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To: Michael McGrath, European Commissioner for Democracy, Justice, the Rule of Law and Consumer Protection

**Wednesday 28 May 2025, Brussels**

## **Subject: Urgent call to address democratic backsliding, civic space and rule of law deterioration in Italy**

Dear Commissioner McGrath,

We write to you on behalf of over 80 civil society organisations to urge you to raise concerns over the accelerating erosion of civic space, democratic safeguards and the rule of law in Italy. The **Security Decree** (d.l. 11 April 2025, n. 48; previously Bill No. 1660)<sup>1</sup> by the Italian government is emblematic of a dangerous escalation. We urge you to exercise your mandate, as outlined in your mission letter, to strengthen the protection of civil society, human rights defenders and activists, and defend democracy and the rule of law by taking decisive action against this alarming development.

The newly adopted Security Decree introduces severe and disproportionate restrictions on the right to peaceful assembly and expression. It introduces punitive measures that risk criminalising legitimate forms of dissent and protest — core democratic principles and forms of participation protected by international law.<sup>2</sup> The decree also openly endangers digital rights,<sup>3</sup> as it would, for instance, enable the use of body cams by police authorities enabled to collect biometric data of people during protests. Civil society organisations,<sup>4</sup> trade unions,<sup>5</sup> several UN special rapporteurs,<sup>6</sup> OSCE Office for Democratic Institutions and Human Rights,<sup>7</sup> and the Council of Europe Commissioner for Human Rights<sup>8</sup> have analysed the then security bill and found its provisions if not amended would violate international human rights law and disproportionately affect specific groups, including racial minorities, migrants and refugees.<sup>9</sup> They also highlighted that the *majority*

<sup>1</sup> <https://www.gazzettaufficiale.it/eli/id/2025/04/11/25G00060/sg>

<sup>2</sup> <https://docs.un.org/en/CCPR/C/GC/37>

<sup>3</sup> <https://www.wired.it/article/decreto-sicurezza-body-cam-riconoscimento-facciale-diritti-amnesty/>

<sup>4</sup> <https://www.hrw.org/news/2025/02/05/italian-security-bill-seriously-threatens-rights-freedoms>

<sup>5</sup> <https://www.cgil.it/ufficio-stampa/dl-sicurezza-cgil-repressione-di-ogni-forma-di-dissenso-e-politica-punitiva-non-sono-soluzioni-ee4u6dc7>

<sup>6</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29549>

<sup>7</sup> <https://legislationline.org/sites/default/files/2024-05/2024-05-27%20-%20Opinion%20Italy%20Draft%20Law%20on%20Public%20Security%20-%20final.pdf>

<sup>8</sup> <https://rm.coe.int/letter-to-president-of-the-senate-italy-by-michael-o-flaherty-council-/1680b2e8d7>

<sup>9</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29549>



of the provisions could harm democracy and fundamental freedoms, and have “*the potential to undermine the fundamental tenets of criminal justice and the rule of law*”.<sup>10</sup>

After the bill was adopted as a decree in the Council of Ministers, bypassing parliament and evading any meaningful legislative scrutiny, five UN special rapporteurs reiterated their condemnation.<sup>11</sup> Since the decree was adopted, violence during protests has increased dramatically.<sup>12</sup>

International human rights law recognises civil disobedience as a legitimate form of peaceful assembly. It affirms that disruptions caused by protests must be accommodated and accepted and that restrictions on peaceful assemblies must be justifiable.<sup>13</sup> The UN Special Rapporteur on Environmental Defenders highlights the urgent need for states to uphold these rights, refrain from excessive force or punitive measures, and ensure environmental defenders are not unjustly penalised.<sup>14</sup> Measures that chill dissent, particularly through vague or overly broad provisions, weaken the foundations of pluralism, democracy, accountability, and open governance.

The extensive and disproportionate criminal penalties for individuals exercising their rights to freedom of expression and freedom of peaceful assembly and association are also contrary to EU law, particularly Articles 11, 12, 21, 47 and 48 of the Charter of Fundamental Rights of the EU,<sup>15</sup> and Article 2 of the Treaty on European Union (TEU).<sup>16</sup>

The development of the new law takes place in the context of increased shrinking of civic space and systemic backsliding rule of law in Italy, showcasing authoritarian tendencies, including public vilification of civil society actors, even from high-level politicians. The government has put forward several legislative proposals posing significant risks to the independence of the judiciary, initiated an unprecedented number of attacks and threats against the media,<sup>17</sup> and systemic criminalisation of solidarity and attacks on gender,<sup>18</sup> LGBTIQ+<sup>19</sup> and women’s rights. Many of these attacks are fuelled by strong anti-rights actors in Italy, which are only growing stronger as global funding is redirected from organisations working in favour of human rights and democracy towards those working to dismantle these frameworks. On 10 March 2025, the CIVICUS Monitor included Italy in the Watchlist, which draws attention to countries where there is a serious decline in respect for civic space, alongside Democratic Republic of the Congo, Pakistan, Serbia and the United States of America.<sup>20</sup>

In light of growing democratic backsliding in multiple EU Member States following the footsteps of Hungary, where civic space and the rule of law were gradually dismantled, this raises the urgent question of how the EU can prevent other Member States from sliding into similar authoritarianism.

This trajectory is deeply incompatible with the EU’s foundational promise under Article 3<sup>21</sup> of the Treaty on European Union: to offer its people freedom, security, and justice. Therefore, any further erosion of the principles of the rule of law, democracy and fundamental rights could lead to a wider disintegration of the values on which the EU is founded and put at risk the very cohesion of the Union.

The European Commission has both the competence and the obligation to act when a Member State fails to uphold the values of the Union under Article 2 and 3 TEU, violates rights protected

<sup>10</sup> [https://legislationline.org/sites/default/files/2024-05/2024-05-27%20-%20Opinion\\_Italy\\_Draft%20Law%20on%20Public%20Security%20-%20final.pdf](https://legislationline.org/sites/default/files/2024-05/2024-05-27%20-%20Opinion_Italy_Draft%20Law%20on%20Public%20Security%20-%20final.pdf)

<sup>11</sup> [Italy: UN experts concerned by administrative enactment of problematic security bill | OHCHR](https://www.ohchr.org/en/press-releases/2024/05/italy-un-experts-concerned-by-administrative-enactment-of-problematic-security-bill)

<sup>12</sup> See e.g. <https://www.ilfattoquotidiano.it/2025/05/20/venezia-scontri-manifestanti-polizia-video-manganellate/7995666/>; [https://www.instagram.com/p/DJ30B1HtnwI/?igsh=Z3luMGRyN2pmMjhn&img\\_index=1](https://www.instagram.com/p/DJ30B1HtnwI/?igsh=Z3luMGRyN2pmMjhn&img_index=1)

<sup>13</sup> <https://docs.un.org/en/CCPR/C/GC/37>

<sup>14</sup> [https://unece.org/sites/default/files/2024-02/UNSR\\_EnvDefenders\\_Aarhus\\_Position\\_Paper\\_Civil\\_Disobedience\\_EN.pdf](https://unece.org/sites/default/files/2024-02/UNSR_EnvDefenders_Aarhus_Position_Paper_Civil_Disobedience_EN.pdf)

<sup>15</sup> [https://eur-lex.europa.eu/eli/treaty/char\\_2012/oj/eng](https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng)

<sup>16</sup> [https://eur-lex.europa.eu/eli/treaty/teu\\_2012/art\\_2/oj/eng](https://eur-lex.europa.eu/eli/treaty/teu_2012/art_2/oj/eng)

<sup>17</sup> <https://www.liberties.eu/f/vdxw3e>

<sup>18</sup> [https://www.europarl.europa.eu/doceo/document/E-10-2024-001724\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-10-2024-001724_EN.html)

<sup>19</sup> <https://www.ilga-europe.org/news/statement-ilga-europe-calls-on-italian-government-to-end-anti-lgbt-rhetoric-and-violence/>

<sup>20</sup> <https://monitor.civicus.org/watchlist-march-2025/>

<sup>21</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12008M003>

under the EU Charter of Fundamental Rights and erodes the rule of law. As the Commissioner tasked with safeguarding the rule of law, upholding the Charter of Fundamental Rights, and protecting civil society, we call on you to take your responsibility to act decisively and:

- 1. Publicly call on the Italian government to repeal the Security Law and ensure full compliance with the Charter of Fundamental Rights of the EU and the values enshrined in Articles 2 and 3 TEU.**
- 2. Make a strong, explicit recommendation in the 2025 Rule of Law Report condemning the law and highlighting its severe effects on civic space, democracy and the rule of law.**
- 3. Conduct a field visit to Italy to meet and dialogue with civil society, particularly from the most targeted groups.**
- 4. Engage in direct political dialogue with the Italian government to ensure that democracy and the rule of law are upheld.**
- 5. Conduct a legal assessment of the Security Decree's compatibility with EU law and, if violations are confirmed, initiate infringement proceedings under Article 258 TFEU.**

Yours sincerely,

European Civic Forum

### **Signatures:**

A Sud Ecologia e Cooperazione, Italy  
 Academia Cidadã, Portugal  
 Access Now, International  
 Action Européenne Handicap (AEH), European  
 AEC, France  
 AIRHH, France  
 ARCI, Italy  
 ARTICLE 19, International  
 Articolo 21, Italy  
 Asociacion cultural Baizara, Spain  
 Asociación de Derecho Penitenciario Rebeca Santamalia (ASDEPRES), Spain  
 Asociación Libre de la Abogacía (ALA), Spain  
 Association Certi Diritti, Italy  
 Association Legebitra, Slovenia  
 Association of Women of Southern Europe (AFEM), European  
 Balkan Civil Society Development Network, Western Balkans  
 Braşov, Romania  
 Centre for Peace Studies, International  
 CISV, International  
 CIVICUS, International  
 CIVIL - Center for Freedom, North Macedonia  
 Civil Liberties Union for Europe, European  
 Climate Action Network Europe (CAN), Europe



Comisión Legal Sol, Spain  
 COSPE, Italy  
 Croatian Platform for International Citizen Solidarity (CROSOL), Croatia  
 Defending Democracy Global Initiative, International  
 Deystvie, Bulgaria  
 DiEM25, Italy  
 Ekopolis Foundation, Slovakia  
 European Center for Not-For-Profit Law, European  
 European Digital Rights (EDRI), European  
 European Gay & Lesbian Sports Federation, European  
 European House Budapest, Hungary  
 European Movement Italy, Italy  
 European Network against Racism, European  
 European Network Church on the Move, European  
 European Observatory for Non-Discrimination and Fundamental Rights, European  
 EL\*C - Eurocentralasian Lesbian\* Community, Europe & Central Asia  
 FIDH, International Federation for Human Rights  
 Front Line Defenders, International  
 Fondazione Mondinsieme, Italy  
 Friends of the Earth Denmark, Denmark  
 Gaynet, Italy  
 Greek Forum of Refugees, Greece  
 Greenpeace Italy, Italy  
 Gruppo Trans, Italy  
 Hermes Center Hacking for Human Rights, Italy  
 Human Rights House Zagreb, Croatia  
 IFM-SEI, International  
 ILGA-Europe, European  
 Italian Climate Network Onlus, Italy  
 Italiani Senza Cittadinanza, Italy  
 In Difesa Di, Italy  
 International LGBTQI Youth & Student Organisation (IGLYO), International  
 Labris - Lesbian human rights organization, Serbia  
 La Ligue de l'Enseignement, France  
 La Strada International, European  
 Ligue des droits de l'Homme, France  
 Maison de l'Europe de Paris, France  
 MERA25, Italy  
 National Federation of Polish NGOs (OFOP), Poland  
 Nessuno Tocchi Caino, Italy  
 Netpol, UK  
 Network of Estonian Non-Profit Organisations, Estonia  
 New Europeans Peoples Forum, European  
 Non-Governmental Organizations' Information and Support Centre, Lithuania  
 No Somos Delito, Spain  
 NOVACT, Spain  
 Nyt Europa, Denmark  
 Ökotárs-Hungarian Environmental Partnership Foundation, Hungary  
 Òmnium Cultural, Spain  
 Pax Christi, International  
 PIC - Legal Center for the Protection of Human Rights and the Environment, Slovenia  
 PICUM, European  
 Plataforma Portuguesa das ONGD, Portugal  
 Possibile LGBTI+, Italy  
 Prisme, the Walloon federation of LGBTQIA+ organisation, Belgium  
 Spanish LGBTI+ Federation (FELGTBI+), Spain  
 SOLIDAR, European  
 Statewatch, European  
 TGEU – Trans Europe and Central Asia, Europe & Central Asia  
 The Wheel, Ireland  
 University Women of Europe, European



Un Ponte Per, Italy  
Unione Forense per la Tutela dei Diritti Umani (UFTDU), Italy

