



“Security package”. Antigone: “A new and serious attack on the rule of law. These are not the measures that improve public safety”

The government has announced a new “security package” consisting of a decree and a bill which, taken together with the “security decree” passed last June, constitute one of the most serious attacks on the right to protest and on constitutional guarantees in recent republican history.

The government is once again taking measures that reinforce a punitive and law-and-order approach to public safety, systematically weakening judicial review and curtailing fundamental rights. The two proposals, although different in nature and purpose, move in the same direction: transforming criminal and administrative law into a tool for managing consensus and public order, bringing together heterogeneous categories—migrants, minors, activists, perpetrators of ordinary crimes—as if they were a single security problem..

The bill introduces significantly harsher sentences, clearly undermining the principle of proportionality. For certain property crimes, such as burglary, sentences of up to ten years' imprisonment are envisaged, comparable to those for crimes of a much more serious nature. This decision marks a profound cultural and legal regression. The bill also includes provisions aimed at migrants, including one that would give the executive branch the power to impose a temporary naval blockade without adequate judicial oversight. Such a measure raises serious concerns regarding constitutional illegitimacy and incompatibility with international maritime law.

The decree targets in particular foreign nationals deprived of their liberty in closed pre-removal centres (CPRs). It empowers the government to enact regulations for the centres, which risks consolidating detention conditions worse than those in prison, in violation of the principles established by the Constitutional Court. Of particular concern is also the approach taken towards minors, who are treated exclusively as a public order problem. The provisions on the prevention of youth violence are almost exclusively policing measures, applicable to children as young as twelve, completely disregarding any educational, social, or preventive approach.

A significant portion of the “security package” concerns restrictions on the right to protest. It provides for extra-ordinary searches and police detention for up to twelve hours, without judicial oversight, simply on the grounds of being a person suspected of posing a threat. These measures are even more severe than the emergency legislation adopted in the 1970s and directly affect the constitutional right to protest.

Finally, the new provisions contribute to shaping a model of law enforcement officer who is largely removed from judicial oversight. In particular, they provide for limitations on the powers of public prosecutors in cases involving the use of firearms in the line of duty or alleged self-defence. This choice calls into question the principle of mandatory prosecution and alters the balance between the powers of the State.

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"This security package does not increase citizens' safety," said Patrizio Gonnella, President of Antigone. "Instead, it reduces safeguards, weakens oversight mechanisms, and undermines fundamental rights. It reflects a vision of security based on repression, not on constitutional legality."

"We have always said this and we reaffirm it strongly: security is not built by responding to complex social phenomena through criminal law alone," Gonnella continued. "Politics must instead address the complexity of these issues by providing meaningful answers to the underlying questions. Over the past 18 years, at least six security packages have been adopted, yet security continues to be presented as a problem. Clearly, there is something in this approach that does not work."

Antigone calls on Parliament to halt this course and to open a serious public debate grounded in respect for the Constitution, human rights, and the rule of law.

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