

European Union Agency for Fundamental Rights, selection of relevant (ICCPR) 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, tools and themes

Violence against women survey

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey?mdq1=country&mdq2=420>

LGBT Survey

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-lgbt-survey-2012?mdq1=country&mdq2=420>

Discrimination and hate crime against Jews in EU: experiences and perceptions of antisemitism

<http://fra.europa.eu/DVS/DVT/as2013.php>

Roma survey data explorer

<http://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-results-2011-roma-survey>

Local Engagement for Roma Inclusion (LERI) – Multi-Annual Roma Programme

<http://fra.europa.eu/en/project/2015/local-engagement-roma-inclusion-leri-multi-annual-roma-programme>

Annual Reports

Fundamental Rights Report 2016

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

1. Asylum in the EU in 2015

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

2. 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)

“FRA interviewed police and other law enforcement officers, public prosecutors and judges from criminal courts, experts working for victim support services, and representatives of civil society organisations. The results indicate that professionals believe that many police officers and judicial staff do not fully understand what hate crime constitutes and often lack the commitment necessary to identify hate crimes and prosecute and sentence offenders. 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)

Promising Practice: “Developing an EU model of good practice to tackle hate crime

The project Good Practice Plus is 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. It promotes measures to build the capacity of law enforcement officials, prosecutors and personnel of victim support services; awareness-raising programmes; and efforts to empower ethnic minority communities. The project aims to improve the position of hate crime victims, provide them with support, and ensure access to justice for victims of racism and hate speech. The project is a partnership between the Northern Ireland Council for Ethnic Minorities, the Police Service of Northern Ireland, Migrant Centre NI and Finland’s Ministry of the Interior. Seven other countries are formally engaged with the project: Belgium, the Czech Republic, Estonia, Greece, Ireland, **Italy**, and the Netherlands. The European Commission co-founded the project. For more information, see: <http://goodpracticeplus.squarespace.com/> (p. 82)

“The **Italian** Ministry of Labour and Social Policies adopted a National Plan against Racism, Xenophobia and Intolerance. It aims to monitor and support the implementation of the racial and employment equality directives by collecting data on labour discrimination, promoting diversity management policies, and taking measures to combat discrimination in the private sector.” (p. 86)

3. Roma Integration

“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 [national Roma integration strategies] - for example, in the Czech Republic, **Italy**, Spain and the United Kingdom. [...] **Italy** set up regional and local boards to implement the [national Roma integration strategies], 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.” (pp. 104-105)

“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)

4. Rights of the Child

“Initiatives also targeted other forms of violence, such as corporal punishment, during 2015. The European Committee of Social Rights (ESCR) focused on corporal punishment as a form of violence

against children and has now adopted all decisions on the merits of the collective complaints made in 2013 against several Member States. 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)

5. Access to Justice, including Rights of Crime Victims

Promising Practice: “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.³⁴ 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)

Fundamental rights: challenges and achievements in 2014 - Annual Report 2014 (2015)

http://fra.europa.eu/sites/default/files/fra-annual-report-2014_en.pdf

1. Equality and non-discrimination

“Not knowing where to turn to seek redress in cases of discrimination is, however, often the first barrier to being able to fully exercise the fundamental right to equal treatment. No single organisation or body is responsible for enabling people to seek redress. FRA, together with a group of national human rights bodies, therefore continued working in 2014 on a pilot online tool named ‘Clarity’ to help victims of discrimination and other fundamental rights violations gain better access to non-judicial remedies. The bodies involved represented Austria, Bulgaria, Cyprus, Finland, France, Greece, Hungary, **Italy**, Malta, Portugal, Romania, Slovakia, Spain and the United Kingdom (Northern Ireland).” (p. 29)

“Member States also took steps to begin training staff involved in the management and control of ESIF on EU anti-discrimination law and policy, in line with the second conditionality [*anti-discrimination: arrangements to train staff of the authorities involved in the management and control of ESIF in the fields of Union anti-discrimination law and policy*]. This happened in Austria, Belgium,

Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, **Italy**, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Romania, Slovakia, Slovenia, Spain and Sweden. The criteria to be met under this conditionality are having a plan in place, and the plan covering all relevant actors.” (p. 31)

“Concerning the third conditionality [*disability: arrangements in accordance with the institutional and legal framework of Member States to consult and involve bodies in charge of protecting the rights of persons with disabilities or representative organisations of persons with disabilities and other relevant stakeholders throughout the preparation and implementation of programmes*], some Member States have consulted or plan to consult with bodies in charge of protection of rights of persons with disabilities or disabled persons organisations (DPOs). This was the case in Austria, Belgium, Bulgaria, Cyprus, Denmark, Estonia, France, Greece, Hungary, Ireland, **Italy**, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Spain and Sweden. The criteria to be met under this conditionality include having a plan in place to involve such organisations, identifying relevant actors and their roles and facilitating their active involvement in the process.” (p. 31)

“For the fourth conditionality [*disability: arrangements to train staff of the authorities involved in the management and control of the ESIF in the fields of applicable Union and national disability law and policy, including accessibility and the practical application of the CRPD as reflected in Union and national legislation, as appropriate*], Member States took steps to ensure that relevant staff will be trained on applicable EU and national disability law and policy, including accessibility and the implementation of the CRPD. This happened in Austria, Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, **Italy**, Latvia, Luxembourg, Malta, the Netherlands, Portugal, Romania, Slovenia, Slovakia and Spain. The criteria to be met under this conditionality are having a plan in place, and the plan covering all relevant actors.” (p. 31)

2. Racism, xenophobia and related intolerance

“Complaints filed with the national equality bodies in a number of Member States, including Austria, Belgium, Croatia, the Czech Republic, Greece, **Italy**, Luxembourg, Spain and Sweden, show that race, ethnicity and skin colour remain amongst the most common grounds of reported discrimination.” (p. 50)

“At the same time, research points to a trend in anti Muslim sentiments: according to the Pew Research Centre survey results, a median of 46 % (ranging from 26 % to 63 %) of respondents in France, Germany, Greece, **Italy**, Poland, Spain and the United Kingdom hold anti-Muslim views. The research also found that the majority population perceives Jews in a more positive way than Muslims.” (p. 52)

Promising Practice: Tackling hate crime

“The Italian Observatory for Security against Acts of Discrimination (Osservatorio per la sicurezza contro gli atti discriminatori, OSCAD), established in September 2010, assists victims of crimes with a discriminatory motive to assert their right to equality before the law, and affords them protection against discrimination. A multi-agency body formed by the state police and the carabinieri, and housed in the Department of Public Security at the Ministry of the Interior, OSCAD works closely with civil society organisations such as LGBT rights organisations and Amnesty International Italy. Citizens, institutions and NGOs can report incidents to OSCAD, which then contacts relevant police services so that cases can be properly investigated. If the reported incidents are not of a criminal nature, they are referred to the national equality body, the National Office against Racial Discrimination (Ufficio Nazionale Antidiscriminazioni Razziali, UNAR). OSCAD is also tasked with preparing training materials on combating discrimination for the police forces. It also participates in training and information programmes with public and private institutions, as well as in the OSCE Training against Hate Crime for Law Enforcement programme. For more information, contact: oscad@dcpc.interno.it” (p. 56)

3. Roma integration

“A public opinion poll conducted by the Pew Research Centre in March–April 2014 in seven EU Member States shows that Roma are viewed unfavourably by a median average of about half of those surveyed (Spain 41 %, Germany 42 %, Poland 50 %, United Kingdom 50 %, Greece 53 %, France 66 %, **Italy** 85 %).” (p. 73)

“Civil society organisations are part of working groups in Belgium, **Italy** and Slovakia” (page 74)

4. Asylum, borders, immigration and integration

“Because there are limited opportunities to enter the EU lawfully, people in need of protection continued to resort to smuggling networks to reach safety. In the central Mediterranean, irregular arrivals by sea increased substantially – 170,100 persons reached **Italy** alone. Most of them were people likely to be in need of protection fleeing countries such as Eritrea or Syria. The majority of them were rescued under the auspices of Mare Nostrum, a large rescue at sea operation **Italy** launched on 18 October 2013 in response to the tragedy near Lampedusa costing the lives of 365 persons.⁶ The military vessels deployed by **Italy** as part of the Mare Nostrum operation remained at sea until the end of 2014, although the operation scaled down after the start of the Frontex-coordinated Triton operation in November.” (p. 86)

“The judgment on *Sharifi and Others v. Italy and Greece* condemned **Italy** for automatically returning persons arriving from Greece at Italian ports. The authorities violated their rights by handing these arrivals over to ferry captains, thus depriving them of access to the asylum procedure or any other remedy. In *Tarakhel v.*

Switzerland, the ECtHR ruled that there would be a violation of Article 3 of the ECHR if a family with minor children who applied for international protection were returned to **Italy** under the Dublin Regulation without Switzerland having first obtained the Italian authorities' guarantees that the applicants would be taken charge of in a manner adapted to the children's ages and that the family would be kept together" (p. 88)

"In another five Member States (Bulgaria, Cyprus, Greece, **Italy** and Portugal), the return monitoring system is still in a preparatory phase pending staff, funding, training and/or other action." (p. 89)

"Ten Member States (Croatia, Finland, France, Greece, **Italy**, the Netherlands, Poland, Portugal, Romania and Slovenia), amended their legislation to establish independent monitoring systems in 2014. [...] **Italy** created a national monitoring authority for persons deprived of liberty; once established, it should also monitor forced returns." (p. 89)

"In 2014, however, five Member States (France - until May, Germany, Greece, **Italy** and Sweden) that lacked an operational monitoring system carried out by an independent authority (i.e. an authority different from the branch of government responsible for return), according to FRA's assessment, organised 20 return operations. These operations concerned 1,089 of the 2,279 persons returned through Frontex-coordinated flights in 2014. In seven of these 20 operations, however, observers from other states were present." (p. 91)

"However, turning from policy to practice, fewer Member States adopted and implemented concrete measures, such as training for public officials and civil servants dealing with migrants. Austria, Croatia, the Czech Republic, Germany, Greece, Hungary, Ireland, **Italy**, Latvia, Malta, the Netherlands and Slovenia did so." (p. 96)

"Twelve EU Member States (Austria, Croatia, the Czech Republic, Denmark, Germany, Greece, Ireland, **Italy**, Latvia, Malta, the Netherlands and Slovenia), implement training programmes and capacity building for public administration. They offer these resources to civil servants dealing with migrants." (p. 96)

"In most cases, such curricular programmes provide information, knowledge and skills enabling pupils to live in community in modern ethnically diverse societies. However, in eight Member States (Belgium, Cyprus, Estonia, France, Greece, Hungary, Portugal and Slovakia), there are no such elements in the national curriculum. In Bulgaria, **Italy** and Romania, diversity is addressed in extracurricular activities." (p. 98)

5. Information society, Privacy and Data Protection

"In Belgium, France or **Italy**, for instance, when vested with exercising individuals' right to access their own data, [data

protection authorities] are permitted to inform the individual only that the necessary checks have been made, but not which data have been processed if such information affects the security of the state.” (p. 112)

6. Rights of the Child

“In 2014, 17 EU Member States received one or more country-specific recommendations related to children. Ten Member States (Belgium, Croatia, Finland, Lithuania, Luxembourg, Latvia, Malta, the Netherlands, Portugal and Slovenia) did not receive any child-focused recommendations in the 2014 European Semester

Seven country-specific recommendations focus on child poverty: these were made to Bulgaria, Hungary, Ireland, **Italy**, Romania, Spain and the United Kingdom. These seven countries have high proportions of children living in poverty or social exclusion, all above 30%.” (p. 129)

“A report by the Network of Independent Experts on Social Inclusion found that countries with high rates of child poverty or social exclusion use structural funds more than those with lower poverty levels, although not all countries with high child poverty rates make use of the funds. Croatia, Greece, Hungary, Ireland, Latvia and Spain, which have high or very high poverty rates, made good use of EU funds. It appears that some countries, such as Bulgaria, **Italy**, Lithuania, Romania and the United Kingdom, do not make full use of these EU funds, although they also have high rates of child poverty or social exclusion.” (p. 132)

7. Access to Justice, including Rights of Crime Victims

“The ECtHR delivered several judgments on the principle of no double jeopardy (*ne bis in idem*) in 2014. The *Grande Stevens* case concerns administrative and criminal proceedings brought against two companies in respect of allegations of market manipulation in **Italy**. The ECtHR holds that although the initial proceedings are described as administrative in Italian law, the severity of the fines imposed on the applicants means that the proceedings have effectively been criminal in nature. Since the criminal proceedings brought subsequently concern the same conduct, by the same persons and on the same date, the principle of *ne bis in idem* is violated. The ECtHR judgment confirms that where both criminal sanctions and sanctions formally classified as administrative are applied, the latter will not necessarily be immune from challenge under the principle of no double jeopardy.” (p. 147)

“In the *M* case (C-398/12), a suspected perpetrator of sexual violence is subject to parallel investigations in **Italy** (on the basis of the suspect’s nationality) and in Belgium (where the crime was allegedly committed). The CJEU holds that the Belgian authorities’ finding that there is no ground to refer the case to a trial court, as there is insufficient evidence, is a decision on

the merits of the case and bars further prosecution in **Italy** or indeed in any other EU Member State.” (p. 147)

“FRA evidence shows that while the police are legally obliged to provide victims with information on available support services in only 15 EU Member States, in practice the police provide this information in 21 EU Member States. In some Member States, including Greece, **Italy**, Lithuania and Spain, the obligation to provide information on available support services applies only to victims of specified offences, such as domestic violence. The provision of information on compensation and on the rights and role of victims in criminal proceedings shows similar patterns.” (p. 151)

Thematic Reports

Current migration situation in the EU: separated children (December 2016)

http://fra.europa.eu/sites/default/files/fra_uploads/fra-december-2016-monthly-migration-report-separated-childr.pdf

“**Italy** and Germany do not implement a common procedure throughout the country; the procedure depends on the authorities in charge of registration in each territory. In Apulia (**Italy**), there have reportedly been instances where, when an adult is with a child, the child is registered as an accompanied child and both are hosted in the same centre with no further investigation to assess the relationship.” (p. 5)

“In **Italy**, the Ministry of Labour and Social Policies publishes every four months a report on the condition of unaccompanied children, sharing official data on the number of children hosted in reception facilities.” (p. 15)

Current migration situation in the EU: hate crime (November 2016)

http://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-november-monthly-focus-hate-crime_en.pdf

“In Fermo, **Italy**, a Nigerian asylum seeker – reacting to racist insults addressed to his wife – was attacked and killed with an iron pole.” (p. 2)

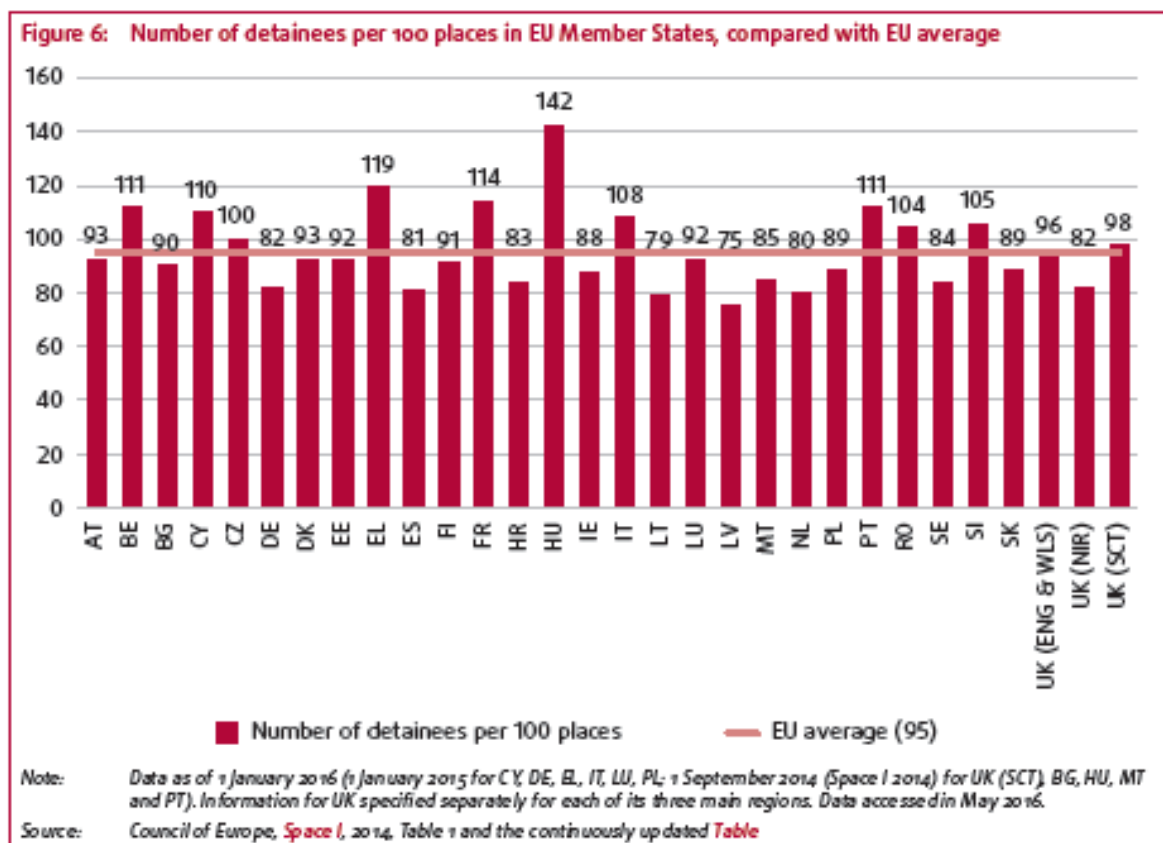
“In Bulgaria and in **Italy**, demonstrations in the proximity of reception centres for asylum seekers were organised, sometimes by persons associated with extreme-right ideology. In **Italy**, these demonstrations entailed street barricades, arson of the planned reception centres, campaigns to influence municipal authorities’ political decisions, and violent and racist language on social media and during demonstrations.” (p. 6)

“There are also reports of widespread hate speech against asylum seekers and migrants online – for example, in Spain and **Italy**. However, as noted by relevant stakeholders, it is nearly impossible to quantify such incidents and extremely difficult for the police

and judicial authorities to investigate and prosecute responsible subjects.” (p. 7)

Criminal detention and alternatives: fundamental rights aspects in EU cross-border transfers (November 2016)

http://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-criminal-detention-and-alternatives_en.pdf



“All but five (Austria, Cyprus, **Italy**, Slovenia and Spain) of the 28 EU Member States use community service either as an alternative to custodial punishment or as part of the probation measures placed on a sentenced person.” (p. 69)

“Both **Italy** and Portugal have a form of home detention that permits women to serve their sentences in their own homes, which allows the mother and child, and other family members, to stay together in their local community.” (p. 77)

“In **Italy**, home detention is available in a variety of circumstances, including where a person is suffering from serious physical infirmity, where he/she is suffering from AIDS or similar diseases, their health conditions are incompatible with detention, or they are over 70.” (p. 79)

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

http://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-right-to-information-translation_en.pdf

Promising practice: Developing a common quality standard for the [legal translators and interpreters] 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 [legal translators and interpreters] register in **Italy**.” (p. 54)

“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)

“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)

Key migration issues: one year on from initial reporting (October 2016)

http://fra.europa.eu/sites/default/files/fra_uploads/fra-october-2016-monthly-migration-focus-key-issues-0_en.pdf

“The lack of clear guidance on how to identify children at risk and the lack of qualified staff at registration and first reception remain issues of concern (for example in Italy), even if several EU Member States have increased the number of ad hoc training initiatives.” (p. 4)

“Despite EU Member States’ efforts in the past year to strengthen their guardianship systems and ensure the prompt appointment of guardians, significant delays remain in appointing guardians in most Member States; unaccompanied children have to wait for several months in Germany (up to five months) and in **Italy** (up to eight months). In practice, authorities often start the asylum procedure without the presence of a guardian (Bulgaria, Greece and **Italy**).” (p. 4)

“A number of EU Member States (for example Bulgaria and **Italy**) promote the assignment of guardianship responsibilities to staff members of reception facilities where children are placed. It is a practical measure to overcome the challenge to promptly appoint a guardian and make individual guardians available. Such measures, however, disregard the potential conflict of interests between the reception facility staff member assigned guardianship responsibilities with the interests of the child; it also raises concerns about the independence and impartiality of guardians.” (p. 5)

“Overall, the number of places in specialised facilities is still insufficient for unaccompanied children. As a result, children remain in crowded first reception and transit facilities (for example in Germany and Sweden) and in hotspots (as in Greece and **Italy**) where quality and child protection standards are not met for lengthy periods before they are transferred to specialised facilities.” (p. 6)

“Unaccompanied children are often transferred several times before they are placed in a specialised reception facility at municipal or local level (for example in Germany, **Italy** and Sweden). Italy, for example, has developed a two-pronged system for the reception of unaccompanied children: they are initially placed in first reception centres, then in second reception centres, both of which are specialised in accommodating them, and eventually they enter child protection facilities run by municipal authorities. Reports show that in the case of great numbers of migrants arriving, unaccompanied children might stay for several weeks in first reception centres or even in hotspots before they are placed in a dedicated facility.” (p. 7)

“In Bulgaria, **Italy** and Hungary, legislation prohibits migration detention of unaccompanied children. In practice, however, children are detained for migration purposes in several EU Member States.” (p. 8)

“In **Italy**, problems with a lack of financial resources occur with respect to special reception centres (*Centri di Accoglienza Straordinaria*, CAS), which are managed at regional level as reported by the National Association of Italian Municipalities. Even more serious is the challenge related to the reception of children. Even though municipalities are supported by the central government’s fund targeted at the reception of children, the strong increase in numbers of children arriving in Italy and special needs of unaccompanied children caused a lack of resources.” (p. 11)

“Incidents of police violence in **Italy**, applied to persuade persons to cooperate during identification, continue to be reported when implementing identification and receptions procedures, although no formal complaint has ever been filed.” (p. 13)

“The nature of some of the incidents is very violent. In Fermo, **Italy**, a Nigerian asylum seeker, reacting to racist insults

addressed to his wife, was attacked and killed with an iron pole. In Sicily, **Italy**, four children were violently attacked by locals and hospitalised, one being in a serious condition.” (p. 13)

“Investigations remain difficult because the websites are often based in foreign countries where hate speech does not constitute a criminal offence (**Italy**) or criminal proceedings are many times not initiated at all (Bulgaria).” (p. 15)

Ensuring justice for hate crime victims: professional perspectives (April 2016)

http://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-justice-hate_crime-victims_en.pdf

“The fact that homophobia and disability are not yet grounds covered by the law is a shortcoming in the legislation that should be overcome.” (Police officer, **Italy**) (p. 19)

“A number of interviewees (including from **Italy**, Poland and Slovenia) alluded to politicians contributing to the problem of hate crime with public racist or discriminatory statements.” (p. 19)

“There are victims of first class and victims of second class: while crimes against Jews would not be tolerated, there is a sort of consensus for crimes against gypsies”. (Judge, **Italy**) (p. 21)

“In some countries, platforms and websites for reporting hate crime to entities other than the police were established. For example, in **Italy**, the Observatory for Security Against Discriminatory Acts (OSCAD) in 2010 established an online reporting system (by e-mail and fax) through which victims, organisations and institutions can report cases that occurred in the territory of the police. The grounds of discrimination covered are wider than those covered by existing legislation: race, ethnicity, nationality, religion, gender, age, language, disability, sexual orientation and sexual identity. The National Office against Racial Discrimination (UNAR) also established a reporting mechanism, which includes a website and a helpline. When UNAR receives information on a case of discrimination that constitutes a criminal offence, it has to refer it to the police.” (pp. 43-44)

Professionally speaking: challenges to achieving equality for LGBT people (March 2016)

http://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-lgbt-public-officials_en.pdf

“Some of the respondents express concerns that EU legal and policy standards are not met in the area of fundamental rights of LGBT persons. In one group of countries – namely Bulgaria, Croatia, Finland, France, Greece, Hungary, **Italy**, Latvia, Lithuania, Malta, Poland, Romania and Slovakia – public officials indicate that an adverse social climate and occasional political opposition forms an important barrier to the effective implementation of national equality legislation and policies. In these Member States, lack of

awareness about the fundamental rights of LGBT persons is quite common among many interviewees, who also report widespread prejudice against LGBT persons in their country. [...] In a few EU Member States, including Austria, Spain and **Italy**, the regional variations appear to be very wide, with evidence of some poor practices and some promising ones – such as positive measures, special bodies and mechanisms, or policies and strategies for the implementation of policies.” (pp. 9-10)

“Six EU Member States studied (Bulgaria, **Italy**, Latvia, Poland, Romania and Slovakia) do not have any specific legal measures that take into consideration the motivation of homophobic or transphobic hate crimes. It is also common for public officials and law enforcement officers interviewed in these countries not to acknowledge that LGBT persons have specific issues and needs.” (p. 49)

“In just under half of the EU Member States surveyed, the respondents were aware that some type of specialised training was available [...] In several other states (such as **Italy** and Malta), such training is provided – but only for new police recruits rather than existing officers.” (p. 53)

“I admit that I find sex between two men repulsive, which probably originates from my cultural background, characterised by a strong religious influence. In spite of that, I know I have to behave in a suitable way when dealing with LGBT persons. But I need to work on it: maybe unconsciously my repulsion causes me to consider some claims less seriously.” (Police officer, **Italy**) (p. 56)

“As law enforcement professionals indicated, the majority of Member States studied do not appear to have any specific practices, guidelines or instruments in place to combat hate crimes against LGBT persons (Austria, Bulgaria, Finland, France, Greece, **Italy**, Latvia, Lithuania, Poland, Romania and Slovakia).” (p. 57)

Protection against discrimination on grounds of sexual orientation, gender identity and sex characteristics in the EU – Comparative legal analysis – Update 2015 (December 2015)

http://fra.europa.eu/sites/default/files/fra_uploads/protection_against_discrimination_legal_update_2015.pdf

“At national level, as of 2014, ten EU Member States (Austria, Denmark, Finland, Ireland, **Italy**, the Netherlands, Poland, Slovakia, Spain and Sweden) treat discrimination on the ground of gender identity as a form of sex discrimination.” (p. 28)

“At the local level, Austria and **Italy** have established specific offices dealing with LGBTI matters in some municipalities (Vienna, Turin, Venice and Bologna) in order to implement the respective city councils’ commitment to addressing LGBTI issues and developing anti-discrimination policies.” (p. 36)

“In eight other Member States (Bulgaria, the Czech Republic, Germany, **Italy**, Latvia, Poland, Romania and Slovakia) incitement to hatred, violence or discrimination against LGBTI people is not explicitly defined as a criminal offence.” (p. 59)

“Finally, in the ground-breaking judgement in *Oliari and Others v. Italy*, the ECtHR found that, by not ensuring the availability of a specific legal framework providing the recognition and protection of same-sex unions, the government failed to fulfil its obligations under Article 8 of the convention.” (p. 81)

Violence against children with disabilities: legislation, policies and programmes in the EU (December 2015)

http://fra.europa.eu/sites/default/files/fra_uploads/fra-2015-violence-against-children-with-disabilities_en.pdf

“Many respondents identified ethnicity as a factor that can increase children with disabilities’ risk of violence. In some countries – such as Austria, Denmark, **Italy**, the Netherlands Poland, Portugal, Sweden and the United Kingdom – respondents spoke about other ethnicities or migratory backgrounds in general [...]” (p. 81)

“Many respondents, notably from Austria, Denmark, **Italy**, the Netherlands, Slovenia, Sweden and the United Kingdom, identified gender as an important factor increasing the vulnerability of children with disabilities and their risk of violence. Specifically, respondents noted that girls with intellectual or psychosocial disabilities are at risk of becoming victims of sexual abuse.” (p. 83)

Promoting respect and diversity - Combating intolerance and hate (September 2015)

http://fra.europa.eu/sites/default/files/fra_uploads/fra-2015-paper-colloquium_en-0.pdf

“However, the anonymity afforded to internet users does not necessarily mean they can post racist or xenophobic material with impunity: in 2013, the Supreme Court in **Italy** found that managing a blog inciting racial hatred is equivalent to participating in a criminal association.” (p. 5)

Severe labour exploitation: workers moving within or into the European Union (June 2015)

http://fra.europa.eu/sites/default/files/fra-2015-severe-labour-exploitation_en.pdf

“Prejudice against workers moving within or into the EU in general may lead to tolerance of their exploitation by the public. Many respondents – for instance from **Italy**, the Netherlands, Spain and the United Kingdom – spoke of the need for greater awareness-raising among the public to foster public debate on labour exploitation and encourage the reporting of situations of labour exploitation by citizens.” (p. 52)

“[I]n agriculture [...] and in manufacturing, textiles and clothing, there are situations that are particularly known, and clearly identified as labour exploitation, but [in these sectors] often [the police] do not intervene. I don’t know why, maybe for lack of a political will, or for the inability of institutions to react.” (Lawyer, **Italy**) (p. 54)

“Even when victims do report to the authorities, they might still not be treated as victims. In a case in **Italy** involving the exploitation of migrants from Ghana in agricultural work, the victims were encouraged to lodge complaints after political activists took an interest in their situation. As a result of their reporting the exploitation, they were detained for expulsion.” (p. 87)

“Judicial respondents in Italy reported that prosecuting the leaders of criminal organisations was worthwhile but that the statistically more frequent illegal gangmaster (caporalato) prosecutions were not useful in eliminating the phenomenon as a whole.

Many respondents pointed to the fact that proceedings take too long and that not only have victims and witnesses disappeared or been deported by the time cases come to court, offenders have moved their assets. There are also difficulties in prosecuting foreign offenders, or if a recruitment agency is located abroad.” (p. 89)

Victims of crime in the EU: the extent and nature of support for victims (January 2015)

http://fra.europa.eu/sites/default/files/fra-2015-victims-crime-eu-support_en_0.pdf

“In **Italy**, victims of certain offences (sexual offences, human trafficking, slavery and persecutory acts) can request the judicial hearing to take place without the presence of the public, and for victims who are minors this measure takes place automatically.” (p. 47)

“In some of the remaining EU Member States, including Greece, **Italy**, Lithuania, Portugal and Spain, the obligation to provide information on available victim support services is not universal and applies only to victims of specified offences, such as domestic violence.” (p. 50)

Promising practice: Adopting special measures for child victims of sexual abuse

“In **Italy**, the Center for Maltreated Children and family crisis treatment (CBM) provides a 24-hour helpline for individuals, as well as assistance and advice to social services in the area of child abuse. It also carries out awareness-raising initiatives to support people directly involved in the protection of abused children to enable them to recognise signs of child abuse and to understand how to respond.” (p. 82)