**Joint submission to the UN CEDAW Committee**

**80th Pre-sessional Working Group (March 2021)**

**LOIPR of ITALY**

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# Context

Relatively few years have passed since the last report presented to the CEDAW Committee in 2017 by Italian civil society organisations, but several factors have changed the Italian landscape since then.

There has been a structural entrenchment of sovereignist[[1]](#endnote-1) forces in the country. It is no coincidence that hate speech against women on social networks has increased. These social and political forces have tried to limit the role, rights and freedoms of women in every sphere, including the family, trying also to limit their rights relating to their children. Migrant, asylum seeking and refugee women continue to be ignored and policies affecting them are mostly gender blind.

There have been three successive governments since 2016[[2]](#endnote-2) in Italy, with different agendas but all of them did not prioritise legislating on gender equality. Although the sovereignist government fell in August 2019, misogynistic and sexist political forces stayed strong within the Italian parliament and kept the majority in many regional and local autonomies (14 out of 20 regions).[[3]](#footnote-1)

The government in power from 2019 to 2021 succeeded in freezing some legislative proposals against women’s rights initiated by the previous government but failed to contain the disastrous consequences of COVID19 on women.

In 2020, with the pandemic outbreak, the decades-long absence of specific policies to support and advance gender equality emerged powerfully, highlighting the contradictions and discrimination experienced by women in every sphere of life.

The government recently drafted the Recovery Plan,[[4]](#footnote-2) a document in which it illustrates how the EU funds received to recover from the pandemic will be allocated in Italy. The Recovery Plan should have an *ex ante,* *in itinere* and *ex post* evaluation of the impact on women and the general advancement of the status of women. There should be a paradigm shift and a change in all policies put in place to counter the pandemic and end discrimination against women. A good starting point would be the Gender Budgeting[[5]](#footnote-3) approved for the first time by the government in 2019.

# Gender stereotypes and discrimination

In 2017, the CEDAW Committee recommended that Italy step up its efforts to combat gender stereotypes.[[6]](#footnote-4) However, Italy has not undertaken systematic action aimed at promoting changes in the stereotyped and unbalanced public perception of women and men. Increasingly, a virulent climate of social fear, with sexist and xenophobic intersectional discussions, including hate speech promoted also by politicians, has been periodically felt in the country based on the political wave and agenda in place. This is reflected in a strengthening of repressive laws and measures relating to security that were easily enacted apparently to solve complex issues, including those relating to women’s rights and gender equality (See the Red Code Law).[[7]](#footnote-5)

In the last three years, despite the good work of the postal police, there has been an explosion of sexist and racist hate speech cases on social media. Racial and gender stereotypes are the primary cause of this phenomenon and, at the same time, have been reinforced by them.[[8]](#footnote-6)

The degrading representation of the female body of all ages and gender roles persists at all levels: in political debates, in the mainstream media and social media, as well as in commercial messages. In particular, girls continue to be used in provocative and flirtatious messages. No sanctioning action has been envisaged to strengthen the overly lengthy and ineffective procedures against advertisements damaging the image of women of all ages through the IAP.[[9]](#endnote-3) Many newspapers decided to adhere to the Venice Manifesto[[10]](#footnote-7) and the Order of Journalists decided to incorporate its principles in article 5 of the *Testo Unico dei Doveri del Giornalista*,[[11]](#endnote-4) which has force of law.[[12]](#footnote-8) Despite this, the media continue to present an incorrect narrative of crimes against women, including feminicide and gender-based violence, and of the role of women in the public life.

## Questions

* What concrete measures have been taken to combat gender stereotypes conveyed in advertisements, in the mass and social media, and in textbooks in schools at all levels?
* What awareness-raising campaigns has Italy carried out or promoted to change the public’s mindset on gender roles in every area of women’s and men’s lives?
* What concrete measures have been taken to combat sexism and sexual harassment in all fields, including politics, and to combat hate speech on social media?
* What measures have been taken to strengthen the intervention of the IAP and the AGCOM[[13]](#endnote-5) in line with the CEDAW Committee recommendations of 2017?[[14]](#footnote-9)

# Education

In recent years, the issue of a greater access to the study of STEM subjects among boys compared to girls[[15]](#footnote-10) has attracted attention in Italy and the government committed to change this trend.[[16]](#footnote-11) However, this issue has become a sort of excuse and seems to be the only issue relating to gender stereotypes and education allowed to be discussed in the public debate. Gender equality, sexism, violence and sexual and reproductive health, are topics that encounter strong resistance to being included and dealt with in school and university curricula as well as in teacher training. Moreover, despite the existence of a law envisaging it,[[17]](#footnote-12) family counselling centres do not provide sexual and reproductive health education in schools. COVID19 further highlighted the fact that schools are insufficiently up-to-date in terms of programmes and curricula, textbooks, teacher training and digitalisation, and the issue of equality is underrated and ignored despite being fundamental for building active citizenship of future generations.

A radical reform is needed, something that the so-called *Good School Reform* of 2017 has failed to do. In fact, the mild measures envisaged in that reform to promote equality, fight discrimination and violence against women, did not have any concrete impact. Moreover, the following sovereignist government, did not even participate in any round table against stereotypes and violence against women, nor did it concretise any of the measures foreseen in the National Strategic Plan on Male Violence against Women 2017-2020 (NAP on VAW 2017-2020).

Only 25% of children aged between 0 and 2 years attend nursery schools, which are poorly distributed throughout the country and almost totally absent in the South.[[18]](#footnote-13) The EU had set an objective to reach 33% territorial coverage by 2010, but we are still far from that percentage.[[19]](#footnote-14) Future investments allowing 60% coverage of nursery schools throughout Italy for at least 750 thousand children has been discussed; however, funds allocated to increase nursery schools are not enough to reach such coverage.[[20]](#footnote-15)

The percentage of women graduates in Italy, although higher than that of men, is below the European average.[[21]](#footnote-16) The digital transition should be a mainstream and gender-sensitive issue in the education sector, but there are no signs of progress so far.

The closure of schools due to COVID19 has been very challenging for families and students. Remote schooling has been a serious and severe problem for those who are not equipped with adequate digital means. Minors from single-parent and single-income families with women as heads of household,[[22]](#footnote-17) Roma families, migrants[[23]](#footnote-18) and all families who have found themselves in serious financial constraints as a result of the pandemic have been the most disadvantaged. Finally, also due to remote schooling, more women than men have taken care of their children while working from home or have had to quit their jobs to do so.[[24]](#footnote-19)

## Questions

* What funding is planned to encourage female students to pursue academic studies in order to reach at least the EU average?
* What investments are planned to promote the increase in the number of nursery schools? What impact will they have on the number of children/families included? What sustainability over time is guaranteed by these investments to ensure stable work to dedicated e teaching staff?
* What is Italy doing to combat gender stereotypes in education and training? What measures have been taken to eliminate gender stereotypes and change school and university curricula?
* What is Italy doing to train teachers on equality and combating violence against women and on non-violent conflict management?
* What is Italy doing to reduce the digital divide among the most economically disadvantaged children and families?
* How is Italy helping parents, especially mothers, to cope with the increase in their unpaid care work due to COVID19?

# Labour market and welfare

“Women’s concentration in the informal economy and in low-paid sectors, which perpetuates vertical and horizontal occupational sex segregation and the gender wage gap”[[25]](#footnote-20) shows no sign of abating. COVID19 aggravated existing inequalities between women and men in the labour market, out of the 101,000 jobs lost between November and December 2020, 99,000 belonged to women.[[26]](#footnote-21) Many more women have lost their jobs during the past year and those who have managed to keep them, including by working remotely (the so-called *smart working*), have seen their quality of life in the home and family, as well as at work, deteriorating.

According ISTAT[[27]](#endnote-6) data, in 2019, the female employment rate was 50,1%, while the average in the EU-27 was 63% (age 15-64);[[28]](#footnote-22) Italy is among the EU countries with the lowest employment rate of young women in the 15-24 age group.[[29]](#footnote-23) The crisis caused by the pandemic has worsened the employment situation of all women, especially young women without permanent contracts.[[30]](#footnote-24) The fall in female employment is greater than that of men and this trend is expected to continue for both female employees and entrepreneurs in the future according to the ISTAT data and projections provided at a hearing in parliament[[31]](#footnote-25), given that the majority of women have businesses and/or work in the sectors most negatively affected by the consequences of COVID19.

In 2019, Italy was the penultimate EU country in terms of the number of workers in the welfare sector (education, health, assistance and public administration).[[32]](#footnote-26) Indeed, over the last 30 years Italy has structurally reduced investment in these sectors, which are the ones where women are more represented than others. The continued lack of investment has created labour shortages and led to a situation where the reduced services get compensated by services provided informally and by families.

There are no plans to stimulate and raise the female employment rate to reach, at least, the EU average of 63%, nor are there any mechanisms in place to enable women to achieve full equality in pay and pensions. If women’s employment rose to 60%, it would lead to 7% GDP growth.[[33]](#footnote-27) In order to allow all women excluded from the labour market to enter it, it is necessary to invest in social infrastructure, early childhood services and services for the elderly, schools and hospitals. Investing in women would benefit society as a whole.[[34]](#footnote-28)

While the full equality between men and women is recognised in the Constitution,[[35]](#footnote-29) women *de facto* continue to earn less than men. Wage differences also have a major impact on women’s choices forcing them to choose between the private and the professional sphere, choosing a part time job or staying home if their partner earns more (as it is usually the case.) The difficulty of women’s participation in the labour market remains closely related to family responsibilities.[[36]](#footnote-30) Many young women, even when with high levels of education, are confined to low-quality and precarious jobs,something that prevents and hampers long-term life strategies and choices, including motherhood. A law aimed to end the gender pay gap, with rewarding and penalty mechanisms for businesses, is now under discussion in the parliament.[[37]](#footnote-31)

Migrant women are particularly affected. They are mainly employed in care work, characterised by long hours and low pay, something that, among other things, puts them at high risk of burn-out.[[38]](#footnote-32)

Mandatory paternity leave in Italy is very short, the new budget proposal 2021 envisages an extension to 10 days but we do not know if this measure will be realised.[[39]](#footnote-33)

Single-parent and single-income families[[40]](#footnote-34) are in the worst economic conditions. We need a universalistic welfare system, as this would fully include single-parent households of single women of all ages with or without children.

Not enough attention is paid to the financial discrimination of women compared to men and how economic dependence also generates situations of violence and subordination from which women cannot escape due to the lack of welfare and work opportunities that generate empowerment.[[41]](#footnote-35)[[42]](#endnote-7)

A government decree (no. 151/2015) completely changed and diminished the role of the *Consigliere di parità* (Equality counsellors), issue already reported in 2017 to the CEDAW Committee. No government intervention has so far been taken to restore the counsellors autonomous powers to monitor workplace discrimination against women.

## Questions

* What policies have been put in place to ensure gender equality in the labour market?
* How is work from home regulated in the country, including modalities not defined as *smart working*?
* What measures have been taken by the government to prevent women from leaving work due to care responsibilities?
* What measures have been taken by the state to promote women’s financial independence and address women’s exposure to economic violence?
* What measures has the state introduced to end discrimination against and exploitation of migrant women in the labour market? What impact did they have?
* How does the government ensure that Equality counsellors are fully independent and not subject to political pressure?

# Right to Health, sexual and reproductive health

Italy has been cutting the financial resources allocated to the healthcare system for at least 20 years; it has reduced the number of beds available[[43]](#footnote-36) by moving in the direction of privatisation.[[44]](#footnote-37) COVID19 has put the Italian healthcare system under pressure and in many cases interventions deemed “non-urgent” have been suspended to treat COVID19 patients. The majority of healthcare workers are women[[45]](#footnote-38) and they have been particularly impacted by the pandemic effects.

During the pandemic, access to voluntary termination of pregnancy (VTP) has been particularly difficult; and despite the government’s decision to allow the use of the RU486 pill in day hospital within the first 9 weeks of pregnancy,[[46]](#footnote-39) many women had difficulty accessing VTP services within the legal deadline.[[47]](#footnote-40) This is also due to the fact that the 14 regions led by sovereignist political parties have opposed the Ministry of Health’s national provisions, effectively restricting the women’s rights and freedoms enshrined in law.[[48]](#footnote-41)

The availability and accessibility of services for VTP are limited also because almost 7 out of 10 Italian doctors refuse to perform VTP due to “conscientious objection”.[[49]](#footnote-42) Despite the fact that the Council of Europe's European Committee for Social Rights has twice recognised the virtual non-enforcement of Law 194/78, past governments and the current one have taken no credible action to ensure access to legal abortion.

While there are discussions regarding the issue of the low birth rate, these are not linked to the ongoing environmental pollution and the deep discomfort due to the lack of work and universal welfare experienced by young women. The sexist, misogynist and xenophobic movements consider women’s reproductive and sexual life as an element to be controlled and used to advance their agenda with slogans that speak of “ethnic substitution”,[[50]](#footnote-43) poisoning of women because of the abortion pill[[51]](#footnote-44) or claiming that abortion is the first cause of feminicide in the world.[[52]](#footnote-45) All claims used to do psychological violence to women and oppose their sexual and reproductive freedom, including the freedom to choose not to reproduce.

It is essential to strengthen preventive healthcare at all levels, including the issue of advice centres, health homes, prevention with general practitioners, prevention and contraception by eliminating regional disparities in the provision of essential levels of care. The continued absence of sex education and contraception campaigns in schools and in public health policies and measures is worrying. Knowledge of the variety of contraceptive approaches is ridiculously absent and the use of hormonal contraceptives is very low,[[53]](#footnote-46) also because of their price;[[54]](#footnote-47) even the so-called “morning-after” pill remains a paid option and underage girls must present a doctor’s prescription to purchase it.

There has also been a reduction in funding for the prevention of sexually transmitted diseases, particularly HIV/AIDS.[[55]](#footnote-48)

## Questions

* Please provide information on the implementation of the CEDAW Committee recommendations to Italy on women and health,[[56]](#footnote-49) including to:
  + Increase the budget allocated to the health sector in order to ensure the full realization of the right to health, including sexual and reproductive health and rights, for all women and girls and the essential level of assistance are evenly provided across the various regions of Italy;
  + Ensure the full application of Act No. 194/78 throughout the State party, including by identifying existing obstacles and adopting a procedure common to all provinces in order to guarantee access to abortion services and appropriate referral services, and ensure that the exercise of conscientious objection by health-care personnel does not pose an obstacle for women who wish to terminate a pregnancy;
* Please provide information how the State has ensured:
  + Access to free and new generation of contraceptives for women, including the application of IUC (intrauterine contraception) and free subcutaneous, covered by the National Health Service and also if these are provided for free to migrant, asylum seeker and refugee women;
  + adequate budget allocation to the prevention of sexually transmitted diseases, in particular HIV/AIDS, providing figures on new budget allocation.
* Which measures has Italy undertaken at national and regional level to promote sexual and reproductive health education and awareness-raising campaigns?
* Which measures has Italy undertaken at national and regional level to relaunch and strengthen basic health services, and family-care territorial health units, and provide adequate funding for it?

# Environmental disasters and women’s health

The most industrialised and polluted regions of Italy were the most harshly hit by COVID19.[[57]](#footnote-50) This adds up to other considerable environmental problems, such as the ILVA steel plant in Taranto, and the presence of areas of toxic waste discharge, such as the so-called Land of Fires (*Terra dei Fuochi.*)[[58]](#footnote-51) Despite these long-standing problems, there is no official gender-specific analysis at the national level of the impact and health risks caused by environmental disasters, by eating food that is polluted because it is produced in areas with contaminated groundwater or toxic gas discharges of various kinds (solid, gaseous, liquid).

Informal epidemiological data on recent cases of environmental contamination show that women are particularly vulnerable to such events, especially with regard to their reproductive health and during pregnancy. This impact, of course, does not spare children and the entire population of the affected regions, as is well documented. No measures have been taken to address this situation, despite the precautionary principle enshrined in European regulations.

The Recovery Plan contains provisions to promote the green economy and protect the environment but despite the recognition of the impact of environmental contamination on population’s health,[[59]](#footnote-52) a gender analysis is completely absent.

## Questions

* How has Italy ensured that national health policies be designed paying attention to the social and environmental determinants of health and gender?
* Which measures has Italy undertaken to ensure that policies be fully implemented in all contaminated areas of the country and aim to avoid environmental contamination and negative health impacts, particularly on women’s reproductive, neonatal and child health?
* How has Italy collected data on heavily contaminated areas? Are these data publicly available? Are the data collected disaggregated by sex and age?
* How did the government ensure the integration of a gender-responsive analysis in the development of the Recovery Plan? How does it plan to integrate it in the implementation of the plan?

# VAW: prevention, protection and integrated policies at all levels

Gender-based violence is a structural phenomenon that continues to be very serious and widespread. The CESCR[[60]](#footnote-53) and the CEDAW Committee[[61]](#footnote-54) have made numerous recommendations to address gender-based violence against women. Italy has also ratified the Istanbul Convention,adopted *ad hoc* laws and the NAP on VAW 2017-2020, which has not yet been renewed. In January 2020, the GREVIO made its monitoring recommendations to Italy[[62]](#footnote-55) these have gone unnoticed without a real review of what has been done and what still needs to be done. Despite the efforts of the Department of Equal Opportunity (DPO) and the Senate Commission on Femicide, COVID19 has delayed a reworking of integrated policies aimed at preventing and combating violence also in the wake of GREVIO’s recommendations.

For many years, there have been no positive changes to data on femicides. Approximately every 72 hours, a woman is killed by gender-based violence, usually by a partner, ex-partner or relative. Over the past 40 years, rates of femicide and extremely serious injuries due to attempted feminicide have remained largely constant, despite a decrease in the overall number of homicides over the same period.[[63]](#footnote-56)

During the lockdown, calls to the national helpline for victims of domestic violence increased by 73% compared to the same period in 2019 and requests for help from victims increased by 59%.[[64]](#footnote-57) The increase was a consequence of the government’s awareness-raising campaigns in place during the first lockdown;[[65]](#footnote-58) however, information was only provided in Italian, making access to the service difficult for women who do not speak it. During the pandemic, the preventive criminal law provision of removing violent men from the family home worked best, although it has generally been women victims of violence who are removed from the home.

The administrative data collection systems concerning victims of gender-based violence and femicide of the Ministries of Justice, Interior and Health are not in line with the provisions of the *Istanbul Convention.*

The lack of coordination between the central and regional governments[[66]](#endnote-8) as well as the constant weakness of administrative bureaucracy represent an important obstacle to the action of existing local networks on combating and preventing violence against women as well as on the timely distribution of financial resources to specialised women services, so-called anti-violence centres and shelters only for women, transparency on the distribution of national, regional and local funding, and monitoring of their use.[[67]](#endnote-9) All of these weaknesses expose women who experience violence to secondary victimisation because it is often difficult to access timely support services, protection and adequate empowerment.

As noted earlier, Italy had a NAP on VAW 2017-2020.[[68]](#footnote-59) The Plan envisaged a series of integrated policies, including prevention and protection measures, and more funds. However, the Operational Plan[[69]](#endnote-10) suffered a setback during the 2018-2019 sovereignist government. After that setback, some funds finally went to the regions, some of which have allocated more funds on their own initiative. For example, in some regions the so-called *income of dignity* (reddito di dignità)was established to allow survivors of violence to access essential economic resources to restart. For victims of violence, the government has set up a microfinance fund;[[70]](#footnote-60) however, this is a one-off measure and does not solve the problem of violence; it is merely a welfare measure that prolongs the debt into the future without providing empowerment tools for real economic emancipation.

A new NAP on VAW was envisaged for the period 2021-2023 but it hasn’t been finalised.

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## Questions

* What measures have been taken to fully implement the recommendations made by GREVIO regarding the Istanbul Convention? e.g. in relation to improving coordination and gender mainstreaming between national, regional and municipal interventions? What and how much funding is provided to these organisations?
* What measures will be taken to ensure that all relevant ministries plan, finance and implement activities for the operationalization of the future NAP on VAW 2021-2023? When is the new plan scheduled to start?
* What preventive and protective measures are taken for migrant asylum seekers and refugee women and their organisations to prevent all forms of violence? How are migrant asylum seekers and refugee women involved in government dialogue to build plans to combat violence?
* What steps have been taken to harmonise the administrative data collection of the Ministries of Interior, Health and Justice based on the provisions of the Istanbul Convention?

# Violence against women: access to justice

The current organisation of the courts and the prosecution system hinders a rapid and effective access to justice. COVID19 has further slowed down the work of courts, and while for criminal cases gender-based violence related proceedings were considered a priority,[[71]](#footnote-61) it was not the case for civil courts, in charge of ruling on divorce and custody cases.[[72]](#footnote-62)

Access to free legal aid is not ensured to all women, despite being envisaged by law 119/2013, because it is not supported by dedicated and consistent funds. Gender-based violence is underestimated by the actors involved in the phase of protection, investigation and judicial proceedings who often treat situations of domestic violence as mere conflicts within the family.

The lack of harmonisation between criminal and civil protection measures leads to secondary victimisation: orders and decisions by criminal judges are not automatically taken into consideration by the civil juvenile judges involved in divorce and child custody cases. In particular, in civil courts, women are sometimes considered responsible for the bad relationship between father and children. This approach, which often uncritically accepts psychological expertise required during civil proceedings, uses terms such as “parental alienation” or “family dysfunction” and stigmatises women.[[73]](#footnote-63)[[74]](#endnote-11) Children witnessing violence is a condition rarely considered in civil courts when defining custody rights of violent men, in violation of article 31 of the Istanbul Convention. Mediation is not expressly forbidden in cases of violence against women, and its use is widespread in all custody cases, without considering father’s violent record. Italy has received very strict recommendations on this issue by GREVIO.[[75]](#footnote-64)

Finally, women belonging to groups in vulnerable situations, are exposed to greater risk of violence and multiple forms of discrimination and they encounter greater difficulties in accessing the justice and protection systems, which are not equipped and trained to understand the complexity of their situations.

## Questions

* What measures have been taken to adequately address the consideration of the specific needs of women and children to determine child custody in cases involving gender-based violence in the domestic sphere? What measures have been taken to discourage the use of the “parental alienation” by experts and by courts in custody cases? [[76]](#footnote-65)
* What legal measures are in place to guarantee the provision of services and rights in an even manner to all children in all districts in Italy when the father fails to pay child maintenance?
* What steps have been taken to guarantee a mechanism that takes into consideration the gender disparity of earning capacity between the separating spouse and the case of divorce and child custody?
* What measures have been taken by the government to give adequate information and facilitate access to justice to women belonging to marginalised groups survivors of violence?
* What measures have been taken with regard to GREVIO's recommendations on Article 31 of the Istanbul Convention to Italy?[[77]](#footnote-66)

# Violence against women: firearms

Possession of a firearm is a risk factor in cases of domestic violence and femicide.[[78]](#footnote-67)

According to a report by ISTAT, in 2019, there have been 315 homicides, 204 men and 111 women and “in the family or emotional sphere (…) the number of victims is increasing: 150 in 2019 (47.5% of the total); 93 victims are women (83.8% of the total number of female homicides.)”[[79]](#footnote-68) A 2019 study by the research institute EURES[[80]](#endnote-12) notes that in 2018 “the firearm is the most commonly used instrument in family homicides (65 victims, or 39.9% of the total), prevailing significantly over blades (40 cases, or 24.6%).”

Analysis of the data collected by the *Flash Eurobarometer 383: Firearms in the European Union* for 2013 shows that Italy was the first country in the EU and second among G8 countries (after the USA) for number of homicides committed with firearms weighted per 100,000 inhabitants.[[81]](#footnote-69)

The NAP on VAW 2017-2020 paid no attention to the correlations between violence against women and femicides committed with firearms.

Effective gun control laws are key factors to prevent violence against women, including femicides.For this reason, the loosening of legislation regulating the acquisition and use of guns in Italy is of serious concern.[[82]](#endnote-13) Two main legislative key actions have recently been taken that can incentive the use of firearms by any person, the legislative decree n. 104 of 10 August 2018[[83]](#footnote-70) and the new law on self-defence adopted in March 2019.[[84]](#footnote-71)[[85]](#endnote-14)

Despite two legislative decrees[[86]](#footnote-72) establishing for the Ministry of Interior and the Ministry of Health to exchange data on the mental health concerns of firearms owners, in order to suspend or revoke the licences if necessary, the ministries are yet to adopt the necessary implementing measures.[[87]](#footnote-73)

For more information on this issue, see WILPF’s submission to this CEDAW Committee 80th pre-session.

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## Questions

* Which ministries are collecting administrative data under the requirement of Art. 11 of the Istanbul Convention that is collecting, in a systematic and periodic way, data disaggregated by sex of the victim and of the perpetrator, the relationship between them, age, the place where the violence took place?
* What administrative data are collected and published under the definition of gender-based homicides? Are they disaggregated by migration status, disability and other relevant factors?
* What measures are taken to assess each sport shooting license application carefully, including to ascertain whether it is indeed linked to the exercise of a sport activity?
* When will the exchange of information between the Ministry of Interior and the Ministry of Health concerning firearms owners’ mental health become operative? How is it carried out?

# Trafficking, gendered impacts of the response to migration flows

In 2017, the CEDAW Committee expressed concerns about the prevalence of trafficking in women and girls in Italy and their subsequent forced prostitution, especially in the context of migration flows.[[88]](#footnote-74) During the pandemic, trafficked women were not considered a priority by the government. But they received support from the anti-trafficking networks of the Article 18 Projects.[[89]](#footnote-75) Given the prevalence of women among victims of trafficking, it is crucial to re-fund the National Action Plan against Trafficking and Exploitation and to ensure greater coordination between the NAP on trafficking and the future NAP on VAW.

Migrant, asylum seekers and refugee women have been harshly hit by COVID19; yet, they have been treated almost as if invisible. All information on how to reach health services have been provided only in Italian, including information on the national helpline for victims of domestic violence. In the Recovery Plan there is no provision aimed to improve their conditions.

The government has recently approved Decree Law No.130 that makes some changes to the so-called “Security decrees”, which represented a crackdown on migrant and asylum seekers rights.[[90]](#footnote-76) This new law keeps the same repressive framework of the previous legislation but reintroduces some of the integration services previously abolished. The previous government had justified the cut to integration services based on a decrease in migration flows; however, the lower number of asylum seekers was only due to the fact that they were not allowed to disembark in Italian ports and many died at sea. We regret that the CEDAW Committee, in its follow-up procedure in 2019, considered the recommendation regarding the insufficient number of reception centres[[91]](#footnote-77) as partially implemented.

Migrants rights defenders have been increasingly criminalised in recent years and many are subject to hate speech; when defenders are women, attacks have not only racist and xenophobic content but also misogynist connotations.

The government has also approved law No.34/2020 to regularize the irregular situation of migrants working in agriculture, domestic work and care services. However, very few requests were made considering the estimated total of potential beneficiaries for several reasons: the fact that the regularization was limited to the three above-mentioned sectors; the disproportionate power given to employers (in charge of the regularization request); and the limitations imposed on asylum seekers.[[92]](#footnote-78) This is a missed opportunity to really tackle the phenomenon of *caporalato* in the agricultural sector, an issue on which the Italian Parliament has passed an important but insufficiently implemented law.[[93]](#footnote-79) On this issue Italy received recommendations by the CEDAW Committee,[[94]](#footnote-80) the CERD[[95]](#footnote-81) and the Special Rapporteur on contemporary forms of slavery.[[96]](#footnote-82)

## Questions

* Provide information on how Italy ensured that:
  + Well-trained staff with a gender perspective be available in all reception processes for victims of trafficking and women in general, including first reception centres for asylum seekers, in order to obtain rapid identification and protection of women survivors of gender-based violence, including trafficking in human beings;
  + all those authorities involved in processing migrant women’s status be fully aware of the legislation enshrined in Article 18-bis of Law 119/2013, which covers the matter of residence permits for victims of domestic violence.
* Provide information on how Italy has implemented the recommendations on women refugees and asylum seekers made by the CEDAW Committee in 2017.[[97]](#footnote-83)
* Please explain why Italy gave all that power to the employers of irregular migrants working in agriculture, given also the phenomenon of *caporalato,* to access regularisation.
* How has Italy mainstreamed the Women, Peace and Security agenda in domestic policies, particularly with respect to women asylum seekers and refugees in Italy?

# Human rights impact of Italy’s arms transfers

Arms transfers have a well-documented impact on human rights, with women and girls being particularly affected, as the CEDAW Committee has repeatedly observed in GRs and concluding observations.[[98]](#footnote-84)

In 2017, The Committee expressed concerns about Italy’s arms exports, including to conflict zones, and the absence of a specific mechanism for gender-based violence risk assessments and made specific recommendations in this regard.[[99]](#footnote-85) The CESCR has asked questions on similar issues.[[100]](#footnote-86) Italy received three recommendations on this issue in the last UPR cycle.[[101]](#footnote-87)

On 29 January 2021, Italy finally decided to revoke the licenses for export of aircraft bombs and missiles to Saudi Arabia and the UAE, countries involved in the conflict in Yemen.[[102]](#footnote-88) Despite this Italy has recently made an agreement with Egypt for 10 billion euros, a country with a poor human rights record, where Giulio Regeni was killed five years ago,[[103]](#footnote-89) ignoring increasing outcry among civil society and the family of Regeni.[[104]](#footnote-90)

Shortly after lockdown measures were implemented in Italy at the end of February 2020, arms factories, thanks to ambiguous government guidelines, were among the first to reopen.[[105]](#footnote-91) Many pacifist associations have been calling for a halt to arms production and proposing viable initiatives to convert arms factories into other economic activities. An emblematic case is the proposal to convert the RWM factory in Sardinia into a dairy factory.[[106]](#footnote-92)

For more information on this issue, see WILPF’s submission to this CEDAW Committee 80th pre-session.

## Questions

* Please provide information regarding the steps taken to integrate a gender dimension into its strategic dialogues with countries purchasing Italian arms and that, before export licences are granted, comprehensive and transparent assessments be conducted of the impact that the misuse of small arms and light weapons has on women, including those living in conflict zones.
* How has the state ensured that the role of Italy’s arms transfers and of the proliferation of small and light weapons on gender-based violence are fully addressed in the new National Action Plan on Women, Peace and Security?
* What governmental initiatives have been taken to promote the conversion of defence industries to civilian use?[[107]](#footnote-93)
* Why were arms companies among the first ones permitted to reopen during the lockdown?

1. [↑](#endnote-ref-1)
2. [↑](#endnote-ref-2)
3. See Umbria and Marche attacks on freedom of choice of pregnancy: <https://www.peopleforplanet.it/aborto-umbria-e-marche-rifiutano-la-pillola-ru486-zampa-calpestati-i-diritti-fdi-a-rischio-letnia/> [↑](#footnote-ref-1)
4. *Next Generation Italia*, draft updated 12 January 2021: <https://images.go.wolterskluwer.com/Web/WoltersKluwer/%7B9b71be5d-3a64-414f-b892-5329addba6a9%7D_next-generation-italia-bozza-12-gennaio-2021.pdf> [↑](#footnote-ref-2)
5. <http://www.rgs.mef.gov.it/VERSIONE-I/attivita_istituzionali/formazione_e_gestione_del_bilancio/rendiconto/bilancio_di_genere/> [↑](#footnote-ref-3)
6. See CEDAW/C/ITA/CO/7, July 2017, para 26(a). [↑](#footnote-ref-4)
7. <https://www.thelocal.it/20190718/code-red-italy-passes-new-domestic-violence-law> [↑](#footnote-ref-5)
8. <http://www.voxdiritti.it/mappa-dellintolleranza-5-misoginia/> [↑](#footnote-ref-6)
9. [↑](#endnote-ref-3)
10. <https://www.fnsi.it/upload/70/70efdf2ec9b086079795c442636b55fb/0d8d3795eb7d18fd322e84ff5070484d.pdf> [↑](#footnote-ref-7)
11. [↑](#endnote-ref-4)
12. The inclusion of article 5 entered into force on 1 January 2020: <https://www.odg.it/testo-unico-dei-doveri-del-giornalista/24288#:~:text=Il%20%C2%ABTesto%20unico%20dei%20doveri,dell'iscritto%20all'Ordine>. [↑](#footnote-ref-8)
13. [↑](#endnote-ref-5)
14. CEDAW/C/ITA/CO/7, July 2017, para 26. [↑](#footnote-ref-9)
15. See, for example: <https://eige.europa.eu/resources/WomeninScience.pdf> pp.16-17. [↑](#footnote-ref-10)
16. *Next Generation Italia*, p.37: <https://images.go.wolterskluwer.com/Web/WoltersKluwer/%7B9b71be5d-3a64-414f-b892-5329addba6a9%7D_next-generation-italia-bozza-12-gennaio-2021.pdf> [↑](#footnote-ref-11)
17. Law 405/75. [↑](#footnote-ref-12)
18. <https://www.ilpost.it/2020/11/29/asili-nido-italia/> [↑](#footnote-ref-13)
19. <https://www.repubblica.it/cronaca/2020/07/08/news/asili_nido_italia_sotto_la_media_europea_per_spesa_e_utenza-261333919/> [↑](#footnote-ref-14)
20. It is estimated that at least a 8 billion investment is needed to reach 60% coverage: <https://it.businessinsider.com/asilo-nido-flop-piano-bonetti-cottarelli-spesa-pil/> [↑](#footnote-ref-15)
21. <https://www.istat.it/it/files/2020/07/Livelli-di-istruzione-e-ritorni-occupazionali.pdf> [↑](#footnote-ref-16)
22. <https://www.infodata.ilsole24ore.com/2018/10/09/no-le-madri-sole-non-la-passano-bene-doppiamente-rischio-poverta/> [↑](#footnote-ref-17)
23. <https://www.tuttoscuola.com/integrazione-alunni-stranieri-le-proposte-dellosservatorio/> [↑](#footnote-ref-18)
24. <https://catania.liveuniversity.it/2020/08/12/scuola-didattica-distanza-madri-lavoro/> [↑](#footnote-ref-19)
25. See E/C.12/ITA7CO75, paragraphs 26 and 27. [↑](#footnote-ref-20)
26. <https://www.corriere.it/economia/lavoro/21_febbraio_02/lavoro-crisi-colpisce-donne-sono-98percento-chi-ha-perso-posto-7cfc87ec-6533-11eb-a6ae-1ce6c0f0a691.shtml> [↑](#footnote-ref-21)
27. [↑](#endnote-ref-6)
28. <https://www.istat.it/donne-uomini/bloc-2b.html> [↑](#footnote-ref-22)
29. <https://www.repubblica.it/dossier/cronaca/gender-gap-le-donne-presentano-il-conto/2019/11/29/news/un_italia_da_disoccupate_tra_famiglia_e_poche_chance_di_carriera-242194757/> [↑](#footnote-ref-23)
30. <https://www.agi.it/economia/news/2021-02-01/istat-perdita-posti-lavoro-lavoro-risale-tasso-disoccupazione-11232382/> [↑](#footnote-ref-24)
31. <https://www.camera.it/application/xmanager/projects/leg18/attachments/upload_file_doc_acquisiti/pdfs/000/004/720/ISTAT_-_Audizione_PNRR_29_gennaio_2021.pdf> [↑](#footnote-ref-25)
32. <https://welforum.it/quanti-lavoratori-curano-istruiscono-e-amministrano-gli-italiani-molto-pochi/> [↑](#footnote-ref-26)
33. <http://www.donneierioggiedomani.it/4409/Segnavie-CON-OCCUPAZIONE-femminile-AL-60-crescita-del-pil-del-7> [↑](#footnote-ref-27)
34. <https://www.dire.it/02-02-2021/600140-sabbadini-loccupazione-femminile-sprofondata-e-unemergenza-nazionale/> [↑](#footnote-ref-28)
35. Articles 3, 4, and 37. [↑](#footnote-ref-29)
36. <https://www.istat.it/it/files//2020/02/Memoria_Istat_Audizione-26-febbraio-2020.pdf> [↑](#footnote-ref-30)
37. <https://www.gazzettadalba.it/2020/11/chiara-gribaudo-parita-salariale-per-le-donne-nel-mondo-del-lavoro/> [↑](#footnote-ref-31)
38. <https://www.ingenere.it/articoli/la-doppia-discriminazione-delle-donne-immigrate> [↑](#footnote-ref-32)
39. <https://www.money.it/congedo-paternita-sale-a-10-giorni-con-Legge-di-Bilancio-2021#:~:text=Congedo%20paternit%C3%A0%3A%20sale%20a%2010%20giorni%20nella%20Legge%20di%20Bilancio,fino%20al%2031%20dicembre%202021>. [↑](#footnote-ref-33)
40. [https://www.smallfamilies.it/famiglie-monoparentali-famiglie -piu-povere/](https://www.smallfamilies.it/famiglie-monoparentali-famiglie-piu-povere/) [↑](#footnote-ref-34)
41. See, for example:

    <http://www.museodelrisparmio.it/wp-content/uploads/2017/09/Ricerca-LE-DONNE-E-LA-GESTIONE-DEL-RISPARMIO.pdf> [↑](#footnote-ref-35)
42. [↑](#endnote-ref-7)
43. From 2009 to 2017, investment in healthcare increased by a meagre 0.6%, with a loss of 70,000 beds and a radical freeze in turnover. [↑](#footnote-ref-36)
44. In 2015, the CESCR expressed concerns about regional disparities and the impact of austerity measures in access to basic health services. E/C.12/ITA/CO/5, 28 October 2015, paragraphs 46 and 47. [↑](#footnote-ref-37)
45. <https://giulia.globalist.it/attualita/2020/05/09/tutti-i-numeri-della-sanita-italiana-cosa-di-donne-2057847.html> [↑](#footnote-ref-38)
46. Instead of the previously required three days of hospitalisation within the first 7 weeks: <https://www.dinamopress.it/news/ru486-cambiano-le-linee-guida-laborto-farmacologico/> [↑](#footnote-ref-39)
47. <https://www.hrw.org/news/2020/07/30/italy-covid-19-exacerbates-obstacles-legal-abortion> [↑](#footnote-ref-40)
48. <http://www.salute.gov.it/portale/news/p3_2_4_1_1.jsp?lingua=italiano&menu=salastampa&p=comunicatistampa&id=5748> [↑](#footnote-ref-41)
49. <https://www.sciencedirect.com/science/article/pii/S0049089X20300016#:~:text=Although%20abortion%20in%20Italy%20is,of%20religious%20or%20moral%20beliefs> [↑](#footnote-ref-42)
50. <https://www.ilfattoquotidiano.it/2021/01/27/marche-fratelli-ditalia-contro-laborto-tira-in-ballo-anche-la-sostituzione-etnica-e-il-rischio-se-non-facciamo-figli/6080578/> [↑](#footnote-ref-43)
51. <https://www.ilfattoquotidiano.it/2020/12/07/ru486-campagna-choc-di-pro-vita-e-famiglia-prenderesti-mai-del-veleno-stop-alla-pillola-abortiva-mette-a-rischio-la-salute/6029371/> [↑](#footnote-ref-44)
52. <https://firenze.repubblica.it/cronaca/2020/11/27/news/livorno_aborto_prima_causa_di_femminicidio_nel_mondo_dice_il_capogruppo_della_lega_in_provincia-276057712/> [↑](#footnote-ref-45)
53. Only 16.2% of women use contraceptives - the EU average is 21.4%. According to a recent survey conducted by the Italian Society of Gynaecology and Obstetrics-SIGO, about 42% of women under the age of 25 did not use any contraceptive method during their first sexual experience: <https://www.dire.it/18-03-2019/309783-italia-ultima-in-europa-per-uso-dei-contraccettivi/> [↑](#footnote-ref-46)
54. <https://www.ilfattoquotidiano.it/in-edicola/articoli/2021/01/06/cinquantanni-di-contraccezione-legale-ma-pagata-a-caro-prezzo-e-vittima-delle-fake-news/6055958/> [↑](#footnote-ref-47)
55. In 2019, there were 2,531 new diagnoses of HIV infection equal to 4.2 new cases per 100,000 residents.In terms of the incidence of new HIV diagnoses, Italy is slightly below the average of European Union countries (4.7 cases per 100,000 residents). In 2019, the highest incidence of new HIV diagnoses is in the 25-29 age group.

    <http://www.salute.gov.it/portale/news/p3_2_1_1_1.jsp?lingua=italiano&menu=notizie&p=dalministero&id=5195> [↑](#footnote-ref-48)
56. CEDAW/C/ITA/CO/7, July 2017, paragraph 42. [↑](#footnote-ref-49)
57. See, for example:

    <https://iris.unibs.it/retrieve/handle/11379/532476/119343/Coker2020_Article_TheEffectsOfAirPollutionOnCOVI%20%281%29.pdf> [↑](#footnote-ref-50)
58. See, for example: <https://www.fidh.org/en/issues/globalisation-human-rights/business-and-human-rights/ilva-scandal-following-the-echr-decision-italy-must-take-immediate>

    and <https://www.courthousenews.com/italys-trash-problem-a-burning-issue-in-the-land-of-fires/> [↑](#footnote-ref-51)
59. *Next Generation Italia*, p.22: <https://images.go.wolterskluwer.com/Web/WoltersKluwer/%7B9b71be5d-3a64-414f-b892-5329addba6a9%7D_next-generation-italia-bozza-12-gennaio-2021.pdf> [↑](#footnote-ref-52)
60. E/C.12/ITA7CO75, paragraphs 36 and 37. [↑](#footnote-ref-53)
61. CEDAW/C/ITA/CO/7**,** 24 July 2017, paragraph 28. [↑](#footnote-ref-54)
62. <https://www.coe.int/en/web/istanbul-convention/-/grevio-pubishes-its-report-on-italy> [↑](#footnote-ref-55)
63. <https://www.istat.it/it/violenza-sulle-donne/il-fenomeno/omicidi-di-donne> [↑](#footnote-ref-56)
64. <https://www.istat.it/en/archivio/245001> [↑](#footnote-ref-57)
65. March-April 2020. [↑](#footnote-ref-58)
66. [↑](#endnote-ref-8)
67. [↑](#endnote-ref-9)
68. See National Report, A/HRC/WG.6/34/ITA/1, paragraph 21. [↑](#footnote-ref-59)
69. [↑](#endnote-ref-10)
70. <https://www.creditocooperativo.it/press-release/microcredito-di-liberta-per-le-donne-vittime-di-violenza-proposto-dalla-ministra-bonetti-federcasse-firma-il-memorandum-di-intesa> [↑](#footnote-ref-60)
71. <https://roma.repubblica.it/cronaca/2020/04/21/news/coronavirus_nuove_regole_in_tribunale_al_via_i_processi_per_violenze_e_con_detenuti_-254651046/> [↑](#footnote-ref-61)
72. <https://roma.corriere.it/notizie/cronaca/20_marzo_16/fermi-separazioni-divorzi-col-virus-possono-attendere-8387c55a-66d2-11ea-a26c-9a66211caeee.shtml> [↑](#footnote-ref-62)
73. These terms have replaced the so-called PAS, parental alienation syndrome, as it is not accepted by the scientific community, although the substance remains the same. [↑](#footnote-ref-63)
74. [↑](#endnote-ref-11)
75. <https://rm.coe.int/grevio-report-italy-first-baseline-evaluation/168099724e> [↑](#footnote-ref-64)
76. See CEDAW/C/ITA/CO/7, July 2017, paragraph 52. [↑](#footnote-ref-65)
77. <https://rm.coe.int/grevio-report-italy-first-baseline-evaluation/168099724e> p.62. [↑](#footnote-ref-66)
78. The Spousal Assault Risk Assessment method (SARA method) for the assessment of the risk of recidivism in cases of intimate partner violence lists the possession of a weapon, even if legally held, as a risk indicator. [↑](#footnote-ref-67)
79. Our translation: <https://www.istat.it/it/files//2021/02/Report-Vittime-omicidio_2019.pdf> [↑](#footnote-ref-68)
80. [↑](#endnote-ref-12)
81. <https://www.infodata.ilsole24ore.com/2019/03/29/38922/> [↑](#footnote-ref-69)
82. [↑](#endnote-ref-13)
83. It entered into force in September 2018, and, among other things, it doubled the number of “sport” weapons that licensed citizens could own; and there is no legal obligation to inform other members of the household of the ownership of a weapon.

    <https://www.corriere.it/cronache/18_settembre_10/armi-ora-piu-facile-possesso-senza-avvisare-famiglia-eb67dc5c-b4ca-11e8-9795-182d8d9833a0.shtml> [↑](#footnote-ref-70)
84. It broadens the legal grounds for private persons to apply lethal force for self-defence stating that “the proportionality always exists” between the offence and the defence in cases of trespassing. [↑](#footnote-ref-71)
85. [↑](#endnote-ref-14)
86. Decree 204 of 26 October 2010 and Decree 104 of 10 August 2018. [↑](#footnote-ref-72)
87. <https://www.fanpage.it/politica/le-armi-da-fuoco-in-famiglia-sono-un-problema-anche-in-italia-e-ora-di-fare-i-conti-con-la-realta/> [↑](#footnote-ref-73)
88. CEDAW/C/ITA/7, July 2017, paragraph 29. [↑](#footnote-ref-74)
89. <https://www.osservatoriointerventitratta.it/i-progetti-articolo-18/> [↑](#footnote-ref-75)
90. Please note that WILPF Italy has made a submission to CESCR providing detailed information and questions relating to migration and asylum focusing on the abovementioned decrees in January 2020. [↑](#footnote-ref-76)
91. “the insufficient number of reception centres and the overcrowding and substandardconditions in existing centres owing to the increasing number of refugees and asylum seekers entering the country”, Follow-up Letter to Italy, CEDAW Committee, available at:

    <https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fFUL%2fITA%2f41609&Lang=en> [↑](#footnote-ref-77)
92. <https://rivistacriticadeldiritto.it/?p=1458> [↑](#footnote-ref-78)
93. Law 199/2016. [↑](#footnote-ref-79)
94. CEDAW/C/ITA/CO/7, July 2017, paragraph 40. [↑](#footnote-ref-80)
95. CERD/C/ITA/CO/19-20 (2017), paragraph 24. [↑](#footnote-ref-81)
96. A/HRC/42/44/Add.1, July 2019, paragraphs 111-115. [↑](#footnote-ref-82)
97. CEDAW/C/ITA/CO/7, July 2017, paragraph 16 [↑](#footnote-ref-83)
98. See, for example, CEDAW/C/GC/30, 18 October 2013, paragraph 32; CEDAW/C/GC/35, 14 July 2017, paragraph 31 (c),and CEDAW/C/GC/38, 20 November 2020, paragraphs 34 and 70. [↑](#footnote-ref-84)
99. CEDAW/C/ITA/CO/7.

    See also: <https://www.wilpf.org/cedaw-committee-recommends-more-stringent-regulation-of-italys-arms-exports/> [↑](#footnote-ref-85)
100. E/C.12/ITA/QPR/6, paragraph 10. [↑](#footnote-ref-86)
101. 6.15, 6.7 and 6.232. [↑](#footnote-ref-87)
102. <http://enaat.org/2021/02/01/italian-government-revokes-bomb-export-licenses-to-saudi-arabia-and-uae> [↑](#footnote-ref-88)
103. <https://www.bbc.com/news/world-middle-east-55266449> [↑](#footnote-ref-89)
104. <https://www.ilfattoquotidiano.it/2020/07/01/armi-allegitto-sei-mesi-prima-dellok-alla-maxi-commessa-litalia-scriveva-allonu-le-sue-raccomandazioni-sulle-violazioni-dei-diritti-umani-del-cairo/5851641/>

     The parents of Giulio Regeni announced their intention to lodge a complaint against the Italian government for violating the law prohibiting the export of armaments to countries whose governments are responsible for serious violations of human rights. <https://www.ilfattoquotidiano.it/2021/01/01/fregate-allegitto-i-genitori-di-giulio-regeni-denunciamo-litalia-per-vendita-di-armi-a-paesi-che-violano-i-diritti-umani/6052811/> [↑](#footnote-ref-90)
105. <https://www.lifegate.it/coronavirus-industria-armi> [↑](#footnote-ref-91)
106. Civil society organisations Sardegna Pulita and Donne Ambiente Sardegna, supported by WILPF Italy started the initiative.

     For more information on the project see, for example: <https://www.opalbrescia.org/wp_ob/wp-content/uploads/2020/12/il-manifesto_2020_11_15_RWM_Cartaceo.pdf> [↑](#footnote-ref-92)
107. In this regard, see requirement in Law 185/90, article 1 (3). [↑](#footnote-ref-93)