

ITALY

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**REVIEW OF THE IMPLEMENTATION OF
THE BEIJING PLATFORM FOR ACTION
AND THE OUTCOME DOCUMENTS
OF THE 23RD SPECIAL SESSION
OF THE GENERAL ASSEMBLY**

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The Government newly appointed after the 2001 elections has set equal opportunities policies as one of the priorities of its political agenda.

The activity of the Minister for Equal Opportunities has been focused, since her appointment, on a wider concept of equal opportunities aimed at fighting all kinds of discriminations, as mentioned in art. 13 of the Amsterdam Treaty. This has produced a broader intervention of equal opportunities policies beyond the traditional approach of gender equality. The large spectrum of functions appointed to the Minister, including crucial issues, such as immigration, children-care policies and international adoptions, has helped to set up a network of collateral and instrumental measures that represents the cultural and practical ground to equal opportunities policies even if exceeding the boundaries of proper gender equality issue.

From a cultural standpoint, the Government has aimed at providing a new outlook of the role of women not only in the workplace but also in all political and financial decision-making processes as highlighted in the Resolution, approved by the Council of Ministers for gender related issues of the EU that convened, during the semester of Italian Presidency of the EU, in September 2003 in Siracusa, with the aim at ensuring that an adequate percentage of female candidates is represented in all electoral contests. From a practical point of view, the Government has aimed at providing services of immediate use, such as Kindergartens, created to reconcile the family role of women with their professional responsibilities.

While it cannot be denied that soon after the Beijing Platform, the Italian Government has endeavoured to pursue a certain number of equal opportunities policies, only in recent years, there has been the harmonization and rationalization of Governmental qualitative and quantitative actions in this important area of the political agenda.

The political-institutional, social and economic scenario

The Amsterdam Treaty fully recognizes the principle of gender equality and equal opportunities between women and men as reiterated in the four pillars of European Employment Guidelines. Since the establishment of the new Government in 2001, the democratic content of the institutional reforms has been aiming at overcoming the gender unbalance in decision-making and at giving full access to employment, to social services and to the economic resources. In such a complex framework, the challenge represented by the full-fledged implementation of the Beijing Platform in Italy is related to the quality and the meaning of the process underway, which aims at introducing a gender perspective in all government policies. The relevant Plan of Action, which was adopted in March 1997, took the form of a Prime Minister's Directive and is still in use. Provided additional instruments, such as the sectorial National Plans of Action (PAs) adopted over the last years in accordance with the Amsterdam Treaty and in line with the EU directives, the aforementioned National Plan of Action, directly stemming from Beijing, is considered the main guideline for further implementation. The Plan aims at promoting women's empowerment and at recognizing and guaranteeing freedom of choice and enhanced quality of life for men and women. The Directive focuses on the key concepts of the Beijing Conference: empowerment and mainstreaming. The "building of a mainstreaming culture" states the Directive "implies the need to overcome a sectorial notion of women's issues or a conventional idea of equal opportunities, consisting in a set of actions to overcome disadvantage. The most

innovative aspect of mainstreaming consists in the need for initiatives, which cut across all government actions.” The Directive identified priorities for action in Italy, to which further items have been added by the Declaration of Equal Opportunities, which was pronounced in 2001 by the newly appointed Equal Opportunities Minister, Hon. S. Prestigiacomo. The targeted areas for action include:

- **promotion of women in decision-making processes and representation of women at all electoral levels;**
- **coordination and reform of institutional action and equal opportunities bodies;**
- **elimination of discrimination;**
- **international cooperation;**
- **training and education;**
- **promotion of female entrepreneurship and employment;**
- **gender policies on time-use, work organization and working-time;**
- **the National Plan for kindergartens;**
- **fight against paedophilia;**
- **violence against women and measures against trafficking in human beings;**
- **health care (including the fight against female genital mutilation).**

Both the Italian Plan of Action (the above 1997 Directive) and the Ministry for Equal Opportunities (which is in charge of coordinating the relevant national policies and monitoring their implementation) strongly emphasize the importance of the link between gender mainstreaming in government policies and the process of women’s empowerment at all levels.

Fully taking into account the 1997 *Concluding Observations of the Committee on the Elimination of Discrimination Against Women (A/52/38/Rev.1)*, the Italian Government has translated most of them into domestic legislation and implemented by means of concrete actions, as enlisted below:

1. As regards *empowerment* policies, an amendment to Article 51 of the Constitution was approved in 2003 to grant equal access to public and elective offices (see below);
2. The issue of “conciliation”, i.e. the fair distribution of household tasks and “responsibilities of care” has been extensively tackled over the last two years;
3. Indirect discrimination has also long been targeted by the Ministry for Equal Opportunities, to reach social and workplace gender equality;
4. In order to tackle the issue of domestic violence, a Pilot Project “The URBAN cities anti-violence network” was started. The project involves 26 towns and is coordinated by the Department for Equal Opportunities.
5. Italy’s efforts have also addressed the fight against trafficking in women and children for sexual exploitation purposes;

6. As to the recommendation of eliminating gender stereotypes in schoolbooks, the so-called P.O.L.I.T.E Project has yielded a Self-Regulation Code of Conduct for Schoolbooks' Publishers.

Access to public offices; access to labour market and family friendly policies. Legislative measures and concrete actions:

In this juncture, the most significant process of reform focuses on the representation of women in elective bodies and public offices and on equal access to labour market.

With regard to equal access to public offices, two laws revising the Constitution have recently been enacted (2/2001 and 3/2001) and have introduced important principles into regional and local government programs. Both require regions with a special statute and those with an ordinary statute to adopt laws to remove any obstacle to full equality between the sexes, and to promote equal access to elective offices. These are provisions which will certainly determine significant changes in the current electoral legislation in the regions, especially with regard to elective bodies of regional and local authorities. Some Regions have already put these reforms into effect. As regards state organisation, in 2001, only a few months after the new Government took office, the Ministry for Equal Opportunities had a government-sponsored Constitutional Bill approved, which modifies article 51 of the Constitution with respect to access to public offices and other elective appointments. The constitutional principle, that emanates from the new formulation of article 51, requires the Republic to promote "equal rights between men and women by means of appropriate provisions" declaring the rights of all citizens of both sexes to accede, under legal and effective conditions of equality, to public offices and elective appointments (Apart from France, this Constitutional provision is unprecedented throughout Europe). The concept of equal opportunities has entered into the Constitution, thus compelling the Republic to foster "equal opportunities for men and women by means of appropriate provisions". It states the rights of all citizens, on an equal basis, to access to public offices and elective appointments.

The rising female presence in the labour market is one of the most significant transformations involving the employment structure and participation to labour, over the last few years. All main labour market indicators show strongly positive trends of female participation. Women have taken up 66% of newly created jobs between 1998 and 2001, outperforming men in employment growth (respectively +9.7% for women and + 2.8% for men). *The spread rate is 3.8% for women as opposed to 1.9% for men.* Women's employment rate – calculated on the group aged 15 to 64 – has reached an average of 41.1% in 2001. The employment reprise over the last few years has opened increasingly wide spaces for women entering the labour market, even for traditionally underrepresented categories such as married women, women re-entering the labour market after maternal leave or after forced absence periods. The rate of activity (age group 15 to 64) has increased by 1.7 % between 1998 and 2001 from 58.7 % to 60,4%. In spite of the evident steps ahead, the Southern regions sing out of pitch. Here the female employment quota detected in 2001 is still as low as 26 %, though steadily growing since the late 1990s. The employment rate as a whole has reached 54.6%, still lagging behind other European partners; though it has risen by 4% since 1995, it remains 9% under the average rate in Europe, and well over 15% lower than the target that the European Union has set for 2010. The female component has increased by

almost 6% (over 41% as a whole) since 1995, though here the gap with the rest of the Union's current and desirable levels gapes even wider. Employment rate is closely related to education. Whereas graduated women in the middle age groups reach high occupational levels (almost 90% of women with a university degree are employed at 40 to 44), the rate of employed women with poor education – primary school or no qualification – is constantly lower than 30%. An employment distribution map by macro-sector of economic activity would highlight that female participation is concentrated mainly in the services sector, much more than their male counterparts. Women's presence is still concentrated in typically "female" sectors, accounting for 53.4% in public, social and personal services, and for as much as 66.4% in education. Sectors with strong male prevalence are information technology (where women account for as low as 30.4%), transportations (15.2%), building and constructions (6%). In general, access to top jobs is extremely difficult for women, even in those sectors where female presence is higher than average. An employment distribution map by professional position shows a strong under-representation of women at top levels and an overrepresentation in positions requiring lower qualifications. For instance, women's ratio of entrepreneurs and executives is 2.2% as opposed to men's 5.2%. Whereas women can overcome access barriers thanks to their better preparation and specialisation, professional growth hindrances (both in the public and private sector) continue to stand tall. It is also worth mentioning that wide pay gaps still exist and institutional estimates (from sources such as CNEL – the National council for economic affairs and labour - and the Bank of Italy) agree that wage gaps range from 20% to 25%. In the whole employment scenario, women's part-time quota is far higher than men's. Whereas part-time schemes of various sorts have contributed to increasing female representation on the labour market, favouring reconciliation of work and family commitments, they tend to bear negatively on the women's working conditions, qualifications and professional development. Women's difficulties of obtaining an adequate placement on the labour market are by no means due to low education. Women have reached the same levels of education as men – and higher, in some cases. The level of education achieved by women aged up to 39 is higher than their male counterparts; the widest gap is recorded in the age group 20 to 24, where over 70% of women are high school graduates, as opposed to men's 63%.

The Programmes, co-financed by the Structural Funds of the European Union, play an important role in order to women's employment growth and to conciliation between job and family responsibilities. In particular, a share of 10% of the European Social Fund for every operational Programme coming from the Italian Regions, is reserved to actions aimed at the implementation of the equality principles (Policy Field E): we are talking about the highest percent rate among all European Countries and that means, in our current planning phase (2000-2006), one billion euro investment.

On a more specific note, *Ministero per le attività produttive*, previously named Ministry for Industry, Trade and Craft, is currently committed to implementing its policies on women empowerment in entrepreneurship. In this regard, while the Ministry is currently monitoring the situation of women entrepreneurs throughout the country so as to draft a report for future measures and initiatives to be undertaken, the Italian Government is fully committed to translate into domestic legislation the relevant EU provisions. In fact, the Minister requested and obtained the transposition of EU Directive 2002/73 into a Community Law in 2003, in order to speed up the drafting of the relevant Legislative Decree for implementation. This Directive introduces

significant novelties to the issue of equal treatment between men and women in terms of job access, vocational training, career advancement, and employment conditions. With the approval of the Community Law of 2003, the Government has taken concrete steps to implement the above Directive. Where necessary legislation has been modified, Law n.125/1991 was amended by Decree Law n. 196/2000, which introduced so called positive actions into the field of employment and instituted an ad-hoc officer, the "equality advisor", who operates at the provincial, regional and national levels, to defend female worker. This is a very advanced norm which deals with women who have been prejudiced by discriminatory behaviour in the work-place, but it needs further updating. The criteria set out to implement the aforementioned Directive (article 16 of Community Bill, 2003), as reported in the normative implementation provision approved by the Council of Ministers, are the following:

- a) to guarantee the effective application of the principle of equality of treatment between men and women at work, ensuring that gender difference is not cause of direct or indirect discrimination, in a perspective which takes into account marital status or family, relative to: conditions of access to the job market, whether as employees or self-employed; relations between employee and employer, remuneration and conditions of dismissal; access to all types and levels of vocational training, specialisation and requalification courses, including apprenticeships; activities carried out for workers' or employers' organisations and access to jobs provided by these organisations.
- b) to define the notion of discrimination as "direct" when a person is treated less favourably on the basis of gender, than another person is, has been, or would have been treated in an analogous situation; to define the notion of discrimination as "indirect" when an apparently neutral rule, criteria or procedure puts one gender at a particular disadvantage, with respect to the other sex, except in cases where the different treatment is justified by objective reasons, i.e. in the case of jobs where specific sexual characteristics are essential requisites to the execution of the work; to define the notion of "harassment" when, for reasons related to gender, undesirable behaviour objectively prejudices a person's dignity and liberty, creating an atmosphere of hostile intimidation and humiliation; to define the notion of "sexual harassment" when said behaviour has manifest sexual overtones; and lastly to consider harassment and sexual harassment as discrimination;
- c) to provide for the implementation of the principle of equality of treatment without gender distinction in all sectors of work, public and private, ensuring that, whilst complying with the norms in the sector, those who have suffered damage are entitled to legal and/or administrative safeguards, and are guaranteed redress or equal compensation;
- d) to recognise the right of representative associations to take legal and/or administrative action when members feel discriminated against, by delegation of the injured party, i.e. to provide for cases of collective discrimination where the injured persons are not directly or easily identifiable, so that the association can file charges on their behalf. With respect to the previous norms, the main novelty is the introduction of a specific norm to combat sexual harassment in the work-place.

The Ministry for Equal Opportunities has also set up a study group, "Women and work" (under Ministerial Decree on 1 July 2002), which is examining primary and secondary legislature, so as to assess, during the implementation phase, the effectiveness of the current measures to combat gender discrimination in the work place. The study, which is underway, monitors the legal instruments provided to safeguard women with regards to: 1) access to the labour market; 2) obtaining different types of flexible contracts; 3) vocational training and retraining, specialisation, and remuneration; 4) the adequacy of the existing instruments to defend women in case of sexual harassment in the work place, with a view to elaborating new proposals in line with European measures; 5) problems related to running the household; 6) measures which will allow working women to reconcile their work schedule with their family life.

Additional legislative measures, policies and positive actions

The framework of the national equal opportunities legislation and policies encompasses provisions to promote positive actions in the fields of equality in the workplace, female entrepreneurship, support to motherhood, work organisation, the system of actions and social labour policies. In this regard, the efforts of the Government in the last few years have focused on the principle of *mainstreaming* and on adopting a gender perspective in all choices, policies and actions promoted by the State at all administrative levels. Equality policies have been targeted on substantial equality and on potential actions to fight any form of discrimination/segregation, no longer merely addressing women's problems. A new concept of Equal Opportunities has been extensively developed and implemented throughout the country thanks to relevant initiatives taken by regional and local entities as was the case with the following regions and cities: Emilia Romagna; Umbria; Forlì and Perugia. Many provisions set forth over the last years have both a *direct* and an *indirect* equality *impact*. The most significant female targeted policy actions are: the Set of Rules for the Streamlining of the Process of Actions in favour of Female Entrepreneurship, issued in July 2000; the Legislative Decree no. 196 of 23rd May, 2000 that contains the new rules for equality advisors as well as provisions in terms of policy actions; Law no. 53/2000 that provides for the support to motherhood and fatherhood, the right to care and continuous training and the coordination of urban times; the Unified Text no. 151 of March 2001, collecting all law provisions on protection and support of motherhood and fatherhood. Plus, many social benefits have been provided by the Financial Laws of the years 1999, 2000 and 2001, respectively for the extension of the maternity indemnification to mothers with no access to any other sort of economic support to motherhood, family cheques and illness allowance to freelance workers coordinated by an employer, the amount of the maternity allowance raised to monthly 250,00 euros for women not benefiting from maternity indemnification and tax relief, and paid leaves of up to two years for parents of handicapped children¹.

¹On a more specific note, the Government has adopted the following measures as forms of economic support: 1. maternity allowance Law 448/1998 – Art. 66 amounting to 265.20 euros, payable for five months for a total of 1,326.00 euros to Italian, EU or non-EU women with permit of stay, without work and with household income no higher than 27,644.94 euros. The allowance is doubled in the case of twins. 2. Maternity allowance provided and delivered by INPS – Law 448/1999 Art. 49.8: allowance of 3,000,000 lire - 1549.70 euros on the birth of a child, pre-adoption fostering and adoption after 2 July 2000 for Italian, EU and non-EU women with permit of stay, who have previous working experience. The allowance is doubled in the case of twins. 3. Maternity allowance, Law 448/1998 – Art. 66 amounting to 265.20 euros, payable for five months for a total of 1,326.00 euros to Italian, EU or non-EU women with permit of stay, without work and with household income no higher

Most noteworthy *indirect impact* equality provisions (i.e., dealing with general purpose topics and having positive effects on gender relations) issued during the three-year period 1998-2001 include the introduction of *telework* in the public service; incentives to self-entrepreneurship and self-employment, plus facilities to businesses with female prevalence and the obligation for all local and national administrations to define tools that grant easier access for female-run enterprises to public financial aid. The latter two provisions are meant to promote substantial equality and equal opportunities to men and women in economic and entrepreneurial activities. Also worth mentioning is the transposition of the Decisions of the EC Court of Justice on night work in the 1998 *Community Legislation* and in the Delegated Law 532 of November 1999. These provisions contain an implied warranty for women. In fact they reaffirm, *inter alia*, the rules banning night work for mothers, from pregnancy until the child's first birthday.

than 27,644.94 euros. The allowance is doubled in the case of twins. On a more general note, these measures have to be included in the social protection framework. The role of the system of social protection (other than pensions) in the distribution of income to economically disadvantaged persons is somewhat limited. On the basis of 1996 data the number of "poor" people was reduced from 22% to 19% following the intervention of the social protection system (other than pensions). Pensions therefore play a very important role in income re-distribution. In this regard, initiatives are addressed mainly to certain specific categories: the elderly, the poor, women with disabled children, households with dependent children, citizens with income below the poverty line. Social protection instruments to combat poverty include: 1. maternity allowance - Mothers who are not in receipt of maternity pay, with income on or below certain threshold levels; and 2. allowance for families with at least three children: Families with at least three children of minority age and income on or below certain threshold levels.

Minimum inclusion allowance

The Minimum Inclusion Allowance (MIA) was introduced on an experimental basis by Legislative Decree 237/1998. This is a "measure to combat poverty and social exclusion" that also envisages personalised programmes and income support in the form of money transfers. In view of the experimental nature of the MIA, the field of application is limited in terms of duration and areas covered. The emphasis has been on Southern Italy, although the scheme has been extended (again in terms of duration and areas covered). The bodies delivering this experimental scheme are the municipal authorities, selected on the basis of criteria that include: level of poverty in the various localities of the area; extent of area to be covered; willingness of the municipal authorities to take part. With regard to the provision of funding to meet the costs involved in the scheme, it was established that running costs would be covered by the municipal authorities, while at least 90% of the cost of the income support for beneficiaries would be covered by the state. The next step was to establish the criteria for access to the MIA. These include residence, income and assets owned, although the Decree explicitly recognises that the priority criterion is that the allowance should go to families with children of minority age or seriously disabled dependents. In terms of assets, beneficiaries must have income of less than 520,000 lire per month (for 2000) and may not own real or personal property other than their home, which however must not be worth more than a given threshold level indicated by the municipal authority. To calculate the income threshold, a sliding scale is used to account for large families. The income supplement is accompanied by personalised "inclusion plans" which the local authority should draw up for each beneficiary in order to help "overcome the marginalisation of individuals and families by fostering the abilities and financial autonomy of the individual". Beneficiaries are required to respect the commitments arising from these programmes. Law 328/2000 (the Framework Law for the realisation of the integrated system of social actions and services) envisaged that the MIA would be implemented nationwide after the trial period. This will however depend on the evaluation of the results of the trial. The Finance Law for 2001 (Law 388/2000) envisaged the extension of the trial in terms of duration and geographical cover. 350 billion lire were earmarked for 2001 and 430 billion for 2002, authorising the 39 municipalities already involved in the scheme to continue with the trial. Municipalities taking part in Territorial Pacts approved by 30 June 2000 are also taking part, whether already selected or awaiting selection pursuant to Legislative Decree 237.

Given its particular relevance, one of the above listed provisions deserves a closer observation: Delegated Law n. 196/2000: The New Functional Profile of Equality Advisors. The most significant equality policy has been established by Law 125/91 on positive actions, introducing in the Italian legislation specific actions aimed at promoting female employment and achieving substantial gender equality in the workplace. The above implies the enhancement of the role and functions of Equality Advisors, laid down by Delegated Law n. 196/2000, that in turns integrates the framework of positive actions in terms of goals and tools, instruments and financial means. The thorough implementation of Law n.125/1991 which is related to the administrative decentralisation of active labour, training and education policies. The devolution to Regions and Local Entities will strengthen equality positive actions for labour policies and employment services, as well as for the decision making on local development issues. The Decree lays down that equality advisors collaborate with Labour Councillors of the Local Entities and with locally active equality organisations and that they be members of local equality commissions. Equality Advisors play a key role in reaching the goals set forth by the Law, thanks to their field activity. In fact, at the national, regional and local level, their task is to promote equal opportunities in their areas of competence, as well as to monitor the compliance with anti-discrimination rules. With regard to their functions, equality advisors carry out the tasks set forth by law by detecting gender imbalances, promoting positive actions, also by means of EU, national and local resources allocated for the purpose. They are also in charge of granting continuity between local development policies and relevant directions from the EU, the national government and local entities.

As regards actions, more generally, article 7 of the Delegated Law n. 196/2000 has strengthened the existing obligation for public administrations to set up three-year positive actions plans to ensure, in their respective areas of application, the removal of obstacles hindering the full achievement of equal opportunities between men and women in the workplace.

Further measures. A brief list of activities and concrete measures carried out so far:

1. *At the educational level:*

Due to the large number of immigrant families settling down in Italy, the Italian school system has contributed substantially to the issue of integration and equal opportunities. The arrival of many foreign students, male and female, has put new demands on the school system in terms of care, flexibility and consideration of the diversity and the rights of every child to be educated, while respecting their differences. The Italian school model that foreign students are presented with, is not just a symptomatic response to the new demands brought about by immigration. It is: integrationist, mixing foreign students into Italian classes; intercultural, aware of the relationship between acquaintance-exchange-reciprocity for people of different origins, and promoter of a dynamic and multifaceted culture; careful to value the culture and native language of foreign students. The issue of gender equality is also dealt with by the institutional system of education. These programs have been effective since 2000.

The Ministry for Education has trained personnel on the issues of gender and equal opportunities; the promotion of a culture of equal opportunities by the Ministry, which is in charge of the National Operative Program “School for development” co-financed by European structural funds. This initiative, launched in 2000, and already planned until 2004, has been

carried out in the south of Italy. Within this framework, specific initiatives have been taken, such as general courses of accompaniment (such as baby sitting) for women with economic or family problems. These programs have set up about 1,200 projects, involving 25,000 girls and women, which has cost approximately 50 million Euro so far.

With regard to access to higher educational level, in 1999, under the Finnish Presidency of the EU, a Working Group on “Women and Science” was established, the so called “Helsinki Group” was created with the aim of favouring an exchange of views on best practices to increase the percentage of women scientists. Since its creation, the Italian Government has played a major role in this WG as a way to promote the role of women in the scientific sector.

2. Facilitations to access to labour market - ICT and family friendly policies:

In the companies of the New Economy, 12,8% of managers are women, while there is an existing gap in the distribution of retribution between women and men, which amounts to 27%. Despite these data, a new trend is developing in Italy: the discovery of ICT due to the facilitation to be given to women in their attempts to manage family and work duties.

National Program for Kindergartens.

In order to reconcile the multiple roles of women in the family and at work, through a series of instruments and services, it is worth noting a national plan for nursery schools. It provides working women with immediately available services, allowing them to combine their family life with a professional life. The result are: the establishment of a Fund for Kindergartens in 2002/2004 which totally amounts to 300 m. euros to be allocated for relevant activities; and a bill, currently under examination by the Committee of Social Affairs in the Chamber of Deputies (AC2020), which will systematically regulate the whole matter, providing for the creation of day nurseries, as well as micro-nurseries in the work-place. This bill updates the 1971 Law, which does not suit a social context which has changed due to the enormous increase in female presence in the labour market. The bill sets out to provide concrete support for families. To that end, Article 70 of Budget Law no. 448/2001 and Article 91 of Budget Law no. 289/2002 set up a fund to create nurseries and micro-nurseries in work-places.

In 2003, 10m Euros were allocated by a national committee to employers (including public sector) who had taken steps towards this direction in order to assure funding to about 100 projects equally distributed on the national territory.

Specific measures have already been taken to that end: 1. Legislative Decree 151/2001, a. maternity/paternity leave, parental leave for both parents up until child's 8th year of age, leave for children's illness, rest periods and time off for family reasons (hourly based); b. ban on night shifts during pregnancy and until child is one year old; possibility of exemption from night work in particular family situations if there are children under three years, or care is being provided for disabled dependants; c. a special emphasis has been placed on support for families with care responsibilities for disabled dependants.

Law 53/2000 – Provisions on Parental and Training Leaves and the Provisions for supporting motherhood and fatherhood, for the right to caring and training and for coordinating urban times are aimed at favouring parents in sharing their children's care, with a much broader system of

protection than what set forth by previously existing legislation, making the conciliation between work times and family life finally possible. The remarkable advantages provided for by this law, no longer restricted to women (and to working mothers in particular), are extended to fathers, who are finally acknowledged the right and given the chance to take relatively long leave periods for the care and assistance of their children. Law no. 53/2000 is undoubtedly one of the most innovative in the European scenario. In particular, article 9 of this Law introduces working hours flexibility, with specific (though not exclusive) reference to children's care. It fosters the development of a thoroughly new entrepreneurial culture, supporting new tools of "freedom" within the company, and favouring responsible dialogue between the Company and its employees. In particular, article 9 provides for incentives to companies adopting contract agreements containing positive actions to enhance flexibility. Eligible for financing are those companies that, having stipulated contract agreements with institutional Trade Unions, enact flexibility-enhancing positive actions. Priority is given to the so-called small enterprises, as 50% of the funds allocated annually is reserved for companies with less than 50 employees. Undoubtedly, collective agreement as a prerequisite for fund access is one of the most significant innovations laid down by this Law. Along this line, lastly it is worth mentioning Law 30/03.

The positive actions to be included in projects for access to funds are reversible *part-time*, tele-work and work-from-home schemes, flexible work start and finish times, the bank of hours, flexible shifts, concentrated working hours. The funds allocated by the Law amount to roughly € 21 m per year. Most of the positive actions projects so far submitted by companies involve part-time schemes.

3. Women's rights: violence against women and children:

a. Within the social framework, the Italian Government has also extensively dealt with domestic violence by introducing the Pilot project "The URBAN cities anti-violence Network". The project was launched in 1998 and implemented by 8 Cities. In the year 2001 the project received additional EC financing which allowed to involve in total 26 cities². The objectives of this project are: a) to develop a set of common indicators to identify and analyse the different forms of violence against women: b) to define an action protocol on the prevention and eradication of violence against women: c) to define a methodology for the re-organisation of the existing services to assist women victims of violence. The network created by the project has published a training manual on strategies to eradicate violence against women and how to organise services to assist the victims. With specific regard to measures fighting sexual violence, many elements have contributed to raising awareness of how fierce men's violence against women is, both for the individual suffering and for the perverse social and economic effects it brings about. Apart the adoption of Law no. 66/1996, many actions at different levels have been taken by local and national public institutions as well as by women's associations and NGOs. The above Law has provided an invaluable tool to many women's association, which for years have been trying to tackle the plague of violence against women and playing a key role in supporting victims against violent husbands, partners and fathers, by welcoming them in special centres. Worth mentioning

² Catania, Foggia, Lecce, Napoli, Palermo, Reggio Calabria, Roma, Venezia, Bari, Cagliari, Catanzaro, Cosenza, Genova, Salerno, Siracusa, Trieste, Brindisi, Carrara, Caserta, Crotone, Milano, Misterbianco, Mola di Bari, Pescara, Taranto, Torino.

in this field are the achievements of Region Emilia Romagna, that has opened an anti-violence centre in each Province. It has provided regional co-ordination to the whole network, and has carried out in-depth analyses on particular aspects of this phenomenon. To date, more than 100 associations have organised counselling centres, shelters, toll-free crisis support phone lines, and provided legal and psychological support to women in difficult situations. A recent Law no. 154/2001 “Measures against Violence in Family Relations” and further modifications introduced with Law no. 304/2003, has introduced some of the innovative measures that already exist in other countries’ legislations. In particular “Barring Orders” ensures the removal of the perpetrator of violence from the family house.

b. Violence against children.

Along with specific law provisions, with the support of funds provided to Regions and Local entities under Law 285/97 on Children’s Rights, more than 300 facilities have been activated upon initiative of the Ministry for Equal Opportunities, with the continuous field activity of social and health care service providers and NGOs, especially those dealing with child violence and abuse within the household. Besides, a network has been established, connecting public services, anti-violence centres and associations that combat violence against women. The Government has also adopted a special plan on household violence against children, with financing priority actions indicated by Municipalities, local health care units (hereinafter, ASLs), schools and/or private social care providers. Under Law no. 451 of 23rd December 1997 a special National Commission was established and drafted the “Guidelines against child violence and abuse”. Much of the research activity on particular aspects of the phenomenon, as well as action and awareness raising plans have been made possible by funds provided to women’s associations and universities under the EU financing of the DAFNE Programme. Over the last few years from 1997 to 2000, Italy’s initiatives in this field have tripled in number.

The Ministry for equal opportunities has also established an interministerial committee, named CICLOPE, representing a network of all public administrations involved in the fight against paedophilia, especially against the new expressions of this phenomenon on Internet.

c. Trafficking in women and children:

Italy is also fully committed to fighting trafficking in women and children for sexual exploitation purposes. This commitment has already been translated into legislation by means of a Legislative Decree, no. 286/98 (the Italian law concerning the provisions on immigration) and a recent law n. 228/2003. Through the introduction of the Article 18 in the Legislative Decree n. 286/98, Italy has tried to respond in a timely and efficient manner to the growing problem created by people trafficking. Article 18 in fact allows the granting of a special residence permit for victims of trade, and provides for their participation in a social and integration assistance programme. The duration of the residence permit is six months and may be renewed for one year or for a longer period.

For the management and implementation of Article 18, the Italian Department for equal opportunities co-ordinates the inter-ministerial Commission - composed of representatives of the Ministry of Labour, Ministry of Interior and the Ministry of Justice.

In the framework of Article 18 there are national funds, allocated to the Department for equal opportunities, to support and implement social protection projects and, on this matter, the above

mentioned inter-ministerial Commission gives the guidelines and the policies to be adopted in order to evaluate and select the projects. These projects are addressed to foreign women and children who are victims of trade and the main objective is to provide them with a high level of social protection, suitable shelter, information about their human rights, social and health services, medical and psychological care, assistance in finding employment, vocational training, legal counselling and the services of a competent translator in the event of legal proceedings.

From 1999 to 2004 the Department for equal opportunities co-funded 291 social protection projects. During the first three years of activity of projects under Art. 18 (from 2000 to 2003), 5.313 women victims of trafficking have participated to the social protection projects.

Article 18 also led to take and implement other social initiatives, such as the free number anti-trafficking phone line, ad hoc campaigns, the possibility of voluntary return to their country of origin. The free phone number started in July 2000 and is composed of one national point (with twenty operators working 24 hours) and of 14 local points. From July 2000 to March 2003 the free phone number received 194.350 calls.

The recent Italian Law “Measures against trafficking in Human Beings” (approved on the 11.08.03, n. 228) focuses on presenting a new definition of the offence of human trafficking, which is made punishable with eight to twenty years imprisonment. The Law provides for a more severe sentence in the case of aggravating circumstances that include victims under 18 years of age.

d. Fight against FGM:

A Bill has been already approved by one Chamber of Parliament, with the strong support of the Minister for equal opportunities, to introduce in Italy’s Criminal Code a specific FGM crime and at the same time to provide for a whole package of preventive measures in terms of information and awareness campaigns for African immigrant communities and training course for health-care providers that deals with immigrants.

e. Fight against discriminations

After implementing the EU directive n. 2000/43 with the delegated law n. 215/2003, the Government has established, in 2004, within the Department for equal opportunities, a national Office against racial discriminations. Because of the large number of immigrant women victims of racism and discrimination, the role of the new Office will be very important in order to ensure the effectiveness of the principle of equal treatment regardless of sex, race and ethnic origin. The Office functions will be to collect the victim’s and ONG’s reports and to provide assistance to the victims of discriminations themselves.

Lessons learned: gender differences

The increases in the activity and employment rates for women are index of the growing pressure on the labour market from categories such as married women, women returning to the labour market after childcare responsibilities or some form of compulsory leave and women immigrant, all of whom were under-represented until about ten years ago. In spite of the increased presence of women, the structure of participation in the economic system continues to be characterised by

gender-based segregation, both vertical and horizontal, in employment terms. Geographical variables have a significant influence on access to the labour market for women, and accentuate their difficulties with respect to those of men. The labour market in the regions of Southern Italy is characterised by high unemployment; a female activity rate that is about half that of males; lack of transparency in recruitment and placement mechanisms as a result of the lack of services for job-seekers; widespread marginalisation and under-use of human resources; a still-significant disparity in pay levels; a low presence of women in more senior positions; and a predominance of women in the “informal” labour market. The traditionally “temporary” nature of female employment is gradually disappearing: in the last decade the activity rates of women with children have risen constantly. However, this increase has not been accompanied by a more equal distribution of family responsibilities: the unpaid tasks involved in this sphere weigh almost entirely on women, whose overall working hours, paid or unpaid, are on average 28% higher than those of males. A good 35.2% of employed males devote zero hours to family-related tasks. From this we can infer that women with a double employment and family role seek from their employment choices situations that will offer them as much flexibility as possible in organising and managing their working time. In Southern Italy too, women are more frequently employed in part-time jobs, the proportion there being 11.3% compared with 14.8% in the Centre and North. The development of different forms of contract, such as part-time, has encouraged the increase in women’s employment in the public sector and personal services. The question of the compatibility of family responsibilities and the type of work engaged in remains a key problem. Family responsibilities are the main reason for women leaving their jobs. Even if we only take the younger generations (aged 25 to 34), we can estimate that more than one in four women with two children have suspended or left their jobs as a direct result of the birth of their first or second child. We need only consider that a good 57.7% of employed women with children aged 3 to 13 work for 60 hours or more per week, between housework and paid employment, compared with 21.9% of men in the same condition. And it is mainly women who take on care responsibilities, including outside their own families. In 1998 a quarter of women, compared with a fifth of men, provided at least some form of free help (assistance for elderly people or children, help with health problems, company, etc) to persons not belonging to their household, for a total of 2 billion 849 million hours over the year. Two thirds of total help-hours were the result of women’s commitment to these tasks.

	% women in labour market	Salary difference between women and men in the manufacturing sector	% of women in the Parliament	% of technician or professional women	% of women surfing in internet	% women who use e-gov sites.
Italy	39%	83% (1990)	10%	44%	35,4%	31,7%

Data: Nielsen//NetRatings, December 2003

International Conferences – from the Beijing Conference onwards

Taking into account the need for follow up activities to the global conferences, such as the General Assembly Special Session on HIV/AIDS (New York, 2001); the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001), the International Conference on Financing for Development (Monterrey, 2002), the Second World

Assembly on Ageing (Madrid, 2002), and the World Summit on Sustainable Development (Johannesburg 2002), some inter-ministerial Committees have been established and are responsible for the follow-up of the conferences, as is the case with the Durban follow-up activities, which include the elaboration of ad hoc National Plans of Action. Despite their establishment, in some cases, it has to be reported that they do not meet regularly to define common guidelines for action. However, the Ministry for Equal opportunities, within this context, fully cooperates with the Italian Foreign Affair Ministry, particularly the Foreign Affairs' Directorate General, responsible for human rights. Both the Ministry for Equal opportunities and the Ministry of Foreign Affairs attend and are involved in all relevant fora in which gender issues are debated. As a follow-up, both are engaged in promoting inter-institutional exchange and gender mainstreaming.

The World Conferences on Women, which started in 1975 with the Mexico City Conference, with regular follow-ups every five or ten years, has opened a world-wide debate on violence against women, setting concrete goals to be achieved in all Countries and committing the institutions to continuously tackling this plague. Subsequently, the Beijing Conference witnessed the intense participation of women's movements and associations. After Beijing, the NGOs and the women's associations who participated in the Conference, have continued working on the following three levels: 1. expansion of the relevant networks and international initiatives; 2. dialogue with institutions; 3. dissemination in Italy of the Conference and Forum results.

With regard to the World Assembly on "Women and Ageing", population ageing is one of the challenges of the 21st Century. Twenty years ago, the main topic of the First World Assembly on ageing, held in Vienna, was ageing in the developed world. UN sources estimate that Italy is the European country with the highest percentage of people over 65 years and the lowest percentage of people under 14 years of age and foresee a rise of people over 60 from current 24.1% to 27.2% by 2010 and 42.3% by 2050. Living longer lives, women endure loneliness, also because of the age difference (man is usually older) most often existing in couples. Plus, at times they suffer strong marginalisation and poverty, given the still wide social gap with men. In Italy, the social, health care and economic implications of the above have over the last few years spurred the transformation of policies to upgrade social and economic structures with a gender perspective. In the year 2000, Framework Law no. 328/2000 set forth the establishment of a network of social actions and services. This law promotes a demography-adjusted welfare model, providing for the necessary facilitations, home care, health care systems properly managed by private and public service providers, and the "valorisation of family responsibilities and generational solidarity". The National Fund for Social Policies has allocated "a quota reserved for services to the non self-sufficient elderly, to promote their autonomy and support families in providing home care to elderly applicants". Furthermore, research projects such as the Italian National Research Council's Targeted Project Ageing and the Strategic Project Ageing have yielded important results for the improvement of the elderly's quality of life, and the reduction of illness and hospitalisation.

With regard to gender oriented HIV/AIDS Prevention, HIV/AIDS increasingly strikes women: available data confirm a rising trend that makes HIV/AIDS the fourth leading cause of death by disease for women and the fifth for men. In line with the outcome and the follow-up to the World Assembly under reference, today, a high degree of awareness of the seriousness of the problem

has been reached, thanks to the information and prevention campaigns, planned by the Ministry of Health in cooperation with the Ministry of Public Education, which has introduced the issue of “responsible behaviours” and of prevention measures against the infection. A gender perspective has also been developed; specially designed information material has been made available to women, as the increase of HIV-positive women is related to major issues such as HIV/AIDS epidemiology during pregnancy and expected newborn infections. In 2001, the Ministry of Health and the National Commission on HIV/AIDS have issued the Guidelines on Antiretroviral Therapy for the Treatment of HIV/AIDS, containing also the General Recommendations to Prevent HIV/AIDS Mother-to-Child Transmission, During Pregnancy, Childbirth and Breastfeeding. Along this line Italy has re-established by Decree of 8th August 2001 for the years 2001 and 2002 the National Commission on HIV/AIDS. The fight against HIV/AIDS has become one of the priorities of the overseas development aid of the Italian government, which is the second contributor to the Global Fund against HIV/AIDS, Tuberculosis and malaria.

Following the World Summit on Sustainable Development (Johannesburg 2002), the Ministry on Environment as well as the Ministry on Health are responsible for elaborating and proposing follow-up measures, such as international technical cooperation projects and *ad hoc* media campaigns.

The General Directorate for Development Cooperation of the Ministry of Foreign Affairs is responsible for “Gender and Development” policies and for the follow up to the UN Conferences on Women. The Gender Guidelines, adopted in 1998 are still the main political framework for the activities in the field. These guidelines address the Millennium Development Goals, specifically the third goal dealing with gender equality and political empowerment (and indirectly the remainder).

Since the WOMEN 2000 General Assembly Special Session, Italy has developed poverty reduction programs through partnership with UNIFEM and UNFPA, specifically targeted at women’s economic empowerment and reproductive rights. Along these lines, Italy has given priority to programs based on an overarching conceptual framework that links women’s economic empowerment and reproductive health to poverty alleviation within the context of MDGs; supports efforts to test innovative approaches and strategies which can help in meeting the different cultural needs of Governments and other development partners; increases access to reproductive health information and services (with the specific aim of reducing maternal mortality).

Specific attention has been devoted to women involved in armed conflict, in particular in Afghanistan and in Palestine. After the missions undertaken during the conflicts in the Balkans and particularly in Kosovo, the Italian commitment has been very strong in recent years. At present, Italy supports in Afghanistan, in partnership with UNIFEM and the associations of women’s lawyer, gender mainstreaming in the judicial reform. Moreover, Italy is working with women’s associations and UNFPA in the most critical areas: economic empowerment and reproductive health of women and girls. Along this line, Italy is carrying out specific projects in Palestine in a partnership with the newly appointed Minister of Women’s Affairs with the aim at creating a democratic and participatory planning system involving women’s NGOs, at local and macro levels.

Other important features of the Italian cooperation for “gender and development” are the international campaigns against FGM, in partnership with UNFPA and UNICEF, in Kenya and Western Africa; the fight against trafficking in women and children in Albania and Nigeria; the empowerment of women in the **decentralized cooperation** activities in Central America and the Maghreb countries.

Decentralised co-operation activities enable the Italian Government to hear the voice of NGOs and to include them in the work of development co-operation on issues, such as women in business, violence against women, reproductive health, trafficking, children’s rights, and gender-sensitive education. Yet, development co-operation is a practice of social dialogue for gender equality and offers women, who are often marginalised, the possibility of negotiating their empowerment with relevant stakeholders at every level³.

Institutional Development (and Reorganisation of Equal Opportunity Bodies)

Over the last years, institutional mechanisms for the promotion of equal opportunities were established, and most of them are still working:

- 1. The Minister for Equal Opportunities**, who was appointed for the first time in 1996 and provided with a wide range of tools and powers related to mainstreaming functions that cut across Government policies as a whole. This mainstreaming competence has been applied in drafting Budgets, in adopting measures on immigration, in reforming the welfare system and in drafting, inter alia, instruments at international level. The range of tasks delegated to the Ministry for Equal Opportunities by Decree of the President of the Council of Ministers on February 14, 2002, confirms this cross-cutting approach, and broadens the scope of the Ministry’s activities well beyond just gender equality. This decree gives the Minister a driving and co-ordinating role in national policies in particularly sensitive areas (such as childhood, immigration, the adoption of foreign children), which are characterised by hardship, as well as by providing protection and guarantees against all forms of discrimination, whether direct or indirect. In particular, it is worth mentioning the Observatory engaged in monitoring and evaluating data on paedophilia in Italy at the Ministry. The Observatory was foreseen in the National Plan of Action to contrast and combat paedophilia in Italy as formulated by the Inter-ministerial Committee, named CICLOPE. Over the last years, the Ministry has also established a certain number of working groups engaged in analysing, monitoring and formulating proposals concerning discrimination in areas, such as health, media, sport and social integration.
- 2. The Equal Opportunities Department**, which was set up by a Prime Minister’s Decree, n. 405/1997, is the administrative body supporting the Minister for Equal Opportunities. The Department is currently in charge with coordinating and monitoring relevant measures which

³ With regard to decentralized cooperation, it is worth noting the commitment of regional and local authorities, such as the province of Forlì and the region of Emilia Romagna that, since the signing of an MoU on 26 March 1999 in Forlì have launched, by establishing a network of women in the Mediterranean and in the Balkans, several initiatives and technical cooperation projects relating to gender equality and women’s empowerment in areas such as Saharawi and Tunisi.

are being adopted under the National Plan of Action on Equal Opportunities (March 1997). The Department is supported in its activities by the National Commission for equality and equal opportunities, which has undergone a process of reform on the basis of the Law Decree, no. 226/2003.

3. **The National Commission for equal opportunities** between men and women, which was set up under Law 164/1990 and placed under the Prime Minister's Office. Although it was established as a consultative body, it worked as a coordinator for all Government actions in the area of equal opportunities, up to 1996. Over the last years, this body has organised numerous conferences, which have contributed to the dissemination of awareness on women's rights. It has also organised a series of study groups on many of the subjects that the Ministry for Equal Opportunities is responsible for. At present, after the delegated law n. 226/2003, the national commission is a consultative body for the Minister of Equal opportunities who chairs it. Upon the Minister's request, the Commission established a study group with the task of analysing all existing legislation dealing with equal opportunities. This study will lead to the approval of an Equal Opportunities Code aimed at organizing the legislation and make it more accessible to everyone.
4. **The National Committee for the implementation of the Principles of equal opportunities between working women and men**, which was set up in accordance with Law 125/1991 and placed under the Ministry for Labour and Social affairs, in order to promote positive actions aiming at the promotion of women's employment and the achievement of substantial gender equality in the workplace.
5. **The Committee for women's entrepreneurship**, which was set up under Law 215/1992 and placed under the Ministry for Industry, Trade and Craft with the aim of proposing positive actions to promote women's entrepreneurship.
6. **The Equal Opportunities Councillors**, that were present at the national, regional and local levels and acted as promoters of women's employment, have been replaced by the Equality Advisers (mentioned in the first part of the Review). In this regard, it is worth mentioning the establishment of a Fund for the activities of the gender equality advisers which currently amounts to 9.300.000 euros per year.
7. **An Equal Opportunities Commission was established in the Senate**, in March 1999, and made up of women Senators and female employees of all of the employment grades.
8. **A working group** has been set up under delegated power issued by the Parliament (Article 13, Law n. 137/2002) and made up of representatives of the Ministry for Equal Opportunities and the authorities involved in the restructuring of the Government structure. It is in charge of examining institutional and normative problems related to the reorganisation of equal opportunities bodies at a national level.
9. **ISTAT**, the Italian Institute engaged in collecting and analysing data on overall economic and social affairs, has been developing a system of analysis of sex disaggregated data. As a result, an ad hoc report on the status of women in Italy, entitled "How women's life has been

changing”, has been written down in 2003. In this regard, two challenges to be faced are the reduction of resources and the lack of co-ordination between central and local authorities. Nevertheless, ISTAT intends to carry out, in the near future, an in-depth research and collect data on, *inter alia*: women migrants; violence against women, particularly in the household; elderly women and women entrepreneurs.

Main challenges and actions to move forward gender dimension (gender mainstreaming and women empowerment)

When the present Government took office, it launched a program of broad reforms affecting all sectors of political, economic and social public life; a program which, in part, needs to be implemented gradually due to the negative circumstances registered worldwide after 11 September 2001 terrorist attacks. Nevertheless, since 2002, there has been a significant progress and a renewed attention, still ongoing towards women in public offices; towards women and prostitution; and towards women and health, including the eradication of FGM.

1. The low level of female participation in politics is undeniable. In fact, the last elections registered even fewer women elected to Parliament than the already low previous percentage. This is socially alarming, as it bears witness to a drifting apart of politics and society. Another gap is evident in those areas where there is a large majority of women, with high levels of education and professional qualifications in the electorate, who are nevertheless only marginally represented in elective assemblies. Despite the fact that women have distinguished themselves for their commitment and ability in the most important sectors of economic and social life, they are still at a disadvantage compared to men, and are not given due recognition. The Ministry for Equal Opportunities intends to help women carry out their work, allowing them gradually to accede to roles which have for too long been exclusively male. The Ministry for Equal Opportunities is committed to identifying the regulatory and administrative instruments which will enable women to play a primary role in politics. It is undeniable that the shortage of women in democratic institutions confirms the inadequate balance of representation in elective organs. It is therefore necessary to take more effective measures. The shortage of female representatives in the political arena is mainly due to two factors which are deeply rooted in Italian culture. The first is linked to the fact that women are generally depicted as weak, needing protection; a figure which causes disaffection among women themselves, unfit for the environment where power is exercised. The second concerns an intrinsic feature of Italy’s ruling class, which tends to represent and reproduce itself, and so tends to come over as inward looking, because it does not fulfil its role through a vital and open relationship with civil society. Today, there are still numerous obstacles to women wishing to take part in political life due to the difficulty of reconciling the role in politics with family life. Nevertheless, there is a greater female presence in the political institutions of regional and local authorities than at the national level (mainly because the most restricted geographical area of local politics is more compatible with women’s multiple roles). It is on this last point that it is important to intervene more effectively because the lack of women in democratic institutions is a sign of political decline. Unfortunately, today, women are weighed down by a much longer working day, due to the demands of society, business and city life. It is a question of identifying suitable instrument and forms of organisation to help women express true potential and encourage them to play a more prominent role, also in politics. In this regard, much has been accomplished, but equally much has yet to be done. The

new text of article 51 of the Constitution only introduces a fundamental principle, that needs to be implemented by further provisions, i.e. legislative and regulatory initiatives, which will provide the necessary instruments to ensure that the principle becomes effective. Different types of positive action must be defined in order to put into effect, on a political as well as a social level, formal equality between citizens regardless of sex, in full awareness that *de iure* equality of rights does not necessarily correspond to *de facto* equality. An example of good practice is Law 157/99 relating to the reimbursement of electoral expenses, which, under art.3, obliges political parties to allocate at least five percent of the refund to initiatives which favour the active participation of women in politics. In this field, a recent goal of the Minister for Equal Opportunities has been the approval by the Parliament, on the Government proposal, of Law n. 90/2004 which obliges political parties to present at least one third of all candidates being of one sex in the next electoral competition for the renewal of EU Parliament. The Law provides as economic sanctions the proportional reduction of electoral reimbursement to parties.

2. With specific regard to women civil servants, Public Administration (Ministero della Funzione Pubblica) has promoted the project, entitled “women and leadership”, within the framework of the activities of the national working groups, named “shipyards”. By the end of 2004, it is foreseen a national compilation of disaggregated data on the careers and the situation of women civil servants who work in regional and local administrations. Along this line, the Ministry for Equal Opportunities has created a website and an online network, entitled “the equal opportunities net”, to favour an exchange of views between regional and local administrations on initiatives concerning gender related issues, so as to favour the advancement of gender-related issues. In line with some EU partners, some local administrations are attempting to develop guidelines on gender budgeting. Within this framework, it is worth mentioning the activity carried out by the National Council on Economic Affairs and Labour (CNEL), which in 2002 established a Working Group on Equal Opportunities and has promoted several initiatives aimed at analysing the status of women in different economic and social areas and at mainstreaming a gender perspective in the work of each of the relevant Commissions (mentioned in the part III of this Review, on national mechanisms). This strategy has enabled the publication of several reports on Women and the Labour Market and the convening of seminars and conferences throughout the country.

3. Another challenge for a future action by the Government focuses on the eradication of prostitution: a governmental bill has been presented to Parliament to fight prostitution, which often represents the highest level of exploitation of women. In Italy, in fact, due to the increase in immigration and the involvement of organised crime in exploiting prostitution, there has not only been an increase in people who voluntarily engage in prostitution, but especially in organised crime which exploits the prostitution of others. The Bill prohibits prostitution in public places or places open to the public, because this is where the worst cases of criminal sexual exploitation thrive. It is therefore highlighted the strong link between prostitution on the streets and the phenomenon of trafficking in human beings. However, in this regard, in order to avoid criminalizing people who have already been victims of serious violence, a specific case of immunity from punishment is provided, which excludes sanctions against those who can prove that they have been forced to prostitute themselves against their will.

4. Trafficking in human beings is one of the most wretched human rights violations. In the Italian scenario, most of the victims are women, trafficked for sexual exploitation, and, in some cases, for work and household slavery purposes. Fighting this trade is a top priority at both the national and the international level. New measures and international cooperation tools have been adopted to prosecute traffickers; some of the relevant national criminal law provisions have been amended. So far, Italy is the only country that, in compliance with the directives of international bodies, has faced the issue of support to the victim by introducing a clear-cut distinction between the responsibilities of trafficked women and those of the traffickers, by means of law n. 228/2003 which establish help and protection programmes in favour of people reduced to slavery-like conditions, with particular attention to women forced into prostitution. The Minister for equal opportunities has also appointed a National Representative reporting about all problems regarding trafficking.

5. Female Genital Mutilation is a complex and painful issue encompassing many aspects: gender relations, sexuality, health care, education, human rights, women's and children rights, the right to development.

The Italian government's first approach to the problem dates back to 1997, with the organisation of an International Seminary, attended by health care professionals and aimed at raising awareness on how serious and widespread all over the world this plague was (in terms of number of women and countries involved), as well as on FGM's terrible humanitarian and health care implications. There are over 40,000 Sub-Saharan women living in Italy, and this number is constantly rising. A new generation of immigrant or even native girls born of immigrants is already present in Italy, which will grow up there and somehow be exposed to the risk of being mutilated.

The right to self-determination and health of women (including immigrants), is a steady commitment of the Italian Government, to the extent that one of the Provisions under the Directive of the pro-tempore President of the Council of Ministers of 7th March 1997 issued as a transposition of the Beijing Platform, openly condemns both private and public violence against women as a human rights violation.

FGM is part of this scenario in overt violation of human rights, in that it impairs the person's integrity. In the search for additional cultural exchange tools, an Inter-ministerial Multi-disciplinary Committee was established on the initiative of the Ministry for Equal Opportunities, with the task of finding adequate answers and steadily monitoring the phenomenon. The Committee, made up of experts, has conducted hearings with associations and experts, single women and care providers, has examined the existing documents and finally drafted the "National FGM guidelines", directed to health and social care providers, schools, universities and health care centres, outlining the requirements for tackling the FGM problem, and gaining a deeper knowledge to act in the best of ways. In Italy, an anti-FGM association of physicians has been established, whose members are mostly African, while in many important Italian hospitals doctors have teamed up in groups focusing on specialised care and deinfibulation. The Government has turned an attentive eye to the thorny issue of FGM, supporting a Bill which defines FGM as a criminal law violation in itself and the extraterritoriality of prosecution, even if the crime is committed abroad by Italian citizens or foreign citizens residing in Italy. One of the

most interesting aspects of this Bill are several articles concerning the provision of information and awareness raising campaign among African immigrant communities and training activities for the personnel of the health counselling centres, hospitals, schools and other institutions that deal with immigrants. A financial provision of 5,5 M. euro is foreseen for the execution of these activities.