



# DEMOCRACY AT THE CROSSROADS

Mapping rights and freedoms in Italy - 2024

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## INTRODUCTION

As we mark International Human Rights Day on December 10th, commemorating the 76th anniversary of the Universal Declaration of Human Rights, this report examines the state of democracy and fundamental rights in Italy. Since 2022, through significant policy shifts and legislative changes, Italy's democratic institutions and civil liberties have faced mounting pressures that warrant careful scrutiny.

This assessment maps the evolution of rights and freedoms in Italy in the last year, analysing key government initiatives and their impact on democratic values enshrined in the Italian Constitution and in the Universal Declaration of Human Rights. From freedom of assembly to press independence, from migrant and refugee rights to judicial autonomy, our findings reveal concerning trends that require immediate attention from both domestic and international stakeholders.

Drawing on extensive field research, expert interviews, and policy analysis, this report documents specific cases where democratic principles have been tested and examines systemic challenges to Italy's rights framework. As Italy stands at a critical juncture, our findings aim to inform policy discussions and advocate for measures that strengthen rather than diminish democratic safeguards.

## THE EROSION OF CIVIC SPACE

Since the right-wing majority government led by Giorgia Meloni took office in October 2022, concerns have been raised about the gradual erosion of civic space. This worrying process has been called out by many civil society organisations committed to monitoring and reporting the shortcomings and implications of legislative measures impacting civil rights. The same organisations have been advocating for a change of direction which would enhance respect of the rule of law and other democratic principles.

### Press Freedom

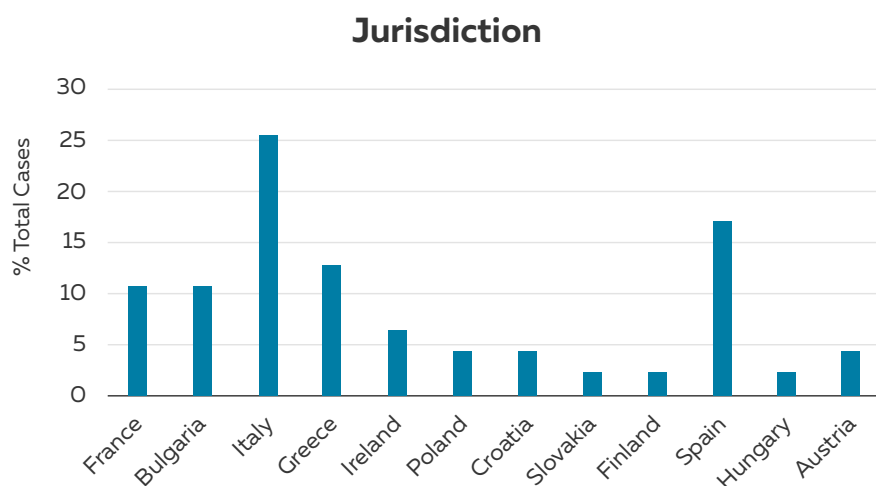
As regards press freedom, the European Commission [pointed out](#) defamation needs to be decriminalised, compliance with the EU Anti-SLAPP directive must be ensured, and attacks on journalists must end.

### DEFAMATION AND STRATEGIC LAWSUITS AGAINST PUBLIC PARTICIPATION (SLAPPS)

As a reaction to the [Constitutional Court](#) ruling that found the penalty of imprisonment for press defamation – provided for in Article 13 of the Press Law – unconstitutional and incompatible with Article 10 of the European Convention of Human Rights, five different bills on defamation have been presented and are currently being discussed in the Parliament. Particularly notable is the so-called “[Balboni Bill](#)” which would fail to decriminalise defamation, and would prioritise the right to reputation over the right of freedom of expression. Indeed this Bill seeks to increase pecuniary penalties for defamation, up to €10.000, which would be particularly concerning for freelance journalists with limited means – thus fulfilling the aim of intimidating them into silence. Moreover, it would establish a penalty of suspension from performing journalistic activities for a period of one to six months. This is of serious concern due to its potential deterrent effect even on criticism that would be valid.

Linked to defamation, Italy has recorded a steep increase in Strategic Lawsuits Against Public Participation (SLAPP) cases. A [study](#) has shown that in 2022 and 2023, across Europe, the highest number of SLAPP cases were recorded in Italy, amounting to 25.5% of total cases. The majority of lawsuits were launched by political figures, targeting government critics.

TABLE 1. JURISDICTION SEIZED AS % ON TOTAL CASES



(Source: European Parliament, Open SLAPP cases in 2022 and 2023, November 2023, Policy Department for Citizens' Rights and Constitutional Affairs Directorate-General for Internal Policies. Last accessed on 06/09/24)

Below are some examples as contained within the Rule of Law Report 2024 published by Liberties, which were successfully mapped through a [tool](#) provided by the European Center for Press and Media Freedom.

- Matteo Salvini, Minister of Infrastructures and Transport and leader of the party Lega, declared that he had given his attorneys the go-ahead to [sue](#) L'Espresso over their coverage in 2019 of the so-called Metropoli affair, in which the publication disclosed alleged ties between his party and the Kremlin;
- Daniela Santanché, Minister of Tourism and member of Fratelli d'Italia (Meloni's party), declared in June that she had instructed her attorneys to launch a [defamation case](#) against RAI's investigative program Report because of the program's recent critical reporting on the minister's commercial endeavours;
- In October 2023, the Criminal Court of Rome convicted writer and journalist Roberto Saviano of criminal defamation in a case brought by current Italian PM Giorgia Meloni. The [criminal lawsuit](#) was brought by Meloni in 2021, accusing the journalist of aggravated criminal defamation due to his critical comments about Meloni's persistent anti-migrant stance, voiced during the television programme, Piazza Pulita.

Moreover, in February 2024, the so-called “[Bavaglio Law](#)” was approved, allowing the government to amend Article 114 of the Criminal Code (through the so-called “Costa amendment”). This amendment restricts the publication of documents during proceedings. Indeed, Article 4 imposes a ban on publishing any content on the reasons for arrest or judicial proceedings or on the contents of precautionary custody orders until the end of the preliminary hearing. In other words, it restricts the publication of procedural documents verbatim, full of interceptions and information still to be verified. This poses a significant [threat](#) to the right of the citizens to be informed.

## ATTACKS AGAINST JOURNALISTS

Unfortunately, legal threats are not the only type of attacks suffered by journalists due to their criticism against the Government.

Since 2017, the [Italian Coordination Centre](#) has led the monitoring, analysis, and exchange of information on the phenomenon of intimidation of journalists. During such, they noted that in [2022](#), police recorded 111 incidents of intimidation against journalists, with 27% occurring online. Of these, 10% were linked to organised crime, 48% to socio-political contexts, and 42% to other contexts. Verbal attacks and physical assaults (20 cases each) were the most frequent forms of intimidation.

In [2023](#), a 12% decrease was observed with a total of 98 incidents, 30% of which were online. Cases linked to organised crime rose slightly to 12%, while socio-political contexts accounted for 41%. Most victims were journalists while 8% of the attacks targeted media offices or crews.

In the [first trimester of 2024](#), 26 incidents were reported, 77% targeting journalists. Over half were linked to socio-political contexts, with no connections to organised crime. Eight incidents occurred online, while 8 involved property damage and 4 involved threatening graffiti.

Nevertheless, the data emerging from this monitoring body evidences underreporting, in that SLAPP cases are not recorded, and the body itself is chaired by the Ministry of the Interior. Hence, it is exposed to political interference, undermining the impartiality of the data. Indeed, monitoring mechanisms promoted by civil society organisations are of utmost importance to ensure a non-biased collection of data. For instance, thanks to the activity carried out by [Osservatorio Ossigeno](#), a higher number of incidents are reported.

As for data collected in [2022](#), 241 incidents of threats and intimidation were reported,

targeting 721 journalists. Over half involved violence-related attacks such as “warnings”, personal threats, and social media threats, with 8% experiencing physical assaults. Threats originated mainly from private citizens or associations (43%), public institutions (25%), and criminal organisations (14%).

In [2023](#) incidents decreased, totalling 185 incidents targeting 500 journalists. The most common forms were “warnings” (36%) and frivolous lawsuits (34%), with 13% involving assaults. Threats primarily came from private citizens or associations (37%), public institutions (29%), and criminal organizations (13%).

Lastly, [from January 15 to April 15 2024](#), 43 incidents involving 133 journalists were recorded, 25% of whom were women. Collective threats against entire editorial teams increased, with 80% being “warnings” and 17% being frivolous lawsuits. Threats came mainly from private citizens or associations (30%), public institutions (30%), and criminal organisations (15%).

<b>Table 1. Comparison between data reported by the Italian Coordination Centre and Osservatorio Ossigeno regarding attacks against journalists.</b>		
Year	Italian Coordination Centre (Centro di Coordinamento sul fenomeno degli atti intimidatori nei confronti dei giornalisti)	Osservatorio Ossigeno
2022	111	241
2023	98	185
2024	26 (Jan-March 2024)	43 (Jan-Apr 2024)

This evidence highlights the importance of independent reporting mechanisms, which ensure transparency and a reliable, realistic mapping of threats against journalists and their critical voices.

## Case Study

### Journalist Andrea Joly, La Stampa, assaulted in Turin.

Recently, in Turin, a journalist from La Stampa was [physically assaulted](#). On the evening of 20 July 2024, Andrea Joly was passing by a place where a gathering of CasaPound (a hard-right-wing movement) was happening. He was documenting the lively gathering he had come across with his phone camera, when a group of 2-4 extremist right-wing militants attacked him, pushing and punching him on the ground.

The President of the Senate, Ignazio La Russa, [commented](#) on the event, saying that the journalist should have been “more careful”. Aside from doubting the fact that the journalist had come across this event by chance, La Russa suggested that the modalities of Joly’s reporting activity would explain the aggression. A few days later, President of the Republic Sergio Mattarella condemned the aggression on the occasion of the annual Ventaglio Ceremony. In his [speech](#), he stressed the role of free journalism in democracies, enhancing citizens’ fair access to information: “Every act directed against free information is a subversive act directed against the Republic.”

Soon after, right-wing daily newspaper Il Giornale [published](#) a proscription list. It contained the names of six journalists who allegedly provided information for the [report](#) published by the Media Freedom Rapid Response on the democratic drift happening in Italy due to the increasing threats to press freedom. Those journalists were accused of being “anti-Meloni”, and this event is a strong example of intimidation and threats against journalists who criticise Meloni’s government and serves as persuasive evidence of the illiberal drift observable in Italy. The Committee of Journalists of Repubblica [commented](#): “Threats and coordinated actions of squadristism through media do not intimidate us, nor will they make us retreat by even a millimetre: the powerful come and go, but journalism remains.”



## Media Freedom

Further concerns have been raised regarding media freedom. It is indeed another side of this worrying process which is negatively affecting the civic space in Italy. In late July 2024, the EU Commission released the long-awaited [2024 Rule of Law Report](#), which revealed several challenges about the governance of the public service media and its funding system, which have been undermining its independence from political influence. In light of the main findings of the report, Meloni publicly reacted to those allegations with a [letter](#) to Von der Leyen, stating: “The content of this document has been distorted for political purposes by some in an attempt to attack the Italian Government. Some have even gone so far as to claim that the Rule of Law is at risk in Italy, particularly about freedom of information and the public broadcasting service”.

In particular, the letter addressed three criticisms pointed out by the EU Commission: the threatened independence of the public service media (PSM) through political interference; the causality between the new editorial line and the resignation of many TV hosts; and the alleged lack of respect of the *par condicio* rule during the European Parliament 2024 election. Moreover, Meloni [denounced](#) the report for instrumentalising information and creating “fake news” about respect of the Rule of Law in Italy to undermine the government: “These are therefore clumsy and baseless attacks, which can only gain traction in the disheartening context of the recurring use of fake news that increasingly pollutes the debate in Europe”.

Contrastingly, the [2023 Media Pluralism Monitor](#) placed Italy amongst the countries in which the independence of public service media is most threatened. These concerns were reinforced in their [2024 report](#), where the independence of the public service media was assessed as being at the highest risk level (71%). Provisions regulating the appointment of Rai’s Board of Directors are defined under Article 63 of the [Unified Text on Audiovisual Media Services](#) (TUSMA). The seven members of the Board are nominated for three years by the Chamber of Deputies (2 members), the Senate (2 members), the Council of Ministers on the proposal of the Ministry of Economics and Finance (2 members), and finally by Rai’s workers’ assembly (1 member). Thus, the political forces represented in Parliament and the Government are inextricably linked to the appointment of the company’s top management figures. On October 1 2024, the new Rai Board of Directors [took office](#). Simona Agnes was nominated as new President; Giampaolo Rossi, as expected, as CEO; and Roberto Sergio as General Director.

Additionally, Rai’s autonomy is further threatened on a financial level. The 2024 [Budget Law](#) reduced the licence fee (Canone Rai) paid by citizens from €90 to €70. Hence, Rai’s independent revenue [is suffering](#) a 22% cut. This remarkable reduction in the resources Rai relies on to operate and fulfil its public service mission [undermines](#) Rai’s financial autonomy and sustainability.

Usigrai - the union representing Rai journalists - [condemned](#) those changes as “a sign of the occupation of the public service” by the far-right government of Prime Minister Giorgia Meloni. “Public service media is based on two pillars, autonomy and independence. Currently, we can see that in Italy, these two pillars are cracked and are no longer guaranteed. With this change at the top, we have further proof that the Italian government can control the public service and influence the citizens’ right to be informed,” [reacted](#) General Secretary Ricardo Gutiérrez, as reported by the European Federation of Journalists (EFJ).

### **Editorial Independence Under Fire: the Departure of RAI’s prominent journalists.**

As a consequence, several high profile journalists and TV presenters left Rai after a long time in service.

Fabio Fazio, host of the Rai 2 program **Che Tempo Che Fa**, [left Rai](#) after 40 years, along with his loyal colleague Luciana Littizzetto. His contract with Rai was not renewed and Fazio announced an agreement with another TV channel after facing numerous criticisms regarding the program he fronted and enduring political pressure from the government, which never approved of the show’s progressive editorial line.

Soon after, TV host Lucia Annunziata, from **Mezz’ora in più** on Rai 3, also resigned. She [explained](#) that she cannot continue collaborating with Rai as she does not agree “with any of Meloni’s government actions, nor with the content or the modalities. In particular, I do not agree with the approach taken regarding Rai. Acknowledging this difference is, on my part, an act of integrity towards the company (...). Therefore, the conditions for collaboration do not exist.”. Massimo Gramellini from **Le Parole** and Bianca Berlinguer from **Cartabianca** have also resigned. Il Giornale [celebrated](#) the domino effect departures: “Rai 3 is finally de-leftized”. Minister Matteo Salvini [tweeted](#) “Belli ciao” - a message containing an obvious reference to the partisan anti-fascist song “Bella Ciao”.



@matteosalvinimi Via X

Some instances of censorship were detected almost immediately after the new Rai governance was established.

### **Silencing Investigation: The Cases of Saviano and Ranucci at RAI**

First, in July 2023, the screening of the program **Insider - Faccia a faccia con il crimine** by Roberto Saviano was [cancelled](#) and postponed to September 2024. That program was to investigate the links between the mafia and Italian politicians. Then, in November, the Rai Parliamentary Committee summoned Sigfrido Ranucci due to an inquiry by Report targeting some prominent figures, which was [considered](#) a threat to the independence of the program.

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### **The Sanremo Festival Controversy**

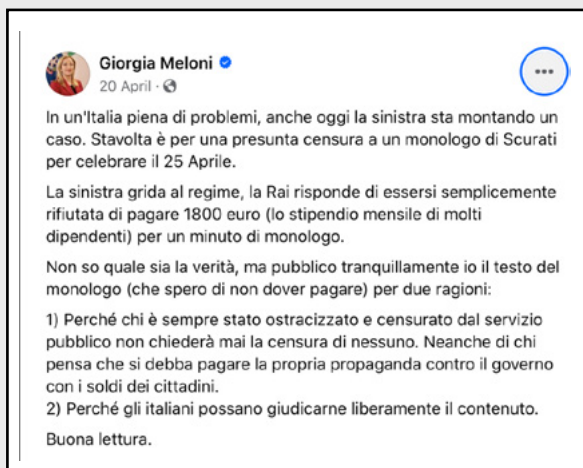
Events have been escalating throughout 2024, with worrying incidents of direct political interference by Rai's CEO. While on stage at the Sanremo Festival, singer Ghali made a plea concerning the ongoing Israeli-Palestinian conflict, saying "Stop the genocide" at the end of his performance. Alon Bar, Israel's Ambassador to Italy, harshly [condemned](#) Rai for purportedly "allowing the spread of hate" on Sanremo's stage. In reaction to such, during the TV show **Domenica In**, Roberto Sergio made host Mara Venier read a [statement](#) in which he declared full support and solidarity with Israel and the Italian Jewish population. Venier concluded by commenting: "we clearly all agree with those words", alluding to the fact that the political stance behind Sergio's declaration is the one promoted by the new governance and which should be shared by everyone within Rai.

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### **Rai host defies censorship by reading cancelled anti-fascist speech on Liberation Day**

Moreover, on April 25 - a national holiday celebrating Italy's liberation from fascism - writer Antonio Scurati was supposed to give a monologue during the Rai 3 talk show **Chesarà**. However, a few days before, the writer's contract was suddenly [cancelled](#). Nevertheless, the show's host Serena Bortone read out Scurati's speech: it remembered Giacomo Matteotti, killed in 1924 for being an anti-fascist, and harshly condemned

the government’s post-fascist ties. In this way, she opposed the attempted censorship targeting Scurati’s speech, which included firm anti-fascist positions and harsh provocations to Meloni’s government.



First, the Rai office in charge of the management of research programs [justified](#) the choice of suspending Scurati’s contract due to “editorial reasons”. Then Meloni herself published the whole text of the speech, [citing](#) liability concerns. Eventually, Serena Bortone was [suspended](#) for six days for publicly resisting the censorship event.

#### @GiorgiaMeloni Via Facebook

In reaction to this event, Rai’s journalists and presenters went on a 24-hour strike on May 6 2024. In an [explanation video](#), they firmly denounced the censorship of Scurati and the deteriorated working conditions at Rai: “we are striking to defend the autonomy and independence of the public broadcasting service from the pervasive control of information spaces by politics”. On that day, in a press conference, Vittorio Di Trapani – President of the National Federation of Italian Press (FNSI) and former secretary of Usigrai – [stated](#): “Just as we have always protested and fought against any attempt to impose a ‘gag’ or limit freedom, I would also like to say very clearly that what has been happening in recent months is unprecedented.” Unlike in the past, according to him: “Today something different is happening: and what is happening in Rai, as well as in other cultural spaces, is an attempt at historical, political, cultural, and social revisionism to rewrite the history of this country.” He further [commented](#): “The risk, which we have been warning about for some time, is of a Hungarian-style drift that could reduce press and speech freedom. While the EU is approving the European Media Freedom Act to protect the freedom and safety of the press, Italy is moving in exactly the opposite direction. Instead of looking to Brussels, the government is looking to Budapest.”

On the same occasion, journalist Enrica Agostini [declared](#): “(...) I am part of the editorial committee of RaiNews and have worked in politics for 20 years, but I have never experienced the pressure and censorship that I am facing during this period.”

## MEDIA OWNERSHIP

In the context of the [mission](#) called upon by the Media Freedom Rapid Response (MFRR) team, threats to media pluralism was one of the critical issues discussed. Indeed, the potential acquisition of AGI - one of the country’s most important news agencies - was announced. This is of [grave concern](#) as ownership concentration heavily impacts on media freedom. This is particularly so because the potential acquirer would be Antonio Angelucci, who, aside from being a Lega parliamentarian, also already owns various right-wing newspapers and is an entrepreneur in the private healthcare sector. AGI journalists went on [strike](#) for two days in March to express their objection to the proposed acquisition, which they believed could create a risky precedent for the acceptance of conflicts of interest, putting other Italian news agencies at risk.

In reaction to a statement of President of the Senate La Russa, in which he denied political interference by Angelucci, AGI’s editorial committee [replied](#): “With the utmost respect for its institutional role, it should be noted that a news agency is not a daily newspaper, and in no European country is a primary source of information owned by a business group linked to a member of parliament. We are proponents of the free market, but we do not see even a trace of it in our situation, where a state-owned company would find itself transferring a branch of its business to a group headed by a member of Parliament, particularly one from the majority. This is an issue that the European Commission and Parliament are closely monitoring, and it has been reported by the most authoritative international media outlets.”

Indeed, the EU Commission launched an [inquiry](#) to challenge the legitimacy of the possible acquisition of the Italian news agency under the European Media Freedom Act (EMFA). In the [response](#), possible consequences of a breach of the EMFA, which will be fully in force in August 2025, are explored.

## Criminalisation

This progressive erosion of civic space is occurring alongside a process of criminalisation vulnerable minorities. This development is enhanced through the instrumentalisation of Law decrees which amend administrative and criminal law – penalties are increased and new offences are introduced. It particularly affects the youth and people from migrant contexts, targeting in particular freedom of expression, the right to protest, and freedom of assembly. In this context, concerns have been raised about the excessive use of emergency decrees issued by the government. The EU Commission [reported](#) that Meloni’s government since the start of its mandate in October 2022 until May 2024 has issued 59 Law Decrees, of which only 51 were converted into law (this means that the remaining 8 decrees were not approved by the Chambers). This could affect the balance of powers between the government and the Parliament, with direct consequences on citizens’ rights, as the ordinary legislative process is bypassed.

### DECREES TARGETING IMMIGRATION

The [first decree](#) adopted in 2023 aimed at regulating, or, rather, [limiting and hindering](#) search and rescue (SAR) operations at sea was [adopted](#). The so-called Piantedosi Decree endowed the Ministry of the Interior with the power to limit or prohibit the transit or stopping of SAR ships in territorial waters under [specific circumstances](#). It established the obligation for NGOs to immediately request, during a rescue operation, the assignment of a port of disembarkation (which is often an irrationally distant one), which needs to be reached “without delay” (without stopping to make any further rescues along the way). This clause made conducting multiple rescues, where otherwise practicable, impossible. Additionally:

- For breaches of those regulations, the law set out administrative fines between €2.000 – €10.000 and established the joint liability of both the ship captain and the shipowner;
- Administrative detention of NGO vessels can be ordered from 20 days up to 60 days in cases involving repeated violations.

As [commented](#) by the Council of Europe, this legislative measure poses both procedural and substantive threats to the freedom of association and the safeguarding of civic space. Concerns have been raised on the chilling effect of this provision for those working in SAR operations, due to the resulting financial, operational and legal risks for NGOs.

The so-called Piantedosi Decree is only the first of a series of law decrees adopted throughout 2023 addressing migration management issues. In March, following a tragic shipwreck that occurred close to the shores of Steccato di Cutro, Calabria, the Italian government took advantage of the tragedy to draw public opinion's attention to the "fight against the illegal smuggling of migrants" to plant seeds of legitimization for more constraining measures. The so-called [Cutro Decree](#) (adopted with [Law No. 50/2023](#)) had a strong criminalisation effect targeting smugglers:

- The length of prison sentences for immigration facilitation was increased from 2 to 6 years (whereas before it was 1 to 5 years);
- A new criminal offence was established in case of death or harm while on board migrant ships crossing the Mediterranean.

Shortly after, [Law Decree No. 124/2023](#) (adopted with [Law No. 162/2023](#)):

- Increased the maximum length of administrative detention of unauthorised migrants to 18 months;
- Set out the political will to expand the Italian administrative detention system through the construction of new pre-removal administrative detention centres (*Centri di Permanenza per il Rimpatrio* - CPR).

In November 2023 Giorgia Meloni signed a [Protocol](#) with Albanian Prime Minister Edi Rama aimed at strengthening collaboration in the field of migration management. The agreement, [ratified](#) in February 2024, provides Italy with jurisdiction over two areas on Albanian territory: one in the harbour city Shengjin and the other in the city of Gjader. [In those areas](#), three migration management facilities were built - a hotspot, a reception centre and a CPR - alongside a small detention facility. As stated in the agreement, Italian jurisdiction fully applies within the two areas and Italian authorities are in charge of internal security, while the external area remains under Albanian jurisdiction and control. Despite [severe concerns](#) raised by civil society regarding the access of migrants to their human rights, including their right to asylum, right to legal defence, and the right to health, the facilities were inaugurated in mid-October and the first operation aimed at deportation to Albania was carried out a few days later. Despite the political value of this project for Meloni within public opinion in Italy and in the EU, the first two missions were sufficient to reveal its legal and practical infeasibility.

### **The Italy-Albania Protocol faces legal setbacks as courts challenge deportation procedures**

Logistically, Military Vessel *Libra* was the ship appointed to intercept people rescued at sea by the Italian Coast Guard. On board, a first screening occurred, aimed at selecting migrant persons coming from “safe countries of origin” and without conditions of vulnerability – circumstances which enable an accelerated procedure for the examination of asylum and international protection requests. The first operation brought 16 people (all men from Egypt and Bangladesh) to be kept on board vessel *Libra* and deported to the Shengjin centre – among which two emerged as minors and two others had vulnerabilities, hence they were immediately returned to Italy. During the second mission, 8 migrant people were deported – one of which was then returned to Italy due to vulnerability conditions.

Regarding the first case, on October 18 the Court of Rome did not convalidate the detention order issued by the Questura for the 12 migrant men, citing a [ruling](#) of the Court of Justice of the European Union (EUCJ) which challenged the concept of “safe country of origin”. As regards the [second operation](#) carried out within the Protocol, the judges decided to suspend the case, referring a preliminary question on the interpretation of [Law Decree No. 158/2024](#) to the EUCJ for clarification. Indeed, this legislative measure – which defines the list of “safe countries of origin” with primary legislative force – was promptly passed by the Italian Council of Ministries in order to alter the dynamics between domestic and EU jurisdiction, in an attempt to save the externalisation project in Albania. Indeed, a harsh [tug-of-war](#) between the judiciary and the Italian government began, with civil society organisations actively engaging against this externalisation model. Following this legal deadlock, the personnel employed for the security and the management of the facilities [seem](#) to be withdrawing from those areas, probably marking the final failure of this project.



## ECO-VANDALS DECREE

The year 2024 was inaugurated with the approval of a [Bill](#) proposed by former Minister of Culture Sangiuliano against environmental activists. The current government harshly attacks what [they call](#) “eco-vandals”, due to their non-violent resistance actions which often target historical monuments and pieces of art in museums, aimed at drawing attention to the executive’s inaction in tackling climate change and promoting the ecological transition. Under [Law No. 6/2024](#), legal consequences for such demonstration actions are increased, with administrative fines added to possible criminal penalties:

- Depending on the gravity of the felony, fines range between €10.000 and €60.000;
- In the case of damage or defacement of pieces of art or monuments during a public assembly, penalties are doubled as it is considered an aggravating factor, with detention ranging from 1 to 5 years;
- If defacement occurs in museums, detention between 1 and 6 months and a fine of between €300 and €1.000 can be enforced.

This harsh legislative measure aims to criminalise environmental activism and challenges the guarantee of the right to freedom of assembly and protest. Former Minister Sangiuliano [celebrated](#) the approval of the Bill by thanking the Italian Parliament and citizens for supporting this “fight of civilisation”.

A further measure deployed to target environmental activists by local administrations is the so-called *foglio di via*. Issued by the Questura – the police headquarters in each region – the foglio di via restricts the right of movement, preventing a person from moving freely within a specific city, with consequences on the enjoyment of other rights such as the right



@g\_sangiuliano Via X

to work or study. This measure is particularly [controversial](#) as it lacks legal certainty and its application does not provide legal guarantees. Moreover, [cases of attempted application](#) of special surveillance measures have been recorded – a legal instrument envisioned by Article 14 of the [Anti-mafia Code](#). It concerns preventive measures applied under reasons of public security. In practice, it provides for the daily requirement to sign-in and home-stay obligation between 8 pm and 7 am. Luckily, up to now [no such order](#) has been approved, as this would certainly be an affront to constitutional guarantees. These measures are particularly concerning due to their chilling effect on people peacefully gathering and demonstrating.

#### **Statement of the UN Special Rapporteur on Environmental Defenders:**

“As was easy to predict, and as Michel Forst, the UN Special Rapporteur on Environmental Defenders, reminded us during his recent visit to Italy, stigmatising narratives are followed by criminalisation: from labelling the actions of Ultima Generazione as ‘eco-terrorism’ to charging them with serious crimes such as criminal conspiracy, the step was a short one,” [said](#) Riccardo Noury, spokesperson for Amnesty International in Italy.

#### **Activists face legal consequences after Venice protest**

On December 9 2023, activists from Extinction Rebellion organised peaceful demonstrations in various Italian cities. In Venice, they poured a green substance into the Canal Grande. In [reaction](#) to this, 27 people were accused with different charges, 7 of them got a foglio di via, and two received an foglio di via. The activists of Extinction Rebellion [defined](#) this reaction as “a crackdown on those who peacefully protest to highlight the lack of environmental policies and the prevention of health damage.”

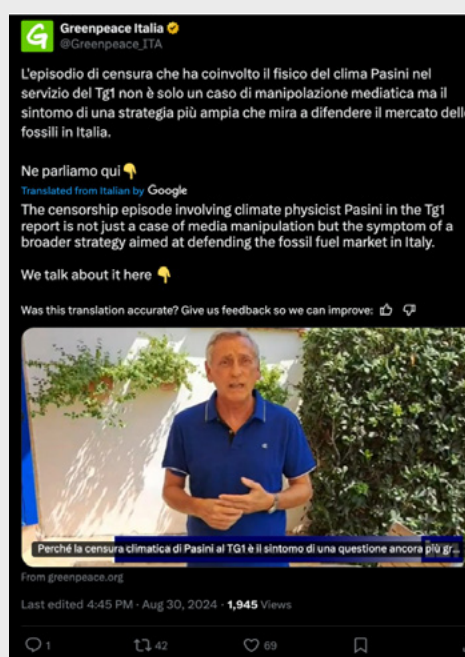
As claimed by [Greenpeace Italy](#), ad hoc legislative measures aimed at countering, suppressing, or discouraging associations and movements from exercising their legitimate right to defend the environment and climate lead to significant restrictions – and potentially violations – of international obligations to uphold civil liberties, freedom of expression, association, and assembly, as well as the protection and recognition of human rights and environmental defenders. Their [report](#) “*Diritto – Non Crimine*” underlines that legal actions taken against individuals exercising their right to protest appear to be motivated more by political directives and decisions than by a genuine need to preserve public order or address

criminal activity. Indeed, by condemning non-violent demonstrations, the fight pursued by environmental activists – also at times called “eco-terrorists” by detractors – has been [delegitimised](#) through the denial of climate change, as supported by the Italian government.

### Censorship of climate change scientists

A recent incident of censorship was denounced by environmental physicist Antonello Pasini, concerning a report broadcast on Italian public service news TG1. Indeed, the editorial committee [intentionally](#) cut off part of one of the sentences of his speech in which he openly referred to climate change being the cause of the recurrent bad weather suffered in Italy.

Greenpeace Italy [denounced](#) such as a case of [media manipulation](#) and part of attempts by the government to spread disinformation. This event adds to the worrying context [reported](#) in collaboration with the Pavia Observatory, which documented a significant reduction in media coverage of the climate crisis and an increase in the platforming of those who oppose the ecological transition.



@Greenpeace\_ITA Via X

### THE CAIVANO DECREE

A further decree that increases the criminalisation of young people is the so-called [Caivano Decree](#) (adopted with [Law No. 159/2023](#)), issued in September 2023. The decree was meant to tackle youth disadvantage and criminality of minors, in reaction to a [news item](#) that occurred in Caivano, Naples, regarding an incident of continued raping of two young girls by a group of six teenagers.

The Caivano Decree introduced a strong punitive approach for minors, moving towards equating instruments of punishment for minors with those for adults.

- Article 3 - The deployment of the *foglio di via* to minors is expanded to cases of contempt of a public official and drug trafficking and ranges from 1 to 3 years. In case of violation of the measures, higher fines and penalties are possible;
- Article 4 - Criminal penalties for minor drugs offences are increased, with application both to adults and minors, despite evidence that such measures do not prevent offences.
- Article 5 - To counter the so-called “baby-gang” violence (crimes committed by minors), local police headquarters can prohibit the use of communication devices used to organise such violent behaviours, besides the already in-use oral warning, applied to cases of cyberbullying as well;
- Article 6 - In criminal cases, the circumstances for the implementation of pre-trial detention are expanded;
- Article 9 - The process of transferring young adults to adult prisons is simplified - a measure often used to address overcrowding or manage challenging cases. However, this practice can disrupt an established educational path and significantly hinder the young person’s chances of successful social reintegration;

[Concerns](#) have been raised about this decree as the administrative measures introduced have a strong punitive effect addressed to behaviours arbitrarily deemed dangerous or simply annoying, indecent, or connected to the expression of dissent. It is evident that this provision does not comply with the principle of the best interests of the child.

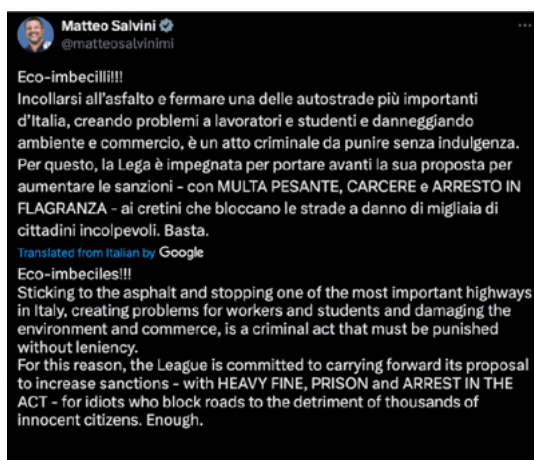
### **The consequences of the Caivano Decree**

One year after the introduction of the Caivano Decree, Associazione Antigone published a [report](#) commenting on the consequences of this law. The first alarming piece of evidence in this respect is the amount of minors currently detained in juvenile prisons (which under the law can hold detainees until they are 25). Since Prime Minister Meloni took office, the number of minors detained increased by 48%; from 380-390 to 560-580 detainees. In September 2024, the incarceration rate was 18.4% higher than in the same period in 2023. Thus concerns have been raised about the reality that, for the first time, juvenile prisons are experiencing overcrowding, with a 110% crowding rate. Due to this, more 18 year olds have been transferred to adult prisons and thus more of the population of juvenile facilities are now children (61% up from 57% in 2023).

This highlights the impact of the possibility of transfer to adult facilities introduced by the law decree, which hinders the educational and rehabilitation approach which characterises Italian juveniles.

## SECURITY PACKAGE BILL

Besides demonstration actions targeting cultural monuments and museums, Italian environmental activists often engage in traffic blockades as well. In response to one of these, organised by Ultima Generazione on a highway, the Minister of Infrastructures and Transport Matteo Salvini called the activists “eco-idioti” and [claimed](#) that “Glueing oneself to the asphalt and stopping one of Italy’s most important highways, causing problems for workers and students and harming the environment and commerce, is a criminal act that must be punished without leniency.”



@matteosalvinimi Via X

Such actions have been addressed, among other things, by the so-called “[Security Package Bill](#)” (Bill No. 1660), which encourages a strong criminalisation approach towards activists, detainees and migrant people. The Security Package Bill was presented in January 2024 by Minister of the Interior Pientedosi, Minister of Defence Crosetto and Minister of Justice Nordio jointly, and is currently under discussion within Italian Parliament. It seeks to toughen the penalties for various offences related to public security and introduces additional types of crimes. In May, the Organisation for Security and Cooperation in

Europe (OSCE) published an [opinion report](#) commenting on the content of the Bill. Concerns about the lack of proportionality of the penalties and the vague framing used in defining new offences have been raised: “The majority of the provisions carry the potential to undermine the fundamental tenets of criminal justice and the Rule of Law”.

Bill No. 1660 was approved by the Chamber on September 18 2024 and its [amended version](#) is currently under review by the Senate.

- Article 1 – The circumstances under which crimes associated with terrorism and public safety can be found have been expanded;
- Article 9 – Circumstances under which citizenship can be revoked are expanded. This provision can particularly affect those with non-Italian backgrounds – an undoubtedly discriminatory approach;
- Article 10 – The Bill introduces the crime of arbitrary occupation of property. In this case, the government’s [objective](#) is to target the part of social movements which, in the absence of state intervention in this area, take on the responsibility of addressing housing needs through occupation;
- Article 13 – As regards the right of assembly, preventive administrative measures are strengthened, making it possible to receive an *foglio di via* or expulsion order based on charges or convictions, even if not definitive, from the past five years;
- Article 14 – It sanctions and criminalises peaceful demonstrations involving the disruption of road traffic are increased, exacerbating the provisions already introduced through the “Eco-vandal” decree;
- Article 15 – The mandatory deferral of the execution of detention for pregnant women or those with children under one-year-old is suppressed, with focused consequences on minorities, such as Roma women;
- Articles 19-20, Article 28 – penalties for offences committed against public officials are increased, while the authorisation for public security officers to carry weapons other than a service weapon is expanded outside their official duties. Both provisions seem to [allocate](#) an unjustified amount of potential use of force to police;
- Article 32 – It establishes the prohibition of the selling of mobile phone sim cards to people lacking a valid permit of stay, obstructing migrants’ ability to contact family members or local support networks. This provision reflects a strong [racist approach](#) embedded in the system, which deliberately targets the individual pathways of migrants by further marginalising them.

Nevertheless, the most worrying provision of the Bill concerns the introduction of the offence of prison riot, including passive resistance (Articles 26 and 27). This would firstly apply to events happening in penitentiary institutions. In particular, detainees will be liable for organising riots or passive resistance actions as a basis for prosecution – with

penalties ranging from 2 to 8 years of imprisonment. Moreover, a sentence from 1 to 5 years' imprisonment is possible for participating in a riot; and from 10 to 20 years if the riot results in deaths or serious harm. Through a wide interpretation of the provision due to its purposefully vague wording, the non-violent resistance offence will apply also in all places encountered by migrant people, whether they be administrative detention centres or reception centres for migrants (*Sistema di Accoglienza e Integrazione – SAI – and Centri di Accoglienza Straordinaria – CAS*). In this case, organising a riot or passive resistance can trigger imprisonment from 1 to 6 years, while a sentence from 1 to 4 years for those participating. This is particularly alarming as, once again, administrative and penal law are merged under a strong criminalisation approach.

As explained in the [OSCE report](#), “This can also serve as a tool for coercion, leveraging the threat of blackmail to enforce compliance and suppress any inclination towards dissent, protest, or defiance of prison regulations. Its implementation poses a grave risk of eroding the autonomy and dignity of prisoners, depriving them of any semblance of independent and accountable existence.”

*Associazione Antigone* [expressed](#) their firm opposition to the Bill, saying: “No to the recent security package from the Government, which tragically oversimplifies our society through a useless and unjust intensification of the criminal and prison repression model. Security is a serious matter and cannot be addressed solely in terms of prohibitions and punishments.” Indeed, the approval of this Bill [would mark](#) a neat breaking point from a liberal and supportive judicial tradition.

## RIGHT TO PROTEST

Further controversial events as regards the repression of dissent and peaceful demonstrations concerned the increasing use of violence by police forces. Since the exacerbation of the Israeli-Palestinian conflict after October 7, 2023 students' movements have been engaging in continuous peaceful demonstrations in the streets and the prolonged occupation of Italian universities with tents, in the so-called “student-intifada”. In the academic context, they demand the end of partnerships with Israeli universities. Through pro-Palestinian demonstrations in the streets, they demand the government stops sending military equipment to Israel and condemn the genocide by the Israeli government in the occupied Palestinian territories and against the Palestinian people.

As a reaction to non-violent demonstrations, pro-Palestinian activists frequently faced [criminal lawsuits](#). Against the backdrop of Remembrance Day (January 27), the *Lega* party even proposed a bill [aimed to “contrast anti-Semitism”](#), which would actually [criminalise](#) pro-Palestinian demonstrations under anti-Semitic allegations.

Moreover, demonstrations in the streets have often been repressed with force by the police. The case of repression that occurred in Pisa and Florence are paramount examples of this phenomenon. Indeed, the police rushed the crowd, which included many under-age students, with batons, causing [firm reactions](#) of disdain within public opinion and from politicians of the opposition. For instance, the President of the *Movimento 5 Stelle* party Giuseppe Conte firmly [condemned](#) such episodes of repression of dissent, tweeting: “Once again, batons are used against those protesting against the ongoing massacre in Gaza. This time in Pisa, against students; very young people. Other incidents occurred in Florence. These are troubling images, unworthy of our country. This cannot be the State’s response to dissent.” Regarding these concerning events, the President of the Republic, Mattarella said: “The use of batons against young people is a failure”. He further pointed out: “The authority of law enforcement is not measured by batons but by the ability to ensure security while simultaneously safeguarding the freedom to publicly express opinions”.

If the Security Bill was approved by the Senate, those dynamics would be legitimised and repression would steeply increase, hindering passive resistance and enabling the implementation of administrative preventive measures under public order and security reasons. As [commented](#) by *Associazione Antigone*, the Bill would be “the greatest attack on the freedom to protest in the history of the Republic.”



## CONCLUSION

Those legislative measures are rooted in a [common ideology](#) pursued by the current executive: the construction of an authoritarian and repressive model in addressing social unrest. The government’s action in this direction has a twofold objective: repression and deterrence. The narrative behind those bills and law decrees is highly authoritative and targets dissent and social marginalisation, fostering the construction of new “enemies” (eco-activists) and reinforcing old ones (detainees and migrants).

Piantedosi Decree	It limits and hinders search and rescue (SAR) operations, setting out administrative fees and detention targeting NGO vessels.
Cutro Decree	Increased penalties for immigration facilitation.
Law Decree No. 124/2023	Maximum length of administrative detention of migrants increased to 18 months.
Italy - Albania Procol	Established the externalisation of migration management to Albania.
Eco-vandals Decree	High fees and criminal penalties for environmental activists.
Caivano Decree	Strong punitive approach for minors, moving towards equating instruments of punishment for minors with those for adults.

## Women's and LGBTQIA+ rights

Meloni's strong image as the leader of *Fratelli d'Italia* was built throughout the years. It all started at a party's political assembly which took place in October 2019. On stage, Meloni [claimed](#): "I am a woman, I am a mother, I am Italian, I am Christian and no one will take it away from me". This became the motto behind Meloni's political ideology - the traditional family as a factor embedded in Italian identity, thus to be protected. This firm concept consequently delegitimises, or arguably even condemns, any other perspective - including challenges to the patriarchy, the binary gender system and modern forms of family. Hence, the right to abortion and all rights that the LGBTQIA+ community demands to enjoy without discrimination, including marriage, are particularly at stake.

For instance, on the occasion of the vote about the adoption of the Istanbul Convention on the fight against gendered violence and domestic violence in the European Parliament, the [majority](#) of the MEPs from *Fratelli d'Italia* and the *Lega* party abstained (while two voted against it). The complete lack of commitment to the Istanbul Convention by the Italian right-wing political majority, as emerged through this vote, is a worrying signal that women's empowerment is not on the government's agenda, despite the highly concerning data about [femicides](#) and more generally about [gender violence](#).

Shortly after the most recent elections, a wide political debate commenced regarding the right to abortion, which is increasingly hindered due to high rates of objector doctors within the national health system. In [2021](#), 63.6% of doctors were part of this category, making abortion difficult and hardly accessible in some regions, including Sicily where the number is as high as 85%.

Further changes pursued by Meloni's government concern surrogate gestation and parental rights, particularly targeting the LGBTQIA+ community's rights.

Even though surrogate gestation is already illegal under Article 12.6 [Law No. 40/2004](#), the majority of the current executive has shown great commitment to make it a "universal crime" through [Bill No. 824](#), which was passed at the Senate on October 16 2024. As this law enters into force, surrogate gestation will be prosecutable in Italy even if carried out abroad. The approval of such a provision was highly desired by Giorgia Meloni herself - besides being firmly supported by *Fratelli d'Italia* - to contrast what she [addressed](#) as "procreative tourism". Augusta Montaruli, deputy leader of *Fratelli d'Italia* in the Chamber of Deputies, [said](#) that surrogacy is:

“an unworthy practice that transforms women’s bodies and the procreation of children into commodities to be sold to the highest bidder. All of this is utterly abominable and has nothing to do with the freedom to become a parent or to do what one wishes with their own body. This business, which is becoming increasingly fashionable and widespread around the world, is banned in Italy and must be absolutely condemned. This measure (...) is the flag that Fratelli d’Italia, under the leadership of Giorgia Meloni, proudly waves because it represents the victory of true freedom and civilization”.

However, this provision presents two main shortcomings. First of all, it aims to target couples who are part of the LGBTQIA+ community, ignoring the fact that surrogate gestation is [mainly used](#) by heterosexual couples. Secondly, the transnational prohibition of this practice under Italian law [would place](#) surrogate gestation on the same level as the crimes of pedophilia and genocide, entailing implementation controversies at the legal level.

Meloni’s attack against non-traditional families further targets children through parental rights. Even when surrogacy or medical-assisted procreation was only possible abroad, modalities for parental recognition over children born in such circumstances were lacking – and still lack – under Italian jurisdiction. In practice, current policies restrict children to being registered only under the biological parent, denying the non-biological parent guardianship and rights over the child, including custody and inheritance. This effectively marginalises and delegitimises LGBTQIA+ families by exploiting reproductive and parental rights.

## Poverty and inequality

In 2023, 8,4% of families residing in Italy and 5.7 million individuals lived in conditions of absolute poverty. [Data shows](#) that 13,8% of minors suffer from absolute poverty, marking the highest level since 2014. This situation results from various circumstances – such as the Covid-19 pandemic and the geopolitical setting since 2022 – which had a severe impact on costs and the market place, challenging many Italians on an economic level. Important welfare measures were introduced to contain this negative impact on poverty and unemployment – namely, the so-called Citizenship Income (*Reddito di Cittadinanza*) and the so-called Emergency Income (*Reddito di Emergenza*). In particular, the Citizenship Income “allowed 404,000 families to escape poverty in 2020, 484,000 in 2021, and 451,000 in 2022.” Nevertheless, this welfare measure was cancelled in 2023 ([Law Decree No. 48/2023](#), May 4 2023; converted with [Law No. 85/2023](#), July 3 2023). Instead, two welfare measures have been established – the Inclusion Allowance (*Assegno di inclusione*) and Support for Training and Employment (*Supporto per la formazione e il lavoro*). These measures, unique in Europe, categorise recipients based on their age and family structure rather than their economic need or hardship, consequently reducing the amount of beneficiary population.

## PREMIERATO REFORM

In the last two years, Meloni not only enacted a progressive erosion of civil rights, but she also focused on strengthening the powers of the Prime Ministerial duty. Indeed, in the 2022 electoral campaign, presidentialism played an important role in Meloni's political manifesto. However, a [compromise](#) had to be found to gain the consensus of a bigger portion of the Italian Chambers. Thus, since November 2023 she has been pushing for the so-called "[premierato reform](#)". It was positively voted upon by the Senate in June 2024 and will be discussed in the Chamber in the next months. It introduces new rules for the election of the Prime Minister, ostensibly aimed at improving governability. However, it has profound impacts on the composition and political balances of the Italian Parliament.

In detail, this constitutional reform includes [five main elements](#). Firstly, it amends Article 92 of the Italian Constitution and introduces the direct election of the Prime Minister, who is endorsed with a 5-year mandate which is renewable only once, aimed at ensuring the government's stability. This means the PM can dismiss the Chambers only in the case of impeachment; while the resignation of the PM cannot be caused by the lack of trust by one of the Chambers anymore. Those circumstances prevent technical governments, as only a parliamentarian from the majority is now eligible to replace the former PM in case of need within its mandate, amending Article 94. Moreover, it modifies the "majority prize" granted to the majority or majority coalition emerging from elections, which now amounts to 55% of the seats in the Chambers. Lastly, it overcomes the tradition of nominating "senators for life" by the President of the Republic.

Since it is a constitutional reform, it still needs to go through various steps, taking into consideration all amendments proposed, until a common text is reached. This reform aims at strengthening the role of the ruling majority, ensuring policy continuity and political stability. However, this implies a drastic [reduction](#) of the power of the President of the Republic, who is intrinsically the first guarantor of democracy in Italy, as embedded in our Constitution. In line with the increasing adoption of law decrees by the executive - a recent phenomenon previously pointed out in this analysis - the Prime Minister would acquire more and more power, supported by the majority granted with an abundant seats prize impacting the composition of the Parliament. Hence, this reform requires an adaptation of the electoral law, according to the new dynamics that this reform would create in the Parliament.

Concerns on this reform have been raised on the hybrid nature of the system envisioned, which stands between parliamentarism and presidentialism. A [large group](#) of current

and former judges of the constitutional court called for this reform to cease, as it seems to [challenge](#) the existing democratic checks and balances which characterise the Italian Constitution.

## JUDICIAL INDEPENDENCE

In the past few years, the judiciary has been suffering great pressure from the executive, including intimidation - up to situations where escorting is needed - and disciplinary proceedings as a consequence of judges' decisions which contrast with the government's political line. The progressive wing of the National Association of Magistrates [reported](#): "Once again, the Minister is intimidating magistrates who dare to exercise their prerogatives, even in uncomfortable investigations or trials involving the conduct of the powerful".

### Case Study

#### Judges under attack.

As highlighted in the 2024 Liberties Rule of Law Report, the "Apostolico Case" became a significant marker of this phenomenon. On October 2 2023, Judge Iolanda Apostolico, from the immigration section of the Catania Court, refused to validate the detention of a migrant in a repatriation detention centre (Centri di permanenza per il rimpatrio - CPR) due to an unpaid €5,000 deposit. Her decision challenged the applicable legal framework (Decree-Law no. 1 of January 2, 2023, and the Ministry of the Interior Decree of September 14, 2023), with Judge Apostolico arguing that the regulations conflicted with EU directives.

Prime Minister Giorgia Meloni expressed her disbelief on Facebook, calling the reasoning behind Judge Apostolico's decision "[incredible](#)". Shortly after, Minister of Infrastructure and Transports Matteo Salvini shared a video on social media showing the judge participating in a 2018 protest against the government's handling of migrants aboard the Diciotti ship. Salvini used the footage to claim that the magistrate held personal biases against government policies, which led to demands for Judge Apostolico's resignation from members of the [ruling majority](#). Further statements from government representatives aimed at challenging the judiciary - Defence Minister Guido Crosetto [claimed](#) that "the only threat to the stability of Giorgia Meloni's government is the judicial opposition."

## Case Study

### The Open Arms Case.

Recently, a further paramount example of this phenomenon has been developing through the so-called [Open Arms case](#), where the current Minister of Infrastructures and Transports Matteo Salvini is involved in criminal proceedings involving operations of a Spanish NGO operating in Search and Rescue operations in the Mediterranean; Open Arms. Salvini is accused of refusal to perform official duties and the kidnapping of 147 migrants by preventing Open Arms' ship from landing at the port of Lampedusa. This event occurred in August 2019, when Salvini was Minister of the Interior. At the [hearing](#) which took place in September 2024, the prosecutors requested a six-year prison sentence be imposed on the Minister and a total of over one million euros be paid to migrant people involved in this event.

Salvini did not attend the hearing and published a video on his social media instead. In this [video](#), he gave a reconstruction of the events under investigation and claimed that “protecting borders is not a crime” and defined the trial as a political attack. The full version of this monologue was even broadcast by Rai, which once again serves as an unfiltered [megaphone](#) of the majority in the government.



@GiorgiaMeloni Via X

Meloni [commented](#): “It’s unbelievable that a Minister is risking 6 years in prison for doing his job by defending the borders as mandated. Turning the duty to protect Italy’s borders from illegal immigration into a crime sets a very serious precedent.”

The fact that the Italian Prime Minister publicly expressed such a position while a criminal trial involving a Minister is ongoing is highly controversial. Firstly, it undermines the authority of the judiciary to objectively investigate and judge crimes involving politicians.

Secondly, it intimidates the public officials involved in the trial, interfering with the higher principle of the separation of powers firmly outlined in the Constitution. A local newspaper in Palermo [reported](#) that a security warning has been put in place, since the public prosecutors in charge of the accusation have repeatedly been threatened, alongside their families, online or through anonymous letters directly addressed to the Courthouse.

The National Association of Magistrates commented on the situation: “There have been insinuations directed at state representatives in the public prosecution regarding the political use of justice, along with erratic reactions, including from political and government figures. These are serious statements, inappropriate for the roles held, in open violation of the principle of separation of powers, indifferent to the rules governing the legal process, undermining trust in democratic institutions, and constituting undue pressure on the judiciary.”

[Political influence](#) is also being felt within the Constitutional Court as well. Indeed, the nomination of the 15th judge, who was supposed to replace Silvana Sciarra (her 9-year mandate expired in November 2023), has not happened yet. The delay is caused by the lack of compromise on a suitable candidate by the majority in the Parliament. Thus, the usual democratic balance within the members of the Constitutional Court is currently not in place. In this regard, President of the Republic Sergio Mattarella [criticised](#) this situation and urged the nomination to be put forward as soon as possible, in order to respect democratic principles of which the Parliament is the core.

To sum up those circumstances, in an [interview](#) for *Il Manifesto* magistrate Silvia Albano said: “[This is] a framework in which the checks and balances provided by the Constitution are increasingly being met with resistance. I am thinking, for example, of press freedom. I am also thinking of the abolition of the abuse of office law. There is a deep intolerance towards oversight, and this risks undermining the democratic system. It is not only the attack on judicial independence, which is present and remains serious. Consider the introduction of the premiership, which also entails a reform of the electoral law towards a majoritarian system to be directly embedded in the Constitution. This means that the quorum required for the appointment of members of the Superior Council of the Judiciary (CSM) and the Constitutional Court would no longer be able to ensure the pluralism of politically appointed members, as these rules were designed when there was a proportional electoral law. The concrete risk is that we could end up with unchecked power by the ruling majority, precisely the situation the framers of the Constitution, emerging from the experience of fascism, sought to prevent.”

## CONCLUSIONS

In conclusion, those developments have a profound impact on the democratic model that Italy has been experiencing since 1948, bringing about constitutional changes. Professor Gaetano Azzariti [explained](#) that those reforms enacted in the past two years by the government led by Giorgia Meloni tend to transform a democracy based on pluralism into a “democracy of the chief”.

In particular, the direct election of the premier deeply affects the interplay between the political majority and the opposition, weakening the plural-party system which characterised Italian democracy since its birth in the aftermath of World War II. Hence, citizens will enter new democratic dynamics, where personalism will prevail, enhanced by the weakened sense of belonging produced by the federalist model fostered through the differentiated autonomy.

Usually, keeping a balance between federalist structures and pluralist democracy is possible thanks to the strengthening of check and balances. Nevertheless, the reforms shape the system in the opposite direction on three different levels: the centrality of the Parliament is undermined and the President of the Republic is stripped of its powers - both due to the premierato reform - while the judiciary is threatened by political influence. This way, democracy is deprived of its founding principle of pluralist representation, turning into an “identity democracy”.



**The upcoming Fourth Cycle of the Universal Periodic Review in January 2025 presents Italy with a vital opportunity to demonstrate its commitment to human rights advancement. The Pre-session we attended last month in Geneva served as a crucial platform for National Human Rights Institutions and Civil Society Organizations to provide direct input to enable a comprehensive assessment of Italy's progress on previous recommendations and current human rights violations. Through the established UPR mechanism, which has successfully engaged over 1,500 delegations and 163 permanent missions since 2012, Italy can benefit from constructive dialogue and targeted recommendations to strengthen its human rights framework and democratic institutions.**

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# **Democracy at the crossroads**

Mapping rights and freedoms in Italy - 2024

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