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

**Tuesday, 27 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 70 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>

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<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/ddl-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>



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* 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

<sup>7</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>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?gld=29549>

<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

<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-lgbti-rhetoric-and-violence/>

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 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

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<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>

**Signatures:**

A Sud Ecologia e Cooperazione, Italy  
Academia Cidadã, Portugal  
Access Now, International  
Action Europeenne Handicap (AEH), European  
AEC, France  
AIRHH, France  
ARCI, Italy  
ARTICLE 19, International  
Articolo 21, Italy  
Asociacion cultural Baizara, Spain  
Asociación Libre de la Abogacía (ALA), Spain  
Association Certi Diritti, Italy  
Association of Women of Southern Europe (AFEM), European  
Balkan Civil Society Development Network, Western Balkans  
Braşov, Romania  
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 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  
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  
In Difesa Di, Italy

International LGBTQI Youth & Student Organisation (IGLYO), International  
Labris - Lesbian human rights organization, Serbia  
La Ligue de l'Enseignement, France  
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  
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  
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

