

**Question for written answer E-001823/2024**

**to the Commission**

Rule 144

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Subject: Approval of the draft law on security and breach of EU principles

On 18 September 2024, the Italian Chamber of Deputies passed the draft law on ‘Provisions on public security’ which amends the criminal code to tighten up existing penalties, introduce new sanctions and establish new criminal offences, including the act of ‘passive resistance’ within penal institutions, punishable with imprisonment, thus aggravating the situation in Italy’s prisons.

Provisions punishing ‘passive resistance’ in detention and reception facilities for migrants have also been adopted, together with the obligation for non-EU citizens to provide a copy of their residence permit if they wish to purchase a SIM card.

The act of obstructing traffic on roads or railways during demonstrations is also due to be transformed from a misdemeanour worthy of an administrative sanction into a crime punishable with imprisonment. If this is with the intention of preventing public works or the building of strategic infrastructure it will be deemed to be an aggravating circumstance.

The mandatory deferral of sentences for pregnant women or mothers with children less than one year old is also to be abolished.

In view of these provisions, Article 2 TEU, Articles 11 and 12 of the EU Charter of Fundamental Rights and CJEU case-law, can the Commission say:

1. Whether it considers these provisions to be in breach of the principles of freedom of expression, assembly and association?
2. Whether it believes these provisions to undermine the principle of human dignity?

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