



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women Eighty-seventh session

Summary record of the 2036th meeting

Held at the Palais des Nations, Geneva, on Thursday, 1 February 2024, at 3 p.m.

Chair: Ms. Peláez Narváez

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Eighth periodic report of Italy (continued) (CEDAW/C/ITA/8;
CEDAW/C/ITA/QPR/8)

1. *At the invitation of the Chair, the delegation of Italy joined the meeting.*

Articles 7–9

2. **A representative of Italy** said that there had been slight increases in the number of women on the boards of directors of listed companies, in decision-making bodies and in other high-level institutions, including the courts, where just over 20 per cent of staff were women. At the Ministry of Justice, women now represented almost 50 per cent of senior managerial staff. While the number of women in senior roles at the Ministry of the Interior had not significantly changed, there had been more women of a younger age in those roles. More than 50 per cent of magistrates were women. The Ministry of the Interior had signed a memorandum of understanding with the Office of the United Nations High Commissioner for Refugees with the aim of facilitating the granting of nationality to stateless persons.

3. **A representative of Italy** said that there was substantial public funding aimed at eliminating the gender gap in the labour market and that the Government now had plans to involve civil society in further financing and implementation of measures, including training programmes and specific events intended to help close the gender gap.

Articles 10–14

4. **Ms. Akia** said that she would like to know whether there had been an evaluation of the 2021–2023 initiative under the National Strategy on Gender Equality aimed at combating all forms of violence and discrimination. What had been its impact, and had any further action been identified? She wondered whether any measures were in place to update school textbooks and curricula on the topics of equality, non-discrimination and respect for dignity. She wished to know what measures could be taken to bridge the gender gap in science, technology, engineering and mathematics (STEM) subjects; whether the emergency measures implemented during the coronavirus disease (COVID-19) pandemic to support early childhood education were being incorporated in a general policy; and whether marginalized populations, in particular Roma, migrant and refugee children and women and girls with disabilities, had been more effectively included in the education system. The Committee would like to know whether any action was being taken to increase the number of women university professors.

5. **Ms. Stott Despoja** said that she would like to know whether there were any plans to address the social stigmas faced by women in the workforce, especially those with children. She would appreciate it if the delegation could provide examples of programmes targeting regional disparities in women's access to paid employment. She wondered whether there were any plans to increase the accessibility of childcare services and to create paid employment opportunities for women, particularly those struggling to re-enter the workforce after periods of stay-at-home motherhood. The Committee had received reports of reductions in childcare services and funding for local municipalities. It would thus like to know how the State party planned to achieve its objectives for gender equality in childcare facilities. She was keen to know whether there were any plans to extend paternity leave past 10 days; to address stereotypes that deterred fathers from sharing parental responsibilities and taking longer paid leave; and to reintroduce legislation that afforded parents the right to work remotely so as to encourage a more equal division of parental responsibilities.

6. She wondered whether any measures specific to the development of artificial intelligence had been implemented to reduce the gender gap, both in the strategic programme on artificial intelligence for 2022–2024 and more broadly in the digital innovation ecosystem. The Committee would like to know how data on sexual harassment in the workplace were collected and interpreted. What social and educational measures were in place to support survivors of sexual harassment and to encourage them to report such offences?

7. **A representative of Italy** said that the Government had successfully reduced the gender gap in various STEM subjects. However, female students were still underrepresented in some technology-related subjects. Pupils of both sexes were encouraged to compete at all levels and in all subjects. Information was not yet available on the outcomes of more recent measures taken by the Ministry of Education, such as the allocation of €600 million to address the gender gap, encouragement of female students to improve their digital skills and a new approach to support STEM disciplines across all school levels and types. To tackle gender stereotypes, guidelines had been issued specifically calling for 30 hours of mandatory STEM orientation sessions in schools, along with 30 hours to be integrated into existing classes. Some €150 million had been allotted to train school staff in ways of supporting students in the STEM subjects. A new platform made it possible to share information between students, teachers and families on school curricula, training opportunities and the right to equal remuneration. A pilot technical and digital skills pathway for schools was in its first year of implementation. The pathway lasted four years rather than the usual five, and networking opportunities had been created for schools implementing it.

8. Special attention was being paid to combating gender-based violence in the economy and in financial services. Financial education had been added to mandatory civics courses in schools. Approximately €40 million a year was allocated for scholarships for disadvantaged pupils, and €133 million per year was dedicated to funding for the purchase of school textbooks. In accordance with regulations relating to academic freedom, the Ministry of Education did not interfere in the production of school textbooks, except to ensure minimum standards and remove factual errors. Teachers could use alternative textbooks, in agreement with students' families and other teaching staff, and they were allowed to use ad hoc texts that complied with the minimum standards. While sex education was not compulsory in schools, aspects of that topic were conveyed through science lessons and were included in certain textbooks. A project begun in November 2023 aimed to make the teaching of civics mandatory.

9. **A representative of Italy** said that a decree-law based on a European Union directive on work-life balance was aimed at ensuring the equal sharing of parental roles and provided for nine months of paternity leave.

10. **A representative of Italy** said that under decree-laws, persons with disabilities were guaranteed access to education and certain children with disabilities received support from assistants or intendants in school. Individualized plans addressed the needs of children with disabilities, and certain classrooms had specific measures to ensure their inclusion.

11. **A representative of Italy** said that guidelines had been adopted to improve the inclusion of persons with disabilities in the workplace. The Code of Equal Opportunities between Men and Women had recently been amended to include new definitions of direct and indirect discrimination and sexual harassment. The prohibition of discrimination in the workplace covered hiring practices, thus addressing the question of equal access to the labour market. To prevent discrimination against women, the amendments provided for specific measures, for example to raise awareness, and obliged employers to create favourable working conditions. The Code now also prohibited retaliatory actions such as penalties, transfers or dismissals against workers who reported sexual harassment.

12. **Ms. Akia** said that she would be interested to know whether the Government had evaluated its education policies, strategies and curricula, including in the area of sexuality education, with a view to addressing gaps in access to certain subjects.

13. **Ms. Stott Despoja** said that she would be interested to know what percentage of fathers took paternity leave and whether the Government planned to increase the period of compulsory paternity leave, which currently stood at 10 days. She was also curious to know whether the Government provided incentives for employers to encourage fathers to take advantage of parental leave.

14. **The Chair** said that most persons in situations of dependence were cared for by women and that the caregivers had particularly low incomes and relatively small pension contributions. She wondered what steps the State party had taken to protect the well-being of women who were caregivers.

15. **A representative of Italy** said that in 2022 a legislative decree had established sanctions for employers who did not respect the right to parental leave. The Government had taken steps to support caregivers, who in principle were entitled to three days of leave per month to care for persons with disabilities. Given that such leave was often taken by the mother of a person with a disability, the law had been amended so that the leave could be taken by a different member of the household, with a view to alleviating the care burden shouldered by women.

16. **A representative of Italy** said that statistics from the National Institute of Statistics suggested that the efforts of the Ministry of Education to combat gender-based stereotypes and violence in the school environment were bearing fruit. The Ministry of Education, the Ministry of Family, Natality and Equal Opportunities and the Ministry of Culture had signed a memorandum of understanding to develop further prevention initiatives in that area.

17. **A representative of Italy** said that the National Institute of Statistics had been monitoring data on sexual harassment in the workplace for many years. In 2023, it had initiated a study on that subject, in accordance guidance issued by Eurostat and the International Labour Organization. Its findings would be published in April 2024.

18. **Ms. Tisheva** said that the Committee had observed that there had been important improvements in the health of women in Italy, but it still had significant concerns about the realization by women of their right to health – in particular, their equal access to specific reproductive rights – and the persistence of inequalities related to their social and economic status. She wished to know what measures the State party had taken to address regional disparities in access to health-care services and to reproductive rights, especially for women from vulnerable groups. She would be interested to know what indicators the Government used to monitor and assess the accessibility and quality of health services, including antenatal and postnatal care and safe abortion and post-abortion care. Did the State party ensure that women and girls had access to modern contraceptives? What plans were being implemented to improve such access?

19. The Committee was concerned about a regression in recent years of the guarantees of the right to safe abortion. Although the right to terminate a pregnancy had been recognized since 1978, the Committee was of the view that the obstacles encountered by women were such that it was no longer ensured in Italy. Such obstacles included the high proportion of physicians who were conscientious objectors; a waiting period of between two and four weeks to access abortion; the unavailability of sufficient information about the procedure; and the fact that the procedure was not available in hospitals in some parts of the country. She would be interested to know when the State party would revise its law on conscientious objection, establish a public register of health professionals who were conscientious objectors and adopt a transparent procedure for exercising conscientious objection, with a mandatory referral system for hospitals and practitioners. She wished to know whether the Government intended to publish clear information on the facilities and practitioners that offered abortions and on the procedure itself, in line with the World Health Organization abortion care guideline. Did it intend to further develop and fund family counselling centres and increase the services that they provided? What had been done to protect women who exercised their right to safe abortion from defamation, victimization and harassment, including attacks by members of the anti-choice movement? What legal and policy measures would the Government take to stop initiatives that threatened the rights and freedoms of women and to prosecute and hold accountable the perpetrators of such harassment?

20. The Committee was concerned that women and girls with disabilities, especially those who had intellectual or psychosocial disabilities, those who were deafblind, those who had multiple disabilities and those who lived in institutional settings, had unmet health needs. She would appreciate information on any measures, such as the adoption of protocols and guidelines, that had been taken to ensure that women and girls with disabilities had access to reproductive rights and services. It would be interesting to know whether any research had been done on the health needs of women and girls with disabilities, including research on violations of their rights, such as forced sterilization.

21. **Ms. Bonifaz Alfonso** said that the COVID-19 pandemic had revealed structural inequalities between men and women, as during the pandemic women more likely than men

to lose their jobs and be forced to turn to informal or unpaid work. She wished to know whether the State party had measured the impact of the National Recovery and Resilience Plan from a gender perspective and what specific steps it planned in order to close gender gaps.

22. Noting that the Government had allocated €40 million to support women's entrepreneurship, she said that she would like to know whether more funds might be channelled in that direction and whether there were any programmes that provided training and credit for female entrepreneurs. She wondered whether anything was being done to improve the opportunities available to migrant women, many of whom were living in precarious conditions.

23. The Committee would be interested to know what the State party was doing to remove barriers to the economic advancement of women with disabilities, who were at greater risk of poverty and dependence on others. Did the State party intend to design specific programmes for women with disabilities? Would the Government provide support for them not only for businesses in sectors traditionally dominated by women, such as the care sector, but also for businesses that operated in high technology sectors and in the digital economy?

24. **A representative of Italy** said that the aim of the national Equity in Health programme, funded by the Government and the European Union, was to facilitate access to health care in seven less developed regions in the south of Italy. The programme had a budget of €625 million and four main priorities, one of which related to gender. The National Recovery and Resilience Plan included a component on health, under which an information system would be introduced to enable the assessment of health-care services and ensure that they were of equal quality throughout the country.

25. In relation to abortion, an epidemiological surveillance system had been in place since 1980 and annual reports were submitted to the Parliament, most recently in 2021. Waiting times for abortion had been reduced. However, as the Committee had recognized, many gynaecologists conscientiously objected to the procedure, and owing to the high prevalence of conscientious objection, some clinics struggled to provide abortion services. Another problem was that the Government's guidelines on drug-based termination of pregnancy were not uniformly applied. In 2022, the Ministry of Health had funded a project, through the National Centre for Disease Prevention and Control, to improve the dissemination of information on abortion services. Under the project, which would run until April 2025, training workshops would be held in all regions in order to address information gaps. As a result of successive changes in the law, emergency contraception was now more widely available and could be obtained without a prescription.

26. **A representative of Italy** said that an amended law on disability had recently been adopted and published in the Official Gazette. A legislative decree issued in 2023 provided for better inclusion and accessibility in a range of public services, including health-care services, thus inter alia improving gynaecological services for women with disabilities.

27. **A representative of Italy** said that the Government expected the new legislation to deliver improvements in the health care available to women with disabilities. It was also envisaged that health-care professionals would receive training in the use of plain language in order to better be able to inform and advise women with disabilities about their bodies and the health services available to them.

28. **A representative of Italy** said that, to promote access to health-care services for migrant women, the Ministry of Health had worked with the Ministry of the Interior to develop the National Integration Plan for Beneficiaries of International Protection and had drafted chapters on the right to health and the specific needs of migrant women. In 2023, the Government had published a handbook on the identification, referral and care of vulnerable persons within the reception system.

29. **A representative of Italy** said that the Government was well aware that women had been hard hit by the COVID-19 pandemic, particularly in terms of their participation in the labour market. For that reason, the National Recovery and Resilience Plan included specific measures on gender equality, which was a cross-cutting priority. Significant resources had been allocated to gender equality issues. The figure of €40 million referred to the amount set

aside for women's entrepreneurship in the 2021 Budget Law. However, since the adoption of that law, the Government had set up the Women's Entrepreneurship Fund, with a budget of some €400 million. The Government aimed to guarantee equal opportunities for women and men through structural reforms and investment. It took measures to promote gender equality in areas such as digitalization, innovation, competitiveness, culture and tourism, the ecological transition, transport and public housing.

30. **A representative of Italy** said that the Ministry of Labour and the Ministry of Agriculture had promoted the Women in the Field initiative as part of a national strategy. In the previous budget cycle, more than €195 million had been devoted to programmes for women's inclusion. The Government was monitoring and evaluating the outcomes of those programmes, considering that women who worked in agriculture were particularly vulnerable to labour and sexual exploitation and that there was a need for data on their situation. Working with the National Association of Italian Municipalities, the Government had drawn up a map of informal settlements of farm workers, which had revealed that about 18,000 migrant workers lived in such settlements. However, it was difficult to estimate what proportion of them were women. Under the National Recovery and Resilience Plan, €200 million would be allocated to address the problem of informal settlements. Guidelines on the living standards of farm workers, which were due to be published in March 2024, would devote full attention to the specific conditions of migrant women.

31. **A representative of Italy** said that the decrees to be approved by June 2024 would be important for people with disabilities. Consideration would also need to be given to the introduction of personalized programmes to protect people with disabilities and allow them to have access to the labour market.

32. **A representative of Italy** said that a decree issued in May 2023 included measures to improve access to the labour market for persons with disabilities, for example by enhancing inclusiveness and work opportunities in voluntary associations and civil society. There were special provisions for persons with disabilities aged up to 35. Under other legislation, 3 per cent of the funds available for labour market inclusion would be allocated to specific measures in favour of workers with disabilities.

33. **A representative of Italy** said that one of the instruments for the promotion of women entrepreneurs was the Special Section of the Central Guarantee Fund for Small and Medium-sized Enterprises. Originally set up in 2013 by a memorandum of understanding between the Ministry of Finance and the Ministry of Economic Development (the predecessor of the Ministry of Enterprises and Made in Italy), the fund had recently been refinanced with an injection of €6.5 million, bringing it up to €56 million in total.

34. **Ms. de Silva de Alwis** said that, although amendments to the Code of Equal Opportunities between Men and Women had broadened the Code's definition of discrimination, it still did not cover discrimination based on disability, sexual identity or migrant status and did not protect women living in rural areas or Roma women. Would the State party consider including intersectionality in the Code?

35. Poverty was to be a major theme in 2024 in the Commission on the Status of Women. How would the State party tackle the alleviation of poverty for women in rural areas, including older women?

36. In the context of the Cartabia reform of the justice system, and given that Italian prisons housing women had been modelled on men's detention facilities, the Committee would be interested to know how the State party made use of the guidance provided by the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) in order to address the practical issues arising out of that legacy. She would like to know whether women in the criminal justice system had access to justice and legal counsel.

37. In respect of extraterritorial jurisdiction, she recalled that the Committee, in its general recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations, had reaffirmed the complementarity between the Convention and international law, including the Rome Statute of the International Criminal Court. Unlike Italy, most European countries had already incorporated the core crimes under the Statute into the domestic legal

order. She noted that a bill on crimes against humanity had recently been submitted to the Parliament. Would the State party consider including in that bill an expansion of the State's universal jurisdiction to cover crimes of gender persecution committed against the most vulnerable women in other jurisdictions?

38. She would appreciate the delegation's comments on the State party's extraterritorial obligations with regard to the arms trade and on its impact on violence perpetrated in armed conflict against women. There had been calls in recent years at both the national and international levels to cease transferring arms to parties in armed conflict. She would like to know whether the State party applied the advice contained in general recommendation 30, the women and peace and security agenda and United Nations Security Council resolution 2467 (2019) on strengthening justice and accountability and calling for a survivor-centred approach in the prevention and response to conflict-related sexual violence.

39. The State party had carried out a groundbreaking reform of the Constitution to include provisions protecting the environment, biodiversity and ecosystems in the interests of future generations. Did the delegation have any information on plans to incorporate into the domestic legal order the provisions of the Committee's general recommendation No. 37 on the gender-related dimensions of disaster risk reduction and on the leadership role of women in mitigating the adverse effects of climate change? Italy had been one of the biggest contributors to the loss and damage fund set up at the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change to assist particularly vulnerable developing countries. What strategic policies did the Government plan to adopt for women and girls as agents of change?

Articles 15 and 16

40. **Ms. Manalo** said that she wished to know how the Cartabia judicial reform process, which aimed at expediting proceedings, had impacted the safeguarding of women against domestic violence during legal proceedings related to family law. The Committee would like to know whether the 90 per cent rate of awarding joint custody of children referred to physical custody or legal custody. If it referred to joint physical custody, were fathers expected by law to provide 50 per cent of care? If so, she would be interested to know how that requirement could be reconciled with the gendered division of labour, whereby women spent 2.4 times more time than men on domestic work and as caregivers. Had any studies been conducted into the impact of the joint custody reform on children's well-being?

41. The Committee had received reports that Italian courts had a tendency to consider a mother who had suffered violence to be unfit to retain custody of her child. In that context, she invited the delegation to comment on those reports and said she would also like to know whether joint physical custody was awarded in cases involving domestic violence. Were judicial and other officials involved in proceedings related to family law regularly required to undergo training on domestic violence?

42. She wondered whether courts and services dealing with family cases in which there were indications of domestic violence applied risk assessment procedures and whether mediation was imposed in such cases. She noted that no data were available on the use of funds allocated by the Ministry of Justice to carry out research into the economic consequences of divorce where there was an income differential between spouses. She would welcome a description of the State party's efforts to ensure that child maintenance was actually paid by the father. Was there a mechanism whereby the State could pay maintenance and then sue the father for reimbursement?

43. She would like to know whether the enforcement of laws criminalizing forced marriage had been evaluated and whether there was any indication that the practice was on the decline. What other measures were in place to prevent early and forced marriage?

44. Women were more likely than men to rely on legal aid in separation and divorce proceedings. Bearing in mind the unavailability of statistics or analysis on recourse to legal aid, lawyers' remuneration and their overall impact on women, the Committee would like to find out if the State party planned to carry out any studies in that field. Were there plans to better compensate legal aid lawyers for their services in order to guarantee women's rights to quality counselling and representation in family matters? She would like to know whether

family policies explicitly referred to the status of unmarried women and what was holding up approval of the reform of the law regarding the choice of surname for children.

45. **A representative of Italy** said that, of a total prison population of 60,000, only 2,500 prisoners were women, but in recent years greater attention had been paid to women and their well-being, for example through the provision of specific services. In the biggest women's facility, which held 500 women, the atmosphere was clearly different from that in men's prisons. The number of women with children in prisons, currently numbering 18, had constantly been declining. They lived in a special detached unit, not the main prison, with a kitchen and communal eating area, and were not obliged to wear prison uniforms. In all, there were nine childcare facilities within prisons, including separate sections in larger prisons for men who had families with small children.

46. **A representative of Italy** said that, since the Cartabia justice system reforms had entered into force only recently, no relevant statistical data were available on their impact on the expediting of legal proceedings. One component of the reform was a new provision to protect women victims of violence. If a woman bringing a legal complaint stated that she had been a victim of violence, specific protection procedures were automatically set in motion. Mediation, for example, was categorically ruled out. No reference could be made to such a procedure, either by the judge or by any of the parties.

47. In addition, judges were able to ensure that victims of violence were protected from close encounters with perpetrators. The judge continued to oversee the investigation and to access relevant evidence, as needed. In that context, it was important to note that judges in civil and criminal proceedings were permitted to share information, except where that had been specifically ruled out. The court could interview minors aged 12 and over. In such cases, the interview was recorded and the child was protected from contact with any other parties.

48. In family litigation, the court could order shared responsibility for maintenance, and a defaulting parent could be ordered from the outset to pay for childcare services without delay. In civil proceedings involving joint physical custody, the court could decide where the child was to live and ensure that the other parent had access to the child as a means of protecting both parties. Nothing could curtail the right of women victims of violence to see their children when joint custody had been awarded.

49. There was a good deal of jurisprudence concerning child support in the event of divorce. Clearly, the main aim was to support the parent who lacked sufficient financial resources, but the child support also represented compensation for the additional activities carried out by the recipient, who was most often a woman, thus ensuring that the person had a measure of autonomy. Under Italian law, children could take the surname of both parents, in any order.

50. **A representative of Italy** said that women who were victims of violence had access to free State legal aid regardless of their financial situation. In numerous regions there were information centres where members of the public seeking to clarify their entitlement to legal aid could consult legal experts and psychologists, in a multidisciplinary approach.

51. **A representative of Italy** said that no useful information on abortion was currently available but that the delegation would bear the questions posed by the Committee in mind for future dialogues.

52. **Ms. Bonifaz Alonzo** said that she would appreciate clarification about the programme and funds established by the State party in support of persons with disabilities. Firstly, she would like to know whether the programme covered all the country's regions. Secondly, she had received information that there had previously been four funds, but there was now only one, and that resources were diminishing. She would like to know to what extent the legislation guaranteed that jobs were available to persons with disabilities and how accessibility was guaranteed so that they could enjoy the right to health.

53. **Ms. Ameline** said that she would appreciate information on how the State party intended to guarantee the rights of migrants who were to be housed in Albania pending processing of their asylum applications.

54. **Mr. Petri** (Italy) said that he wished to thank the Committee members, country rapporteurs and secretariat, as well as all who had contributed to the smooth running of the meeting. Further information would be provided to the Committee in writing.

55. **The Chair** thanked the delegation for the very constructive dialogue, which had allowed Committee members to better appreciate the situation of women and girls in Italy.

The meeting rose at 5 p.m.