

ITALY



*Ministero degli Affari Esteri*

*Inter-ministerial Committee on Human Rights  
Comitato interministeriale per i diritti umani*

**Introductory Statement**

**Address by Mr. Diego Brasioli,  
President of the Inter-ministerial Committee on Human Rights,  
On The Sixth Periodic Report of Italy  
relating to the International Convention on the Elimination of All Forms of  
Discrimination against Women,  
at the Committee on the Elimination of All Forms of Discrimination against  
Women (CEDAW)**

*New York, July 14, 2011*

**Madam Chairperson,**

***Distinguished members of the CEDAW Committee, Colleagues, Ladies and Gentlemen,***

Allow me to start by thanking, on behalf of the Italian Authorities, the CEDAW Committee for giving us the opportunity to provide an up-to-date overview of the situation of human rights of women, both Italians and migrants, in Italy. I also take this opportunity to reiterate the strong commitment of the Italian Authorities towards the promotion and protection of human rights of women, domestically and internationally.

To this end, allow me to read a message from the Italian Minister for Equal Opportunities, Hon. Mara Carfagna, who has been not in a position to intervene today due to unavoidable unexpected institutional commitments:

*“I am honoured to send a message of greetings to the distinguished members of the United Nations Committee on the Elimination of All Forms of Discrimination against Women on the occasion of the review of the Italian 6th periodic report on the implementation of the Convention.*

*The Italian Government is particularly engaged in promoting, protecting and advancing women’s human rights, both at home and abroad.*

*Our commitment in the United Nations framework, including the implementation of CEDAW Convention, is central to the approach of this Government.*

*Since our last discussion, Italy has further strengthened its commitment to the cause of human rights of women by ratifying the Warsaw Convention on Action Against Trafficking in Human Beings, on June 2010 (by Act No. 108/2010) and by focussing, from its Presidency of the G-8 (2009) onwards, on Violence Against Women, particularly on Female Genital Mutilation, inter alia by supporting an initiative in view of a resolution at the General Assembly.*

*Italy is well aware that there is much more work to be done – especially in advancing the role of women, both Italians and migrants, within the Italian society and in eradicating any forms of violence against women.*

*Through a wide range of strategies, policies and programs, the Italian Government is working to improve the situation of human rights of women. With specific regard to all the relevant developments, the members of the Italian delegation today will be pleased to illustrate them, today.*

*Allow me just to stress that the Italian Government is willing to continue its cooperation with relevant NGOs and anti-violence Centres and shelters. Further to their indications, we will organize an ad hoc event to commemorate the CEDAW Convention, on December 10, 2012, on the occasion of the Human Rights Day. I also intend to republish and widely distribute the 2002 PCM Document containing the CEDAW Convention and the Optional Protocol, in Italian. Along these lines, we have carefully considered the observations and shadow reports posted on the CEDAW website. We hope that all these pieces of information will help to comprehensively assess Italy’s state of implementation of the CEDAW Convention. The shadow reporting provides an opportunity for relevant organisations to review the*

*Government's work while detecting those areas in need of further work. To this end, the Italian Government also recognises the important work carried out by my Ministry, particularly the Department for Equal Opportunities, the National Councillor on Equal Opportunities, the Commission on the Prevention and Eradication of FGM, the National Office Against Racial Discrimination (acronym in Italian, UNAR), the National Commission on Equal Opportunities and all the other relevant bodies, being responsible for either monitoring Italy's progress towards the elimination of all forms of discrimination, including gender-based discrimination or protecting and thus advancing gender equality.*

*In conclusion allow me to recall two outstanding initiatives: The recent establishment of the National Ombudsman on the Rights of the Child and Youngsters (June 22, 2011) as a result of my personal work, to this end; and the Unified Text (incorporating Chamber Act 2426 and Chamber Act 2956 B) adopted on June 28, 2011, which envisages that from 2012 onwards the Boards of publicly traded companies or of those with a public participation shall include one-fifth of women, to be increased, by 2015, to one-third”.*

***Hon. Mara Carfagna***

***Minister for Equal Opportunities of the Italian Government***

*Madam Chairperson,*

Since our last discussion, Italy has carefully studied your Observations with the aim of redoubling its efforts to follow them up.

Despite financial constraints, we have brought together **a delegation of senior representatives and experts** of key departments of the Italian Government, who will attempt to do their best to answer your questions today.

I am Diego Brasioli, President of the Inter-ministerial Committee on Human Rights; and the rest of the members of the Italian delegation in New York are:

**MINISTRY FOR EQUAL OPPORTUNITIES**

Mr. Michele Palma, General Director for International Affairs at the Department for Equal Opportunities;

Mrs. Irene Zancanaro, Gender Advisor at the Office on International Affairs and social policy related measures.

**MINISTRY OF THE INTERIOR**

Prefect Angela Pria, Head of the Department on Civil Liberties and Immigration;

Mrs. Martha Matscher, Head of the Office on Asylum and in charge of trafficking-related issues at the Department on Civil Liberties and Immigration;

Mrs. Chiara Giacomantonio, Vice-senior police officer, expert on violence against women and children at the Central Operational Service of the Department on Public Security.

### MINISTRY ON HEALTH

Mrs. Assunta Morresi, Expert on Bioethics and Health, at the Cabinet of both the Minister of Health and the Minister of Labour;

Mrs. Monica Cecconi, Medical Director at the Cabinet of Hon. E. Roccella;

Mrs. Stefania Ricci, Executive, Director of the Office for both the EU and International relations.

### DEPARTMENT ON FAMILY POLICIES

Mrs. Annamaria Matarazzo, Officer in the field of the promotion of family-related services, international and EU relations.

### MINISTRY OF LABOUR

Mrs. Maria Baroni, Officer at the Diplomatic Councillor Office;

Mrs. Cinzia Alitto, Coordinator of the Office of the National Equality Councillor;

Mrs. Giuditta Tiberi, Officer at the Office of the National Equality Councillor;

### MINISTRY OF JUSTICE

Cons. Sebastiano Ardita, judge, Director of the General Directorate for detainees and penitentiary treatment at the Department of the Penitentiary Administration.

### MINISTRY OF DEFENCE

General Enzo Fanelli, Head of the General Office on Legal Affairs at the Defence Staff;

Mrs. Luisa Riccardi, Executive at the Legislative Office – Ministry of Defence;

Mrs. Gloria Cinque, Officer on International Agreements, at the General Office on Legal Affairs at the Defence Staff.

### INEA – NATIONAL INSTITUTE ON AGRICULTURAL ECONOMICS

Mrs. Catia Zumpano, Senior researcher on structural policies and the development in rural areas.

### ISTAT – NATIONAL INSTITUTE ON STATISTICS

Mrs. Maria Giuseppina Muratore, Senior officer being responsible for the following areas: criminality, citizens' safety, and violence against women.

### MINISTRY OF FOREIGN AFFAIRS – CIDU

Mrs. Maja Bova, lawyer, human rights expert at the Inter-ministerial Committee on Human Rights;

Mr. Luca Zelioli, diplomat, First Counsellor at the Permanent Mission of Italy to the UN (Third Committee), in New York;

Mr. Filippo Cinti, diplomat, First Secretary at the Permanent Mission of Italy to the UN, (Commission on Status of Women), in New York;

Mr. Michael F. Moore, interpreter at the Permanent Mission of Italy to the UN, in New York;

Mrs. Angela Carabelli, interpreter at the Permanent Mission of Italy to the UN, in New York.

Further I would like to thank you for allowing us to hold a video-conference with additional members of the Italian delegation participating today, from Rome.

*Madam Chairperson,*

As you may be aware, the international juncture is influencing political choices at all levels, internationally, regionally and domestically. Despite this very complex situation, Italy is truly committed to advancing human rights, as evidenced by its very recent re-election to the Human Rights Council (June 2011) and its continuous participation in the UN Commission for the Status of Women. Within this framework, Italy and the EU have extended a standing invitation to all Special Procedures. In May, we expected a visit by Mrs. R. Manjoo, Special Rapporteur on Violence Against Women, who, at the very last minute, was forced to postpone it due to UN budgetary constraints.

Internationally, Italy's action within the UN and other international organizations has been marked, in recent years, by its focus on a number of specific issues: the promotion of dialogue among cultures and religions; the promotion of a moratorium on the death penalty, with a view to its universal abolition; the rights of the child, with a particular emphasis on children affected by armed conflict; the eradication of violence against women, including female genital mutilation (FGM); and, last but not least, the promotion of human rights education through the relevant UN Platform which was conducive to the UN Declaration on Human Rights Education and Training, as adopted, last March, by the Human Rights Council. This last commitment, reflecting principles which are deeply rooted in Italian society and in its Constitution, is closely linked to the need to promote mutual understanding, as well as a genuine culture of dialogue and solidarity, through information and training.

On a more specific note, Italy's commitment to international human rights protection is also reflected by all the relevant actions to follow-up to the Universal Periodic Review recommendations (February-June 2010) and to become a party to a number of key international human rights instruments, such as the UN Convention on the Rights of Persons with Disabilities (CRPD), the internal adjustment of which is ongoing.

***UN Convention on the Rights of Persons with Disabilities***

On March 30, 2007, Italy was one of the first western Group countries to sign the Convention on the Rights of Persons with Disabilities (as later ratified on May 2009). On that occasion, we have also acceded to the relevant Optional Protocol, which came into force in our country, on May 2009. In order to comply with relevant provisions, Italian Authorities have set up an ad hoc National Observatory in charge, inter alia, of the periodic reporting to CRPD.

### ***UN Commission on the Status of Women, Beijing +15 and onwards***

The last year celebration of the anniversary of the Beijing Declaration and its Platform for Action gave us the opportunity to further progress towards the goals of equality, development, and peace for all women. In this regard, allow me to recall Italy's long standing commitment to the eradication of FGM: by virtue of this commitment, on the margins of the last CSW session, Italy hosted, together with a series of distinguished personalities, an event focussing on the measures already adopted and the new strategies to ban this practice.

During that session, we also recalled the latest progress in the field of gender equality and advancement of women, at the domestic level, by announcing ad hoc Plans of Action, adopted or being under elaboration, such as "*Italia 2020*", the first Plan of Action on Violence Against Women (October 2010), and the first Plan of Action on Women, Peace and Security (December 2010).

### ***UN Women***

Italy has also supported the initiatives aimed at progress towards gender equality and the empowerment of women within the United Nations framework, which have led to the establishment of an integrated gender entity so that peace and security, economic and social development and human rights (Art. 1 of the UN Charter) will be more effectively achieved. In order to fully eradicate violence and sexual exploitation, especially in armed conflict, our commitment towards the recognition of violence against women as a human rights-related issue has been strengthened over the last years as well as our efforts to challenging the discrimination against women, either de jure or de facto, wherever it occurs, and to ending impunity for the widespread use of sexual violence, particularly in armed conflict.

In the last years, Italy has strengthened, politically and financially, the fight against both women trafficking and FGM while further supporting women, victims of gender-based violence.

### **Council of Europe Convention on preventing and combating violence against women and domestic violence**

*Madam Chairperson,*

Consistently with the above activities, Italy has extensively participated in the preparation of the CoE Convention on preventing and combating violence against women and domestic violence. Considering that heightened attention is due to this Convention, it is intention of the Italian Authorities to sign and ratify it, almost simultaneously. To this end, Italian Authorities are preparing the necessary draft legislation. Once its elaboration will be finalised, we will act upon it, accordingly.

*Madam Chairperson,*

Domestically, while acknowledging the complex situation caused by the international financial and economic crises, women in Italy are integrated in the Italian society more than in the past. They have a great range of life choices. There is no sector in which they may be hindered; and the legal and judicial protection system is fully functional.

Indeed Italy is committed to improving the situation of women, in particular their economic well-being, place in society and safety. Even so, effective equality is not yet completely achieved. Too many women are stretched by reconciling work and family care obligations, earn less than men, and suffer domestic and sexual violence.

As recalled in our Report, the Italian constitutional system envisages that legislative, executive and judicial powers are shared or distributed between the national government and twenty Regions, five of which enjoy Special Status (Arts.5, 116,117 of the Italian Constitution). The Ministry for Equal Opportunities, being the central coordinator of policies and programmes on women for the national government, encourages, elaborates and launches, with all other Ministries, relevant initiatives, from designing ad hoc policies through implementing programmes.

Allow me to underline that, as per practice, the Ministry for Equal Opportunities and the National Office Against Racial Discrimination (UNAR) regularly consult with civil society on relevant issues affecting women in Italy. Similarly the Ministry of Foreign Affairs, through the Inter-ministerial Committee on Human Rights, also conduct consultations and hearing sessions on human rights with NGOs. In this regard allow me also to recall that CIDU, per its own traditional mission, is responsible since 1978 for the preparation, inter alia, of periodic and ad hoc reports, as Italy is requested to submit to the UN and Council of Europe human rights bodies, besides supporting their relevant mechanisms, prior, during and after their missions to Italy.

Since last examination by the CEDAW Committee in January 2005, Italy has made considerable progress. Thus I would like to take this opportunity to outline some of the key initiatives undertaken since the 6<sup>th</sup> periodic Report was lodged with the Committee, in December 2009:

### ***Gender-based discrimination***

With the aim of preventing and eliminating any forms of gender-based discrimination, the so-called *Equal Opportunities Code* (Act No.198/2006) has been amended and further supplemented by Legislative Decree No.5, of January 25, 2010. By translating the relevant 2006 EU Directive, Italian Authorities have thus reviewed and broadened the principles of non discrimination and gender equality, as enshrined in the above Code. According to the new rules, equal treatment and opportunities between women and men have to be ensured in all the fields, including employment,

labor and remuneration. Articles 23 through 51 of the above *Code* envisage guarantees in the ethical-social relations, as well as in the economic and labor fields.

### ***Violence Against Women***

In December 2010, Italy adopted the first National Action Plan on “Women, Peace and Security”, by which to monitor key sectors involved in relevant areas, such as Development Cooperation and Defence, besides taking charge of reporting on specific human rights education and training courses in particular for personnel participating in peace missions. Both Armed Forces and personnel deployed in peace missions regularly study IHL and all the issues related to Security Council Resolutions 1325 and 1820.

For the first time, Italy has also adopted, in October 2010, a National Plan on Violence Against Women and Stalking. By drawing on the experience of anti-violence Centres across the country, it focuses on the prevention and the repression of any forms of violence against women. This envisages, inter alia, ad hoc awareness-raising campaigns, specific measures of support for the victims, and human rights courses and training for all relevant stakeholders, particularly for the personnel of the judicial system.

With specific regard to the crime of stalking, as indicated in our Report, it was introduced by Act No.11/2009. The first data collected for instance by the Court of Rome show a steadily rise in the number of complaints. Unfortunately, violence against women continues to persist and in some cases to increase at an worrying pace. The scope of the problem and its impact on society are huge. However, progress has been made since our last examination as emerged from the decrease in sexual harassment over the last ten years (ISTAT – Italian citizens’ safety survey)

Further to an MoU with DEO, dated July 2009, the Carabinieri Corps has established an *ad hoc* Unit on stalking and sexual violence. Another MoU between DEO and the Ministry of Interior has also paved the way to both the establishment of an ad hoc working group, involving DEO, Ministry of Interior, Ministry of Justice, Ministry of Health, and ISTAT and the elaboration of a Plan to monitor stalking and gender-based violence cases, the latter with the aim of creating a specific data-base, which will include data from the Department on Public Security, Public Attorney’s Offices and the inbound calls to the relevant toll-free number 1522. More generally, all relevant Italian Authorities are engaged in effectively preventing and repressing hideous crimes, such as sexual assault, sexual harassment, sexual violence, stalking, domestic violence and trafficking.

### ***Trafficking in human beings***

With regard to women’s trafficking, Italy remains strongly committed to combating this scourge, which mainly affects women and children. As discussed, the current international juncture is impacting on all States, including the EU and Italy.

Notwithstanding such a situation the Minister for Equal Opportunities has managed to preserve, for the biennium 2011- 2012, the budget for the national protection system for victims of trafficking and exploitation. To this end, Italy allocates 10 million Euros, per year. Further Italy is elaborating the first National Action Plan against Trafficking in Human Beings. More specifically, by an *ad hoc* inter-institutional Board, Italian Authorities are renewing the afore-mentioned system of protection for victims of trafficking. The mission of this Board is to harmonize, at the national level, all the good practices implemented locally, over the last twelve years. With the aim of guaranteeing a comprehensive anti-trafficking response and an effective protection system for the victims of trafficking, the ultimate goal will be the establishment of a National Focal Point and nation-wide standardised protection procedures. In this regard Italy remains fully committed, through its Development Cooperation programs, to help emerge the root-causes of human trafficking and exploitation by focussing its Development Cooperation action, inter alia, on poverty reduction, women empowerment and Millennium Development Goals (MDGs).

### ***Development Cooperation***

Italy acknowledges that the integration of gender equality and women's empowerment, and the protection of human rights of women across all areas of the aid program match both political needs and economic demands. The priorities areas of the General Directorate for Development Cooperation are mainly aimed at the achievement of the 3<sup>rd</sup> MDG and the Paris Declaration through the new Gender Guidelines on Gender Equality and Women's Empowerment, as approved in 2010, in line with the basic principles of relevant international treaties and declarations.

In more detail, the specific activities, endorsed by the General Directorate for Development Cooperation, aim at:

- Supporting women in fragile state and in conflict situations;
- Advancing women's economic and political empowerment, while informing and shaping national-level policy-making and facilitating strategic cross-national and inter-regional partnerships;
- Keeping focus on the implementation of international agreements and relevant documents, such as CEDAW, Maputo Protocol, UNSC Resolutions 1325/2000 and 1820/2008, respectively.

The strategic approach on Gender Equality and Women's Empowerment of the Directorate is to gather, in a systematic way, the views and experiences of women from Institutions and civil society, in order to enhance opportunities at the grass-root level for advancing women's economic and political empowerment while informing and shaping national-level policymaking, generating strategic cross-national and inter-regional partnerships, as well as responding to international commitments. As for women's economic empowerment, the Directorate deems that it cannot be shifted from the care economy and social protection programs as long as both of them are

economically empowering and socially transformative especially if one considers the role of women in survival economy. Gender equality and women's empowerment are a priority of Italian Co-operation, especially in Sub-Saharan and Western Africa. The Italian Directorate on Development Cooperation does pursue: specific programmes for women's empowerment and capacity-building of national institutions, including the promotion of women's participation in the reconstruction of countries involved in armed conflict (in particular in Afghanistan, Lebanon, the Palestinian Territories, Somalia and Sudan); Gender-mainstreaming in the initiatives on food security and the environment, so as to promote the role of women in poverty alleviation programmes. Special attention is also paid to social protection programmes that enable the access of women to the labour market and to entrepreneurship. At the operational level, the most important gender-related initiatives take place in: Afghanistan, Lebanon, Palestine, Somalia and Sudan; and the priority countries of Sub-Saharan Africa are: Senegal, Niger, Ethiopia Kenya and Mozambique. The Italian Directorate for Development Cooperation is thus an international stakeholder, aimed inter alia at strengthening co-operation between bilateral and multilateral agencies, to combat all forms of violence against women, including in particular the fight against FGM.

#### ***NHRI and other relevant Bodies***

Further to the approval - for the first time - by the Government, on March 3, 2011, of a Bill (A.S. 2720) on the establishment of a National Independent Human Rights Institution, I am pleased to inform you that the relevant Committees of the Senate have expressed their positive view on this Bill so that it is feasible to announce that a National Independent Commission for the Promotion and Protection of Human Rights in accordance with the Paris Principles will be established in a few months.

In accordance with EU Directive 2004/113 on "*Implementing the principle of equal treatment between men and women in the access to and supply of goods and services*", the relevant Office was established within the Department for Equal Opportunities (See Act No. 196/2007).

The aforementioned Decree No. 5/2010 has broadened the mandate of both the National Equality Councillor and the national Committee on equal opportunities between male and female workers. As for the latter it has been envisaged a number of initiatives, including those to foster dialogue with NGOs and corresponding European bodies and those for the promotion of positive actions.

The Government also adopted, in March 2011, a ministerial Directive on "Guidelines on the functioning of the system of the specialised committees for the protection of gender quality "*Comitati unici di garanzia per le pari opportunità*" (acronym, CUG). They will take up the functions previously entrusted to the Equal Opportunities Committees and the Joint Committees on mobbing. In particular, CUGs will be set up at each Administration with representatives from both the managerial and non-managerial staff.

### ***Roma women***

*Madam Chairperson,*

We also recognise that there is much more that needs to be done for Roma women, either Italians or migrants. Roma women are particularly disadvantaged. Italy remains firmly committed to addressing their integration. The National Office Against Racial Discrimination (UNAR) has set up an ad hoc working group with representatives of the Roma and Sinti communities, in order to tackle, inter alia, multiple forms of discrimination, which particularly affect Roma women. The stigmatization of any minority has been always a matter of concern; and recent circumscribed cases of violence against Roma communities have been expressly condemned by all political forces, besides being the subject of judicial investigations.

Specific attention is paid to the situation within unauthorized camps, whose precarious and dangerous conditions remains a priority for both central and local Authorities. The most urgent issues refer to housing, education, vocational training and work, as the minimum prerequisites for real integration into society, particularly of women and children.

*Madam Chairperson,*

In this regard the fight against racism, xenophobia and discrimination is a long-term process. To be effective, all the Ministries concerned have elaborated or put in place ad hoc measures. For instance the Ministry of Education has developed specific intercultural programmes for primary and secondary schools.

### ***Asylum-seeking and migrant women***

The sharp increase in arrivals from the Coast of Northern Africa has put the Italian system of reception of migrants, including asylum-seekers, under strain. The Italian Authorities are encouraged to ensure that their reception arrangements can respond effectively to fluctuating trends in arrivals and asylum applications, notably by extending the capacity of the housing schemes administered by SPRAR, a publicly funded network of local authorities and non-profit organizations. Progress is also needed to ensure that in all centres where they are accommodated, asylum-seekers have adequately access to legal aid and psycho-social assistance. Special measures to identify and cater for the needs of vulnerable individuals are being further implemented.

*Madam Chairperson,*

Hindering the full integration of migrants would damage the entire society, besides undermining values, such as democracy, rule of law, human rights, and non discrimination, which are intertwined with the principles of gender equality and equal opportunities. Our democracy is based upon equality and equal rights and dignity for men and women. In this regard, through SPRAR, Italy has launched a wide range of social integration projects across the country, including Italian

language courses for migrant women, by national, FEI and FER resources amounting to 47,500,000 million Euros, for the year 2010.

For sake of clarity, allow me to briefly touch upon the legislative and administrative acts, known as the “security package”. This, being aimed *inter alia* at fighting against the organized crime that exploits migrants, does not obligate at all public officials – for instance in hospitals and schools - to report irregular migrants to the police.

### ***LGBT people’s rights***

The Government is committed towards gender equality, human rights of the individual, prevention and removal of discrimination for reasons directly or indirectly based on sex, racial or ethnic origin, religion or belief, age or sexual orientation.

Following recent incidents of homophobia, the first national awareness-raising campaign was launched. In this framework, it is worth mentioning the Project “Diversity is a value” run by a group of relevant NGOs. The National Office Against Racism (UNAR) has also commissioned the advocacy organization Lenford Network to conduct a study, aimed at detecting good practices, to be subsequently implemented. The focus of the study will be on: preventing homophobic bullying in schools; combating multiple forms of discrimination; counselling for the families concerned; and promotion of local networks. Along these lines, the Department for Equal Opportunities has commissioned, *inter alia*, **the National Institute of Statistics** to carry out, the first national multi-purpose survey on homophobia, to be available by the end of 2011. On June 15, 2011 the State Police has set up the Observatory on Public Order and Safety to Prevent discrimination acts (acronym, OSCAD). This takes action in all the cases of crimes grounded on all forms of discrimination. For instance the 10% of the cases recorded by UNAR, in April 2011, concerned discriminatory conducts on the grounds of gender, religion or sexual orientation.

### ***Women in Top-level Positions***

*Madam Chairperson,*

As outlined in the Report, Italy recognises the need to strengthen women’s leadership, in Italy and internationally, by launching a number of initiatives such as the above-mentioned unified text and more generally by affirmative actions, aimed at ensuring a long-term strategy for a real cultural change rather than merely imposing quota systems.

While firmly believing in the concept of meritocracy regardless of the sex, Italy acknowledges the need to raise the number of women participating in political processes and in leading positions, so as that women and men may equally share seats

in Parliament, government, and Boards. In this regard an ad hoc Bill has been submitted by the Minister for Equal Opportunities, in April 2011, to ensure the equal access of men and women to elected and public positions within the public administrations. Once adopted, it will impact, inter alia, on the criteria to select candidates in the electoral lists for the Municipalities.

As a way of example, the Ministry of Defence has adopted the following policies: since 2006 it has abolished the “quotas” system regulating the initial entry of female staff at the outset. Therefore it has adopted the policy of recruiting the best people regardless of sex; and legislation relating to recruitment, legal status, career advancement and training includes the principles of gender equality and equal opportunities. This has also established an ad hoc Consultative Committee at the Chief of the State Defence, to monitor the integration of female personnel, as well as an Observatory monitoring any mobbing or hazing case.

### ***Science sector***

Over the past twenty years, the rate of women taking up a career in the Sciences has been marked by a significant increase, although such finding is not reflected in leadership positions, yet.

According to the 2009 Report of the European Commission, “She-Figures: Statistics and Indicators of Gender Equality in the Sciences”, 33 % of Italian researchers are women (higher than the European average of 30%), but only 20% of them achieve top positions. The Science sector thus reflects the same exclusion dynamics affecting women in other areas, such as political, economic, and social life.

However, on a positive note, full literacy for girls has been achieved so that this is no longer a matter of concern. Today the Italian Government focuses on the access to and the participation of women, especially middle-aged women, in science and technology training courses, in view of the current knowledge-based global economy. Gender disparities continue to persist with a debilitating effect on research and the labour market. To address this shortcoming, I am pleased to briefly mention two important programs: “Practicing Gender Equality in Science” reporting relevant good practices, which was concluded in 2009 by the publication of “Guidelines on Equal Opportunities in the Sciences”; and “Women’s Careers Hitting the Target”, aimed at monitoring and analyzing gender-related issues in the academia, which will produce its findings soon.

To ensure effective gender equality in the Sciences, the Minister of Education and the Minister for Equal Opportunities signed an MoU, in September 2010, by which inter alia it has been established a Scientific Committee including representatives from relevant administrations, academia and civil society, with the aim of elaborating concrete measures to achieve gender equality in science and to fight the under-representation of women in scientific fields. This Committee already elaborated a

proposal, submitted by the Ministry of Education to the European Commission, in June 2011, in view of the *next European Commission Framework Program for the Research Sector (2014-2020)* - the latter being the main EU tool to fund the research sector in Europe. The Scientific Committee also elaborated a *strategic document* for the introduction of a *gender-sensitive training for teachers*. Both the Minister for Equal Opportunities and the Minister of Education signed it so that this training will be promptly launched in all Italian schools.

As recalled in our Report, the education system devotes one week of the school year to the fight against violence “*la settimana contro la violenza*” (at the third edition), during which students, parents and teachers debate, inter alia, the fight against gender stereotypes.

### ***Eradication of gender stereotypes – Schools and Media***

From the academic year 2011/2012, each school will organize awareness-raising campaigns and human rights education trainings for teachers and students. In particular, further to an MoU on “the promotion of the gender culture in the school system”, signed on June 15, 2011, by the Minister for Equal Opportunities and the Minister of Education, each school will set up working groups on equal opportunities and gender diversity, in cooperation with civil society.

Awareness is also raised through media. In addition to the campaigns launched over the last two years by the Ministry for Equal Opportunities, the relating Department and the Institute of Advertising Self-Regulation (acronym in Italian, Iap) signed, on June 20, 2011, an MoU, in order to ensure that all mass media provide a correct image, in particular of migrants and women. In the event of advertisement contrary to the dignity of women, they can be withdrawn in 48 hours upon decision of an ad hoc Committee.

### ***“Italy 2020”***

Italy adopted a National Action Plan for the inclusion of women in the labour market, entitled “*Italia 2020*”, in December 2009. This was later supplemented, on April 29, 2010, by the National Plan on reconciliation between work and family, by which to allocate 40 million Euros for relevant projects. Both achievements encourage the presence of women in the labour market, by introducing concrete new measures, such as the creation of child-care services, economic support for those who work from home, through tele-working; and tax breaks for Southern Italian women. By promoting, inter alia, female entrepreneurship, especially in the regions of Southern Italy - where women experience particular hardship - this extensive program has paved the way to many projects making effective the principles of gender equality, gender mainstreaming and higher living standards. The above Plan on Reconciliation paved the way to a State-Regions Agreement in 2010 for the identification of priority actions: kindergarten; facilities for the re-entry into the labour market after maternal

or parental leave; new child-care solutions; family-friendly job contracts; vouchers, etc..

Under the coordination of the Department for Equal Opportunities, after having received the necessary financial resources, the Italian *Regions* have launched and are implementing relevant programs in the territories under their responsibility. These initiatives have been also extended to those unemployed women taking care of their family, to whom to provide support in their job search and for their active participation in public life.

***Economic well-being, pay equity, flexibility***

*Madam Chairperson,*

In Italy, the contribution of women to all sectors is a matter of fact. According to ISTAT, the total of women workers in 2010 amounted to 46,1% (in the South did not exceed 30,5%), while 48,9% resulted to be out of the labour market nor being in search for a job.

On average, Italian women, working full-time, earn approximately 5% less than men. This means that Italian women have lower retirement savings than men. Many retired women - more than men - live with an unemployed child who has come of age. Considering *inter alia* the current juncture, Italian Authorities are about to extend by law the retirement of women to the age of 65. For the time being, the Government has introduced provisions allowing those women who want to continue to work, the right to choose to work up to the age of 65, while in the past this was a mere option.

On July 30, 2010, the Council of Ministers approved the three-year Labour Plan, entitled “Free labour to free jobs” (*Liberare il lavoro per liberare i lavori*), with the aim of promoting economic growth and employment, by paying specific attention to women. By re-designing the working hours models, the primary aim is to ensure the implementation of reconciliation policies, including the promotion of child-care services, particularly the day-care service.

With regard to “the gender pay gap”, Lgs. Decree No.5/2010 prohibits any relevant discrimination, direct or indirect, by eventually fining and punishing employers with the imprisonment up to six months.

Indeed the Government aims at ensuring the pay equity between women and men besides introducing model flexibility terms, which allow employers and individual employees to make individual flexibility arrangements that suit their particular needs, such as family responsibilities as envisaged by Act No.183/2010. In 2009, it was recorded the increased flexibility of the labour market whereby 1.58 of men and 1.67 of women responded to this model, namely 1.1 million of Non-EU workers (of whom 42% were women) and 706,000 EU workers (of whom 53% were women).

As for employees, mainly women, with responsibility for the care of a dependant with a serious disability, they have the right to request, flexible working arrangements, such as part-time work or flexible working hours, to be granted on a priority basis. In the event of a child with a serious disability, Art. 42, para.5, of Legislative Decree No.151/2001 envisages a two-year long parental leave. On June 9, 2011, the Council of Ministers has decided to extend such term, besides adopting other relevant labour and social policies measures.

Along these lines, mention has to be made of the following measures:

- Legislative Decree No.81/2008, relating to the protection of health and safety at workplace, which goes beyond the traditional notion of the protection of women's work being limited to pregnancy. Rather it envisages a broader risk assessment of different male and female workers' risks.
- Legislative Decree No.150/2009 concerning the optimization of productivity of public work, efficiency and transparency of public administration, whose main purpose is to structurally reform the work relations of civil servants, with specific regard to collective bargaining, public administration facilities and staff assessment, merit recognition and promotion of Equal Opportunities.
- In 2009 the Ministry of Labour jointly with the Ministry on Equal Opportunities launched "The equal opportunities and equality at work Charter" for Companies, Employers' Associations, Trade Unions, Institutions, etc.. Many bodies have subscribed this Charter and thus committed to fighting against all forms of discrimination on the ground of gender, age, disability, ethnic group, religion, and sexual orientation, at the workplace.
- Law No.183/2010 refers to the "Delegations to the Government in relation to fatiguing work, public body reorganization, leaves, authorizations and permits, social safety nets, employment services, employment incentives, women's employment, apprenticeship measures, in addition to schemes promoting surfacing from undeclared work, public employment and labour law complaints". In particular Art.21 provides for, "measures aimed at guaranteeing Equal Opportunities, the well-being of workers and the lack of discrimination in public administration offices".
- Specific inspection measures have been also implemented to ensure the emergence of informal labour, a phenomenon, which increasingly affects women.

*Madam Chairperson,*

The Government is sparing no efforts in tackling the effects of the economic crisis so as to ensure the growth in the employment sector

### ***Parental Leave and Increased Child Care Support***

The Extraordinary Plan for the development of socio-educational services for early childhood, (2007) enables the Italian Regions to launch plans for extending, particularly in the South, educational services for children aged 0-3. In 2009, following an MoU signed by the Department for Equal Opportunities, the

Department for Family Policies and the Department for Public Administration and Innovation, it was launched a project entitled "*Nidi PA* (kindergartens at the Public Administration)", aimed at increasing the number of crèches within the Public Administration, for public employees' children.

In 2010, the Department for Family Policies allocated 100 million Euros, to implement, on a priority basis, the development, inter alia, of early childhood services.

With regard to an adequate number of kindergartens, some Regions in the North and Centre of Italy already exceed the 33% EU target. Considering both public and private child-care services<sup>1</sup>, the national average amounts to 24.8 %. Within this framework, mention has to be made of the third Plan of Action on Children and Youngsters, by which specific attention is paid to women, by a number of initiatives relating to the so-called active parenting and reconciliation, such as the testing of "home nursery schools (*tagesmutter*)."

#### ***Disabled women workers***

At the constitutional level, the principles of non-discrimination and gender equality are designed to protect women with disabilities from any forms of discrimination, which may occur in the fields of employment, the access to public offices and to elected positions, and during maternity (Articles 3, 31, 37 and 51 of the Constitution).

Madam Chairperson,

In this regard allow me to recall: Law No. 104/1992 for the assistance, social integration and rights of disabled people, which contains the general rules on the socio-economic inclusion of people with disabilities; Law No. 68/1999 on Standards for the right to work of the disabled; The Ministerial Decree No.91/2000 providing incentives to facilitate the access to work for disabled women; and finally, Law No.67/2006 on Measures for the judicial protection of persons with disabilities when being victims of discrimination.

*Madam Chairperson,*

By the above normative framework, the number of disabled women in the labour market is growing: from 2008 to 2009, it has raised from 39.9% to 40.4% with the placement of women amounting to 721,827 in 2008 and 706,568 in 2009, respectively.

#### ***Women in prison***

*Madam Chairperson,*

---

<sup>1</sup> For a complete overview :[http://www.politichefamiglia.it/media/64823/sintesi\\_nidi\\_2\\_20cop.pdf](http://www.politichefamiglia.it/media/64823/sintesi_nidi_2_20cop.pdf)

Many aspects of the protection and promotion of the human rights of women need to be tackled, such as the right to gender equality, the right to be free from violence, the right to the highest attainable standard of health, and the rights of women experiencing multiple disadvantage such as those experiencing mental illness or in prison. In this regard allow me to recall the recent Act No. 62/2011 concerning the protection of the relationship between mothers in prison and their minor children. This provides for, inter alia: the rising of the age of the child from 3 up to 6 years old, to the purpose of granting to the mother (or to the father) the pre-trial or remand detention in prison and, where the precautionary requirements permit so, the substitution of the detention in normal prisons with the detention in low-security establishments for mothers (so-called ICAM).

### ***Women's Health***

*Madam Chairperson,*

Article 32 of the Italian Constitution sets forth “1) *The Republic protects individual health as a basic right and in the public interest; it provides free medical care to the poor. (2) Nobody may be forcefully subjected to medical treatment save those cases fixed by law. Even in those case, the legislation cannot be contrary to the respect for the human dignity*”. Such principles are so rooted in our culture that over the years we have recorded the phenomenon of the so-called “health tourism”, whereby foreigners come to Italy in order to seek certain types of treatment free of charge. The above principles also entail that Italy guarantees *inter alia* “the social protection” of maternity health-care to all women, either Italians or migrants, regardless of their status.

More generally, considering the evolving international scenario, allow me also to stress the intention of the Ministry of Health to study the relation between environment and women's health.

*Madam Chairperson,*

By Act No.194/1978, health-care centres are obligated to ensure, upon request of the woman concerned, the voluntary interruption of pregnancy - a service which is secured in Italy to all women. RU486 has been registered in our country on April 1<sup>st</sup>, 2010. The drug was not available earlier, since the manufacturer had never applied for the national authorization to AIFA, the Italian drugs Administration. More importantly, at the Senate Committee, "Hygiene and Health", it was conducted an enquiry on RU486, from September through November 2009<sup>2</sup>, which enabled experts of the Ministry of Health to publish mortality data relating to the use of RU486, as requested to Exelgyn, the company producing this abortion drug, that had never disclosed this information. From the 2009 survey, it emerged that there were 29 deaths as a result of taking RU486: 17, due to medical abortion; and 12, after the so-

---

<sup>24</sup>“On the procedure and medical abortion using mifepristone prostaglandin - generally referred to as the" abortion pill RU486 "- and evaluation of the consistency of the proposed procedures with the legislation in force, organization of clinical pathways, evaluation of epidemiological data in relation to international studies on the relationship risk-benefit.”

called "compassionate use", that is not abortive, but outside of the established protocols. For the first time ever, mortality data relating to RU486 were made public<sup>3</sup>.

*Madam Chairperson,*

By taking into account, inter alia, the findings of the above survey, the Ministry of Health has issued Guidelines for the Regions, in order to protect as much as possible the health of women who choose this type of abortion procedure.

On a more general note, the relevant annual data made available by the Ministry of Health show the effectiveness of the relevant policies. Over the past twenty years it has been recorded a steady reduction in the number of abortion cases. On the other hand, Italy faces increasing flows of migrants, among whom we record a higher rate of abortion cases, besides being more exposed to HIV-Aids and other diseases.

Since 2009, the Superior Institute on Health has been coordinating the Strategic Programme (funded by the Ministry of Health) on "Gender medicine, a strategic objective for public health: *appropriate care for the safeguard of women's health*". By targeted research, this Strategy aims at ensuring that the public health planning includes the specific protection of women's health, by introducing, inter alia, gender-dedicated prevention protocols and guidelines. In this regard in 2009 the Ministry of Health launched a project with the National Institute for the promotion of the health of migrant populations and to combat poverty-related diseases (acronym, INMP), to foster the prevention and the care of people affected by HIV-Aids, particularly of those from disadvantaged groups. The majority of cases refer to migrants. Therefore two important priorities have been identified for future public health action in the context of HIV/AIDS: the reduction of the cases; and specific initiatives for people at a higher risk of social exclusion, in particular women.

*Madam Chairperson,*

The life of women entails a specific focus on both the prevention of cancer and fertility-related issues. As for the former, by the 2010-12 National Prevention Plan, Italy aims at reducing the mortality rate of women affected by cancer, by strengthening and improving screening programmes and differentiated prevention measures according to the individual risk of each woman. As for the latter, data referring to 2009 confirm the trend of previous years: the increase in the couples undergoing MAP treatments with the increase in pregnancies and births. Despite this positive data, unfortunately, it is also increasing the average age of women, being a factor that adversely affects the outcome of the techniques themselves. The reduced likelihood of achieving pregnancy after the age of 40 is also burdened by a high

---

<sup>3</sup> Available at: <http://www.senato.it/service/PDF/PDFServer/DF/216220.pdf>.

percentage of adverse outcomes of pregnancy (miscarriages, abortions, intrauterine deaths, ectopic pregnancies), which greatly reduce the chances of success.

As mentioned in our Report, this area has been the subject of an intervention by the Italian Constitutional Court, the most important guarantor of our Constitution. The relevant Constitutional Court's ruling No. 151/2009 seems to indicate a lower use of modern techniques of cryopreservation of oocytes compared to a huge increase in the freezing of embryos. As discussed, the MPA technique introduced by Act No. 40/2004 has recorded so far a steady increase in the number of couples that have access to such a procedure so that there are over 10,000 newborn babies, per year. This legislation protects all those involved in medically assisted reproduction techniques: the prohibition of heterologous, for example, has prevented in our country the trade of gametes, especially eggs, a phenomenon typically affecting women more 'fragile, such as the young women and in particular the poor. The rules for the protection of embryos have helped make our country a leader in modern techniques of cryopreservation of oocytes. In this perspective, it should be stressed that the recent interventions by the Constitutional Court have not changed the general structure and rationale of the relevant legislation

### ***Women in rural areas***

In recent decades, according to INEA, the economic globalization in tandem with the European policies for rural development have contributed to new paths of development, such as the Community Leader Initiative, which has allowed many rural women to play a leading role in the implementation of local development processes.

According to ISTAT, rural women amounted, in 2009, to 18.7% of Italian female population. Growth in employment of women is shown for all economic sectors in rural areas. In particular, the growing commercial value attributed to the characteristics of health and quality of food products, as well as their use for physiotherapy treatment, has made women's contribution to agriculture more visible besides providing them with a leading role in the management of farms.

### ***Madam Chairperson,***

In this regard I am pleased to stress that field surveys show that women engaged in agriculture are better prepared to introduce innovations on their farms. Field surveys also show the phenomenon of the independent entrepreneurship of female migrant workers in agriculture. About 38% of farms started by foreign nationals are headed by women. This confirms the strong potential of immigration for the primary sector in Italy.

On a more general note, one-fourth of the Italian companies are "pink". One million and four hundred thousand women have chosen their own self-made activity. The South of Italy better responds to the incentives policies, particularly the following

Regions: Abruzzi, Basilicata and Molise.

*Madam Chairperson,*

It is deemed that the more we raise the rate of women workers, the more the GDP will grow. Accordingly, in order to strengthen this area, the Minister for Equal Opportunities is planning an ad hoc strategy for the pink companies of the South by which to facilitate the release of loans upon the condition of hiring additional personnel. That Ministry has also established, in 2009, the Committee on female entrepreneurship, under its umbrella.

### ***Conclusion***

*Madam Chairperson, distinguished members of the CEDAW Committee, Ladies and Gentlemen,*

Aware that huge challenges are impacting on all of us and that no country can be exempt from criticism, allow me to assure you that we truly welcome this exercise, which can substantially contribute to the improvement of the human rights of women. We take this opportunity to learn from your advice and discuss how Italy can more effectively achieve better life opportunities for women, particularly those from a disadvantaged background, either Italians or migrants.

In my concluding remarks, allow me to stress that Italian Authorities do believe that the basic rule which should guide democracies is the full implementation of the non-discrimination principle, being enshrined in our Constitution (Art.3) as well as in the Universal Declaration of Human Rights (UDHR), as both adopted in 1948. In this perspective gender equality, gender mainstreaming and women's empowerment are the pillars to ensure the protection of human rights of women, internationally, regionally and domestically.

In thanking you, once again, for this opportunity, I do hope that our dialogue will be fruitful and constructive.

