

# Italy

## About

The general principle of equality between women and men is enshrined in Article 3 of the Italian Constitution: ‘All citizens have equal social dignity and are equal before the law, without distinction of sex, race, language, religion, political opinion, personal and social conditions.’

Italy’s progress in gender equality stemmed primarily from the need to adopt European Union (EU) directives and the use of European funds in which equal opportunities were a cross-cutting theme [1]. Indeed, from 2000 onwards, gender mainstreaming actions and activities have been coordinated through European Social Funds (ESF) and European Regional Development Fund (ERDF) programmes.

While Italian legislation has made some progress, Italy still falls short of achieving satisfactory policy results. The financial crisis and continuing austerity policies threaten previous achievements in gender equality [2] and measures to ensure the implementation of gender mainstreaming remain weak [3].

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## Legislative and policy framework

The National Code of Equal Opportunities between Women and Men was established by Legislative Decree No. 198 of 2006 and is considered the Italian legal framework on gender equality and women’s empowerment. The Code gathers 11 laws on equal opportunities in a single text, with a view to rationalising and harmonising the current legislative provisions on gender equality and regulating the promotion of equal opportunities between women and men in the areas of ethical, social and economic relations, and in civil and political rights. It also introduced the principle of gender mainstreaming, obliging the government to take the gender perspective into account. At the time of the 2018 EIGE assessment, no national plan on gender equality was due to be in force from spring 2019.

As it lacks a specific national strategy on gender mainstreaming, Italy relies on regional or sector-specific good practices. Gender mainstreaming is widely addressed in policies financed by the European Structural and Investment (ESI) Funds [4]. For the 2014–2020 Structural Funds programming cycle, promoting equality between women and men is a key value across all programmes, alongside non-discrimination. The Department for Equal Opportunities (DEO) is responsible for gender policy in structural funds. It plans, coordinates and manages the complex framework set up at national and local level to support equal opportunity policies. However, the DEO has been criticised by civil society organisations for its failure to set up any information or accreditation procedure for participation and consultation with NGOs on sexual and gender-based violence and violence against women [5]. Such consultation is expected to be included in the plan covering 2017-2020.

Italian legislative activity has been primarily concerned with electoral laws and measures to address gender-based violence, maternity provisions and work–life balance. Measures established in 2018 to promote equal opportunities built on progress made in these areas in previous years. For example, the 2017 Budget Law extended compulsory paternity leave [6] and included vouchers for babysitting services and financial support to households for childcare services. New policy interventions have focused on flexibility in the workplace (in both the private and public sectors) to improve work–life balance, while national guidelines for healthcare services and hospitals seek to provide assistance and healthcare for women victims of violence. However, welfare and social policy initiatives remain unbalanced, and the effect of gender inequality is linked to increasingly evident pension gaps [7]. In addition, work–life balance is no longer high on the policy agenda or in public discussion, given the negative impact of the economic crisis on willingness to introduce or continue these kinds of human resources policies [8].

Policy measures addressing specific issues (employment, education, health, violence against women, human trafficking, etc.) exist but are framed as related to specific target groups rather than taking a systematic gender equality approach. Gender mainstreaming is inconsistently applied in the formulation and implementation of laws, regulations and programmes in all ministries and decentralised government structures and is very rarely adopted to assess the impact of new laws and measures on gender equality. In addition, the technical, human and financial resources allocated to support gender mainstreaming in public administration are very limited and often lack specific competencies, expertise and training[9].

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## Structures

Since 2014, the mandate of several committees and commissions working on gender equality and the advancement of women has expired and been replaced by some new institutional bodies with special gender equality tasks. Generally, however, Italy still lacks the proper infrastructure to enhance gender equality [10]. Gender equality mechanisms are particularly vulnerable to government changes, affecting the continuity and consistency of equality policy. Insufficient human, technical and financial resources are allocated to national mechanisms to effectively coordinate and implement gender equality plans, policies and programmes in all areas and at all levels of government. The accountability of such mechanisms and their interaction with civil society is dependent on government change, given the lack of institutionalised channels for consultation [11].

## Government responsibilities

The Italian prime minister is the political authority officially responsible for gender equality and equal opportunity policies. The Ministry for Rights and Equal Opportunities was created in 1996, in line with the UN's Beijing Platform for Action (BPfA) and EU guidelines on gender mainstreaming. Its functions were established in 1997 (Decree of the Presidency of the Council of Ministers No. 405 of 28 October 1997 [12]) and modified through subsequent ministerial decrees. Its broad mandate is to represent the Italian position on gender issues at EU level, prepare government gender equality policy and implement the EU Equality Directives, as well as gender mainstreaming. Unfortunately, the Ministry lacks financial autonomy and resources, limiting the implementation of its mandate. Since 2014, the position of Minister for Equal Opportunities in the Cabinet has been held by a state secretary, with simultaneous responsibility for the Presidency of the Council of Ministers, Equal Opportunities and Youth [13].

Italy's main government gender equality body is the Department for Equal Opportunities (DEO) of the Italian Presidency of the Council of Ministers (since 1996), which has supported the Office of the Minister for Equal Opportunities since 1997. The DEO has a broad mandate to promote and coordinate government actions to support women's human rights, with a focus on combating violence against women, exploitation and trafficking in human beings since 2015. It also coordinates the adoption of the necessary initiatives for the programming, guidance, coordination and monitoring of the ESI Funds for gender equality policies, and all relations with state, regional and local authorities, as well as with bodies operating in the field of equality and equal opportunities, both in Italy and abroad. The DEO retains the responsibility for topics other than gender equality but does not receive adequate funding [14].

The Equal Opportunities National Committee (EONC) was set up in 1991 and played a central role in respect of the functions required by EU law. This Committee is in charge of formulating a yearly programme to set targets for positive action, monitor their implementation and enforce equality principles. Law No. 125 of 10 April 1991 [15] provides the tasks and functions to eliminate sexually discriminatory behaviours and any barriers that may hinder the equality of women in the workplace, as well as their professional advancement and careers. However, the EONC's consultative powers on labour policies and the struggle against discrimination were substantially reduced under the reform enacted by Legislative Decree No. 151 of 14 September 2015 [16]. The last Committee's term ended in 2017 and was renewed only at the end of July 2019.

## **Independent gender equality body**

Law No. 125 defines the profile and competences of the National Equality Counsellor (also referred to as Advisor) at national, regional and provincial level, with a mandate to preside over the conditions under which women are employed in the labour market and to foster and monitor the implementation of principles that support equal treatment of women and men in the workplace. The National Equality Counsellor (previously a member of the EONC) coordinates the Conference of Equality Advisors, which gathers all local Equality Advisors to sustain their actions, disseminate information and facilitate good practice. Equality Advisors also provide assistance to victims of discrimination. Depending on the national or local significance of a discrimination case, the National Counsellor and the Regional Advisors can act directly in the case of collective discrimination. Regional and Provincial Advisors can also represent the individual employee or intervene in an employee-led process, depending on their respective territorial mandate. Unfortunately, the reform of the labour market and associated budget cuts has had a negative impact on the efficacy of the territorial Equality Advisors, who previously safeguarded anti-discriminatory access to rights in the labour market. Government Decree No. 151/2015 refined the mandate of the Equality Advisors and modified the functions and regulations of the National Committee for the Implementation of the Principles of Equality of Treatment and Equality of Opportunity for Male and Female Workers, set up in 1991 in the Ministry of Employment. No further financing is foreseen.

Although intersectionality is included in the Italian legislation (albeit in the extremely simplified form of multiple (double) discrimination), Italy lacks an independent body to protect human rights and combat discrimination, including multiple incidents of discrimination. Intersection of race with gender, religion and culture is explicitly mentioned in Article 1 of Decree No. 215/2003, which aims to achieve equal treatment by taking into account 'both the differential impact that similar forms of discrimination can have on women and men and the existence of forms of racism with a cultural and religious character'. The Italian National Office against Racial Discrimination (UNAR) was established in 2003 within the Department for Equal Opportunities (Legislative Decree No. 215 of 9 July 2003) to transpose the Race Equality Directive (2000/43/EC). UNAR's activities and report do not mention specific gender equality legislation or mechanisms, implying a division of competence with the DEO and a lack of explicit procedures of institutional coordination.

## Parliamentary bodies

In 2015, the Parliamentary Intergroup for Women's Rights was created, chaired by the President of the Chamber and comprising 96 Members of Parliament from every parliamentary group sitting in the Chamber. It disbanded in 2018, following the election and subsequent government change.

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## Regional structures

Italy is characterised by significant heterogeneity in its regional territories. On the main economic and social indicators, Italy is divided, with the south and the islands on one side and the north and centre on the other [17]. The gender gap indicators (as a gauge of progress towards gender equality [18]) show that a limited number of regions (led by Piedmont and Emilia Romagna) are approximately halfway towards the goal, while a larger group is positioned around the Italian average, at one-third of the way towards the goal. All of the southern regions (except Sardinia) lag considerably behind.

Article 117 of the Italian Constitution states: '(...) regional laws shall remove all obstacles which prevent the full equality of men and women in social, cultural and economic life, and shall promote equal access of men and women to elective office.' The regions can thus legislate on substantive equality and gender equality.

According to Law No. 53/2000, Italian local authorities are responsible for quality of life and have a specific mandate to design positive action plans to reduce gender inequality [19]. Unfortunately, no comparative results are available on methodologies, timing and responsibilities established by local administrations in respect of gender policy initiatives, with the exception of gender budgeting. Based on sex-disaggregated statistics, several Italian municipalities and provinces have developed 'gender audits' (gender budget documents) to support the implementation of local and regional gender equality policies. Although Act DL No. 150/2009 requires all public administrations to carry out gender budgets, it has been ignored by most administrations, chiefly because it provided no guidance on methodologies, timing, responsibilities or sanctions [20].

Most regional, provincial and municipal gender equality institutions are similar to those at national level. Many local authorities have appointed a specific political mandate (assessorato) on equal opportunities, while a smaller number have a diversity manager. Most local authorities appointed equality boards or commissions (with primarily consultative powers) to encourage the implementation of gender strategies.

At local level, Equal Opportunities Commissions (CPOs) have been active in each institution of the public sector since 1988 (regional, provincial, municipal administrations, universities, local units of the national health system, etc.). Their performance, however, is extremely uneven. Under Law No. 183/2010, the CPOs were transformed into unified Committees for the Rights of Employees (CUGs), which combine the former Commissions for Gender Equality with the Committees for Protection against 'Work Bullying'. The CUGs' areas of concern were extended to discrimination based on gender, age, sexual orientation, race, ethnic origin, disability, religion and language. They provide an effective and comprehensive tool against discrimination in the workplace, covering the areas of economic treatment, career advancement, security and access to work. No notable changes are evident since 2014.

Usually, the territorial network systems include various groups, such as: women's associations, women's crisis centres, social and healthcare entities, as well as courthouses, police forces, lawyers, career guidance officers, regional school offices and judicial women's forums. However, the financial resources available at national level to distribute to the regions and municipalities are generally considered inadequate [21]. In addition to their national allocations, regions, metropolitan cities and municipalities can integrate their budget reports with other financial resources, for example private and European funds [22].

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## Methods and tools

Note: the methods and tools listed under this section were the focus of EIGE's 2018-2019 assessment. If certain methods and tools are not mentioned in this section, this does not necessarily mean that they are not used at all by Italy.

Since 2000, gender mainstreaming policies have mainly been implemented through European funds (ESF and ERDF) and by creating systematic collaboration with the Italian regions. The VISPO guidelines (Valutazione Impatto Strategico Pari Opportunità – Equal Opportunities Strategic Impact Assessment) were drafted in 1999 and applied during the 2000–2006 planning period but have since been abandoned. However, the guidelines have proved a valuable tool for local administrations responsible for ESF programming activities and have been adopted by local decision-makers for strategy planning purposes and for drafting the relevant programming documents. Promoting equality between women and men and non-discrimination across all programmes is a key value for the 2014–2020 ESF programming cycle. Some specific initiatives are financed through the National Operational Programme (NOP) governance and institutional capacity, managed by the agency for territorial cohesion, which established a strategic committee in 2017 to address gender issues. The initiatives promoted through NOP governance include the project on 'smart work for the future of PA' and the project on 'evaluation methods and tools for gender mainstreaming', managed by the DEO. The project 'Strengthening policies to contrast gender discrimination at the workplace in cohesion policy' is also underway.

## Gender budgeting

Over the last 20 years, many local governments have promoted gender-responsive budgeting, while the ESF initiatives have stimulated the adoption of policy developments to improve gender equality. However, the promotion of gender budgeting is the only gender mainstreaming initiative widely used in Italy, promoted especially at sub-national level. Between 2016 and 2018, gender budgeting was also implemented at national level.

At regional level, gender budgeting involves provincial administrations, municipalities and - more rarely - regional governments. Since 2000, Italy has experimented with initiatives to create a 'network of provinces and municipalities for the dissemination of gender budgeting good practices' (2002). Examples of these initiatives were the promotion of a gender-sensitive analysis of budget documents, new methodologies and measures to address the gendered distribution of resources, guidelines and training modules for town councillors, managers and officials, and gender-sensitive expenditure indicators [23]. Overall, gender budgeting initiatives have increased awareness and involvement at local level.

According to Law No. 196/2009, all public bodies should include a gender budget document in their yearly performance review. The Decree states that the exercise should be carried out on the state's final accounts, with an analysis of both revenue and expenditure, and 'equitable and sustainable well-being' (BES) indicators used to highlight the existing gender gaps.

A gender budget analysis was piloted for the 2016 state budget, in order to assess the different impacts of budgetary policies on women and men in terms of money, services, time and unpaid work. The methodology and actors involved were established through a Decree of the President of the Council of Ministers (DM of 16 June 2017), acting together with the Minister of Economy and Finance. A special Steering Committee was appointed in 2017 at the Ministry of Economy and Finance, composed of ministry representatives, the Presidency of the Council of Ministries (PCM), the National Statistical Institute (ISTAT) and the National Social Security Institute (INPS), as well as three experts from academia or research institutions [24]. The process was primarily managed by the State General Accounting Department of the Ministry of Economy and Finance. The task of collecting data on public employees was undertaken by the Ministry's Department of Finance and the Department of General Affairs, each administrative managing level unit of central state administrations (including the territorial branches), the PCM and ISTAT. The Steering Committee collaborated with the DEO on the final report.

Following that pilot programme for 2016, the activities were repeated for 2017, to allow for the examination of a more complete set of indicators on gender gaps in areas fundamental to the community, and to carry out a more precise examination of the relevant expenditure and activities of each administration from a gender perspective. The INPS created a specific task force ([Visit INPS Scholars](#)) to implement a set of new indicators, which saw 146 indicators used in 2017, compared to only 39 in 2016 [25]. The state budget expenditure was reclassified in the light of an assessment of its different impacts on women and men [26].

## **Training and awareness-raising**



Since 2014, local authorities and other state bodies, such as law enforcement and social and healthcare facilities, have promoted various training actions for their staff or operators of other organisations, featuring different approaches and characteristics. As there is no legal basis for gender equality training in Italy, interventions are often limited and geographically scattered. Some state administrations reporting specific training initiatives are: the PCM, the Ministry of Economy and Finance, the Ministry of Labour and Social Policies, the Ministry of Justice (for the Penitentiary Administration), the Ministry of Foreign Affairs and International Cooperation, the Ministry of the Interior (State Police) and the Ministry of Defence (Air Force and Carabinieri). Together with the DEO, in 2017, the Ministry of Education University and Research (MIUR) began to build relevant actions and measures to ensure gender mainstreaming in gender-sensitive pedagogy, as well as education in gender differences. A working group established at the Ministry in 2017 also developed 'Guidelines for use of gender-sensitive language in administrative documentation'. Following the change of government in 2018 [27], actions on gender-sensitive education, guidelines and recommendations have yet to be applied.

## Gender statistics

The Prodi-Finocchiaro Directive of 27 March 1997, and the Nicolais-Pollastrini Directive of 23 May 2007 called for the collection of gender-sensitive statistics within public administrations. In 2008, the National Council for Economy and Labour (CNEL) proposed a bill on 'Rules on gender-sensitive statistics' (which is still under consideration in parliament), while ISTAT began to integrate the gender dimension into many of its surveys. Although there is no unit, desk or focal point within ISTAT that is responsible for gender-sensitive statistics, many surveys are conducted on specific gender issues, particularly in the social statistics sector. The process of gender mainstreaming has been applied to all stages of statistical activities, with integrating a gender perspective throughout the statistical system seen as the responsibility of every member of staff and part of ISTAT's commitment to data quality and relevance.

In the last decade, collaboration between ISTAT and the DEO has led to grants to support several surveys, notably the survey on sexual harassment against women 2007–2009, the survey on maternity and female participation in the labour market, and the 2006 and 2015 surveys on women's safety. These surveys represent a new model for disseminating statistical information, as the data results are accompanied by user-friendly explanations and comments, delivered in a transparent and accessible way.

Some challenges remain, as gender is not yet well-integrated into some areas of data production, particularly those areas where gender has traditionally been perceived as irrelevant to their statistics, such as economics, business, transport and agriculture.

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## Good practices

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## Endnotes

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[6] For fathers working as employees enrolled in the National Institute for Social Security.

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[12] [Regulation of the institution and organisation of the Equal Opportunities Department](#) within the Presidency of the Council of Ministers.

[13] In the provisional budget 2019–20, the budget entry for actions, programmes and missions, 'Equal Opportunities', has been renamed 'Family, Equal Opportunities and Social Unrest'.

[14] FEMM (2016). [The Use of Funds for Gender Equality in Selected Member States](#).

[15] [Positive actions for the implementation of equality between women and men at work](#).

[16] [Dispositions on the rationalisation and simplification of procedures](#) and fulfilment of citizens and firms and other dispositions on the matter of work relationships and equal opportunities.

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[22] The fund allocation has often been delayed, with the money sometimes used in a non-transparent way. Consequently, women's organisations have requested that the allocation of funds intended for crisis centres be binding for the regions. The organisation Actionaid, within the project Donne che contano, has created an open data platform to make the information more accessible. Along with DIRE, Actionaid monitored and compared the data from the different regions, highlighting the lack of homogeneity both in the decisions made by the different administrations and also in the availability of the information.

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[25] Ragioneria Générale dello Stato (2018). [Relazione sul Bilancio di genere 2017](#).

[26] The full version of the report to parliament on the 2017 gender budget is available on the State's General Accounting Department website at: [www.rgs.mef.gov.it/VERSIONE-I/Attivit-i/Rendiconto/Bilancio-digenere/](http://www.rgs.mef.gov.it/VERSIONE-I/Attivit-i/Rendiconto/Bilancio-digenere/) It includes an appendix on legislation (Appendix I), reviewing the gender budget pilot project applied to the state final accounts and the provisions for the reduction of gender inequalities enacted in Italy. Appendix II includes each administration's replies to questionnaires on personnel and sectoral policies in gender perspective. Appendix III is a statistical appendix available in a computer-processable format and containing indicators for monitoring gender gaps. Some highlights of the results are also disseminated through the [Open budget App](#).

[27] These activities also remained unimplemented because of the growing backlash against gender-sensitive education by conservative or right-wing movements or organisations.

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