

Italy

Country:

[Italy](#)

Year:

2016

Freedom Status:

Free

Political Rights:

1

Civil Liberties:

1

Aggregate Score:

89

Freedom Rating:

1.0

Overview:

Several reforms promoted by Prime Minister Matteo Renzi passed or went into effect in 2015, affecting the labor, electoral, banking, and education sectors. Renzi continued to advocate for improvements to the judiciary as well as for an ambitious parliamentary reform plan, which the Senate approved in October.

The Renzi government continued to reduce spending and restructure the civil sector to counter the economic problems that had challenged its predecessors. In May, the International Monetary Fund (IMF) declared that Italy was slowly emerging from its recession, forecasting modest economic growth of 0.7 percent for the year. Italy's unemployment rate stood at just over 11 percent at year's end.

Political Rights and Civil Liberties:

Political Rights: 36 / 40 [Key]

A. Electoral Process: 12 / 12

The bicameral Parliament consists of the 630-member Chamber of Deputies and the 322-member Senate; most members of both houses are popularly elected to five-year terms. Parliament and regional representatives elect the president, whose role is largely ceremonial but sometimes politically influential, for a seven-year term. The president may appoint up to five senators for life. The president also appoints the prime minister, who is often, but not always, the leader of the largest party in the Chamber of Deputies. The prime minister proposes a Council of Ministers that needs to be confirmed by Parliament. In January 2015, Sergio Mattarella, a former constitutional judge, was elected president in what was seen as a political victory for the Renzi government.

In general elections, most members of both houses are elected through closed party-list proportional systems, with thresholds that encourage political groups to form coalitions. A so-called majority bonus guarantees that whatever grouping emerges with the most votes at the national level will gain at least 340 of the seats in the lower house; in the upper house, victory in a given region ensures the winning party or coalition a 55 percent majority of that region's allotment of seats.

The most recent parliamentary elections took place in 2013. The Organization for Security and Co-operation in Europe (OSCE) positively assessed the preelection environment, and observers considered the vote to be free and fair. The center-left Italy Common Good coalition, headed by Democratic Party (PD) leader Pier Luigi Bersani, won the most votes and claimed 345 seats in the Chamber of Deputies and 112 of the 315 directly elected seats in the Senate.

Local elections took place in 7 of Italy's 20 regions in May 2015, and saw gains by the antiestablishment Five Star Movement, the regionalist Northern League, and the conservative Forza Italia, which is led by former prime minister Silvio Berlusconi.

Several changes to Italy's electoral laws and framework were ongoing during the year. In May, Parliament approved electoral legislation initiated by Renzi that included controversial provisions for fixed lists and higher electoral thresholds, ostensibly intended to enhance majorities and avoid postelection deadlock. The law will go into effect in July 2016. In October, the Senate approved a controversial draft plan to reform itself. Part of a package of overarching constitutional changes, the proposal aims to abolish perfect bicameralism by, among other things, reducing the size of the Senate to 100 members chosen by regional councilors, mayors, and the president, as well as by shifting most power of legislative approval to the Chamber of Deputies. Critics claimed that the plan would enhance the influence of regional governments, which are often corrupt and rule by factionalism. The proposals must be put to a referendum in order to be fully adopted.

The Renzi government has also supported a measure to replace elected provincial governments, long considered an excessive bureaucratic level, by dividing their responsibilities between local and regional governments. The proposal was approved in March 2014 through a confidence vote, but implementation was delayed in 2015 because of the reluctance of regional and local administrations to shoulder the associated costs.

B. Political Pluralism and Participation: 14 / 16

The Italian party system is characterized by a high level of pluralism and political competition. However, its structure is very unstable since political coalitions easily change their compositions, and new political parties are often created.

The threshold and runoff provisions in electoral legislation passed in May 2015 will enable single parties to gain seats more easily, and are likely to affect the dynamics of the party system ahead of the next legislative vote. Although critics allege that the new system will allow one party to gain excessive power, proponents argue that it will reduce the complexity of coalition-building and the potential for parliamentary gridlock.

Historically, the Vatican has held significant influence over politics in Italy, an overwhelmingly Catholic country. Ties between organized crime and public officials persist and fuel concerns about undue pressures on government.

In order to protect linguistic minorities, the electoral law stipulates that parties representing such groups can gain seats in the lower house if they obtain at least 20 percent of the vote in their constituencies. In 2015, the German-speaking South Tyrolean People's Party had four representatives in the Chamber of Deputies and three in the Senate. Issues of concern to ethnic

minorities play only a marginal role in national and local political agendas, and some municipal policies aggravate the exclusion of Roma.

In December, the lower legislative house approved amendments to the country's citizenship law that, if adopted, would facilitate new pathways for minors to become citizens. The changes would give children born to immigrant parents the ability to become citizens if at least one parent has permanent resident status. Additionally, the law would make foreign-born children eligible for citizenship if they fulfill basic educational and residency requirements. The bill had not passed in the Senate at year's end, and faced opposition from Forza Italia and the Northern League.

C. Functioning of Government: 10 / 12

Efforts to combat corruption continued in 2015. In May, Parliament passed stronger legislation against financial crimes, increasing penalties and broadening the scope of activity punishable under it. In March, police carried out additional arrests connected to the suspected mishandling of procurement and construction contracts for the Milan Expo 2015 world's fair. In 2014, Renzi had appointed National Anticorruption Authority president Raffaele Cantone, a magistrate distinguished for investigating organized crime and corruption, to take charge of Expo 2015. The opening of the fair in May 2015 was marred by clashes between protesters and the police. Separately, in June, 44 people were arrested in Rome on suspicion of misusing public contracts to manage migrant reception centers. Rome's former mayor, Gianni Alemanno, was among those under investigation for his role in the scheme.

The government also continued to combat organized crime during the year. In July, authorities seized assets from and issued dozens of arrest warrants for members of gambling rings operated by the 'Ndrangheta, a syndicate active in the southern region of Calabria. Several antimafia advocates themselves came under suspicion in 2015 for possible links to organized crime, prompting investigations by a special parliamentary commission.

Since 2011, Italy has been an active member of the Open Government Partnership. In this context, a 2013 legislative decree established greater transparency of information within public administration. The government regularly complies with requests for information, though delayed responses have been reported.

Civil Liberties: 53 / 60

D. Freedom of Expression and Belief: 15 / 16

Freedoms of expression and the press are constitutionally guaranteed. Despite the rapid growth of the online news industry, traditional media still play a large role in news consumption. There are more than 100 daily newspapers, most of them locally or regionally based, as well as political party papers, free papers, and weekly publications. Political party newspapers are supported by public funds. In February 2015, board of the state broadcaster, RAI, approved a plan to structurally reform the outlet in order to, among other things, reduce its vulnerability to political influence. The plan elicited strong opposition from Forza Italia and Berlusconi, who owns Mediaset, the largest private broadcaster in Italy. Concentration of media ownership remains a major concern, although it has improved since the administration of Berlusconi, who controlled up to 90 percent of the country's broadcast media through state-owned outlets and his own private media holdings.

In August, the parliamentary antimafia commission released a report that voiced concerns about the high number of attacks against journalists by organized crime groups. The report recorded 2,060

“acts of hostility” against journalists between 2006 and October 2014, and noted that at the time of publication, 20 journalists in Italy were living under the protection of armed guards.

Internet access is generally unrestricted. In July, Italian legislators proposed an international declaration of internet rights, which aims to strengthen restrictions on personal data collection and declare internet access a fundamental right.

Religious freedom is constitutionally guaranteed and respected in practice. Although Roman Catholicism is the dominant faith and the state grants some privileges to the Catholic Church, there is no official religion. Agreements between the government and a number of religious groups have been signed, but an omnibus religious freedom bill has yet to be passed.

The level of academic freedom in the country is fairly high. In July, Parliament adopted education reforms that, among other things, enhance the authority of head teachers, allow for merit-based raises, and provide tax breaks to private schools. Freedom of private discussion is respected.

E. Associational and Organizational Rights: 12 / 12

Italian citizens are free to assemble, establish social and political associations, and organize demonstrations. The constitution recognizes the right to strike but places restrictions on strikes by employees of essential sectors like transportation, sanitation, and health, as well as on some self-employed individuals, including lawyers, doctors, and truck drivers. In 2014, Parliament passed the Jobs Act, a reform package meant to combat unemployment and create flexibility in Italy’s rigid labor market. The final details of the legislation were approved by the cabinet in September 2015.

F. Rule of Law: 12 / 16

The judicial system is undermined by long trial delays and the influence of organized crime. A March 2014 report by the European Commission showed that within the European Union (EU), Italy has a comparatively high number of pending civil cases in proportion to its population. Italy also has one of the lowest numbers of judges per capita in the EU. The Renzi government announced a plan for judicial reform in 2014, aiming to simplify civil law, improve management of judicial proceedings, and encourage the settlement of disputes outside of court, among other things.

In 2014, Parliament approved a law targeting prison overcrowding. The legislation introduced early-release programs and alternatives to imprisonment. Italian prisons remain overcrowded, with more than 52,400 detainees held in facilities built for about 49,600, according to an October 2015 report by the Ministry of Justice.

Despite legal prohibitions against torture, there have been reports of excessive use of force by police, particularly against illegal immigrants. Italy is a major entry point for undocumented immigrants trying to reach Europe, and the government has been criticized for holding illegal immigrants in overcrowded and unhygienic conditions and denying them access to lawyers. Italy faced increased migration by sea from the Middle East and North Africa during the year, with approximately 149,400 registered arrivals from January to mid-December. Immediate emergency services for arriving migrants, many of whom were asylum seekers, were routine and included medical treatment, food, water, and temporary shelter. However, the authorities struggled to provide long-term services such as housing and timely processing of asylum applications. A 2014 measure easing penalties for illegal entry into the country went into effect in 2015.

Although Italian law specifically bans discrimination on the basis of sexual orientation, there is no legal recognition of same-sex relationships, and same-sex couples may not adopt children. In July 2015, the European Court of Human Rights (ECHR) condemned Italy for not granting same-sex unions legal status or protections. In September, the Senate resumed discussion of legislation that would recognize same-sex unions.

G. Personal Autonomy and Individual Rights: 14 / 16

Italian citizens enjoy a high level of personal autonomy as well as freedom of residence, movement, and work. The right to education is guaranteed by the constitution.

Despite some recent improvements, the Heritage Foundation rates Italy as a moderately free economy due to problems like corruption, limits on labor freedom, and mismanagement of public resources, which weaken access to economic opportunities and resources. Delays in court proceedings often undermine enforcement of protections for property rights.

Gender-based discrimination is prohibited by law. Women's political representation increased in 2013 in both the Chamber of Deputies (31 percent) and the Senate (28 percent). Female ministers comprise half of Renzi's cabinet. However, gender inequality remains widespread. According to the 2015 Global Gender Gap report, Italian women face serious obstacles in both labor force participation and wage equality. Violence against women also continues to be a problem.

Human trafficking, particularly the trafficking of women and girls for sexual exploitation, remained a major concern in 2015. Watchdogs and government agencies noted an increase in the reported number of trafficking cases during the year, most likely due to the influx of asylum seekers and other migrants, who are especially vulnerable to abuse.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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