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Excerpts from the Italian Constitution

{ Adopted on: 22 Dec 1947 }
{ Effective since: 1 Jan 1948 }

Part I Rights and Duties of Citizens

Title I Civil Rights

Article 13 [Personal Freedom]

- (1) Personal freedom shall be inviolable.
- (2) No one shall be detained, inspected, or searched nor otherwise restricted on one's personal liberty save by order of the judiciary for which the reason must be stated, and then only in such cases and in the manner as the law provides for.
- (3) In exceptional cases of necessity and urgency, strictly defined by law, the police authorities may take provisional measures, which must be reported within 48 hours to the judiciary and which, if the latter do not ratify them within the next 48 hours, are considered as revoked and remain without effect.
- (4) All acts of physical and moral violence on persons subjected to any restriction of freedom shall be punished.
- (5) The law shall establish the maximum length of preventive detention.

Article 14 [Personal Domicile]

- (1) Personal domicile shall be inviolable.
- (2) No one's domicile shall be inspected, searched, or seized save in cases and in the manner laid down by law in conformity with guarantees prescribed for safeguarding personal freedom.
- (3) Special laws shall regulate verifications and inspections for reasons of public health and safety, or for economic and fiscal purposes.

Article 15 [Freedom of Correspondence]

- (1) The liberty and secrecy of correspondence and of every form of communication shall be inviolable.
- (2) Limitations upon them may only be imposed by decision of the judiciary, for which the reason must be stated, in accordance with the guarantees laid down by law.

Article 16 [Freedom of Movement]

- (1) Every citizen shall have the right to travel and reside freely in any part of the national territory, save for such limitations as laid down by a law of general application for reasons of health or security. No restriction shall be imposed for political reasons.
- (2) Every citizen shall be free to leave the territory of the Republic and re-enter it, save for such obligations as are laid down by law.

Article 17 [Right of Assembly]

- (1) Citizens shall have the right to assemble peaceably and unarmed.
- (2) For meetings, including those held in places to which the public has free access, no previous notice shall be required.
- (3) For meetings held in public places previous notice must be given to the authorities, who may forbid them only for proven reasons of security or public safety.

Article 18 [Freedom of Association]

- (1) Citizens shall have the right to form associations freely without authorization for aims not forbidden to individuals by the criminal law.
- (2) Secret associations, and those which pursue political aims, even indirectly, by means of organizations of a military character, shall be forbidden.

Article 19 [Freedom of Religion]

All shall be entitled to profess their religious beliefs freely in any form, individual or in association, to promote them, and to celebrate their rites in public or in private, provided that they are not offensive to public morality.

Article 20 [Religious Associations]

The religious character and the religious or confessional aims of an association or institution shall not justify special legal limitations or special fiscal burdens for its establishment, legal capacity, or any of its activities.

Article 21 [Freedom of Communication]

(1) All shall have the right to express their thoughts freely by speech, in writing, and by all other means of communication.

(2) The press shall not be subjected to any authorization or censorship.

(3) Seizure shall be permitted only by order of the judiciary, for which the reason must be stated, in the case of offences for which the law governing the press expressly provides, or in the case of violation of such provisions as the said law may prescribe for identifying the persons in charge.

(4) In such cases, under conditions of absolute urgency and when the immediate intervention of the judiciary is not possible, periodical publications may be seized by officers of the judicial police, who shall report immediately to the judiciary and in any case not beyond 24 hours. If the judiciary does not validate the measure within the next 24 hours, the seizure shall be considered as revoked and shall remain without effect.

(5) The law may order, by means of general provisions, that the financial sources of periodical publications be disclosed.

(6) Printed publications, performances, and all other exhibits offensive to public morality shall be forbidden. The law shall lay down proper provisions for preventing and repressing all violations.

Article 22 [Citizenship and Name]

No one shall be deprived of legal capacity, citizenship, or name for political reasons.

Article 23 [Personal Services]

No personal service or payment shall be forced on anyone, except as provided for by law.

Article 24 [Right to be Heard in Court]

(1) All may bring a case before a court of law in order to protect their rights under civil and administrative law.

(2) Defence shall be an inviolable right at every stage and instance of legal proceedings.

(3) The poor shall be entitled, through special provisions, to proper means for action or defence before all courts.

(4) The law lays down the conditions and means for obtaining reparation for judicial errors.

Article 25 [Defendant's Rights]

(1) No one's case shall be removed from the court that must hear it, as pre-ordained by law.

(2) No one shall be punished save on the basis of a law which has entered into force before the offence has been committed.

(3) No one shall be subjected to security measures save in such cases as are laid down by law.

Article 26 [Extradition]

(1) The extradition of a citizen may be permitted only in such cases as are expressly provided for in international conventions.

(2) In no instance shall it be permitted for political offences.

Article 27 [Rights of the Accused]

(1) Criminal responsibility is personal.

(2) The defendant shall not be considered guilty until final sentence has been passed upon him.

(3) Punishments may not consist of measures contrary to a sense of humanity and shall aim at

re-educating the convicted.

(4) The death penalty shall not be admitted save in cases specified by military laws in time of war.

Article 28 [Responsibility of Public Officials]

Officials and employees of the State and other public bodies shall be held directly responsible, under criminal, civil, and administrative laws, for acts committed in violation of rights. In such cases, civil responsibility extends to the State and to other public bodies.