



Unione degli Atei
e degli Agnostici
Razionalisti

UAAR APS

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00154 Rome
Italy

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UAAR Background Information

- 1 The Union of Rationalist Atheists and Agnostics (Unione degli Atei e degli Agnostici Razionalisti, UAAR) is the only nationwide association of atheists and agnostics in Italy.
- 2 UAAR is independent from political parties or lobbies and has about 3,000 full members.
- 3 UAAR was founded in 1986 to promote the diffusion of atheist and agnostic ideas, campaign for a thoroughly secular state, defend human rights, especially those threatened in the name of religious principles, and struggle against any privilege granted to the Roman Catholic religion and against any discrimination of nonbelievers.

Executive Summary

- 4 This report outlines issues in Italy regarding the following thematic areas:
 - Equality and Non- Discrimination as it relates to LGBTI+ rights and religious beliefs
 - Right to health
 - Access to sexual & reproductive health & services
 - Right to education
 - Children: definition; general principles; protection
 - Rights related to marriage & family
- 5 In the latest Universal Periodic Review (UPR, 3th cycle) Italy received a great number of recommendations on these issues: although Italy's expressed position has been "Supported" for the vast majority of them, except a couple of "Noted", the Italian State failed to concretely act on the recommendations and even adopted policies which go in the oppsite direction.

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Issues, Past Recommendations and Outcomes

Equality and Non- Discrimination

6 This is an area in which Italy received several recommendations, most notably from Norway (148.99, "*Undertake further initiatives to address hate speech directed against members of vulnerable groups, and ensure sufficient focus on this topic in the education system*"), Spain (148.107, "*Adopt specific legislation punishing discrimination based on sexual orientation and gender identity*") and Uzbekistan (148.81, "*Take further measures to prevent stigmatization and negative stereotypes of ethnic and religious minorities*"). The position was "Supported" for all of them (A/HRC/43/4/Add.1 – Para.4)

7 In reality, though, Italy built a wall against any legislation against hate speech and discrimination based on sexual orientation and gender identity, for instance by rejecting in 2021 the so called "Zan Bill" which addressed hate speech and violence against women LGBTI+ and disabled people¹, and more recently similar policy initiatives coming from UE².

Right to health

8 On 25 September 2019, the Italian Constitutional Court ruling 242/2019 declared the article 580 of the criminal code to be unconstitutional, therefore decriminalizing assisted suicide in the case of those who aid people who suffer from an irreversible pathology to die. Against the Court's recommendation, the Italian Parliament has not yet passed a law regulating assisted suicide.³

Access to sexual & reproductive health & services

9 Both Uruguay's (148.200, "*Ensure the free exercise of women's sexual and reproductive rights, by ensuring access to legal services for interruption of pregnancy, minimizing the impact of conscientious objections in the exercise of this human right*") and France's (148.201, "*Take the necessary measures to ensure effective access to abortion*") recommendations to remove the multiple obstacles to women's reproductive rights, which in Italy are threatened by Catholic-inspired political parties and lobbies, have been answered by a "Supported" position (A/HRC/43/4/Add.1 – Para.4), but these appear to be empty words: in fact doctors abusing conscientious objections to paralyze abortion services in public hospitals

1 <https://www.theguardian.com/world/2021/oct/27/italy-senate-votes-down-anti-homophobic-violence-bill>

2 https://www.ansa.it/english/news/politics/2024/05/17/italy-didnt-sign-eu-gay-text-because-mirrors-zan-bill_8d391789-1919-4d62-bb9c-0bb39e2b76f3.html

3 https://www.cortecostituzionale.it/documenti/download/doc/recent_judgments/Sentenza_n_242_del_2019_Modugno_en.pdf

are still a overwhelming majority (in some regions up to 90%), and the right-wing parliamentary majority in April 2024 even voted to fund pro-life activists harassing women in abortion counselling centres exploiting European Unions's Recovery and Resilience Facility cash hand-outs.⁴

Right to education

10 48.209, "*Strengthen the educational programmes on human rights, with a special focus on mitigation of hate speech, stigmatization and discrimination*" (Colombia), is another "Supported" (A/HRC/43/4/Add.1 – Para.4) recommendation which Italy actively defied by rejecting the aforementioned (*par. 7*) anti-homotransfobic "Zan Bill", which contained provisions for educational interventions in schools, and any other proposal related to publicly-funded, secular and inclusive sexual/affective/ethical education programmes aimed to children and young students, favoring instead the state-funded confessional Catholic Religion curriculum in all the State-owned public schools.

Children: definition; general principles; protection

11 In the past UPR cycle Italy "supported" (A/HRC/43/4/Add.1 – Para.4) recommendations from Montenegro (148.216) and Zambia (148.243) to "*formulate a comprehensive strategy for preventing and combating violence against children*". Notwithstanding, Italian legislation still provides a privileged judiciary treatment to the Catholic Church, which is probably the reason why members of this specific organization are caught as perpetrators of child abuse crimes much more frequently abroad than in Italy: for instance, before wiretapping any member of the clergy, the police must preemptively inform their bishop, therefore making cover-up operations much easier to carry on.

Rights related to marriage & family

12 Recommendation 148.171 by Iceland, "*Enact legislation on the recognition of both same-sex parents involved in the growth of a child, as well as extending their access to adoption on a par with others*" is one of the few which received a "Noted" status (A/HRC/43/4/Add.1 – Para.4), and understandably so since Italian's right wing government and catholic-inspired politicians persist fighting against equal parental rights for same-sex parents and basic civil rights for their children, for instance by refusing to list the non-biological parent in birth certificates⁵ or even trying to label surrogacy as a "universal crime".⁶

4 <https://brusselssignal.eu/2024/04/italy-set-to-allow-pro-life-activists-into-pregnancy-clinics/>

5 <https://www.france24.com/en/europe/20230914-italian-pm-giorgia-meloni-wears-down-parental-rights-of-same-sex-couples>

6 <https://euwonder.jus.unipi.it/2023/09/07/again-on-surrogacy-the-violation-of-article-8-of-the-convention-an-analysis-of-the-c-v-italy-judgment/>

Conclusions

13 UAAR demands that the Italian institutions, at the very least, act coherently with the supportive responses to the recommendations mentioned above, and therefore:

- Approve anti-discrimination legislation to protect LGBTI+ and disabled people against hate crimes and hate speech
- Approve end-of-life legislation to assert self-determination, bodily autonomy and the right to die without suffering
- Remove obstacles to reproductive rights such as the abuse of conscientious objection and the presence of pro-life activists in hospitals
- Introduce and fund secular and inclusive sexual/affective/ethical education programmes in state-owned schools
- Remove privileges from the Catholic clergy, especially those favoring cover-ups of children abuse and other crimes
- Recognize equal parental rights to same sex couple and civil and human rights to their children