



## **Quality in Gender+ Equality Policies**

European Commission Sixth Framework Programme  
Integrated Project

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### **Context Study Italy**

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## DEFICIENCIES, DEVIATIONS AND INCONSISTENCIES IN EU AND MEMBER STATE'S GENDER+ EQUALITY POLICIES

### 1. 'Deficiencies, deviations and inconsistencies in EU and Member State's gender+ equality laws'

#### 1.1 Gender+ equality legislation

Please summarise the key developments, with dates, in gender equality law as provided by the governmental gender equality unit, i.e. list the legislation that the gender equality unit (or equivalent governmental body) name as (gender+) equality legislation. If important legislation seems to have been omitted by the authority, please comment on this.

One part of the Minister for Equal Opportunities' website is devoted to legislation under the title: "body of main national laws concerning rights and equal opportunities". Many pieces of laws are listed, among them a lot that are not directed specifically towards women and which do not contain any gender perspective. The laws listed below are those referring to the QUING period, with the exclusion of regulations that put into force previous legislation. Moreover, laws that aim at regulating the political system are excluded since it is not a topic for the QUING research project.

<b>Legislation</b>	<b>Year</b>	<b>Main provision(s)</b>
Law n. 66	1996	Norms against sexual violence
Nat. Directive 27th march (so-called Prodi-Finocchiaro)	1997	Actions aim at giving powers and responsibilities to women
Law n. 189	1998	Norms on the conditions of foreign citizens
Leg. Decree n. 532	1999	Dispositions on night work
Leg. Decree n. 61	2000	Part-time regulations
Law n. 53	2000	On compulsory maternity leave, creation of parental leave
Leg. Decree n. 196	2000	Institution of the councillor for equality at national, regional and provincial level
Law n. 154	2001	Measures against violence within familiar Relations
Law n. 40	2001	Alternative measures for imprisoned mothers to protect their relation to minor children
Pres. Decree n. 380, par. 82	2001	Elimination of architectonical barriers for Publicly accessible buildings
Leg. Decree n. 151	2001	Norms on parental leave, flexibility
Law n. 30	2003	Norms on flexibility of labour market
Leg. Decree n. 215	2003	Equal treatment independent of race and ethnic origin
Leg. Decree n. 216	2003	Equal treatment concerning work and working conditions

Law n. 228	2003	Measures against trafficking of persons
Min. Decree n. 275	2004	Norms on organisation and functioning of the National Commission on Equal Opportunities
Law n. 40	2004	Norms on medically assisted reproduction
Leg. Decree 198	2006	Equal Opportunities Code: systematisation of legislation
Law n. 67	2006	Measures for judicial protection of disabled victims of discrimination
Law n. 80	2006	Administrative simplification for disable persons
Law n. 54	2006	Dispositions on shared custody

### 1.2 EU Policy and Member State Law: Comparisons and Struggles <sup>1</sup>

#### Have there been disputes in your country over significant parts of EU Directives on gender?

Are there significant parts of EU Directives on gender equality that have not been implemented into national law? If some aspects are not transposed, what are they? Have there been disputes (1995-2007) between the EU and the country over transposition? Or within the country over this process? Or where local/national groups have gone direct to the EU? If so, what is the location of the dispute (e.g. intervention by Commission, Court of Justice; national court)? What was the outcome?

All these questions are very difficult to answer exactly, because the transposition process is so complex. EU Directives are transposed into member state legislation in very different ways using different procedures and different terminology and legal frames too. The aim is to collect all the information that is available already for your country in the table below, using secondary literature.

**Please fill in one table for each significant issue,**

**Please consider the following examples: include if relevant; omit if not; add any others that are relevant in your country. Examples:** equal pay & equal treatment; sexual harassment & discrimination; equality bodies; civil society involvement; parental leave and the organisation of working time (example provided).

Issue	Parental Leave
Has law been passed or changed prior to the Directive	No
Legislation transposing Directive	The Council Directive 92/85/EEC of 19.10.1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) was transposed by the legislative decree n.645 of 25.11.1996 (official journal n.299 of 21.12.1996) and then by the Ministerial Decree n.66 of 6.5.1997 (official journal n.187 of 12.8.1997) The Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC was transposed by law n.25/1999, Document B, art.1, paragraph 1 and 3 and also by law n. 53/2000, which modified law n. 1204/1971 on working mothers protection and aimed to balance working times, care times, formation times and relational times between mother and father.

<sup>1</sup> Directives: [http://ec.europa.eu/employment\\_social/gender\\_equality/legislation/legalacts\\_en.html](http://ec.europa.eu/employment_social/gender_equality/legislation/legalacts_en.html).

ECJ cases: [http://ec.europa.eu/employment\\_social/gender\\_equality/legislation/case\\_law\\_en.html](http://ec.europa.eu/employment_social/gender_equality/legislation/case_law_en.html); More info on transposition: [http://ec.europa.eu/employment\\_social/fundamental\\_rights/policy/aneval/legnet\\_en.htm#comp](http://ec.europa.eu/employment_social/fundamental_rights/policy/aneval/legnet_en.htm#comp).

<b>Does the country claim to have transposed the Directive?</b>	Yes
<b>Significant provisions that are mentioned by experts or political actors as not being transposed</b>	Trade unions raised some criticism regarding the exclusion of domestic workers and workers at home from the extension of optional parental leaves, and regarding the feasibility of implementation of the mechanisms for the Urban Planning Coordination.
<b>Important differences between law and Directive now?</b>	No information
<b>What is claimed to be better in law and since when?</b>	No information
<b>Content of dispute(s) + date</b>	The expansion of parental leave is criticized by employers' organisations. They have proposed a completely flexible model without any or short compulsory leave, referring to other EU states and defining rigid legislation as inconsistent with a changing labour market. On the opposite side, the three main Trade Unions have welcomed the new law.
<b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>	No information
<b>Parties to the dispute</b>	Main actors: civil society (trade unions, especially women's networks within them, women's politicians, feminists and employers' organisations), political parties (especially communist women's) and Minister of Equal Opportunities.
<b>Location or arena</b>	National context
<b>Outcome of the dispute</b>	Law n. 53/2000 was approved. It is considered a significant step ahead compared to the previous legislation and as one of the most advanced examples in Italy and worldwide, combining the principle of protecting maternity and its "social value" through a compulsory 5 months leave reserved to mothers and a more equal sharing of care responsibilities among men and women through optional parental leaves.
<b>Civil society engagement</b>	Main civil society actors in the debate were: women's politicians, feminists, trade unions, especially women's networks within them, and employers' organisations.
<b>Other notes</b>	

<b>Issue</b>	EQUAL PAY AND EQUAL TREATMENT
<b>Has law been passed or changed prior to the Directive</b>	The directive 79/7/EEC of 19.12.1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security and the Council directive 86/378/EEC of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes were not transposed because there was already a law (law n.903 of 9.12.1977 in official journal n.343 of 17.12.1977). The directive 97/80/EC of 15.12.1997 on the burden of proof in cases of discrimination based on sex was not transposed because there were already a conforming law (n.125 del 10.4.1991, Official Journal n.88 del 15.4.1991)
<b>Legislation transposing Directive</b>	In 1977 law n. 903 transposed two EU directives 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working

	<p>conditions and 75/117/EEC on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women.</p> <p>The directive 86/613/EEC of 11.12.1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood, was transposed by the law n.546, 29.12.1987 (official journal n.4 of 7.1.1988).</p> <p>The Council directive 96/97/EC of 20.12.996 amending directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes was transposed by the laws n.128 of 24.4.1998 and n.422 of 29.12.2000.</p> <p>The European directive n. 78/2000/EC implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation, currently called “directive other discriminations”, was transposed by the law n.39 of 1.3.2002 and by the legislative decree n. 216 09.7.2003.</p>
<b>Does the country claim to have transposed the Directive?</b>	Yes
<b>Significant provisions that are mentioned by experts or political actors as not being transposed</b>	<p>1) Law n. 903/1977 included an article (n. 5) contrasting the directive 76/207/EEC, because it prohibited female night work from 24 to 6. For this reason the Court of Justice of European Communities condemned Italy (1997).</p> <p>2) In 2003 Arcigay<sup>2</sup> claimed that the legislative decree n. 216 of 9.07.2003 upset the content of the European directive n. 78/2000 because it does not protect homosexual workers. Arcigay considered that the previous law was better than the new one.</p>
<b>Important differences between law and Directive now?</b>	No information
<b>What is claimed to be better in law and since when?</b>	No information
<b>Content of dispute(s) + date</b>	<p>1) Clash between Italian law and European directive</p> <p>2) Clash between Italian law and European directive</p>
<b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>	2) Sexual orientation
<b>Parties to the dispute</b>	<p>1) Italian Government, European Court of Justice</p> <p>2) Italian Government, Civil society</p>
<b>Location or arena</b>	<p>1) European court of justice</p> <p>2) National context</p>
<b>Outcome of the dispute</b>	1) After the European Court of Justice judgment Italy passed a law on night work (n. 25/1999).
<b>Civil society engagement</b>	2) LGBTQ organisations
<b>Other notes</b>	

<sup>2</sup> National NGO promoting gay rights.

<b>Issue</b>	<b>Discrimination</b>
<b>Has law been passed or changed prior to the Directive</b>	
<b>Legislation transposing Directive</b>	The European directive n. 43/2000/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin was transposed by the law n.39 of 1.3.2002, document B, art.1, paragraph 1 and 3, legislative decree n. 215 of 9.07.2003.
<b>Does the country claim to have transposed the Directive?</b>	Yes,
<b>Significant provisions that are mentioned by experts or political actors as not being transposed</b>	Gottardi <sup>3</sup> mentions that the following provisions are not been transposed: - positive actions; - the reverse of the burden of proof; - promotion of social dialogue Furthermore Gottardi <sup>4</sup> thinks that both the European directive n. 43/2000/EC and the legislative decree n. 215 clash with art. 12 of CE Treat and dump the concepts of nationality and ethnicity, because they exclude differences of treatment based on nationality and do not affect the norms concerning the entry and the residence of non European citizens into European territory.
<b>Important differences between law and Directive now?</b>	The legislative decree n. 215 of 9.07.2003 receives only partially the directive 43/2000/EC suggestions: - it delegates positive actions to a planned Office for the contrast of discriminations within the Department for equal opportunities; - it does not apply the reverse of the burden of proof; - it does not plan the social dialogue promotion; Neither the legislative decree n. 216 09.7.2003 receives the reverse of the burden of proof, the promotion of positive actions and the promotion of social dialogue with NGOs.
<b>What is claimed to be better in law and since when?</b>	Both the legislative decree n. 215 of 9.07.2003 and the legislative decree n. 216 09.7.2003 improve the directives 43/2000/EC and 78/2000/EC for what concerns the purpose of adopting the concept of multiple discriminations.
<b>Content of dispute(s) + date</b>	Discrimination of homosexuals, because the art. 6 of the legislative decree n. 216 09.7.2003 recognize the legality of exclusion from some kinds of jobs of people condemned for crimes concerning juvenile pornography and juvenile sexual freedom.
<b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>	Racial or ethnic origin, gender, religion or belief, disability, age and sexual orientation.
<b>Parties to the dispute</b>	Civil society: LGBTQ NGOs, scholars.
<b>Location or arena</b>	National context: civil society and academic discussion

<sup>3</sup> Gottardi D. (2003), *La trasposizione nel nostro ordinamento di due direttive in materia di discriminazioni*, [http://www.donatagottardi.net/archivio/scritti\\_main.htm](http://www.donatagottardi.net/archivio/scritti_main.htm) (accessed on 17/05/2008).

<sup>4</sup> Gottardi D. (2003), *Dalle discriminazioni di genere alle discriminazioni doppie o sovrapposte: le transizioni*, paper presentato al Convegno Nazionale Europeo "Che 'genere' di conciliazione? Famiglia, Lavoro e Genere: equilibri e squilibri".

<b>Outcome of the dispute</b>	
<b>Civil society engagement</b>	Civil society: LGBTQ NGOs, scholars.
<b>Other notes</b>	

<b>Issue</b>	<b>Organisation of working time</b>
<b>Has law been passed or changed prior to the Directive</b>	The law n. 863 of 1984, was the first rule on part-time work.
<b>Legislation transposing Directive</b>	The law n. 61 of the 25/02/2000 transposed the directive 97/81/CE on the framework agreement on part-time work concluded by UNICE, CEEP and CES.
<b>Does the country claim to have transposed the Directive?</b>	Yes
<b>Significant provisions that are mentioned by experts or political actors as not being transposed</b>	Some experts raised some critics to law transposing this directive, because it risks weakening worker protections and equal opportunities <sup>5</sup> .
<b>Important differences between law and Directive now?</b>	No information
<b>What is claimed to be better in law and since when?</b>	It is discussed. Some think that since the transposition of the directive the labour market has become more dynamic and female employment has increased, while others think that part-time reproduces gender inequalities, indeed there is a “female vocation” of this kind of contract <sup>6</sup> .
<b>Content of dispute(s) + date</b>	
<b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>	Class, Gender
<b>Parties to the dispute</b>	No information
<b>Location or arena</b>	No information
<b>Outcome of the dispute</b>	No information

<sup>5</sup> Scarponi S. (2004), *Il lavoro a tempo parziale*, WP C.S.D.L.E. “Massimo D’Antona”, [http://www.lex.unict.it/eurolabor/ricerca/wp/int/scarponi\\_n18-2004int.pdf](http://www.lex.unict.it/eurolabor/ricerca/wp/int/scarponi_n18-2004int.pdf)

<sup>6</sup> Manfredi A. M., Martello S. (2001), *Il part time: la direttiva comunitaria e la legge italiana*, [http://www.diritto.it/materiali/lavoro/manfredi\\_martello.html](http://www.diritto.it/materiali/lavoro/manfredi_martello.html); Zoppoli L. (2007), *Flexicurity e tutele del lavoro tipico e atipico*, WP C.S.D.L.E. “Massimo D’Antona”, [http://cedoc.sirio.regione.lazio.it/DOCUMENTI/07\\_31\\_5\\_MERCATO\\_DEL\\_LAVORO.pdf](http://cedoc.sirio.regione.lazio.it/DOCUMENTI/07_31_5_MERCATO_DEL_LAVORO.pdf)

<b>Civil society engagement</b>	No information
<b>Other notes</b>	

<b>Issue</b>	<b>Sexual harassment/discrimination</b>
<b>Has law been passed or changed prior to the Directive</b>	No
<b>Legislation transposing Directive</b>	The European directive 2002/73/CE on equal treatment between women and men for what concern the labour market access, work conditions, formation and professional promotion was transposed by the legislative decree n. 145 of 30.5.2005 (in official journal n. 173 of 27.07.2005). This legislative decree is important because it introduces the concept of harassment, sexual harassment and sexual blackmail.
<b>Does the country claim to have transposed the Directive?</b>	Yes
<b>Significant provisions that are mentioned by experts or political actors as not being transposed</b>	No information
<b>Important differences between law and Directive now?</b>	No information
<b>What is claimed to be better in law and since when?</b>	No information
<b>Content of dispute(s) + date</b>	No information
<b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>	No information
<b>Parties to the dispute</b>	No information
<b>Location or arena</b>	No information
<b>Outcome of the dispute</b>	No information
<b>Civil society engagement</b>	No information
<b>Other notes</b>	

<b>Issue</b>	<b>Equality bodies</b>
<b>Has law been passed or changed prior to the Directive</b>	Yes. See legislation on the creation of the Ministry for Equal Opportunities and Department for Equal Opportunities
<b>Legislation transposing Directive</b>	The racial equality directive n. 43/2000/EC was transposed by legislative decree n. 215 of 09.07.2003 and by the decree of 11.12.2003 in particular for what concerns the introduction of a body for the promotion of equality.
<b>Does the country claim to have transposed the Directive?</b>	Yes
<b>Significant provisions that are mentioned by experts or political actors as not being transposed</b>	No information
<b>Important differences between law and Directive now?</b>	No information
<b>What is claimed to be better in law and since when?</b>	No information
<b>Content of dispute(s) + date</b>	No information
<b>Has any other inequality been part of the transposition disputes? Which inequality axis?</b>	Race, ethnicity, gender
<b>Parties to the dispute</b>	No information
<b>Location or arena</b>	No information
<b>Outcome of the dispute</b>	No information
<b>Civil society engagement</b>	No information
<b>Other notes</b>	

**1.3 Do any aspects of domestic gender equality law surpass (are better, more extensive, or more developed than) or earlier than EU law?**

	EU			Country		
	Provision	Year	Notes	Provision	Year	Notes
<b>Maternity</b>	14 weeks	1996	Pay must not be less than wage during sickness leave.	5 weeks		80% of salary, in some cases 100%, period to be distributed after or before giving birth as mother wants
<b>Paternity</b>	Optional	1995		Optional	2000	Compulsory paternity leave in case of death or grave illness of mother, child abandonment by mother and exclusive father custody
<b>Parental</b>	3 months	1996	Unpaid	Optional	2000	Mother + father 11 months, paid 30%
<b>Duty on all public bodies to promote GE</b>	No	2004	Mainstreaming required by 2006	No	1997	Prodi – Finocchiaro national directive on gender mainstreaming
<b>Equalities body (employment)</b>	Yes	2002		Yes	1983	The Committee remains in office between 1983 and 1987, but then it stops its activities because the Ministers of Labour do not reconfirm the structure. In 1991 through law 125/1991 the Committee is reintroduced again within the Ministry of Labour.
<b>Equalities body (goods &amp; services)</b>	Yes	2004				
<b>Equalities body for promotion</b>	Yes	2006				
<b>Gender pay audits</b>	Not specified			There is no law, Experimental phase	Many municipalities started in 2001	Some public administration bodies, especially municipalities
<b>Gender Equality plan (employment)</b>	Yes	2002 /2006				

<b>Requires NGO dialogue to be encouraged</b>	Yes/no	2002	Dialogue			
<b>Positive action measures</b>	Yes/no	1975	Allowed, not required		1991	Concerning work. The law 125/1991 allows positive actions within the private sector, thus positive actions are optional and projects can receive funds. Concerning the public sector, positive actions are compulsory <sup>7</sup>
<b>Public bodies to promote racial equality</b>					2003	UNAR, Italian National Office against Racial Discrimination
<b>If there are no sanctions for violating the law, please state this</b>						
<b>Other:</b>						
<b>1.</b>						
<b>2.</b>						
<b>3.</b>						
<b>...</b>						

#### 1.4 Equality law on intersecting inequalities

Generally speaking, the Italian Constitution (1947) ensures “equal social dignity” to all citizens independently of “sex, race, language, religion, political opinion, and personal and social condition” (art. 3).

- Is discrimination on the grounds of ethnicity/’race’ illegal  
Yes
- When was this law introduced?  
1998 (art. 43, law n. 40/1998 on migration)<sup>8</sup>  
2003 (art. 1, decree n. 215/2003, transposing Directive 2000/43/CE)

<sup>7</sup> In 2000 a decree (n. 196/2000) was approved, which modifies the regulations on positive actions: among the bodies that can receive funds, we can now find also NGOs and public administrations, moreover the projects financed belong to specific areas. Public administrations that do not promote projects on positive actions will be sanctioned. Nevertheless, according to Donata Gottardi, the sanctionatory model is not very effective (Gottardi D., 2002, “Azioni positive e loro prospettive in Italia” [Positive actions and their perspectives in Italy], available online: [http://www.infn.it/cpo/pubbl/CPO2002/azioni\\_Gottardi.pdf](http://www.infn.it/cpo/pubbl/CPO2002/azioni_Gottardi.pdf)).

<sup>8</sup> Antidiscrimination provisions contained in the 1998 Immigration Act (art. 43) provide a definition of direct and indirect discrimination on grounds of race and colour, ethnic origin, “religious beliefs and practices” (*le convinzioni e le pratiche religiose*), and nationality (national origin).

- Is this restricted to employment related issues?  
No
- Does it include the sale and supply of services?  
Yes
- What disputes if any took place during its introduction?  
None
- Is discrimination on the grounds of religion illegal  
Yes
- when was this law introduced?  
1998 (art. 43, law n. 40/1998 on migration)  
2003 (law n. 216/2003, transposing Directive 2000/78/CE)  
2003 (art. 1, decree n. 215/2003, transposing directive 2000/43/CE. Art. 1 of the decree, defining the object of the law, aims at achieving equality of treatment among persons, independently of race and ethnic origin “taking into account the different impact the same forms of discriminations can have on women and men, and also of forms of racism with a cultural and religious character”).
- Is this restricted to employment related issues?  
No
- Does it include the sale and supply of services?  
Yes
- What disputes if any took place present during its introduction?  
None
- Is discrimination on the grounds of sexual orientation illegal  
Yes
- when was this law introduced?  
2003 (law n. 216/2003, transposing Directive 2000/78/CE)
- Is this restricted to employment related issues?  
Yes
- Does it include the sale and supply of services?  
No
- What disputes if any took place during introduction of these laws?  
None
- Is discrimination on the grounds of disability illegal?  
Yes
- when was this law introduced?  
2003 (law n. 216/2003, transposing Directive 2000/78/CE)  
2006 (law n. 67/2006, “Measures for the judicial protection of persons with disabilities victims of discriminations”).
- Is this restricted to employment related issues?  
Law n. 216/2003 Yes  
Law n. 67/2006 No, it is very general
- Does it include the sale and supply of services?  
No

- What disputes if any took place during introduction of these laws?
- Is discrimination on the grounds of age illegal  
Yes
- when was this law introduced?  
2003 (law n. 216/2003, transposing directive 2000/78/CE)
- Is this restricted to employment related issues?  
Yes
- Does it include the sale and supply of services?  
No
- What disputes if any took place during introduction of these laws?  
None
- Is discrimination on the grounds of marital status illegal?  
Yes
- when was this law introduced?  
  
2001 (legislative Decree n. 151/2001 ""Testo unico delle disposizioni legislative in materia di tutela e sostegno della maternita' e della paternita', a norma dell'articolo 15 della legge 8 marzo 2000, n. 53"), previously, antidiscrimination measures on grounds of marital, motherhood and pregnancy status were contained in law n. 903/1977 and in art. 4 of law n. 125/1991. All the quoted norms were gathered in 2006 in the Code of Equal Opportunities (legislative Decree n. 198/2006).
- Is this restricted to employment related issues?  
Yes
- Does it include the sale and supply of services?  
No
- What disputes if any took place during introduction of these laws?  
None
- Are there further legal issues, especially disputed legal issues, concerning the intersection of equalities with gender that are relevant?  
No

## 2. Plans and programmes

Two types of national gender equality plans are considered here. The first set of questions concerns plans specific to the country. (Please include not only if they are called 'national gender equality plans' or but also if they are just a sub-section of a larger national development plan.) The second set of questions refers to the National Reform Programmes for employment and National Reports (National Action Plans) on Strategies for social inclusion and social protection that the EU requires annually from each Member State. |

## **2.1 National gender equality plans**

2.1.1 Is there a national gender equality plan? Or a gender equality component of a national development plan.

There is a plan for the year 2007 titled: National Plan for the European year 2007, Strategies and Priorities<sup>9</sup> (Piano Nazionale per l'Anno Europeo 2007. strategie e priorità) issued by the Minister for rights and equal opportunities.

- If yes please name and describe very briefly the range of issues that it covers (in particular, how far beyond employment does it go?).

The text analyses discrimination based on gender, focusing especially on the labour market field and reconciliation. The following part is devoted to the migrants and to the discrimination based on ethnicity, religion and culture, which are to be found especially in the labour market and housing realms. Disability and the discrimination from which disabled persons are suffering constitute the following part; this is especially focused on labour market and multi-discrimination. Sexual orientation and gender identity are quoted as grounds of discrimination, and for the first time in this document, the legislation - together with the socio cultural Italian background - is seen as one of the causes of discrimination, in this sense going beyond employment. Discrimination based on age constitute the following realm.

- Is the focus restricted to non-discrimination?  
Yes, mainly

- Is there reference to gender mainstreaming?  
Yes.

- Are there named policy instruments and/ institutions, if so what?  
Policy instruments are: the promotion of studies, dissemination of results aimed at a global anti discriminations awareness campaign, legal assistance and cultural change (actions). A national antidiscrimination observatory will be organised. Concerning institutions, many of them are named: social partners, Ministers, NGOs, municipalities, regions.

- Are there indicators and statistics to evaluate the policies?  
There are indicators and statistics but they are not used to evaluate policies, but to depict the social reality in Italy concerning discriminations of different groups of people. Nevertheless, in the Ministry's for Equal opportunities report<sup>10</sup>, the first part is devoted to the measures in order to combat gender based violence and funds allocated for different projects are expressed, even if we cannot talk about evaluation: 800.000 have been spent in order to establish the "National Observatory against grave harassments and violence against women for sexual orientation", other 2.150.000€ have been allocated in order to finance projects on prevention and fight against gender based violence. Concerning trafficking, 2.500.000 Euros have been allocated to finance programs supporting victims, and 4 million Euros for integration projects. 4 million Euros have been allocated to finance projects on female genital mutilation. 5 million Euros have been allocated in order to finance pilot-project to make illegal market jobs emerge. Concerning reconciliation, in order to reach the Lisbon Objectives, 100 million Euros have been allocated for each year (2007,2008, 2009) in order to increase crèches availability. In universities, the class "Women, Politics and Institutions"<sup>11</sup> will be reinforced with the allocation of 2.150.000,00 Euros.

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[http://www.pariopportunita.gov.it/Pari\\_Opportunita/UserFiles/II\\_Dipartimento/Anno\\_europeo\\_2007/anno\\_europeo\\_piano\\_definitivo\\_italia.pdf](http://www.pariopportunita.gov.it/Pari_Opportunita/UserFiles/II_Dipartimento/Anno_europeo_2007/anno_europeo_piano_definitivo_italia.pdf),

<sup>10</sup> "Rights and Equal Opportunities. Synthesis of activities may 2006-february 2008", available online: [http://www.pariopportunita.gov.it/Pari\\_Opportunita/UserFiles/PrimoPiano/sintesi\\_attivita.pdf](http://www.pariopportunita.gov.it/Pari_Opportunita/UserFiles/PrimoPiano/sintesi_attivita.pdf).

<sup>11</sup> Since 2003 many Universities have joined the program *Donne, Politica Istituzioni*, promoted by the Ministry for Equal Opportunities through funds from CIPE (Interministerial Committee for Economic Programming). The initiative aims at promoting women's knowledge of institutional mechanisms at the EU and national levels with the aim of enhancing their participation to political life and increase their presence in political representation and decision making. The Ministry involved the High School for Public Administration with an advisory role in the project. Universities have been responsible for planning courses in details and organising them mainly using internal professors as teachers. Courses have been articulated within a general common structure proposed by

- Is there reference to EU targets (European Employment Strategy targets: Lisbon (2000) female employment rate of 60% by 2010; Barcelona (2002) provision of childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age)?

NO, such references are made only in the Synthesis Report<sup>12</sup> by the Ministry for Equal Opportunities with regard to childcare provision.

#### 2.1.2 Is gender equality integrated with other equalities in a national plan?

If yes please name and describe very briefly the range of issues that it covers, in particular, how far beyond employment does it go? Is it framed by equality or by diversity or both or a similar goal (e.g. equal opportunities)? If so, please specify.

Employment is described as the main factor of discrimination, but concerning gender inequality, the low female presence within political institutions is also named as a problem.

Discrimination based on ethnicity, religion and culture constitutes another issue within the plan even if the gender perspective is not present and the main fields of discrimination are those of work and educational system (especially for the Roma population). Disability is also taken into consideration, and the main problem concerns employment. The gender perspective is present when talking about multi-discrimination in labour insertion of disabled women. Moreover, multiple-discrimination is quoted as a problem to be solved concerning migrant, old persons and children suffering from a form of disability. Sexual orientations and gender identity are quoted as source of discriminations, but again gender disappears. The last theme touched concerns multiple discrimination, but it is not very developed. The main frame is that of equal opportunities for all, even if when talking about LGBTQ rights, the word used is diversity.

#### 2.1.3 Is there a gender equality (or similar) plan in the area of gender based violence

There is no national plan against gender-based violence, even if the "National network of anti-violence centre and women's houses" created a lot of pressure to develop one.

If yes please name the plan. Does it cover:

- Domestic violence and violence in partnerships
- Sexual assault/violence and rape
- Sexual harassment and stalking
- Trafficking and prostitution
- Forced marriage, honour crimes and FGM

Does the plan include:

- named policy instruments and/or institutions, if so what;
- indicators and statistics to evaluate the policies, if so which?

## **2.2 EU required National Reform Programme (National Action Plan) for Employment**

Does the EU required National Reform Programme for employment (in which one of the ten guidelines concerns gender mainstreaming) include a significant set of actions concerning gender equality? NO

- Did the EU appointed National Expert (part of the EU Network of Experts on Gender and Employment and Social Inclusion) made (have) critical or positive comments on the gender equality dimension of the member state's programme? If so, what are these?

The EGGSIE 2005<sup>13</sup> report states the Italian NRP "does not refer to employment issues at all and therefore does not refer to gender equality issues either" (p. 5). No mention of gender mainstreaming can be found in the Italian NRP; on the other hand the document shows national employment targets for women's employment. The Italian report shows an almost complete absence of references to gender in the measures, targets and data. Concerning policies for integrating the unemployed and

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the Ministry to all Universities and made of 6 thematic areas: women in decision making with an historical and social perspective; political, economic and social institutions of the European Union; organisation and functioning of State Institutions, local authorities and their autonomy, parties' system in a comparative perspective; dynamics and techniques for public communication.

<sup>12</sup> "Rights and Equal Opportunities. Synthesis of activities may 2006-February 2008", available online:

[http://www.pariopportunita.gov.it/Pari\\_Opportunita/UserFiles/PrimoPiano/sintesi\\_attivita.pdf](http://www.pariopportunita.gov.it/Pari_Opportunita/UserFiles/PrimoPiano/sintesi_attivita.pdf).

<sup>13</sup> [http://ec.europa.eu/employment\\_social/gender\\_equality/docs/2006/final\\_nrp\\_synthesis\\_2005\\_en.pdf](http://ec.europa.eu/employment_social/gender_equality/docs/2006/final_nrp_synthesis_2005_en.pdf).

inactive, no measures related to unemployment are taken into consideration for men or women. In the Italian NRP there is no mention of childcare and childcare policies, concerning leave used by fathers, No updates on it and other arrangements are provided

Concerning Policies for creating an inclusive labour market, in “In 2003, 700,000 immigrant workers were regularised (around half of which were women working in domestic services and elderly care), but no further policy action has improved their integration into the economy” p. 93). No mention of gender mainstreaming of policies on wage-setting and employment-friendly labour cost policies. Concerning policies to reduce the tax burden on low waged workers, the EGGSIE reports very little policy action in order to reduce non-wage labour costs. Despite a small gender pay gap, employment-friendly policies are needed to encourage the large numbers of officially non employed women into paid work.

Concerning human capital policy, there is a general lack of a gender mainstreaming perspective, “it is not possible to provide any assessment of the relevant guidelines from a gender perspective. The commitment to ‘strengthen education and training of *human capital*’ is gender blind” (p. 173).

The policy approach is not adequate, since “The NRP for Italy does not even consider the integrated guidelines on employment. In general, the employment and gender equality challenges are not considered. Consequently, there is no reference to national targets relevant for gender (in particular, there is no reference to the Lisbon employment target, nor to Barcelona childcare target). Moreover, there is no evidence of responses to the Council of Ministers recommendations. The 2004 Council recommendations have been completely ignored” (p. 199).

- Did the EU Commission’s response to the National Reform Programme for employment include recommendations on gender equality? If so, what were these?

Yes<sup>14</sup>, just one: the need to increase women’s labour market participation, and consequently childcare provisions with a view to reconciling work and family life.

### **2.3 EU required National Reports (National Action Plans) on Strategies for Social Protection and Social Inclusion**

- Does the EU required National Report on Strategies for Social Inclusion include a significant set of actions concerning gender equality, including gender-based violence? If so, what are these?

General objectives included in the report<sup>15</sup> concern the improvement of women’s living conditions through the development of an Action Plan on equal opportunities aimed at increasing women’s employment (major field of intervention) and reconciliation, and actions aimed at contrasting gendered based violence through the establishment of a national Observatory aimed at prevention and repression of gendered violence as well as at organising awareness raising campaigns. But such violence is mentioned just in the introduction of the report.

The report quotes the 2007 financial law: measures in order to stabilise work relations, fight against illegal work, specific actions in order to improve female employment in the south of the country (a specific measure allows employers to save between 150 and 170 Euros monthly for each new hired woman). Reconciliation measures include the improvement of childcare services and extension of the length of parental leave as well as their payment.

No mention of the situation of pensioners or the gender impact of the introduction of pension reform that widely affect women.

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<sup>14</sup> EU Commission’s response to the National Reform Programme for employment available at: [http://ec.europa.eu/growthandjobs/pdf/european-dimension-200712-annual-progress-report/200712-annual-progress-report-IT\\_en.pdf](http://ec.europa.eu/growthandjobs/pdf/european-dimension-200712-annual-progress-report/200712-annual-progress-report-IT_en.pdf).

<sup>15</sup> *Italian National report on strategies for social protection and social inclusion 2006-08*  
[http://ec.europa.eu/employment\\_social/spsi/docs/social\\_inclusion/2006/nap/italy\\_it.pdf](http://ec.europa.eu/employment_social/spsi/docs/social_inclusion/2006/nap/italy_it.pdf)

- Did the EU Expert Group on Gender, Social Inclusion and Employment have critical or positive comments on the gender equality dimension of the report (including gender-based violence)? If so, what are these?

The EU Expert Group on Gender, Social Inclusion and Employment, in their synthesis report,<sup>16</sup> underline the risk of poverty especially for women in rural areas (high risk of unemployment for young rural women), the limited social protection or employment rights of migrant women employed informally in Italy.

The reports highlights that migrant women living in Italy have benefited from a recent registration scheme (2003 ad hoc registration scheme that extended rights to undocumented workers, half of which were women employed informally as domestic workers, p. 121). The difficult legal positions of migrants, both men and women, are also highlighted in the report: “The relationship between residence and working status in Italy is complex. A residence permit for work purposes is usually granted on a temporary basis – one or two years – and renewal is conditional on holding a regular job or proof of sufficient income. Although opportunities are repeatedly provided for unregistered migrants to regulate their positions, relapsing into illegality is quite common, e.g. after expiry of the residence permit, job loss, or conclusion of a short-term contract. Thus, an immigrant worker may have neither a residence permit nor a regular job, or s/he may have a residence permit and a regular job, or may find her/himself in a mixed situation.

While some migrants move from illegal to legal status in residency and work, others frequently change their position, shifting back and forth. In the most recent regularisation scheme, in 2003, approximately half of the 700 000 applicants for registration were female migrants employed by Italian families for domestic work and personal care (elderly care)” (pp. 123-124).

Moreover the report underlines that migrant women are often under-used or under rewarded since many migrants have high skill levels, a clear imbalance in the quality of the labour supply (female foreign workers) and the quality of jobs (housework and care work) available in Italy emerges.

Regarding the second Barcelona target, that at least 90% of children aged between three years and the mandatory school age should have a childcare place, Italy is among the 10 EU member states that has achieved such goal.

(No specific comments on gender based violence since the general report focuses on a selection of countries, not including Italy)

- Did the EU Commission’s response to the National Report on Strategies for Social Protection and Social Inclusion include recommendations on gender equality (including gender based violence)? If so, what were these?

EC report: [http://ec.europa.eu/employment\\_social/social\\_inclusion/jrep\\_en.htm](http://ec.europa.eu/employment_social/social_inclusion/jrep_en.htm)

No

## **2.4 EU funding**

- Does the EU provide funding in your country that has / has had a significant gender impact?<sup>17</sup> Structural funds to consider include the European Social Fund<sup>18</sup> and the European Regional Development Funds<sup>19</sup>,

It is not so easy to provide a clear national level picture because the structural funds are managed at the regional level (in Italy there are 20 regions), moreover the Ministry of labour does not provide data

<sup>16</sup> EGGsIE Synthesis report (2006): [http://ec.europa.eu/employment\\_social/publications/2006/ke7606201\\_en.pdf](http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf)

<sup>17</sup> The following link may serve as a useful starting point (see drop-down menus along the top of the page and links on the left hand side): [http://ec.europa.eu/regional\\_policy/policy/history/index\\_en.htm](http://ec.europa.eu/regional_policy/policy/history/index_en.htm)

<sup>18</sup> [http://ec.europa.eu/regional\\_policy/funds/fse/index\\_en.htm](http://ec.europa.eu/regional_policy/funds/fse/index_en.htm)

<sup>19</sup> [http://ec.europa.eu/regional\\_policy/funds/feder/index\\_en.htm](http://ec.europa.eu/regional_policy/funds/feder/index_en.htm)

on the gender impact, finally this issue is still under-researched<sup>20</sup>, but generally speaking, the answer is positive (Donà 2006).

According to ISFOL<sup>21</sup>, the use made of the European Social Fund for the years 1994-1999 achieved good results in promoting equal opportunities (both concerning objectives such as the increased awareness within institutions of the principle of equality in active policies of work and training, and the increased women employment rate). The in-progress evaluation of QCS Ob.3 (2000-2006)<sup>22</sup> shows that Ministries, Regions and Provinces developed programs and operational instruments that mainstream equal opportunities principles, allowing some interesting local experimentations.

- If yes, how much and over what period of time?
- If yes, comment upon the extent to which gender was mainstreamed in associated plans and programmes (e.g. the National Development Plans for 2000-2006)?

Over the period 2007-13 it is foreseen that Italy will receive approximately 25.6 billion Euros for the three objectives of the structural funds<sup>23</sup>, 85% of the resources will be spent on the South of the country<sup>24</sup>.

### 3. Governmental Machinery For Equality

Provide a summary of the history of governmental machinery for equality provided in the issue history D11, up-dated if appropriate. In particular, consider if there have been any developments in the relationship between the gender machinery and other equalities machinery (e.g. proposed mergers).

In Italy, the governmental machinery for equality is composed of several institutions. The Italian women's policy machinery was established during the eighties, especially in the field of labour, and was consolidated during the nineties, both at the national and local levels. The main institutions are:

- Equal Opportunities Ministry, established in 1996. The Minister for Equal Opportunities has the right to a deliberating vote in the Council of Ministers and she is responsible for coordinating general politics for Equal Opportunities within other Departments of the Government;

- National Committee on Equality, Ministry for Labour, created in 1984. Its function is to advise the Prime Minister. Representatives of different organisations are taking part in it: political parties, trade unions, industry association, and NGOs. It is a consultative body providing policy assistance to promote equal opportunities activities. Moreover it has coordination functions for all government initiatives on equal opportunities. In 1990 the national Commission is formalized by law n. 164/1990.

- Equal Opportunities Commissions – during the 1990s, elected women in Regional, Provincial and Municipal Councils promoted amendments in their Administrative and Local Authorities Statutes to establish Commissions for Equal Opportunities at the local Level. These commissions are composed only by women representing women's associations and NGOs and who are mainly nominated by the local councils, even if trade unionists and women from employers' organisations are members by right. They have very limited institutional competences (research, raising awareness, nothing more than an advisory role towards the local governments) and resources;

- National Councillor for Equality (Ministry for Labour) – it was established in 1984 (law n. 726/1984). The Councillors work within regional employment commissions and provincial bodies that deal with employment policies. The main function of the councillors for equality is to put into practice the principle of equal treatment for women and men in the field of labour. They can report offences to the juridical authorities and institute legal actions.

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<sup>20</sup> Information provided by Alessia Donà, professor of comparative policies and analysis of public policies, University of Trento (Italy).

<sup>21</sup> Istituto per lo sviluppo della formazione professionale dei lavoratori (Institute for workers' the development of professional training, [www.isfol.it](http://www.isfol.it)), it is a public research institute that deals with the evaluation of the use of the European Social Fund.

<sup>22</sup> See Ciampi S., *La valutazione intermedia del Qcs Ob.3: mainstreaming, governance e percorsi di inserimento lavorativo delle donne*, comunicazione presentata al VII Congresso nazionale AIV, Milano, 25-27 marzo 2004.

<sup>23</sup> <http://www.lavoro.gov.it/NR/rdonlyres/C7FC0061-CBE7-47C2-8DCD-C3CD7384297D/0/2007IlpuntosuilnuovoFSE.pdf>.

<sup>24</sup> For further details see:

[http://db.formez.it/FontiNor.nsf/dd2bb37b9d02c79bc1256f8c0044767f/51F44102FA09CC39C1257301004B5810/\\$file/QSN2007-2013\\_giu\\_07.pdf](http://db.formez.it/FontiNor.nsf/dd2bb37b9d02c79bc1256f8c0044767f/51F44102FA09CC39C1257301004B5810/$file/QSN2007-2013_giu_07.pdf)

Do any or all of these forms of gender machinery exist in the country, and if so what are they called (fill in their name in original language and translated to English)?

- Governmental (civil servants and ministers in central government);  
*Ministero delle Pari Opportunità* (Equal Opportunities Ministry); *Comitato nazionale di Parità, Ministero del Lavoro* (National Committee on Equality, Ministry for Labour);
- Enforcement and/or monitoring agency (e.g. equality authority, ombudsperson);  
*Dipartimento per le Pari Opportunità* (Equal Opportunities Department)
- Special legal apparatus (e.g. special courts, mediation or arbitration bodies for employment or domestic violence);  
*Consigliera nazionale di Parità, Ministero del Lavoro* (National Councillor for Equality, Ministry for labour)
- Body for consultation / dialogue with women's NGOs, or with NGOs representing other axes of inequality  
*Commissione Pari Opportunità* (Equal Opportunities Commission); *Consigliera nazionale di Parità, Ministero del Lavoro* (National Councillor for Equality, Ministry for Labour).
- Other, for example, Parliamentary Committees

Answering the following list of questions may require mention of any or all of these types of institution: some apply to one kind more than another.

#### *The nature of the institution*

- Is there gender machinery that meets the minimum legal requirements of the EU? Yes
  - A body for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on the grounds of sex:  
Yes. The *Commissione Pari Opportunità* (Equal Opportunities Commission) and the *Osservatorio nazionale contro le molestie gravi e la violenza alle donne e per orientamento sessuale e identità di genere* (National observatory on harassment and violence against women, sexual orientation and gender identity).
  - providing independent assistance to victims of discrimination in pursuing their complaints about discrimination;  
Yes. The *Consigliera nazionale di Parità, Ministero del Lavoro* (National Councillor for Equality, Ministry for Labour)
  - conducting independent surveys concerning discrimination;
  - publishing independent reports and
  - making recommendations on any issue relating to such discrimination.
- Yes. Within the Equal Opportunities Ministry there are several institutions that conduct surveys, publish reports and make recommendations: the *Ufficio per gli interventi in campo Economico e Sociale* (Office for interventions in the economic and social field) edits reports with the UN, the Council of Europe and the OCSE; the *Ufficio per gli interventi in materia di Parità e Pari Opportunità* (Office for interventions on Equality and Equal Opportunities) coordinates studies on equal opportunities; the *Ossevatorio sul fenomeno della tratta degli esseri umani* (National observatory on human trafficking); *Osservatorio nazionale contro le molestie gravi e la violenza alle donne e per orientamento sessuale e identità di genere* (National observatory on harassment and violence against women, sexual orientation and gender identity); the *Commissione per i diritti e le pari opportunità per lesbiche, gay, bisessuali e transgender* (Rights and Equal opportunities commission for LGBT); the *Commissione per le pari opportunità* (Equal Opportunities Commission); the *Comitato per l'imprenditoria femminile* (Commeettee for female entrepreneurship); the *Forum permanente contro le molestie gravi e la violenza alle donne, per orientamento sessuale e identità di genere* (the permanent forum on harassment and violence against women, sexual orientation and gender identity).

- Is there gender machinery that meets the 'Paris Principles'?
  - independence guaranteed by a constitutional or legislative framework, autonomy from government, ?
  - pluralism including pluralism of composition,
  - a broad mandate,
  - adequate powers of investigation,
  - sufficient resources
- Its strength depends on power relations with the other members of the government and on the presence of a gender culture within the government. While the centre-left governments show a certain

attention – even if sometimes it can be considered as tokenism – on gender issues, the right-wing governments seem rather gender-blind. This appeared from the fact that the Minister for equal Opportunities Stefania Prestigiacomo (Forza Italia) found herself often isolated within Berlusconi's government when she tried to promote policies with a gender approach (Guadagnini, Donà 2007). The ministry of equal opportunity works without portfolio.

- Is there gender machinery that meets the further requirements of the UN Platform for Action?
    - responsibility vested at the level of a Cabinet minister. Yes
    - Develop indicators and statistics to monitor policy. Yes
- The Equal Opportunities Ministry (since 1996).

Development of indicators and statistics to monitor policy:

One of the Equal Opportunities Department (Equal Opportunities Ministry) competences is the acquisition and organisation of knowledge, also through the creation of a database, and the promotion and coordination of cognitive, evaluation, control, formation and information activities concerning equality and equal opportunities.

Gender Statistics: a specific module has been introduced into the survey on Time–Use carried out by ISTAT (the National Institute for Statistics) and a set of indicators for labour market's analysis has been created. Moreover, research on Sexual Harassment, Gendered and Domestic Violence has been started: the results were presented in 2007.

- How close to the centre of power (e.g. Prime Minister or other) is the governmental machinery located?
  - centre of power/ PM's office  
Presidency of the Council of Ministers: Department for Equal Opportunities
  - Other powerful department.
  - Other department  
Other department: Equal Opportunities Ministry
- Would any of the bodies be described as following a 'feminist' agenda? YES
  - Briefly explain the reasoning behind your answer. If yes, then indicate which vision of gender equality (equality through sameness, equal valuation of different contributions, or transformation) fits best.

The Equal Opportunities Ministry is partially connected to the feminist movement; therefore it only partially follows the feminist agenda. The first Minister for equal Opportunities is a feminist and a lawyer, Anna Finocchiaro, followed by Laura Balbo (a sociologist) and Katia Belillo (an activist of the *Partito dei Comunisti Italiani*). The cited Ministers have experience both in the parties and in the feminist movement, thus they can give feminists (also the theorists of difference) the opportunities to enter the institutional scene, becoming officers and taking part in different projects. Nevertheless, many feminists decide not to contribute to the institutional policies and the tensions among institutional equal opportunities machineries and a multifaceted feminist movement are always there, being sometimes constructive and many times simple marks of women's activism's fragmentation. Many scholars have stressed this feature of separation: both between the institutional machinery and gender studies at the academic level and between them and the grassroots movement<sup>25</sup>. The various bodies and parts of the Gender Equality Machinery are most of the time acting separately from each other with a lack of coordination<sup>26</sup>.

In 2001 Berlusconi's coalition (centre-right) won the election and appointed Stefania Prestigiacomo as Minister for Equal opportunities, a young entrepreneur and activist of Forza Italia (Berlusconi's party), with no connection with the feminist movement. In 2006, under the Prodi government, the new centre-leftist Minister is Barbara Pollastrini, former coordinator of the women's movement within the Party Democratici di Sinistra). At the moment with the new Berlusconi's coalition there is again a Minister for Equal opportunities, Maria Rosaria Carfagna, without any connection with the feminist movement.

The predominant vision of gender equality is that of equality through sameness, because the radical feminists, who developed the theory of "sexual difference" split in the eighties from the other part of

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<sup>25</sup> Calloni M. (2003), "Femocrats and the Reframing of Gender Equality Policy in Italy", in Liebert U. (ed.), *Gendering Europeanisation*, Brussels, P.I.E.-Peter Lang, pp. 117-148.

<sup>26</sup> Donà A. (2006), *Le pari opportunità. Condizione femminile in Italia e integrazione europea, (Equal Opportunities. Women condition in Italy and European integration)* Laterza, Bari.

the feminist movement composed by politicians, trade unionists and scholars, who devote their efforts within the institutions, bringing such vision.

- Are there other policy groups relevant to gender equality that are embedded in particular departments, but which are not usually known as gender machinery e.g. domestic violence group within the home affairs or justice department? If yes, when was it set up, what does it do, what are its resources?

There is the *Dipartimento per le politiche della famiglia* (Department for family policies), which is competent on parental leave policies. It was set up in 2006 during the Prodi Government. A fund for family policies is instituted in Presidency of the Council of Ministers.

There is also the *Commissione di Indagine sull'Esclusione Sociale* (CIES) (Investigation commission on social exclusion), which is competent on social exclusion and cooperates with the EU on this issue. It was set up with art. 27, law n. 328 of 8.11.2000.

Are there any special legal institutions such as special courts to assist the implementation of gender equality laws e.g. employment tribunals, domestic violence courts?

The Councillors for Equality (*Consigliere di Parità*, Legislative Decree 196/2000) are strictly speaking not a legal institution or a court. However, they monitor gender equality in the workplace and can take employers to the Administrative or Labour Court in cases of direct and indirect discrimination. Nevertheless, they mainly use an informal procedure aiming at mediation between employee and employer.

*Dedicated to gender or integrated with other equalities?*

Dedicated to gender

Is the gender equality body (enforcement or monitoring agency) integrated with machinery for other equalities issues (if so which) or for human rights?

Yes, though merely at the formal level.

- When did this happen?

In 2003 the government set up UNAR<sup>27</sup> (*Ufficio nazionale Antidiscriminazioni Razziali*, Italian National Office against Racial Discrimination) (Decree n. 215/2003) within the Department for Equal Opportunities. It was created to comply with the EU anti-discrimination Directive 43/2000/EC.

- Was the change controversial (who fought whom, allied to whom)?

NO

- Is the division of responsibilities by function or by strand?

The division of responsibilities is by strand and there are separate mechanisms for consulting civil society. UNAR created a national register of NGOs committed to the fight against discrimination and set up a toll free number to denounce discrimination cases. It is also working to sign agreements with Trade Unions and employers organisations to promote the value of "cultural diversity".

- Is there a separate mechanism for consulting civil society by strand, including women?

Does the equality body actively engage with the issue of intersecting inequalities (e.g. gender and ethnicity, gender and disability)? If yes, please specify the intersections that are taken into account.

The UNAR functions as a facilitator in cases of legal actions involving victims of discrimination, it can promote autonomous inquiry, it helps private and public bodies adopting positive actions, it organises training and research. According to the same legislative decree a "Control Bureau to guarantee parity and to remove discriminations based on race or ethnic origins" was created within the Department for Equal Opportunities. This Office is directed by a person nominated by the Prime Minister or a delegated Minister. Even if it is part of the same organisational structure within the Equal Opportunities issues, until now it apparently has not explicitly "mainstreamed" gender within its own activities.

- If the gender equality body is not integrated with machinery for other equality issues, does the gender equality body and any other single strand equality body actively engage with the issue of intersecting inequalities? If yes, please specify the intersections that are taken into account by each of the equality bodies.

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<sup>27</sup> <http://www.dirittiepariopportunita.it/DefaultDesktop.aspx?page=97>

### *Relationship of machinery with civil society*

- Are there procedures for the consultation of women's groups in civil society by the gender or equalities machinery?

○ If so, are they routinised or occasional?

They are vulnerable to governmental change, there are not routinised channels for consultation.

The National Commission for Equality and Equal opportunities, the Commissions for Equal Opportunities at the local Level and the Equal Opportunities Committees are the bodies that plan regular consultations with women's groups in civil society.

The National Commission for Equality and Equal opportunities was created to advise the Prime Minister. Representatives of different organisations are taking part in it: political parties, trade unions, industry association, NGOs. It is a consultative body providing policy assistance to promote equal opportunities activities.

The Commissions for Equal Opportunities at the local level are composed only by women representing women's associations and NGOs and are mainly nominated by the local councils even if trade unionists and women from employers' organisations are members by right.

The Equal Opportunities Committees are composed by workers representatives of public administrations at the managerial level and others appointed by trade unions. Their organisation changes from one to one. In Lazio, for example, it meets each three months.

## **4.1 Non-employment**

Is the tax system household based or individualised?

The tax system is individualised

Is the benefit system household based or individualised?

Household based

How long is it legitimate for lone parents not to be in paid work? (i.e. at what age does the youngest child reach before parent is required to be available for employment and benefit stops).

The benefits, among them parental leave benefits, are available only for parents in paid work.

Are there *active* labour market programmes (i.e. programmes to help people who are out of labour market back into paid employment, includes training and job placement schemes) for lone parents?

Not specifically.

Are there active labour market programmes for women who are returning to employment after lengthy period of time out of the labour market? Are there active labour market programmes for any other category of citizens, and if so which categories?

It is a bit difficult to answer since the Ministry of Labour does not publish the yearly report on active labour policies any longer. Moreover such policies are implemented at regional and provincial levels, and providing a general national overview is difficult.

There are groups that enjoy active labour market programmes, the so-called protected groups (disabled persons, psychiatrically certified persons), and persons at risk of social exclusion (long term unemployed, women, students, pensioners, disabled persons, persons living in protected communities, regularly resident migrants 6 months after losing their job).

What is the minimum amount of childcare that is provided by the state? (e.g. number of hours, no. of weeks per annum)

- Childcare: care (under 3 years)
- Childcare: pre-primary education (3 yrs- school age)

There are no clear statements concerning the number of hours and weeks per annum, other information is available concerning the percentage of childcare under three years old (11.4%)<sup>28</sup> available at the moment, and the objective of reaching 33% before 2010 according to the Lisbon agenda. Pre primary education (3-6 years) is quite widespread all over the country.

What is the predominant form of childcare provision? i.e. public, private or mixed.

Mixed

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<sup>28</sup> <http://www.governoinforma.it/pillole/che-cose/2008/aprile/piano-strordinario-asili-nido.aspx>

How is childcare financed (e.g. by public funds, privately or mixed)?  
Mixed

Is the pension age the same for women and men? If so, since when?  
No, it is 65 years for men and 60 for women.

#### 4.2 Intimate citizenship

Is abortion legal? If so, in what year did this happen?  
Yes, 1978

Up to which week of pregnancy is abortion legal?

It is legal within the first 90 days of pregnancy; after this period, abortion is still possible after the first 90 days if the pregnant woman is in danger, when the pregnancy or childbirth entails a serious threat to the woman's life; when the pathological processes constituting a serious threat to the woman's physical or mental health, such as those associated with serious abnormalities or malformations of the foetus, have been diagnosed (art. 6).

Are there any other conditions? If so, what are these (e.g. consent of doctor/s, counselling)?

Abortion is legal when the continuation of the pregnancy, childbirth, or motherhood would seriously endanger women's physical or mental health, in view of their state of health, their economic, social, or family circumstances, the circumstances in which conception occurred, or the probability that the child would be born with abnormalities or malformations, (art. 4). In order to certify such circumstances, the woman who wants to have an abortion has to see a physician at a counselling centre or a medico social agency, or a physician of her choice. If the doctor finds that in view of the circumstances termination is urgently required, he/she shall immediately issue the woman a certificate attesting to the urgency of the case. Once she has been issued this certificate, the woman may report to one of the establishments authorised to perform pregnancy terminations (art. 5).

How many abortions are carried out per year (select most recent year where data available. If illegal, approximately how many women travel to access abortion services in another country)?

According to the Ministry of Health<sup>29</sup>, in 2005 129.588 abortions were carried out in Italy. In 2004 the number was 138.123 (6.2% less than 2005 and 44.8% less than in 1982, when the highest numbers of abortions were carried out). The abortion rate (the number of terminations  $\times 1000 \div$  the female population ages of between 15 and 44 years) in 2005 was 9.3  $\times 1000$ , while in 2004 it was 10.0  $\times 1000$  and in 1982 12.2  $\times 1000$  (6.7 and 17.2 respectively, less than in 2005).

Are there any restrictions on abortion for certain categories of people? (e.g. age, nationality)

A very general restriction, even if not legal, is constituted by the possibility for health personnel to make conscientious objection. Such practice is relevant even if unevenly distributed in the national territory and one consequence is the migration of women from one region to another one.

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<sup>29</sup> Report available: ([http://www.ministerosalute.it/imgs/C\\_17\\_pubblicazioni\\_610\\_allegato.pdf](http://www.ministerosalute.it/imgs/C_17_pubblicazioni_610_allegato.pdf), p. 13).

Health personnel making conscientious objection concerning Voluntary interruption of pregnancy

Region	Gynaecologists		Anaesthetists		Non medical personnel	
	N.	%	N.	%	N.	%
NORTHERN ITALY	1505	58.6	1362	41.1	3082	28.1
Piemonte	264	56.3	218	44.9	347	25.3
Valle D'Aosta	2	18.2	6	60.0	0	0.0
Lombardia*	608	68.7	541	47.9	1385	33.7
Bolzano	20	74.1	24	41.4	133	65.2
Trento	11	42.3	13	25.5	328	17.2
Veneto	264	80.5	196	47.7	532	45.4
Friuli Venezia Giulia	73	59.8	48	36.9	89	22.3
Liguria****	70	51.5	148	53.6	74	26.1
Emilia Romagna	193	34.2	168	22.0	194	12.9
CENTRAL ITALY	877	70.4	849	56.3	3351	55.0
Toscana*	207	55.8	162	33.4	206	49.5
Umbria	78	68.4	75	38.6	235	28.1
Marche*	149	78.4	169	70.7	492	52.9
Lazio**	443	77.7	443	67.6	2418	61.8
SOUTHERN ITALY	733	52.4	570	46.8	2666	35.7
Abruzzo	97	44.3	138	38.8	1225	25.6
Molise*	26	70.3	30	68.2	145	75.5
Campania****	219	44.1	86	40.4	326	50.0
Puglia*	218	76.8	131	63.6	386	68.0
Basilicata	35	83.3	46	62.2	272	52.4
Calabria***	118	39.9	139	42.9	312	42.0
ISLANDS	349	44.5	442	43.5	3126	41.3
Sicilia	341	57.844.1	430	43.2	3096	41.1
Sardegna	8	72.7	12	57.1	30	83.3
ITALY	3464	57.8	3223	45.7	12225	38.1

Source: <http://padovadonne.megablog.it/item/l-obiezione-di-coscienza-da-eccezione-a-regola-i-dati-piu-alti-in-veneto> (accessed on 22/05/2008)

Data refer to year: \*2002, \*\*2001, \*\*\*2000, \*\*\*\*1999, \*\*\*\*\*in 2002, 60 centres out of 88

Restriction because of age: "Where the woman is under 18 years of age, the consent of the person exercising parental authority over the woman or her guardian shall be required for the termination of pregnancy. However, during the first 90 days, if there are serious grounds rendering it impossible or inadvisable to consult the persons exercising parental authority or the guardian, or if those persons are consulted but refuse their consent or express conflicting opinions, the counselling centre or medico social agency, or the physician of the woman's choice, shall carry out the duties and procedures set out in Section 5 and submit to the magistrate responsible for matters of guardianship [giudice tutelare] in the locality in which it (he) operates, not later than seven days following the request, a report giving its (his) views on the matter" (art. 12).

Restriction because of civil disability "Where the woman is under civil disability on account of a mental illness, the request [...] may be submitted, if not by the woman in person, by her curator or, if he is not her curator, by her husband, provided that he is not legally separated.

Where the request is submitted by the woman under disability or by her husband, the views of the curator must be heard. A request submitted by the curator or the husband must be confirmed by the woman. The physician at the counselling centre or the medico social agency, or the physician of the woman's choice, shall submit to the magistrate responsible for matters of guardianship, not more than seven days following the submission of the request, a report containing details of the request and its source, any particular attitude displayed by the woman, the degree and nature of the mental disorder, and the curator's views if expressed" (art. 13).

Is a marriage a state based contract, religious contract or both?

It is a state based contract, but the religious (only Catholic) ritual has civil validity.

Is divorce legal and what are the conditions for divorcing (e.g. is mutual consent necessary / sufficient)?

Yes, since 1970. Prior to divorce, there has to be a period of separation of the couple. The separation can be decided consensually by the couples or judicially by a tribunal. Mutual consent is one of the conditions that allow divorce (after the attempt of the judge to recompose the couple crisis), but divorce can be judicially obtained if one party takes the other party to court.

If divorce is not legal, what are the conditions for separation or annulment?

Are there any restrictions to marriage other than the sex of the partners (e.g. nationality, country of origin)?

No

Are civil partnerships/civil unions/gay marriage legal and if so, are the legal rights the same as for heterosexual marriage? No

#### 4.3 Gender-based violence

Has there been a national survey on gender based violence? Yes

When was the most recent one carried out? 2006 (report 2007) by the National Statistical institute<sup>30</sup>

Does it include:

- Domestic violence and violence in partnerships?  
Yes
- Sexual assault/violence and rape?  
Yes
- Sexual harassment and stalking?  
Yes
- Trafficking  
No
- Prostitution?  
No
- Forced marriage?  
No
- Honour crimes?  
No
- FGM?  
No

##### 4.3.1 Domestic violence

What legal devices are available to prevent domestic violence? Do they target perpetrators and/or victims? (Yes/no +year when introduced). Devices could for instance include:

- restraining orders  
Yes, law n. 154/2001
- non-molestation orders  
Yes, law n. 154/2001
- occupation orders  
Yes, law n. 154/2001
- state funded perpetrator programs  
Not exactly, see "other devices".
- other devices?
  - The victim is entitled to a cheque for maintenance (alimony)
  - Possibility of intervention of the local social services and family mediation centres in order for the couple to receive support therapy and to develop a general strategy of aid and assistance<sup>31</sup>.

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<sup>30</sup> Report available at: [http://www.istat.it/salastampa/comunicati/non\\_calendario/20070221\\_00/](http://www.istat.it/salastampa/comunicati/non_calendario/20070221_00/) (accessed 22/05/2008).

What is the prevalence of domestic violence against women, in one year?

According to the mentioned report<sup>32</sup>, 2.4% of women suffered from physical or sexual violence in the past 12 months (1.7% physical violence, 1% sexual violence).

What is the life time prevalence of domestic violence against women?

14.3% of women experience domestic physical or sexual violence during their life. Among them, 12% suffer from physical violence and 6.1% from sexual violence (both rape and attempted rape, sample: Women aged 16-70).

What is the number of incidents of domestic violence against women, in one year?

Not available.

What is the number of incidents of domestic violence reported to the police (annual)?

Not available as such, just percentages: only 3.4% of the incidents of domestic violence in 2006 were reported to the police.

What is the number of domestic violence convictions in the courts?

Not available.

What is the attrition rate for domestic violence in the criminal justice system (convictions as % of reports to police)?

Not available.

If there is any information on the previous questions broken down by age, class, sexual orientation, race/ethnicity etc, give it here too.

Sexual orientation and race/ethnicity do not appear in any part of the report, while some information is given broken down by age, education and work.

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<sup>31</sup> According to the NGO Pink Telephone (*Telefono Rosa*), the greatest barrier to developing this measures lays on the fragmentary jurisdiction of judges in Italy who unfortunately do not work in the same way as judges in the USA who work only in one court, the "Family Court". Another weak point, according to the anti-violence centre "Le Nereidi" is that the law recommends addressing the family mediation centres or the anti-violence centres, but no obligations are clearly imposed. The support system is thus not well developed.

<sup>32</sup> [http://www.istat.it/salastampa/comunicati/non\\_calendario/20070221\\_00/](http://www.istat.it/salastampa/comunicati/non_calendario/20070221_00/) (accessed 22/05/2008)

Women between 16 and 70 who suffered from physical and/or sexual violence from the partner in the last 12 months broken down by perpetrator, age, education, professions – year 2006<sup>33</sup>

	Physical/sexual violence			Physical violence			Sexual violence		
	Partner or ex partner	Partner	Ex partner	Partner or ex partner	Partner	Ex partner	Partner or ex partner	Partner	Ex partner
AGE									
16-24	5.2	4.3	3.3	3.7	2.7	2.7	2.0	1.8	1.1
25-34	3.8	3.4	1.4	2.9	2.5	1.1	1.4	1.1	0.7
35-44	2.5	2.3	0.7	1.8	1.7	0.6	1.1	1.0	0.2
45-54	1.4	1.4	0.4	0.8	0.7	0.3	0.7	0.7	0.0
55-64	1.2	1.5	0.0	0.8	1.0	0.0	0.5	0.6	0.0
65-70	0.5	0.9	0.0	0.3	0.4	0.0	0.3	0.5	0.0
EDUCATIONAL QUALIFICATION									
University degree	3.0	3.0	0.7	2.1	2.1	0.6	1.2	1.2	0.2
Secondary school	2.8	2.7	1.0	2.2	2.1	0.7	1.0	0.9	0.4
Lower secondary school	2.8	2.2	2.1	2.0	1.4	1.8	1.2	1.0	0.8
Primary education/no education	0.8	1.1	0.1	0.4	0.4	0.1	0.6	0.7	0.0
ACTIVITY									
Manager/entrepreneur/professional	4.3	4.6	0.5	4.1	4.4	0.5	0.4	0.5	0.0
Middle management/employee	2.7	2.6	0.8	1.9	1.8	0.7	1.1	1.0	0.3
Worker	2.5	2.3	1.1	1.5	1.2	1.0	1.4	1.5	0.3
Freelancer	1.8	1.9	0.3	1.2	1.2	0.3	0.7	0.9	0.0
Jobseeker	5.5	5.4	2.5	4.2	4.1	2.0	1.9	1.7	1.3
Housewife	1.4	1.4	0.3	0.9	0.9	0.2	0.7	0.7	0.2
Student	5.2	4.0	3.5	3.7	2.5	2.7	2.1	1.7	1.3
Pensioner	0.6	0.9	0.0	0.4	0.6	0.0	0.1	0.3	0.0
Other condition	1.0	1.9	0.0	1.0	1.9	0.0	0.1	0.3	0.0

#### 4.3.2 Rape & Sexual assault

When was marital rape criminalized?

In 1976, the *Corte di Cassazione* (an Italian Supreme Court) stated, “the spouse who compels with violence or threat the other spouse to a sexual knowledge or intercourse commits a carnal violence crime” that is rape<sup>34</sup>.

What is the number of annually reported incidents to the police?

Not available

What is the attrition rate for rape in the criminal justice system (convictions as % of reports to police)?

Not available

What is required for an act to be considered to be rape, e.g.:

- lack of consent (since when)
- physical resistance? (since when)
- Other?

<sup>33</sup> Table to be found at p. 18 of the national report, see

[http://www.istat.it/salastampa/comunicati/non\\_calendario/20070221\\_00/testointegrale.pdf](http://www.istat.it/salastampa/comunicati/non_calendario/20070221_00/testointegrale.pdf) (accessed 19.05.2008)

<sup>34</sup> Document by the NGO Telefono Rosa, available in the website: [www.rcne.com/downloads/RCCs/Italy.doc](http://www.rcne.com/downloads/RCCs/Italy.doc), accessed on 05/06/2008.

According to law 66/1996, sexual violence is defined as a crime against the person, whereas previously the Italian criminal code classified it as an offence against morals. The aim of the law is to prosecute violent sexual acts or carnal knowledge taken without the victim's consent.

Is any characteristic of victim or perpetrator considered relevant (e.g. age, sex), and if so which characteristic?

Age is relevant for the victims, if they are under 14 or under 10 years old, the punishment will be increased. When the victim is older than 14, the perpetrator will be imprisoned 5 to ten years, when the victim is between 10 and 14, the imprisonment will be between 6 and 12 years, and if the victim is under 10, the perpetrator will remain in prison for 7 to 14 years.

#### 4.3.3 Trafficking for sexual exploitation

Has the government signed and ratified the EU convention on human trafficking  
Italy has signed but not yet ratified the EU convention.

Is trafficking primarily seen as a problem of the sending or the receiving country?  
Receiving

Are women victims of trafficking, when identified as such, given temporary/permanent residence permits? How long?

Yes, 6 months. Measures against trafficking are treated in art. 18 of the Law on immigration<sup>35</sup>. It is inserted within the humanitarian aids section and allows delivering a residence permit with or without the victims' legal report to the police. Non profit organisations usually organise and implement different services devoted to trafficked women<sup>36</sup>.

#### 4.3.4 Intersections

Have specialised policies and practices on gender based violence that address gender as intersecting with race/ethnicity, class, sexual orientation been developed by:

- Police Not available
- NGOs Yes
- Local Authorities / government Yes
- Other

#### 4.3.5 Service provision

Are there refuges and/or sexual assault centres? Yes

How many are there?

It is difficult to say the exact numbers because they are established and managed at the local level, nevertheless, the national network of anti-violence centres and women's houses is composed by 50 organisations<sup>37</sup> that run shelters all around Italy.

When was the first set up?

According to Livi Bacci<sup>38</sup> (2002) the first shelters for women victims of gender based violence in Italy were opened in Bologna and Milano, two cities of the north, in the late 1980s.

Are they state funded, to what extent?

Yes, to be more precise they are usually funded by local administrations.

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<sup>35</sup> Available at: <http://www.camera.it/parlam/leggi/98040l.htm> (accessed on 05/06/2008).

<sup>36</sup> A Report on the Activities of the NGO "On the road" on the implementation of art. 18 is available at the website: [http://www.ontheroadonlus.it/rootdown//RelFinaleArt18\\_Avviso5\\_17mag04\\_16giugno05.pdf](http://www.ontheroadonlus.it/rootdown//RelFinaleArt18_Avviso5_17mag04_16giugno05.pdf) (Italian).

<sup>37</sup> <http://www.centriantiviolenza.eu/centricheaderiscono.htm>.

<sup>38</sup> Livi Bacci N. (2002), "Women's crisis centres and shelters in Italy: working with battered women and with health care providers", in *International Journal of Gynecology and Obstetrics* 78 Suppl. 1 (2002) S65–S66, available online: [http://www.sciencedirect.com/science?\\_ob=ArticleURL&\\_udi=B6T7M-45R7VHB-1&\\_user=144492&\\_rdoc=1&\\_fmt=&\\_orig=search&\\_sort=d&\\_view=c&\\_acct=C000012038&\\_version=1&\\_urlVersion=0&\\_userid=144492&md5=e3616e8be66a3aedbb528abb4b9070af](http://www.sciencedirect.com/science?_ob=ArticleURL&_udi=B6T7M-45R7VHB-1&_user=144492&_rdoc=1&_fmt=&_orig=search&_sort=d&_view=c&_acct=C000012038&_version=1&_urlVersion=0&_userid=144492&md5=e3616e8be66a3aedbb528abb4b9070af).

## **CIVIL SOCIETY AND ENGAGEMENT IN POLICY MAKING**

### **5. Political system**

#### **5.1 Is the state unitary or federal?**

If federal, are key gender+ equality decisions made at national or provincial/local level?

The state is unitary, but the subsidiarity principle is in force. The Italian state can be defined as a regional state, because regions have broad legislative authority. Key gender-equality decisions are made at national level, but regional laws must remove every obstacle preventing full equality between women and men in the social, cultural and economic life and promote equal access to elective posts (art. 117 of Constitution).

#### **5.2 To what extent and how are social partners (employers & trade unions/capital & labour) integrated in policy decisions?**

Are there legally binding decision making processes similar to the EU framework agreements (e.g. as the Parental Leave Directive)?

No, the social partners do not constitute a legally binding decision making process. They are consulted, but their position is not binding.

Would the political system be possible to describe as corporatist or neocorporatist, where hierarchically ordered trade unions and/or employer and/or other civil society organisations are institutionally incorporated in policy making?

No, it is not possible to describe the Italian political system as corporatist or neocorporatist. However, even if there is no institutionalised policy concertation, it has been very important from time to time.

What is the gender composition in the decision making process of agreements made by the social partners (if there are any such agreements)?

Each social partner has its own rules. The Italian General Confederation of Labour (CGIL) statute settles that each sex should have a representation of over 40% and less than 60% in each body (art. 6)<sup>39</sup>. The Confederation of Trade Unions in Italy (Cisl) statute declares that the union promotes equal opportunities between women and men within the organisation in every level and in each sector. (art. 3)<sup>40</sup>. The art. 29 of the statute implementation regulation settles the nullification of every lists with less than 30% of women<sup>41</sup>. Finally, there is a rule concerning the presence of at least one woman in every secretariat. The Italian Work Union (Uil) statute does not mention gender issues. The General Confederation of Italian Industry (Confindustria) statute does not mention equal opportunities issues within the organisation.

#### **5.3 In which policy environment (ministry) is a decision on the issue predominantly made?**

General gender equality policies: Equal Opportunities Ministry.

Non-employment: Ministry for Labour, Ministry for Welfare.

Intimate citizenship: Ministry of Health, Ministry of Family, Ministry of Social Solidarity.

Gender-based violence: Equal Opportunities Ministry

#### **5.4 Political cleavages**

Is the state consociational or not, i.e. are there major internal divisions (ethnic, language, religion etc) where neither of the groups form a majority while, at the same time, the political regime can be considered to be stable?

No, Italy is not a consociational state.

What are the main existing salient political cleavages within the state, and on what dimension (e.g. language, region, religion, nationality)?

The main existing salient political cleavage is regional. In Italy there is a governmental party, Lega Nord (North League), based on a strong regional identity. The party's ideology is a combination of political federalism, fiscal federalism and regionalism. The party was formed in 1991. During the 1990s its aim was the secession of Padania (the northern region) from Italy. Now its aim has been downsized, it is focused on the devolution and on the transformation of Italy in a federal state.

<sup>39</sup> [http://www.cgil.it/congXV/StatutoCGIL\\_congrXV.htm](http://www.cgil.it/congXV/StatutoCGIL_congrXV.htm)

<sup>40</sup> [www.cisl.it/sitocisl-organizzativo.nsf/StatutoConfederale2005.pdf](http://www.cisl.it/sitocisl-organizzativo.nsf/StatutoConfederale2005.pdf)

<sup>41</sup> [www.cisl.it/Sito.nsf?OpenDatabase&CNT=HOME;SCT=PARI;MNT=Donne;PT=PaginaDip;DOC=HOME/PARI/Testo;DB=Sito-Donne;](http://www.cisl.it/Sito.nsf?OpenDatabase&CNT=HOME;SCT=PARI;MNT=Donne;PT=PaginaDip;DOC=HOME/PARI/Testo;DB=Sito-Donne;)

## 5.5 International obligations and links

When, if at all, was CEDAW signed?<sup>42</sup>

CEDAW was signed the 17 of July 1980

When did the country join the EU?

Italy is an EU founding member; it joined the EU in 1957.

## 6. Political Representation

### 6.1 The development of women's political representation, including:

- Date of female suffrage<sup>43</sup>: 1946
- Note any caveats, e.g. age, property qualification, ethnicity, and when removed.
- Date of male suffrage: 1918
- Use of quotas<sup>44</sup>
  - When introduced 2003
  - What form e.g. party, electoral, constitutional: Constitutional modification of Article n. 51 of the Constitution to introduce quotas in all electoral laws.
- What is the numerical representation of women in parliament? (over QUING period)

Gender	1994*		1996*		2001*		2006*		2008**	
	Lower chamber	Upper chamber	Lower chamber	Upper chamber	Lower chamber	Upper chamber	Lower chamber	Upper chamber	Lower chamber	Upper chamber
Women	14.7	9.2	10.6	8.2	11.5	8.1	17.1	14.0	21.00	18.01
Men	85.3	90.8	89.4	91.8	88.5	92.1	82.9	86.0	79.00	81.99
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: \*Parliamentary websites ([www.camera.it](http://www.camera.it), [www.senato.it](http://www.senato.it))

\*\*Arcidonna ([www.arcidonna.it](http://www.arcidonna.it))

- Was the increase in women's representation a gradual increase since suffrage, or were there any key turning points? E.g. quotas, 1989.
- Other important developments

Women's representation within national Parliament is discontinuous, even if in general rather low. Within the lower Chamber the percentage reached in 1994 was 15%, but in 1996 it was 11% while the percentage has increased again only in recent years.

The relative increase during the early nineties is due to some political dramatic changes that took place. *Tangentopoli* ('Bribeland'), a big political and institutional scandal that involved governmental parties, changed the political scene: all the parties modified their names and two coalitions (centre-left and centre-right) emerged in the new political order. Women could enter the political and institutional scene as new actors and not compromised by the previous system, while the old politicians were temporarily expelled from political life. However the female presence did not increase so much. During the nineties two laws (n. 81/1993, n. 277/1993) were approved concerning the electoral system for municipalities, provinces, regions and state. The quota system was introduced to counterbalance the uneven presence of men and women<sup>45</sup> in representative institutions, but it was abolished by the Constitutional Court in 1995 (Judgement n. 422/1995). The Constitutional Court justified its decision claiming the unconstitutionality of the Law for damaging the principle of equality between the sexes. This Judgment seems to be in contradiction with the concept of positive action.

<sup>42</sup> See <http://www.un.org/womenwatch/daw/cedaw/states.htm>

<sup>43</sup> See Inter-Parliamentary union (IPU) website: <http://www.ipu.org/wmn-e/world.htm>

<sup>44</sup> See IDEA: <http://www.idea.int/gender/index.cfm>

<sup>45</sup> Law n. 81/1993 (Direct election of the mayor, the president of the Province, the representatives of the city hall and provincial council) affirms: "In electoral lists one of the two sexes can represent no more than ¼ of the total candidates" (Art. 5). In other words: at least ¼ of candidates should be women.

## 6.2 Political representation for intersecting inequalities:

- Class (e.g. was male suffrage granted in stages with property qualifications; representation in parliament)
- ethnicity/religion (what exclusions and when; numerical representation in parliament)
- Other important intersecting inequalities, any quotas

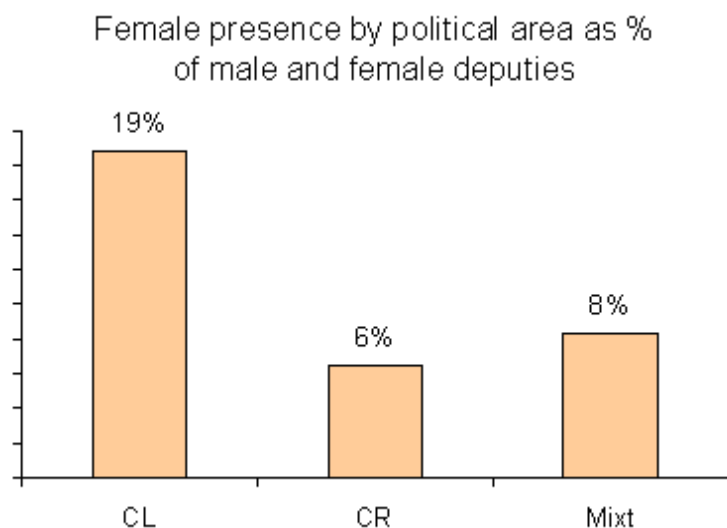
When the kingdom of Italy was established (1861) the vote was granted to male citizens on the basis of their census (just 2% of the Italian population could vote). In 1882 the suffrage was enlarged to all male citizens with the exclusion of illiterate men, in 1912 all men could vote but illiterate men only after they had turned 30. In 1919 all men aged 21 could vote.

Ethnicity and religion never played a role in terms of political rights, while non-Italian citizens, even if legally residents in Italy, do not enjoy political rights.

## 6.3 Political parties and gender

- Does women's political representation vary by Party;
  - if so, do these Parties tend to represent different class, ethnic, religious or other interests?

Looking at the parties' websites, many of them do not have data on affiliation, especially disaggregated by sex. Generally speaking, women's representation within Parliament is higher in left-wing parties, which tend to represent working class interests (at least the more leftist ones).



Source: Arcidonna

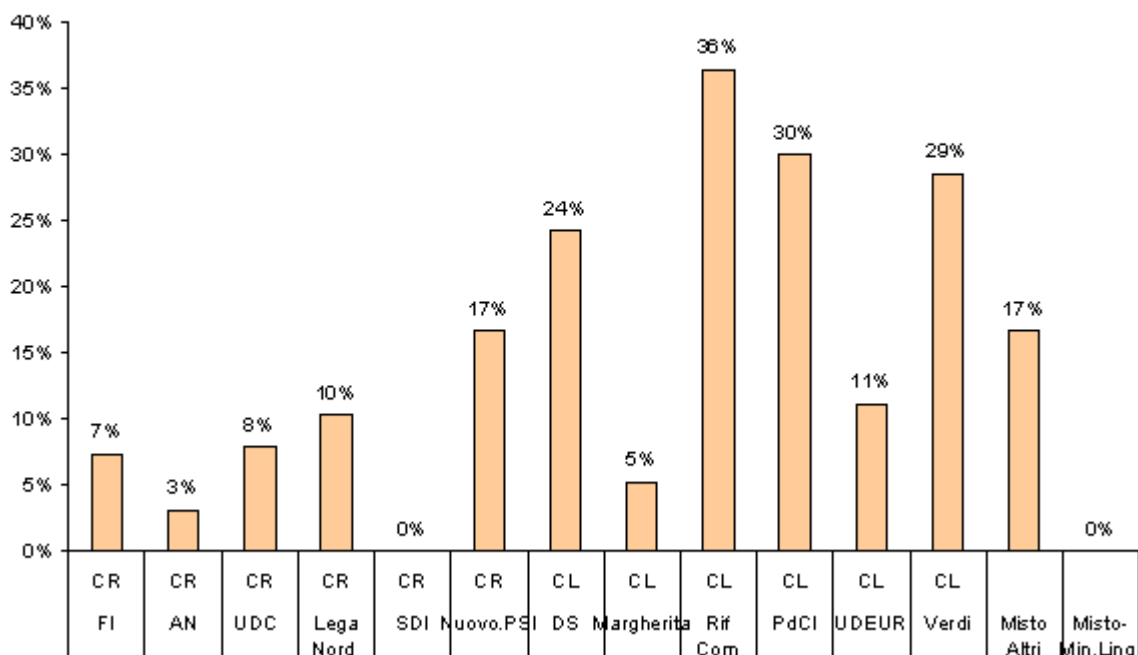
(<http://www.arcidonna.org/indexweb/esserci/html/modules.php?op=modload&name=News&file=article&sid=113>, accessed 09/06/08)

CL : centre-left

CR : centre-right

Mixt : Mixed Group

### Female presence (%) by political party



Soruce: Arcidonna  
 (<http://www.arcidonna.org/indexweb/esserci/html/modules.php?op=modload&name=News&file=article&sid=113>, accessed 09/06/08)

CL : centre-left

CR : centre-right

AN Alleanza nazionale; DS Democratici della Sinistra; FI Forza Italia; UDC, Unione Democratica di Centro; DS Democratici di Sinistra; Misto : Mixed Group; Nuovo PSI Nuovo Partito Socialista Italiano; PdCI Partito die Comunisti Italiani, Rif Com Partito della Rifondazione Comunista; SDI Socialisti Democratici Italiani (later Rosa nel Pugno); UDEUR Unione dei Popolari Europei.

○ What is the current Party / Parties in Government:

The governmental coalition is composed by the Partito delle libertà (party of liberties), resulting from the fusion of Forza Italia and Allenza nazionale, and Lega Nord.

▪ With which European Parliament political group is this Party / Parties affiliated?<sup>46</sup>  
 EPP

<sup>46</sup> See list Of EP political groups: [http://www.europarl.europa.eu/groups/default\\_en.htm](http://www.europarl.europa.eu/groups/default_en.htm)

- What political party / parties have held office during 1995-2007?

Period	Prime minister	Party of belonging	Coalition
10 <sup>th</sup> may 1994 – 17 <sup>th</sup> january 1995	Silvio Berlusconi	Forza Italia	FI, AN, LN, CCD
17 <sup>th</sup> january 1995 – 18 <sup>th</sup> may 1996	Lamberto Dini	Indipendent	Technical Government
18 <sup>th</sup> may 1996 – 21 <sup>st</sup> october 1998	Romano Prodi	Ulivo	PDS, PPI, RI, FV
21 <sup>st</sup> october 1998 – 22 <sup>nd</sup> december 1999	Massimo D'Alema	DS	DS, PPI, RI, FV, PDCI, SDI, UDR
22 <sup>nd</sup> december 1999 – 25 <sup>th</sup> april 2000	Massimo D'Alema	DS	DS, PPI, RI, FV, PDCI, DEMO, UDEUR
25 <sup>th</sup> april 2000 – 11 <sup>th</sup> june 2001	Giuliano Amato	Ulivo	DS, PPI, RI, FV, PDCI, SDI, DEMO, UDEUR
11 <sup>th</sup> june 2001 – 23 <sup>rd</sup> april 2005	Silvio Berlusconi	Forza Italia	FI, AN, LN, UDC
23 <sup>rd</sup> april 2005 – 17 <sup>th</sup> may 2006	Silvio Berlusconi	Forza Italia	FI, AN, LN, UDC
17 <sup>th</sup> may 2006 – 8 <sup>th</sup> may 2008	Romano Prodi	Ulivo	DS, DL, PRC, RNP, PDCI, IDV, FV, UDEUR
8 <sup>th</sup> may 2008 – present	Silvio Berlusconi	PdL	PdL, LN

Acronyms:

AN Alleanza nazionale; CCD Centro Cristiano Democratico (later UDC, Unione Democratica di Centro); DEMO I Democratici (later La Margherita); DL La Margherita, DS Democratici di Sinistra; FI Forza Italia, FV Federazione dei Verdi; IDV Italia dei valori; LN Lega Nord, PDCI Partito die Comunisti Italiani, PdL Partito delle libert  (composed by Forza Italia and Alleanza Nazionale); PDS Partito Democratico della Sinistra; PPI Partito Popolare Italiano; PRC Partito della Rifondazione Comunista; RI Rinnovamento Italiano (later La Margherita); RNP Rosa nel Pugno; SDI Socialisti Democratici Italiani (later Rosa nel Pugno); UDEUR (Unione dei Popolari Europei; UDR Unione Democratica per la Repubblica (later Unione dei Popolari Europei).

Main European Political Parties (each footnote provides a link to party's website where you can find their national political party members)

European People's Party (EPP): Centre right Christian democrats and conservatives. The largest group in the European Parliament with 277 members.<sup>47</sup>

Party of European Socialists (PES): Social democrats, democratic socialists. With 218 members the PES's socialist group is the second largest group in the.<sup>48</sup>

European Liberal Democrat and Reform Party (ELDR): Liberal democrats and centrist, the ELDR is the third-largest political party represented.<sup>49</sup>

European Free Alliance (EFA): Pro devolutionists, independence<sup>50</sup>

European Green Party: Greens, ecologists, environmentalists<sup>51</sup>

#### 6.4 Representation in government

- What percentage of government Ministers are female?<sup>52</sup>  
The recent established (May 2008) Berlusconi government is composed by 21 ministers, of which 4 are women (19%).
- To which Ministries do female ministers belong?  
Education (Maria Stella Gelmini), Equal opportunities (Mara Carfagna), Youth policies (Giorgia Meloni), Health (Michela Vittoria Brambilla).

<sup>47</sup> [www.epp.org](http://www.epp.org)

<sup>48</sup> [www.pes.org](http://www.pes.org)

<sup>49</sup> <http://www.eldr.org/>

<sup>50</sup> <http://www.e-f-a.org/>

<sup>51</sup> [www.europeangreens.org](http://www.europeangreens.org)

<sup>52</sup> See IPU: <http://www.ipu.org/wmn-e/world.htm>

## 7. Civil Society

### 7.1 Gender

Is there one (or more than one) national organisation that coordinates feminist and women's organisations.

No, there are some national organisations (UDI, Arcilesbica), and a lot of local organisations, which sometimes converge on certain issues/campaigns. At present, for example, one campaign that gathers many organisations is "Obiettiamo gli obiettori" (Let's object the objectors"), developed against the doctors who exercise conscientious objections concerning abortion procedures. The campaign was started by the collective maistat@zitt@<sup>53</sup> and subscribed to by many other feminist organisations. Another hot issue concerns gender based violence; indeed many organisations<sup>54</sup> promoted and participated in a big demonstration in Rome (November 2007). From that demonstration, a national assembly of lesbians and feminists<sup>55</sup> was established in order to discuss and change gender relations.

#### List the key women's / feminist civil society organisations and their main methods / activities

UDI, (Unione donne in Italia, Union of women in Italy, [www.udinazionale.org](http://www.udinazionale.org)) is an historical feminist organisation, established in 1944 and close to the Communist party. It has a national office and local offices. A recent campaign promoted by the organisation is 50+50 (<http://www.udinazionale.org/50E50.htm>), aimed at increasing women's participation in the political arena. Another campaign concerns femicide.

- Building autonomous institutions: no
- Public protest e.g. demonstrations: yes
- Campaigning: yes
- lobbying state: yes
- service provision: no
- research No, but it organised a school of politics

○ Are they important or marginal to national politics?

Not really important

○ Are they centralised or dispersed?

See above

Arcilesbica is a lesbian organisation established in 1996 when Arcigay-arcilesbica split in two autonomous, but federate, subjects. It is composed only by women and has two main goals:

- protect lesbians from discriminations;
- increase lesbians' visibility

- Building autonomous institutions: no
  - Public protest e.g. demonstrations: yes
  - Campaigning: yes
  - lobbying state: yes
  - service provision: no
  - research No,
- Are they important or marginal to national politics?

Not really important

○ Are they centralised or dispersed?

It has many local offices (23), pretty autonomous in their activities, and a national coordination.

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<sup>53</sup> <http://ogo.noblogs.org/>

<sup>54</sup> [www.contraviolenzadonna.org](http://www.contraviolenzadonna.org)

<sup>55</sup> <http://flat.noblogs.org>

Libreria delle Donne di Milano<sup>56</sup> (Women's bookshop of Milan). This organisation was established in 1975, it is based in Milan and publishes books and a review; it is an historical place of the feminism of difference.

- Building autonomous institutions: no
- Public protest e.g. demonstrations: no
- Campaigning: no
- lobbying state: no
- service provision: no
- research yes, in the sense of document productions and reflections,
- Are they important or marginal to national politics?  
Not important
- Are they centralised or dispersed?  
They are based in Milan

Rete nazionale dei centri anti violenza<sup>57</sup>

- Building autonomous institutions: yes
- Public protest e.g. demonstrations: yes, but marginal
- Campaigning: yes
- lobbying state: yes
- service provision: yes, main activity
- research: yes
- Are they important or marginal to national politics?  
Not very important, even if depending on the local context, they can play different roles
- Are they centralised or dispersed?  
Dispersed, but organised in a national network.

Arcidonna<sup>58</sup> is a national NGO close to the Democratic party (centre-left).

- Building autonomous institutions: No
- Public protest e.g. demonstrations: yes, but marginal
- Campaigning: yes
- lobbying state: yes
- service provision: yes, especially consulting activities
- research: they run a "observatory on gender" that aims at monitoring women's presence and role within institutions, politics, the social partners and in the finance field.
- Are they important or marginal to national politics?  
Difficult to say
- Are they centralised or dispersed?  
There have different offices in half of the Italian regions.

Orlando<sup>59</sup> is a documentation centre based in Bologna. We decided to include it in this section because it is relevant at national level and a reference point for the feminist movements.

- Building autonomous institutions: No
- Public protest e.g. demonstrations: No
- Campaigning: yes
- lobbying state: difficult to say
- service provision: no
- research: yes
- Are they important or marginal to national politics?  
Not very important
- Are they centralised or dispersed?  
Centralised in Bologna

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<sup>56</sup> <http://www.libriadelledonne.it/>

<sup>57</sup> <http://www.women.it/centriantiviolenza/>

<sup>58</sup> [www.arcidonna.org](http://www.arcidonna.org)

<sup>59</sup> <http://www.women.it/orlando/>

Comitato per I diritti civili delle prostitute<sup>60</sup> (Committee for the Civil Rights of Prostitutes)

- Building autonomous institutions: No
- Public protest e.g. demonstrations: yes
- Campaigning: yes
- lobbying state: yes
- service provision: yes
- research: No
- Are they important or marginal to national politics?  
Not very important
- Are they centralised or dispersed?  
Centralised in Pordenone (a town in the north of Italy).

### List the key anti-feminist organisations and their main methods/ activities?

The main anti-feminist organisation is “Movimento per la vita”<sup>61</sup> (pro-life movement), that “aims at promoting and defend right to life and the dignity of each man from conception to natural death, favouring a culture of inclusion towards the weakest and helpless, first of all the conceived and still not born baby”

- Building autonomous institutions No
- Public protest e.g. demonstrations No
- Campaigning yes
- lobbying state yes
- service provision yes
- research NO
- Are they important or marginal to national politics?  
They are pretty important; they constitute a reference point for many anti-abortion MPs and have a privileged relationship with the Pope and the higher catholic hierarchies.
- Are they centralised or dispersed?  
There is no information on the organisation’s website, in any case there are several local offices.

The “Forum delle associazioni familiari” (Forum of familiar associations) is not an organisation as such, but it gathers many Catholic associations<sup>62</sup> and was the promoter of the “Family Day” (12<sup>th</sup> may 2008), a big demonstration organised in Rome aimed at reaffirming the legitimate family form based on the heterosexual married couple with children and against the law proposal on civil partnership.

The Forum is composed by the following associations:

- \*ABC - Associazione bambini cerebrolesi Federazione italiana
- \* ACI - Azione cattolica italiana
- \* ACLI - Associazioni cristiane lavoratori italiani
- \* ACS - Associazione Cooperatori Salesiani
- \* AFI - Associazione delle famiglie. Confederazione Italiana
- \* AFN - Azione per Famiglie nuove
- \* AGE - Associazione italiana genitori

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<sup>60</sup> [www.lucciole.org](http://www.lucciole.org), from their website: “The Committee for the Civil Rights of Prostitutes (CDCP) is a non-profit association that was founded in 1982 by sex workers. Its main objective is to provide assistance to prostitutes. The Committee organises sensitisation campaigns aimed at raising public awareness over the dignity and rights of sex workers; promoting vocational training courses for the empowerment of women prostitutes and improving their quality of life. The Committee also acts as an interlocutor with political forces interested in changing the law on prostitution with the following principles: de-penalisation of prostitution, abolition of mandatory health checks and of all kinds of card indexing, the fight against the exploitation and trafficking of human beings coerced into sexual activities, obtain the recognition and the protection of the civil Rights of sex workers demanding the modification of those aspects of legislation which obstruct their complete social inclusion. Since 1986, the Committee's members have worked on disseminating information campaigns on AIDS and on harm reduction aimed at sex workers in general. In 1995, it started assisting trafficked persons by promoting self-emancipation”.

<sup>61</sup> <http://s2ew.mpv.glauco.it/mpv/s2magazine/index1.jsp?idPagina=2>

<sup>62</sup> See website in order to have the list of participants: [http://www.forumfamiglie.org/associazioni\\_aderenti.php](http://www.forumfamiglie.org/associazioni_aderenti.php)

- \* AGESC - Associazione genitori scuole cattoliche
- \* AIART - Associazione spettatori
- \* AIBI -Associazione amici dei bambini
- \* AIFA - Associazione italiana famiglie con figli ADHD
- \* ALFA - Associazione laicale famiglie Agàpe
- \* Alleanza Cattolica
- \* ANFE - Associazione nazionale famiglie emigrati
- \* ANNI - Associazione nazionale nuova idea
- \* ANSPI - Associazione naz. San Paolo Italia - Oratori e circoli
- \* Associazione Aiuto Famiglia
- \* Associazione Comunità
- \* Associazione Famiglie per l'accoglienza
- \* Associazione far Famiglia
- \* Associazione nazionale famiglie numerose
- \* CFC - Confederazione italiana consultori familiari di ispirazione cristiana
- \* CHP. Associazione C.Péguy
- \* CIF - Centro italiano femminile
- \* COLDIRETTI (CNCD) Confederazione nazionale dei coltivatori diretti
- \* Confederazione italiana dei Centri per la regolazione naturale della fertilità
- \* CONFEDEREX (Confederazione it. ex alunni/e di scuola cattolica)
- \* FAES - Centri Scolastici e di Orientamento
- \* Famiglie separate cristiane
- \* Fed. Ital. exallievi/e di don Bosco
- \* FISIAE - Fed. It. sportiva istituti attività educative
- \* GRIS - Gruppo di ricerca e informazione socio religiosa
- \* Il Melograno-Associazione per i diritti civili delle persone vedove
- \* Istituto Pro familia
- \* Istituto Santa Famiglia
- \* KFS - Katholischer familienverband Sudtirol (Ass. cattolica famiglie Alto Adige)
- \* MCL - Movimento cristiano lavoratori
- \* MOICA - Movimento italiano casalinghe
- \* Movimento Tra noi
- \* MPV - Movimento per la vita
- \* MRC - Movimento rinascita cristiana
- \* NOI - Oratori e circoli parrocchiali
- \* OFS - Ordine francescano secolare
- \* OFS - Ordine francescano secolare d'Italia
- \* PASFA - Associazione per l'assistenza spirituale alle forze armate
- \* RnS - Rinnovamento nello Spirito Santo
- \* SIDEF - Sindacato delle famiglie
- \* UCIPEM - Unione consultori italiani prematrimoniali e matrimoniali
- \* UFHA - Unione famiglie handicappati
- \* UGCI - Unione giuristi cattolici italiani

**Are there any men's groups / organisations that are supportive of women's / feminist organisations?**

Yes, the national association "Maschile Plurale"<sup>63</sup> (Male plural), established in 2007, gathers different local organisations active in Italy since the nineties and aims at reflecting on the construction of masculinity and supporting feminist/women's issues.

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<sup>63</sup> [www.maschileplurale.it](http://www.maschileplurale.it)

## Women's / feminist organisations in civil society

- What are the major distinctions in civil society between different types of organisations/projects e.g. feminist, pro-family etc.?

The major distinctions in civil society organisations can be described as follows:

- catholic/non catholic
  - pro-choice/anti abortion
  - pro civil union/against civil union
- service provider/non service provider (concentrated more on protest – campaigns or research)
- feminist/non feminist; among feminist:
  - separatist/non separatist
- national network-NGO/local NGO

- Do women's organisations actively engage with other intersecting inequalities (in each area?)

Concerning intimate citizenship, many LGBTQ organisations work together with trade unions (especially the sector of the CGIL – main Italian trade union – that deals with atypical workers, so class (however never named as such), gender and sexual orientation are the main axes of intersection. Concerning gender based violence, ethnicity/national status and gender constitute an intersectional axis. Disability and gender seems to be an axis increasingly taken into consideration by NGOs dealing with disability.

- Do they have good alliances with those representing other inequalities or not? (in each area)

There are several joint campaigns (see above), seminars and public demonstrations. Various organisations link to each other's websites. Cooperation and linking between women's organisations in different sub issues exists.

- Are there alliances between women's / feminist organisations and men's groups (if these exist in your country)?

Yes, many feminist groups link to Maschile Plurale (see above).

- Are there many organisations of minoritised women? (in each area)

There are some. One of the most well known is Alma Mater, based in Turin<sup>64</sup> and composed by both native and migrant women. Alma Mater is a multicultural centre that aims at underling migrant women's subjectivity and rejecting the stereotype of migrants as needy persons. With a very similar goal, there is also the association Nosotras<sup>65</sup> (Florence). These two organisations are especially active concerning employment. Many other organisations are national-based<sup>66</sup>, following the main nationalities of women that migrate to Italy.

- What links are there with international? / EU level / bilateral bodies? (in each area)

General – European Women's Lobby

Non-employment – Trade unions (see below)

Intimate citizenship – ILGA-Europe,

Gender based Violence –WAVE.

- Is organised feminism engaged with the state, or does it follow an autonomous or separatist agenda building its own institutions? For example, is it invited to report to consultations; does it take money from the state; is it commissioned by the state to undertake specific tasks?

Italian feminist movements are in general pretty far from the state and its political currents, indeed they do not contribute very much to the creation of women's policy machinery at the national level and state feminism developed in Italy only since the nineties<sup>67</sup>. The specific features of Italian feminism lead to a big differentiation within the feminist movement itself, where the groups developing the theory of difference in most of the cases decided not to "compromise" with the state. The case of the

<sup>64</sup> <http://www.arpnet.it/alma/cartella1web/Chisiamo.htm>

<sup>65</sup> [www.nosotras.it](http://www.nosotras.it)

<sup>66</sup> see [http://www.dirittiumani.donne.aidos.it/bibl\\_3\\_attori/g\\_ong/b\\_ong\\_italiane\\_attive.html](http://www.dirittiumani.donne.aidos.it/bibl_3_attori/g_ong/b_ong_italiane_attive.html)

<sup>67</sup> Donà A. (2006), *Le pari opportunità. Condizione femminile in Italia e integrazione europea, (Equal Opportunities. Women condition in Italy and European integration)* Laterza, Bari.

organisations active in the gender based violence field is a bit different, since they developed their own institutions (women's shelter and other kind of services) but at the same time state funded. Concerning non-employment, many feminists decide to work within trade unions, thus trying to mainstream gender.

○ Does this vary between issue areas?

General – partly engaged

Non-employment - engaged

Intimate citizenship – non-engaged

Gender based Violence – engaged

○ Has this changed over time?

Yes, to some extent. Since state feminism only developed in the nineties, some changes have taken place at the end of the 1990 and in the decade of the 2000, coinciding with centre-left cabinets that have been more open to consultation with feminist movements. One example is that of the cooperation with the women's movement around the Law 53/2000 on parental leave.

○ When engaging with the state is a coalition form of organising common or not?

Yes, it can happen, even if there is not a typical pattern in the type of engagement with the state.

○ Does it make sense to talk of a 'women's movement' or not?

○ Briefly explain your answer.

More than talking about a feminist movement, we should talk about women's movements since in Italy different currents produce different visions. In any case with different degrees of visibility and closeness to the state (see below), many women's organisations and/or campaigns have been active and activated through the years. It has to be underlined that is just in recent years, after the nineties, that a form of state feminism has been developed; more radical organisations became silent, and new campaigns are being organised and young activists are engaged.

○ Is there a tendency towards one of the three major visions of gender equality (sameness, equal valuation of difference, transformation)?

It depends on the issue and on the organisations involved even if in general terms the theory of difference has played a big role concerning the vision of gender equality, so within general gender equality and non-employment the tension is between sameness and difference (for example within trade union's feminism), where in general terms equality means sameness (equal treatment), but motherhood still has special protection<sup>68</sup>. Gender based violence is the issue where a more transformative vision of equality is adopted. Concerning intimate citizenship it is a bit difficult to say, because on the one hand many organisations promote a transformative vision of gender relations but on the other hand their political claims are based on sameness (see the discussion on partnership, for example).

○ Is there a preferred model of care work: support for a domestic regime or support for a public (state or market provision) regime?

The public discourse on care work is for a public regime, but the practices are still private and family based. Women of different generations and/or foreign women are those who usually do care work.

○ How closely aligned is feminism with social democracy?

Not very close, even if during the nineties, with the development of the state machinery, state feminism bodies emerged and showed positions compatible with social democracy.

○ Notes on the history of the development of gendered or feminist civil society organisations:

○ Is there a history of divisions as to where on a continuum between autonomous or close to state is most appropriate? More divisions

▪ Does this vary by 4 areas (general, employment, intimate citizenship, gender based violence)?

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<sup>68</sup> Anyway a transformative vision has been adopted during the last years concerning the roles of fathers as caregivers within the discussion on parental leave.

In the late sixties some autonomous organisations started to develop independently from the leftist parties and the extra-parliamentarian organisations. The collective DEMAU (Demistificazione Autoritarismo, demystifying authoritarianism) appeared in the late sixties. It was the first time that an autonomous political subject, not mechanically linked to the development of class based struggles, emerged in Italy (Fraire, 2002, p. 51). All along the seventies, many groups were established, developing group awareness-raising practices known as *autocoscienza*. A common theme, according to Beccalli<sup>69</sup>, was not equality, but the positive evaluation of women's difference. In the mid seventies this wave of feminism was composed by many different groups that share a common objective: not simply women's emancipation, but women's liberation enhancing women's difference through a radical change. Nevertheless in the last part of the decade some discrepancies emerged between those most engaged in the groups' internal activities and those involved in the Left movement. One of the main debates at the time concerned abortion, which was highly prioritised both by the autonomous groups and by the political parties and trade unions' activists. The differences among groups let divisions grow and in the eighties Italian feminism was in decline. It lost its visibility in political struggles and the tension within the movement characterized the decade. One part, composed by radical feminists, developed the theory of "sexual difference" like the groups *Libreria delle Donne* (Women's Bookshop) in Milan and *Diotima*<sup>70</sup>, while another part, composed by politicians, trade unionists<sup>71</sup> and scholars, devoted their efforts within the institutions. The latter started to debate the low participation of women in political institutions, and the culture of equal opportunities and women's empowerment became shared concepts among feminists. In particular within the Communist party the debate had broader consequences than in other parties as for example the Christians Democrats. In 1986, feminists belonging or situated close to the Communist party gave origin to the Communist women's Charter<sup>72</sup> (*Carta delle donne comuniste*). The Charter covers different themes and aims at representing women's point of view on a broad range of political issues, such as peace and war, labour-market policies, education, involving the party in such a project. Women's claim to redefine party politics achieved some results: the presence of women within the Communist party and in the top positions was growing through the establishment of internal quotas for women in all the representative bodies in the party<sup>73</sup>.

During the nineties a strong autonomous feminist movement ceased to exist while State feminism was strengthened. In more recent years a new wave of mobilisation seems to be growing, especially in the field of sexual and reproductive rights and gender based violence with new generations of feminists situated pretty far away from the previous organisations.

- Is there a history of divisions as to: socialist, radical, liberal?
- Does this vary by 4 areas?

The division is more between socialist/communist and radical/separatist. It is difficult to say if it varies by area because their visions of feminism and change are pretty different.

- Is there a history of changing engagement with class, ethnic and religious forces?
- Does this vary by 4 areas?

All along the history of the feminist movement in Italy the historical engagement is concerned with class and socialism/communism (trade unions and communist party activism) and with religious forces. Ethnic diversity is something relatively new in Italy, so historically there has been no engagement even if at present ethnicity and class are connected because trade unions and feminist NGOs are taking up the issue of the migrant labour and working conditions.

<sup>69</sup> Beccalli B. "The Modern Women's Movement in Italy" in Threlfall M. (ed) *Mapping the Women's Movement: Feminist Politics and Social Transformation in the North*, London, Verso, pp. 152-183.

<sup>70</sup> Diotima is a philosophical community based at the University of Verona. It is composed mainly by scholars, teachers and some trade unionists.

<sup>71</sup> "They developed in the areas of greatest working-class militancy, and within the industrial unions (especially the engineering unions), rather than in the traditionally female sectors such as textiles, or the expanding service sector. Women's membership in unions is roughly proportional to their participation in the workforce: for example, in the largest trade-union confederation, the Cgil, women made up 29.3 per cent of the membership in 1977, when they comprised 30.2 per cent of the workforce. Their representation in the union hierarchy, however, is much lower: a mere 6 per cent of full-time officials in the Cgil and a derisory 1 per cent of the national leadership of all unions" (Beccalli 1994).

<sup>72</sup> The Charter is circulated not only among women belonging to the Communist Party, but also among the feminists of *Libreria delle Donne* in Milan, who published the Charter in their pamphlet *Sottosopra*.

<sup>73</sup> Beccalli B. (1994), "The Modern Women's Movement in Italy", in *New Left Review* 1/204, March-April.

- Is feminist research organised in Universities and research institutes?

Yes, even if it is to be pointed out that the history of Gender Studies within Universities is a recent one. Until the first half of the 1990s, the integration of gender issues and approaches in academic research were not really achieved, apart from individual contributions from professors and scholars close to the feminist movement. From the 1980s onwards, feminists and activists committed to develop women's and gender studies have not agreed on the goal of institutionalising gender within the Academic structure. The debate has mirrored a more general division, which has marked the history of gender equality policies at the national level: a strong influence by the most radical wing of the feminist thought, the philosophy of sexual difference, has led to the belief that the most suitable strategy for women to change the structures of a patriarchal society, including structures devoted to the production and to the transfer of knowledge such as Universities, was to stay out of institutions. This would guarantee the independence of women's thought and a real transformation of the so-called (patriarchal) "symbolic order" itself. This opinion was reinforced by a strong fear that women's knowledge and studies could be reduced to marginalised ghettos within the Universities.

However, at the end of the 1980s the overall policy orientation started to change and the first branches of a state machinery for gender equality were set up. Both theory and practice of Equal Opportunities agencies slowly began to prevail over the sexual difference oriented approach with effects on the academic world itself: during the 1990s some women scholars, individually or in groups, started a process of "informal institutionalisation", making use of the devices offered by existing teaching structures. Some interdepartmental centres and PhD courses explicitly referring to Women's Studies were set up, even if Women's Studies was not officially recognised within the academic world.

This resistance to the institutionalisation of gender that characterised the Italian feminist movement has weakened the interactions between the various levels of state feminism institutions, activists, and feminist scholars and academics over the years. Moreover, it has fragmented the work of academics themselves, leading to a multiplicity of sites devoted to the production of feminist knowledge, both within and outside the academic world. However, some recent changes have been introduced by an Agreement between the Ministry for Equal Opportunities and the Deans Conference in 1998 (which established the role of 'Delegate for Gender Equality and Equal Opportunities') and the 2001 law reforming Italian Universities (Calloni 2006: 70)<sup>74</sup>.

In spite of these signs of change, concerns about the risks of an institutionalisation of gender studies persist. In a relatively recent book on gender studies in Italy, the sociologist Franca Bimbi warns about the risk for women's studies to be relegated into an invisible aura or into an ambiguous position of difference as 'otherness'<sup>75</sup>.

Centro interdipartimentale centro studi e ricerche donne e differenze di genere,<sup>76</sup> (Interdepartmental Research and Study Centre WOMEN AND GENDER DIFFERENCES) University of Milan, Faculty of political science

Centro di ricerca interdipartimentale "studi di genere"<sup>77</sup>, (Interdepartmental Research Centre "Studies on Gender") University of Pavia

Seminario permanente di Women's Studies<sup>78</sup>, (Permanent Seminar on Women's Studies) University of Bologna

Centro Interdipartimentale di ricerca Studi sulle politiche di genere (CIRSPG, Interdepartmental Research Centre Studies on Gender Policies), University of Padova

Centro Interdisciplinare di Ricerche e Studi sulle donne<sup>79</sup> (CIRSDe, Interdisciplinary Centre for Research and Study on Women), University of Torino

<sup>74</sup> Calloni, Marina. 2006. (Feminist) Academics and Policy Makers in Italy: a 'Marriage' in Crisis or Still Alive?. In *The Making of European Women's Studies*. Eds. Rosi Braidotti and Bertek Waaldijk, 56–82. Athena. Utrecht: Drukkerij Zuidam & Uitho.

<sup>75</sup> Bimbi, Franca, ed. 2003. *Differenze e disuguaglianze. Prospettive per gli studi di genere in Italia*, Bologna: Il Mulino. [Differences and inequalities. An overview of gender studies in Italy].

<sup>76</sup> [http://users.unimi.it/DoDiGe/ita/template\\_informazioni.php](http://users.unimi.it/DoDiGe/ita/template_informazioni.php)

<sup>77</sup> [http://www-1.unipv.it/ricerca/studi\\_gen/genere.html](http://www-1.unipv.it/ricerca/studi_gen/genere.html)

<sup>78</sup> <http://www.unibo.it/Portale/Non+solo+Unibo/Pari+opportunita/women/default.htm>

<sup>79</sup> [http://hal9000.cisi.unito.it/wf/CENTRI\\_E\\_L/C-I-R-S-De/](http://hal9000.cisi.unito.it/wf/CENTRI_E_L/C-I-R-S-De/)

Centro di Women's and Gender Studies di carattere interdisciplinare<sup>80</sup>, (Interdisciplinary Centre of Women and Gender Studies), University of Bologna

Centro Interdipartimentale di Women's Studies "Milly Villa"<sup>81</sup>, (Interdepartmental Centre of Women Studies), University of Calabria

Centro Studi "Osservatorio Donna"<sup>82</sup> (Study Centre 'Woman Observatory'), University of Lecce

Osservatorio Armonia: ricerche e confronti sulle differenze di genere. Diversity Management, ("Harmony" Observatory: researches on gender differences in organisations and human resources management), Università Bocconi of Milano<sup>83</sup>

Seminario interdisciplinare di studi sul genere<sup>84</sup> (Interdisciplinary Seminar of Gender Studies), University of Napoli Federico II

Centro di elaborazione culturale e formazione Archivio delle donne<sup>85</sup> (Culture and Women Archive Centre), University Institute Orientale di Napoli

Women's studies<sup>86</sup> Dipartimento di Filosofia, Third University of Roma

Diotima<sup>87</sup>. Comunità filosofia femminile (Female Philosophy Community), Università di Verona

- Are there named centres?
  - If yes, are they important?
  - If not, is important feminist research primarily dispersed or mainstreamed?
- Are there specific positions, funds or journals within the country (or region e.g. Nordic)?  
Not at academic level, many resources are only existing on-line, such as Il Paese delle donne on line<sup>88</sup> (women's land on-line)

- Is there a national association for women's studies/gender studies?  
NO

- Are there feminist lawyers' organisations?

Yes

Forum Associazione Donne Giuriste<sup>89</sup> (Women Lawyers Association); GIUDIT<sup>90</sup> (Giuriste d'Italia, Italian Lawyers); Federazione Italiana Donne Giuriste (Italian Federation of Women Lawyers)<sup>91</sup>

- Are there radical lawyers' organisations that support justice claims for one or more of the inequalities?

Yes, especially concerning gender based violence, the NGO Giuristi Democratici<sup>92</sup> is very active in promoting campaigns.

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<sup>80</sup> <http://www.unibo.it/Portale/Non+solo+Unibo/Pari+opportunita/women/default.htm>

<sup>81</sup> <http://women.unical.it/>

<sup>82</sup> <http://siba2.unile.it/centrostudidonna/>

<sup>83</sup> <http://osservatori.sdabocconi.it/armonia/>

<sup>84</sup> <http://www.storia.unina.it/donne/>

<sup>85</sup> <http://www.iuo.it/sitoarchiviodelledonne/le-origini.htm>

<sup>86</sup> <http://host.uniroma3.it/dipartimenti/filosofia/culturali/women2.html>

<sup>87</sup> <http://www.diotimafilosofe.it/>

<sup>88</sup> <http://www.womenews.net/spip3/>

<sup>89</sup> <http://www.forumdonnegiuriste.it/index.htm>

<sup>90</sup> <http://www.giudit.it/>

<sup>91</sup> [http://www.portaledonna.org/dd/index.php?option=com\\_content&task=view&id=17&Itemid=30](http://www.portaledonna.org/dd/index.php?option=com_content&task=view&id=17&Itemid=30)

<sup>92</sup> [www.giuristidemocratici.it](http://www.giuristidemocratici.it), it is not a feminist organisation in a strict sense, but some of their members, especially women, use a very strong gender perspective.

## 7.2 Class

- A short history of the development of organisations representing class interests.

The Italian General Confederation of Labour (CGIL) is a national trade union centre in Italy. It was formed by an agreement between socialists, communists, and Christian democrats in the "Pact of Rome" of June 1944. But in 1950, socialists and Christian democrats split forming UIL and CISL, and since then the CGIL has been influenced by the Communist Party (PCI)<sup>93</sup>. It has been the most important Italian trade union since its creation. It has a membership of over 5,5 million. The CGIL is affiliated with the International Trade Union Confederation and the European Trade Union Confederation, and is a member of the Trade Union Advisory Committee to the OECD.

The Confederation of Trade Unions in Italy (Cisl) is the second largest trade union (4.427.037 members in 2007). It was formed in 1950 from the confluence of different groups: Free Cgil (Libera Cgil), a part of Italian Federation of Labour (Fil) and some independent small trade unions. It represents Christian democrat workers. CISL is a founding member of the ETUC (European Trade Unions Confederation) and of the ITUC (International Trade Unions Confederation)<sup>94</sup>.

The Italian Work Union (Uil) was formed in 1950 in order to represent socialist workers. In 1952 Uil entered in the International Confederation of Free Trade Unions (Icftu). It is the third Italian trade union. It has a membership of 2 millions.

All unions represented by the three confederations are organised by industry (except, partly, the UIL in the public sector)<sup>95</sup>.

Furthermore, there is the General Union of Work (UGL), the most right wing oriented union, allied since its formation with the post fascist party, MSI (later AN, Alleanza Nazionale). There are also so called "grassroots unions" (sindacati di base) like Cobas and RsB that were created in the 1980s contesting the institutionalisation of CGIL and its increasingly positive attitude toward compromise.

- How strong are trade unions? Use the following four measures of trade union strength (Data: European Industrial Relations Observatory Online, national sources)

- density (proportion of workers that are organised),

In 2002, 34% of all employees were members of a union (retired employees excluded).

- coverage (what proportion of workers are covered by collective bargaining agreements),

The coverage rate of collective bargaining is not available so the following are estimates. According to Visser (2004), coverage of sectoral agreements in manufacturing was about 70% in 2001. The OECD (2004) estimates collective bargaining coverage for 1980, 1990, and 2000 at about 80%. Coverage is lower in the textile and clothing industry and higher in metal manufacturing<sup>96</sup>.

- centralisation of collective bargaining,

Wage bargaining on plant or territorial level is restricted to matters and practices not already agreed on in the industry-wide agreements. Territorial agreements cover a particular district or province.

- is there are national body of trade unions;

No

- what proportion of TU members and unions are affiliated?

The percentage of employees covered by workplace representation (66%) is far above the EU25 average (53%). Generally, the workers' statute gives the workers the right to organise a plant-level union representation (*rappresentanze sindacali aziendali RSA*).

- coordination of collective bargaining.

Does the national body of trade unions negotiate on behalf of trade unions

Confederations act at the political level, but the collective bargaining is run by single federations. However, despite the divergent political orientations, the three largest confederations have, since the

<sup>93</sup> <http://storia.100annicgil.it/sezioni/1861 - 1918.php?section=29>

<sup>94</sup> [www.cisl.it/Sito.nsf?OpenDatabase&CNt=HOME;MNt=English;PT=PaginaInterna;DOC=HomeEnglishGeneral^T esto;](http://www.cisl.it/Sito.nsf?OpenDatabase&CNt=HOME;MNt=English;PT=PaginaInterna;DOC=HomeEnglishGeneral^T esto;)

<sup>95</sup> <http://www.uil.it/organizzazione/inglese.htm>

<sup>96</sup> [http://www.eurofound.europa.eu/eiro/country/italy\\_3.htm](http://www.eurofound.europa.eu/eiro/country/italy_3.htm)

mid- to late 1960s, had a sort of unity of action, except for a few times when the divergences have been difficult (especially 1984–85 and 2002–03).

- Can it coerce or discipline member unions to enforce agreement?  
Probably not.

- Women and trade unions:

- What percentage of *total* trade union membership (i.e. including unions not affiliated with national body and those that are affiliated) is female?

The data published on the trade unions' official web sites are not disaggregated by gender.

Aitanga Giraldi, the Cgil national overseer for equal opportunities, estimates that 50% of union membership is female.

Nirvana Nisi, the Uil national overseer for equal opportunities, estimates that 45% of union membership is female<sup>97</sup>.

- How are women organised in trade unions and the central trade union body (e.g. caucuses, separate branches, fully integrated)?

Trade Unions have a national overseer of equal opportunities, usually a woman. Cisl has a national gender equality unit. In general the Unions' Statutes include specific norms for establishing informal women's networks and to guarantee a minimum level of representation.

- What proportion of women are in the executive of (major) trade unions?

Cgil: the Secretary General is a man, confederal secretary is composed by 9 people 5 women and 4 men.

Cisl: the Secretary General is a man, the confederal secretary is composed by 7 people 1 woman and 6 men.

Uil: the Secretary General is a man, confederal secretary is composed by 9 people 1 woman and 8 men.

- Is gender equality high or low on the bargaining agenda?

Cgil adopts the principles of mainstreaming and empowerment, so there is a general attention paid to gender equality issues. For example, this trade union is taking a position against the government proposal on overtime pay de-taxation, because it would put female workers at a disadvantage<sup>98</sup>.

However, in general gender equality is low in the bargaining agenda. Nirvana Nisi, the Uil national overseer for equal opportunities, declares that there is little attention to gender equality in Uil, unless the trade unionist taking part in the negotiations is a woman<sup>99</sup>.

- Is it seen as an issue for women, or for all trade unionists?

It is seen as an issue for women. In fact, Nirvana Nisi, the Uil national overseer for equal opportunities, declares that the collective bargaining on gender equality issues is always delegated to female trade unionists<sup>100</sup>.

- How well organised are employers?

Employer organisation density (51%) is slightly below the EU25 average (57%) [Year: 2002; Source: Visser, Industrial relations in Europe]. Employer confederations vary by activity sector and company size. Until the privatisation (in the mid- and late 1990s) they were also divided by the type of ownership<sup>101</sup>.

- Do they have a single (or more) national organisation?

The most important employer confederation is the General Confederation of Italian Industry (Confindustria). Membership numbers provided by Confindustria show 120,000 companies employing

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<sup>97</sup> Telephone interview with Nirvana Nisi, the Uil national overseer for equal opportunities, 09/06/08.

<sup>98</sup> Telephone interview with Aitanga Giraldi, the Cgil national overseer for equal opportunities, 09/06/08.

<sup>99</sup> Telephone interview with Nirvana Nisi, the Uil national overseer for equal opportunities, 09/06/08.

<sup>100</sup> Telephone interview with Nirvana Nisi, the Uil national overseer for equal opportunities, 09/06/08.

<sup>101</sup> [http://www.Telephone interview w.eurofound.europa.eu/eiro/country/italy\\_3.htm](http://www.Telephone interview w.eurofound.europa.eu/eiro/country/italy_3.htm)

4.5 million employees. Most Confindustria companies are SMEs (94% have fewer than 100 employees) coming from all industrial sectors, including construction and some service sectors.

Other big employer confederations include the Italian confederation of little and middle enterprises (Confapi) representing smaller private companies. According to their own statistics they represented 50,000 companies with about 1,000,000 employees (31.12.2004).

Artisans have their own associations that are structured by political current, Confartigianato for the centre-right and CNA for the left. The employer association for larger companies is the Confagricoltura; smaller companies belong to either the Coldiretti, which used to be close to the former Christian Democrats, or the Confcoltivatori, a rather left-wing organisation.

Employer organisations in the commercial and tourism sectors are structured by political current, too (Confcommercio, centre; Confesercenti, left). The bank sector is organised within the ABI (Association of Italian banks)<sup>102</sup>.

- Is it powerful or not? E.g. can it control its members?

The capacity of employer organisations to coordinate industrial relations strategies is widely perceived as rather low. At national level they are not powerful, because the national confederation is an indirect affiliation resulting from provincial federations. For this reason at local level federations are more powerful and control their members more than the national confederation.

- Are they indifferent or hostile to gender equality in the workplace?

They are indifferent to gender equality in the workplace.

- Do they oppose the development of gender machinery, gender equality policies and gender equality laws?

Usually no, they welcome gender equality policies when gender equality makes sense for their interests, but they are resistant when these policies contrast their business. For instance, the expansion of parental leave to men was criticised by employers' organisations.

- Do they support 'diversity management'? (e.g. policies that emphasise the gains associated with the promotion of diversity in the organisation, in contrast to an emphasis on equality / equal opportunities).

NO

- Did they lobby for a merged rather than separate equalities bodies?

NO

- Are there tri-partite or corporatist bodies including employers, trade unions and government that make important national decisions?

NO. No institutional body exists. Concertation, which has been developed since 1993, has only a voluntary basis. Nevertheless, every major economic policy reform has been developed through concertation (from incomes policies to labour market flexibilization to pension reform). From 1998 social concertation was further institutionalised and the government has the obligation to consult with social partners concerning social policies<sup>103</sup>. The frequency and the quality of consultations depend on the government colour.

- Are women represented in such bodies?

- Are there EU, bilateral or other international level links for either trade union or employer organisations?

### **Trade Unions**

The three most important trade unions are members of the European Trade Union Confederation (Etuc), which is involved in economic and social policy-making at the highest level, working with all the EU institutions: Presidency, Council, Commission and Parliament<sup>104</sup>. They are also member of the International confederation of trade unions (Ituc), which cooperates closely with the European Trade Union Confederation, the Global Union Federations, Trade Union Advisory Committee to the OECD (TUAC) and with the International Labour Organisation<sup>105</sup>.

<sup>102</sup> [http://www.eurofound.europa.eu/eiro/country/italy\\_3.htm](http://www.eurofound.europa.eu/eiro/country/italy_3.htm)

<sup>103</sup> Baccaro L. (2002), "The Construction of "Democratic" Corporatism in Italy", in *Politics Society* 2002; 30; 327-357.

<sup>104</sup> <http://www.etuc.org/>

<sup>105</sup> <http://www.ituc-csi.org/spip.php?rubrique57>

## Employer organisations

The main goal of Confindustria is to provide member associations and companies with the necessary tools of connection and lobbying towards the European institutions. Confindustria is a member of BusinessEurope – an alliance of the major business federations of Europe. Other important activities are carried out at a bilateral level with the various EU industry organisations, by identifying common priorities in the EU economic agenda and by supporting companies in establishing strategic alliances with European partners. An important commitment for Confindustria within BusinessEurope is represented by initiatives for strengthening links with entrepreneurial associations of non-EU Mediterranean countries. A European Affairs Directorate, located at the Rome Headquarters, deals with coordination and reporting to the Director-General and the President on major European discussion items. The Confindustria office in Brussels hosts the permanent representation for Confindustria in BusinessEurope, and acts as an early warning post, guaranteeing communication between Confindustria and the EU through regular meetings with Commissioners, Commission officials, MEPs and a number of actors from institutions and the industry sector<sup>106</sup>.

- Are these links important (e.g. in lobbying government at national level)  
No, these links are not important for what concerns the national collective bargaining.

## 7.3 Other intersecting social inequalities

### 7.3.1 Ethnicised / racialised groupings

- What is the composition of the national population by ethnicity?

Providing a clear picture of the composition of the national population by ethnicity in Italy is no simple task. This issue involves the ever-growing presence of foreigners on Italian territory, which brought a certain degree of “visible” diversity in Italy, leading to the decrease of the importance of internal regional differences (for example between north and south). When talking about ethnicity in Italy we refer especially to migrants. During the last 30 years, from being a country of emigration, Italy has gradually become a country of immigration. In 1970 immigrants in Italy amounted to 144,000 people, fewer than the Italians who left the country (152,000) that same year. Thirty-five years later – in 2005 – the number of foreigners regularly residing in Italy was approximately 2,800,000. In the European Union, Italy, together with Spain, is the EU member-state with the highest increase in immigration. The average rate is 4.8 immigrants for every 100 inhabitants<sup>107</sup>.

### Some general trends in the major waves of immigration to Italy: classification of the first ten countries of origin for number of residence permits granted (1980-2004)

	1980		1990		1999		2004				
	N.	%	N.	%	N.	%	N.	%			
Iran	8,399	4.2	Morocco	63,809	11.6	Morocco	155,864	11.6	Romania	244,377	11.0
Yugoslavia	6,472	3.3	Tunisia	31,881	5.8	Albania	133,018	9.9	Albania	240,421	10.8
Philippines	4,107	2.1	Philippines	26,166	4.8	Philippines	67,386	5.0	Morocco	231,044	10.4
Ethiopia	4,048	2.0	Yugoslavia	22,335	4.1	Romania	61,212	4.6	Ukraine	117,161	5.3
Egypt	3,139	1.6	Senegal	21,073	3.8	China	56,660	4.2	China	104,952	4.7
India	2,535	1.3	Egypt	14,183	2.6	Tunisia	46,773	3.5	Philippines	76,099	3.4

<sup>106</sup> [www.confindustria.it/Conf2004/DbDoc2004.nsf/58ae82493eaa7079c1256fab00476bb6/f71b84e498696ebbc1256fda0055566d?OpenDocument&MenuID=FFEF7019EFA5B4B5C1256FCD0035C718](http://www.confindustria.it/Conf2004/DbDoc2004.nsf/58ae82493eaa7079c1256fab00476bb6/f71b84e498696ebbc1256fda0055566d?OpenDocument&MenuID=FFEF7019EFA5B4B5C1256FCD0035C718)

<sup>107</sup> CARITAS (2005) *Immigrazione: dossier statistico 2005 (Immigration: 2005 statistical Dossier)* (Roma: IDOS).

Jordan	2,411	1.2	China	12,998	2.4	Yugoslavia	41,234	3.1	Poland	64,912	2.9
Cape Ver.	2,168	1.1	Poland	10,933	2.0	Senegal	40,890	3.1	Tunisia	62,651	2.8
Libya	2,080	1.0	Brazil	9,364	1.7	Egypt	34,042	2.5	Senegal	49,720	2.2
Argentina	2,018	1.0	Sri Lanka	8,747	1.6	Sri Lanka	31,991	2.4	India	49,157	2.2
Total	198,483	18.8	548,193	Total	40.4	Total	1,340,655	49.9	Total	2,227,567	55.6

Source: Colombo and Sciortino (2004)<sup>108</sup> and Caritas 2005.<sup>109</sup>

○ What are considered to be the most important ethnicised, racialised, and linguistic divisions politically (e.g. Roma/non-Roma, Black/White, citizen/migrant, language communities)?

Citizen/migrant

○ Is ethnicity considered to be intersected by religion (e.g. Islamic/non-Islamic)?

Yes. Especially from the right-wing side there is a sort of overlap between migrant status and Islam, i.e. between migrant and Muslim.

○ Prioritise the ones that have been the most important in the development of gender+ equality policies.

Migrant status

○ What is the citizenship status of (all or part) of each of the minoritised groups (e.g. do any groups lack the right to political participation, employment, residence, social security benefits, or visit)? In Italy a large part of the migrant population are not Italian citizens because of restrictive legislation. Thus, foreigners enjoy a limited form of citizenship. This does not mean exclusion from rights, but a weaker status than that of clear entitlements to citizens' benefits (Ambrosini 2000). The regularisation of the legal status of immigrants in Italy illustrates a wider conception of foreigners as temporary persons, constantly on the verge of becoming clandestine: they gain an "emergency legal status", at the mercy of labour market forces and are subject to the fluctuating contractual needs of employers. The primary way of regularisation of foreign citizens in Italy takes place by means of emergency measures and exemptions. The application process for a residence permit, denominated as a "residence contract" according to law 189/2002 (the so-called Bossi-Fini law, two leaders of centre-right coalition), is initiated not by the workers themselves but by the employers. In other words, regular residence of foreign citizens on the Italian territory depends on the will and needs of employers to utilise a registered workforce. In a country such as Italy, where it is estimated that 25% of the workforce is employed illegally, it is evident that many foreigners are illegal residents because this condition lowers labour costs and makes it easier for employers to manage. However, in Italy the status of registered immigrants allows theoretically foreign citizens to enjoy the majority of services. Emergency healthcare (first aid) and compulsory education are guaranteed to all residents, both legal and illegal. Foreign citizens with an official residence permit are equal to Italians in terms of civil and social rights such as participation in employment lists, healthcare, social and public housing and even pensions, nevertheless they are excluded from enjoying political rights.

○ In what way are ethnicised and racialised groups organised? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

There are several local organisations that gather migrants coming from one specific country, and there are some mixed organisations organised around issues such as labour, housing and permit residence.

○ In what way are women engaged in these organisations?

Not available

<sup>108</sup> Colombo, Asher and Giuseppe Sciortino (2004). 'Italian immigration: the origins, nature and evolution of Italy's migratory systems', *Journal of Modern Italian Studies*, 9-1, 49-70.

<sup>109</sup> CARITAS (2005) *Immigrazione: dossier statistico 2005 (Immigration: 2005 statistical Dossier)* (Roma: IDOS).

- Do minoritised women organise separately within or outside of such organisations?

Not available.

However, more explicit political activism of migrant women concerning domestic work took place between 2002 and 2003, often through the setting up of mixed NGOs and the networks made by migrants and native women. Moreover, ApiColf and Associations of Housewives like *Federcasalinghe*, have a new section significantly named 'Domina': a sign of the recognition of new class and ethnicity based hierarchies among women.

- Are there any groups organised against certain ethnic groups?

No

### 7.3.2 Religion/belief/faith

- What is the composition of the national population by religion / faith

According to the latest Eurispes report (2006)<sup>110</sup>, 87.8% of Italians declare themselves Catholic; this large majority is, however, internally heterogeneous. In Italy "since the very foundation of the unitary state, there have been many cultural, religious and political currents within Catholicism, often denoted by sharp divergences (from intransigent to liberal Catholics, from extremist papists to modernists). These divisions have followed the lines of social and territoriality fractures"<sup>111</sup>. Moreover, Italians in particular define themselves as more "Catholic" than "religious" since "the traits determining affiliation to Catholicism are more of a cultural than a spiritual nature, and behavioural praxis is shaped after the principles of Catholic morals only to a limited extent"<sup>112</sup>. According to the latest Eurispes report (op. cit.), up to 65.6% of Italian Catholics defend the law on divorce and 77.8% are against refusal of the Eucharist to those who are divorced. Even regarding abortion, Catholics diverge from the official view of the ecclesiastic hierarchy and 83.2% declare themselves in favour of the interruption of pregnancy if the life of the mother is endangered. Regarding people who have a non-Catholic religious identity in Italy, statistics are definitely difficult to produce. According to the latest estimates (CESNUR 2006)<sup>113</sup>, Italian non-Catholic citizens amount to 1,124,300 people (1.9% of the total population) while non-Catholic foreign legal immigrants (non-citizens) are more numerous, amounting to 2,156,627 people (77.4% of the total migrant population, see Table below). The total non-Catholic population in Italy, including both Italian citizens and foreign immigrants is estimated to 3,280,927 people (5.6% of the population<sup>114</sup>). Since there are no official data on the religious affiliation of foreign citizens, the CESNUR estimate presented here is a re-elaboration of data provided by the Migrants Foundation and *Caritas* as part of the latest statistical survey on immigration (*Caritas* 2005, op. cit.). It is obvious that similar data cannot take into account the processes of secularisation and individualisation of belief among individual immigrants. We can generally note on the one hand, a relevant increase in the number of Eastern Orthodox Christians, and, on the other hand, the centrality of Islam as the second most widespread religion on the territory after Catholicism.

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<sup>110</sup> EURISPES (Istituto di studi politici economici e sociali) (2006). *Rapporto Italia 2006: percorsi di ricerca nella società italiana (Report on Italy 2006: research Paths in the Italian Society)* Eurispes, Roma.

<sup>111</sup> Garelli, Franco, Gustavo Guizzardi and Enzo Pace (2003), *Un singolare pluralismo (A singular Pluralism)* Bologna: Il Mulino, p. 297.

<sup>112</sup> Garelli, Franco (2001). *Religione e Chiesa in Italia (Religion and Church in Italy)*, Bologna: Il Mulino, pp. 44-45.

<sup>113</sup> [http://www.Cesnur.org/religioni\\_italia/introduzione\\_01.htm](http://www.Cesnur.org/religioni_italia/introduzione_01.htm)

<sup>114</sup> CARITAS (2005) *Immigrazione: dossier statistico 2005 (Immigration: 2005 statistical Dossier)* Roma: IDOS.

**Main religious groups among legal immigrants (non-citizens) in Italy (estimates according to Caritas) 2006.**

<b>Religious Groups</b>	<b>N°</b>	<b>%</b>
<b>Non Catholic</b>	<b>2,156,627</b>	<b>77.4</b>
Muslims	919,492	33.0
Eastern Orthodox	565,627	20.3
Protestants	183,898	6.6
Hindus	66,872	2.4
Buddhists	52,940	1.9
Other rel. of African origin	33,436	1.2
Jews	8,359	0.3
Other	326,003	11.7
<b>Catholics</b>	<b>629,713</b>	<b>22.6</b>
<b>Total</b>	<b>2,786,340</b>	<b>100.0</b>

Source: [http://www.Cesnur.org/religioni\\_italia/introduzione\\_01.htm](http://www.Cesnur.org/religioni_italia/introduzione_01.htm)

- What proportion of the population are practising members of an organised religion?

Year	Goes more than once a week to a place of worship*	Goes some times in a year to a place of worship*	Never go to a place of worship*
2001	36.4	28.7	15.9
2002	36.1	29.3	16.0
2003	35.4	30.6	15.2
2005	34.3	30.3	16.3
2006	33.4	30.0	17.2

\* Percentage, people aged six and above

Source: Istat (2007), *"Aspetti della vita quotidiana"* (Aspects of daily life), available at: [http://www.istat.it/dati/catalogo/20071106\\_00/inf0712\\_La\\_vita\\_quotidiana\\_2006.pdf](http://www.istat.it/dati/catalogo/20071106_00/inf0712_La_vita_quotidiana_2006.pdf), accessed on 06/05/2008.

- What are the main religious organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

This simple question is not so easy to answer in the Italian case, since the Catholic Church is an autonomous organisations, but at the same time deeply inside Italian institutions and political life. It is, in any case, directly and indirectly lobbying the state. Especially after the dissolution of the Christian democratic party (1994), the Italian Catholic Church has particularly stressed its argument on the importance and plausibility of a public role for the Christian religion<sup>115</sup> as a moral guide even in the legislative field. The Church has been involved in campaigns ranging from the issue of crucifixes in public schools, to the necessity of including "common Christian roots" in the European Constitution, to the referendum on assisted reproduction and the necessity to modify legislation on abortion, and the fierce defence of the "family" against any form of institutionalisation of any possible alternative.

Concerning service provision, the organisations related to the Catholic Church are very active in providing welfare services in Italy. The services vary a lot in typology: they can be first aid services, such as distribution food and urgent medical care for illegal migrants, or long term services, such as housing programmes for foreign minors. The organisation and implementation of these types of services also vary a great deal from a territorial point of view. They depend on the local parish and on the good will and time availability of volunteers. These services are more common in northern Italy than in the rest of the country and this of course means that they are not offered where they are needed the most (in southern Italy).

<sup>115</sup> Garelli, Franco (2005). *Sfide per la Chiesa del nuovo secolo* (Challenges for the Church in the new Century), Bologna: Il Mulino.

- How are women represented or not within them?  
They are not represented at higher hierarchical levels.
- Do they oppose gender equality in general and in our three issues?  
Their main concern is the family and its legitimate form, with different roles for men and women.
- What is their preferred model of womanhood?  
The position of the Catholic Church on the role of women and gender policies is well illustrated by the apostolic letter *Mulieris Dignitatem* by John Paul II (1988), a recent letter to the bishops by the prefect of the Congregation for the Doctrine of Faith at the time, and by the current Pope, cardinal Ratzinger (*Letter to the Catholic Church Bishops on the cooperation between Man and Woman in the Church and in the World*, 31<sup>st</sup> May 2004). These documents explicitly take a stand against the so-called “new tendencies in facing the female issue”: a first tendency causing “an attitude of contestation” and leading to “a rivalry among the sexes”, which is dangerous for the structure of the family; and a second tendency, leading to “erasing differences, considered as a simple effect of socio-cultural conditioning” and which has actually questioned the idea of the family and equated homosexuality to heterosexuality.
- Do they support or oppose the other equalities issues?  
The main issues concern intimate citizenship: the Catholic Church is against the legal recognition of *de facto*/homosexual partnership, strongly against abortion (see the worldwide campaign launched by it in order to enlarge the concept of life starting from conception in the UN Declaration of Human Rights) and in favour of the family conceived of as heterosexual couples with children, where mothers and fathers have different and complementary roles.
- Are they in alliance with any other inequalities or not?  
Catholic Church: Sexuality-no; disability-yes; age-yes; ethnicity/migrant status – yes.
- Are there any groups organised against certain religious groups?  
Not explicitly

### 7.3.3 Sexual orientation

- Are there gay/lesbian/trans/bisexual/queer organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)  
Yes: the main ones at national level are Arcigay<sup>116</sup>, Arcilesbica<sup>117</sup>, MIT (Movimento d'Identità Trans, Movement of Trans Identity)<sup>118</sup>, circolo Mario Mieli<sup>119</sup>. Moreover, many other organisations have a local scope.  
Concerning international networks, many organisations are part of ILGA<sup>120</sup>. Their main strategies concern public protest, but also campaigning and lobbying state<sup>121</sup>. Service provision is another strategy (especially psychological but also judicial consultancy). Research in the proper sense is not a strategy, but the promotion of seminars and LGBTQ culture is very common.
- Do they have a national organisation?  
No, but they cooperate for the purpose of national and international public protests or events.
- In what way are women engaged in and represented in these organisations?  
Being often organised around sexual orientation, women are very visible in such organisations, except from the exclusively gay ones.

<sup>116</sup> [www.arcigay.it](http://www.arcigay.it)

<sup>117</sup> [www.arcilesbica.it](http://www.arcilesbica.it)

<sup>118</sup> <http://www.mit-italia.it/>

<sup>119</sup> <http://www.mariomieli.org/index.php>. Based in Rome it is very active and well-known all over the country, it is member of EPOA (European Pride Organisers Association).

<sup>120</sup> [www.ilga.org](http://www.ilga.org)

<sup>121</sup> Franco Grillini, after being president of Arcigay (1987-1998; 2001-2008), has been MP in the lower chamber of Italian Parliament. Also Titti De Simone, former president of Arcilesbica (1996-2002), has been MP.

- Do they work in alliance with other inequalities or not?  
Difficult to say, many of them cooperate a lot with LILA<sup>122</sup> (Lega Italiana per la Lotta Contro L'Aids, Italian league for the fight against AIDS), in order to promote and defend the right to health, and to fight against any form of discrimination against HIV positive people and persons with AIDS. Arcigay has a website section dedicated to homosexuality and migration
- Are there any groups organised against gay / lesbian / trans-people?  
Not explicitly, even if all pro-family and anti-abortion organisations defend heterosexuality as the norm.

#### 7.3.4 Disability

- Are there disability organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

There are many disability organisations in Italy. They usually call themselves “differently able” in order to deconstruct the pejorative meaning of disability. In 2001, 18.293<sup>123</sup> volunteer organisations were active in Italy. They mainly are organised around specific diseases. According to Istat<sup>124</sup> (National institute for statistics, 2003) 23.9% of disabled people (aged 15-67) has taken part in activities of an association. Cooperatives are also very active with disable people and their main goal is labour insertion. According to Istat, in 2001 there were 5.832<sup>125</sup> cooperatives working with disabled persons in Italy. Generally speaking, such organisations are not very active in public protests, while they concentrate their efforts on organising activities devoted to the members (a sort of service provision). Some of them undertake research or organise campaigns in order to financially sustain the organisation. They are also active in lobbying the state. There are both European and International links. The DPI<sup>126</sup> (Disabled Peoples' International), for example, is an organisation that gathers some Italian NGOs, and that participate in other national network<sup>127</sup>, European organisations<sup>128</sup> and international organisations<sup>129</sup>.

- In what way are women engaged in and represented in these organisations?  
Difficult to say, even if some of them have a women's section, such as the Unione Italiana Lotta alla Distrofia Muscolare<sup>130</sup> (Italian union for the fight against muscular dystrophy). A mapping of documents on women and disability is available on the organisations website<sup>131</sup>.

#### 7.3.5 Age

- Are there organisations of / for older people? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

It is very difficult to gather information concerning organisations for old people. Most of the organisations have local scopes and are connected to the Catholic Church, even if some national ones can be found. The Anpi (associazione nazionale partigiani d'Italia, national association of Italian partisans), established during the Second World War, has many old members. They are active in public events – not proper protests they do not organise campaigns, but they take public position in the political life and lobby the state. They do not offer services and, concerning research, they promote studies and disseminate them on the Resistance.

<sup>122</sup> <http://www.lila.it/index.htm>

<sup>123</sup> [http://www.disabilitaincifre.it/descrizioni/lista\\_met.asp?cod\\_met=29](http://www.disabilitaincifre.it/descrizioni/lista_met.asp?cod_met=29)

<sup>124</sup> [http://www.istat.it/salastampa/comunicati/non\\_calendario/20050704\\_00/testointegrale.pdf](http://www.istat.it/salastampa/comunicati/non_calendario/20050704_00/testointegrale.pdf)

<sup>125</sup> [http://www.disabilitaincifre.it/descrizioni/lista\\_met.asp?cod\\_met=26](http://www.disabilitaincifre.it/descrizioni/lista_met.asp?cod_met=26)

<sup>126</sup> <http://www.dpitalia.org/organizzazione.htm>

<sup>127</sup> FISH (Federazione Italiana per il Superamento dell'Handicap, <http://www.superando.it>; CND (Consiglio Nazionale della Disabilità), <http://www.cnditalia.it>.

<sup>128</sup> DPI Europa <http://www.dpi.org/dpieuro.htm>; EDF (European Disability Forum) <http://edf-feph.org>

<sup>129</sup> D.P.I. (Disabled Peoples' International) <http://www.dpi.org>

<sup>130</sup> <http://www.uildm.org/gruppodonne/index.htm>

<sup>131</sup> <http://www.uildm.org/gruppodonne/risorse.html>, [http://www.handybo.it/news\\_crh/femminile.htm](http://www.handybo.it/news_crh/femminile.htm)

A big national organisation is Auser; it was established in 1989 under the initiative of CGIL (main Italian trade union). It has a sector dedicated to pensioners. It has 270.000 members, 40.000 volunteers and 1.412 offices all over Italy. It is especially devoted to service provision.

- How are women engaged in and represented in these organisations?  
Generally speaking, information is not available, even if most of the active members within the trade unions and within the ANPI associations are male.

In each case, are there EU, bilateral or other international links.  
See above

#### **7.4 Hotspots and Alliances**

Is there a history of controversies or 'hotspots' between certain of the intersecting inequalities, rather than others (if so, which)? For example is gender/religion or sexuality/religion a regular source of controversy? Is this hostility best described as endemic or constant, or as occasional and issue based?

Yes. Gender/religion and sexuality/religion are regular sources of controversy. Generally speaking in Italy when talking about intimate citizenship we have to take into account the great power of the Catholic Church in shaping the debates and consequently the public policies. Especially after the dissolution of the Christian Democratic party in the early nineties, the catholic high hierarchies, namely the CEI (Conferenza Episcopale Italiana, Italian Episcopal Conference), took a direct position in the policy debate and affected it widely. The public debates are mainly focused on the family and its legitimate form (heterosexual family based on marriage as the "natural base" of society) and on reproductive rights, especially abortion and medically assisted reproduction. Regarding marriage it is worth to underline that religious marriage in Italy has civil validity because of the so-called "Concordato" (1929) between the Catholic Church and the State. Still nowadays the majority of marriages are celebrated with religious rituals, even if the civil rituals are progressively increasing<sup>132</sup>. During the last years, further to the stabilization of immigration flows from Islamic regions, a new controversy on gender/religion has started emerging concerning forced marriage, genital mutilation, and issues surrounding the veil.

Do some organisations representing inequalities often form alliances with each other (if so, which)? For example, feminism and trade unions, or feminism and gay/lesbian groups? Are such alliances best characterised as routine and institutionalised, or as ad hoc and issue based?

Yes.

Feminism and trade unions

Feminism and gay/lesbian groups

Feminism and radical left parties

The alliances between a part of the feminist groups and trade unions and the radical left parties are institutionalised and routinised because within these organisations there are women committees. While the alliances between radical feminist groups and trade unions and between radical feminist groups and radical left parties are informal and issues based.

The alliances between feminism and gay/lesbian groups are routine but they are informal and concern certain issues like recognition of common-law couples, abortion, and equal opportunities in the labour market.

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<sup>132</sup> In 2004 civil marriages constituted 32,4% out of the total number of marriages, while in 1994 it was 10%. The territorial distribution is very uneven: in the north part of Italy 43% of marriages are celebrated with a civil ritual, 35% in the centre and 18% in the South (Istat, 2007 *Il matrimonio in Italia: un'istituzione in mutamento*, (Marriage in Italy: a changing institution), [http://www.istat.it/salastampa/comunicati/non\\_calendario/20070212\\_00/testointegrale.pdf](http://www.istat.it/salastampa/comunicati/non_calendario/20070212_00/testointegrale.pdf)).

## WIDER SOCIAL INSTITUTIONS

### 8. Wider Social Environment

The wider social environment may be important in explaining the resources, whether economic, organisational or discursive, which are available to the political groups and institutions identified above.

#### *Population, economic development, economic inequality and state welfare*

	Country	EU
<b>GDP per capita PPP (Purchasing Power Parity) 2003 (OECD 2006)</b>	27,168	27,834 <sup>133</sup>
<b>Population size 2006 (Eurostat 2006)</b>	58,751,711	492,964,905
<b>% of workforce in agriculture 2003 (World Bank 2006)</b>	3.3 F 4.8 M	3.4 F <sup>134</sup> 5 M
<b>Longevity 2005 (World Bank 2005)</b>	80	80 <sup>135</sup>
<b>Gini (measure of economic inequality) 2005 (Eurostat 2007)</b>	33	30
<b>% GDP/gov. expenditure on social expenditure 2003 (OECD 2007)</b>	8.3	
<b>% GDP/gov. expenditure on active labour market policies 2003 (OECD 2007)</b>	0.54 <sup>136</sup>	
<b>% GDP/government expenditure on childcare (forthcoming OECD)</b>	0.1	
<b>% GDP/Government expenditure on military (World Bank 2005)</b>	1.7	

#### *Gender Regime*

		Female	Male
<b>Employment rate (2005, Eurostat)<sup>137</sup></b>	57.6	45.3	69.9
<b>Unemployment rate (2005, Eurostat)<sup>138</sup></b>	7.7	10.1	6.2
<b>Share of women in adult labour force % (2004, UN)<sup>139</sup></b>	40 <sup>140</sup>		
<b>Women's share of part-time employment % (2004, UN)<sup>141</sup></b>	78 <sup>142</sup>		
<b>Gender pay gap, unadjusted (gap= difference between average gross hourly earnings of male and female employees given as % of average gross hourly earnings of male paid employees, unadjusted form 2005 Eurostat)<sup>143</sup></b>	9		
<b>School enrolment tertiary % gross (2004, World Development Indicators)<sup>144</sup></b>	63.1		
<b>Women in Parliament % of parliamentary seats in single or lower chamber occupied by women (UN 2007)<sup>145</sup></b>	17		

<sup>133</sup> EU15

<sup>134</sup> European monetary union

<sup>135</sup> European monetary union

<sup>136</sup> Government expenditure on active labour market policies 2005

Organisation for Economic Development and Cooperation (OECD), *Public expenditure and participant stocks on Labour Market Policies*. OECDStats. Extract 2007.

<sup>137</sup> Employment rates:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em012](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em012)

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em013](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em013)

<sup>138</sup> Unemployment rates:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em072](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em072)

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em073](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em073)

<sup>139</sup> Share of women in adult labour force: percentage of the economically active who are women:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5a.htm>

<sup>140</sup> 2006

<sup>141</sup> Women's share part-time employment:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5b.htm>

<sup>142</sup> 2005

<sup>143</sup> Gender pay gap:

[http://epp.eurostat.ec.europa.eu/portal/page?\\_pageid=1996,39140985&\\_dad=portal&\\_schema=PORTAL&screen=detailref&language=en&product=STRIND\\_EMPLOI&root=STRIND\\_EMPLOI/emploi/em030](http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em030)

<sup>144</sup> World Development Indicators, World Bank (September 2006)

<sup>145</sup> Women in parliament:

<http://unstats.un.org/unsd/demographic/products/indwm/tab6a.htm>

<b>Women's share of legislators and managers % (UN 2005)</b> <sup>146</sup>	33 <sup>147</sup>		
<b>% one parent families (dependent children)</b>			
<b>Mean age at first marriage (Eurostat, 2003)</b> <sup>148</sup>	28.5		
<b>Marriage rate (2003, UN)</b> <sup>149</sup>	4.5		
<b>Divorce rate (2003, UN)</b> <sup>150</sup>	0.73		
<b>Fertility rate (2004 , World Development Indicators)</b> <sup>151</sup>	1		

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<sup>146</sup> Women's share legislators and managers:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5d.htm>

<sup>147</sup> 2006

<sup>148</sup>

<sup>149</sup> Marriage rate, table 23: <http://unstats.un.org/unsd/demographic/products/dyb/dybssets/2003%20DYB.pdf>

<sup>150</sup> Divorce rate:

<http://unstats.un.org/unsd/demographic/products/dyb/DYB2003/Table25.pdf>

<sup>151</sup> World Development Indicators, World Bank (September 2006)

## 9. SUMMARY

### 9.1 'Deficiencies, deviations and inconsistencies in EU and MS's gender+ equality laws'

	Fully transposed	Before/ after EU	Year	Less, equal to or beyond	ECJ for CEC/Country	EU references
<b>Issues</b>						
<i>Example: Parental leave UK</i>	Yes	After	1998	Beyond 2002	CEC	No
<b>1 Equal pay/equal treatment</b>	Yes	Partly before and partly after	1977 1998 2000 2002	Less	No	Yes
<b>2 Sexual harassment and discrimination</b>	Yes	Before	2005	Equal	No	Yes
<b>3 Equality bodies</b>	Yes	Partly before	2003		No	Yes
<b>4 NGO/civil society dialogue</b>						
<b>5 Parental leave</b>	Yes	After	1996 1999	Beyond 2000	<b>No</b>	<b>Yes</b>
<b>6 Organisation of working time</b>	<b>Yes</b>	<b>After</b>	<b>2000</b>	<b>Less</b>	Yes 1997	<b>Yes</b>
<b>Gender Machinery</b>						
<i>Example: EOC UK</i>	Yes	Before	1975	Beyond	No	Yes

### 9.2 Plans and programmes

<b>National general gender equality plan (current)</b>	Yes				No
Reference to Lisbon targets					<b>X</b>
Reference to Barcelona targets					<b>X</b>
Targets and indicators	None	Weak	Moderate	Strong	

<b>National plan: Gender-based violence (current)</b>					No X
Targets and indicators	None	Weak	Moderate	Strong	

Focus on gender	No	Yes:	Weak	Moderate	Strong
<b>Employment plan</b> (general assessment)	X				
<b>Social protection and social inclusion plan</b> (general assessment)		X		X	
Reference to gender based violence	X				

### 9.3 Gender machineries

National gender machineries	Yes (specify date)		No	Notes
	Gender specific	General equality		
Central government gender equality body with senior minister	1996	1996		
Independent equality body (research, monitoring, and enforcement)	1996			Within the Equal Opportunities Ministry there are several institutions that conduct surveys
National consultative / representative body linking state and women's NGOs	1984			
Any other body / bodies (e.g. parliamentary committees) Please name: 1. 2...				

### 9.4 Policy

	No -Not at all	Yes / Low	Yes / Moderate	Yes / High
<b>General</b> <b>To what extent is gender mainstreamed throughout policies?</b>		X		
<b>Non-employment (4.1)</b>				
Extent to which mothers can be legitimately non-employed	X			
<b>Intimate citizenship (4.2)</b>				
Extent to which women have access to abortion (in country of residence)				X
Extent to which state policies are highly heteronormative			X	
<b>Gender-based violence (4.3)</b>				
Extent to which policies on GBV go beyond domestic violence		X		
Strength, resources and co-ordination of GBV policies	X			

### 9.5 Civil society and state interface

	Not at all	Low	Moderate	High
Strength of national co-ordinating gender equality body (centralisation, co-ordination, representativeness, resources)		X		
Extent to which the women's NGOs participate in policy making		X		
Extent to which women's NGOs are close to state <sup>152</sup>		X		
Extent to which women's NGOs engage with intersecting inequalities			X	
Extent to which women's NGOs are state funded		X		
Extent of influence of trade union body on policy making			X	
Extent of power of women within trade union body		X		

<sup>152</sup> Taking into consideration the state as central power, women's NGOs are rather distant, while, depending on the area and on the nature of relationships, they can have close relations to local administrations.