



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

### List of issues and questions prior to the submission of the eighth periodic report of Italy\*

#### General

1. Please provide information and statistics, disaggregated by sex, age, nationality, disability, ethnicity and minority status, on the current situation of women in the State party to enable monitoring of the implementation of the Convention. In line with the State party's obligations under articles 1 and 2 of the Convention and in line with target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, as well as in the light of the Committee's previous concluding observations ([CEDAW/C/ITA/CO/7](#), paras. 28 (g) and 50 (a)),<sup>1</sup> please indicate how the State party intends to improve the collection and analysis of data pertaining to the areas covered by the Convention so as to support policymaking and programme development and to measure progress towards the implementation of the Convention and the promotion of substantive equality between women and men, including with regard to the specific areas covered herein.

#### Women's rights and gender equality in relation to the pandemic and recovery efforts

2. In line with the Committee's guidance note on the obligations of States parties to the Convention in the context of the coronavirus disease (COVID-19) pandemic, issued on 22 April 2020, please indicate the measures implemented by the State party: to redress long-standing inequalities between women and men and to give a new impetus to the implementation of gender equality by placing women at the centre of recovery as a strategic priority for sustainable change, in line with the Sustainable Development Goals; to meet the needs and uphold the rights of women and girls, including those belonging to disadvantaged and marginalized groups and women in situations of conflict or other humanitarian emergencies; and to ensure that, in the context of lockdown measures, whether partial or total, and in post-crisis recovery plans, women and girls are not relegated to stereotypical gender roles. Please indicate the measures in place to ensure that all COVID-19 crisis response and recovery

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\* Adopted by the pre-sessional working group on 5 March 2021.

<sup>1</sup> Unless otherwise indicated, paragraph numbers refer to the Committee's previous concluding observations.



efforts, including the national recovery and resilience plan: effectively address and are aimed at preventing gender-based violence against women and girls; guarantee the equal participation of women and girls in political and public life, decision-making, economic empowerment and service delivery, particularly in the design and implementation of recovery programmes; and are designed so that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic. Please explain how the State party is ensuring that measures taken to contain the pandemic, such as restrictions on freedom of movement or physical distancing, do not limit the access of women and girls, including those belonging to disadvantaged and marginalized groups, to justice, shelters, education, employment and health care, including sexual and reproductive health services.

### **Legislative, policy and institutional framework**

3. In the light of the Committee's previous concluding observations (para. 18), please provide information on the steps taken by the State party to strengthen its legislative and institutional framework on gender equality and to combat sex- and gender-based discrimination and intersecting forms of discrimination. Please describe the steps taken to ensure the long-lasting consolidation and effective enforcement of laws aimed at strengthening the protection and promotion of women's rights to equality and non-discrimination. Please provide an update on the specific measures taken, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), to establish a national human rights institution with a specific mandate to address women's human rights (para. 24), including information on the related bill that is currently under consideration by the Constitutional Affairs Commission of the Chamber of Deputies.

### **Access to justice**

4. Please provide information on the measures taken to ensure that women throughout the State party are aware of their rights under the Convention and are able to invoke those rights, including measures designed to ensure that they have unimpeded access to justice when their rights have been violated (para. 12 (a)). Please indicate the outcomes of, and any other information concerning, court cases relating to discrimination against women, and indicate whether the Convention has been invoked before the courts. Please provide the Committee with information on the assessment of the implementation of Act No. 69 of 19 July 2019 and on the measures taken to expedite legal proceedings for, and improve the treatment of, victims of gender-based violence against women (para. 18 (c)). Please provide updated information on the funds allocated to ensure women's access to free legal aid, as envisaged under Act No. 119/2013. Please indicate the measures taken to eliminate gender stereotyping within the police and the judiciary and to ensure that intersecting forms of discrimination are adequately addressed by courts (para. 18 (d)).

### **Women and peace and security**

5. Please provide information about the measures adopted by the State party to harmonize national legislation regulating arms export control with article 7 (4) of the Arms Trade Treaty and with Council Common Position 2008/944/CFSP of the Council of the European Union (para. 20). Please also provide information on the progress made in implementing Security Council resolution [1325 \(2000\)](#), including under the national action plan on women and peace and security (2020–2024), and explain how the State party is addressing the correlation between its arms transfers and the ease of acquisition of firearms by civilians in its territory, on the one hand, and femicides and other forms of gender-based violence against women, on the other.

**National machinery for the advancement of women**

6. In the light of the Committee's previous recommendations (para. 22), please provide information about the resources allocated to the Department for Equal Opportunities and to gender policies under the national and European recovery plans (Next Generation EU and the Next Generation Italia national recovery and resilience plan). Please indicate any measures taken to re-establish the Ministry for Equal Opportunities as the high-level mechanism responsible for the advancement of gender equality policies. Please provide information regarding the adoption and implementation of a national gender equality policy and the mainstreaming of gender equality into all ministries and decentralized government structures, and regarding efforts to ensure the consistency of family policies with the Convention. Please indicate the progress made in the implementation of gender budgeting, as well as the mechanisms in place to monitor and evaluate the implementation of any existing strategies aimed at ensuring that the budgetary resources allocated to sectors are consistent with their gender mandates and activities. Please provide details on the steps taken to introduce gender impact assessments and regular assessments of the status of efforts to promote the advancement of women in the context of the implementation of the recovery and resilience plan. Please describe the steps taken to collaborate with civil society, including non-governmental organizations and associations of women's rights defenders.

**Temporary special measures**

7. In the light of the Committee's previous recommendations, please provide information about the temporary special measures taken to achieve substantive equality for women, including in decision-making positions in political and public life (para. 32 (a)), in the labour market (para. 38 (a) and (e)) and in sports and cultural activities (para. 44 (d)), in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on the subject. Please inform the Committee about the temporary special measures taken to address inequalities faced by disadvantaged groups of women, such as women who are migrants, refugees and asylum seekers, Roma, Sinti, Caminanti and older women, single mothers and women with disabilities.

**Stereotypes and harmful practices**

8. Please provide information on the systematic measures taken by the State party to eliminate and modify patriarchal attitudes and entrenched stereotypes concerning the traditional roles of women, in particular those belonging to minority groups, in the family and in society, and to promote a positive and non-stereotypical portrayal of women in education curricula at all levels, as well as in the media, including social media, and in advertisements (para. 26 (a) and (b)). Please also provide details about the measures taken to strengthen the role of the Advertising Self-Regulation Institute and the National Communications Regulatory Authority in promoting gender equality.

9. Please provide information about measures taken to effectively prevent child and forced marriages and female genital mutilation, to enforce legal protection for, and develop national strategies to support, victims of such offences and strengthen the prosecution of perpetrators, to increase training, including for persons working in the education sector, the asylum reception system and shelters for victims of violence, as well as judges, prosecutors and law enforcement officers, and to increase data collection in order to better understand these harmful practices and assist affected communities in combating them.

**Gender-based violence against women**

10. Please report on the legislative reforms adopted by the State party in order to prevent, prohibit and prosecute all forms of gender-based violence against women (para. 28 (a)) and the measures taken to address the cumulative impact and intersection of racist, xenophobic and sexist acts against women (para. 28 (e)). Please indicate the impact of the national action plan on violence against women (2017–2020) and update the Committee on the measures taken by all relevant ministries to adopt and effectively implement a new national action plan against gender-based violence, indicating the human, technical and financial resources that have been allocated for its implementation. Please also indicate the specific policy and other measures that have been adopted to address the high prevalence and underreporting of gender-based violence against women and girls, in particular those from the Roma, Sinti and Caminanti communities, and to implement mandatory capacity-building and awareness-raising in order to ensure that the response of the police and the judiciary is consistent with international obligations, in particular the obligation to take timely action to protect victims (para. 28 (b) and (c)). Please also indicate the measures taken to implement the recommendations of the Group of Experts on Action against Violence against Women and Domestic Violence, including on the alignment of national legislation and data collection systems with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (para. 28 (d)). Please describe the results of, and any other information related to, research conducted on the prevalence of gender-based violence against women and its root causes, as well as any data, disaggregated by sex, age, nationality, ethnicity, minority status and relationship between the victim and the perpetrator, on the number of prosecutions and convictions (para. 28 (g)) collected by relevant ministries.

11. Please inform the Committee about any measures taken to ensure that, in cases involving gender-based violence, including child custody cases, women who are victims of domestic violence can obtain restraining orders through civil courts instead of alternative dispute resolution or mediation mechanisms (para. 28 (d)). Please provide information on the human, financial and technical resources allocated by the State party to strengthen the capacity of shelters and crisis centres throughout its territory and to ensure they are accessible to women with disabilities, including information on specific funding provided to organizations that offer specialized support services for victims (para. 28 (f)).

**Trafficking and exploitation of prostitution**

12. Please provide information on current and planned measures to adopt comprehensive and gender-sensitive anti-trafficking legislation (para. 30 (a)). In line with the Committee's general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, please also provide information on the measures that have been taken to prosecute and adequately punish the perpetrators of trafficking-related crimes, especially trafficking in women and girls (para. 30 (b)). Please indicate the results achieved under the national action plan against trafficking in persons (2016–2018), as well as the measures that have been taken to expedite the adoption of a new national action plan against trafficking that is more closely aligned with the envisaged national action plan on violence against women. Please inform the Committee about the measures taken to improve the early identification and referral of those victims of trafficking who are entitled to international protection (para. 30 (c)). Please indicate the measures taken to strengthen services aimed at ensuring the comprehensive rehabilitation of victims of trafficking (para. 30 (f)) throughout the State party. Please inform the Committee about the efforts made to strengthen the collection of data on cases of trafficking and on prosecutions, convictions, the sentences imposed on perpetrators and the social reintegration of

victims. Please provide details about the measures taken to improve bilateral, regional and international cooperation in order to detect and prevent trafficking in women and girls, protect victims and facilitate the prosecution of perpetrators (para. 30 (j)). Please indicate the efforts made at the European level to collaborate in order to protect foreign mothers and children who have been identified as victims of trafficking and who have been deported to the State party under Regulation (EU) No. 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the member State responsible for examining an application for international protection lodged in one of the member States by a third-country national or a stateless person.

13. Please inform the Committee about the measures adopted by the State party to address the link between the exploitation of women in the contexts of prostitution and of trafficking for sexual exploitation (para. 30 (e)). Please provide information on action plans and other measures taken to prevent the exploitation of women and girls in the context of online or web-based prostitution and pornography. Please report on the programmes available to all women who wish to leave prostitution, regardless of their country of origin, age, minority status or other factors (para. 30 (h)). Please inform the Committee about regional collaboration and other measures taken to adapt to new scenarios related to the trafficking of women who are nationals of States members of the European Union.

#### **Participation in political and public life**

14. Please provide information on the measures taken to accelerate the recruitment and appointment of women to decision-making positions in political and public life in order to ensure gender parity by 2030, including the adoption of laws and temporary special measures (para. 32 (a)). Please describe the legal framework for combating political harassment and sexist attacks (para. 32 (e)). Please provide information on the steps taken to guarantee the rights and protection of women human rights defenders, particularly journalists, who are the target of online harassment, defenders of migrants' rights and defenders of the rights set forth in the Convention, who are subject to misogynist, racist and xenophobic attacks.

#### **Nationality**

15. In the light of the Committee's previous recommendations (para. 34), please provide information on the measures that the State party has taken to remove procedural obstacles with a view to improving the identification and protection of stateless persons, especially women and girls, and indicate the efforts that have been made to facilitate access to nationality for stateless persons, with a particular focus on women and children. Please inform the Committee about measures taken to ensure compliance with international standards relating to procedural safeguards in the context of statelessness determination procedures.

#### **Education**

16. Please provide information on the specific measures adopted by the State party to address discriminatory stereotypes and structural barriers that may deter girls and women from enrolling in fields of study that are traditionally male-dominated (para. 36 (a)), such as science, technology, engineering and mathematics. Please update the Committee on the status of the national guidelines for education on affectivity, sexuality and reproductive health in schools and of the provision of mandatory, comprehensive and age-appropriate education on sexual and reproductive health and rights, including on responsible sexual behaviour (para. 36 (c)). Please provide information about the measures, including temporary special measures, taken by the State party to increase the enrolment of Roma girls and to retain them in school

(para. 36 (d)). Please elaborate on the efforts made to adequately train education staff on gender equality, the prevention of gender-based violence against women, and non-violent conflict resolution. Please report on the obstacles faced by girls, in particular girls with disabilities and girls from economically disadvantaged households, in gaining access to education, including in the context of remote, online learning during the COVID-19 pandemic. Please elaborate on the status of legislation and policies aimed at protecting the right of girls with disabilities to inclusive education, and provide data on the technical, human and financial resources allocated to ensure reasonable accommodation for them to study in mainstream classes at mainstream schools.

### **Employment**

17. Please indicate the legal and other measures taken, such as temporary special measures, to address discrimination against women in employment, including the high gender employment gap in the southern regions (para. 38 (a)). Please provide information about steps taken to enable equality councillors to independently monitor workplace discrimination. Please indicate the measures taken to address the female labour force participation rate and regional disparities therein, as well as the persistent horizontal and vertical occupational segregation between men and women in the labour market, which contribute to gender inequality and the de facto gender pay gap (para. 38 (b) and (c)). Please provide information about the nature and impact of the temporary special measures that have been adopted to accelerate the equal participation of women, in particular women who are migrants, refugees and asylum seekers, Roma, Sinti, Caminanti and older women, single mothers and women with disabilities, in the labour market (para. 38 (e)).

18. Please provide updated information on the implementation of the law on combating undeclared work and labour exploitation in the agricultural sector (para. 40 (a)), and indicate the legal and other measures taken by the State party, in accordance with Act No. 34/2020, aimed at regularizing the irregular situation of migrants working in the agriculture, domestic work and care services sectors. Please report on the measures taken to prevent and combat the exploitation of women migrant workers by their employers, including measures aimed at strengthening the National Labour Inspectorate (para. 40 (b)). Please inform the Committee about the legal and other measures taken to revise Legislative Decree No. 109 of 22 June 2007 in order to establish effective procedures enabling women migrant workers to lodge complaints without fear of reprisals, arrest, detention or deportation (para. 40 (c)). Please provide information on the efforts made to provide access to basic services to all women migrant workers, regardless of their immigration status.

19. Please inform the Committee of the legal, policy and other measures adopted to promote women's rights to equal opportunities in the labour market, including measures to provide support to enable women with care responsibilities to enter the workforce, promote the equal sharing of childcare responsibilities between men and women, and provide adequate childcare facilities (para. 38 (d)). Please provide information on plans to ratify the Workers with Family Responsibilities Convention, 1981 (No. 156), the Home Work Convention, 1996 (No. 177), the Violence and Harassment Convention, 2019 (No. 190), and the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29), of the International Labour Organization, the Convention on the Rights of Persons with Disabilities and the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families.

**Health**

20. Please provide information on the measures taken to address and eliminate regional disparities in women's access to essential-level health-care services (para. 42 (b)) and to strengthen basic health-care services and family health-care units at the territorial level. Please indicate the specific efforts made to ensure that all women who are entitled to enrol in the National Health Service, including migrant and asylum-seeking women in recovery and social integration programmes, can gain access to services and overcome linguistic, cultural, administrative and computer-access barriers, and that services are accessible to women with disabilities. Please inform the Committee about the measures taken by the State party to address and eliminate barriers to sexual and reproductive health services and rights, including about the funds allocated for the prevention of sexually transmitted infections, in particular HIV, and about the measures taken to ensure access to the new generation of contraceptives (para. 42 (c)). Given that the European Committee for Social Rights has recognized the virtual non-enforcement of Act No. 194/78, please elaborate on the steps taken to address the fact that mandatory waiting periods, burdensome requirements and the extensive exercise of "conscientious objection" by health-care personnel continue to impede the access of women and girls to legal abortion and post-abortion services (para. 42 (d)), in particular in the context of the COVID-19 pandemic.

**Refugee, asylum-seeking and migrant women**

21. Please provide information about the measures taken by the State party to provide adequate support to asylum-seeking and refugee women and girls who have experienced gender-based violence before or during their migration journey to the State party. Please also provide information on the measures taken to protect and promote the rights of migrant women, including pregnant women, and children, in particular those who have arrived through the central Mediterranean route, in the light of the concerns expressed by, among others, special procedure mandate holders of the Human Rights Council, with regard to the implications of laws and policies in the State party for the human rights of migrants. Please inform the Committee about the steps taken to pursue regional cooperation efforts aimed at increasing the protection of migrant women and children through information exchange and the harmonization of reception arrangements and referral procedures, and to ensure that, in the context of cooperation with third countries on matters related to migration, the State party is promoting the closure of all detention centres and the use of alternatives to detention. Please indicate the measures taken to strengthen the implementation of the International Convention on Maritime Search and Rescue, 1979. Please report on the efforts made to fulfil the obligation to respect the principle of non-refoulement for victims rescued at sea, in particular women and children.

**Economic empowerment of women**

22. Please inform the Committee of the measures taken to eliminate disparities among regions in the State party, in particular to ensure that rural women living in less developed areas can enjoy and exercise their full rights under the Convention, in line with the Committee's general recommendation No. 34 (2016) on the rights of rural women, and indicate the impact on women of the State party's programme on rural development (2015–2020) (para. 45 (a)). Please provide information, including statistical data, on the results of policies and programmes designed to promote the economic empowerment of rural women, including through land ownership.

23. Please provide information about the measures taken to promote women's entrepreneurship and empowerment in all sectors, in particular in the artificial

intelligence and digital sectors. Please also provide information on social security provisions for self-employed women and women entrepreneurs in microenterprises and small enterprises.

**Marriage and family relations**

24. In the light of the Committee’s previous recommendations, please indicate the steps taken by the State party to discourage the use of “parental alienation syndrome” by experts and courts in child custody proceedings (para. 52 (a)). Please elaborate on the measures taken by the State party to safeguard the physical and mental health of women and children in child custody cases involving gender-based violence in the domestic sphere (para. 52 (b)). Please report on the measures taken to ensure women’s access to information regarding matrimonial property regimes and the economic consequences of divorce or separation, and on any mechanisms, including social protection and welfare programmes, that exist to bolster women’s earning capacity after divorce or separation (para. 52 (c) and (d)). Please provide information on the legal and other measures taken to guarantee the even implementation of services for, and respect for the rights of, all children in all districts when the father fails to pay child maintenance (para. 52 (e)).

**Additional information**

25. Please provide any additional information deemed relevant with regard to legislative, policy, administrative and any other measures taken to implement the provisions of the Convention and the Committee’s concluding observations since the consideration of the previous periodic report in 2017. Such measures may include recent laws, developments, plans and programmes, recent ratifications of human rights instruments or any other information that the State party considers relevant. Please also provide information on the measures taken to integrate a gender perspective into all efforts aimed at achieving the Sustainable Development Goals. Please note that, further to the issues raised herein, the State party will be expected, during the dialogue, to respond to additional questions relating to areas covered by the Convention.

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