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Wickenburggasse 14/7, A-1080 Vienna, Austria; Tel +43-1-408 88 22; Fax 408 88 22-50  
e-mail: office@ihf-hr.org – internet: <http://www.ihf-hr.org>  
Bank account: Bank Austria Creditanstalt 0221-00283/00, BLZ 12 000

## Extract from the IHF report

### *Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2005 (Events of 2004)*

#### Italy<sup>1</sup>

**IHF FOCUS: freedom of expression, free media and information; judicial system and right to a fair trial; ill-treatment and police misconduct; conditions in prisons; freedom of religion and religious tolerance; migrants and asylum seekers; trafficking in human beings.**

The concentration of media ownership in the hands of firms controlled by Prime Minister Silvio Berlusconi and his family, government influence on the public broadcasting company RAI, the application of criminal defamation legislation, and poor protection of journalistic sources were some of the human rights concerns in Italy in 2004.

Efforts to reform the judicial system were frequently blocked by disagreements between the government, the opposition, and local magistrates. Meanwhile, judicial proceedings were excessively long particularly in civil cases, thus violating the right to a fair trial in a reasonable time. Prisons continued to be overcrowded and adequate medical care was not always guaranteed to inmates. While police abuse appeared not to be a widespread problem, the slow pace of investigations into alleged cases of ill-treatment by police toward anti-globalization activists during the 2001 G-8 summit gave rise to suspicion that Italian authorities were reluctant to take effective measures to fight police misconduct.

Italy was faced with continuous waves of illegally arriving immigrants as well as a numerous asylum seekers, but it still lacked consistent asylum legislation. The Roma minority faced various forms of discrimination and harassment, as well as direct segregation in access to housing. Finally, trafficking in human beings remained a problem. Victims of trafficking were usually forced into prostitution, laboring in restaurants or sweatshops, or begging in the street.

#### **Freedom of Expression, Free media and Information**

The main human rights concerns in the field of media freedoms were the high level of media concentration, governmental control over public radio and television, inadequate legislation to protect journalistic sources, and the continued criminalization of defamation through the media.

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<sup>1</sup> Based on a report by the Italian Helsinki Committee to the IHF.

Prime Minister Berlusconi owns and controls the Mediaset TV group, which has three commercial TV stations, and the leading Mondadori publishing group, while members of his family ran two large newspapers, *Il Foglio* and *Il Giornale*. The combination of Berlusconi's role as a media mogul and his political function as prime minister gave rise to concerns of a conflict of interest and a lack of diversity and pluralism in the Italian media scene.

The public television company RAI, which operates three channels, was strongly influenced by the ruling coalition. RAI's chairwoman Lucia Annunziata stepped down on 4 May because of what she called the "occupation" of RAI's board by people loyal to Prime Minister Berlusconi. Annunziata complained that RAI was suffering from political interference and pressure from the government and that the network's independence was compromised. She had taken over the position in March 2003 after Paolo Mieli's resignation. Mieli had claimed that he was not able to run the broadcaster as he saw fit. Supporters of Berlusconi denied charges of interference, noting that appointees to the RAI board have always been made by the prime minister, not just by Berlusconi.<sup>2</sup>

In May, the Italian parliament approved a controversial media bill known as the "Gasparri Law" in order to regulate media ownership. The bill was approved by parliament in 2003, but vetoed by President Carlo Azeglio Ciampi, who sent it back to lawmakers for amendments. The adopted bill retains the interests of Mediaset, and its approval by the lower house of parliament on 24 March was followed by widespread criticism of the Italian government by the EU and the Council of Europe.<sup>3</sup>

In April, the European Parliament adopted a report on media freedom, which heavily criticized Berlusconi's role in the Italian media field. The report states, among other things, that "the Italian system presents an anomaly owing to a unique combination of economic, political and media power in the hands of one man – the current President of the Italian Council of Ministers, Silvio Berlusconi – and to the fact that the Italian Government is, directly or indirectly, in control of all national television channels."<sup>4</sup>

### *Secrecy of Journalistic Sources*

Separate and contradictory laws theoretically protect the secrecy of journalistic sources, but at the same time authorize magistrates to carry out investigations into them.

- On 16 August, the police raided the offices of the Milan weekly *Gente* and the house of journalist Gennaro De Stefano in Rome. Acting on orders from the Genoa prosecutor, police seized documents relevant to an enquiry into street clashes during the July 2001 G-8 summit in Genoa. *Gente* was about to publish results of its investigation on the matter. The weekly's editor, Umberto Brindani, and De Stefano were told during the searches that their names were on a list of people being investigated for alleged illegal possession of documents.<sup>5</sup>

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<sup>2</sup> International Press Institute, *2004 World Press Freedom Review: Italy*, <http://www.freemedia.at/wpfr/Europe/italy.htm>.

<sup>3</sup> Ibid

<sup>4</sup> European Parliament (Committee on Citizens' Freedoms and Rights, Justice and Home Affairs), *Report on the risks of violation, in the EU and especially in Italy, of freedom of expression and information (Article 11(2) of the Charter of Fundamental Rights)(2003/2237(INI))*, 5 April 2004, <http://www2.europarl.eu.int/omk/sipade2?L=EN&OBJID=75982&LEVEL=3&MODE=SIP&NAV=X&LSTDOC=N>.

<sup>5</sup> Reporters Without Borders, "Magazine office searched on prosecutor's orders," 17 August 2004, [http://www.rsf.org/article.php3?id\\_article=11160](http://www.rsf.org/article.php3?id_article=11160).

## *Criminal Defamation*

Defamation through the media remained a criminal offense, and judges occasionally used this provision to punish journalists who had criticized their activities. Article 595 of the Criminal Code provides for the maximum sentence of three years of imprisonment for defamation, while article 13 of Law No. 47 of 1948 on the Media extends this term up to six years in some cases of defamation through the media.

On 1 July, the judicial commission of the lower house of parliament adopted a reform proposal to abolish prison sentences for libel, but keeping the offense in the Criminal Code and making it punishable with fines of up to EUR 5,000. The House of Deputies passed the bill on 16 October, and as of the year's end, it still needed to pass the Senate. The proposal was criticized for several flaws, particularly for giving judges the power to ban journalists from practising their profession for up to six months in case of multiple violations of the law.<sup>6</sup>

- On 24 February, a former journalist for the local weekly *Il Meridiano*, Massimiliano Melilli, was sentenced on appeal to 18 months in prison and ordered to pay a fine of EUR 100,000 for defamation by a court in Trieste, North-East Italy. The allegedly offending articles, published on 9 and 16 November 1996, reported on rumours of “erotic parties” supposedly attended by Trieste high society. The journalist especially focused on Rosanna Illy, wife of the then mayor of Trieste, who denied the allegations and sued for defamation. At the lower court on 1 June 2000, Melilli and Francesco Patocchio, the newspaper's editor-in-chief, had been sentenced to 18 months in prison, although the prosecution had called for a six-month sentence. On appeal, Patocchio was discharged because of his poor state of health. Melilli appealed to the Court of Cassation.<sup>7</sup>
- In July, magistrates in Naples placed Lino Jannuzzi, a 76-year-old journalist and senator, under house arrest, although they allowed him the possibility of attending the work of the parliament during daytime. In 2002, he had been sentenced to 29 months' imprisonment for defamation because of articles that appeared in a local paper for which he was editor-in-chief. The articles revealed irresponsible operation of the judiciary and highlighted what Jannuzzi called wrong and unjust sentences. Therefore, it was widely perceived that his sentence was given as revenge by the judiciary. Following heavy criticism from home and abroad, President Ciampi was expected to sign a decree of clemency at the beginning of 2005.

## **Judicial System and Right to a Fair Trial**

According to the general prosecutor of the Supreme Cassation Court, Francesco Favara, the number of crimes increased and the number of identified perpetrators decreased in Italy in 2004. In 81% of all committed crimes the perpetrators were never caught, an increase of 3.7% from 2003.

While the low detection rate was a problem, Favara pointed out that the most serious problem regarding the judicial system was the excessive and unacceptable length of trials. As of 30 June, a total of almost nine million trials (3.4 million civil cases and 5.6 million criminal cases) were pending. In practice, some 30% of the Italian population was waiting for justice.

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<sup>6</sup> Reporters Without Borders, “Legislators move to abolish prison sentences for libel,” 8 July 2004, [http://www.rsf.org/article.php3?id\\_article=10919](http://www.rsf.org/article.php3?id_article=10919); information from the Italian Helsinki Committee to the IHF, March 2005.

<sup>7</sup> Reporters Without Frontiers, “Journalist sentenced to 18 months in prison,” 26 February 2004, [http://www.rsf.org/article.php3?id\\_article=9394&var\\_recherche=italy](http://www.rsf.org/article.php3?id_article=9394&var_recherche=italy).

The average length of criminal proceedings in 2004 was about 1,000 days, while in civil proceedings it was even longer: close to 1,500 days.

The reasons for such slow operation of the judiciary were the insufficient number of judges, unclear legal provisions (such as regarding the statute of limitations, which can be used by defendants to their advantage by delaying trials through extensive pleas or appeals), the absence of effective limits for the length of pre-trial investigations, and a high number of minor offenses included in the Penal Code.

However, the general prosecutor opposed a radical reduction in the statute of limitation that is provided in a draft law pending in the Senate as of the end of 2004, which, according to the opposition, is aimed to protect persons close to Prime Minister Berlusconi.

Magistrates generally opposed the proposed reforms to the judicial system, including the one proposed by the ruling coalition, the movement Radicali Italiani and the Bar Association that would, *inter alia*, introduce a clear separation of the role of judges from that of attorneys (*procuratori*) in order to strengthen the defense in trials. On 25 May, the National Association of Magistrates (*Associazione Nazionale Magistrati*), which represents about 90% of the 9,500 Italian magistrates, went on strike to protest the draft reform of the judiciary. It claimed that that the new system would not make the judicial system more efficient, but rather would jeopardize the independence of judges and prosecutors.

In October, Valerio Onida, the president of the Constitutional Court, suggested that before the essential mechanisms of the balance of powers are altered, including the composition of the Constitutional Court itself, the possible consequences should be thoroughly analyzed and the process should involve a wide range of institutions.<sup>8</sup>

In 2004, the General Department of Controversies and Human Rights of the Ministry of Justice processed 3,240 cases of appeals submitted under the so-called “Pinto Law” (No. 89 of 2001), which provides for compensation to persons who have suffered damages for violations of the European Convention on Human Rights and Fundamental Freedoms without a judgment by the European Court of Human Rights (ECtHR). In most cases, at issue were unreasonably long trials. As a result of this effort of providing national remedies for such cases, the number of ECtHR sentences against Italy dropped significantly in 2004, to 16. Prior to the “Pinto Law,” the ECtHR used to pronounce about 300 sentences against Italy each year for excessive long trials.

- In July, the Appeal Court of Bologna ordered the state to pay reparation for unjust imprisonment to two members of the group Children of Satan (*Bambini di Satana*). Marco Dimitri received EUR 100,000 and Gennaro Luongo EUR 50,000 in compensation for spending time in prison (Dimitri 400 days) in 1996-1997 under charges of having sexually abused a child during a ritual ceremony and having raped a minor girl. They were acquitted on all judicial levels.

#### *Law on Immunity*

On 13 January, the Constitutional Court annulled the controversial immunity law adopted in June 2003, intended to protect the prime minister and four other high-ranking public servants from criminal prosecution as long as they remain in office. Under this law, named by the opposition “Lex Berlusconi,” magistrates could investigate complaints but not bring them to court. As a result of the Constitutional Court’s ruling, judicial proceedings against Prime Minister Berlusconi for alleged bribery were continued. In December, he was acquitted of one count of bribing a judge in 1991 (before he became prime minister)

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<sup>8</sup> *Repubblica*, 20 October 2004.

to block the sale of a food conglomerate to a business rival; the judges dropped another bribery charge stating that the statute of limitations had expired.

### *The Sofri Case*

Adriano Sofri, a former leader of the extreme left Lotta Continua movement, has been serving (with a short interruption between two trials) a 22-year prison term since 1996 for complicity in the 1972 murder of Police Commissioner Luigi Calabresi in Milan. The convictions were based solely on a witness statement given by a “repented” person 16 years after the murder, in the absence of any actual evidence. The sentences were declared void and then reconfirmed again several times. Prime Minister Berlusconi proposed that Adriano Sofri be pardoned but Minister of Justice Roberto Castelli refused to initiate proceedings to this end. Sofri himself has always pleaded not guilty and therefore refused to ask for a pardon.

In March 2004, deputy Marco Boato and others proposed a draft bill on the interpretation of article 87 of the Constitution, to make it clear that the minister of justice cannot not refuse to act on a presidential decree on pardon. The draft law was strongly opposed by two parties of the ruling coalition (the Northern League and the National Alliance), and was rejected on 16 March.

### **III-Treatment and Police Misconduct**

Following years of investigations, Italian magistrates finally charged more than 30 police officers for various acts of alleged misconduct perpetrated against anti-globalization activists who organized mass protests during the G-8 summit in Genoa in July 2001. However, by the end of 2004, only one was sentenced, while two trials were expected in 2005. The slow pace of investigations into alleged abuse by police officers and long judicial proceedings gave rise to concern over the adequacy of the procedure established for the accountability of police conduct.

- In October, a judge in Genoa acquitted a police officer from charges of abuse and giving a false statement, but sentenced another one to 20 months’ imprisonment for having injured a demonstrator during the July 2001 G-8 summit. Five other officers were charged with assault and giving a false statement; their trial was due to begin in February 2005.
- In November, a magistrate in Genoa brought charges against 28 officers of the state police who had ill-treated demonstrators during the G-8 summit in July 2001. They faced charges for assault, causing serious injury, giving false statements, and fabricating evidence. The trial is set to open on 6 April 2005. The defendants include former heads of different police departments in Genoa and Francesco Gratteri, the current head of anti-terrorism services. The charges were brought for alleged misconduct by the defendants in the dormitory “Diaz,” where 93 anti-globalization activists were arrested and beaten by police agents. Attorney Piero Porciani, who represents four of the indicted officers, declared that his clients only “carried out their duty and executed orders.”
- In a case not related to the 2001 Genoa incidents, in July, the magistrates in Brindisi sentenced seven police officers to 3-14 -year terms in prison for causing the 1995 death of a smuggler, for false documentation, brutality, and obstruction of justice. The smuggler had attempted to flee the country in a rubber dinghy via the Adriatic Sea.

## Conditions in Prisons

Both according to the Ministry of Justice and Italian NGOs, the main problem in the Italian penitentiary system in 2004 was overcrowding.

As of the end of December, Italian prisons housed 56,068 inmates, of whom 2,589 were women. The official total capacity of the Italian penitentiary institutions was 41,324 places. Over 36,000 were serving their definitive sentences, while 20,036 were in pre-trial detention or held in custody pending appeal. About 30% of inmates were non-EU citizens.

Prison management was seriously understaffed. Due to inconsistency in the legislation on public officers and to budget problems, there were 320 vacancies (83.1%) out of 385 positions. In 2004, the Ministry of Justice declared that its goal was complete staff recruitment in 2005 in the areas of management of the penitentiaries, their social services, and administration. A draft law concerning the penitentiary management in the Ministry of Justice was approved by the Senate and was under debate in the House of Deputies at the time of writing.

Apart from overcrowding, some prisons failed to provide adequate medical care, and older prisons lacked space for outdoor exercise.

According to the NGO Antigone, which monitors Italian prisons, conditions in penitentiaries in 2004 fell short of a number of legal provisions established by the penitentiary laws and the Constitution. For example, only 27 prisons (out of a total of 204) were able to provide 24-hour medical care. Cells often lacked appropriate hygienic conditions, and did not always allow the international standard of 9 square meters per inmate. In the first six months of the year, as many as 27 prisoners committed suicide.<sup>9</sup>

In September, the Society for Penitentiary Medicine and Health (*Società di Medicina e Sanità Penitenziaria*) reported that about 10,000 inmates in Italian prisons tested positive for tuberculosis, 4,000 for HIV, 14,332 were addicted to drugs and 1,157 to alcohol. Some 31,000 prisoners were emotionally disturbed, and the rate of suicide among the prison population was ten times higher than among the general population. The high rate of tuberculosis-positive persons was mainly due to the presence of more than 17,000 non-EU foreigners in Italian prisons who were infected before being incarcerated.<sup>10</sup>

## Freedom of Religion and Religious Tolerance

### *Religious Symbols in Public Places*

The presence of crucifixes in government offices, courtrooms, and other public buildings drew criticism and lawsuits.

- In December, the Constitutional Court ruled that a regulation adopted by the Fascist regime in 1928 that provides for the display of crucifixes in the classrooms of public schools is not in contradiction with the Constitution, which also provides for the separation of state and church. The judgment stemmed from a case in which a mother in Venice had asked that a crucifix be removed from the classroom of her child. Critics noted, however, that the court ruled merely on a technicality, not on the merit of the regulation, as the regulation in question was not a law.

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<sup>9</sup> *Corriere della Sera*, 19 August 2004.

<sup>10</sup> *La Gazzetta del Mezzogiorno*, 26 September 2004.

Due to the increasing number of non-religious individuals in the Italian population and the growing number of non-Christians among immigrants, the issue is likely to be brought up again.

Muslim women and girls were free to wear the headscarf in public offices and schools, but there were occasional reports of critical remarks to women who completely covered their faces and bodies with a *burqah*.

- In August and September, Sabrina Varroni, an Italian Muslim woman, was fined by a police officer in Drezzo (northern Italy) for wearing a *burqah* in public places. The fine was issued under the Royal Decree 773, clause 85, from 1931 that forbids persons from hiding their identity. Varroni appealed the administrative fines.<sup>11</sup> There were speculations that the related legal proceedings may eventually lead to a ruling by the Constitutional Court.

### **Migrants and Asylum Seekers**

Italy still did not have a specific asylum law to implement the provisions of article 10 of the Italian Constitution and international law concerning asylum seekers and refugees. Specific asylum legislation was still under discussion, with different proposals pending in parliament.

Current legislation refers to asylum seekers as a particular category of immigrants, as a result of which they are *de facto* at risk of being confused with illegal immigrants.

Thousands of persons seeking clandestine immigration, usually smuggled for very high fees by criminal organizations, continued to reach Italian shores by sea in unsafe, small dinghies or old fishing boats. Many drowned before reaching the Italian coast. While the navy and law enforcement agencies tried to intercept them, humanitarian groups such as the Italian Council of Refugees (*Consiglio Italiano Rifugiati – CIR*) and opposition politicians have occasionally accused authorities of overly harsh treatment of foreigners.

According to official data, 9,707 would-be illegal immigrants landed on Italian shores from January to 15 September. In the same period, Italy returned from its borders 22,961 persons and expelled from its territory other 19,356.

- In July, Italy deported most of the African migrants who had arrived on a ship operated by the German relief agency Cap Anamur, putting them on planes to Ghana and to Nigeria – and drawing protests from humanitarian agencies and opposition politicians. The deportees were part of a group of 37 Africans permitted to dock in Sicily on 12 July after a diplomatic stalemate between Italy and Germany. The German vessel had plied the Mediterranean for weeks in search of a friendly port. Cap Anamur said it had rescued the Africans, some of whom had identified themselves as refugees from Sudan's Darfur region, at sea on 20 June. However, it appeared that the Africans in fact originated from Nigeria and Ghana and were not in need of political asylum.<sup>12</sup>

In July, the Constitutional Court declared unconstitutional some clauses of the so-called “Bossi-Fini Law” on immigration (Law 189/2002). According to the court, the clauses did not include the necessary guarantees for adequate legal defense against an expulsion order for foreigners who arrive in Italy illegally. In addition, the law provided for the compulsory arrest of a foreigner who did not obey such an order, a punishment which should be allowed “only in exceptional cases of necessity and urgency,”

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<sup>11</sup> *Corriere della Sera*, 19 September 2004.

<sup>12</sup> *The New York Times*, 22 July 2004.

according to the court. Further, the law ordered pre-trial detention for an administrative offence, such as illegal immigration, which runs counter to the Constitution.

Presidential Decree No. 303 of 16 September established more precise rules for the implementation of the “Bossi-Fini Law,” as far as it concerns asylum. In December, Amnesty International, Italian Consortium of Solidarity (ICS) and Doctors Without Borders expressed in a joint statement their concerns regarding the decree, saying that it did not respond to the recommendations suggested by cities’ and regional administrations, competent NGOs, and the Conference of State and Regions. The three organizations particularly criticized the provisions that allow authorities to keep asylum seekers in “identification centers,” which were also used to hold illegal immigrants, as well as the unsatisfactory procedure of appeal provided by the decree.

### *Unlawful Labor Conditions*

Police periodically discovered clandestine Chinese immigrants, including underage children, working in plants throughout the country, particularly in Tuscany's sweatshops. According to the National Institute of Statistics (ISTAT), children of immigrants often faced mistreatment and exploitation for labor.

### *Female Genital Mutilation*

In May, the House of Deputies approved a draft law to specifically ban female genital mutilation (FGM), previously punishable under the generic title of “injuries.” Opposition parties protested the exclusion from the law of a clause that would have guaranteed refugee status in Italy for women who refused FGM for themselves and for their daughters. According to the Minister for Equal Opportunities, Stefania Prestigiacomo, this issue should be discussed in the frame of the upcoming legislation on asylum. The FGM draft law, which had not been discussed by the Senate by the end of the year, includes a definition of the crime of FGM in the Criminal Code, and provides incarceration from 6 to 12 years for perpetrators. It also establishes a telephone hot line under the Ministry of Health for medical and social authorities, and foresees information campaigns on the issue, targeted on immigrants from countries where FGM is usually practiced.

## **National and Ethnic Minorities**

### *The Roma Minority*<sup>13</sup>

In December, the European Committee of Social Rights in Strasbourg ruled admissible a collective complaint against Italy, lodged by the European Roma Rights Center (ERRC), contending that in policy and practice, Italy racially segregates Roma in access to housing. The committee will proceed to review, in early 2005, Italian housing policies as they relate to Roma, to determine whether they comply with Italy's obligations under the 1996 Revised European Social Charter.

According to the ERRC, housing arrangements for Roma in Italy aim at separating Roma from the mainstream of Italian society and at holding them in artificial exclusion. As such, they block possibilities for integration and subject Roma to segregation on racial grounds.

ERRC also stated that Italian authorities regularly and systematically subject Roma to forced evictions from housing, calling seriously into question Italy's compliance with a number of international human

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<sup>13</sup> Based on information at the website of the European Roma Rights Center (IHF cooperating organization), [www.errc.org](http://www.errc.org).



rights provisions. During eviction raids, authorities have arbitrarily destroyed property belonging to Roma, used abusive language, and otherwise humiliated evictees. In many cases, persons expelled from housing have been rendered homeless as a result of actions by police and local authorities. In some instances, in the course of such evictions, Roma have been collectively expelled from Italy.

Local NGOs estimated in 2004 that there were 60,000-90,000 Roma in Italy who were Italian citizens and 45,000-70,000 Roma born outside Italy or born in Italy to immigrant parents, mainly from Eastern Europe, especially the former Yugoslavia. ERRC believed that, where Roma were concerned, the circle of persons provided with Italian citizenship was kept artificially constricted as a result of arbitrary practices by the administration, frequently informed by high levels of anti-Romani sentiment.

Camps where many Roma in Italy are forced to live vary in size from a dozen persons to more than one thousand. In a number of Romani settlements, extremely inadequate housing conditions prevail, threatening the health and even the lives of their Romani inhabitants. Running water and electricity are not sufficient to meet the needs of the camp inhabitants. Very few camps have adequate sewage removal or treatment systems, and many suffer from extremely inadequate solid waste removal.

There is not always a significant difference between the quality of life in an authorized and an unauthorized camp. Roma in camps live in makeshift barracks, containers and caravans. Authorized camps in Rome consist of standardized containers, while in other major cities they may include caravans and tents as well.

Respect for privacy and freedom of movement were not guaranteed either in authorized camps or in a number of unauthorized camps. Regardless of the amenities with which camps were provided, they were all closely kept under surveillance by police.

Several cases of forced evictions of Roma took place in 2004, and police or other officials abusively raided Romani housing.

The Italian government approved in July 2003 a decree containing detailed rules relating to discrimination on racial or ethnic grounds, apparently with the intention of thereby transposing the EU Directive against racial discrimination into domestic law. The decree supplements and amends Italian Law "Testo Unico 286/98," guaranteeing equal treatment of citizens and legal non-citizen residents in access to housing and other public services. However, no positive action or specific programs targeted at racial or ethnic minorities have been implemented yet.

In November, the Minister for Equal Opportunities created a National Office to Combat Racial and Ethnic Discrimination whose goals include monitoring, prevention, and legal assistance to the victims. A national hotline for reporting cases and public relations campaigns to discourage discrimination are included in the programs of the new institution.

### **Trafficking in Human Beings**

Italy was a country of destination and transit for trafficked persons, often for sexual exploitation or forced labor. Most trafficking was operated by organized criminal groups. The Ministry of Interior estimated the number of victims of trafficking at around 2,000, including about 200 minors, but local monitors believed the real number to be much higher.

Victims of trafficking were usually forced into prostitution, laboring in restaurants or sweatshops, or begging in the street.

A 2003 law specifically prohibits trafficking in persons and provides for sentences of 8-20 years' imprisonment – to be increased by one half when the victims are minors destined for prostitution – for trafficking or for enslavement. In August, the Ministry of Interior announced that 214 persons were arrested, while another 300 were under investigation for these crimes.

The law provides partial legal immunity, temporary residence or work permits to persons who seek to escape their exploiters and denounce them, and assistance for those willing to return to their home country.