

Country Visit: Italy
Report of the Personal Representative of the OSCE Chairperson-in-Office on
Combating Anti-Semitism
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June 30-July 2, 2013

Appreciation

At the outset I would like to express my appreciation for the logistical assistance provided to me and my accompanying colleagues from ODIHR. I am also grateful for being given the opportunity to address the Foreign Affairs Committee of the Italian Parliament on the topic of my mandate.

Concerns of the Jewish Community

Italy's Jewish community is small in number - estimated to be 25,000-30,000 - but has roots that go back 2200 years. Nevertheless, some Italians consider Jews as foreigners and compare them to other minority communities of recent immigrants.

Security at Jewish institutions has long been tight (worshippers in the Rome synagogue were victims of a terrorist attack over thirty years ago), but community leaders agree that the main problem they face today is not physical violence but rather anti-Semitism in other forms. The Observatory on Anti-Semitism of the Contemporary Jewish Documentation Center (CDEC) recorded 54 incidents of anti-Semitism in 2012, similar to the number recorded in 2010 and 2011. These included acts of vandalism, offensive graffiti, public statements, anti-Semitic shouts in sports stadiums, insults and threats, and emails and letters addressed to Jewish institutions and individuals. One serious incident was the thwarting of a dynamite attack on the Via Guastalla Synagogue in Milan thanks to the careful monitoring by the Italian Interior Ministry's Postal Police. Many of these incidents spike at the time of Holocaust commemoration ceremonies.

Jewish leaders made particular note of racist statements from Italian political leaders such as Silvio Berlusconi, some Northern League parliamentarians and intellectuals such as Pergiorgio Odifreddi. Their discriminatory posts and racist jokes offered legitimacy to anti-Semitic expressions, they maintained. Several cited the comments of Mr. Berlusconi made at the unveiling of the monument recalling the Nazi and Fascist deportation of Jews at the Milan central railroad station on January 27, 2013 - Holocaust Commemoration Day - in which he stated that Mussolini had also, "done good things." Despite his being considered a friend of Israel and the Jewish people, the former Prime Minister has made additional remarks tending to belittle the tragedy of the Holocaust.

Although its political moorings are unclear, Beppe Grillo's Five Star Movement is also the source of some anxiety. With its lack of a political program, anti-Israel positions and a propensity for conspiracy theories, some fear that Jews could be identified as "the enemy of the moment" especially in a time of economic crisis.

Neo-Fascist groups have organized two rock concerts and other public events designed to attract attention and draw new members. They use names and symbols that are close to the originals of the Nazi and Fascist era but still slightly different so as to avoid prosecution under the law. The first concert was condemned by public opinion, but the second took place nonetheless.

Anti-Semitic hate on the Internet is also a matter of special focus. Websites, social networks, Internet forums and blogs have become the main vehicles for spreading racism and intolerance in general and anti-Semitism in particular. In a 2012 report on Italian Cyberspace Anti-Semitism issued by CDEC's Observatory 100 on-line sites featuring anti-Semitic discussions were identified, including ten focused on Holocaust denial. The report identified four categories - neo-Nazi and pre-Vatican II Catholic fundamentalism, anti-Zionism, conspiracy theories, and Holocaust denial. One white supremacist website "Stormfront" and "Holy War" run by the Italian-Norwegian Alfred Olsen was recently closed thanks to recourse to the "Mancino law" which punishes incitement to violence via racial, ethnic, religious or national hatred. Some of these sites appear to be administered by middle school or high school teachers or university professors. The Postal Police Department of the Interior Ministry deserves credit for its careful monitoring of these sites.

It was pointed out that some right wing extremists were being embraced by mainstream conservative parties and the lines between them - once distinct - were now being blurred. Several interlocutors referenced the publicly funded monument in Affile to a convicted fascist war criminal, former Commander Rodolfo Graziani (responsible for the use of poison gas and a massacre of over 10,000 Ethiopians) as a case in point. Others made special note of the Holocaust-denying far right Forza Nuova party planning an international gathering of European ultra-nationalist parties in Milan in September and the offensive remarks by Northern League Party leaders and others about Italy's first black Cabinet Member, the newly-appointed Minister of Integration, Cécile Kyenge, who was born in the Democratic Republic of the Congo.

One Jewish leader suggested that a new phenomenon had emerged which he described as a "sophisticated anti-Semitism." This was the purview of well-respected intellectuals - diplomats, writers, and journalists - who espoused traditional anti-Semitic themes such as Jewish world economic control in carefully worded presentations with quiet allusions to Jewish bankers.

Jewish Community Security

Italy's largest Jewish community in Rome works closely with police and its leaders have ready access to high level officials. The community itself has a professional security team of ten on its payroll and they in turn oversee 450 volunteer security guards. A police presence can be found in front of the synagogue and other Jewish institutions, and additional forces are made available upon the request of the community. It should be noted that such security precautions are not required by any other ethnic or religious group in Italy.

Jewish Community Outreach

With such a small Jewish community many Italians have little knowledge about Jews or Judaism in Italy. In recent years the community launched a lively monthly publication, *Pagine Ebraiche* [Jewish Pages], accompanied by a daily online version with news for subscribers as a means to inform both Jews and non-Jews about Jewish issues and concerns. Another national and long-established Jewish monthly, *Shalom*, founded in 1967 has a circulation of 18,000. A bi-weekly Jewish television program co-produced with the state-run RAI television has regularly drawn 200,000-400,000 viewers for over half a century despite the off-hour schedule of its programs. A growing number of Jewish cultural events including food-tastings, book launches, conferences and concerts are held across the country, and the annual European Day of Jewish Culture held simultaneously in different Italian cities draws some 60,000 Italians.

Holocaust Commemoration

The municipality of Rome will allocate funds to construct a Shoah Museum in the city. The € 21 million project will include a permanent exhibition along with archives, library, conference hall and facilities for research and education. Plans call for the museum to be constructed on the site of the former Villa Torlonia, which served as Mussolini's residence from 1925 to 1943. There have been some delays which have related to funding and local zoning approval, but a director has been appointed and construction plans issued. If there are no further delays the museum will open in 2016 or 2017.

A national museum of Italian Judaism and the Shoah is being constructed in Ferrara with the help of government funds, and a Memorial to the Shoah has been built in the Milan Central Railway Station on Platform/Track No. 21, which was used for the massive deportation of Jews in 1943 and 1944.

Italy officially observes Holocaust Memorial Day, as recognized by Law n. 211 of 20 July 2000.

In 2009, the Presidency of the Council of Ministers established the "Coordinating Committee for the celebrations in remembrance of the Holocaust." Chaired by the Undersecretary of State at the Presidency of the Council, the Committee implements a coordinated plan for institutional ceremonies and events and puts forward proposals on the most effective ways to raise awareness and strengthen the memory of the Holocaust, with special focus on the younger generations.

Although the Presidency of the Republic plays a central role in the celebration of Holocaust Memorial Day, the work done by the cited Committee is also important to the extent that, since its establishment, it has encouraged central institutions to raise awareness on this issue. Such awareness-raising activity has led to a proliferation of initiatives undertaken both at the central and the local level.

It is worth noting that every year the President of the Republic presides at a solemn ceremony on Holocaust Memorial Day, which has included prominent international

speakers such as Elie Wiesel and the presentation of medals to the survivors of deportation camps or their families. A prize is also awarded to schools in the context of a countrywide competition promoted by the Ministry of Education.

Government Measures

Legal Protections

By Act No. 654/75, by which Italy ratified ICERD, any behavior consisting of disseminating ideas based on racial hatred, incitement to commit violence on racial grounds and participation in associations with the aim of inciting discrimination or violence on racial grounds, are punished with a detention penalty. Afterwards, the so-called “Mancino Law” (Act No. 205/93) introduced a provision (Art. 1) providing for “up to a three-year detention penalty to whomever disseminates ideas based on superiority or racial and ethnic hatred; with detention penalty, up to 4 years, to whomever incites to commit or commits violence or acts causing violence on racial, ethnic, religious and national grounds.” This Act also introduced a special aggravating circumstance (increasing the penalty up to half), emerging when such acts are committed with the aim of discrimination or ethnic hatred as well. In particular, it was envisaged to prosecute *ex-officio* those offences committed with the cited aggravating circumstance.

UNAR

In accordance with EU directives the Italian Government has established the National Bureau against Racial Discrimination (UNAR) for the purpose of promoting equality and decreasing racial discrimination. In 2011 it reorganized its contact center to help facilitate the ability of the public to submit reports and complaints. UNAR will inform victims of their rights under the law and may provide informal conciliation of the dispute. Should judicial action be taken UNAR will provide assistance by offering legal opinions. If and when a verdict is issued UNAR will monitor and oversee the enforcement procedure.

UNAR has reported 659 cases of ethnic or racial discrimination in 2012; 709 in 2011; and 499 in 2010. These account for slightly more than fifty percent of all discrimination cases addressed by UNAR. Additionally UNAR has recorded 29 cases of discrimination based on religion in 2012. However, it readily admits that making this determination is not easy, and more frequently religion is considered just one factor in cultural confrontations.

Since 2010 UNAR has also introduced a number of initiatives on combating anti-Semitism including public awareness campaigns focused on the annual Holocaust Remembrance Day. This follows on the establishment of an intergovernmental committee established the previous year to coordinate commemoration events.

UNAR representatives—echoing concerns raised by Jewish community leaders—point out that the Internet has become a “new frontier” in both the spread of anti-Semitism and the

fight against it. They too note the success in the removal of the white supremacist website of “Stormfront.”

OSCAD

The Observatory for Security against Acts of Discrimination (OSCAD) was established to protect the victims of hate crimes. It is operated by the National Police and Carabinieri and falls within the Department of Public Security/Central Directorate of Criminal Police. OSCAD receives reports of discriminatory acts relating to security from organizations and individuals, including discrimination based on ethnic origin, nationality or religion. OSCAD engages with police or Carabinieri at a local level with the goal of insuring that discrimination complaints lodged with police agencies are properly investigated.

Ministry of the Interior

Interior Ministry officials confirm that there has been an increase in the activity of extreme right organizations, especially in the Northern areas of the country. A special unit of the Ministry is tasked with monitoring the use of forbidden (fascist) symbols on the Internet and social media as well as at public events. It also will investigate anti-Semitic graffiti and threats to Jewish leaders. This monitoring reveals that anti-Semitic hate speech comes primarily from far right groups and Catholic fundamentalists. However, one can also observe at times a strange collaboration between far right, far left, Christian and Islamist extremists in sites like the recently closed “Holy War.”

In 2011 the Ministry promised to organize courses for law enforcement officers on issues related to anti-Semitism and the Holocaust carried out by its School of Civil Administration. More recently a Memorandum of Understanding was signed with ODIHR to implement its police training program.

Ministry officials aver that Holocaust denial, anti-Semitism and incitement to hatred on the Internet are being tackled with great effort. They say that in recent years Holocaust denial has come “out of the shadows” and they report countless references to this on social network postings. They maintain that despite the lack of specific legislation to punish anti-Semitism on the Internet the Italian police fraud squad has one of the best reputations for monitoring its presence. As with other European countries they note that some of the most problematic websites are registered in the US, which limits their ability to block them.

Ministry of Justice

Until now there has been no law in Italy forbidding Holocaust denial. However, in March a new bill was submitted to Parliament that would correct this. Expanding on a 1975 law that identified “propaganda on ideas of superiority” as being punishable by fines and up to 1 ½ years in prison, it would now include Holocaust denial and double the existing penalties. The bill has faced a number of hurdles. Experts in the ministry believe it can be reconciled with Italian guarantees of freedom of thought. “This is not dissent. It is denying historical fact which leads to other offenses,” one said. They offered assurances that the Justice Minister is committed to overcome all obstacles and believe passage will occur at the end of this year

or in early 2014. This in turn has engendered intense debate among historians and even within the Jewish community. The various parties do not dispute the need to confront and oppose Holocaust denial but question whether legal censorship is the proper tool.

An additional piece of legislation under consideration focuses on those convicted of hate crimes. It would allow the court to suspend sentencing if the offender agrees to participate in a reeducation program.

It was also mentioned that the Ministry recently signed an agreement with the Union of Italian Jewish Communities that will grant access to the archives of the Italian prefectures for the purpose of providing a more complete picture of the country's history during the fascist and Nazi period.

Ministry of Education

The Ministry works closely with UNAR on efforts to promote equal treatment. It has focused attention on combating bullying in schools on ethnic grounds and has also set aside some funds to combat bullying at sports events.

The Ministry has signed a three year protocol with the Union of Italian Jewish Communities to promote programs and activities in the area of Holocaust education and remembrance including projects, exhibitions, teacher training and trips to memorial sites. Approximately 80,000 Italian students visit Auschwitz each year. The Ministry further extends its reach on this subject through cooperation with the state run RAI television network as well as contacts with MTV and popular radio stations.

Holocaust education is compulsory for high school students, and the Ministry maintains that teachers consider it an important topic. At the same time there are some difficulties in the implementation process: The subject competes with other topics. There is a lack of teacher collaboration that would insure it receives the necessary interdisciplinary approach. In many cases students will relate the topic to the current Middle East conflict raising new problems and prejudice.

The Director General expressed interest in adapting ODIHR/Anne Frank House teaching materials on combating anti-Semitism for use in the Italian schools with the hope that this work could be undertaken and completed in time for use in January 2014.

Recommendations

- Italy must respond to the fact that anti-Semitic stereotypes and Holocaust denial are present in public discourse as well as on the Internet by undertaking preventative educational efforts, encouraging political leaders to speak out, and follow through with the legislative proposals that have been outlined.
- As the point agency for addressing hate crimes, OSCAD should continue and expand its efforts to inform the Italian public and to encourage direct reporting from individual victims and others.

- The Education Ministry has not yet followed through with its expressed interest in the development and implementation of teaching materials in cooperation with ODIHR and should do so.
- Italy should continue to submit data to ODIHR's Hate Crime Report, especially in time for the fall release of the 2012 report.
- Italy should build on the cooperative relationship already established with ODIHR in the implantation of police training (TAHCLE) and request ODIHR's assistance in the training of prosecutors.

Meetings:

Representatives of civil society and non-governmental organizations

- Riccardo Pacifici, President of the Rome Jewish Community
- Stefano Gatti, CDEC director, Observatory on Anti-Semitism
- Lisa Palmieri-Billig, American Jewish Committee, Representative in Italy and Liaison to the Holy See
- Eva Ruth Palmieri, elected Council Member of the Union of the Italian Jewish Communities
- Benedetto Sacerdoti, Vice President of the Federation of Italian Jewish youth organizations
- Yael Calò and Libera Picchianti, Representatives of the Foundation of the Shoah Museum
- Alberto Di Consiglio and Guido Coen, Miriam Novitch Association
- Victor Magiar, Member of the Executive Board of the Union of Italian Jewish Communities
- Emanuele Ascarelli, Director of Information and Public Relations Department, Union of Italian Jewish Communities
- Jackie Fellus, elected Councillor and member of Commission on Anti-Semitism, Union of Italian Jewish Communities

Government and Parliament of Italy

Council of Ministers, Department for Equal Opportunities, National Office for Fight Against Racial Discrimination

- Ermenegil da Siniscalchi, Head of Department for Equal Opportunities
- Marco De Giorgi, Head of Office against racial discrimination
- Anna Nardini, Head of the Service for religious affairs of the Prime Minister's Office
- Vaifra Palanca, Service for religious affairs of the Prime Minister's Office
- Roberto Berardi, officer of the National Bureau against Racial Discrimination
- Pietro Vulpiani, expert of the National Bureau against Racial Discrimination
- Maja Bova, expert of the National Bureau against Racial Discrimination
- Paolo Ferrari, referent of the Italian Christian Workers Associations
- Manuel Ranieri, expert of the Italian Christian Workers Associations
- Nadia Ramadan, expert of the Italian Christian Workers Associations

Parliament

- Fabrizio Cicchitto, Chairman and other members of the of the Foreign Affairs Committee of the Chamber of Deputies
- Emanuele Fiano, member of the Chamber of Deputies

Ministry of Interior

- Sandra Sarti, Deputy Head of Cabinet and Director General for religious affairs of the Ministry of Interior

- Stefano Chiricho, representative of the Central Directorate of the Criminal Police
- Giancarlo Pallini, representative of the Counter-Terrorism Centre
- Giovanni Novelino, representative of the Postal and Communications Police
- Vincenza Iacono, representative of the Communication Unit, Law Enforcement Unit

Ministry of Education, Universities and Research

- Giovanna Boda, Director General for students' integration and participation
- Anna Piperno, Executive, member of the International Holocaust Remembrance Alliance

Ministry of Justice

- Domenico Carcano, Head of the Legislative Office of the Ministry of Justice

Accompanied by OSCE/ODIHR

- Anne Giebel - Adviser on combating anti-Semitism, Tolerance and Non-Discrimination Department
- Dmitry Ivanov - Associate Programme Officer, Tolerance and Non-Discrimination Department