



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights Seventy-second session

### Summary record of the 39th meeting

Held at the Palais Wilson, Geneva, on Friday, 30 September 2022, at 10 a.m.

*Chair:* Mr. Abdel-Moneim

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### Consideration of reports (*continued*)

- (a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Sixth periodic report of Italy (continued)*

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*The meeting was called to order at 10 a.m.*

**Consideration of reports** *(continued)*

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** *(continued)*

*Sixth periodic report of Italy (continued)* (E/C.12/ITA/6; E/C.12/ITA/QPR/6)

1. *At the invitation of the Chair, the delegation of Italy joined the meeting.*
2. **The Chair** invited the delegation to reply to the questions raised by Committee members at the previous meeting.
3. **A representative of Italy** said that Legislative Decree No. 147/2017 contained a series of measures to tackle poverty. The Government aimed to strengthen social services by hiring more social workers, for which it had budgeted €40,000 per new worker hired. Its anti-poverty plan focused on strengthening existing services for low-income citizens and helping social workers avoid burnout; it also addressed the situation of vulnerable children and adolescents who had been placed in foster care.
4. A multidisciplinary working group had been created to assist the most vulnerable segments of the population, especially persons with no fixed abode and immigrants, and two projects had been launched, with World Bank and expert support, to improve the social assistance provided to older persons throughout the country and to reduce regional inequalities, notably in the south of the country.
5. Italy was involved in a European Commission pilot project to ensure that children, including those with no fixed abode, with disabilities, from a migrant background or from ethnic minority communities, had access to a full range of support services. Under the project, a quarter of European Union funding for social initiatives would be allocated to that segment of the population. The Youth Guarantee Implementation Plan had been adopted to support vulnerable adolescents, and measures such as rent subsidies had been introduced to combat poverty in Roma, Sinti and Traveller communities.
6. The Ministry of Labour and Social Policies had commissioned a study on the impact of the citizenship income scheme in several regions. The next stage of the study would assess the scheme's impact on approximately 5,000 beneficiary households.
7. **A representative of Italy** said that the Government had allocated €7.5 billion to build or renovate over 170,000 social housing units for the most vulnerable sectors of society, with the aim of reducing inequality in urban areas.
8. **A representative of Italy** said that the country's social services system was decentralized. However, a law passed by Parliament in December 2021 had established a national minimum level of social benefits for persons with disabilities and dependent older persons. The law had also brought the definition of disability into line with United Nations standards.
9. **A representative of Italy** said that a special report on well-being, which was based on the principles established by the Commission on the Measurement of Economic Performance and Social Progress and Organisation for Economic Co-operation and Development guidelines, had been published every year since 2011. The report examined over 150 indicators, including life expectancy and satisfaction, and was an effective tool with which to measure quality of life. It considered the impact of government policy on the daily lives of citizens in areas ranging from health and education to employment and research. The data was disaggregated to allow for analysis by gender and geographical region, identify social and economic disparities and guide policymaking.
10. **A representative of Italy** said that local strategies for Roma integration had been developed in eight cities, with the active involvement of non-governmental organizations that defended the rights of the Roma community. The plan had recently been updated to enhance the exchange of good practice among the cities. Regional action plans had also been launched in order to achieve similar aims at the regional level.

11. **A representative of Italy** said that the Ministry of Health worked closely with the Ministry for the Environment, Land and Sea to tackle environmental pollution, and the National Prevention Plan for the period 2020–2025 contained an entire section on the provision of health care for illnesses linked to pollution. A total of €500 million had been earmarked to strengthen public health-care units in local communities, and the Ministry of Health had been allocated €70 million to protect the health of people who lived in high-risk areas. In September 2020, a standing round table involving various key stakeholders had been set up to enhance preventive health care for young children up to 2 years of age.

12. **A representative of Italy** said that the rate of child obesity was growing in the country as a whole, but that education had a positive effect, since the rate declined among children with higher levels of schooling. In 2012, a round table had been established with representatives from various ministries, non-governmental organizations and regional authorities to encourage breastfeeding and raise awareness of its importance in the fight against child obesity.

13. **A representative of Italy** said that health-care spending had been increased to boost innovation and modernize the public health system and, in May 2022, health-care reforms had been implemented to improve care provision within local communities. Additional support was provided to poorer regions.

14. **A representative of Italy** said that a single national office had been established to monitor and account for all expenses incurred in the achievement of the goals under the National Recovery and Resilience Plan, which was part of the “NextGenerationEU” programme, and offices had been set up to monitor implementation at the regional level. An independent body conducted qualitative assessments of the fulfilment of the programme’s milestones and targets, which included the reduction of regional inequalities, protection of the environment and digital transformation.

15. **A representative of Italy** said that judicial psychiatric hospitals had been closed down and offenders with mental illnesses received the necessary care through a human rights-based approach. The Ministry of Health had established a round table on mental health with representatives from various government ministries, agencies and experts. Approximately €60 million had been allocated to strengthen the Department of Mental Health, reduce hospitalization rates and provide adequate assistance and care for offenders with mental illnesses. Measures had also been introduced to address the impact of the coronavirus disease (COVID-19) pandemic on mental health, particularly among adolescents.

16. **A representative of Italy** said that migrants were entitled to register with the national health service. Persons seeking international protection were guaranteed access to health care upon submission of their asylum application and were provided with a temporary health-care card. In 2020, a protocol had been established that set out the most appropriate measures for determining the age of unaccompanied child migrants and restricted the use of invasive procedures to cases where they were strictly required.

17. **A representative of Italy** said that voluntary termination of pregnancy had been legalized in 1978 and data was collected and processed through a national surveillance system involving the Ministry of Health, the National Institute of Statistics, the National Office of Statistics, regional health authorities and hospitals. The Minister of Health published a yearly report on the topic. According to the most recent data available, almost 65 per cent of gynaecologists refused to carry out abortion procedures, although the figure varied significantly from one region to another.

18. Information was gathered on women who travelled outside of their home region to undergo abortion procedures. Special family clinics had been established to support women who wished to terminate their pregnancy and the Ministry of Health was in the process of creating a new information system using funds from the National Recovery and Resilience Plan to reduce regional inequalities in access to abortion services. The National Centre for Disease Prevention and Control had allocated funding for a project to estimate the prevalence of illegal abortion and study the correlation between contraception and the number of abortions.

19. The Italian Medicines Agency had removed the requirement for women, including those under 18 years of age, to have a prescription in order to receive emergency contraception. In August 2020, the Ministry of Health had updated guidelines on abortion using mifepristone and prostaglandins in line with World Health Organization recommendations, allowing medical abortions to be carried out until the ninth week of pregnancy and permitting the procedure in family clinics and other health centres, without hospitalization. Approximately 35 per cent of abortions had been medically induced in 2020 and the rate had continued to rise. All costs of abortion were borne by the State, thus ensuring equal access for all women, regardless of their financial situation.

20. **A representative of Italy** said that the rights of lesbian, gay, bisexual, transgender and intersex persons were upheld by an observatory on gender medicine, and transgender and non-binary persons could access information on the services available to them and on the gender affirmation pathway, among other things, via a government website, which was also available in English.

21. **A representative of Italy** said that the Government had planned a study on the health status of transgender persons and was working to improve the authorities' capacities to promote equal treatment and inclusion for all and to combat discrimination against vulnerable groups at risk of social exclusion. Social and health-care workers received training on gender identity, and there were efforts to assist transgender persons in entering the labour market.

22. **A representative of Italy** said that the Department for Anti-Drug Policies coordinated government action on drug addiction. The prevention of drug addiction was one of the aims of the National Prevention Plan 2020–2025, which had an annual budget of €200 million and was implemented across the country. Several strategic approaches to addiction prevention had been adopted, including the strengthening of health programmes in schools through, for example, peer education. Efforts to identify persons at risk of drug addiction included a technical body tasked with defining early detection tools and strategies, and an early alert system was in place to detect the circulation of new psychoactive substances in the country. A network had been established to enable the relevant services, such as social services and civil society organizations, to work together in identifying persons experiencing drug addiction and referring them to rehabilitation services.

23. **Ms. Lemus de Vásquez** (Country Task Force) said that she would welcome information on specific initiatives to enable women in situations of homelessness to purchase or rent housing and measures to address the impact of the COVID-19 pandemic on the mental health of health-care providers. She wished to know how women could lodge complaints if their right to abortion was denied and where they could access information on abortion providers. Lastly, reports indicated that the authorities still considered lesbian, gay, bisexual, transgender and intersex persons as suffering from mental illness and that idea was sometimes used in the State party to justify conversion therapy and genital mutilation; what had been done to eradicate that outdated perception?

24. **Mr. Petri** (Italy) said that homosexuality had been decriminalized in Italy since the late nineteenth century.

25. **A representative of Italy** said that, although work remained to be done to protect members of the lesbian, gay, bisexual, transgender and intersex community, around 80 non-governmental organizations had been involved in drawing up a national strategy to address their needs.

26. **Ms. Saran** (Country Rapporteur) said that clarification was required as to whether the State party's legislation contained a definition of disability that was standard across the country. She wished to know how food security was guaranteed in the light of rising inflation, particularly in poorer regions; what measures had been adopted to mitigate droughts, heatwaves and bankruptcy among small-scale farmers owing to climate change and the overuse of pesticides; and, in the light of the State party's ageing population, how older adults' pensions and incomes were secured. She would welcome an analysis of the reasons for the increased involvement of the private sector in the health-care system and whether those reasons included insufficient resources in the public sector. Lastly, it would be useful to hear how the backlog of medical procedures that had been postponed during the COVID-19 pandemic was being addressed, whether the pandemic's impact on mental health had been

analysed and what the international community could learn from the State party's experiences of the pandemic.

27. **Mr. Uprimny** said that, although the State party had adopted commendable policies to address drug use, its high rates of HIV and hepatitis C infection among persons who injected drugs suggested shortcomings in its approach. He wished to know how the large regional disparities in the availability of harm reduction programmes was being addressed, and whether the State party planned to remove administrative sanctions for drug use, which appeared to discourage persons who used drugs from accessing the programmes.

28. **Ms. Shin** said that the State party's low fertility rate suggested an unsustainable imbalance in the working and home lives of women, who often provided unpaid care for children and older family members. Noting that women, as well as migrant workers, were overrepresented in underpaid work providing care to older adults, she said there was a need for a fundamental shift in gender roles; was the State party planning to take steps in that regard and how was it addressing the problems caused by its ageing population?

29. **Mr. Windfuhr** (Country Task Force) said that it would be interesting to know how it had been decided who should receive treatment for COVID-19 during the pandemic; whether the State party planned to develop a structure for climate change adaptation policies; what lessons had been learned during the recent drought; whether sugary and other unhealthy foods were, or would be, subject to a special value added tax regime; and whether children were required to take exercise at school.

30. **Mr. Hennebel** said that he would like to know what lessons the State party had drawn from the decision of the European Court of Human Rights in the case of *Darboe and Camara v. Italy*, in which a minor seeking asylum had been placed in adult accommodation facilities. The Committee had received numerous individual communications alleging violations by the State party of the right to housing under article 11 of the Covenant, and it would be interesting to hear whether the Government had identified a structural problem in that regard; if so, what measures had been adopted to address it?

31. He also wished to know the legal status of interim measures requested by the Committee and the positions of the executive and the judiciary towards them, particularly whether they were respected in line with the State party's international obligations. Similarly, he would like to know the legal status of the Committee's concluding observations and whether a mechanism existed to implement its recommendations.

32. **A representative of Italy** said that mental health services were available through local health units, with doctors, psychiatrists, social workers and nurses providing assistance, care and counselling. Additional funds had been allocated to psychological support services in the aftermath of the COVID-19 pandemic, raising the budget from €10 million to €25 million per year, and an extra €60 million had been allocated to strengthen the Department of Mental Health and reduce hospitalization rates for psychiatric patients. A survey had been conducted to assess the impact of the COVID-19 pandemic in national health institutions.

33. The Ministry of Health was supported by an agency for regional services in ensuring equality of service provision throughout the country. In 2017, a fund of €200 million had been established to update units offering essential medical services. Following the COVID-19 pandemic, fees for non-hospital examinations had been abolished to improve access to health care.

34. **A representative of Italy** said that, under the National Prevention Plan 2020–2025, all regions were required to improve their services for drug users. Counselling was provided and information was disseminated on how to avoid diseases linked to drug use, including HIV and hepatitis C; drug-injecting equipment was available at certain centres; and efforts were being made to address regional disparities.

35. **A representative of Italy** said that women could lodge any complaints regarding their right to access to abortion with the regional authorities and the Ministry of Health, which monitored such communications and held technical consultations with the regions.

36. **A representative of Italy** said that steps had been taken to improve women's work-life balance. The minimum length of paternity leave was 10 days. The total length of parental

leave for single parents had been extended to 11 months, with the possibility of requesting a further 3 months, during which the payment of 30 per cent of the salary would be guaranteed.

37. Legislation had been adopted in 2016 on unaccompanied minors in the context of migration, providing for a reception system that covered all the necessary services to ensure that the best interests of the child were respected. An information system had been established to monitor the situation of unaccompanied minors in the country and better manage their registration. New guidance had been published on the adoption of unaccompanied minors and the services available to them.

38. **A representative of Italy** said that his country had ratified the Convention on the Rights of Persons with Disabilities in 2009 and subsequently enshrined in law the definition of disability given in the Convention. Legislation enacted in 2021 provided for better integration of that definition, with a view to the more effective assessment of, and tailoring of services to, the needs of persons with disabilities, which involved several different authorities. When the COVID-19 vaccination campaign had begun in Italy, persons with disabilities and their caregivers had been in the priority group given immediate access to vaccines.

39. **A representative of Italy** said that €15 million had been allocated to counteracting organized crime as part of a plan that included the provision of housing to women victims of violence. An inter-ministerial unit on housing policy and a national observatory on housing conditions had been established to gather data and assess the situation in the country with respect to housing, including evictions.

40. **A representative of Italy** said that, since 2020, the National Institute of Statistics had monitored public health through quarterly surveys that covered daily habits, health status, employment situation and changes resulting from the COVID-19 pandemic.

41. There had been a significant decrease in the use of fertilizers and pesticides in the country, especially those containing ammonia, since the adoption of Directive 2009/128/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for Community action to achieve the sustainable use of pesticides. At the same time, there had been an increase in the use of organic and other alternative farming practices.

42. **A representative of Italy** said that a national plan on family policy, informed by a comprehensive demographic survey of the population, had been published, indicating the priorities, objectives and actions to be taken throughout the country, notably in the light of the country's low birth rate. The plan covered general parenting, work-life balance, family dynamics and intergenerational relations, including care for older people. It included information on the actors responsible for implementing the different objectives and the availability of financial resources.

43. **Mr. Caunhye** (Country Task Force) said that he would like the delegation to provide more information regarding the implementation and practical impact of the different measures taken to implement the Covenant. In particular, he would appreciate updated statistics, disaggregated by age, sex, region and ethnic origin, on school completion and enrolment rates at the primary and secondary levels. He would be interested to learn about the impact of the measures taken to reduce the school dropout rate, especially at the primary level, and the low enrolment rates for early years education in the south of the country. He wondered whether measures had been taken to ensure unhindered and equal access to education for asylum-seekers, refugees and unaccompanied minors and for unrecognized stateless persons to enrol in higher education and sit examinations. What specific steps had been taken to address any of the adverse affects of the COVID-19 pandemic on the education system, especially with regard to attendance rates, academic performance and the quality of education?

44. He would welcome information on the progress achieved towards the integration and inclusion of Roma, Sinti and Traveller children in the education system and their school enrolment and completion rates at primary and secondary level and in vocational training. In the light of reports that there was a growing climate of intolerance, discrimination and violence towards Roma people, migrants, refugees and ethnic minorities, he would like to know what measures had been taken to deal effectively with hate speech within the education

system. It would also be useful to understand how lesbian, gay, bisexual, transgender and intersex students were protected from all forms of bullying and discrimination in schools and education institutions.

45. He would welcome up-to-date statistics, disaggregated by sex, ethnic origin and region, on the number and percentage of students who had completed tertiary education over the previous three years. It would be interesting to learn what measures has been taken to improve access to tertiary education, particularly for male students, students in the south of the country and vulnerable groups, including migrants, asylum-seekers and unrecognized stateless people.

46. He would appreciate updated statistics on the progress made over the previous three years to improve inclusive education with a view to integrating children with disabilities into the mainstream school system and the measures taken to increase their completion rates at secondary and tertiary levels.

47. Information would be welcome on the measures in place to ensure the non-discriminatory recognition of all religious denominations, in line with the Italian Constitution. He would also like to know what procedures were in place for the timely recognition of the legal personality of religious entities and the conclusion of agreements between the State party and religious denominations.

48. With regard to cultural diversity, he would like the delegation to provide detailed information on the steps taken to ensure that children from ethnic minority groups could preserve their linguistic traditions and speak their mother tongue, including information on any multilingual education programmes, the status of minority language education and the number of children receiving such education. He wondered how the availability and quality of teachers for such programmes was ensured. It would also be interesting to learn whether any progress had been made towards reflecting the State party's cultural and linguistic diversity in the mainstream media. He would like to know the outcomes of the steps taken to guarantee equal rights and access to cultural activities to people whose mother tongue was not Italian. Had any concrete measures been taken to preserve the cultural and linguistic identity of those groups?

49. Given that the Committee had previously raised concerns about Act No. 40/2004 on medically assisted reproduction, he would like to know whether any steps had been taken to examine and review the Act to ensure that it was compatible with article 15 of the Covenant. It would be useful to learn whether the State party was planning any measures to allow research on supernumerary embryos that were not suitable for reproductive purposes.

50. Information would be welcome on any measures taken or progress made in improving access to the Internet for marginalized and disadvantaged populations, particularly in more remote areas. He would be interested to learn about any concrete steps taken to promote digital education for vulnerable groups, including persons with disabilities, older persons, migrants, asylum-seekers, low-income groups and unemployed persons.

*The meeting was suspended at 12.10 p.m. and resumed at 12.15 p.m.*

51. **A representative of Italy** said that school canteens were run by local authorities and a range of initiatives had been launched to improve the provision of fresh fruit and reduce the consumption of unhealthy food. The Ministry of Education had provided local authorities with the relevant guidelines.

52. The 2020 school dropout rate of 14.5 per cent concerned students aged from 18 to 24 years. At the secondary level, the dropout rate was 3.8 per cent.

53. There had been an improvement in the educational integration and inclusion of migrant children. The school attendance rate was 100 per cent for migrant students aged up to 14 years and 94 per cent for those aged 14 to 16 years. The rate of immigration had increased significantly since 1990: at that time, there had been 5,000 foreign national students in the country, but that figure had risen to more than 86,000 in 2022. Some 18,000 unaccompanied minors had arrived in Italy in 2022, 6,000 of them from Ukraine. As a result, integration policies had been updated. An integration plan had been adopted for the period 2021–2027 with a budget of €70 million. Italian language programmes were in place to

promote integration. The migrant population in Italy was very diverse, which made it difficult to provide education in languages other than Italian. However, teaching methods included an element of cultural exchange, and cooperation programmes were in place at the local level with cultural associations to promote cultural exchange.

54. Efforts were being made to eliminate hate speech and young people were very active in that area. In 2022, a workshop would be held on Lampedusa with schoolchildren from 13 different European countries on combatting hate speech.

55. **A representative of Italy** said that the completion rate for tertiary education had increased in 2019 compared to previous years. Many women held degrees in science, technology, engineering, and mathematics.

56. In 2020, around 50 per cent of schools had been able to provide distance learning facilities for their pupils. Since then, there had been a significant improvement and in 2022 only 1 per cent of schools did not offer distance learning. While limited access to online learning had led to the exclusion of some children with disabilities from the education system in 2019 and 2020, the situation had significantly improved since then. Personal computers and tablets had been provided to some pupils, but difficulties remained in the southern regions of the country and among migrants living in challenging socioeconomic conditions.

57. While foreign national students tended to have lower academic performance, many had greatly improved their Italian language skills, which was fundamental for integration. Three out of every four foreign national students reported that they were able to read and speak Italian very well.

58. **A representative of Italy** said that the right to health and education was guaranteed for all in his country, regardless of immigration status. Two million euros had been allocated to schools to improve access to the Internet. During the COVID-19 pandemic, SIM cards had been provided to vulnerable families to guarantee their access to the Internet and vulnerable students had been given devices with Internet access.

59. All students with disabilities had a supporting teacher or teaching assistant. Parents of children with disabilities could take time off work each month to support their children. Assistive devices were free of charge. Schools were allocated an extra €80,000 annually for each pupil with disabilities enrolled.

60. **A representative of Italy** said that programmes were underway in 119 schools throughout the country to improve the educational inclusion of Roma, Sinti and Traveller children and reduce their dropout rate; some 700 children had already benefited from the programmes. School enrolment rates had improved and dropout rates had fallen. Academic results had also improved for those groups in both primary and secondary education.

61. **A representative of Italy** said that, under the Constitution, religious plurality was guaranteed, and religious entities could regulate their internal operations. In order to gain legal recognition, new religious institutions had to have statutes with objectives in the public interest. The authorities were currently considering the recognition of several entities, including the Evangelical Church.

62. **A representative of Italy** said that the Ministry of Health submitted a report to Parliament each year concerning medically assisted reproduction and the activities of the centres offering such services.

63. **A representative of Italy** said that cultural mediation was promoted at the local level to help overcome differences in the local community. A curriculum had been developed to provide training for cultural mediators and a national list of trained mediators would be established.

64. **A representative of Italy** said that the aim of the National Anti-Racial Discrimination Office was to eliminate all types of discrimination, including by monitoring respect for the rights enshrined in the Covenant. A range of measures had been undertaken over a period of several years to combat hate speech online. The authorities had worked with major social media providers such as Facebook on that issue. Education, training and information campaigns had been launched to address discrimination against Roma, Sinti and Traveller people.



65. **Mr. Caunhye** said that the incompatibility of Act No. 40 of 2004 with article 15 of the Covenant was of great concern to the Committee and he would appreciate the delegation's comments in that regard.

66. Information would be welcome on the percentage of students, especially those from vulnerable and marginalized groups, who had completed tertiary education. He also wished to know what measures had been taken to ensure that inclusive education was available for children with disabilities in the mainstream school system to avoid their segregation. Had any steps had been taken to increase the secondary and tertiary education completion rates of persons with disabilities?

67. With regard to school dropout, he wished to know if any concrete steps had been taken to identify children of compulsory school age who were not in school and to integrate them into the education system. He would welcome detailed information on the measures taken to address the adverse effects of the COVID-19 pandemic on the education system in terms of attendance, performance and restrictions. He would be interested to learn whether any other measures were in place in schools to afford full protection to lesbian, gay, bisexual, transgender and intersex students from any form of harassment.

68. It would be useful to learn whether any action had been taken to reflect the cultural and linguistic diversity of the State party in the media. Had any concrete steps been taken to protect, preserve and promote the language and culture of people whose mother tongue was not Italian?

69. **Mr. Petri** (Italy) said that there had been no segregation in the Italian education system since 1977.

70. **A representative of Italy** said that 2 per cent of students in Italian universities were persons with disabilities. There were national guidelines to prevent all types of discrimination in schools, including against lesbian, gay, bisexual, transgender and intersex students, and all schools had a contact point for reporting any cases of discrimination.

71. **Ms. Saran**, thanking the delegation for their detailed responses, said that it would be interesting to learn how often the Covenant was invoked in the State party. Given that the topic of communications had come up twice during the constructive dialogue, the State party was encouraged to make contact with the Working Group on Communications with a view to gaining a greater understanding of those issues.

*The meeting rose at 1.05 p.m.*