

## Italy's Supplementary Information as of July 6, 2017

### ARTICLES 1, 2, and 3

A special Fund, envisaged by Art. 18 of Legislative Decree No. 198/06 (Women and Men Equal Opportunity Code) is used to finance the activities of the National Equality Councilor, as well as the expenses for her missions, allowances, and so forth.

As for local Equality Councilors, it is the Local Authority that appoints them and allocates a monthly allowance in accordance with criteria set forth by the “so-called Unified Conference between State, Cities and Local Autonomies”, besides covering the retribution of the permits provided for those Local Councilors who are employed, in accordance with available financial resources of the local authority concerned (Art. 17 of Legislative Decree No. 198/06).

Article 16 of Legislative Decree No. 198/06 establishes that the Ministry and Local Authorities designating the Councilors must allocate the necessary equipment and staff, from within existing resources.

Recently, the Staff of the National Equality Councilor, carried out a first study on the activity of the Local Councilors based on their Annual Activity Report, available at: <http://www.lavoro.gov.it/ministro-e-ministero/Organi-garanzia-e-osservatori/ConsiglieraNazionale/attivita-in-corso/Documents/2017-05-25%20Presentazione%20Dati%20Rapporti%202016.pdf>

As for ICMW, please consider our replies under UPR consideration 2010 – 2014.

As already underlined in Italy's Seventh Periodic Report, within its competences, the Department for Equal Opportunities (DEO) promotes and coordinates the Government actions to support **women's human rights** and individual rights in general, prevent and eliminate all forms of **discrimination**, combat **violence against women**, exploitation and **trafficking in human beings**, as well as all violations of the fundamental rights to the integrity of the person and the health of women and girls. The Department also coordinates the activities carried out by all other Public Administrations for the prevention, assistance and protection of children against sexual abuse and exploitation, as well as all actions concerning the fight against child pornography. Furthermore, the Department for Equal Opportunities is responsible for the guidance, proposal and coordination of regulatory and administrative initiatives in all fields relating to the development and implementation of **equal opportunity policies**, the collection and organization of **information**, also through the creation of specific databases, the promotion and coordination of survey, verification, monitoring, training and information activities on equality and equal opportunities.

Such a coordination action is exercised by the Department also through the setting up of ad-hoc **inter-institutional Steering Committees (Cabine di regia** – as it is the case for the implementation of the Extraordinary National Action Plan against Sexual and Gender-Based Violence and the National Action Plan against Trafficking in and Serious Exploitation of Human Beings) involving all the competent Ministries and public Administrations, as well as through **specific Observatories** (such as the Observatory on gender-based violence) involving all relevant stakeholders, including CSOs.

## Italy's Supplementary Information as of July 6, 2017

The Department also coordinates all **relations** with State, regional and local authorities, as well as with bodies operating in the field of equality and equal opportunities both in Italy and abroad, particularly with the European Union, the United Nations, the Council of Europe and the OECD, and adopts all the necessary measures to ensure the **representation** of the Italian Government in international relations and within national and international agencies working in this sector, also through the appointment of representatives.

As far as the impact assessment of the gender equality measures implemented by the Department is concerned, this is ensured especially for the actions concerning the fight against gender-based violence and human trafficking. Indeed, the new **National Action Plan against Gender-based Violence** (which will presumably be adopted this summer) provides for the establishment of a **monitoring and evaluation system** of the Plan based on concrete indicators for each commitment envisaged in the document. Likewise, the implementation of the current National Action Plan against Trafficking in and Serious Exploitation of Human Beings and the results achieved at the national, regional and local level are being monitored through a specific **System of Monitoring and Verification of the Plan**.

Finally, in compliance with Decree of the President of the Republic No. 251/2012, the Department for Equal Opportunities is also responsible for the **monitoring and evaluation of the implementation of gender quotas** in the boards of directors and boards of statutory auditors of non-listed companies under the control of the State, the Regions and the local bodies.

### **ARTICLE 5**

As for the respect of fundamental rights of the person in the media, AGCOM is an administrative independent Authority, established in 1997 by Act No. 249/97, with various supervisory and regulatory tasks in the communications sector. Among these, AGCOM has to ensure an efficient intervention to tackle every kind of discrimination and to guarantee the respect of fundamental rights of the person. The Italian Authority's competence as regards the protection of human dignity in the context of audiovisual media and radio services is contemplated by the Italian Consolidated Act on audiovisual media services (Legislative Decree No. 177/2005 (as amended and supplemented in particular by Legislative Decree No.44/2010 and Legislative Decree No.120/2012<sup>1</sup>). This Authority has adopted also various resolutions to regulate the respect for the fundamental rights of the person by broadcasters: Resolution No. 165/06/CSP recalls broadcasters to use in entertainment programmes a political correct language, and to avoid violent or sexual representations that could be offensive of the dignity of the person. By Resolution No.23/07/CSP, this Authority has given criteria to identify harmful and offensive pornographic contents. Last year, AGCOM adopted Resolution No.424/16/CONS, containing a "Guiding Act on the respect for human dignity and the principle of non-discrimination in information and entertainment programs". By this Resolution, the Authority reminds media services to ensure respect for the fundamental rights of the person in information and

---

<sup>1</sup> Legislative Decree No. 177 of 31 July 2005 in the article 3 includes among the main principles "the respect of human dignity", while article 32, para 5, mentions that "*all audiovisual media services must respect human dignity and do not consent any incitement to hatred based on race, sex, religion or nationality*".

## Italy's Supplementary Information as of July 6, 2017

entertainment programs, with specific regard to those people at risk of discrimination, in order to guarantee the respect of human dignity and the principle of non-discrimination (<https://www.agcom.it/documents/10179/5674805/Delibera+424-16-CSP/575fff76-0684-49b3-a165-efe9fa048548?version=1.0>). More generally, this Authority carries out intense supervisory and sanctioning activities in order to protect users, by initiating proceedings and imposing the related sanctions if violations are proven.

As for the portrayal of women in the programs of public service, AGCOM is currently drafting Guidelines for the new contract of public service, to be sent to the competent Ministry (the Ministry for economic development), in accordance with Decree No. 177/2005. The Contract is stipulated between RAI – public radio and TV broadcasting system and the Italian Government (the Ministry for economic development), and provides for the general terms under which RAI shall operate, by reporting the obligations that RAI should respect - to be compliant with its public service remit. In this respect, AGCOM role is to identify in the guidelines the main principles and objectives the contract should achieve. To this end, in the Guidelines AGCOM is preparing, one of the main issue is to ensure the quality of communication and information; to safeguard equal opportunities and to enhance a real and non-stereotyped representation of genders, in particular the multiplicity of roles of the female figure; to avoid a distorted representation, in full respect for cultural and professional dignity, of women.

As for women and media, *Corecom* are the regional communication committees, perform some delegated functions by AGCOM in execution of the decentralized communication system. Different *Corecom* promoted initiatives about “Women and Media<sup>2</sup>”.

As for the television and radio pluralism, AGCOM<sup>3</sup> publishes monthly also data of political pluralism about the presence of women and men in television and radio ([www.agcom.it/pluralismo-politico-sociale-in-televisione](http://www.agcom.it/pluralismo-politico-sociale-in-televisione); [www.agcom.it/pluralismo-politico-sociale-in-radio](http://www.agcom.it/pluralismo-politico-sociale-in-radio)).

The parity of opportunity between men and women in the political communications programs – Act No.215/2012 introduced rules for the re-equilibrium of gender representation in local administrations. This law also amended Act No. 28/2000 (about *par condicio*) establishing that media must promote the parity of opportunity

---

<sup>2</sup> i.e. the initiatives of Corecom Lazio and of Corecom Emilia Romagna to promote a correct and non-stereotyped representation of genders and information in full respect of women (Protocollo d'intesa “Donne e media” proposed by Corecom Emilia Romagna in 2014 e protocollo d'intesa “Donne e Media nel Lazio” proposed by Corecom Lazio in 2016).

<sup>3</sup> The Agcom monitoring system

The Authority is also responsible for ensuring compliance with the principles of information pluralism, of correctness, completeness, impartiality, objectivity, fairness and openness to different social, religious, cultural and political opinions and tendencies, as set out in Articles 3 and 7 of the previously quoted Consolidated Act on audiovisual and radio media services and in the provisions of Italian Law No. 28 of 22 February 2000 (which has laid down provisions for equal access to information media during election and referendum campaigns). Within the sphere of that competence, Agcom monitors the broadcasters; the monitoring is of primary importance and is represented in practice by all of the activities for the systematic collection of data and information on the programs transmitted by the national broadcasters monitored and the subsequent analysis. The results of the monitoring are summarized in reports about the presence in the television and radio programs of political representatives (the so-called political pluralism) and social representatives (the so-called social pluralism) and are published on Agcom website ([www.agcom.it](http://www.agcom.it)). Data about pluralism are collected from programs by especially quantitative criteria ; particularly data are collected about “Times” of the “political and social representatives”: “Speech time” or “speaking time” - time spent by a “political or social representative” speaking in the news or in programs to different topics; “News time” - time dedicated by a news journalist to a specific subject (only in the news); “Antenna time”- speech time + news time; “Topic time” - time dedicated to a specific topic during a programme or the news.

## Italy's Supplementary Information as of July 6, 2017

between men and women in the political communication programs, being specific programs provided by law. The rules approved by AGCOM (for private broadcasters) and by the relevant Oversight Parliamentary Commission (for public service), in accordance with Act No. 28, for each electoral or referendum campaign, must establish that in the political communication programs media must ensure “a balanced gender representation”. Political communication programs are monitored in each electoral or referendum campaign<sup>4</sup>.

Overcoming cultural prejudice and stereotypical concepts referred to Roma communities and vulnerable people is one of the main UNAR's goals. To this end, the Office strengthened its Contact Center, establishing the “Media and Internet Observatory” through which it works every day to detect the potential hate speech cases. The Observatory (officially started in January 2016) is supplied with a software, which works on the basis of a set of keywords search, as selected by the Office itself and based upon data from scientific literature and from the practical experience of the Office's work against discriminations. Thousands of contents are analyzed day-by-day: a substantial part of the contents is catalogued and included in thematic reports (hate speech and politics; hate speech and Roma people; migrants, etc.); and another part, which numerically represents a lower proportion but, equally, considered of a strongly discriminatory nature, is reported to the social networks for the removal or for law enforcement's investigation and prosecution. Furthermore, over the years, UNAR Contact Center operators have listened thousands of victims of discrimination based on race, ethnic origin, religious affiliation, age, conditions of disability, sexual orientation and gender identity grounds.<sup>5</sup> The operators offer immediate assistance to victims of discrimination by providing information, guidance and psychological support, besides accompanying the victims of discrimination to the court if they decide to act for the purpose of detecting and repressing the injurious behavior. A close cooperation has been established with OSCAD, by signing an MoU in April 2011 by which to define cooperation - so as to optimize their results.

In the year 2016, Contact Center worked on 2,939 cases, of which 2,652 were founded. More than the half concerned racial grounds: 17% of cases were against "Roma, Sinti and Caminanti (RSC)"; 16% on “Disability”; 9% on “Religion and opinions” grounds; 9% on "Sexual orientation and Gender identity"; and 5% on the Age. In addition, the 1% of total reports is represented by multiple discrimination. The highest percentage of acts of discrimination was in the area of "Media" (51%), followed by Services by public bodies (18%) and "Work" 11%. The lowest values were in Payment of financial services.

In order to ensure the effectiveness of the protection against discrimination, and help victims to access to justice in the most significant and problematic cases, the

---

<sup>4</sup> Act No.28/2000 defines the political communication as “the broadcasting of programs containing political opinions and evaluations”. The national public and private broadcasters are obliged to offer free political communication programs and must ensure the parity of conditions in the exposition of opinions “in the political tribunes, in the debates, in the round tables, in the programs on the presentation and the confront of political programs, in the programs characterized by the confront between two political subjects, in the interviews and in any other type of program in which the expression of political opinions and evaluations is central and significant” (art.2).

<sup>5</sup> The Contact Centre ensures: a Telephone Reception; linguistic and social mediation of messages on the toll-free number 800 90 10 10. 2); collection of discrimination cases through other channels: email, fax, mail, web, social networks, etc; preliminary investigation and treatments of cases, audits, specialized in-depth, additions via a callback to the reporting; cases collection and inclusion in the database; creating reporting system based on a database; dialogue with local services; transmission of the investigations to the UNAR.

## Italy's Supplementary Information as of July 6, 2017

Department for Equal Opportunities and the National Bar Council signed an Agreement, on 30<sup>th</sup> December 2013, envisaging the establishment of a Solidarity Fund for the legal protection of victims.

The Solidarity Fund provides to anticipate the costs of legal assistance in some proceedings against discriminatory acts (it may be provided a sum of 600 euros for each instance). This sum will be reimbursed - within one year of the enactment - in the event of a positive verdict with an unfavorable outcome of the counterparty for costs. Contribution can be requested by: Victims of discrimination based on race, ethnic origin, religion, belief, age, disability, sexual orientation and gender identity; The competent associations, which are permitted to bring or defend court proceedings in representation of victims, pursuant to art. 5 of Legislative Decree No 215/03; Trade Unions and the Associations and Organizations representing the infringed right or interest pursuant to art. 5 of Legislative Decree No 215/03.

In most cases, applicants turn first to the UNAR Contact Center that analyzes the case and directs them to the Fund. Disputes largely relate to institutional discrimination. In a few cases they concern disputes among privates. From the second half of December 2014 to May 2017, 44 applications have been submitted: 32 were accepted, 9 rejected, 1 withdrawn, and 2 are under evaluation, waiting for document integration or for the outcome of other criminal proceedings on the same subject. Thus, in the same period, there have been 32 legal actions financed by the Fund (strategic litigation settlements), mostly relating to race or ethnic origin (33 cases submitted). Among them: 6 cases concern access to social security benefits; 11 concern cases of use of racist expressions or phrases (among them, 4 concern Roma people). Expressions may have been pronounced in television, radio or press broadcasts, or have been disseminated by placards by political forces which are adverse to the presence of foreigners in Italy; 9 concern discriminatory administrative measures against foreign persons; 4 concern acts of stalking, persecution, cases of physical aggression (private violence and ill-treatment) and psychological, offensive statements – also at workplace - against foreign nationals; 2 concern cases of harmonization between the Italian legal system and other European countries' in relation to the assignment of the mother's name to the child or to the recognition of maternity leave<sup>6</sup>.

### **GENERAL RECOMMENDATIONS No. 12, 19, 31**

In accordance with the Italian Constitution (Article 24, paras.2,3: *Defense is an inviolable right at every stage and instance of legal proceedings. The poor are entitled by law to proper means for action or defense in all courts*), free legal aid is always provided in all civil proceedings, including separation and divorce proceedings. Admission to free legal aid take place at every stage of the trial, and for all related procedures (e.g. revision of the family allowance, modification of the child's guardianship). Free legal aid is admissible when the applicant has a low income. For the purposes of income calculation, only the income of the claimant is considered. This means for instance that the spouse's income is not taken into account (there might be cases where a spouse's income is higher than the other one's). In Italy

---

<sup>6</sup> There are also 9 cases on the ground of disabilities..

## Italy's Supplementary Information as of July 6, 2017

there are lists of lawyers for free legal aid. The lists are set up by the Council of the Bar Association at each district Court of Appeal.

Art. 337-*octies* of the civil code envisages family mediation as a non-compulsory institute; and as such it requires the agreement by both parties. With regard to domestic violence, Art. 342 bis of the Civil Procedure Code provides that the civil court may, at the request of the party, order the spouse or cohabitant to terminate the injurious conduct and may order his/her removal from the family home; May order not to approach the places regularly occupied by the victim; Can order the intervention of social services or a family mediation center or associations that have the purpose of supporting and accommodating women and minors suffering from ill-treatment. The measures by the civil judge are not alternative to those ones by the criminal court, but they can be added to those ones by the criminal court, to ensure greater protection

The procedure for the adoption of the protection order is an urgent procedure, and is specifically provided for in Art. 736 bis of the Civil Procedure Code. If the judge rejects the request for protection order, the claimant may file a complaint with the Court of Appeal, and the judge that has released the previous challenged decision cannot be a member of the court.

Should the person to whom the order of the judge is aimed fail to comply, s/he is charged with the offense referred to in Art. 388 of the criminal code.

In line with the Extraordinary Action Plan on Sexual and Gender-based Violence, the Ministry of Health, through the National Centre for Disease Prevention and Control, and in collaboration with the National Institute of Health, financed in 2015-2016 with an allocation of € 260.000, a central action, entitled “*Un programma di formazione blended per operatori sanitari e non, mirato al rafforzamento delle reti territoriali per la prevenzione e il contrasto della violenza di genere*” to provide information about possible pathways for women victims of violence who go to First Aid. The training targets physicians and nurses of at least 28 First Aid services from four Italian Regions (Lombardy, Latium, Campania, and Sicily) to increase the ability of manage, diagnose and treat violence against women and to strengthen/set up local networks against violence.

In parallel, a specific project, on “*Controllo e risposta alla violenza su persone vulnerabili: la donna e il bambino, modelli d'intervento nelle reti ospedaliere e nei servizi socio-sanitari in una prospettiva europea. REVAMP*” must be recalled and has been financed with € 494.500, to be realized in partnership with Liguria Region and with the participation of six more Regions (Piedmont, Lombardy, Tuscany, Latium, Basilicata, and Sicily). Over 800 health-care professionals have been trained with the above two projects.

### **ARTICLES 7 (13) - 8**

As for women and sport, among those persons that practice sport on a continuously basis, mention has to be made of about 4.5 million athletes in Italy within the 45 relevant Federations and 15 Sport Disciplines recognized by CONI (the National

## Italy's Supplementary Information as of July 6, 2017

Italian Olympic Committee). Estimates indicate that about 26.9% is made of women whose presence tops sport disciplines such as gymnastics (Rate equals to 89%) and volleyball with about 270,000 women athletes. However, among sport-related operators women account for: 20.5% as technicians; about 17% as referees; and 18.6% as executives.

With regard to ATT and weapons smuggling, mention has to be made of the following: In general terms, in Italy arms trafficking is illegal and is a crime. Generally, it is prohibited to manufacture, trade, sell, and the unauthorized collection of weapons (Article 695 of the Criminal Code: "it is forbidden to hold weapons and ammunition without having reported it to the Public Security Authority; and also the custody of weapons at home. It is punished under the criminal law whoever violates the order of the Authority to deliver weapons and/or ammunition; and the transportation of weapons outside the household without the permission of the Authority is also prohibited. There are aggravating circumstances where the offense is committed by a person subjected to a precautionary measure under the Anti-mafia Code. In Italy, the Single Text of Public Security Laws is in force and regulates in detail the matter of detention and the use/transportation of weapons

By Legislative Decree No. 204/2010 Italy has implemented Directive 2008/51/EC on the control of acquisition and possession of weapons.

It is important to point out that the criminal offense of criminal association aimed at weapons trafficking is punished with very severe penalties.

The National Authority - UAMA contributes autonomously to the activity of prevention, monitoring and sanctioning of sectoral illegitimate phenomena, as well as in collaboration with the Judicial Authority where there are suspicions and / or certainties about the phenomenon concerned.

- The transparency of the action of the National Authority - UAMA is guaranteed by sharp timelines and procedures, as recently subjected to a thorough reordering and simplification process. This is also to protect the legality and effectiveness of the State Administration's action.
- The definition in 2012 of the then Unit for Armaments Authorizations as a National Authority, with a widespread increase in competences deriving from EU legislation, has further strengthened the fight against illegal arms trafficking also through the widening of powers inspection.
- The financial flows related to the movement of armaments are now subjected to more stringent control thanks also to the MAECI - MEF web-portal - through which all transactions deriving from authorizations from the National Authority - UAMA are monitored and accompanied by a special code by MEF (standing for Ministry of Economy and Financing).

### **ARTICLE 9**

In accordance with legislation in force, unaccompanied foreign minors are entitled and benefit from specific reception measures at dedicated facilities, where gender perspective is ensured.

## Italy's Supplementary Information as of July 6, 2017

On May 6, 2017, a new Law for the protection of unaccompanied foreign entered into force in Italy (Law No.47 of April 7, 2017), which partly amends the relevant system defined by Legislative Decree No. 142/2015.

Law No.47 introduces amendments to the consolidated Law on Immigration - Legislative Decree No.286 of 1998 – and other relevant laws, such as Legislative Decree No.142/2015, bringing innovation to the Protection of Unaccompanied Minors' system. The most significant novelties are as follows:

Law No.47 broadens and unifies the notion of "unaccompanied minors", by: including unaccompanied asylum-seeking children; ensuring protection to unaccompanied foreign children entering Italy; and providing them with the same rights as for Italian and European minors. (Law No. 47, Arts. 1-2). This also confirms *the prohibition of refoulement* of minors at the borders (Art. 3). This also introduces new procedures on how to contact minors and to provide them with information at the border, as well as on their right to receive a "first-aid service" and to be hosted at the national reception system. The length of minor's stay at the first identification government centers decreases from 60 to 30 days. Plus, reporting procedures become homogeneous, besides introducing a single procedure for the identification and age's determination of the unaccompanied minor in a child-sensitive manner.

- Minor's age is assessed by qualified experts supervised by local authority services. In case of doubts, it is possible to ask for an identification certificate to diplomatic authorities, and to administer social and health tests. To do this, the child's consent is necessary and the procedures shall not be invasive. Should doubts persist, minor age is presumed (Art.5).

The above Law also introduces provisions aimed at promoting on a priority basis the foster care family system and the guardianship for children by using trained volunteers from the regional child and youth agency (Art.7). Voluntary return to the country of origin can take place when decided by the Juvenile Court upon listening of the minor concerned and his/her guardian and upon investigations about his/her family in the country of origin (Art. 8). Moreover, this Law establishes a National Information System for Unaccompanied Minors under the Ministry of Labor and Social Policies. ((Art.9(1) - A special folder containing pertinent information is opened in the first identification reception centers for every unaccompanied minor (Art. 9(2)).

A roster of volunteer legal guardians must be created at all juvenile Courts throughout the Country within 90 days from the entry into force of Law No. 47, among citizens selected and vetted by local governments (Art. 11(1)). Reception of all unaccompanied minors within the SPRAR system (Art.12). Moreover, unaccompanied minors detected in the Italian territory have the right to health and education, even before they are entrusted to a residence permit (Art. 14(1)). The presence of cultural mediators is required in all decisions concerning the minors' health and education needs (Art. 14(3)). Unaccompanied minors also have the right to be heard in all judicial and administrative proceedings affecting them (Art. 15(1) & 2-ter). Their consent is necessary for the intervention of non-governmental organizations - dedicated to the assistance of vulnerable persons - in the legal

## **Italy's Supplementary Information as of July 6, 2017**

procedures concerning them (Arts. 15(1) & 19(1)). The minors have the right to appoint legal counsel to handle judicial and administrative procedures involving them; funds for the payment of legal expenses incurred by such minors in 2017 are provided for under the Law (Art.16(1)). Finally, specific protection measures are addressed to specific categories of unaccompanied minors, such as victims of trafficking (Art. 17).

### **ARTICLE 10**

The "National Guidelines for Education to Affectivity, Sexuality and Reproductive Health in Schools" document, based on the WHO Guidelines on Sexual Education as adapted to Italian reality and school system, is ready. We are only in the process to better specify an additional paragraph on students with disabilities. Before the end of this month the document will be put to the attention of the two Ministers concerned in order to get authorization for a public consultation with scientific societies, as well as students' and parents' associations, which could take place in September 2017.

### **ARTICLES 11-13**

EU Institutions have been always taking into account the issue of gender pay gap. In 2006, the European Commission (COMM(2006)92final) recognized as one of its priority the elimination of the gender differences in pay; then, in 2008 (Council Decision, 15 July 2008/618/EC) it was decided to include the gender pay gap among the indicators for monitoring the employment policies of the Members States.

Regarding Italy, in accordance with Articles 36 and 37 of the Italian Constitution, the employee has the right to a proportional and fair wage, in respect of the quantity and quality of his/her work, and that a working woman has the same rights of a working man, and her pay has to be the same of her male colleague for the same work. Besides, there are the so-called Collective Agreements for each sector, which include the economic part which the employer has the duty to apply.

The prohibition of gender pay discrimination is ruled by Article 28 of Legislative Decree n. 198/2006 (*Equal Opportunity Code*): "*E' vietata qualsiasi discriminazione, diretta e indiretta, concernente un qualunque aspetto o condizione delle retribuzioni, per quanto riguarda uno stesso lavoro o un lavoro al quale è attribuito un valore uguale. I sistemi di classificazione professionale ai fini della determinazione delle retribuzioni debbono adottare criteri comuni per uomini e donne ed essere elaborati in modo da eliminare le discriminazioni*". More recently, in May 2016 Legislative Decree n. 90 introduced "Gender Budgeting", with the aim of monitoring the different impact of budget policies on men and women, with regard of economic resources, services, etc.. Therefore, Public Administrations are now committed to the definition of the relevant items of expenditure, to clearly identify the resources for gender policies and their impact.

The Government has adopted various measures in order to support parenthood and, in general, the family: The possibility to use parental leave on an hourly basis (Lgs. Decree no.80/2015); The re-financing of the so-called "Baby-sitting voucher", which

## Italy's Supplementary Information as of July 6, 2017

is alternative to the parental leave and is aimed to pay baby-sitting services or nursery schools; The increase of the paternal leave days, from 1 to 2, on a compulsory basis; and from 2 to 4, on a voluntary basis. Economic support for companies which – through the drawing up of proper contracts – introduce specific measures for the work-life balance.

- As for early childhood, in recent years, partly thanks to the impetus of the Lisbon Strategy, Italy has promoted policies aimed at supporting and developing the early childhood educational services. The Department for Family Policies contributes to the full implementation of the “Extraordinary plan for the development of early-childhood socio-educational services”. As shown by the last Monitoring Report of the socio-educational services development plans (31 December 2015), the benefits stemming from the policies for the development of early childhood educational services, also due to the investments of the last years, have been significant. Before introducing and analysing the available data, it is important to underline that the percentage of coverage of these services is also influenced by the decreasing of the 0-2 years population (in the 2009 the 0-2 population was 1.703.630 while in the 2016 was 1.492.050, corresponding to a decreasing of 12,4% - Demo Istat: <http://demo.istat.it>). Considering the reference period from 31.12.08 to 31.12.15, the following results are to be recalled: The size of the service system constantly grows (from 234,703 jobs as of 1/12/2008 to 331,600 as of 31/12/20, with a percentage of coverage that ranges from 14.8% to 22.8%). Within this framework, nurseries are the type of service of greatest interest for families and also the service promoting the development of the entire services system as a whole (nurseries jobs have increased from 210,541 as of 31/12/2008 to 314,741 as of 31/12/2015, with a percentage of coverage growing from 12.5% to 20.8%: in contrast, supplementary services experienced a limited development, as the jobs in the field of supplementary education services go from da 24,162 to 30,966 (with the percentage of coverage ranging from 1.4% to 2.0%).

Although the coverage percentage has grown, the uneven distribution - higher in the north and in the centre and lower in the south of the country - is still a critical feature of the Italian system. Graph No. 1. Percentage of coverage<sup>7</sup> of nurseries and supplementary services with the regard to 0-2 years population as at 31/12/2015 (Source: IDI elaboration for the Monitoring of the plan for the development of early-childhood socio-educational services at 31-12-2015)

	Users/places		% coverage 0-2 years
	Nurseries	Supplementary Services	
Piemonte	24,4	4,3	28,7
Valle d' Aosta	28,3	13,9	42,2
Lombardia	24,5	1,3	25,8
Liguria	24,0	2,0	26,0
<b>Italia Nord Occidentale</b>	<b>24,5</b>	<b>2,3</b>	<b>26,7</b>

<sup>7</sup> The percentage of coverage is calculated from the ISTAT data concerning 0-2 years resident population at the 1st January 2016, except for Lazio, Abruzzo, Calabria and Sicilia Regions (Regional data non available for nurseries and supplementary services), using ISTAT data at 2013 correlated to the 0-2 years population of the reference year.

## Italy's Supplementary Information as of July 6, 2017

	Users/places		% coverage 0-2 years
	Nurseries	Supplementary Services	
Provincia di Bolzano	10,6	6,6	17,2
Provincia di Trento	23,8	3,3	27,2
Veneto	21,7	1,7	23,4
Friuli-Venezia Giulia	24,6	4,3	28,9
Emilia-Romagna	34,2	2,3	36,5
<b>Italia Nord Orientale</b>	<b>26,2</b>	<b>2,5</b>	<b>28,7</b>
Toscana	30,1	3,0	33,1
Umbria	33,4	8,3	41,8
Marche	27,3	1,7	29,0
Lazio	27,0	0,8	27,8
<b>Italia Centrale</b>	<b>28,2</b>	<b>2,1</b>	<b>30,3</b>
Abruzzo	17,8	1,6	19,4
Molise	14,8	0,2	15,0
Campania	3,9	2,5	6,4
Puglia	15,2	2,6	17,7
Basilicata	13,8	0,0	13,8
Calabria	10,1	0,6	10,7
Sicilia	10,6	0,4	11,0
Sardegna	22,4	1,4	23,7
<b>Italia Meridionale e ins.</b>	<b>10,8</b>	<b>1,6</b>	<b>12,4</b>
<b>ITALIA</b>	<b>20,8</b>	<b>2,0</b>	<b>22,8</b>

Graph No. 2. Percentage of coverage<sup>8</sup> of nurseries, supplementary services and early access to kindergarten with regard to 0-2 years population as at 31/12/2015 (Source: IDI elaboration for the Monitoring of the plan for the development of early-childhood socio-educational services at 31-12-2015, taking into account also the MIUR Data base)

	Users/places			% coverage 0-2 years
	Nurseries	Supplementary services	Early access to kindergarten	
Piemonte	24,4	4,3	4,3	33,0
Valle d' Aosta	28,3	13,9	1,0	43,1
Lombardia	24,5	1,3	3,3	29,1
Liguria	24,0	2,0	4,8	30,7
<b>Italia Nord-occidentale</b>	<b>24,5</b>	<b>2,3</b>	<b>3,7</b>	<b>30,5</b>
Provincia di Bolzano	10,6	6,6	4,0	21,2
Provincia di Trento	23,8	3,3	2,8	30,0
Veneto	21,7	1,7	4,9	28,3
Friuli-Venezia Giulia	24,6	4,3	4,7	33,7
Emilia-Romagna	34,2	2,3	2,3	38,8
<b>Italia Nord-orientale</b>	<b>26,2</b>	<b>2,5</b>	<b>3,7</b>	<b>32,5</b>
Toscana	30,1	3,0	3,6	36,7
Umbria	33,4	8,3	5,6	47,3

<sup>8</sup> The percentage of coverage is calculated from the ISTAT data concerning 0-2 years resident population at the 1st January 2016.

## Italy's Supplementary Information as of July 6, 2017

	Users/places			% coverage 0-2 years
	Nurseries	Supplementar y services	Early access to kindergarten	
Marche	27,3	1,7	4,5	33,5
Lazio	27,0	0,8	3,2	31,1
<b>Italia centrale</b>	<b>28,2</b>	<b>2,1</b>	<b>3,7</b>	<b>34,0</b>
Abruzzo	17,8	1,6	7,7	27,2
Molise	14,8	0,2	9,0	24,0
Campania	3,9	2,5	8,7	15,1
Puglia	15,2	2,6	8,1	25,9
Basilicata	13,8	0,0	9,2	23,0
Calabria	10,1	0,6	11,8	22,4
Sicilia	10,6	0,4	7,6	18,7
Sardegna	22,4	1,4	7,0	30,7
<b>Italia meridionale e ins.</b>	<b>10,8</b>	<b>1,6</b>	<b>8,2</b>	<b>20,6</b>
<b>ITALIA</b>	<b>20,8</b>	<b>2,0</b>	<b>5,2</b>	<b>28,0</b>

National Programme on early childhood and the elderly dependent-related services (P.N.S.C.I.A. Programma Nazionale Servizi di cura alla prima infanzia e agli anziani non autosufficienti) - The P.N.S.C.I.A., started in 2013, is part of the National Programme for Action and Cohesion (PAC) and aims at developing and increasing the early childhood services (public and private nurseries and supplementary services) in four Regions in the south of Italy (Campania, Puglia, Calabria and Sicilia) to bridge the gap with the rest of the Country.

The Ministry of Interior is in charge of the Programme (CIPE Resolution n. 113 - 26 October 2012), which is managed by a specific Department (“Autorità di Gestione”), it covers 201 “Social Districts (involving 1608 Municipalities)” of the above-mentioned Regions. Allocation of resources for early childhood service has been made as follows: 120.000.000 Euros were allocated by the first installment in June 2013, and 195 “Intervention Plans” were financed for an amount of 112.000.000 Euros (66.000.000 Euros have already been spent); 219.000.000 Euros were allocated by the second installment in October 2014, and 192 “Intervention Plans” have been financed for an amount of 198.000.000 Euros.

- According to the monitoring survey, thanks to the first installment 10.000 new child-care places have been created. The final data will be available on 30<sup>th</sup> September 2017.

Finally, 11.000.000 Euros, from the first installment and not allocated, have been used for 21 Projects directly managed by the “Managing Authority” and 550 new child-care places have been created.

**Fight against poverty and SIA:** Mention has to be made also of Act No. 33/2017, on “*Rules to fight poverty, to reorganize assistance benefits and to coordinate the system of social services interventions*”. Its main goal is to remove the economic and social obstacles that restrict individual freedom and to promote the substantial equality among citizens, also through the fight against poverty.

## Italy's Supplementary Information as of July 6, 2017

In order to achieve the goal to counter poverty – as one of the main discriminatory factors - Act No. 33/2017 provides for a comprehensive systematization of measures against poverty, countering economic and social constraints for citizens equity and human development and promoting wider and harmonized social policies. The main measures provided for by Act No. 33/2017 are: The so-called Inclusion Income, to be financed through the National Fund to Fight Poverty and Social Exclusion, provided by Stability Law-2016. The priority target will be families with children, people with disabilities, pregnant women and unemployed over the age of 55; The reorganization of all Social Assistance Benefits aimed to fight poverty, leaving apart the benefits for elderly people that can no more be employed, the parental benefits and all the benefits linked to disability and occupational invalidity of the recipient; The strengthening of the Coordination of all the Social Services Interventions, in order to grant the same essential level of performance at a national level. The Law introduces a system of multidimensional services in order to promote the active inclusion of the disadvantaged citizens, thanks to the coordination of active labour market policies, housing conditions and social care policies.

Lifting at least 20 million people out of poverty and social exclusion within 10 years is one of the goals set by the Europe 2020 Strategy adopted by the European Union. The Italian National Reform Program is planning to contribute to this goal: with minus 2.2 million poor people by 2020. The Operational Program (OP) for Inclusion co-financed by ESF (European Social Fund) plays a crucial role in this context. The resources of the National Operational Program are allocated to the activation measures, while the economic support measure is financed through national funds. One of these is the *Support for Active Inclusion (acronym in Italian, SIA)*. The Support for Active Inclusion is a measure promoted by the Ministry of Labour and Social Policies, to counter poverty by assisting financially families in economic difficulties. This is a national measure against poverty addressed to families in severe economic conditions where at least a member is: a child; son/daughter with disabilities; or a pregnant woman. The SIA combines two kinds of actions: ensuring an economic support paid into a personal electronic payment card that can be used for purchasing basic goods; activating a care project tailored on the specific households and involving its members. The project is addressed to the whole family and is set up together with the social services of the Municipality, in collaboration with employment, health and education services as well as with private actors, in particular non-profit organizations engaged in the field of fighting poverty. Expected result is the activation of beneficiaries in order to overcome hardship conditions and achieve self-reliance.

In order to be entitled to SIA, it is necessary to meet the following requirements: to be Italian or EU citizen, or foreign citizen with a long-term EU stay permit, or to be resident in Italy for at least 2 years. The family is involved in an ad hoc project managed by the Municipal social services (coordinated at the territorial level) in coordination with other local services (i.e. job centres, health-care services, schools), third sector, and the community at large. The SIA-related action aims, in particular, at: empowering support schemes in order to strengthen the services dealing with the personal care planning of the household and to develop the integrated network of interventions involving other public agencies as well as not-for-profit organizations at a local level; ensuring measures such as training, internships, employment grants and

## Italy's Supplementary Information as of July 6, 2017

social support actions, addressed to the members of the families that benefit from economic support.

The main goal is to help families to overcome poverty difficulties and to gradually gain social and work autonomy from social services. Beneficiaries are as follows: Municipalities and so-called "Territorial Areas" (local contexts consisting of groups of municipalities that organize integrated services together). Concretely, the Managing Authority will allocate funds through non-competitive tenders. In order to receive these funds, municipalities and/or territorial areas will have to design projects that: a) respond to the needs of the beneficiaries of the Support for Active Inclusion; and b) strengthen the related services - in line with the National Guidelines set by the Ministry of Labor and Social Policies in agreement with the Regions. Final recipients are as follows: The families who receive the economic support (Support for Active Inclusion), and the social services involved in the activation and personal care planning projects. The request to access to the SIA has to be submitted by a member of the family to the Municipality of residence. Other actors involved are as follows: Third sector organizations and/or private bodies operating within the social policies sector. Municipalities and "Territorial Areas" receiving financial support to implement the measures foreseen by the Program can acquire the services and/or the expertise they need from the third sector organizations and/or from private bodies already active in the social policies area. In the evaluation of the request, relevance is given to the information on the family collected through I.S.E.E.

- I.S.E.E is an indicator of the Economic Situation, appropriately certified, to allow the potential low-income beneficiaries easily access to social assistance and public interest services.

The SIA measure is currently evaluated by the Ministry of Labour and Social Policies, in order to establish the effectiveness of the integration of the money support with services supporting an active inclusion.

Table - Gender pay gap in unadjusted form in the 28 countries of European Union by type of control of the economic unit (percentage values)

	Public control				Private control				Total			
	2010	2013	2014	2015	2010	2013	2014	2015	2010	2013	2014	2015
Italy	4.5	6.3	3.7	2.9	17.5	19.9	19.6	19	5.3	7	6.1	5
EU (28 countries)	:	:	:	:	:	:	:	:	16.4	16.8	16.7	16.7
EU (27 countries)	:	:	:	:	:	:	:	:	16.5	16.8	16.7	16.7
Euro area (19 countries)	:	:	:	:	:	:	:	:	17	17.1	16.9	16.9
Euro area (18 countries)	:	:	:	:	:	:	:	:	17	17.2	16.9	16.9

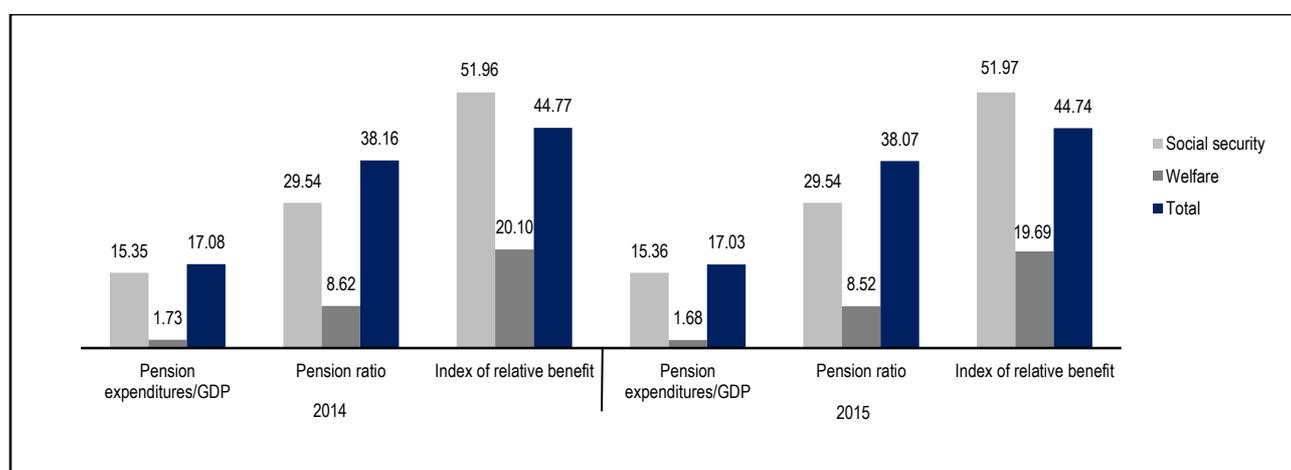
Source: Eurostat, Statistics Database.

As for gender pension gap, women's pensions are on average lower than men's ones is not due to Italian social security legislation, but it is a direct result of the woman's condition in the labour market. Therefore, to improve women's pensions it is necessary to improve female employment. Regarding the Italian pension legislation, we have to point out that: In pension mandatory regime, there are no differences

## Italy's Supplementary Information as of July 6, 2017

between the actual calculations for men and women, because they are based on life expectation of the *whole* population; From 2018, the retirement age will be at the age of 66.7 for both men and women; The periods spent for children and not self-sufficient relatives-related care (this activity is mainly carried out by women) are evaluated in order to the achievement of the retirement age, through the accreditation of the so-called “*contribuzione figurativa*”.

Pensions and beneficiaries as of 31 December 2015 - As of 31 December 2015, the number of social security and welfare pensions paid out amounted to 23.1 million at a total annual expenditure of € 280,282,000 equivalent to 17.03% of GDP<sup>9</sup> (+0.05 percentage points compared to 2014). The average pension amount was € 12,136 with a total increase in expenditures of 1.2% over 2014. Figure – Pension indicators (a). Years 2014 and 2015 (*percentage values*)



The figures above stem from the annual surveys on pensions and their beneficiaries conducted by the National Statistical Institute (ISTAT) in collaboration with the National Social Security Institute (INPS) based on the latter's administrative data archive, the Pensioner Central Records Office<sup>10</sup> that collects information on pensions paid out by all Italian public and private social security institutions. Pensions and beneficiaries are divided into seven categories: old-age, disability, survivor, injury, civil disability, non-contributory and war. This classification makes it possible to univocally identify the number of beneficiaries within each category. Each beneficiary may receive pensions of different types hence be included in one or more of the above categories. For example, a holder of an old-age pension who also receives a survivor's pension will be included among cumulative beneficiaries of different types of pensions and fall within both the old-age and survivor's pension categories. Therefore the total is calculated as the sum of the individual types of pension.

As regards types of pension (Table 1), it can be observed that disability, old-age and survivor's pensions (Ivs) amount to 18 million at an overall expenditure of €

<sup>9</sup> For data on GDP, see: *Gross Domestic Product: main aggregates - annual national data*, October 2014 Edition, available on <http://istat.it>

<sup>10</sup> Instituted through Presidential Decree no. 1338, 31 December 1971, subsequently amended by Legislative Decree no. 352, 06 July 1978, and Law no. 85, 22 March 1995.

## Italy's Supplementary Information as of July 6, 2017

253,565,000 (90.5% of total) with an average annual amount of € 14,116. Welfare pensions represent the second largest category in terms of expenditures. In 2015 such expenditures amounted to € 22,315,000 (7.9% of total) and related to 4.4 million pensions at an average annual amount of € 5,113. Injury pensions at an average annual amount of € 5,733 accounted for 1.6% of total expenditures of € 4,402,000:

Table 1 – Pensions and related annual, overall and average amount by type of pension. Years 2014-2015

TYPE PENSION	2014			2015		
	Number	Overall amount	Average amount	Number	Overall amount	Average amount
	%	Millio %	Euro I.N.	%	Millio %	euros I.N.
Disab.,old-age	18.089	78,0	250.50	17.962	77,8	253.56
Injury	786.059	3,4	4.495	767.844	3,3	4.402
Welfare	4.322.6	18,6	22.067	4.364.2	18,9	22.315
Total	23.198	100,0	277.06	23.094	100,0	280.28

(a) Total index number =100

With reference to pensioners (Table 2), in 2015 the number of pension holders, was almost 16.2 million, a figure lower than in 2014 (-0.5%). The number of pensions per capita was 1.4. Although the proportion of women pension holders was 52,8%, men received 55,7% of pension income due to the higher average amounts of their pensions (€ 20,431 compared to an average of € 14,543 for women):

Table 2 – Pensioners and gross annual overall amounts of pension income by sex. Years 2014-2015

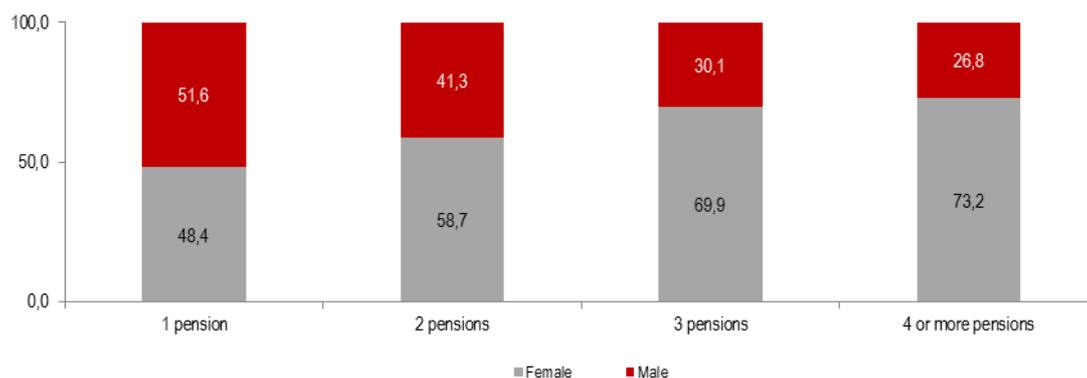
Sex	2014					2015				
	Number	Amount	Overall	Average	I.N	Number	Amount	Overall	Average	I.N
	A.V.	%	(Millions of euros)	(euro s)	.	A.V.	%	(Millions of euros)	(euro s)	.
Men	7.661.0	47,1	154.2	55,7	20.13	7.639.4	47,2	156.0	55,7	20.43
Women	8.598.3	52,9	122.8	44,3	14.28	8.539.9	52,8	124.2	44,3	14.54
Total	16.259	100,0	277.0	100,0	17.04	16.179	100,0	280.2	100,0	17.32

(a) Total index number =100

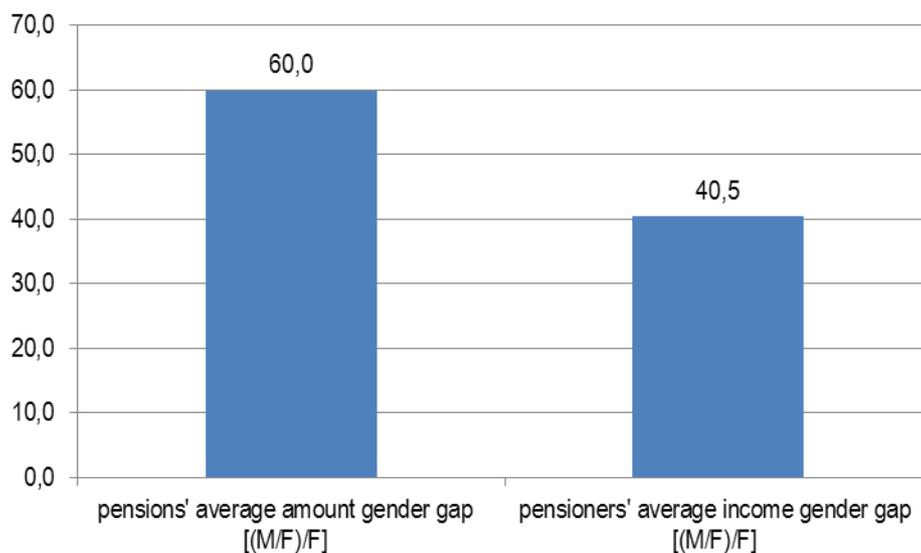
### Pensions and Pensioners by Sex at a Glance

Pensioners by sex and number of pensions received – Year 2015

## Italy's Supplementary Information as of July 6, 2017



### Pensions' and Pensioners' Gender pay gap – Year 2015



## **ARTICLE 12**

By recalling Article 32 of the Italian Constitution (“*The Republic safeguards health as a fundamental right of the individual and as a collective interest, and guarantees free medical care to the indigent. No one may be obliged to undergo any health treatment except under the provisions of the law. The law may not under any circumstances violate the limits imposed by respect for the human person*”) and – as a way of example – the National Health-Care System (SSN) Budget-2016 amounting to 111 billion Euros, with regard to health-care services provided at both public and accredited private facilities, the Ministry of Health, with other institutional bodies, drafts Guidelines and accreditation requirements which, upon agreement with Regions, must be ensured to each SSN-related facility.

- As a way of example, mention has to be made of the reduction in cesarean deliveries which are being recorded: Cesarean cuts that are being recorded thanks to the publication of the relevant guidelines as well as the application of the 2010 State-Regions Agreement on the Birth Pathway, as annually monitored by the ad hoc National Birth Path Committee.

## Italy's Supplementary Information as of July 6, 2017

In its judgment No. 221 of 2015, the Constitutional Court ruled on the constitutional legitimacy of the rules on the rectification of sex attribution, in particular Art. 1 of Law no. 164/1982. The judges have ruled that surgery is not necessary for such rectification, but it remains “inevitable a rigorous judicial assessment of the modalities through which the change took place and its final character”.

- In Italy, no one can be subjected to medical treatment without his/her consent, when considering children with a guardian or people with intellectual disabilities under guardianship. Of course, decisions about their health are taken by who has the guardianship and the relevant medical practitioner, always in the interest of the person. In Italy, pursuant to Article 32 of the Constitution, the medical act to be legitimate must respect each individual's right to liberty, dignity and self-determination. Therefore, the free and informed consent of the patient, save objective conditions of necessity and urgency that render the medical intervention inadmissible in situations that impede the decision-making autonomy, is the pre-requisite and *conditio* of legal legitimacy as well as of an ethical medical act. However, the current laws provide for the possibility of acting on behalf of persons under the age of 18 or older who are declared interdicted (Art.414 of the civil code), by the legal representative (parents, guardians or support administrators) for acts of health-care nature carried out in the specific interest of the people concerned.

Surgical sterilization data not included in the Essential Levels of Assistance (in Italian, LEA) can be obtained from hospital dismissal sheets (in Italian, SDO), which the Ministry of Health systematically collects from hospital as sent from regional bodies. In 2014, the admissions to the DRG 351 - Male Sterilization (extra-LEA, unpaid/remunerated) were 16, including 4 ordinary (3 of 1 days each) and 12 day long stay (Source: SDO Report 2014. However, the level of data processing does not allow to obtain information about the expression of consent).

In the field of sexual and reproductive health, the Ministry of Health funded ad hoc Voluntary Pregnancy Interruption (in Italian, IVG) prevention projects among foreign women, which have allowed to build a trusted relationship between foreign women's communities and health-care services in the field, besides overcoming cultural and linguistic barriers (materials developed in eight languages).

As recalled in the VII periodic report, the Ministry of Health prepared and sent out the "Health Action Plan for and with RSC Communities " by the end of 2015, which identifies three macro-actions: training of health-care professionals; knowledge and access to services; prevention services, diagnosis and care. Throughout the Plan, special attention is paid to the health-care of Roma women and children.

Life expectancy: Italy has one of the highest life expectancy in Europe: 80,1 years for men; and 84,6 for women in 2015. Healthy life expectancy in 2015 is 73 years for men; and 75 for women - which is very closed to the European corresponding values:

Healthy life expectancy				
2015- SILC			Males	Females
European	Union	(28	72,2	75,5

## Italy's Supplementary Information as of July 6, 2017

countries)		
Italy	73,0	75,0

The child mortality is higher for male (31,5 per 10.000) than for female and it is decreasing for females (from 28,5 per 10.000 per 25,3%). The mortality rate grew up in 2015 due to many contextual factors linked to flue syndrome and the extreme summer high temperature.

Worst conditions are registered in the south for both men and women, about 1 year of difference between North and South of Italy. Data from causes of death, year 2014: In 2014, the first two leading causes of death in women are still cerebrovascular and ischemic heart diseases, accounting for about one fifth of all female deaths (68,560 deaths), and the mortality rate is reducing for both these two causes. Females have mortality levels notably lower than men (74 per 100,000 vs 88 for cerebrovascular diseases, 73 per 100,000 vs 136 for ischemic heart diseases). Among the top leading causes of death, hypertensive diseases and dementia and Alzheimer's disease continue to be more frequent in females with respect to males. In 2014, the number of deaths observed among women for both hypertensive diseases (20,000) and dementia and Alzheimer (18,000) is about twice that observed in men. Despite these differences in the frequency, due to the older age-structure of the female population, the mortality levels for men and women are quite similar. A 12% excess mortality due to dementia and Alzheimer is observed for females with respect to males (female/male ratio = 1.12).

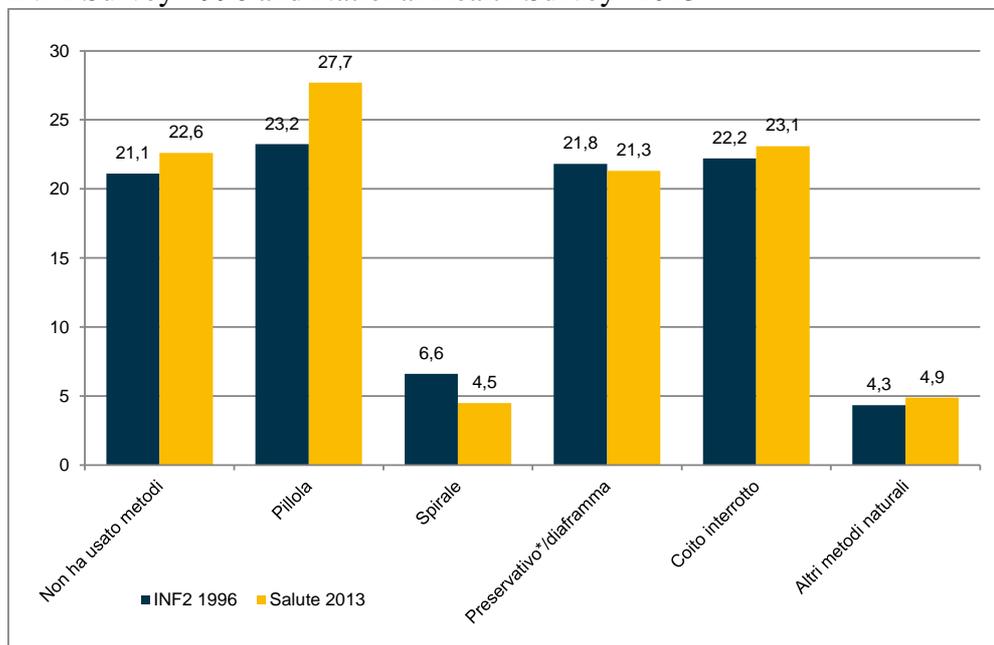
Diabetes mortality is declining more markedly in women than in men (-19% vs -11% from to 2008 to 2014). In consequence of this more favorable trend the difference in mortality levels with respect to men is larger than in the past: in 2014, 25 per 100,000 Italian women die of diabetes against 36 per 100,000 men (female/ male ratio=0.77). However, the effect of the educational attainment on diabetes mortality is stronger in women than in men: women with low level of education (at most middle school) experience a mortality almost double than women with highest educational level (university degree). Breast cancer (about 12,000 deaths in 2014) represents the most common cause of female cancer death (overall 74,000 deaths); the mortality rate decreases by 10% in the period 2008-2014, from 35 to 32 deaths per 100,000 females. In 2014, the number of Italian women who die for AIDS is 161, i.e. about one fifth of all the AIDS deaths.

The mortality trend for women is observed to decrease from 2012. Female mortality remains extremely lower than male (female/male ratio=0.26). Suicide mortality is steadily lower in women than in men (2014 female/male ratio=0.26), and in Italy only a fifth of overall suicide deaths (about 4000) are women. With regard to the suicide-associated comorbidity (i.e. the conditions reported on the death certificate), mental diseases are more frequent among women than in men (reported in 27% vs 16% of suicides in the period 2011-2013).

Women and contraception - The main indicator for international comparison of contraceptive rates refers (Contraceptive Prevalence Rate) to the overall contraception use and take into account modern, traditional and natural methods adopted by the woman or her partner (Italy 2013: 65,1%). It is usually calculated for women in

## Italy's Supplementary Information as of July 6, 2017

union, aged 15-49 years. If the indicator takes into account only modern methods<sup>11</sup>, it is called Modern Contraceptive Prevalence Rate (Italy 2013: 51,8%). Women aged 20-49, at risk of conceiving (sexually active, child-bearing age, non-pregnant, not yet menopause), by use of a selection of contraception methods. Comparison between INF2 Survey-1996 and National Health Survey -2013

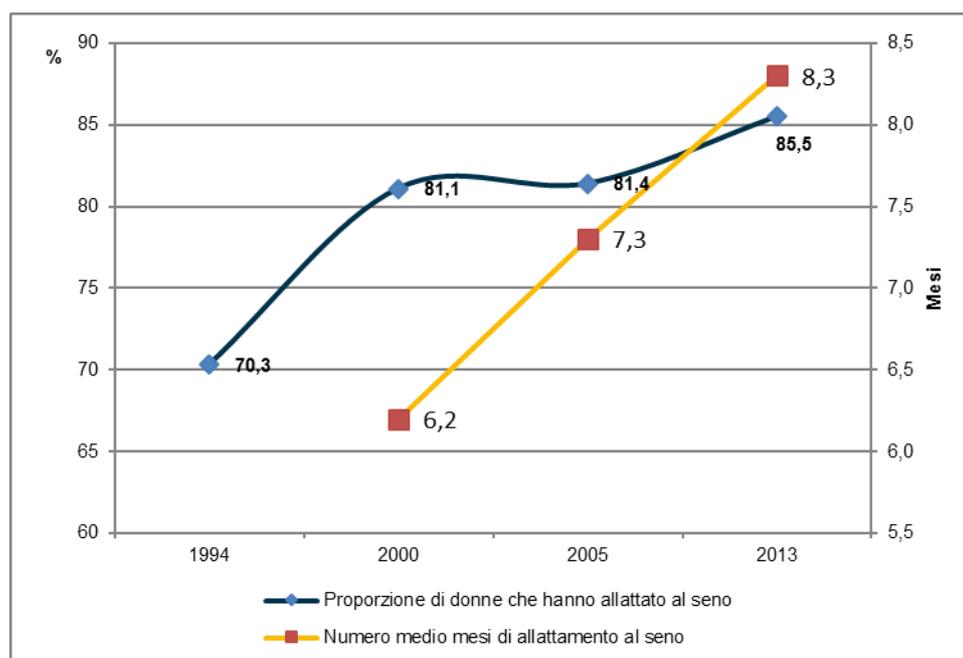


\*Condom used as main method (1996) or “always at each sexual intercourse” (2013).

Breastfeeding - The long-term data sequence on breastfeeding goes back from 2013 to 1994 and tell a story of continued improvement in Italy, still with important regional and educational differences. Two indicators depict the trend: the proportion of women who breastfed their smallest child, and the number of months the child was breastfed. 1994 - 2013 Italian breastfeeding trends: proportion of women who breastfed; and the number of months the child was breastfed \*\*.

<sup>11</sup> Condom, diaphragm IUD, hormonal ring, hormonal patch, sterilization.

## Italy's Supplementary Information as of July 6, 2017



Source: Indagine Istat Salute e Ricorso ai Servizi Sanitari.

\* Women with the smallest child younger than 6 years.

\*\* Women who breastfed their smallest child, younger than 6 years.

In 2013 the exclusive breastfeeding, according to the WHO definition, was thoroughly studied (though calculated in 2004) and it emerges the rapid fall in the very first months of life of the newborn: in the first month half of the kids are no more exclusively breastfed. Among kids, aged 0-6 months, the share of exclusive breastfeeding is 42,7%, and the one considering as well the predominant breastfeeding does not reach half of them (46,2%).

Type of breastfeeding: exclusive, predominant by age in terms of months of the newborn. Year 2013 (per 100 newborns of the same age).

Age of baby in Months	% breastfeeding	Exclusive% breastfeeding	Exclusive or Predominant breastfeeding
0-1	48,7	51,9	
2-3	43,9	47,9	
4-5	38,6	41,7	
<6	42,7	46,2	
6-8	12,0	12,5	
6-12	5,5	6,2	

Finally, Italy is a candidate to participate in a Joint Action on Health Inequalities which aims:

- to develop better policies at national, regional and local level and improve monitoring, governance, implementation and evaluation

## Italy's Supplementary Information as of July 6, 2017

- to pilot and implement good practices and facilitate exchange and learning among Member States
- to identify factors of success, barriers and challenges and on how to overcome them
- to deliver a clear policy framework with a menu of actions and recommendations for national, regional and local take up and implementation.

### **ARTICLE 14**

#### *Women entrepreneurs*

*Self-employed workers –  
territorial distribution – Year  
2015*

	Entrepre	Self-employed workers						
	uners	A.V.	% F	% F	Of	%	% F	% F
	Absolute	(a)		foreign	whom	Ind.	ind.	famil
	Value				Non-	S.s.	S.s.	iari
	(a)				EU			
North-West	1.263.070	1.474.905	31,7	8,1	68,8	93,6	30,2	53,8
North-East	925.067	1.131.240	31,3	8,5	68,4	93,1	29,4	55,9
Centre	939.157	1.036.422	32,1	8,7	66,9	94,8	31,0	52,1
South	844.294	867.762	28,1	6,0	66,9	95,4	27,2	46,7
Islands	366.497	380.625	29,0	5,5	57,9	95,6	28,2	45,9
Total	4.338.085	4.890.954	30,8	7,8	67,4	94,2	29,5	52,6

(a)yearly  
average  
values

Source: Istat, *Registro statistico delle imprese attive (ASIA- Imprese)*, *Registro statistico dell'occupazione delle imprese (ASIA- Occupazione)*

The geographical distribution of farms shows that for every 100 companies in each region, those ones with a woman managing the farm are more present in Liguria (41.4%) and southern Italy, particularly in Campania (37, 5%) and Calabria (34.9%). Women-owned businesses have an average size (given the ratio between the utilized agricultural area (UAA) and the total number of farms) lower than male colleagues' (5.91 hectares for women vs. 9,55 hectares for males). In detail, 28.8% of women holding companies have a SAU less than the equivalent of hectare (vs. 28.8% of males); and 52% a SAU less than two hectares (compared to 47.9% of male data).

## Italy's Supplementary Information as of July 6, 2017

With regard to age: about half of the woman's head of business (53.81%) is over 60 years old (for males the share is 54.3%). The under 30s account for only 1.6% of the total number of female company managers, but run larger companies (11 hectares) and have a higher level of education. Compared with older women colleagues, the under 30s are more 'performing' by the value of enterprise output (standard output value) thanks to even a more intensive use of the workforce (254 business days) generating a value of the standard production of 195.76 Euros per working day (compared to 121.59 Euros of the total of women) above males under the age of 30 (191.38 versus 188.53 - male media)). Increasing trend compared to previous years. Nearly 3% of companies, both men (3.0%) and females (3.4%) managed, produce organic products. The last datum is increasing with regard to women, between 2011 - 2013.

In 2015, women in rural areas were 22 million, equalling to 69% of Italian women. There are numerous regional (21 Rural Regional Programmes — PSR) and local (through i.e. “Leader approach”, integrated projects) initiatives, to enhance women's participation and access to farming. According to the VI Agricultural Sector census-2012, women farms were about 500.000 with a progressive increase from 26% in 1990 to 31% in 2010. 9% of women-run farms are under the age of 40 (=32% of young farmers). Younger entrepreneurs achieve on average higher production levels, per farm. They hold higher education, show greater propensity towards the markets and a greater diversification of farm activities. Migrants represent 25% of the agriculture workforce, of which 7% are women, mostly with temporary job (80%), generally connected to seasonal harvest, and mainly working in the Centre-South of Italy (60%), with higher percentages in Calabria, Apulia and Campania.

Most migrant women working in agriculture are young (47% aged less than 40) and wishing to change work due to *inter alia* low salaries. In 2015, to combat irregularities in the agricultural sector (which affect mainly women and migrants), the Government has established (Art.6 Law Decree 91/2014 as amended) *inter alia* the Network for the quality agricultural job,<sup>12</sup> which certifies the quality of agricultural farms. The Parliament passed Act 199/2016 in October 2016, to fight against undeclared work and labour exploitation in agriculture (“*Legge sul Caporalato*”), which extends the objectives of the Fund for THB victims under Act 228/2003 also to victims of illegal recruitment and labour exploitation, including assistance and social integration/protection programs.<sup>13</sup> Plus, when a migrant worker files complaint against the employer and collaborates with the justice is entitled to a residence permit for humanitarian reasons. The 6-month permit can be extended for 1 year or for the entire duration of the legal proceeding, and enables him/her to work.

Under Rural Policy, women's participation in Regional Rural Programs accounts for about 32%; and this Policy focuses on measures to increase human capital

<sup>12</sup><https://www.inps.it/search122/ricercaNew.aspx?sTrova=Rete+del+lavoro+di+qualità>.

<sup>13</sup>Art. 603bis c.p., as recently amended, envisages that employers recruiting and exploiting irregular migrant workers are punished with detention penalty from 1 to 6 years and penalty sanctions from 500 to 1,000 Euros for each migrant worker. When above crimes are committed using violence or threats, the following penalties are applied: 5 to 8 years of jail and a fine of 1,000-2,000 Euros for each recruited worker.

## Italy's Supplementary Information as of July 6, 2017

through educational and informational activities, strengthening the competitiveness, and facilitating generational exchange or new agricultural farms.

The Ministry of Agriculture (Mipaaf) is committed to monitoring this situation also thanks to its researches institutions (CREA, ISMEA). More generally, under the Programme of activities of the National Rural Network (2014-2020), it promotes several measures, such as the project on “Female job, juvenile entrepreneurship, first establishment in agriculture”, aimed at awareness-raising and at valuing and exchanging best practices (CREA, ISMEA).<sup>14</sup>

From the VII periodic report, mention has to be made of the following: 70% of Italian population live in rural areas.<sup>15</sup> By ISTAT data, women in rural areas are 22 million, equalling to 69% of Italian women. Plus, 19,5% of rural population, of which 50% are women, live in the least developed areas (so-called “D Areas”). In terms of rural workforce (16 million), women amount to 41%, of whom 18% in the D Area. Numerous are the local initiatives to enhance women's participation and access in the farming sector (through i.e. “Leader approach”, integrated projects, and training).

According to the VI Census on the Agricultural Sector, female farming enterprises amount to 500,000, of which 58% are in southern Italy; and the number of women in holder/leading/control positions has increased from 26% to 31% between 1990 and 2010, especially in the South with Molise region topping at 39.4% - so that we can talk about the feminization of the Italian agricultural sector.

Both ISTAT<sup>16</sup> and the Ministry on Agriculture (acronym in Italian, MIPAAF) monitor the situation. The latter in particular has been promoting several measures, such as: the Atlantis of Women in Agriculture; a gender perspective in agriculture under the Rural Development Programs, 2007-2013 (See the above Leader approach); best practices to reconcile work and family care (a survey on kindergarten and strengthening of relevant services to qualitatively improve life).<sup>17</sup> Up to 2012, ONILFA (*Osservatorio Nazionale per l'Imprenditoria Femminile in Agricoltura*) was on service, too.

By Act No.135/2012 ONILFA's activities are now carried out by DISRII-Office/MIPAAF. The latter organized the XIII Edition of the Prize *DeaTerra-2014*. Within the National Rural Network, this Ministry set up a WG on gender equality. INEA and MIPAAF are also actively contributing to the elaboration of the NAP on Business and HR besides being directly involved in EXPO-2015. Within the EXPO framework, it is estimated that by 2020, over 2600 female enterprises will be set up in Italy. Finally, specific mention has to be made of relevant women's associations (*Donne in Campo, Donne impresa, Confagricoltura Donna*), which promote women farming-support measures.

---

<sup>14</sup>www.reterurale.it.

<sup>15</sup> CEDAW/C/ITA/CO/6, paras.46,47.

<sup>16</sup> Chapter on “Women” in “Capitale umano e stratificazione sociale nell'Italia agricola secondo il 6° censimento generale dell'agricoltura 2010”, ISTAT, 2013; see also the seminar “Donne e agricoltura: un connubio di qualità”, Rome, April 2014, in collaboration with Ministry on Agriculture.

<sup>17</sup> www.reterurale.it.

## Italy's Supplementary Information as of July 6, 2017

As for lands' purchase, 87% of this trade is made by physical persons, of whom 40% are women. Family members contributing to farming

GENDER	FAMILY MEMBERS IN FARMING					Members who do not work in the farm		
	Total	Holder	SPOUSE	RELATIVES	OTHER FAMILY MEMBERS	Total	Spouse	Other members
MEN	1.784.148	1.071.849	264.192	171.251	276.856	515.863	41.577	474.286
WOMEN	1.148.503	531.860	431.892	62.331	122.420	749.259	255.341	493.918
TOTAL	2.932.651	1.603.709	696.084	233.582	399.276	1.265.122	296.918	968.204

SOURCE: INEA.

In addition to women farmers, mention has to be made of those indirectly contributing to farming (another 40%).

Women's participation in new forms of relevant local governance has to be stressed and acknowledged when considering the progress made in the last decade. As a way of example, it is worthy of mention the following: Integrated Local Projects (acronym, PIT); and local Development Plans (acronym, PSL), the latter being implemented by Local Action Groups (acronym, GAL), within the EU Initiative-Leader. Thanks to their skills and abilities, 70% of the workforce in this area is made of women who play a primary role, as project managers and trainers, besides facilitating new channels between Institutions, businesses and recipients.

### **ARTICLES 15 - 16**

As to PAS, mention can be made of last relevant Supreme Court decision (Verdict No. 6919/2016) by which it is stated that "The magistrate must ascertain the truth of behavior under consideration....and to adequately motivate his/her decision, aside from a theoretical evaluation about the scientific validity or the invalidity of the pathology concerned....Within this framework, it is of relevance the ability to preserve the parental relations with the other parent, as a way to protect the right of the child to the parenthood from both parents and to a balanced growth (*Massima della Sentenza della 1° sezione civile della Corte di Cassazione n. 6919 dell'8.4.2016, che testualmente afferma: "In tema di affidamento di figli minori, qualora un genitore denunci comportamenti dell'altro genitore, affidatario o collocatario, di allontanamento morale e materiale del figlio da sé, indicati come significativi di una sindrome di alienazione parentale (PAS), ai fini della modifica delle modalità di affidamento, il giudice di merito è tenuto ad accertare la veridicità del fatto dei suddetti comportamenti, utilizzando i comuni mezzi di prova, tipici e specifici della materia, incluse le presunzioni, ed a motivare adeguatamente, a prescindere dal giudizio astratto sulla validità o invalidità scientifica della suddetta patologia, tenuto conto che tra i requisiti di idoneità genitoriale rileva anche la capacità di preservare la continuità delle relazioni parentali con l'altro genitore, a tutela del diritto del figlio alla bigenitorialità e alla crescita equilibrata e serena)"*).