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Italy

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Italy is a multiparty parliamentary democracy with a population of approximately 59.1 million. The bicameral parliament consists of the Chamber of Deputies and the Senate. International observers considered the April 2006 national parliamentary elections free and fair. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens, although there were problems in some areas. Despite extensive delays, the law and judiciary otherwise provided effective means of addressing individual instances of abuse. Lengthy pretrial detention, excessively long court proceedings, violence against women, trafficking in persons, and abuse of Roma remained problems.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, police shot and killed three persons during the year.

On November 11, a police officer used his pistol to break up a fight between two groups of soccer fans at a highway rest stop in Arezzo and shot and killed Gabriele Sandri, who was seated in a car with four friends. The officer was under investigation for manslaughter at year's end.

On July 1, a police officer in Verona shot and killed Susanna Venturini, who was attempting to flee a gasoline station where she had reportedly extorted $58,400 (40,000 euros) from a Ministry of Labor and Welfare inspector. There were no reports of an investigation at year's end.

Disappearance

There were no reports of politically motivated disappearances.

Torture and Other Cruel, Inhuman, or Degrading

Treatment or Punishment

The law prohibits such practices; however, there were reports that police occasionally used excessive force against persons, particularly Roma and immigrants, detained in connection with common criminal offenses or in the course of identity checks.

On June 20, Ferrara prosecutors indicted four police officers--Paolo Forlani, Monica Segatto, Enzo Pontani, and Luca Pollastri-–on charges of involuntary manslaughter in the death of Federico Aldovrandi, who died while in custody in 2005.

At year's end the trial continued of 27 police officers, including senior officers, charged with perjury, conspiracy, or assault during a police raid on a building used by protesters at the G−8 summit in Genoa in 2001. A separate trial continued of 45 police officers indicted for "inhuman or degrading treatment," including assault, during the subsequent detention of those protestors. The trials were ongoing at year's end. In June Gianni De Gennaro, then-head of the National Police, was put under investigation for inducing police officers to give false testimony. The minister of interior removed him from office but made him his chief of staff.

Other parts of this report contain information related to this subsection; see section 5.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards, although some prisons remained overcrowded and antiquated. The government permitted visits by independent human rights observers.

At year's end there were 49,000 inmates in a prison system designed to hold 42,500; however, the uneven distribution of prisoners left a few institutions particularly overcrowded. Older facilities lacked outdoor or exercise space; some prisons lacked adequate medical care. Approximately 67 percent of the inmates were serving sentences; the other 33 percent consisted mainly of detainees awaiting trial.

According to an independent research center, between January and October 109 prisoners died while in custody, 39 of them by suicide. There were no reports that any of these deaths were the result of abuse or negligence on the part of prison officials.

Some of the 17 temporary detention centers for illegal immigrants continued to be overcrowded at times, particularly in summer when the inflow of aliens from northern Africa increased. The government provided access to detention centers for representatives of the UN high commissioner for refugees (UNHCR) and nongovernmental organizations (NGOs). According to Amnesty International (AI), children are often held together with adults at these facilities. The law does not require that pretrial detainees be held separately from convicted prisoners, and they are held together in some smaller prisons.

The government permitted visits to detention facilities by independent human rights organizations, parliamentarians, and the media. AI, the UN Human Rights Council, the Committee for the Prevention of Torture (CPT) of the Council of Europe, and the UN special rapporteur on torture regularly assessed the country's judicial and prison systems. Several municipalities had permanent independent ombudsmen to promote the rights of detainees and facilitate access to health care and other services.

On July 5 of this year, the government released its response to the CPT report of its June 2006 visit to temporary detention centers for illegal immigrants in the country. The CPT found that conditions were generally favorable but noted that one camp for women needed some improvements, such as better protection for detainees from

the sun and removal of security bars that prevented windows from opening.

In April 2006 the CPT, in a report on its 2004 visit to prisons, detention centers, and police stations, noted that some inmates were held in cramped conditions, lacked access to lawyers, received poor medical treatment, and were subjected to xenophobic and racist insults. In response to the report, the government stated it had built four new prisons, was upgrading another eight, and had hired additional prison staff, including psychologists and cultural mediators. In 2005 and 2006, the NGO Antigone, which promotes prisoners' rights, visited 208 jails and reported unacceptable hygienic conditions in some facilities and widespread abuse of psychotropic drugs.

Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the national police, the Carabinieri, and the financial police (Guardia di Finanza). The government has mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year; however, long delays by prosecutors and authorities in completing investigations of some cases of alleged abuse undercut the effectiveness of mechanisms to investigate and punish police abuses.

On May 13, the Carabinieri station commander in Campobasso (Molise), seven police and Carabinieri officers, and the former chief of the local police of Termoli were arrested and charged with creation of a criminal organization, fraud, perjury, disclosure of confidential information, and embezzlement.

In October 2006 three of eight Carabinieri officers arrested in Milan earlier in the year for graft and evidence tampering were sentenced to prison terms of four to six years; two of the three were fined $32,120 (22,000 euros). In July 2006 two officers were sentenced to 24 months in prison but released from custody after reaching a plea bargain agreement on the same charges. One of the remaining three officers was indicted, and the hearing for the other two officers was delayed; the trial had not begun by year's end. The eight reportedly used false evidence to extort money from a number of previous offenders.

On October 30, prosecutors dropped their investigation of 12 police officers charged with corruption, abuse of authority, and perjury surrounding their contacts with criminal organizations in 2005, due to lack of evidence.

Other parts of this report contain information related to this subsection; see section 1.c.

Arrest and Detention

To make arrests, the law requires police to have warrants issued by duly authorized officials, unless there is a specific and immediate danger to which they must respond. The examining magistrate must decide within 24 hours of a suspect's detention whether there is enough evidence to proceed with an arrest. The investigating judge then has 48 hours in which to confirm the arrest and recommend whether the case goes to trial. The law allows for increased surveillance and enhanced police powers to gather evidence in terrorism cases, for example DNA for purposes of identification; a terrorism suspect may be held for 48 hours before the case is brought before a magistrate. Authorities generally respected the right to a prompt judicial determination in practice. The law entitles detainees to prompt and regular access to lawyers of their choosing and to family members. The state provides a lawyer to indigent persons. In exceptional circumstances, usually in cases of organized crime figures, where there is danger that attorneys may attempt to tamper with evidence, the investigating judge may take up to five days to interrogate the accused before the accused is allowed to contact an attorney. Some human rights organizations asserted that the terrorism law is excessive and in some cases resulted in the deportation or return of suspects to countries where they had reason to fear persecution, without an appropriate level of due process of law. Between July 2006 and March, the European Human Rights Committee reviewed 30 deportation orders issued by the interior minister and blocked five against individuals the authorities considered terrorists, citing the need to prevent violation of their rights in their home countries. During the year authorities deported nine immigrants suspected of links to terrorist networks.

Despite restrictions on lengthy pretrial detention, it remained a serious problem. During the first half of the year, 33 percent of all prisoners were in pretrial detention awaiting their trials and 18 percent were awaiting a final sentence. The maximum term of pretrial incarceration is two years for a crime with a maximum penalty of six years in prison, four years for a crime with a maximum penalty of 20 years, and six years for a crime with a maximum penalty of more than 20 years. According to some judicial experts, a few prosecutors used pretrial detention as pressure to obtain confessions.

There is no provision for bail; however, judges may grant provisional liberty to suspects awaiting trial. As a safeguard against unjustified detention, a detainee may request that a panel of judges (liberty tribunals) review his case on a regular basis and rule on whether continued detention is warranted.

Preventive detention may be imposed as a last resort if there is clear and convincing evidence of a serious felony or the crime is associated with the Mafia or terrorism. Except in extraordinary situations, preventive detention is prohibited for pregnant women, single parents of children under age three, persons over age 70, and those who are seriously ill.

Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected this provision in practice; however, most court cases involved long trial delays.

There were some reports of judicial corruption. On May 9, the Guardia di Finanza arrested two magistrates of the Court of Cassation and the Supreme Administrative Court, Lanfranco Balucani and Vincenzo Maccarrone, for corruption in Perugia. Prosecutors accused them of multiple violations of rules of procedure, including jury tampering, in an attempt to unduly influence the investigations of two entrepreneurs who rewarded them with gifts.

Pressure on the judicial system, primarily through the intimidation of judges by organized crime groups, further complicated the judicial process. For example, on February 5, Alberto Liguori, a judge who tried mafia cases, was the target of intimidation in Cosenza, when unknown individuals left the severed head of a goat at his front door. In March a turncoat witness alleged that two mafia clans had conspired to murder Liguori.

There are three levels of courts. Either a single judge or a court, which may consist of a panel of judges or include a jury, hears cases at the first level. At the second level, civil and criminal appeals are heard by separate courts with juries. Both sides may appeal decisions of the court of appeals to the highest court, the Court of Cassation in Rome. Prosecutors may in some instances challenge acquittals by passing the intermediary appellate level and taking their appeal directly to the Court of Cassation; such appeals may be based on the court's application of the law or, in some cases, evidence. A separate Constitutional Court hears cases involving conflicts between laws and the constitution or over the duties or powers of different units of government.

Trial Procedures

The constitution provides for the right to a fair trial, and an independent judiciary generally enforced this right. Trials are public. Defendants have access to an attorney in a timely manner to prepare a defense. Defendants may confront and question witnesses against them, and may present witnesses and evidence on their own behalf. Prosecutors must make evidence available to defendants and their attorneys upon request. The law grants defendants the presumption of innocence. Defendants have the right to appeal verdicts.

Domestic and European institutions continued to criticize the slow pace of justice in the country. In 2005 over 800 petitions were pending in the European Court of Human Rights seeking compensation from the government for excessively long proceedings. In 2006 the majority of petitions were submitted to national courts, in accordance with a law enacted in 2001. According to the Court of Cassation, about 3,600 cases resulted in judgments against the government for excessively long proceedings in 2006. Observers cited several reasons for delays including the absence of effective limits on the length of pretrial investigations, the large number of minor offenses covered by the penal code, unclear and contradictory legal provisions, insufficient resources, including an inadequate number of judges, and strikes by judges and lawyers.

In 2006 the chief prosecutor of the Court of Cassation estimated that it took from 300 to 400 days on average to complete a criminal trial, and approximately 900 days to complete an appeal. The average length of time between the scheduling of a defendant's first court appearance to completion of the case was 902 days in 2006, compared with 966 days in 2005.

Courts had significant leeway to determine when the statute of limitations should apply, and defendants often took advantage of the slow pace of justice to delay trials through extensive pleas and appeals.

Other parts of this report contain information related to this subsection; see section 3.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The constitution provides for an independent and impartial judiciary in civil matters. Administrative remedies are determined by law and arbitration is allowed and regulated by contracts. Often citizens and companies turned to arbitration because of trial delays. In 2006 the average time required to complete a civil trial was 887 days, with 1,020 days required to complete an initial appeal and another 719 days to appeal to the Court of Cassation.

Arbitrary Interference With Privacy, Family, Home, or Correspondence

The law prohibits such actions, and the government generally respected these prohibitions in practice. Searches and electronic monitoring were generally permissible under judicial warrant and in carefully defined circumstances; however, the 2005 antiterrorism decree made it easier for intelligence agencies to obtain permission to conduct wiretaps.

The media published leaked transcripts of both legal and illegal government wiretaps during the year. In November 2006 parliament enacted a decree which allows magistrates to destroy illegal wiretaps if discovered by police. On October 3, the Chamber of Deputies authorized a Milan prosecutor to use wiretaps on members of the Chamber of Deputies as evidence in an investigation into a bank takeover. Prosecutors eavesdropped on telephone calls between managers and politicians, including Foreign Minister Massimo D'Alema and other national leaders.

Section 2 Respect for Civil Liberties, Including:

Freedom of Speech and Press

The constitution provides for freedom of speech and of the press, and the government generally respected these rights in practice**.** An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and the press.

On January 25, the government approved antiracism legislation that makes denial of the Holocaust a crime punishable by up to four years in prison. Officials also confiscated materials that displayed symbols associated with Nazi Germany. For example, on October 1, officials in northern Italy seized wine bottles whose labels depicted Adolf Hitler and other Nazis.

Authorities in northern Italy arrested members of a neo-Nazi group who, on October 12, traveled to the German concentration camp of Dachau and posed for photographs, subsequently published in an investigative weekly newspaper, in which they gave the Nazi salute. The members of the group were sentenced to 12 to 30 months in jail but were freed before the end of the October according to the terms of a plea bargain agreement.

The independent media were active and expressed a wide variety of views. However, disputes over partisanship on the airwaves continued to prompt frequent political debate, and NGOs contended that media ownership was concentrated in too few hands.

The NGO Reporters Without Borders and the journalists' union criticized several judicial actions against journalists during the year.

On June 7, financial police searched offices and residences and seized computers of two journalists of a national newspaper that had revealed details of an investigation against a senator suspected of money laundering. Prosecutors were investigating the possible disclosure of confidential information by the journalists at year's end.

On March 15, the Authority for the Protection of Privacy prohibited the publication of information regarding the sexual behavior and personal life of the prime minister's spokesman. The authority halted the publication of pictures taken by a photographer who had been previously arrested on blackmail charges.

During the year public officials continued to bring cases against journalists under the country's libel laws.

On September 21, Deputy Prime Minister Francesco Rutelli sued weekly magazine *L'Espresso*, alleging defamation for the publication of an article that suggested he used official travel for personal reasons. On September 7, parliamentarian Ferdinando Adornato filed a libel case against national newspaper *Il Giornale* for an article that criticized excesses and privileges obtained by politicians and made a reference to an apartment he purchased from a governmental agency.

Internet Freedom

There were no government restrictions on access to the Internet; however, a special unit of the police monitored websites for crimes involving child pornography online. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail; however, the government could block foreign-based Internet sites if they contravened national laws. The antiterrorism decree requires that the operator of an Internet café obtain a license**.** In February a survey conducted by the Institute for Studies and Economic Analyses, the research service of the Ministry of Economy, found that 39 percent of citizens had access to the Internet and 26 percent used broadband connections.

In a June operation aimed at combating money laundering, the Guardia di Finanza blocked around 4,000 websites, arrested 2 Latvians and opened investigations into 152 persons. On June 13, police blocked a German website used by pedophiles.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

Freedom of Peaceful Assembly and Association

The constitution provides for freedom of assembly and association, and the government generally respected these rights in practice.

Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice.

There is no state religion; however, a concordat between the Roman Catholic Church and the government provides the Catholic Church certain privileges. For example, it may select Catholic religion teachers, whose earnings are paid by the government. The law authorizes the government to enter into relations with organizations representing non−Catholic religions pursuant to an accord that allows the government to provide support (including financial) to the organization; these accords are voluntary and initiated by the religious groups themselves. Several minority religious groups benefited from such accords. On April 4, the government signed preliminary accords with the Buddhist Union, Jehovah's Witnesses, the Church of Jesus Christ of Latter-day Saints, the Apostolic Church, the Orthodox Church of the Constantinople Patriarchate, and the Hindu community. These accords were submitted to parliament for ratification, but no action had been taken by the end of the year.

Divisions among the country's Muslim organizations, as well as the large number of Muslim immigrant groups, hindered the Muslim community's efforts to conclude an accord with the government.

There were occasional reports that government officials or the public objected to women wearing a "burqah," a garment that completely covers the face and body. The 2005 antiterrorism decree doubled existing penalties for persons convicted of wearing such attire as a burqah (or a crash helmet) in order to hide their identity. Penalties were increased to two years in jail and fines of approximately $1,460 (1,000 euros) to $2,920 (2,000 euros).

On May 31, the Constitutional Court agreed to review the 2005 deportation of the imam of Turin, who claimed that the accusation against him of hate crimes was groundless.

In March the city of Milan denied a request to use the basement of a building as a mosque, as requested by tenants and owners of apartments in the building. Complications with building permits continued to delay construction of an enlarged Islamic center in Milan. In October the city of Bologna approved a plan for the construction of a mosque on land provided by the municipality.

On January 30, a judge was sent to trial for allegedly failing to perform his duties after he refused to preside in a courtroom where a crucifix was displayed; he accused the minister of justice of religious prejudice for not allowing display of a menorah. A 2006 poll indicated that 80 percent of the population supported having crucifixes in schools and public buildings.

Societal Abuses and Discrimination

The country's approximately 30,000 Jews maintain synagogues in 21 cities. There were no violent anti-Semitic attacks reported during the year, but societal anti-Semitic prejudices persisted, and small extremist fringe groups were responsible for anti-Semitic acts.

During the year there were a number of reports of anti-Semitic vandalism. For example, on January 28, in Mestre, graffiti with the text "the shoa (the Hebrew word for the Holocaust) must go on" was written on the walls of a school. On the evening of April 24, during a celebration marking the liberation of Italy during World War II, anti-Semitic graffiti was placed on a nearby monument commemorating the liberation. On June 15, after a temporary loosening of house-arrest restrictions placed on former captain Erich Priebke, a Nazi war criminal who participated in the 1944 massacre of 335 civilians, vandals painted graffiti with a swastika that welcomed him back to Rome.

There were no arrests or suspects in the May 2006 vandalizing of 40 Jewish graves in Milan; the case remained unresolved at the end of the reporting period, and no progress was expected.

There was one reported incident during the year of verbal harassment of Jews. On March 25, fans of the Lazio soccer team shouted anti-Semitic epithets aimed at Jews present at a soccer match.

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Authorities in northern Italy arrested members of a neo-Nazi group who, on October 12, traveled to the German concentration camp of Dachau and posed for photographs, subsequently published in an investigative weekly newspaper, in which they gave the Nazi salute. The members of the group were sentenced to 12 to 30 months in jail but were freed before the end of October.

On May 18, an Italian university rescinded an invitation it had made to Robert Faurisson, a retired French professor, to speak at the university. The university cancelled the conference to avoid incidents when it learned that a group of demonstrators planned to protest Faurisson's address because he professed that no gas chambers were used in Nazi concentration camps during the Holocaust.

On October 12, the justice minister strongly condemned anti-Semitism and stated that the government supported the implementation of tough laws aimed at punishing anti-Semitic acts. During the year, the government continued to host meetings to increase educational awareness of the Holocaust and to combat anti-Semitism.

For a more detailed discussion, see the *2007 Report on International Religious Freedom*.

Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected them in practice.

The government cooperated with the UNHCR and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

The law prohibits forced exile, and the government did not employ it.

Protection of Refugees

The laws provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. In practice the government provided protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol, providing it to 4,375 persons during the year. Between January and June, the Ministry of Interior received 2,839 requests for asylum. The top three countries of origin were Serbia, Nigeria, and Afghanistan.

The government cooperated with the UNHCR and other humanitarian organizations in assisting refugees, and it provided temporary protection to refugees fleeing hostilities or natural disasters. Such refugees were granted temporary residence permits, which had to be renewed periodically but did not ensure future permanent residence.

Between January and July, authorities identified 12,400 individuals who came ashore illegally compared to 14,500 in 2006. Those who were apprehended were sent to temporary detention centers for processing, and a magistrate determined whether they would be deported (if their identity could be ascertained), issued an order to depart (if their identity could not be ascertained), or would be accepted for asylum processing. Deportations to Libya were suspended in 2006. In February 2006 AI released a report on the rights of migrants and asylum−seeking minors which highlighted 890 allegations that unaccompanied children were confined in temporary detention centers in unhygienic and unsuitable conditions. AI stated that it possessed detailed information on 28 of these cases. Approximately 1,300 minors reached Sicily in 2006, compared to 1,600 in 2005. The top three countries of origin were Egypt, Morocco, and Tunisia, and a high percentage were unaccompanied. Other teenagers came from Eritrea, Ethiopia, Sudan, Somalia, and Lebanon. The Ministry of Interior equipped special sections of identification centers to host minors.

On November 1, the government enacted an emergency decree that allows local prefects to expel foreigners, including those from EU member states, whom they considered a threat to public order, loosely defined as "behavior that compromises the protection of human dignity or fundamental human rights or of public safety," even in the absence of a criminal investigation. The law denies those expelled the right to return to Italy for up to three years, and prohibited reentry is punishable by up to three years in prison. The legislation provides for the right to appeal to judges to annul expulsions that prove groundless. The temporary decree requires parliamentary confirmation within 60 days and was enacted after a robbery and murder on October 30 allegedly committed by a Roma man from Romania.

The government deported four Roma men to Romania on November 2, the day the decree entered into effect; since then, prefects in Rome, Turin, Genoa, and Milan issued expulsion orders for several other Romanians. Human Rights Watch claims the government's targeting of Romanians, and particularly those of Roma origin, for expulsion violates its international human rights obligations. Although the decree covers citizens of any EU member state, the political debate and official action in the country has focused almost exclusively on Romanians, and in particular Roma from that country. Romanians are now the country's largest immigrant group, estimated at around 560,000 persons, or 1 percent of the general population. An estimated 50,000 of these are Roma.

In the aftermath of the October 30 murder, police authorities forcibly evacuated and bulldozed Roma camps in Italy's capital, as well as in Bologna, Florence and Genoa. On November 2, several hooded men armed with metal bars and knives attacked a group of Romanians in the parking lot of a supermarket in Rome. On the night of November 4, a bomb exploded outside a Romanian-owned store in a town just outside Rome, causing property damage. Also in early November, a Romanian football player was subjected to racist taunts during a match.

The 20 temporary detention centers for illegal immigrants continued to be overcrowded.

In December 2006 the Council of Europe's Committee for the Prevention of Torture recommended that the government increase improve medical care for detainees as well as provide recreational activities for juvenile detainees.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

Executive authority is vested in the Council of Ministers, headed by the president of the council (the prime minister). The president, who is the head of state, nominates the prime minister after consulting with the leaders of all political forces in the parliament. National and international experts, including the Organization for Security and Cooperation in Europe considered the April 2006 national parliamentary elections free and fair. Under a law enacted in 2001, citizens living abroad were able to vote in national elections for the first time.

There were numerous political parties, which functioned without government restriction.

There were 40 women in the 315−seat Senate and 108 women in the 630−seat Chamber of Deputies. Women held six of 25 positions in the Council of Ministers.

The only legally defined minorities are linguistic, the French-speaking Valdostani and the German-speaking Altoatesini/Suedtiroler. There were four members of these groups in the 315-seat Senate and five in the 630-seat Chamber of Deputies. In a largely monolithic society, immigrants represented approximately 4 percent of the population, and fewer than half of these qualified as ethnic/racial minorities. Two members of immigrant groups (of Moroccan and Palestinian origin) were elected to the Chamber of Deputies.

Government Corruption and Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively.

The high commissioner of the independent Task Force on Corruption conducted 13 investigations but had little real power to address corruption. Between January and April, financial police arrested 93 persons accused of crimes against public administration such as corruption, graft, abuse of power, and embezzlement. In 2006 authorities referred 6,200 crimes to prosecutors and arrested 250 persons; the value of seized assets was $219 million (150 million euros).

There continued to be isolated reports of government corruption during the year, and the general public believed that politicians were corrupt. According to the ministries of Interior and Justice, in 2006, 130 persons were convicted for corruption, 925 were accused. Forty-five persons were convicted for abuse of authority, and 2,725 were accused of embezzlement. Between December 2005 and November 2006, a special court dealing with financial matters reported 193 cases of corruption, bribery, or graft in public administration. There was no information on the number of cases referred to a prosecutor for further action.

On October 26, the Court of Cassation acquitted former Prime Minister Silvio Berlusconi on charges of bribing magistrates investigating the sale of a food group in 1985. On March 13, a court hearing began in another case in which he was charged with corruption for having paid a lawyer to falsify his testimony in two other cases.

On July 13, the Court of Cassation sentenced parliamentarian Cesare Previti, previously former Prime Minister Silvio Berlusconi's lawyer and then minister of defense, to 18 months in prison and barred him from holding public office in a case that involved the possible corruption of a judge. On July 13, the Chamber of Deputies approved his resignation.

On July 21, two public officers of the prefecture of Milan were arrested and 10 others were accused of visa fraud and illegal immigration. They were suspected of having illegally issued 120 residence permits and allowed the unlawful entry of more than 300 aliens.

In July 2005 prosecutors charged 148 persons with involvement in a 1999 scheme to avoid military service by bribing officials. The trial had not concluded by the end the year.

Parliamentarians and ministers are subject to financial disclosure laws and Parliament publishes an annual report on incomes of its members.

The law gives citizens the right to access government documents and to be informed of administrative processes. With some exceptions for security reasons, the government and local authorities respected this right in practice for citizens, noncitizens, and the foreign press.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Section 5 Discrimination, Societal Abuse, and Trafficking in Persons

The law prohibits discrimination on the basis of race, gender, ethnic background, and political opinion and provides some protection against discrimination based on disability, language, or social status. The government generally enforced these prohibitions. However, some societal discrimination against women, persons with disabilities, immigrants, and Roma persisted.

Women

Rape, including spousal rape, is illegal, and the government enforced the law effectively. In 2005, 4,020 cases of rape were reported, and 1,344 individuals were convicted.

Violence against women, including spousal abuse, remained a problem. ISTAT, the official Italian government statistical agency, reported that 6.7 million women aged 16 to 70, or 31.9 percent of all women, had been victims of violence at least once in their lives. Five million women were victims of sexual violence and one million of rape or attempted rape. In 2006 ISTAT estimated there were 74,000 cases of rape or attempted rape, of which 4,500 were reported to the police. Approximately 23 percent of sexual abuses were committed by partners.

The law criminalizes physical abuse of women, including by family members, allows for the prosecution of perpetrators of violence against women, and helps women who have been victims of attack avoid publicity. Law enforcement and judicial authorities were not reluctant to prosecute perpetrators of violence against women, but victims frequently declined to press charges due to fear, shame, or ignorance of the law. In March 2006, the Ministry of Equal Opportunity established a hotline for victims of violence seeking immediate assistance and temporary shelter. In its first six months of service, 2,500 women reported episodes of violence and half of them requested assistance.

There were occasional reports of so-called "honor crimes" and forced marriage.

On September 21, a 20-year-old Moroccan woman escaped from the apartment where she had been confined by her husband and mother-in-law for almost three years in Genoa. On September 6, an immigrant Indian woman, age 31, committed suicide, allegedly to avoid an arranged marriage.

On November 13, the father and two brothers-in-law of a 20-year-old Pakistani immigrant woman killed in 2006 were each sentenced to 30 years' imprisonment in Brescia. She had been reproved for having adopted a western lifestyle.

In August the Department of Equal Opportunity launched a program on prevention of female genital mutilation that included an awareness campaign for immigrants, an analysis of risks, and training of cultural mediators.

Prostitution is legal in private residences; the law prohibits pimping, brothels, and similar commercial enterprises. Trafficking of women for sexual exploitation remained a problem.

The law permits domestic courts to try citizens and permanent residents who engage in sex tourism outside Italy, even if the offense is not a crime in the country in which it occurred. The country also has code of conduct for tourist agencies to help combat sex tourism. On September 18, a man was arrested in Trento for child pornography, prostitution, and sexual intercourse with minors, allegedly committed in Thailand and Cambodia. In January four persons accused of organizing tours to Brazil that included the sexual services of 12- to 17-year-old girls were put on trial; the trials were ongoing at year's end. On March 8, a man was sentenced to 14 years in prison for child prostitution and pornography and exploitation of minors committed in Thailand from 2003 to 2005, in the first case applying the extraterritorial aspect of the law against sex tourism. The NGO ECPAT Italy estimated that, in 2006, 80,000 to 100,000 men traveled to Kenya, Thailand, Brazil, and other Latin American countries for sex tourism.

Sexual harassment is illegal, and the government effectively enforced the law. In 2005, in an effort to combat sexual harassment in the workplace, the government issued a decree that makes emotional abuse based on gender discrimination a crime.

The law provides women the same rights as men, including rights under family law, property law, and in the judicial system.

According to the European Commission, the overall gap between salaries for men and women was 9 percent. Women were underrepresented in many fields, including management, entrepreneurial business, and the professions. Only 10 percent of hospital department heads and 5 percent of deans of faculties of medicine were women.

A number of government offices worked to ensure women's rights, including the Ministry for Equal Opportunity and the Equal Opportunity Commission in the prime minister's office. The Ministry of Labor and Welfare has a similar commission that focuses on women's rights and discrimination in the workplace. Many NGOs, most of them affiliated with labor unions or political parties, actively and effectively promoted women's rights.

Children

The government demonstrated a commitment to children's rights and welfare. Schooling is free and compulsory for children between the ages of seven and 18; those unable or unwilling to follow the academic curriculum may shift to vocational training at age 15. In 2006 the Ministry of Education reported that the drop-out rate was 20.6 percent, compared to 21.9 percent in 2005. There was no difference in the treatment and attendance of girls and boys at the primary, secondary, and postsecondary

levels. Completion of secondary school was the highest level achieved by most children.

The state provides free medical care for all citizens.

There were incidents of child abuse; between January and September 6, Telefono Azzurro, an NGO that works on behalf of the rights of children, received approximately 4,000 calls and 1,026 requests for assistance. Approximately 4 percent involved sexual abuse, 6 percent physical violence, and 8 percent psychological exploitation. In 51 percent of the cases, the victims were male; 62 percent were under the age of 11. In 2006 authorities registered approximately 170 reports of sexual intercourse with minors, 290 reports of production of child pornography, and 180 reports of possession of child pornography.

NGOs estimated that 7 to 10 percent of prostitutes were minors. An independent research center estimated that there were about 2,000 minors who worked as street prostitutes; of these, 1,500 were trafficked into the country and forced into prostitution.

Illegal immigrant child laborers from northern Africa, the Philippines, Albania, and China continued to enter the country.

A special unit of the police monitored 20,000 Web sites between January and October, investigated 303 persons for crimes involving child pornography online, and arrested 29, compared to 18 in 2006.

Trafficking in Persons

The law prohibits trafficking in persons; however, persons were trafficked to, from, and within the country. According to government and NGO sources, approximately 3,000 new victims were trafficked to and within the country in 2006, the latest year for which data was available. From 7 to 10 percent of victims were believed to be minors.

Italy was a destination and transit country for trafficked persons. Immigrants, mostly from Nigeria, North Africa, and Eastern Europe, played a major role in trafficking for the purpose of sexual exploitation, both as traffickers and victims, although citizens were also involved. NGOs estimated that the vast majority of prostitutes in the country were immigrants, primarily from Nigeria (35 percent of the total), Romania, Bulgaria, Ukraine and Moldova.

Sexually exploited victims of trafficking faced health risks resulting from unsafe and unprotected sex. Trafficking victims in the Tuscany region who worked in sweatshops were possibly exposed to dangerous chemicals in the leather industry.

In December 2006 the prosecutor of Agrigento alleged that criminal organizations were responsible for trafficking thousands of minors from outside the European Union through Sicily. He reported that the most well-organized gangs were Romanian, Albanian, Egyptian, and Moroccan. Prostitution rings routinely moved trafficked persons from city to city to avoid arrest.

Victims of trafficking were usually lured with promises of a job, or sold by relatives, friends, or acquaintances. Traffickers forced their victims to work as prostitutes, laborers in restaurants or sweatshops, or beggars in the street. Traffickers enforced compliance by taking victims' documents, beating and raping them, or threatening to harm their families. There were no reports that traffickers killed trafficked women during the year.

The law provides prison sentences of eight to 20 years for trafficking in persons and for enslavement. Sentences for persons convicted of trafficking in minors for sexual exploitation increase by one-third to one-half. The law mandates special prison conditions for traffickers in order to limit their ability to continue their operations while incarcerated.

According to the Ministry of Justice, authorities investigated 1,687 persons for trafficking in 2006 and arrested 269. There were 93 prosecutions; trial courts convicted 50 persons and appeal courts convicted 72. The government cooperated with foreign governments, including those of Nigeria, Ukraine, Bulgaria, and Moldova to investigate and prosecute trafficking cases.

The 2006-07 "Operation Spartacus," aimed at stopping trafficking in persons and illegal immigration, resulted in 784 arrests for trafficking in persons and smuggling of illegal workers; 1,311 persons were under investigation. Because in some trafficking cases it was difficult for police to meet the law's evidentiary standards, authorities relied on immigration law to stop trafficking.

A number of trafficking cases were prosecuted during the year. For example, on March 15, a Milan court sentenced seven Romanians to four to 10 years' imprisonment for slavery and forced child prostitution. In June ten Romanians were committed for trial on charges of trafficking at least 100 children whom they allegedly forced to beg on the streets and steal from private residences in Rome and Milan.

In July 2006 Italian and Polish police arrested 25 individuals in Puglia, including Poles, Ukrainians, Algerians, and an Italian, for trafficking up to 1,000 Poles over several years for forced agricultural labor. A trial against 19 of them was ongoing, and the trial of four others had not yet begun at year's end. The traffickers hired the workers out to local farmers. Victims reportedly responded to an advertisement for migrant workers, paid a travel fee, received $4.30 (three euros) per hour, and were kept in penury by the traffickers, who charged them for food, water, and squalid sleeping quarters. Police freed 113 workers and were investigating reports of at least two suspicious suicide deaths as well as reports of beatings and rape by traffickers and farm owners. The Interior Ministry was investigating the abuses at year's end. There were more than 600 reported cases of slavery and other abuses suffered by Poles in Puglia between 2004 and 2005.

In April, four Italians and three Romanians were sentenced to three to 12 years' imprisonment for forced prostitution and exploitation of 200 Romani minors between 2004 and 2006. A trial against eight other persons arrested in 2006 began in June for coercing children into having sexual intercourse with adults in exchange for small gifts.

There were no reports during the year that government officials participated in, facilitated, or condoned trafficking.

The law provides temporary residence or work permits to persons who seek to escape their exploiters. Authorities and NGOs encouraged victims to file complaints, and there were no legal impediments for them to do so. Unlike most other illegal immigrants, who face deportation if apprehended, persons who qualify as official trafficking victims under the law receive benefits, including legal residence, whether or not they file a complaint. However, NGOs alleged that the government did not always allow enough time between apprehension and deportation of illegal immigrants to screen them for trafficking victims.

The government provided legal and medical assistance to persons identified by authorities as victims of trafficking, including access to shelters and programs for job training. In 2006, the government assisted 7,300 women. There were also assistance and incentive programs for those willing to return to their native country; in 2006, 69 victims who chose to return to their country were repatriated. The domestic NGO Social Service International assisted in repatriating unaccompanied immigrant minors.

The law empowers magistrates to seize convicted traffickers' assets to finance legal assistance, vocational training, and other social integration assistance for trafficking victims.

The government worked with other governments and NGOs to orchestrate trafficking awareness campaigns. The law directs the Foreign Ministry, working with the Ministry of Equal Opportunity, to conclude antitrafficking agreements with trafficking source countries.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services. The government effectively enforced these provisions, but there was some societal discrimination.

Although the law mandates access to government buildings for persons with disabilities, mechanical barriers, particularly in public transport, left such persons at a disadvantage. The Ministry of Labor and Welfare was responsible for protecting the rights of persons with disabilities.

On January 6, parliament enacted legislation to broaden the definition of discrimination against persons with disabilities by public and private entities and, for the first time, allow NGOs to file complaints on their behalf.

ISTAT estimated there were 2.6 million persons with disabilities in Italy from 2004 to 2005. Of the 587,000 workers with disabilities registered at public employment centers during the year, only 5.2 percent found work. A total of 101,000 positions reserved by law for persons with disabilities remained vacant.

National/Racial/Ethnic Minorities

There continued to be reports that police mistreated Roma. The NGO Opera Nomadi reported cases of discrimination, particularly with regard to housing and evictions, deportations, and efforts by the government to remove children for their protection from Romani parents. Government officials at the national and local levels, including those from the Ministry of Interior and the Ministry of Equal Opportunity, met periodically with Roma and their representatives.

On May 18, the mayors of Rome and Milan signed "Pacts for Security for Rome and Milan" which foresee the eventual relocation of Roma living in camps on the periphery of these cities to equipped encampments. They also contained measures aimed at cracking down on begging and the sale of counterfeit goods. The pacts were signed in the midst of anti-Roma media statements by the authorities who signed the pacts. One article ran a headline suggesting that Roma in squatter camps must go, that police must control camp order, and that 10,000 Roma should be forced "away."

The Rome Pact established a joint commission of the regional government, which was given nine months to build prefabricated container houses and prepare "villages of solidarity" on the periphery of Rome for inhabitation by 4,000 Roma. At the same time, a task force of 150 police officers (75 from the military and 75 from the state police) was ordered to "rehabilitate" these areas.

The Milan Pact's stated goal was to reduce criminality and to address the problem of unauthorized camps for "nomads." The pact called for the enactment of "extraordinary powers" in order to "solve the Roma emergency" in Milan. The Pact also foresees the "intensification" of police patrols in the periphery (where many Roma live) to guarantee the security of Milan residents.

Roma and other European human rights NGOs protested the pacts, asserting that it would result in the forcible relocation of as many as 10,000 Roma.

In April 2006 the European Committee of Social Rights ruled that the country systematically violated the right to adequate housing for Roma by not providing sufficient camping sites, not providing permanent housing, and evicting Roma from housing.

There were no accurate statistics on the number of Roma in the country. NGOs estimated that a population of 150,000 Roma, approximately 75,000 of whom are citizens, is concentrated on the fringes of urban areas in the central and southern parts of the country. Roma live in camps characterized by poor housing, unhygienic sanitary conditions, limited employment prospects, inadequate educational facilities, and the absence of a consistent police presence.

Public opinion surveys indicated that negative societal attitudes toward immigrants continued to increase, particularly among young persons and in the north. On September 18, three improvised explosive devices were thrown in an unauthorized camp for Roma in Rome; only one exploded and no injuries were reported. Immigrants continued to assert that that they were discriminated against in employment.

The government's Office to Combat Racial and Ethnic Discrimination in the Ministry of Equal Opportunity provided assistance to victims of discrimination. In 2006 the office received about 10,000 calls on its national hotline, of which it considered 218 to be genuine cases of discrimination against racial or ethnic minorities. The majority of complaints related to labor conditions, wages, and discrimination in public. The office provided legal assistance and help in mediating disputes.

Other Societal Abuses and Discrimination

There were reports of societal discrimination based on sexual orientation. In July newspapers published the story of a student in Sicily who was insulted and abused by classmates and expelled from school by the teacher because of his perceived homosexuality. The minister of education ordered an investigation.

In June 2005 the Administrative Court of Catania criticized the Ministry of Transport for having requested the revocation of a driver's license of a homosexual based on his sexual orientation. A civil trial seeking restitution was underway at year's end.

Section 6 Worker Rights

The Right of Association

The law provides for the right to establish, join, and carry out union activities in the workplace without previous authorization or excessive requirements, and workers exercised these rights in practice. The law prohibits union organization in the armed forces. Unions claimed to represent between 35 and 40 percent of the workforce.

The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government protected this right in practice. The law provides for the right of workers to organize and bargain collectively, and workers exercised this right. Approximately 35 percent of the workforce worked under a collective bargaining agreement; nonunion members working alongside union employees also benefited from the agreements. The law provides for the right to strike, and workers exercised this right by conducting legal strikes. The law restricts strikes affecting essential public services (such as transport, sanitation, and health), requiring longer advance notification and precluding multiple strikes within days of each other.

There are no export processing zones.

Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that women were trafficked for sexual exploitation, children were trafficked for sexual exploitation and begging, and workers were trafficked for agricultural labor.

Prohibition of Child Labor and Minimum Age for Employment

The government implemented laws and policies designed to protect children from exploitation in the workplace; however, there were reports of child labor.

The law prohibits employment of children under age 15 with some limited exceptions, and there are specific restrictions on employment in hazardous or unhealthy occupations for boys under the age of 18 and girls under the age of 21. Enforcement of these laws was generally effective in the formal economy; however, the enforcement of minimum age or other child protection laws was difficult in the extensive informal economy. In 2006 an independent research center called Censis estimated that over 400,000 children between the ages of seven and 14 worked at least occasionally and that 147,000 of them were exploited. Many of these children worked in family-owned farms and businesses, which is illegal if it interferes with education.

Illegal immigrant child laborers from northern Africa, the Philippines, Albania, and China continued to enter the country.

Trafficking in children for sexual exploitation and begging was a problem.

The government, employers' associations, and unions continued their tripartite cooperation on child labor. The Ministry of Labor and Welfare, working with police and Carabinieri, is responsible for enforcement of child labor laws, but their efforts were often ineffective

Acceptable Conditions of Work

While the law does not establish a minimum wage, it provides for it to be set through collective bargaining agreements on a sector-by-sector basis. The minimum wage in most industries provided a decent standard of living for a worker and family. Courts effectively enforced the wages set through collective bargaining agreements, but workers in the informal sector often worked for less than the minimum wage.

The legal workweek is 40 hours. Overtime work may not exceed two hours per day or an average of 12 hours per week. Unless limited by a collective bargaining agreement, the law sets maximum overtime in industrial sector firms at no more than 80 hours per quarter and 250 hours annually. The law required rest periods of one day per week and 11 hours per day. Premium pay is required for overtime. These standards were effectively enforced.

The law sets basic health and safety standards and guidelines for compensation for on-the-job injuries. There were labor inspectors in both the public health service and the Ministry of Labor and welfare, but their numbers were insufficient to ensure adequate enforcement of health and safety standards. The standards were not enforced in the informal economy. In 2006 the government inspected approximately 290,000 companies and found 123,000 employees working without legal employment documents. Workers have the right to remove themselves from dangerous work situations without jeopardizing their continued employment, and the government effectively enforced this right.

In 2006 national and regional authorities inspected about 290,000 companies, found irregularities in 180,000 of them, identified 123,000 illegal workers and claimed $2.19 billion (1.5 billion euros) in unpaid social security contributions. In February, the Ministry of Labor and Welfare ordered a special inspection into the agricultural sector in Puglia and revealed that 86 percent of companies were operating in violation of labor laws and 74 percent of workers were illegally hired.

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