

GLOBAL TORTURE INDEX 2025: ITALY FACTSHEET

OVERALL GLOBAL TORTURE INDEX SCORE:

MODERATE RISK

The Global Torture Index 2025 is the first analysis designed to assess the risk of torture and ill-treatment across 26 countries worldwide. This 2025 factsheet for Italy includes an analysis of the country's overall performance, a breakdown by thematic pillars, and key recommendations for driving meaningful change in the fight against torture and the promotion of human rights.

COLLABORATING ORGANISATIONS IN ITALY:

[Associazione Antigone](#)

AT A GLANCE

For 2025, the Global Torture Index classifies Italy as facing a **moderate risk** of torture and ill-treatment. Significant concerns remain, particularly in detention facilities, police custody, and during pushbacks at borders. Overcrowded prisons persist as a severe issue, while marginalised groups continue to face discriminatory violence and law enforcement frequently employs excessive use of force. Structural deficiencies in accountability and oversight mechanisms, along with weak enforcement of safeguards—especially in places of deprivation of liberty, during transfers, public assemblies, and within immigration contexts—further compound the situation.

While Italy only criminalised torture in 2017, a 2023 legislative proposal to remove it as an independent crime has raised serious concerns about the country's commitment to torture prevention and prosecution. The Italian Constitution implicitly prohibits both torture and cruel, inhuman or degrading treatment or punishment (CIDTP), but only the former is recognised as a standalone offence. As such, national public policies on torture prevention remain underdeveloped. The absence of a comprehensive public strategy, coupled with limited transparency in law enforcement practices, continues to hinder human rights progress.

Italy faces severe prison overcrowding, with an occupancy rate of 121.8%. However, when accounting for the estimated 4,500 unavailable prison places due to inaccessibility or renovations, the actual average overcrowding rate rises to at least 133%. The [Antigone Association](#) reported a record-breaking 246 deaths in custody for 2024; the majority of which were suicide cases (91 suicides), with the prison suicide rate 25 times higher than that of the general population. Independent human rights organisations encounter restrictions when attempting to access police stations and migrant detention centres, limiting external oversight. There are documented cases of human rights defenders—particularly those working on migration issues—facing judicial harassment and restrictive legislation. The Luventa case stands out in particular, where 21 human rights defenders and three humanitarian organisations, including Jugend Rettet, Save the Children, and Médecins Sans Frontières, [were acquitted in 2024](#) after enduring seven years of legal harassment. Meanwhile, the right to assembly faces growing legal constraints. [Draft bill No. 1236](#) targets climate activism by seeking to criminalise peaceful protest actions. In addition, on April 11, 2025, the government [issued Decree Law No. 480](#)—closely mirroring draft bill No. 1236, known as the 'security decree'—further restricts protest rights and bypasses Parliament's role by using an emergency legislative procedure.

Victims of torture and ill-treatment face major challenges in obtaining justice and redress. Independent complaint mechanisms are lacking, and national compensation funds are critically underfunded. Despite repeated [recommendations](#) from the United Nations Convention Against Torture (UNCAT), Italy has yet to establish a National Human Rights Institution (NHRI) which would broaden oversight. Although a National Preventive Mechanism (NPM) has been established, it faces operational constraints. Without stronger institutional safeguards, greater accountability and improved victim support, meaningful progress remains limited.

GENERAL INFORMATION



Type of government:
Parliamentary Republic



United Nations Convention Against Torture:
Ratified



OPCAT ratification:
Ratified



Population:
59,146,300



People deprived of liberty:
[62 445](#)



Prison population (per 100,000 of national population):
105



Pre-trial detainees / remand prisoners (percentage of prison population):
[24.1%](#)



Documented Detained Human Rights Defenders:
No Data



Alerts Issued by the Observatory for Human Rights Defenders in 2024:
1



Prison Occupancy level:
121.1%



Homicide rate (per 100.000 people):
0.53

THEMATIC PILLAR OVERVIEW



I. POLITICAL COMMITMENT

INDEX SCORE: MODERATE RISK

The Italian Constitution does not explicitly mention torture; however, it prohibits all forms of physical and moral violence, safeguards personal freedom and human dignity, bans the death penalty and requires that punishments avoid inhumane treatment and promote rehabilitation.

Torture is criminalised under the Italian Criminal Code, with preventive measures reinforced through various laws, including the Prison Law, its Implementing Regulations and the establishment of the National Guarantor (NPM) for the Rights of Persons Detained or Deprived of Liberty. However, while cruel, inhuman or degrading treatment (CIDTP) is not a standalone crime, it is punishable when committed alongside acts of torture, and penalties are proportional to the severity of the offence. These legal provisions extend beyond detention settings, regulating the use of force outside of custody as well.

Despite these measures, Italy currently lacks a comprehensive public policy framework addressing torture and CIDTP, such as action plans, programmes of action or official statements recognising the International Day in Support of Victims of Torture. Adding to these concerns, a proposal submitted to the Parliament's Justice Committee seeks to remove torture as a distinct crime from the Italian Penal Code. Such measures threaten to weaken Italy's legal safeguards and could undermine ongoing efforts to prevent and prosecute acts of torture, ultimately compromising the country's international obligations.



II. ENDING POLICE BRUTALITY AND INSTITUTIONAL VIOLENCE

INDEX SCORE: CONSIDERABLE RISK

In Italy, law enforcement officials operate under legal regulations governing the use of firearms and less-lethal weapons, but most fail to meet international standards. A positive exception is the absence of kinetic impact projectiles in Italian policing. Nevertheless, accountability gaps persist—police vehicles lack cameras, officers do not wear body cameras, and many police stations and detention facilities lack real-time video surveillance.

Torture and inhuman treatment primarily occur post-arrest, especially in detention facilities and during patrols, often driven by discrimination based on ethnicity, race, gender or sexual identity. Marginalised groups such as youth, racial and ethnic minorities, the homeless, drug users and migrants are disproportionately affected.

Antigone's Observatory on Conditions of Detention has recorded numerous deaths during arrests and searches by national police, highlighting concerns over the use of excessive force. Safeguards such as de-escalation techniques and independent oversight are rarely implemented and disciplinary actions against police accused of torture remain rare. Records of police misconduct are largely inaccessible, further exacerbating the gap in accountability and hindering transparency. Meanwhile, pushbacks—although legally permitted—continue to occur alongside frequent pullbacks at borders, with reports of excessive force used against irregular migrants and asylum seekers, sometimes resulting in severe injuries.



III. FREEDOM FROM TORTURE WHILE DEPRIVED OF LIBERTY

INDEX SCORE: MODERATE RISK

Italy has witnessed a rise in serious issues within its prison and detention systems, with overcrowding in detention facilities reaching an average rate of 133% in 2024, up from 117.2% at the end of 2023. This has led to frequent incidents of [prison riots](#), resulting in occasional injuries among prisoners, although severe injuries requiring hospitalisation are rare. At the same time, deaths in custody have risen significantly, with a record-breaking 246 prisoner deaths in 2024. The suicide rate among prisoners is alarmingly high—25 times greater than in the general population—culminating in 91 suicides in 2024, the highest ever recorded. On average, this represents one suicide every 4.3 days.

Approximately 26% of Italy's prison population consists of pre-trial detainees, further adding to the strain on the system. Despite these crises, detainees alleging torture or ill-treatment rarely receive independent medical examinations, and staff members under investigation for such abuses are seldom suspended. Detainees lack internal complaints procedures to report mistreatment, leaving them with limited means of redress. In November 2023, a case at Milan's Beccaria juvenile prison marked the first time allegations of torture were raised in relation to juvenile detainees. The incident is under investigation for acts that may constitute torture under Italian law, highlighting serious concerns about the treatment of minors in detention. This is one of several ongoing investigations into torture involving prison officers.

While Italy has integrated prison health care into the public health administration since 2008, challenges remain in providing adequate care for detainees. The use of force by prison staff, including the use of restraints such as seat belts, stun batons, spiked batons, neck restraints and restraint chairs, is not explicitly prohibited, although these tools are rarely used. Difficulties in obtaining on-request medical examinations and a shortage of psychologists and psychiatrists in prisons are among the main issues affecting detainees' well-being. Additionally, while Italian law limits solitary confinement as a disciplinary sanction to 15 days, isolation is often applied informally and for extended periods, particularly to those detainees who are difficult to manage within common units.

Immigration centres face similar issues, where essential safeguards are poorly enforced, resulting in inadequate medical care and reports of severe injuries and deaths among migrants and asylum seekers. Despite the establishment of Italy's National Preventive Mechanism (NPM) under Law No. 10/2014 to uphold the rights of individuals deprived of liberty in accordance with the UN Optional Protocol on Torture (OPCAT), systemic deficiencies continue to exacerbate detainees' suffering nationwide.



IV. ENDING IMPUNITY

INDEX SCORE: CONSIDERABLE RISK

The persistence of impunity in Italy is largely due to the absence of a comprehensive legal and institutional framework for investigating torture and ill-treatment. The State has yet to adopt clear guidelines or standards for investigators, prosecutors, lawyers, medical and forensic experts or judges, as outlined in the Istanbul Protocol. The lack of national standards for conducting medical examinations or recording injuries in cases of alleged torture means courts rarely order medico-legal assessments or refer to UNCAT standards.

Italy also lacks a dedicated forensic institute to oversee such investigations, depriving them of the necessary independent expertise. As a result, victims rarely receive the legal recourse they are entitled to, and investigations often fall short of international norms. The situation is further compounded by the absence of procedural safeguards during investigations and trials. Interviews with victims, relatives and witnesses often lack interpretation services or psychological support, while access to translated documents outlining legal rights and procedures remains rare. Victims may also face retraumatising examinations and are left without protection from intimidation or reprisals—conditions that discourage reporting and allow perpetrators to avoid accountability.

The lack of a National Human Rights Institution (NHRI) exacerbates this environment as there is no independent body to monitor detention conditions, oversee investigations or ensure justice. In the absence of these essential mechanisms, accountability remains limited, and systemic shortcomings in addressing torture and ill-treatment persist.



V. VICTIM'S RIGHTS

INDEX SCORE: CONSIDERABLE RISK

Italy lacks a comprehensive framework to ensure support, redress and rehabilitation for victims of torture and ill-treatment. A national fund has been established to provide redress to victims of torture and other ill-treatment, but it remains critically underfunded, limiting its effectiveness. Compensation mechanisms specific to torture victims are also absent, forcing affected individuals to rely on general civil law provisions and a periodically issued decree from the Ministry of Interior that defines compensation amounts for victims of violent crimes. The lack of financial and institutional support restricts victims' access to justice, rehabilitation and adequate compensation.

Rehabilitation services are equally inadequate. A ministerial decree issued on April 3, 2017, introduced guidelines for the care, rehabilitation and treatment of mental disorders in refugees and individuals subjected to torture or severe violence. However, these guidelines apply exclusively to refugees and asylum seekers, and have been poorly implemented. No structured national framework exists to ensure support and redress for all victims of torture and ill-treatment.

Over the past five years, the State has not adopted preventive measures to guarantee non-recurrence of torture and ill-treatment and there is no available data on compensation mechanisms specifically designed for victims. Furthermore, the absence of a legal definition of a victim of torture or other ill-treatment continues to hinder access to justice and adequate protection.

Without sufficient resources and comprehensive legal protections, victims of torture in Italy continue to face barriers to justice, rehabilitation and adequate compensation, raising concerns about the state's commitment to preventing and addressing torture.



VI. PROTECTION FOR ALL

INDEX SCORE: CONSIDERABLE RISK

Protection for vulnerable groups in Italy remains an area of concern, especially in the context of gender-based violence and violence against the LGBTQIA+ community. [Official statistics](#) from government agencies indicate that the rate of intimate partner violence complaints in Italy, including stalking, family abuse and other forms of violence, ranges from 1.1 to 2.12 per 1,000 women. However, less than 25% of these complaints lead to convictions.

Regarding national security and counterterrorism, Italy's legislation includes legal provisions that explicitly prohibit torture and other cruel, inhuman or degrading treatment or punishment (CIDTP), while ensuring respect for the principle of non-refoulement. However, these safeguards are not always upheld in practice. Diplomatic agreements have, at times, been used to justify the return or transfer of individuals suspected of terrorism, even when there is a risk they may be subjected to torture or CIDTP upon arrival in their home country.

Additionally, although domestic law prohibits the extension of *garde à vue*—police custody without judicial oversight—in cases involving counterterrorism, extremism or similar offences, such safeguard is not consistently upheld in practice, raising concerns about potential abuses in detention.



VII. RIGHT TO DEFEND AND CIVIC SPACE

INDEX SCORE: MODERATE RISK

The country lacks a dedicated national mechanism for the protection of human rights defenders (HRDs). While the registration of associations does not require prior authorisation, existing legislation permits the arbitrary suspension, de-registration, or prosecution of NGOs. Provisions of the criminal code have been misused against civil society organisations, particularly those working on migration. HRDs involved in search and rescue operations at sea often face prolonged judicial harassment—for instance, the Luventa crew were subjected to a [seven-year investigation](#) under legislation equating humanitarian rescue with aiding unauthorised immigration before being acquitted in 2024.

The 2023 Decree-Law No. 1 imposed strict operational constraints on civilian rescue missions and granted the Ministry of the Interior broad powers to restrict or prohibit their activities. NGOs involved in search and rescue activities in the Central Mediterranean, such as Sea-Watch and United4Rescue, [have faced systematic obstruction](#), including repeated ship detentions, the assignment of distant disembarkation ports, and regulatory measures that limit their ability to conduct timely rescues, contributing to a climate of fear and obstruction.

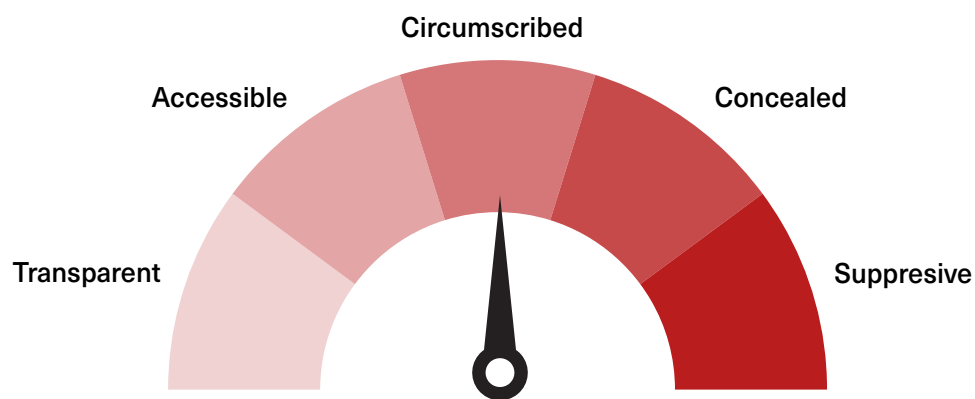
While the Italian Constitution guarantees freedom of assembly, prior notification is required for protests and public gatherings. Protest rights came under increasing pressure in 2024–2025, with Draft Bill No. 1236 aiming to criminalise peaceful environmental actions. This trend intensified with the government's April 2025 issuance of Decree Law No. 480, reflecting a broader shift toward repressive measures and executive-led policymaking in protest regulation.

Despite national legislation guaranteeing access to information, transparency in detention settings remains limited. Individuals are required to demonstrate a direct interest in order to access certain documents, and the law lacks clear criteria for refusals, creating barriers to accountability. While the Antigone Association is permitted to access certain detention facilities, access remains highly restricted for other civil society organisations—particularly with regard to police stations, military detention centres, and migrant detention sites. In psychiatric institutions, access is often limited to brief staff interactions, and medical professionals face additional constraints, further hindering independent oversight and monitoring efforts.

TRANSPARENCY AND ACCESS TO INFORMATION

The Global Torture Index rates the access to information and transparency available in each country when measuring and assessing the risks of torture and ill-treatment. It considers the availability of information, as well as the obstacles faced by civil society organisations in collecting data and their ability to access it. Data access must be guaranteed in every society, both in law and in practice, to ensure state transparency and accountability. It enables organisations, journalists and individuals to request information on public bodies, protocols, and statistics on human rights violations. This indicator reflects the challenges in accessing information within a country, with each country and territory assigned a rating as Suppressive, Concealed, Circumscribed, Accessible or Transparent.

Italy's score is **circumscribed** based on our evaluation of its current level of transparency and access to information.



ADVOCATING FOR CHANGE IN ITALY: KEY RECOMMENDATIONS

The Index includes 5 recommendations for Italy, taken from the [Index webpage](#), which will serve as references in upcoming editions to monitor achievements within the anti-torture movement.

1. Reject the proposed legislative measures that could hinder the prosecution of torture, such as removing the crime of torture or removing prison riots from the list of prosecutable contexts.
2. Mandate the installation of video cameras in all detention facilities and law enforcement vehicles to ensure transparency and accountability.
3. Adopt measures to reduce prison overcrowding, including the decriminalisation of select offences (e.g. drug-related offences), introducing alternative punishments and enhancing non-custodial detention options.
4. Expand the range of actors permitted to conduct independent visits to places of detention, including civil society organisations (CSOs), healthcare professionals and members of local bar associations. Increase the frequency of such visits and broaden the scope of facilities covered to include police stations and migrant detention centres.
5. Create a dedicated compensation fund for victims of torture to ensure they receive the necessary reparations and support.



FURTHER RESOURCES

For further information, the complete 2025 Torture Index—including detailed data visualisations, FAQs, the methodology, and more—can be accessed on our website: <https://www.omct.org/en/global-torture-index>. Should you have any questions, feel free to reach out to us at tortureindex@omct.org.

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