovenia, Sweden and the United Kingdom provide mainly

language support to newcomer pupils who are already in mainstream education and standard classes.” (p. 137)

“In 2016, there were violent reactions to the schooling of refugee and migrant children at least in **Italy** and Greece, as FRA reported in its monthly overviews. In Sicily, **Italy**, refugee children were attacked by locals and needed to be hospitalised.” (p. 139)

#### 7. Information society, privacy and data protection

“Similarly, in **Italy**, a draft law aims to regulate the police’s and judicial authorities’ use of wiretapping and ‘Trojan programs’, malicious programs used to hack computers. The Chamber of Deputies has already approved the law.” (p. 157)

#### 8. Rights of the child

“In Denmark, Greece, **Italy** and Slovakia, it [the percentage of children at risk of poverty or social exclusion] increased only slightly – by around 1 percentage point.” (p. 175)

“In seven countries, the proportions of children at risk of poverty or social exclusion increased by 2–12 percentage points over time: Austria, Cyprus, France, Greece, **Italy**, Malta and Spain. In Greece, the increase over the 10-year period in question was around 12 percentage points.” (p. 176)

“In addition, **Italy** received a recommendation on the adoption and implementation of the national anti-poverty strategy, but with no reference to children.” (p. 177)

“In **Italy**, a new law introduced an experimental Fund to Combat Education Poverty (2016–2018) in cooperation with banking foundations. Banks that donate to the fund benefit from tax reductions. The fund will have an annual budget of € 100 million.” (p. 179)

“In 2015, the five EU Member States that received the highest numbers of asylum applications from unaccompanied children were Sweden (35,250 applications), Germany (22,255), Hungary (8,805), Austria (8,275) and **Italy** (4,070).” (p. 181)

“Meanwhile, UNHCR reported that, between January and September 2016, close to 20,000 unaccompanied children arrived in **Italy**, but the Italian authorities identified and registered only 14,225 unaccompanied children.” (p. 182)

“Meanwhile, under the EU Relocation Programme, as of February 2017, only 248 unaccompanied children had been relocated from Greece to other EU countries, and one from **Italy**.” (p. 182)

“Reception is severely flawed, especially in Greece and **Italy**, given the high number of arrivals and the specific situation in the hotspots. FRA’s opinion on the fundamental rights situation in the ‘hotspots’, requested by the European Parliament, outlines various challenges and suggestions in the area of child protection. (For more information, see Chapter 5.) To address the situation in **Italy**, a new law regulates the minimum standards for first reception centres that provide care for unaccompanied children 24 hours a day, seven days a week. The new law includes the possibility of creating temporary facilities with up to 50 places. Civil society organisations have criticised this, among other aspects of the new law, for contravening national frameworks on reception facilities, which promote communities of family-type care or small-scale facilities. They argue that the law could lead to the depersonalisation of relations, preventing the creation of a family-type atmosphere.” (p. 183)

“Some figures are available for 2016: by September 2016, 427 unaccompanied children had gone missing in Denmark, 77 in Finland and 6,357 in **Italy**.” (p. 183)

“In **Italy**, unaccompanied children live in emergency shelters for up to six months without having a guardian appointed or receiving any kind of specific assistance.” (p. 186)

“A number of Member States – including Bulgaria and **Italy** – assign guardianship tasks to staff members of reception facilities at which children are placed to overcome delays. This raises concerns that guardians may experience conflicts of interest and lack independence and impartiality.” (p. 187)

#### 9. Access to justice including rights of crime victims

“In **Italy**, new legislation partly reformed the 2014 implementation law by introducing the possibilities of interpretation via video-conference in criminal proceedings and of replacing written translations with oral translations. It also set up an official national list of translators and interpreters and limited assistance from state-funded interpreters during conversations between clients and lawyers.” (pp. 204-205)

“The deadline for transposing Directive 2013/48/EU (right to access a lawyer) passed on 27 November 2016. Many Member States adopted the necessary measures to do so: Belgium, Finland, Hungary, **Italy**, Latvia, Malta, Slovakia, Sweden, the Netherlands and Romania.” (p. 206)

“A clear majority of respondents across the EU considers rape by an intimate partner to be wrong. Nevertheless, under 30 % of respondents in Bulgaria, **Italy**, Lithuania, Portugal, and Spain deemed it ‘wrong and already against the law’, while about half of the respondents in these countries said that rape by an intimate partner is wrong but they believe that it is not illegal.” (p. 209)

#### 10. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

##### “Promoting equal access for travellers with disabilities

The European Commission launched a pilot project implementing an EU Disability Card in eight EU Member States: Belgium, Cyprus, Estonia, Finland, **Italy**, Malta, Romania and Slovenia. The project aims to ensure mutual recognition of disability status between EU Member States, helping to increase access to certain benefits in the areas of culture, leisure, sport and transport for people with disabilities travelling to other EU countries.” (p. 225)

“Monitoring frameworks in a number of Member States – such as Germany, Hungary and **Italy** – are not able to receive complaints themselves, and others lack a mandate to participate in judicial proceedings. Further critical reflection and consolidation is on the cards for 2017.” (p. 234)

## Fundamental Rights Report 2016

<http://fra.europa.eu/en/publication/2016/fundamental-rights-report-2016>

### 1. Asylum and migration into the EU in 2015

“According to Frontex, in 2015, over one million refugees and migrants – compared with about 200,000 in 2014 – reached Europe by sea in an unauthorised manner, mainly arriving in Greece and **Italy**.” (p.7)

“For the first time ever, the Commission triggered the emergency response mechanism under Article 78 (3) of the Treaty on the Functioning of the European Union (TFEU), resulting in a plan to relocate 160,000 people from Greece and **Italy**, with the first ones relocated towards the end of the year.” (p. 9)

“The EU also significantly enhanced its operational dimension. It supported the setting up of ‘hotspots’ in **Italy** and Greece to support frontline Member States.” (p. 9)

“Several incidents that occurred in August 2015 exemplify smugglers’ ruthlessness. On 15 August, 49 migrants crossing to **Italy** died from inhaling fumes in the hold of a boat, into which smugglers had put them.” (p. 12)

“In **Italy**, towards the end of the year, UNHCR and civil society organisations reported that many nationals of sub-Saharan African countries, particularly from West Africa, were not given a real chance to register their asylum claims, but received expulsion orders to leave the country within 30 days. In an effort to address the matter, the Italian Ministry of the Interior issued internal instructions on 8 January 2016, reminding all first line officials to provide information about access to international protection procedures to newly arriving persons.” (p. 16)

“The increased number of arrivals put a significant strain on domestic asylum systems in countries of first arrival (mainly Greece and **Italy**), transit countries (Croatia, Hungary, Slovenia and to some extent Austria) and countries of destination (Austria, Germany and Sweden, as well as to a lesser extent other Member States).” (p. 17)

“In October 2015, FRA started to publish regular overviews of migration-related fundamental rights issues in Austria, Bulgaria, Croatia, Germany, Greece, Hungary, **Italy**, Slovenia and Sweden.” (p. 18)

“In November 2015, *Médecins Sans Frontières* (MSF) criticised the conditions of the first aid and reception centre in Pozzallo in Sicily (**Italy**), stating that the often overcrowded facility did not meet minimum standards of hygiene and exposed inhabitants to protection risks. Hygiene and general conditions became so dire that MSF decided to leave by the end of the year.” (p. 19)

“In 2015, 251 asylum seekers were welcomed into homes in Germany and 240 into homes in Austria. This initiative is also in place in Greece, **Italy**, the Netherlands, Poland, Portugal, Spain and Sweden.” (p. 20)

“In **Italy**, the long waiting time for the appointment of guardians is one of the factors that have *de facto* excluded unaccompanied children from relocation.” (p. 21)

“The majority of asylum seekers reached Europe by crossing the Mediterranean Sea to Greece and **Italy**. Since 2014, at the point of entry, a significant number of them have not been fingerprinted for Eurodac, the database created by the EU for the smooth running of the Dublin system, a mechanism established by Regulation (EU) No. 604/2013 to determine the Member State responsible for examining an asylum application. In some cases, this was because front-line states had limited capacity to deal with increased arrivals. Greece and **Italy** started to address this issue in 2015 with targeted support from Frontex, EASO and the European Agency for the Operational Management of large-scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA).” (p. 22)

“According to a decision the Council of the European Union adopted in September 2015, all EU Member States – except the **United Kingdom**, which opted out – will admit an agreed number of asylum seekers who submitted an asylum claim in **Greece** or **Italy** and are likely to be in need of international protection.” (p. 22)

“In practice, relocation is meant to occur from the hotspots established in southern **Italy** and on selected Greek islands with the help of EASO. [...] By the year’s end, only 82 asylum seekers had departed from Greece, and 190 from **Italy**.” (p. 23)

“In Cyprus and **Italy**, return monitoring is not yet carried out, even though bodies responsible for monitoring have been appointed in both Member States.” (p. 27)

“A comprehensive fundamental rights assessment at the hotspots in Greece and **Italy**, covering all phases from disembarkation, initial reception, screening, relocation to asylum and return, would contribute in closing protection gaps that particularly affect the most vulnerable.” (p. 29)

## 2. EU Charter of Fundamental Rights and its use by Member States

“The data available on the CJEU’s website reveal large variations between EU Member States, which is also in line with previous years’ findings. For example, **Italy** and Spain referred many cases to the CJEU in 2015 with about a fifth of these making use of the Charter.” (p. 41)

“Courts in Austria, Belgium, **Italy**, Slovakia and Spain rather regularly referred to the Charter in a significant proportion of their requests for preliminary rulings in the past five years.” (p. 41)

“For example, **Italy**’s Lazio Regional Administrative Tribunal in 2015 ruled on a complaint filed by a lawyer who was refused admission to the oral test of the bar examinations by the Bar Examinations Board of the Ministry of Justice. The court ruled that the Ministry of Justice’s decision did not comply with the minimum conditions of transparency, stating: “The lack of motivation directly affects the administrative act, thus hindering compliance with the parameter set out in Article 3 of Law No. 241/1990, interpreted in the light of Article 97 [on impartiality of public administration] of the Italian constitution and of Article 41 of the EU Charter of Fundamental Rights, which expressly sets out the obligation to state reasons as an aspect of the right to good administration.”” (p. 48)

“In countries such as Belgium, Croatia, Denmark, Estonia, France, Germany, Greece, **Italy**, Lithuania and Poland, impact assessments are mandatory.” (p. 48)

“Meanwhile, 11 final legislative texts from six Member States were identified as having references to the Charter in 2015; in 2014, 15 such statutes were identified in nine Member States. Of these 11 statutes, three are from Croatia and three are from Spain. The other statutes were from France, Ireland, **Italy** and Latvia.” (pp. 49-50)

“The respective discussions covered a very wide spectrum of thematic areas. Some emphasised the EU law dimension, as was the case with a parliamentary question in **Italy** aimed at stopping prefects from cancelling the registration of certifications of same-sex marriages entered into abroad.” (p. 50)

“In **Italy**, the Italian Society for International Organisations and the Education Ministry organised a course for school teachers entitled ‘Teaching human rights’.” (p. 51)

## 3. Equality and non-discrimination

“More specifically, recommendations for Belgium, Bulgaria, Croatia, Ireland, **Italy**, Poland, Portugal, Romania, Spain and the United Kingdom point to a mismatch between the skills young people have and the needs of the labour market, which lessens their employability. The recommendations for Bulgaria and **Italy** address the situation of young people not in education, employment or training.” (pp. 61-62)

“AAI outcomes show that more than half of the Member States should increase the rate of employment of older men and women if they are to foster social inclusion: Austria, Bulgaria, Croatia, the Czech Republic, Finland, Greece, Hungary, Ireland, **Italy**, Luxembourg, Malta, Poland, Slovakia, Slovenia and Spain. Four EU Member States should particularly address unemployment among older women: the Czech Republic, **Italy**, Malta and the Netherlands.” (p. 62)

“Data published in 2015 show that eight Member States link postponing the retirement age to increased life expectancy: Cyprus, Denmark, Greece, **Italy**, the Netherlands, Slovakia, Portugal and the United Kingdom.” (p. 63)

“Examples include reforming legislation to improve vocational training or apprenticeships (**Italy**, the Netherlands, the United Kingdom) or developing skills through providing financial support, training or personalised guidance to any or all of the following: young persons with disabilities, parents, single parents, women, early school leavers, recent graduates and those in long-term unemployment (Austria, Cyprus, Greece).” (p. 63)

#### 4. Racism, xenophobia and related intolerance

“In the Czech Republic, Denmark, France, Ireland, **Italy**, Luxembourg, the Netherlands, Spain and Sweden, national public campaigns and/or information websites were launched on living together without prejudice, racism and xenophobia; on increasing the reporting of racist and discriminatory incidents; and on victim support.” (p. 81)

“Awareness-raising and specialised training for relevant staff can help address such a lack of understanding or commitment. This was provided in a number of Member States in 2015: in the Czech Republic, on victims of crime; in Bulgaria and **Italy**, on hate crime generally; on racist crime in Bulgaria, Cyprus and France; and on recognising and dealing with cyber-hate in Slovakia.” (p. 82)

“Seven other countries are formally engaged with the project [Good Practice Plus, developing an EU model of good practice to tackle racial and religious hate crime and hate speech and to promote effective reporting systems on hate crime]: Belgium, the Czech Republic, Estonia, Greece, Ireland, **Italy**, and the Netherlands.” (p. 82)

#### 5. Roma integration

“Regarding **Italy**, ECRI urged full legal protection and the provision of decent accommodation in the case of any evictions.” (p. 100)

“The government of Romania approved a protocol of cooperation between the National Agency for Roma (*Agenția Națională pentru Romi*) and the municipality of Milan, with a view to strengthening the social inclusion of Romanian citizens who belong to the Roma minority and live in **Italy**. The protocol’s overall objective is to implement a pilot project aimed at improving the process of inclusion of Romanian citizens of Roma origin in Milan. However, there is limited evidence of effective and targeted activities or strategies in the municipalities of origin to promote reintegration in the case of return or to provide tailored support in cases of circular migration.” (p. 102)

“The Commission’s 2015 report on the implementation of the EU Framework for NRISs [National Roma integration strategies] recognised the key competences of local-level actors to address challenges – for example, in housing and education – but noted that “the involvement of local authorities in implementation varies widely.” The report also noted progress in drawing up, revising and planning local-level action plans in Member States, such as Bulgaria, the Czech Republic, Greece, Hungary, Ireland, **Italy**, Poland, Romania, Slovenia, Spain and Sweden.” (p. 102)

“The Council of Europe/European Commission Joint Programme ROMACT continued to be implemented in 2015 in five Member States (Bulgaria, Hungary, **Italy**, Romania and Slovakia), with the aim of building up the capacity of local authorities and improving their responsiveness and accountability towards marginalised Roma communities.” (p. 102)

“Following a preparatory phase in 2014, the implementation of the fieldwork [for the Local Engagement for Roma Inclusion (LERI) project] started in 2015, covering 22 localities across

11 Member States (Bulgaria, the Czech Republic, Finland, France, Greece, Hungary, **Italy**, Romania, Slovakia, Spain and the United Kingdom; see Figure 4.2).” (p. 103)

“In several Member States, municipalities have put in place local action plans that target Roma specifically, but not exclusively, despite the absence of such a provision in the NRIS – for example, in the Czech Republic, **Italy**, Spain and the United Kingdom. [...] **Italy** set up regional and local boards to implement the NRIS, as well as coordination bodies of regional and local authorities. Only half of the regions approved strategies and set up boards, whereas by 2015 most municipalities had developed local strategies, despite the lack of any formal obligation to do so.” (p. 105)

“In Bologna, **Italy**, the project strengthens the participation of Roma and Sinti groups in a local support group.” (p. 105)

“Additionally, local action plans sometimes set out non-discrimination measures – for example, in Bulgaria, Italy, Romania, and Slovenia. [...] In **Italy**, some local action plans include measurable objectives in terms of reducing school drop-outs, increasing Roma families’ access to social services, developing school projects and eliminating a specific number of camps by certain deadlines.” (p. 106)

“Most Member States have monitoring processes in place at national level, under the responsibility of central state institutions such as ministries. This is the case in Croatia, **Italy** and the Netherlands, for example.” (p. 107)

#### “Transferring local-level initiatives

The Roma Secretariat Foundation (*Fundación Secretariado Gitano*, FSG) (Spain) and *Consorzio Nova Onlus* (**Italy**) are implementing an ESF-funded project that aims to develop and adapt the model of the ‘Acceder programme’ to the Italian context. The Acceder programme, implemented by FSG since 2000, aims to help the Roma population integrate into the job market. [...] Transferring it to the **Italian** context involves several phases, such as carrying out feasibility studies for selecting a pilot locality, drafting an implementation plan for the selected locality, and implementing pilot projects. Involving various relevant stakeholders – including Roma associations – in the design, assessment and implementation of the programme in Italy is instrumental for creating an effective mechanism.” (p. 108)

“Local and regional authorities are often represented on national monitoring committees – for example, through national associations of municipalities. This is the case in Bulgaria, Croatia, Ireland, **Italy**, the Netherlands and Romania.” (p. 108)

## 6. Rights of the child

“However, in the cases of Belgium, Greece, **Italy**, Malta, Portugal, Romania and Spain, the Commission launched the second stage of infringement procedures with reasoned opinions, asking them to notify the Commission of all measures taken to ensure full implementation, including bringing national legislation in line with EU law. Should the Member States fail to do so, the Commission may decide to refer them to the Court of Justice of the European Union (CJEU).” (p. 142)

“The ESCR found a violation of Article 17 of the European Social Charter in Ireland, Slovenia, Belgium, the Czech Republic and France – but not in **Italy** – for not explicitly prohibiting all forms of corporal punishments.” (p. 143)

## 7. Access to justice including rights of crime victims

“Developing a common voluntary regulatory framework to enhance the quality of interpretation and translation services

In **Italy**, more than 5,000 professionals operating in the field of translation and interpretation – particularly for judicial bodies – developed a regulatory framework to guarantee a minimum level of quality of legal translation and interpretation services, and to provide general criteria for access to this profession. The framework specifies standards and competence requirements for individuals exercising the profession to adhere to on a voluntary basis.” (p. 164)

“In **Italy**, the Court of Cassation reviewed the validity of a judgment sentencing a Spanish-speaking defendant to 15 years in prison for international drug trafficking, which was not immediately translated. The Court of Cassation held that judgments that are not immediately translated are not invalid, but extend the applicable appeal period until the person concerned receives the translated decision.” (p. 165)

“In 2015, several EU Member States started or continued discussions on legislative and policy measures needed to transpose the directive. Austria, Croatia, Estonia, **Italy**, Latvia and Sweden, for example, continued existing legislative processes or proposed new draft legislation.” (p. 165)

“Five EU Member States registered transposition of the Victims’ Rights Directive with the European Commission by 16 November 2015: the Czech Republic, Malta, Portugal, Spain and Sweden. By January 2016, the addition of Estonia, Finland, Germany, Hungary, **Italy**, Poland and the United Kingdom brought the total to 12.” (p. 167)

#### 8. Developments in the implementation of the Convention on the Rights of Persons with Disabilities

“With the CRPD Committee scheduled to review the implementation of the CRPD by another five Member States (Cyprus, **Italy**, Lithuania, Portugal, and Slovakia) in 2016 (see Table 8.3), national efforts to meet the convention’s standards will face further international and domestic scrutiny.” (p. 193)

## Thematic Reports

### Challenges facing civil society organisations working on human rights in the EU (January 2018)

<http://fra.europa.eu/en/publication/2018/challenges-facing-civil-society-orgs-human-rights-eu>

“Bulgaria, France, Germany, **Italy**, the Netherlands and Portugal have increased penalties for defamation where public officials are concerned [...] Germany, Greece, **Italy**, Malta, Poland, Portugal and Slovenia have laws criminalising the insult and/or defamation of heads of state. Austria, Croatia, Germany, Italy, Poland, Portugal, Slovenia and Spain have criminal laws prohibiting insults of the state. With the exception of **Italy** and Spain, imprisonment is a possible penalty in all cases. Criminal laws prohibiting the insult of state symbols exist in Bulgaria, Greece, Poland, Portugal and Spain. Austria, Belgium, Cyprus, Germany, Greece, **Italy**, Luxembourg, the Netherlands, Poland, Portugal and Spain criminalise defaming or disparaging various state institutions, such as governments, parliaments, courts, the armed forces and public bodies or authorities in general.” (p. 24)

“As complete data are not available for EU Member States, it is not possible to provide a concise overview of CSOs’ dependency on public government funding. However, the reported degree is overall rather high (ranging between 56 % and 85 %). A notable

exception is **Italy**, where 86.1 % of CSOs reported that their main source of funding comes from the private sector.” (pp. 30-31)

“Several Member States have set up fixed mechanisms for – regular and/or general – consultations and broader cooperation with CSOs, beyond consultations for specific legislative or policy proposals. These include, for example, the National Council of the Third Sector in **Italy** and the Government Council for Non-Governmental Non-Profit Organisations in the Czech Republic.” (p. 45)

“These include Portugal (on gender equality); Slovenia (in relation to the Volunteering Act and the Environmental Act); **Italy** (on gender-based violence); and Malta (on LGBTIQ), where an advisory body to the ministry was established, providing input on legislation, policies and other measures relevant to LGBTIQ rights.” (p. 45)

“In **Italy**, a Roma women’s network reported that widespread anti-Roma attitudes manifest themselves in public hate speech, street harassment, and smear campaigns against Roma people in the media, which populist politicians reportedly tacitly encourage. As a result, Roma human rights defenders and CSOs reported lacking the resources to challenge commonplace “antiziganism” in the public arena and in the media, which marginalised them in public media, as “so very few non-Roma public figures denounce the situation or champion for Roma.” (p. 50)

## Second European Union Minorities and Discrimination Survey - Main results (December 2017)

<http://fra.europa.eu/en/publication/2017/eumidis-ii-main-results>

“Higher rates of discrimination based on skin colour are also indicated by this group in Austria (45 %), Germany and **Italy** (37 % each). By contrast, religious discrimination is mainly relevant for this group in Denmark, where one in four (25 %) felt discriminated against on this basis in the five years before the survey, and in Sweden and **Italy** (16 % and 10 %, respectively).” (p. 26)

“Gender differences among immigrants from Sub-Saharan Africa and descendants of such immigrants can be observed in most of the Member States surveyed. The rates for discrimination based on skin colour and ethnic origin are higher for Sub-Saharan men than women. [...] Similarly, the difference also exists in **Italy** (for skin colour, men: 43 %, women: 26%; for ethnic origin, men: 37 %, women: 28 %).” (p. 28)

“Immigrants and descendants of immigrants from North Africa also feel discriminated against because of their skin colour. Respondents from this group claim the highest discrimination rate for this specific ground in **Italy**, where every fifth (20 %) felt discriminated against based on skin colour in the five years preceding the survey.” (p. 28)

“In **Italy**, such respondents [respondents with South Asian background] indicate high rates of discrimination based on ethnic origin or immigrant background, with a third (32 %) pinpointing this as a ground of discrimination; 12 % also mention skin colour.” (p. 28)

“Gender differences can be observed for respondents with South Asian background in **Italy**, though only for the ground 'ethnic origin' more women than men mention this as a ground for encountering discrimination in the five years preceding the survey (38 % and 30 %, respectively).” (p. 28)

“In the 12 months preceding the survey, women of Sub-Saharan African descent experienced higher levels of discrimination than men of the same background in Denmark (women: 45 %, men: 40 %), Finland (women: 48 %, men: 43 %), France (women: 31 %, men: 26 %), and **Italy** (women: 29 %, men: 19 %).” (p. 30)

“In **Italy**, France and Belgium, every third respondent [of North-African descent] mentioned experiencing discrimination during this timeframe (34 %, 31 % and 31 %, respectively).” (p. 30)

“In **Italy**, [in the 12 months preceding the survey] more women said they felt discriminated against than men did (37 % vs 31 %).

“Other than in **Italy**, where men of South Asian descent felt more discriminated against in the 12 months before the survey than women (23 % vs 17 %), there are no substantial differences between men and women in this target group.” (p. 32)

“In **Italy**, respondents from all three target groups surveyed indicated relatively high rates of discrimination, though respondents with North African background mentioned experiencing discrimination in the 12 months before the survey more often (34 %) than respondents with Sub-Saharan African (23 %) or with South Asian backgrounds (21 %).” (p. 32)

“On average, respondents who indicated having felt discriminated against noted a minimum of 4.6 incidents a year, which shows that discrimination is a recurring experience for many victims. (Mean values vary between 1.9 incidents for immigrants with South Asian background in **Italy** to 6.5 incidents for immigrants with Turkish background in Sweden).” (p. 33)

“Discrimination in access to housing was also relevant for 14 % of Roma who looked for housing in Spain in that period, for 13 % of respondents with North African background in **Italy**, and for respondents with Sub-Saharan African background in Malta (12 %), Luxembourg (11 %) and France (8 %).” (p. 35)

“Respondents with North African background in **Italy** (23 %), Belgium (21 %) and the Netherlands (20 %) and respondents with Sub-Saharan African background in Austria (26 %) and Malta (20 %) are most affected.” (p. 36)

“The highest reporting rate overall is observed for respondents with Sub-Saharan African background in Finland, where almost every third respondent who experienced discrimination reported or made a complaint about the latest incident (30 %). In Austria, **Italy**, and Portugal, not even one out of 10 respondents with Sub-Saharan African background did so (8 %, 9 % and 9 %, respectively).” (p. 44)

“At 18 %, the reporting rate for **Italy** is midway between the two extremes; compared to EU-MIDIS I, the rate for this particular group in this particular Member State has only slightly increased.” (p. 44)

“Among respondents with North African background in Spain, recent immigrants in Slovenia, and respondents with South Asian background in **Italy**, almost none knew of such a support service or organisation.” (p. 50)

“Meanwhile, independent of their origin, most respondents in Greece, **Italy** and Spain do not know of any organisations that offer support to victims of discrimination.” (p. 50)

“There are some notable gender differences in the overall awareness level. Fewer women than men are aware of any organisations in Croatia (16 % vs 28 %), Ireland (21 % vs 31 %) and **Italy** (7 % vs 14 %).” (p. 50)

“In other countries, the proportion of respondents who know the equality bodies is low – for example, in Spain (6 %), Malta (9 %), Slovenia (10 %), Luxembourg (12 %), and **Italy** (14 %).” (p. 52)

“The lowest awareness levels [of anti-discrimination legislation] are found among Roma respondents in Portugal (13 %), respondents with South Asian background in **Italy** (15 %), and respondents with Sub-Saharan African background in Malta (18 %) (Figure 20).” (p. 52)

“One third of respondents with Sub-Saharan African background in Germany (34 %), Luxembourg (30 %), and France (29 %), and respondents with North African background in the Netherlands (33 %), **Italy** (32 %), and France (31 %) were stopped in the five years before the survey.” (p. 69)

“**Italy**, close levels of perceived profiling can be noted between respondents with Sub-Saharan and North African backgrounds (17 % vs 23 %), while this rate is lower for respondents with Asian background (10 %) in the country.” (pp. 70-71)

“Among respondents with North African background, the highest rates of perceived ethnic profiling are observed in **Italy** and the Netherlands.” (p. 71)

“Figure 27 shows that stopped respondents with Asian background in Greece indicated the highest rates of perceived discriminatory police stops in the five years before the survey, with much lower rates in **Italy** and the United Kingdom. Among the stopped respondents with Sub-Saharan African background, the highest rates of perceived discriminatory police stops were indicated in **Italy**, Austria, and Sweden. Among respondents with North African background who were stopped, the highest rates were mentioned in **Italy**, the Netherlands, and Belgium.” (p. 71)

“Among respondents with North African background stopped by the police in the five years before the survey, the majority of male respondents in **Italy**, the Netherlands, and Belgium (74 %, 66 %, and 60 %, respectively) believed that the last stop was of a discriminatory nature. Among stopped respondents with Sub-Saharan African background, half of male respondents in Austria, **Italy**, Sweden, and Denmark (59 %, 56 %, 54 %, and 49 %, respectively) believed that the last stop was because of their immigrant or ethnic origin.” (p. 71)

“Similarly, migration movements through Greece and **Italy** also spurred increased police and border checks.” (p. 74)

“Among stopped respondents with North African background, nearly half were stopped on the street in the Netherlands, **Italy** and Spain (44 %, 41 %, and 40 %, respectively).” (p. 74)

“With regard to identity checks, almost all stopped respondents with South Asian background in Greece (96 %), with Sub-Saharan African background in Austria (99 %), **Italy** (96 %) and Luxembourg (90 %), as well as with North African background in **Italy** (92 %) were asked for ID cards, passports or residence permits during the latest police stop. This can be explained by the migration flows during that period in both countries.” (p. 74)

“Respondents in **Italy** who were stopped distinctly assess the police’s behaviour during the most recent stop: 56 % of stopped respondents with North African background, 37 % with Sub-Saharan African background, and 34 % with Asian background selected the response ‘neither respectful, nor disrespectful’.” (p. 75)

“Respondents with North African background in the Netherlands, **Italy** and Belgium, and with Sub-Saharan African background in France, tend to have relatively little trust in the police (averages range from 5.0 to 5.6).” (p. 75)

“They [waves of significant immigration flows] continued throughout the 1990s (e.g. Sub-Saharan African migration to Denmark, Finland and Sweden), and include the more recent waves of immigration in the 2000s (e.g. immigrants from Sub-Saharan Africa to Austria, Germany, Ireland and **Italy**).” (p. 79)

“Holding no residence permit upon arrival is mainly observed among respondents from Sub-Saharan Africa in Malta and **Italy** (47 % and 42 %, respectively).” (p. 81)

“Among respondents from Sub-Saharan Africa, the vast majority of those living in Ireland (87 %) and in the United Kingdom (86 %) hold the citizenship of their country of residence or hold a long-term residence permit; this percentage is considerably lower among the same target group in Malta (2 %), Austria (17 %), Portugal (39 %) and **Italy** (40 %).” (p. 83)

“The situation of respondents from North Africa also differs across Member States, with more stable residence statuses observed in the Netherlands (91 %) and low shares of secure residence in Spain and **Italy** (26 % and 38 %, respectively).” (p. 83)

“Still, slightly less than half of Sub-Saharan African respondents in Portugal and Austria do not hold a secure status. The same applies to immigrants from South Asian countries in Greece and **Italy**.” (p. 84)

“Among recent immigrants in Slovenia, one in five has family outside the country (21 %). The same rate can be found among immigrants from Sub-Saharan Africa in several countries, including **Italy**, Luxembourg, Malta and Austria (19–20 %). For immigrants and descendants of immigrants from Turkey and North Africa, the percentage of respondents with close family outside the country is below 10 % in all countries but Italy (13 % of respondents with North African background).” (p. 86)

“This is also the reason given for not applying in **Italy**, particularly by immigrants and descendants of immigrants from North Africa (40 %) and Sub-Saharan Africa (36 %).” (p. 89)

“Low levels of education – with no upper secondary education received – are also observed among respondents with Turkish background in Germany (42 %); with Sub-Saharan African background in Malta (11 %), Portugal (33 %) and **Italy** (42 %); with North African background in **Italy** (30 %) and Spain (43 %); and with South Asian background in **Italy** (29 %) and Greece (43 %) (Figure 36).” (p. 89)

“The values are similar for respondents with Sub-Saharan African background in Malta (84 %), followed by respondents with North African and South Asian backgrounds in **Italy** (67 % and 66 %). The share of respondents with low levels of education who are not pursuing further education or training decreases for respondents of younger age (Figure 37) and for second-generation respondents.” (p. 91)

“Respondents with Sub-Saharan African background in Portugal (77 %), with North African background in **Italy** (70 %), with Asian background in Cyprus (83 %), and with South Asian background in Greece (82 %) and **Italy** (67 %), as well as recent immigrants in Poland (83 %) and Slovenia (76 %), indicate engaging in paid work at higher rates than the employment rate reported for the general population in these countries.” (p. 96)

“A similarly high effect was observed for respondents with Asian background in **Italy**, for Sub-Saharan Africans in Austria and Malta, North Africans in Spain, and Roma in Slovakia.

The connection between language proficiency and engagement in paid work seems to be even stronger for respondents with Sub-Saharan African background in **Italy** (72 % of those with sufficient language proficiency in speaking, reading and writing in paid work, compared to 22 % of those with insufficient language proficiency) and in Sweden (71 % vs 25 %).” (p. 99)

“Higher levels can also be observed for respondents with South Asian background in the United Kingdom; no comparisons are available for Cyprus, Greece and **Italy**.” (p. 100)

“For example, first-generation immigrants from (South) Asian countries in **Italy**, Greece and Cyprus less often indicate feeling Italian, Greek and Cypriot than this group indicates feeling British in the United Kingdom.” (p. 104)

“Due to the recent immigration history of (South) Asians in **Italy**, Greece and Cyprus, no reliable estimates on the second generation can be made.” (p. 104)

“The number of respondents ranged from 369 for immigrants and descendants of immigrants from Sub-Saharan Africa in **Italy** to 1,408 Roma in Romania.” (p. 114)

“Immigrants and descendants of immigrants from South Asia show average ages from 34 in **Italy** to 40 years in the United Kingdom.” (p. 118)

## Together in the EU - Promoting the participation of migrants and their descendants (March 2017)

<http://fra.europa.eu/en/publication/2017/migrant-participation>

“Eleven of the 19 Member States with national action plans also had local- or regional-level integration strategies in place (Austria, the Czech Republic, Denmark, Finland, Germany, **Italy**, Latvia, the Netherlands, Portugal, Slovakia and Spain), while Belgium, France, Ireland and the United Kingdom had integration strategies at a regional level.” (p. 24)

“The results show that nationality-based discrimination against third-country nationals is explicitly prohibited in Belgium, Bulgaria, Cyprus, Finland, France, Hungary, Ireland, **Italy**, the Netherlands, Portugal, Romania and the United Kingdom (Figure 3).” (p. 30)

“The ‘G2 Network – Second Generations’ (*Rete G2 – Seconde Generazioni*), a national non-partisan organisation founded by children of immigrants and refugees born and/or raised in **Italy**, is active online and through audio-visual media (e.g. Radio Popolare). G2 has been very active both on citizenship issues and on educational reforms, in cooperation with immigrant-support organisations and authorities. For example, the Second Generations’ Manifesto was promoted during 2014, following a public call launched by the Ministry of Labour and Social Policy on the migrant integration portal, and involved more than 30 associations of young second-generation migrants active throughout **Italy**.” (p. 34)

“Eleven Member States (Austria, Belgium: Flanders, Denmark, Estonia, Finland, Germany, **Italy**, Latvia, the Netherlands, Portugal and Sweden) monitor progress in migrant integration outcomes regularly through official integration indicators, mostly recently adopted and referring to all or most of the Zaragoza indicators.” (p. 35)

“In **Italy**, a ministerial circular that took effect in 2010– 2011 requires the redistribution of pupils without Italian citizenship among schools and among the classes established within each school so as not to exceed the limit of 30 % for the number of foreign students in each class.” (pp. 40-41)

“In 11 other Member States, a number of relevant projects were identified (Austria, Belgium, Cyprus, Estonia, Germany, Ireland, **Italy**, the Netherlands, Luxembourg, Spain and Sweden).” (p. 41)

“FRA’s research found that the educational policies or strategies for primary and/ or secondary education of 17 Member States include references to cultural diversity, as a guiding principle or as part of curricular subjects. These Member States are: Austria, Belgium, the Czech Republic, Estonia, Finland, Ireland, **Italy**, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Slovakia, Slovenia, Sweden and the United Kingdom. Meanwhile, in Bulgaria, **Italy** and Romania, cultural diversity is addressed in extracurricular activities.” (p. 41)

“In several Member States, trade unions have well-established policies to reach out and support migrant workers – for example, in Austria, Belgium, Denmark, Germany, **Italy**, Luxembourg, Poland, Portugal, Spain, Sweden, Slovenia and the United Kingdom.” (p. 47)

“Cyprus and **Italy** require language tests or language proficiency for residence permits, but not for citizenship (Figure 9).” (p. 51)

“Although only six Member States (the Czech Republic, Denmark, Finland, **Italy**, the Netherlands and Sweden) have ratified the Council of Europe Convention on the Participation of Foreigners in Public Life at Local Level, 20 Member States actually have similar legal provisions allowing third-country nationals to vote at least in local elections. Of the six Member States that have ratified the convention, three have done so with limitations to its scope (the Czech Republic and **Italy** limit participation to freedom of assembly and association) or to the area of application (the Netherlands limits participation to municipal level).” (p. 55)

“When looking in detail at limitations imposed on the political participation of third-country nationals in the EU, countries can be clustered into four groups. The first group (Austria, Bulgaria, Croatia, Cyprus, France, Greece, **Italy**, Latvia, Malta, Poland and Romania) does not provide any electoral rights to third-country nationals and has not put in place national consultative bodies.” (p. 56)

“In addition, the research identified such consultative bodies operating at local or regional level in several Member States (the Czech Republic, Denmark, Germany, Greece, Finland, France, Ireland, **Italy**, Latvia, Luxembourg, Poland, Spain, Sweden and the United Kingdom). For example, in **Italy**, by March 2013, research had identified 14 regional councils, 48 municipal councils and 19 provincial councils.” (p. 58)

“Consultative bodies operating in cities throughout the country can be found in Belgium (Flanders and Brussels), Denmark, Germany, Greece and **Italy**.” (p. 58)

## Rights of suspected and accused persons across the EU: translation, interpretation and information (November 2016)

<http://fra.europa.eu/en/publication/2016/rights-suspected-and-accused-persons-across-eu-translation-interpretation-and>

“In **Italy**, the Judicial and Appellate Court of Milan developed a guideline document (in June 2014) to advise judges, public prosecutors, police and other institutions on how to guarantee the proper application of the legislative decree that implements Directive 2010/64/EU. The guidelines must be applied in all criminal proceedings held in Milan and include information

on the procedure for assessing accused/suspected persons' knowledge of the Italian language.” (pp. 32-33)

“Many Member States specify in their laws only that interpretation or translation must be available “within a short period of time” (for example, interpretation services in Austria) [...]; “without delay” (interpretation services in Cyprus, France, Greece, Lithuania, Luxembourg, and the United Kingdom); “as soon as practicable” (interpretation services in Malta); “promptly” (translation services in Croatia); or “timely” (translation services in **Italy**).” (pp. 33-34)

“With regard to **Italy**, one commentator noted that the failure to fix an explicit deadline for written translations that cannot be replaced by sight translation or summary sight translation risks lengthening translation times – which may conflict with the ‘timely’ requirement and is detrimental to a person’s right to defend him/herself.” (p. 34)

“In **Italy**, the Court of Cassation reviewed the validity of a judgment sentencing a Spanish-speaking defendant to 15 years in prison for international drug trafficking, because the judgment was not immediately translated. The Court of Cassation held that judgments that are not immediately translated are not invalid, but do extend the applicable appeal period, which does not begin to run until the person concerned takes delivery of the translated decision.” (p. 38)

“Several Member States – including Belgium, **Italy**, Lithuania, Malta, and Portugal – have various informal (unofficial) lists that list interpreters and translators with different minimum registration requirements.” (p. 52)

#### “Developing a common quality standard for the LIT profession

**Italy** has adopted a technical regulation on interpretation and translation-related professions that was developed by the Italian National Unification Organisation (*Ente Nazionale Italiano di Unificazione*, UNI) in cooperation with associations representing interpreters and translators, especially those working for judicial bodies. The regulation contains quality standards for translation and interpretation-related professions to be implemented on a voluntary basis. All interpreters and translators may try to obtain the UNI certification, which assesses the quality of interpretation/translation services. This initiative is particularly useful because there is no official LIT register in **Italy**.” (p. 54)

“In some of these states, complaints raising these issues can only be admitted at the conclusion of proceedings. In states such as Belgium, Croatia, Germany, Ireland, **Italy** and Poland, the failure to provide interpretation or translation would only constitute grounds for appeal.” (p. 57)

“If a trial judge refuses interpretation or translation for court proceedings, this individual decision can be challenged by way of judicial review (it may also later form the basis for an appeal against a conviction or sentence). Similar possibilities exist in and in Poland. [...] In **Italy**, the poor quality of a translation/interpretation service cannot be invoked in the course of the proceedings, but can be used as a ground to challenge a court judgment and invalidate the proceeding.” (p. 57)

“Secondly, there are Member States that introduce this obligation only when the person – be they suspect or accused – is deprived of liberty (upon arrest or shortly thereafter), such as Cyprus, Ireland, **Italy**, and the United Kingdom (Scotland).” (p. 68)

“Although **Italy** has no model Letter of Rights as such, a written notice – which has to be provided to an arrested person according to the law – can be considered as equivalent to a Letter of Rights.” (p. 71)

“The letters of rights used in 12 Member States (the Czech Republic, Estonia, France, Germany, Greece, **Italy**, Lithuania, Latvia, Malta, the Netherlands, Poland and Romania) and in Scotland cover all the rights set out in the directive.” (p. 72)

“Five Member States (Belgium, Cyprus, Finland, **Italy**, and Sweden), England & Wales and Northern Ireland, as well as three Member States that do not fully cover all rights listed in the directive [...]” (p. 73)

“During further investigations under the auspices of a prosecutor or investigative judge/magistrate, most Member States’ laws in principle foresee access to the case file. **Italy** is a notable exception – the Criminal Procedure Code allows access to case materials only after completion of pre-trial investigations, when a person is accused by the public prosecutor.” (p. 78)

“As noted above, **Italy** – where access to case materials is not possible until the closing of the investigations and the notification of the accusation – represents one of the exceptions.” (p. 80)

## Experiences and perceptions of antisemitism – Second survey on discrimination and hate crime against Jews in the EU (December 2018)

<https://fra.europa.eu/en/publication/2018/2nd-survey-discrimination-hate-crime-against-jews>

“This report presents the main findings of FRA’s second survey on Jewish people’s experiences and perceptions of hate crime, discrimination and antisemitism. It analyses data from the responses of 16,395 self-identified Jewish people (aged 16 or over) in 12 EU Member States – Austria, Belgium, Denmark, France, Germany, Hungary, **Italy**, the Netherlands, Poland, Spain, Sweden and the United Kingdom. These Member States are home to over 96 % of the EU’s estimated Jewish population.” (p. 7)

“Except for in **Italy**, antisemitism was rated among the three most pressing social and political issues in all survey countries.” (p. 15)

“A large majority of respondents in Austria, Belgium, France, Hungary, **Italy**, Poland, and Sweden saw racism as ‘a very big’ or ‘a fairly big problem’ in the country where they live (depending on the country, between 82 % and 91 % of the respondents hold this view).” (p. 15)

“Most respondents in Spain and **Italy** consider unemployment and government corruption to be the most pressing issues (94 % and 98 %, and 95 % and 91 % of respondents, respectively, said that these are ‘a very big’ or ‘a fairly big problem’).” (pp. 15-16)

“Regarding racism, a large majority of respondents (around 80 %) in Sweden, **Italy**, Hungary, Poland, Austria, and the Netherlands indicate that this has increased ‘a lot’ or ‘a little’ over the past five years.” (p 20)

“The following countries stand out with increased shares of respondents who say that antisemitism has increased ‘a little’ or ‘a lot’: the United Kingdom, Germany, **Italy** and Sweden (increase by 24, 21, 14 and 11 percentage points, respectively, between the 2012 and 2018 surveys).” (p. 20)

“The percentage of respondents indicating that antisemitism on the internet is problematic is especially high (at least 90 %) in Belgium, France, **Italy**, and Poland.” (p. 22)

“Also, more respondents in Spain and **Italy** (38 % and 37 %, respectively) than in other countries note negative statements being made in academia.” (p. 28)

“The lowest proportions did so in **Italy**, Hungary, Austria, and the United Kingdom (17 %, 22 %, 25 %, and 27 %, respectively).” (p. 36)

“Most respondents in **Italy** (69 %), Spain, Denmark, the United Kingdom (65 % in each of the three countries), the Netherlands (62 %), Austria and Sweden (58 % each) have not considered emigrating.” (p. 38)

“Nearly one third of respondents in Denmark, **Italy** and France (33 %, 32 %, and 30 %, respectively) said that their country’s government combats antisemitism effectively.” (p. 40)

“Closer examination shows that, while over three quarters of respondents in **Italy**, Denmark, and Belgium (79 %, 78 %, and 75 %, respectively) consider government efforts to be adequate, this is not the case in Sweden and Poland (with 74 % and 64 %, respectively, indicating ‘probably’ or ‘definitely’ not).” (p. 40)

“There are notable differences between EU Member States in terms of the extent of perceived antisemitic harassment. [...] In the rest of the countries surveyed, this share comprises one fourth of respondents. For example, in Hungary, the United Kingdom and **Italy**, the results range from 23 % to 25 % (Figure 18).” (p. 46)

“That the respondent could be identified as Jewish was less often the case in incidents of antisemitic harassment in the Netherlands, Poland and **Italy** (ranges in between 43–48 %) than in France, the United Kingdom or Sweden (65 %–67 %).” (p. 53)

“The results also show some differences in respondents’ perceptions of the perpetrators of the most serious antisemitic incident of harassment across the 12 survey countries (Table 6). [...] The category ‘someone with a left-wing political view’ is observed among the three most frequently mentioned perceptions in Denmark, Spain, France, **Italy**, Sweden and the United Kingdom (it ranges from 21 % in France to 38 % in Italy). The category ‘someone with a right-wing political view’ is observed among the three most frequently mentioned perceptions in Austria, Germany, Hungary, **Italy**, and Poland (it ranges from 20 % in Germany to 53 % in Poland).” (p. 54)

“Respondents from Denmark (45 %), **Italy** (46 %), Spain (50 %) and Germany (56 %) are the least aware of such organisations [that support victims of discrimination].” (p. 66)

“Respondents in the other countries surveyed (e.g. Austria, Germany, France, Hungary, Belgium, **Italy**, and Poland) are more convinced that there is a law against denying or trivialising the Holocaust, with 60 % to 89 % saying that the country has a law prohibiting such actions (Figure 27).” (p. 67)

“A large majority of respondents in Italy, France, Belgium, Spain, and the United Kingdom (91 % to 80 % depending on the country) and about three quarters in Denmark, Austria, and Germany (77 % to 74 % depending on the country) indicate that a prohibition of circumcision would be a very big or fairly big problem for them. About three quarters of respondents in **Italy** (79 %), France (76 %), Spain (73 %), and the United Kingdom (71 %) held the same position regarding prohibition on traditional slaughter.” (p. 70)

## From institutions to community living for persons with disabilities: perspectives from the ground (December 2018)

<https://fra.europa.eu/en/publication/2018/independent-living-reality>

“FRA wanted to contribute to making steps to implement deinstitutionalisation more effective by capturing concrete evidence of what is and what is not working on the ground. To do this, the agency conducted extensive fieldwork research in five EU Member States (Bulgaria, Finland, Ireland, **Italy** and Slovakia) at different stages of the deinstitutionalisation process.” (p. 17)

“In Finland, Ireland and **Italy**, deinstitutionalisation has made greater progress, with official statistics indicating that many people with disabilities in these countries have made the transition from institutional to community-based settings.” (p. 20)

“**Italy** has the longest standing legislative commitment to deinstitutionalisation. In 1978, the Basaglia Law led to the closure of asylums and psychiatric hospitals, and affirmed the principles of deinstitutionalisation for people living in these hospitals. These were primarily people with psychosocial disabilities, but also some people with intellectual or physical disabilities. Law No. 122 of 22 June 2016, which specifically concerns the provision of assistance to persons with severe disabilities deprived of family support, gave deinstitutionalisation a new impetus. The law aims to foster the well-being, full inclusion and autonomy of persons with severe disabilities deprived of family support, as well as to prevent any institutionalisation. Among others, the law earmarks funds to support individual deinstitutionalisation processes, develop innovative residential solutions such as co-housing, and increase people’s levels of autonomy. Starting in 2018, the annual budget of this fund is € 56.1 million.” (p. 20)

“In Bulgaria, for example, the local-level research took place in one of the largest cities; in **Italy** and Finland, in a medium sized city; and in Slovakia and Ireland, in small rural towns.” (p. 21)

“The case study locality in **Italy** is further ahead in the deinstitutionalisation process than is typical of the country. The locality provides various forms of in-home support to foster autonomy and hosts several day care centres, as well as a number of labour inclusion services for persons with disabilities. These facilities and services tend to be run by social cooperatives that work closely with local authorities, often also in cooperation with institutions committed to achieving deinstitutionalisation.” (p. 21)

“Participants in **Italy**, for example, noted that the ratification of the convention in 2009 promoted the involvement of people with disabilities and prompted the implementation of new legislative measures to meet the convention’s requirement. This included to the establishment of the National Observatory on the Conditions of People with Disabilities, as the national monitoring body required under Article 33(2) of the convention.” (p. 22)

“Turning to national legislation, Slovakia and Italy have domestic legal guarantees specifically related to the transition to independent living. As noted, in **Italy**, Law No. 122 of 22 June 2016 seeks to guarantee independence and autonomy to persons with severe disabilities, avoiding an approach to support that is based on traditional healthcare assistance. The law aims to allow people to live in their own homes or in residential services managed by associations, limiting the size of these services to a maximum of 10 persons with disabilities.” (p. 23)

“Few national strategies adequately address all the sectors involved in the deinstitutionalisation process, in the participants’ view. In **Italy**, however, the second National Plan for the promotion of the rights and integration of persons with disabilities sets out action points that relate specifically to policies, services and organisational models to support independent living and inclusion in the community. Participants in the fieldwork in Italy felt that adding these action points strengthens the country’s commitment to independent living.” (p. 24)

“Each of the five Member States has devolved responsibility for legislation and policy on deinstitutionalisation in different ways. Ireland has the most centralised approach, and **Italy** and Slovakia the most decentralised.” (p. 24)

“In Slovakia and **Italy**, for example, where regional and local authorities play a key role, participants identified decentralisation as a barrier to implementing national policy uniformly across the country. For instance, the distribution of competences at four levels of governance in **Italy** (municipalities, provinces, regions, State) leads to different degrees of commitment to deinstitutionalisation among public authorities at the regional and the local levels. This, in turn, leads to different levels of investment in terms of budgetary and staff allocations to support deinstitutionalisation.” (p. 24)

“Deinstitutionalisation is funded through national, regional or local funds, or a mix of all three in Finland, Ireland and **Italy**.” (p. 27)

“In **Italy**, Law No. 122 of 26 June 2016 provides for specific assistance for people with severe disabilities who do not have family support, including the creation of innovative housing solutions. In addition, a wide range of national funds, some directed towards specific impairments and some for specific purposes, fund different aspects of deinstitutionalisation.” (p. 27)

“Staff of institutional services and some family members in **Italy**, for example, felt that institutions provide safety and security from which residents might gradually explore greater independence.” (p. 30)

**Direct Quote:** “*“Autonomy goes beyond [disability] services, because active employment, housing, social and integration policies [are found] where one lives, not within services [...] The community has to grow in terms of opportunities it can offer [...] for different needs [...] I think we should talk about citizenship rights: I mean, in the end, the people we support on this pathway are ultimately asking for the right to health, the right to housing, the right to work, the right to love, the right to a family, the rights to citizenship.” (Italy, employee of a community-based service)*” (p. 31)

“Participants elsewhere raised concerns about gaps in this commitment in practice. In **Italy**, participants cited Law No. 122 of 26 June 2016 as signalling a unified commitment to deinstitutionalisation, moving away from voluntary pilot projects towards a firm national commitment to close institutions and create community-based services. However, some criticised the accompanying funding as insufficient.” (p. 37)

“Participants experienced the positive impact of local commitment [to deinstitutionalization in different ways: [...] Regional and local pilot projects in Ireland and **Italy** play an important role in informing, encouraging and developing national policy.” (p. 39)

“Examples of persons with disabilities being strong self-advocates for deinstitutionalisation and, in turn, setting an example for others to emulate occurred throughout the research (see Section 3.2.2). Similarly, one **Italian** man’s insistence allowed him to achieve his dream of getting married and having a flat of their own (see box on *Jean’s story*).” (p. 40)

“Young people in Finland, Ireland and **Italy** do not tend to enter institutions, so are not themselves part of deinstitutionalisation processes (see Section 3.6.2). However, by demanding adequate community-based services to enable them to live independently of their parents, they support the development of such services.” (p. 40)

“Many local-level participants in Finland and **Italy**, which has long-standing legislation on inclusive education, highlighted that children with disabilities are taught in school to be independent, and so automatically assume they will be.” (p. 40)

“Overall, participants felt that the funding allocated to deinstitutionalisation is insufficient. The financial crisis was cited by participants in Finland, Ireland and **Italy** a key factor in this.” (p. 41)

“Away from ESIF-funded projects, participants in **Italy** noted that the annularity of funding sometimes makes it difficult to plan longer term deinstitutionalisation projects.” (p. 41)

“Furthermore, long-standing criteria for funding allocation often mean that institutions receive significant funding, to the detriment of community-based services, as was noted by participants in **Italy**, for example.” (p. 41)

“Many participants across a range of stakeholder groups expressed frustration with vested interests at the political level, within institutional service providers or both. The political power of large institutions was highlighted in Bulgaria, **Italy**, Ireland and Finland.” (p. 43)

“In **Italy**, participants from across stakeholder groups at the national and local level identified so-called ‘territorial networks’ as one of the main drivers of the deinstitutionalisation process. Bringing together social cooperatives, private companies and other associations involved in providing services, participants credited these networks with facilitating a holistic approach to deinstitutionalisation. It also helps to root the process in the local community by involving a wide range of organisations active in the area. This in turn helps to overcome a number of barriers, including resistance in the local community to deinstitutionalisation and the risk that people with disabilities feel isolated after the transition.” (p. 51)

“Some participants, particularly in **Italy**, highlighted that cooperation with younger parents is sometimes easier. They tend to be more aware of the human rights model of disability, making them more ready and willing to cooperate with local authorities and service providers to develop innovative solutions to foster the autonomy of their children.” (p. 52)

“Stakeholders in **Italy** and Finland pointed to the importance of cooperation between the public and the broader third sectors. The organisation of deinstitutionalisation in **Italy** means that funds for deinstitutionalisation are allocated to a range of organisations, including social cooperatives and family-run associations, based on calls for tender.” (p. 53)

#### **“Developing skills and independence through a social agriculture project**

A families’ association decided to involve a group of school leavers with autism in a social agriculture project financed by the Tuscany region in **Italy**. Local farmers act as tutors and mentors to the young people, who learn about food production techniques and then produce their own jams, preserves and dried tomatoes. They also receive specific training on how to sell these products.

The project, initially for three years, was renewed for a further two. A small social enterprise was set up where three of the original participants continue to work. A private donation allowed them to purchase appropriate machinery. They cooperate with a well-known restaurant in a nearby town, which serves their products, and are now working to create other products together.

This type of cooperative enterprise, which involves both public financing and private sector resources, can play an important role in preventing institutionalisation of young people by developing their skills, independence and self-confidence.” (p. 53)

“Among the five Member States, **Italy** has a particularly strong cross-sectoral mechanism for ensuring equality of service, although the strength of cooperation in practice varies across the country. In the region where the FRA research was conducted, the healthcare and social services systems work together to meet the needs of persons with disabilities more efficiently. However, some coordination problems still emerge, particularly as service users become older.” (p. 53)

“The second concern relates to the complex set of interwoven responsibilities for implementing deinstitutionalisation. Participants in **Italy** felt that the different responsibilities of the various levels of governance with respect to social policy and healthcare overlap. Lack of clarity about who is responsible for what can undermine integrated service provision.” (p. 54)

“Although they were not evaluated by the participants in the research, an example of guidance comes from **Italy**, where the Ministry of Employment and Social Policies issued guidelines for the development of independent living projects in 2017. These guidelines build on the second national plan for the promotion of the rights and integration of persons with disabilities. Furthermore, the National Observatory on the Conditions of People with Disabilities – the national monitoring body under Article 33(2) of the CRPD – promotes exchange of good practices at the national level.” (p. 57)

“**Italy** has adopted a similar approach. Social assistants help their clients to design an individually tailored approach to accessing services.” (p. 60)

“One practical example in place in **Italy** and Slovakia is the use of ‘training apartments’ for people with disabilities. These are apartments operated by disability services that aim to bridge the gap between institutional and community-based services. They look to mirror community-based settings and allow people with disabilities preparing for transition to learn everyday skills such as shopping and cleaning, and get used to a new environment.” (p. 60)

“Persons with disabilities participating in the research in **Italy**, for example, mentioned transport and health assistance as services they commonly use, indicating that these services become reference points in their daily lives.” (p. 64)

“Some participants in **Italy**, for example, worried that local authorities’ focus on complying with restrictive legal requirements when choosing which projects to support could impede their potential to identify and develop new approaches.” (p. 66)

“**Stigma and discrimination:** Persons with disabilities often face discrimination when looking for, and doing, their job. This is particularly problematic for persons with intellectual and psychosocial disabilities, participants in **Italy** felt.” (p. 67)

“Indeed, in Finland, **Italy** and Ireland, the deinstitutionalisation process largely concerns people with intellectual disabilities, as people with other types of impairment typically live in the community.” (p. 69)

“The impact of age on the deinstitutionalisation process was a recurring theme in the research at both ends of the age spectrum. In three of the countries covered by the research – Finland, Ireland and **Italy** – the majority of those living in institutions are older persons, as younger people do not generally enter institutions.” (p. 70)

“Participants in **Italy** emphasised that any deinstitutionalisation of an older person would need to be a gradual process. They gave the example of older people with severe intellectual impairments for whom, in their view, in-home support would be difficult, suggesting they could have access to a range of activities during the day, but return to the institution at night.” (p. 70)

**Direct Quote:** “*We need many many promotion and awareness and campaigns. [...] We also need to organise public demonstrations [...] and use the media to be on the front line [...] to make people understand [...] that good practices exist. These simply need to be [brought to the awareness] of public officials who can then apply them.*” (Italy, national policymaker)” (p. 79)

## Being Black in the EU / Second European Union Minorities and Discrimination Survey (November 2018)

<https://fra.europa.eu/en/publication/2018/eumidis-ii-being-black>

**Applicable to all EU Member States, FRA would like to highlight one of its Opinions in the report:**

“EU Member States should ensure that victims of racist crime can seek redress and are offered adequate support. They could achieve this by applying the [guiding principles relating to hate crime and victim support](#) agreed by the EU High Level Group on combating racism, xenophobia and other forms of intolerance. When doing so, Member States should take into account the reluctance of victims to report racist crime to any authority or body, particularly where police officers are the alleged perpetrators.

Member States should take necessary measures to ensure that investigations into or prosecution of racist offences are not dependent on a report or an accusation made by a victim, in line with Article 8 of the Framework Decision on racism and xenophobia. EU Member States could consider asking FRA and ODIHR for assistance in applying the guiding principles agreed by the EU High Level Group on combating racism, xenophobia and other forms of intolerance. Moreover, Member States should ensure that individual assessments of the specific protection needs of victims of racist crime are conducted, in line with Article 22 of the Victims’ Rights Directive.”

[\[https://fra.europa.eu/en/publication/2018/eumidis-ii-being-black](https://fra.europa.eu/en/publication/2018/eumidis-ii-being-black), p. 10].

“This report analyses the responses of 5,803 immigrants and descendants of immigrants of African descent surveyed in 12 Member States: Austria, Denmark, Finland, France, Germany, Ireland, **Italy**, Luxembourg, Malta, Portugal, Sweden and the United Kingdom.” (p. 8)

“For example, 51 % of people of African descent experienced hate-motivated harassment in Ireland, compared with 21 % in the United Kingdom; or 41 % in both Sweden and Denmark, compared with 63 % in Finland; or 23 % in Portugal, compared with 32 % in France and 48 % in **Italy**.” (p. 15)

“Among those stopped in the 12 months before the survey, 44 % believe the last stop they experienced was racially motivated. This view was shared at the highest rates by respondents in **Italy** (70 %) and Austria (63 %), and at the lowest rates by respondents in Finland (18 %).” (p. 30)

“Among those stopped in the 12 months before the survey, 44 % consider the last stop to have been motivated by their ethnic or immigrant background. The highest rates are observed for respondents in **Italy** (70 %) and Austria (63 %), the lowest for respondents in Finland (18 %) (Figure 14). The distribution pattern is similar for the five-year period: of those stopped in the five years before the survey, 41 % believe that the most recent police stop

occurred because of their ethnic or immigrant background, with significant variations in the rate: from 60 % in **Italy** to 27 % in Finland.” (p. 33)

“Few respondents (16 %) who felt racially discriminated against reported or made a complaint about the most recent incident. The highest reporting rates are observed in Finland (30 %), Ireland (27 %) and Sweden (25 %), and the lowest in Austria (8 %), Portugal and **Italy** (9 % each).” (p. 37)

“Overall, 46 % of respondents know of at least one equality body in the country they live in. The highest awareness levels are observed in Ireland (67 %), the United Kingdom (65 %), and Denmark (62 %), and the lowest in Malta (9 %), Luxembourg (12 %), **Italy** (19 %) and Austria (20 %).” (p. 37)

“Most respondents (79 %) are aware of anti-discrimination legislation in their countries of residence. The highest awareness levels are found in the United Kingdom (87 %) and France (81 %), and the lowest in Malta (18 %) and **Italy** (27 %).” (p. 37)

“Skin colour is the most commonly mentioned ground of discrimination (Figure 19), with the highest rates observed in Luxembourg (53 %), Austria (45 %), Germany and Italy (37 % each). Ethnic origin is the second most frequently mentioned ground, with the highest rates observed in Luxembourg (42 %), **Italy** (34 %), Austria and Finland (in both cases 30 %).” (p. 38)

“Variation between men and women is more prominent in some countries than in others, such as in Austria (men: 50 %, women: 27 %), **Italy** (men: 43 %, women: 26%) and Luxembourg (men: 61 %, women: 45 %) (Figure 20).” (p. 39)

“Respondents in Denmark (25 %), Sweden (16 %), **Italy** (10 %), Finland (6 %) and France (6 %) also indicate feeling discriminated against because of their religion or beliefs.” (p. 39)

“For example, 61 % of respondents who felt discriminated against because of their skin colour in Denmark also say that they experienced religious discrimination, with 37 % saying so in Sweden, 23 % in **Italy**, and 14 % in France.” (p. 39)

“In the 12 months preceding the survey, women more often than men felt discriminated against because of their ethnic or immigrant background in Denmark (women: 45 %, men: 40 %), Finland (women: 48 %, men: 43 %), France (women: 31 %, men: 26 %), and **Italy** (women: 29 %, men: 19 %).” (pp. 40, 42)

“The highest reporting rates [from respondents who felt racially or ethnically discriminated against] are observed in Finland (30 %), Ireland (27 %) and Sweden (25 %), and the lowest in Austria (8 %), **Italy** (9 %) and Portugal (9 %).” (pp. 43-44)

“The level of education affects the reporting rate. [...] This finding could partly explain variations in the reporting rate observed between countries, with respondents in some having higher average educational levels (for example, Finland, France, Ireland and the United Kingdom) than in others (for example, Austria, **Italy**, Malta and Portugal).” (p. 44)

“The highest awareness levels of such bodies [specialised bodies with legal mandates to respond to discrimination complaints] are observed in Ireland (67 %), the United Kingdom (65 %), and Denmark (62 %), and the lowest in Malta (9 %), Luxembourg (12 %), **Italy** (19 %) and Austria (20 %).” (p. 44)

“The highest awareness rates [of laws prohibiting discrimination based on skin colour, ethnic origin or religion] are found in the United Kingdom (87 %) and France (81 %), and the lowest in Malta (18 %) and **Italy** (27 %).” (p. 44)

“One in four (25 %) respondents felt racially discriminated against when looking for work in the five years before the survey. The highest levels were observed in Austria (46 %), Luxembourg (47 %) and **Italy** (46 %).” (p. 45)

“The share of young respondents who are neither in paid work nor in education or training is highest in Austria (76%), Malta (70 %), and **Italy** (42 %), with significant differences when compared to the rate for the general population (Austria: 8 %, Malta: 8 %, **Italy**: 20 %).” (p. 45)

“However, in Austria, Denmark, Germany, **Italy**, Portugal, Sweden and the United Kingdom, the proportion of women of African descent with low educational levels is much higher than that of women in the general population. These differences are much less pronounced when comparing men of African descent to men in the general population (Figure 24). Notable differences exist between countries; for example, Malta (89 %), Portugal (64 %), **Italy** (54 %) and Austria (50 %) have high proportions of men of African descent with low educational levels.” (p. 46)

“Finally, a large proportion of respondents in **Italy** mainly engaged in domestic work (25 %). This result is explained by the high proportion of women in **Italy** engaged in domestic work, corresponding to almost two thirds of female respondents in **Italy** (61 %).” (p. 49)

“Gender differences are pronounced in **Italy**, where only one in three women are engaged in paid work, compared to three out of four men (women: 33 %; men: 74 %), as well as in Denmark and Ireland, with men having higher paid work rates than women.” (p. 49)

“Overall, almost one in five young respondents (18 %) are neither in employment nor in education. The highest rates are observed in Austria and Malta at 76 % and 70 %, respectively, as well as in **Italy** (42 %), France (24 %) and Portugal (23 %).” (p. 51)

“The lowest rate of perceived racial discrimination when looking for work is observed in the United Kingdom (15 %), with the highest rates observed in Austria (46 %), Luxembourg (46 %) and **Italy** (47 %).” (p. 54)

“Men tend to experience racial discrimination when looking for work more often than women in Austria (49 % vs. 33 %), Sweden (41 % vs. 29 %), **Italy** (50 % vs. 42 %) and Luxembourg (51 % vs. 40 %).” (p. 54)

“One in four respondents felt discriminated against at work in the five years before the survey (24 %), with the highest rates observed in Ireland, Sweden, Italy and Luxembourg (ranging from 33 % to 44 %). In the different countries, the rates are either the same for women and men of African descent or are higher for men. The latter is observed particularly in Luxembourg, Ireland and **Italy**, with rates for men higher by at least 10 percentage points.” (p. 54)

“One in five respondents of African descent (21 %) felt racially discriminated against in access to housing in the five years before the survey. The highest rates were observed in **Italy** and Austria (39 % each), Luxembourg (36 %) and Germany (33 %).” (p. 57)

“More than one in 10 respondents (14 %) of African descent say they were prevented from renting accommodation by a private landlord because of their racial or ethnic origin. The

highest rates are observed in in Austria (37 %), **Italy** (31 %), Luxembourg (28 %) and Germany (25 %). The lowest rate is observed in the United Kingdom (3 %).” (p. 57)

“Some 6 % of respondents say that they were prevented from renting municipal/social housing because of their racial or ethnic origin. Meanwhile, 5 % were asked to pay a higher rental rate because of their racial or ethnic origin, with respondents in **Italy** (20 %) and Austria (18 %) particularly affected.” (p. 57)

“The highest shares of respondents renting social housing are found in Denmark (95 %) and France (71 %), and the lowest in Austria (20 %), **Italy** (19 %) and Luxembourg (11 %).” (pp. 57-58)

“More than one in 10 (14 %) respondents say they were prevented from renting an apartment or a house because of their racial or ethnic origin by a private landlord in the five years before the survey (Figure 34). The highest rates are observed in Austria (37 %), **Italy** (31 %), Luxembourg (28 %) and Germany (25 %), with the lowest in the United Kingdom (3 %).” (p. 58)

“Overall, 5 % of respondents who looked for housing were asked to pay a higher rent/price/deposit, with notable differences across countries. The highest rates are observed in **Italy** (20 %) and Austria (18 %). Some 4 % of respondents said they were prevented from buying accommodation because of their racial or ethnic origin, with the highest rates observed in **Italy** (15 %) and Luxembourg (11 %).” (p. 60)

## Working with Roma: Participation and empowerment of local communities (November 2018)

<https://fra.europa.eu/en/publication/2018/empowering-roma>

“The project was implemented on the ground over three years, from the beginning of 2014 through the end of 2016, in 21 localities across 11 EU Member States: Pavlikeni and Stara Zagora in Bulgaria; [...] Bologna and Mantua in **Italy**; [...]; Medway in the United Kingdom.” (p. 14)

“One of the local interventions in Bologna was to support the training and capacity building of young Roma through internships. However, it turned out that the model envisaged was not suitable for all participants. As one **Italian** fieldwork expert describes, “Due to family commitments, the two young Sinti women who had shown interest in these internships would have needed much more flexible working schedules.” (p. 16)

“Awareness-raising activities also helped to promote integration and share information about people’s rights. Many examples of such activities to raise awareness about Roma are found in the research localities in Bulgaria, the Czech Republic, Greece, Hungary, **Italy** and Romania.” (p. 35)

“However, in some cases, tensions between different sides can also be the first step towards identifying common areas of interest, and can in fact later lead to cooperation. For example, in Bologna, the presence of different groups of Roma – both **Italian** Sinti and non- **Italian** Roma – and the different NGOs working with the various communities had completely different opinions.” (p. 40)

“The intervention in Bologna reveals further practical reasons suggesting a need for inclusion interventions to have sufficiently long timelines. Namely, a particular problem which was experienced in Bologna was that it proved “difficult to reconcile the local authority’s pace with the time frame of the project, as [they are] structurally used to devoting large amounts of

time to projects, including small practical steps, while the [project's] objectives and limited time frame required a much faster pace”, as the **Italian** fieldwork expert reflected. She said that as a result, “most of time was spent in the practical implementation of the local intervention, mainly due to the structural slowness of bureaucratic processes, while not enough time was left for in-depth monitoring of people’s experiences about the local action itself, let alone assessing its impact on interpersonal relationships within the community”. (p. 48)

### Combating child poverty: an issue of fundamental rights (October 2018)

<https://fra.europa.eu/en/publication/2018/child-poverty>

“More than 30 % of children were at risk of poverty or social exclusion in countries such as Greece (37.5 %), Hungary (33.6 %), **Italy** (33.2 %), Spain (32.9 %) and Lithuania (32.4 %).” (p. 15)

“The Council of Europe has also developed a Child Participation Assessment Tool that provides specific and measurable indicators to measure progress in implementing the Recommendation. This tool has already been used by several EU Member States, such as Bulgaria, Estonia, Ireland, **Italy**, Latvia and Romania, to explore to what extent children in their countries can exercise their rights to be heard, to be taken seriously and to participate in decision making in all matters affecting them.” (p. 39)

“At the same time, only very few NRPs [National reform programme] touch upon the 2013 Recommendation. For example, in 2016, the NRPs of Croatia, Germany and **Italy** were the only NRPs to contain an explicit reference to the 2013 Recommendation; in 2017, only Ireland’s NRP did; and in 2018, none of the NRPs referred to it.” (p. 43)

#### “The Council of the European Union recommends . . .

**Childcare** • Improving labour market outcomes for women, including through the provision of full-time care services – Austria, **Italy**, Poland and Slovakia.” (p. 43)

### Protecting migrant workers from exploitation in the EU: boosting workplace inspections (September 2018)

<https://fra.europa.eu/en/publication/2018/protecting-migrant-workers-exploitation-eu>

“FRA reached out to migrant workers through face-to-face interviews and focus groups in 2017 to better understand the troubling phenomenon of severe labour exploitation. Research was carried out in eight EU Member States: Belgium, France, Germany, **Italy**, the Netherlands, Poland, Portugal and the United Kingdom.” (p. 5)

“Risk management systems often depend on collaboration among various actors. For example, in **Italy**, the ‘Action Plan against Trafficking and Severe Labour Exploitation’ has created a ‘Direction Cabinet’ composed of representatives from central, regional and municipal authorities to coordinate prevention activities such as awareness campaigns and training.” (p. 13)

“A manufacturing worker in **Italy** was part of a group of workers who were approached by a local association offering them support in fighting for their rights, which called the labour inspectorate. In all three cases, exploited workers saw the support organisations as helpful in empowering them to report to the police.” (p. 20)

“Research participants described the different ways in which employers dealt with the prospect of inspections of their workplaces. [...] One strategy – mentioned by exploited

workers in Belgium, France, **Italy**, the Netherlands, Poland and the United Kingdom – seemed to be to ensure that no workers with irregular status were present during inspections.” (p. 20)

“Making workers hide was another common strategy. Thirteen exploited workers (in Belgium, France, **Italy**, Poland and Portugal) reported that they had to hide during actual inspections – in the street, a toilet, a storage room, the garden and a basement. [...] Another (Italy) was locked up in a warehouse by the employer.” (p. 20)

“Several exploited workers (**Italy**, Portugal, the Netherlands and the United Kingdom) said that their employers reinforced their requests with threats in case of non-compliance.” (p. 20)

“Some employers made use of workers not being able to speak the language of the country they were working in. According to focus-group participants in **Italy** (construction, agriculture and restaurants), this can stop inspectors/police officers from talking to anyone other than the employer. It also makes it impossible for the workers to share information on their situation with the authorities and to develop trust. Migrant workers in southern Italy mentioned that they could not understand what inspectors and employers discussed because they used the local dialect.” (p. 21)

“Another issue – reported by focus-group participants in **Italy** with specific reference to police inspections – is that during inspections, inspectors did not ask the migrants directly about their working conditions. Nearly half of focus-group participants and one quarter of interviewees claimed that this was due to two main reasons in addition to migrants themselves not being able to speak the language: discriminatory attitudes towards migrants and the lack of foreign language skills of police officers. Another interviewee in **Italy** (livestock sector) recounted that his employer forced workers to pretend that they were not capable of speaking the national language to avoid inspectors’ questioning.” (p. 21)

“Several workers participating in the research who had witnessed or experienced inspections described inspections as rather bureaucratic and not focusing on the workers and their work situation. Nine research participants (France, **Italy** and the United Kingdom) said that the inspectors or police officers either did not talk to them at all or did not ask any questions related to the working conditions.” (p.22)

“Victims noted that labour inspectors and police do not always create conditions conducive to workers developing trust and feeling secure enough to share information about their situation. For example, three interviewees in **Italy** and the Netherlands (carwash and construction) indicated that they perceived inspectors and police officers as friends of the employers.” (p. 22)

“Interviewees rarely recalled adverse consequences of inspections for their employers. One interviewee (**Italy**, manufacture) said that his employer was fined for irregular employment. [...] Five interviewees (**Italy**, the Netherlands and Poland) mentioned that their employers were arrested during the inspection based on a suspicion of labour exploitation and/or involvement in trafficking in human beings. Three interviewees (**Italy** and the Netherlands) reported that the police/labour inspectorate closed down the premises in the wake of inspections.” (p. 25)

“When asked about measures for stopping or preventing exploitation, research participants most often suggested:

1. increasing the frequency of inspections (Belgium, France, **Italy**, the Netherlands, Poland and the United Kingdom);
  2. improving the efficiency and/or thoroughness of inspections (**Italy**, Poland and the United Kingdom); [...]
- (p. 26)

## Hate crime recording and data collection practice across the EU (June 2018) <https://fra.europa.eu/en/publication/2018/hate-crime-recording>

“The European Network Against Racism’s (ENAR) report on *Forgotten women: The impact of Islamophobia on Muslim women* provides insight into the experiences of Muslim women victims of hate crime at the intersection of religion and gender in eight countries (Belgium, Denmark, France, Germany, **Italy**, the Netherlands, Sweden and the United Kingdom).” (p. 20)

### “Facing all the Facts

CEJI’s ‘Facing all the Facts’ project brings together partners from CSOs and law enforcement from six Member States (Greece, Hungary, Ireland, **Italy**, Spain, United Kingdom) to co-create online training on identifying and recording hate crimes.” (p. 26)

### “Italy

#### Legal framework

Article 604 ter of the **Italian** Criminal Code (CC) sets out a general aggravating circumstance for any offence punishable with a penalty other than life imprisonment if it is committed with discrimination purposes, with ethnic, national, racial or religious hatred purposes or with a view to facilitating the activities of organisations, associations, movements or groups pursuing these purposes.

Article 604 bis of the CC criminalises the violence and incitement to violence on racial, ethnic, national or religious grounds, the acts of discrimination or incitement to discrimination on racial, ethnic, national or religious grounds and the promotion of ideas based on racial superiority or ethnic or racist hatred. Furthermore, it set out the criminal offence of setting up or running, participating in or supporting any organisation, association, movement or group whose purpose is the instigation of racial discrimination or hatred.

#### Recording hate crime

Police officers record hate crimes like any other generic crimes. Initial crime reports include victim information and information about police action, and the relevant article of the criminal law that is entered in a specific box. The crime reports are then uploaded into and stored in the *Sistema di Indagine* (SDI) investigation crime database. The SDI is the official inter-agency police crime recording system, set up within the Central Directorate of Criminal Police of the Department of public security. The SDI is organised according to different criminal law provisions, which are marked on every report entered into the system. For this reason, the SDI system only serves to register strands of hate crime mentioned in the law. This includes ethnicity, nationality, race, religion or crime against national linguistic minorities. There is no specific marker for each bias motivation in the SDI, therefore crimes cannot be distinguished from one another in the database according to the motive. Crimes committed on other discriminatory grounds than those explicitly outlined in the law are entered in the database as ordinary (non-hate crime) offences. There is no possibility of flagging potential hate crimes at the moment of recording, nor are there instructions or policy documents to guide police in identifying and recording hate crimes.

The Observatory for Security against Acts of Discrimination (OSCAD) has a holistic approach to tackling hate crime. OSCAD was established in 2010 to assist victims and afford them protection against discrimination. It is a multi-agency body formed by the State Police and the Carabinieri, and it is housed within the Department of Public Security at the Ministry of the Interior. OSCAD runs its own monitoring system, also concerning discrimination not included in the legislation (i.e. sexual orientation and gender identity) and prepares reports for national and international authorities and agencies.

#### Data collection and publication

No institution is officially in charge of collecting data on hate crimes. Hate crime data are collected by law enforcement authorities and the Ministry of Interior. Data are not publicly available.

The main sources of data on offences related to hate speech and hate crime are the National Office against Racial Discrimination (UNAR, the equality body), OSCAD, SDI, the Ministry of Justice and the National Statistical Institute (ISTAT).

Data systems used by ISTAT and the Ministry of Justice do not use the same categories and do not always distinguish between hate speech and other offences linked to racism and racial discrimination. As the SDI does not allow distinction among hate crime strands, only aggregated data on all monitored strands of hate crimes can be generated. This includes hate crimes committed on the grounds of race/colour of skin, ethnicity, origin, minority status, citizenship, language, anti-Roma and Sinti, and religion (including antisemitism, anti-Muslim, anti-Christian and other religions).

#### Cooperation with civil society organisations

OSCAD has also become an important source of data on hate crimes, based on incidents reported by individuals, institutions and NGOs. OSCAD, combining State police and “Carabinieri”, comprises of police officers and cooperates with anti-racist NGOs and public institutions, including UNAR. OSCAD has a Memorandum of Understanding with UNAR that includes data exchange. OSCAD data are unofficial reports received with the [oscad@dcpc.interno.it](mailto:oscad@dcpc.interno.it) email. UNAR deals in particular with civil (not criminal) discrimination: when UNAR receives a report amounting to a hate crime, under a specific Memorandum of Understanding it sends it to OSCAD.” (all on pp. 62-63)