



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

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## Committee on the Elimination of Discrimination against Women

### Concluding observations on the eighth periodic report of Italy\*

1. The Committee considered the eighth periodic report of Italy (CEDAW/C/ITA/8) at its 2035th and 2036th meetings (see CEDAW/C/SR.2035 and 2036), held on 1 February 2024.

#### A. Introduction

2. The Committee appreciates the submission by the State party of its eighth periodic report, which was prepared in response to the list of issues and questions prior to reporting (CEDAW/C/ITA/QPR/8). It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/ITA/CO/7/Add.1). It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister Plenipotentiary and President of the Interministerial Committee for Human Rights, Fabrizio Petri, and included representatives of the Senate, the Chamber of Deputies, the Ministry of Foreign Affairs and International Cooperation, the Italian Agency for Development Cooperation, the Presidency of the Council of Ministers, the Ministry of the Interior, the Ministry of Justice, the Ministry of Education and Merit, the Ministry of Labour and Social Policies, the Ministry of Health, the National Institute of Statistics and the Communications Regulatory Authority and the Permanent Representative of Italy to the United Nations Office and other international organizations in Geneva, Vincenzo Grassi, and other members of the Permanent Mission of Italy to the United Nations Office and other international organizations in Geneva.

#### B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2017 of the State party's previous report in undertaking legislative reforms, in particular the adoption of the following:

\* Adopted by the Committee at its eighty-seventh session (29 January–16 February 2024).



(a) Law No. 168 of 2023, which provides for enhanced measures to combat gender-based violence against women and domestic violence;

(b) Legislative Decree No. 149 of 2022, which reformed the justice system and introduced measures to protect women victims of gender-based violence;

(c) Law No. 53 of 2022, which mandates the collection of data on gender-based violence;

(d) Law No. 69 of 2019, which strengthens the protection of victims of gender-based violence, persecution and ill-treatment;

(e) Law No. 165 of 2017, which introduces a new electoral system and provides for specific measures to ensure gender equality.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) National Strategy for Gender Equality (2021–2026);

(b) National Action Plan against Trafficking and Serious Exploitation of Human Beings (2022–2025);

(c) National LGBT+ Strategy (2022–2025);

(d) Permanent Observatory on the Effectiveness of Rules on Gender-Based and Domestic Violence (2022);

(e) Certification System for Gender Equality (2022);

(f) National Observatory for the Integration of Policies for Gender Equality, established by decree on 22 February 2022;

(g) National Strategic Plan on Male Violence against Women (2021–2023);

(h) Fourth National Action Plan on Women, Peace and Security (2020–2024).

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party has ratified the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.

### **C. Sustainable Development Goals**

7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of *de jure* (legal) and *de facto* (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

### **D. Parliament**

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites Parliament, in line with its mandate, to take the necessary steps regarding

the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

## **E. Principal areas of concern and recommendations**

### **Implementation of the Convention**

9. The Committee takes note of the significant progress made since the presentation of the previous periodic report and calls upon the State party to further consolidate the implementation of the Convention in all its dimensions. The Committee underlines the responsibilities of the State party with regard to the Convention and the requirement for due diligence in implementing its provisions and notes with concern the need for the adoption of further measures to correct persistent regional disparities and guarantee the effectiveness of rights throughout its territory.

**10. The Committee recommends that the State party strengthen, in a systematic manner and with a long-term perspective, the gender dimension in the implementation of the Convention and adopt measures to effectively address the regional disparities in women's enjoyment of their rights under the Convention.**

### **Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations**

11. The Committee welcomes the State party's commitment to strengthening the visibility of the Convention, in particular the creation of a specialized web-based platform. The Committee remains concerned, however, about the general lack of awareness of the Convention, the Optional Protocol, the Committee's general recommendations and the Committee's views on individual communications and inquiries in the State party. It is particularly concerning that disadvantaged groups of women, including rural women, women with disabilities, migrant, asylum-seeking and refugee women, Roma, Sinti and Caminanti women and lesbian, bisexual, transgender and intersex women, are unaware of their rights under the Convention and the remedies available for claiming them.

**12. The Committee encourages the State Party to strengthen exchanges and cooperation with civil society in order to enhance women's awareness of their rights under the Convention and the remedies available to them for claiming violations of such rights and ensure that information on the Convention, the Optional Protocol and the Committee's general recommendations is provided to all women, targeting, in particular, women belonging to disadvantaged groups, including rural women, migrant, asylum-seeking and refugee women, Roma, Sinti and Caminanti women and lesbian, bisexual, transgender and intersex women, as previously recommended (CEDAW/C/ITA/CO/7, para. 12).**

### **Legislative framework**

13. The Committee commends the State party on its efforts to strengthen its legislative and institutional framework on gender equality and to eliminate discrimination against women, in particular the adoption of Law No. 69 of 2019, which expedites judicial procedures in cases of gender-based violence and adds forced marriage, acid attacks and the illicit distribution of sexually explicit images or videos as crimes in the new Criminal Code. The Committee notes, however, with concern:

- (a) The lack of a clear definition of discrimination against women;

(b) The rejection, in July 2022, by the Senate of the so-called Zan bill, amending article 604 bis of the Criminal Code to criminalize discrimination and violence based on sex, gender, sexual orientation, gender identity and disability;

(c) The lack of data on the effectiveness of laws and policies for the promotion of gender equality and women's empowerment and the lack of monitoring and evaluation mechanisms.

**14. In line with its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:**

(a) **Adopt a clear definition of discrimination against women, encompassing direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in accordance with articles 1 and 2 of the Convention;**

(b) **Mobilize political support for and resubmit the Zan bill amending article 604 bis of the Criminal Code to criminalize discrimination and violence based on sex, gender, sexual orientation, gender identity and disability to the Senate for approval;**

(c) **Systematically collect data on and create mechanisms to monitor and evaluate the effectiveness of laws and policies to promote de jure (legal) and de facto (substantive) equality of women and men as well as women's empowerment.**

#### **Access to justice**

15. The Committee is concerned about:

(a) The limited access to free legal aid for women without sufficient means, especially those belonging to disadvantaged groups, including rural women, women with disabilities, migrant, asylum-seeking and refugee women and Roma, Sinti and Caminanti women;

(b) The use of discriminatory language and the secondary victimization in legal proceedings.

**16. The Committee recommends that the State party:**

(a) **Expand and adequately fund public legal aid services to ensure access to free legal aid to women without sufficient means, in particular rural women, women with disabilities, migrant, asylum-seeking and refugee women and Roma, Sinti and Caminanti women, in criminal, civil and administrative proceedings relating to gender-based violence and discrimination against women;**

(b) **Strengthen capacity-building programmes for judges, prosecutors, lawyers and other legal professionals on the Convention, the Optional Protocol and the Committee's general recommendations, its views on individual communications and its inquiry reports under the Optional Protocol, address judicial gender bias and prevent the secondary victimization of women.**

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

17. The Committee commends the State party on its commitment to the implementation of Security Council resolution [1325 \(2000\)](#) and the launch of its fourth National Action Plan on Women, Peace and Security (2020–2024). It also welcomes the revision of arms export authorization procedures to increase control and compliance with international law and the measures taken to reduce the risk of the use of exported arms to commit or facilitate violence against women. The Committee notes with concern, however, the lack of information on the ways in which

the State party is addressing the correlation between its arms exports and the liberal regulation of the acquisition of firearms in its territory, on the one hand, and femicide and other forms of gender-based violence against women within the State party and abroad, on the other. The Committee is also concerned about the delays in incorporating the Rome Statute of the International Criminal Court into the State party's national legislation.

**18. Recalling its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee recommends that the State party continue and further strengthen its measures to protect women's rights, recognize the role of women in the prevention of conflict and ensure their effective participation in peace negotiations. The Committee also recommends that the State party apply all measures possible to prevent the negative impact of the misuse of exported arms and light weapons on women, including in conflict zones. It further recommends that the State party include information on measures taken to address the correlation between its arms transfers and the liberal regulation of the acquisition of firearms in its territory, on the one hand, and gender-based violence against women, on the other, in its next periodic report. The Committee recommends that the State party expedite the incorporation of the Rome Statute of the International Criminal Court into its national legislation, in line with the Committee's general recommendation No. 30 (2013), with a particular focus on crimes of gender persecution.**

#### **National machinery for the advancement of women**

19. The Committee welcomes the establishment of the Department for Equal Opportunities directly under the Presidency of the Council of Ministers, the Interministerial Committee for Human Rights, the National Observatory on Violence against Women, the Observatory for the Budgetary Integration of Gender Policies and the Operational Steering Committee. The Committee also notes that the State party has mainstreamed gender in the formulation and implementation of laws, regulations and programmes, such as the National Recovery and Resilience Plan, the National Budget Law 2024 and budgeting circular No. 7/2020, and in the strategic orientation of the Italian Agency for Development Cooperation in the period 2019–2021. However, the Committee notes with concern:

- (a) The insufficient coordination of gender equality policies and programmes across ministries and at the national and regional levels;
- (b) The lack of adequate resources for capacity-building on gender equality for the public administration at the national and regional levels;
- (c) The limited participation of women's rights organizations in the design and implementation of national plans and strategies, including the National Recovery and Resilience Plan;
- (d) The lack of resources allocated to international cooperation to promote gender equality and women's empowerment, particularly in the countries of origin of the main migrant populations in the State party.

#### **20. The Committee recommends that the State party:**

- (a) **Strengthen its national machinery for the advancement of women by establishing a coordination mechanism and providing it with a strong mandate and adequate human, technical and financial resources to advance women's rights and gender equality in a coordinated manner;**
- (b) **Allocate adequate resources to capacity-building on gender equality for the public administration at the national and regional levels;**

(c) **Ensure the equal participation of women's rights organizations in the design, adoption and implementation of national plans and strategies, including the National Recovery and Resilience Plan;**

(d) **Reinforce gender equality and women's empowerment priorities in negotiations and cooperation agreements in the framework of international development cooperation and increase the resources allocated to international cooperation to promote gender equality and women's empowerment, particularly in the countries of origin of the main migrant populations in the State party.**

#### **National human rights institution**

21. The Committee takes note of the information provided by the State party on the progress made towards the adoption of the draft law for the establishment of a national human rights institution with the mandate to protect, promote and address human rights, including women's rights. It remains concerned, however, about the long delay in the adoption of the draft law.

22. **The Committee recommends that the State party expedite the establishment of an independent national human rights institution, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), with a strong mandate to protect and promote human rights, including women's rights, and provide it with adequate human, technical and financial resources to enable it to effectively discharge its mandate.**

#### **Temporary special measures**

23. The Committee notes the adoption of legislation to ensure the equal participation of women and men in political and public life and employment (Golfo-Mosca Law) and the creation of a special fund for persons with disabilities. It notes with concern, however, the limited understanding among public officials in the State party of temporary special measures as defined in article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, namely, the limited use of such measures in areas in which women are underrepresented or disadvantaged, including political life, education and employment, and the lack of temporary special measures for the advancement of women facing intersecting forms of discrimination. The Committee also notes with concern the non-compliance with article 48 of Legislative Decree No. 198 of 2006, which requires that women comprise at least one third of persons recruited to the public administration.

24. **The Committee recommends that the State party increase the use of temporary special measures, including quotas and parity systems, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to achieve substantive equality of women and men in all areas covered by the Convention in which women are underrepresented or disadvantaged, including in Parliament and regional and municipal councils, education and employment, inclusive of managerial positions. It also recommends that the State party raise public awareness about the non-discriminatory nature of temporary special measures, provide capacity-building to public officials on their use and systematically collect data on their impact. It further recommends that the State party ensure the strict enforcement of article 48 of Legislative Decree No. 198 of 2006 and raise its minimum quota of one third for the recruitment of women to the public administration to 50 per cent in order to reach parity by 2030.**

## Stereotypes

25. The Committee welcomes the adoption of resolution 442/17/CONS on eliminating gender stereotypes in information and entertainment programmes on television, the adoption of Legislative Decree No. 208 of 2021 vesting the Communications Regulatory Authority with the power to levy fines for hate speech in audiovisual media services and the creation of the Independent Observatory on Violent Language against Women in the Media in 2023. The Committee notes, however, with concern:

(a) The persistence of sexism and gender stereotypes at the societal and institutional levels and the lack of information on the application of sanctions;

(b) The prevalence of hate speech against lesbian, bisexual, transgender and intersex women and girls and women and girls with disabilities, including in the digital space;

(c) The lack of safeguards against gender stereotyping associated with the biometric, surveillance and algorithmic profiling systems used by law enforcement authorities in combating crime.

## 26. The Committee recommends that the State party:

(a) **Reinforce existing normative measures and expedite the adoption of a comprehensive strategy, with proactive and sustained measures, to eliminate stereotypes regarding the roles and responsibilities of women and men in the family and society, allocate adequate human, technical and financial resources for the implementation of the strategy, in cooperation with the regions, and ensure the assessment of the sanctions imposed by the Communications Regulatory Authority in cases involving the use of discriminatory language against women and hate speech;**

(b) **Take resolute measures to counter hate speech against lesbian, bisexual, transgender and intersex women and girls and women and girls with disabilities and promote the use of gender-sensitive language in the media, including by holding social media platforms accountable for user-generated content;**

(c) **Put in place adequate safeguards to prevent the gender stereotyping associated with the biometric, surveillance and algorithmic profiling systems used by law enforcement authorities in crime prevention and investigation and adopt measures to eliminate algorithmic bias relating to artificial intelligence and algorithmic services.**

## Gender-based violence against women

27. The Committee takes note of the adoption of Law No. 53 of 2022 aimed at enhancing the systematic collection of data on cases of gender-based violence against women; the so-called Cartabia reform, under which conciliation is forbidden and protective measures must be adopted in divorce proceedings in which domestic violence has been demonstrated; the Consolidated Act on Audiovisual Media Services (Legislative Decree No. 208 of 2021), which introduced measures to combat incitement to acts of violence or hatred in media; and the ongoing revision of the National Strategic Plan on Male Violence against Women, 2021–2023. The Committee also notes the development of protocols for the investigation of gender-based violence against women in two regions. The Committee notes, however, with concern:

(a) The high prevalence of gender-based violence against women in the State party and the lack of a national operational plan based on regional cooperation;

- (b) The underreporting of gender-based violence against women and girls due to victims' fear of stigmatization or reprisal, their economic dependence on abusive partners, legal illiteracy, linguistic barriers and a lack of trust in the law enforcement authorities;
- (c) That femicide is not defined as a specific criminal offence;
- (d) That the definition of rape in the Criminal Code is not explicitly based on the lack of consent;
- (e) The lack of information on the use of the new measures introduced by the Cartabia reform in cases of gender-based violence against women and reports of the continued use of conciliation proceedings, even in the absence of the victim's consent;
- (f) The lack of information on the effective enforcement and monitoring of protection orders, in particular on failure to enforce and monitor restraining and separation orders, which exposes women survivors of domestic violence to the risk of revictimization;
- (g) The lack of adequate counselling and victim support services for women seeking to escape violent relationships, and regional disparities in the availability and quality of such services;
- (h) The lack of disaggregated data on all forms of gender-based violence against women and girls, including domestic violence, forced sterilization and cyberviolence.

**28. The Committee recommends that the State party:**

- (a) **Reinforce the implementation of the normative framework aimed at preventing, combating and punishing all forms of violence against women and of the new National Strategic Plan on Male Violence against Women throughout the State party's territory and ensure that adequate human, technical and financial resources are allocated for their implementation, monitoring and evaluation;**
- (b) **Encourage the reporting of gender-based violence against women and girls, including women with disabilities, rural women and refugee, asylum-seeking and migrant women, by enhancing awareness-raising on the criminal nature of gender-based violence against women and challenging its social legitimization and destigmatizing and protecting women from reprisals for reporting incidents of gender-based violence;**
- (c) **Amend the Criminal Code to specifically criminalize femicide, including violence against lesbian, bisexual, transgender and intersex women, and define all forms of gender-based violence against women, covering physical, psychological, sexual, economic and domestic violence, as criminal offences, in line with general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19;**
- (d) **Amend the Criminal Code to incorporate a definition of rape based on the lack of the free and voluntary expression of consent, so that it covers any non-consensual sexual act and takes into account all coercive circumstances, in line with international human rights standards;**
- (e) **Ensure, through mandatory and continuous capacity-building for judges, prosecutors, police officers and other law enforcement officials, that gender-based violence, including sexual and domestic violence against women, is effectively investigated and prosecuted, that perpetrators are adequately punished and that protection orders are effectively enforced and monitored, with penalties in the case of non-compliance;**



(f) **Assess the impact of the new measures introduced by the Cartabia reform in cases of gender-based violence against women and ensure that alternative dispute resolution mechanisms, such as mediation, conciliation and restorative justice, are not given priority over prosecution in criminal proceedings and that they do not constitute an obstacle to women's access to formal justice, and continue and further strengthen the efforts to create specialized courts on gender-based violence against women in all regions of the State party;**

(g) **Adequately fund victim support services, including by subsidizing shelters run by non-governmental organizations, and expand the network of specialized, inclusive and accessible shelters for women and girls who are victims of gender-based violence, taking into account the specific needs of women and girls with disabilities, and ensure that victims have access to psychosocial counselling, financial support, education, professional training, income-generating activities, affordable housing and, if necessary to ensure their safety, a new identity;**

(h) **Ensure the systematic collection of data on the incidence of all forms of gender-based violence against women and girls, including domestic violence, forced sterilization, cyberviolence and femicide, disaggregated by age, region, disability and the relationship between the victim and the perpetrator, covering all regions of the State party.**

#### **Trafficking in persons and the exploitation of prostitution**

29. The Committee welcomes the adoption of the National Action Plan against Trafficking and Serious Exploitation of Human Beings (2022–2025), the guidelines on the identification of victims of trafficking among applicants for international protection and referral procedures of 2020 and the creation of the National Anti-Trafficking Helpline, based in the Veneto region. The Committee remains concerned, however, about:

(a) The prevalence of trafficking in women and girls to the State party and the low prosecution and conviction rates in trafficking cases;

(b) Failures in the mechanisms for the early identification of and referral to appropriate services for victims of trafficking in persons in need of protection, who are considered irregular migrants rather than protected persons, and the lack of an individualized risk assessment before their return to avoid the trafficking or re-trafficking of victims of trafficking;

(c) The lack of specific mechanisms to identify child victims of trafficking and victims of trafficking forced into web-based prostitution;

(d) The lack of specific measures to address the continued operation of organized Nigerian trafficking networks that subject Nigerian women and unaccompanied Nigerian minors to sex trafficking;

(e) The insufficient provision of information and assistance for victims of trafficking in accessible languages;

(f) The restrictions on the work of non-governmental organizations assisting victims of trafficking in the context of the implementation of Legislative Decree No. 1 of 2023;

(g) The lack of data on victims of trafficking in persons, disaggregated by sex, age and nationality, and of standard operating procedures for data protection;

(h) The lack of exit programmes for women and girls wishing to leave prostitution.

30. In line with its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:

(a) Adopt comprehensive legislation to combat trafficking in persons, in particular women and girls, and prosecute and adequately punish traffickers and their accomplices, including when they are public officials (CEDAW/C/ITA/CO/7, para. 30);

(b) Enhance mechanisms for the early identification and referral of victims of trafficking in persons to appropriate services, provide such victims with temporary residence permits and protection, irrespective of their ability or willingness to cooperate with the prosecution authorities, and ensure that an individualized risk assessment is conducted prior to any forced removal to avoid the trafficking or re-trafficking of victims upon their return to their country of origin;

(c) Adopt procedures for the early identification of and referral to appropriate services for child victims of trafficking in persons and victims of trafficking forced into web-based prostitution;

(d) Enforce specific measures to target the continued operation of organized Nigerian trafficking networks that subject Nigerian women and unaccompanied Nigerian minors to sex trafficking;

(e) Ensure to victims of trafficking in persons full and timely access to information and assistance in accessible languages and procedures;

(f) Remove any restrictions on the work of non-governmental organizations assisting victims of trafficking to obtain international protection and access to social inclusion projects;

(g) Ensure the systematic collection of data on victims of trafficking, disaggregated by sex, age and nationality, and adopt standard operating procedures for data protection;

(h) Strengthen assistance and exit programmes for women and girls who wish to leave prostitution, including by providing them with alternative income-generating opportunities.

#### **Equal participation in political and public life**

31. The Committee notes with appreciation the appointment of the first woman as President of the Council of Ministers and the efforts of the State party to increase women's representation on the boards of directors of public companies as a result of the adoption of the Golfo-Mosca Law and quota systems. It notes with concern, however, that women's representation in both the Senate and the Chamber of Deputies decreased following the elections of 2022 and that women are still significantly underrepresented as parliamentary committee chairs and ministers. The Committee also notes with concern the underrepresentation of women in regional and municipal councils, higher courts, particularly the Constitutional Court, diplomatic careers, decision-making positions in the private sector and in the military and the police.

32. The Committee recommends that the State party define a strategy to ensure gender parity between women and men in all areas of political and public life, with a clear time frame, in particular in elected positions in national, regional and local legislative bodies and within the structures and on the electoral lists of political parties, paying particular attention to the representation of disadvantaged groups of women, as well as in the public administration, the diplomatic service and the highest courts, especially the Constitutional Court. It

also recommends that the State party provide training for women on leadership skills, campaigning and constituency-building to prepare them as candidates at all levels of governance, ensure compliance with minimum quotas in the electoral system, progressively increase such quotas to reach gender parity by 2030 and adopt legislation to combat the harassment, hate speech and sexist discourse faced by women in politics.

### Nationality

33. The Committee remains concerned about the large number of stateless persons in the State party, in particular among the Roma and Sinti communities, and their limited access to education, employment and housing. It also notes with concern the complex legal and administrative procedures for obtaining statelessness status, including the excessive costs and the high standard of proof. The Committee further notes with concern that only children whose parents are officially recognized as being stateless may acquire Italian nationality.

34. The Committee reiterates its previous recommendation (CEDAW/C/ITA/CO/7, para. 34) that the State party strengthen its statelessness determination procedures and facilitate access to Italian nationality for stateless persons and the children of non-formally recognized stateless persons, with a particular focus on women and girls. It also recommends that the State party ensure compliance with international standards on procedural safeguards in statelessness determination procedures and apply them in a gender-sensitive manner.

### Education

35. The Committee welcomes the adoption of the “Guidelines for STEM disciplines” (Decree No. 184 of 2023), which provide for measures to increase the enrolment of young women in science, technology, engineering and mathematics disciplines in higher education. The Committee notes, however, with concern:

- (a) The underrepresentation of girls and women in non-traditional fields of study and career paths, in particular science, technology, engineering and mathematics and information and communications technology, including artificial intelligence;
- (b) The persistence of gender stereotypes in textbooks and the lack of systematic capacity-building for teachers on women’s rights and gender equality;
- (c) The lack of mandatory, comprehensive and age-appropriate education on sexual and reproductive health and rights at all levels of education;
- (d) The high dropout rates among schoolgirls in some regions of the State party, especially among Roma, Sinti and Caminanti communities, and the discrimination and barriers that Roma women and girls, women and girls with disabilities and refugee and migrant women and girls continue to face in access to education.

36. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party promote the importance of girls’ education at all levels as a basis for their empowerment, and that it:

- (a) Continue and further strengthen measures to address gender stereotypes and structural barriers that may deter or discourage young women and girls from pursuing careers as university professors and studies in traditionally male-dominated fields, including science, technology, engineering and mathematics and information and communications technology, including artificial intelligence;

(b) **Ensure that gender stereotypes are eliminated from textbooks at all levels of education and in all regions of the State party and that school curricula, academic programmes and professional training for teachers adequately address women's rights and gender equality;**

(c) **Provide mandatory, comprehensive and age-appropriate education on sexual and reproductive health and rights to girls and boys as part of the regular school curriculum, including on responsible sexual behaviour and the prevention of early pregnancy and sexually transmitted infections, in all regions of the State party;**

(d) **Adopt targeted measures to reduce the school dropout of girls and women belonging to disadvantaged groups, in particular Roma, Sinti and Caminanti women and girls and migrant and refugee women and girls, develop a national anti-bullying policy to provide safe and inclusive educational environments, free from discrimination, harassment and gender-based violence against women and girls, including through safe transportation to and from schools, and investigate, prosecute and adequately punish all cases of harassment and gender-based violence against girls and women in educational institutions.**

### **Employment**

37. The Committee welcomes the measures adopted by the State party to support the participation of women in the labour market and facilitate the reconciling of work and family life, such as the creation of the Gender Equality Certification System, the code for businesses in favour of motherhood, the new kindergarten bonus and the increase in the children's allowance from 30 per cent to 60 per cent of the salary of parents. It also notes the social security exemption for employers hiring unemployed women victims of gender-based violence and the ratification of the Violence and Harassment Convention, 2019 (No. 190) in 2021. The Committee notes, however, with concern:

(a) The extremely low level of female employment rates, the insufficient measures to promote the economic empowerment of women and the disproportionately high unemployment rate among women living in the southern regions of the State party;

(b) The persistent gender wage gap and its negative impact on women's pension benefits and the lack of information on the impact of Law No. 162 of 2021 on the gender wage gap and women's career development in both the public and private sectors;

(c) The high number of women leaving the workforce after childbirth due to barriers to re-entering the labour market, including the limited availability and accessibility of childcare facilities and babysitting and afterschool care services and the lack of targeted programmes to support mothers to re-enter the workforce;

(d) The low levels of women securing employment in the climate transition and innovation sectors, including the digital sector;

(e) The low number of fathers using parental leave and the lack of measures to address gender stereotypes that deter fathers from participating in parenting responsibilities.

38. **The Committee recommends that the State party:**

(a) **Reframe the national policy for equal opportunities at work and continue and further strengthen the measures aimed at increasing women's access to employment in the formal economy, including by providing further incentives to hire women, adopting temporary special measures to promote women's equal**

participation in the labour market and establishing special training programmes and counselling to support and promote women's entrepreneurship;

(b) Enforce the principle of equal pay for work of equal value, regularly review wages and benefits in sectors in which women are overrepresented and further strengthen measures to close the gender pay gap, including by means of gender-inclusive job classification and evaluation methods and regular pay surveys, and provide information on the impact of Law No. 162 of 2021 on the gender pay gap and women's career development in both the public and private sectors in its next periodic report;

(c) Promote the equal sharing of family and care responsibilities between women and men by introducing flexible working arrangements and introducing innovative measures to increase the social acceptance of men taking care of their children and of women choosing to return to work following childbirth, significantly increase the availability of affordable quality childcare facilities and services and adopt programmes aimed at supporting women seeking to re-enter the workforce after long career breaks;

(d) Implement specific programmes aimed at building women's capacity and increasing their access to work opportunities in the areas of climate transition and technology and innovation and ensure the allocation of the European Union funds for the implementation of national recovery and resilience plans to the consolidation of professional and wage equality between men and women;

(e) Dismantle gender stereotypes that deter fathers from sharing parental responsibilities equally and increase paid paternity leave or shared parental leave to promote the equal sharing of domestic and childcare responsibilities between women and men and responsible fatherhood.

#### **Women migrant workers**

39. The Committee welcomes the measures taken by the State party to combat the labour exploitation of women migrant workers, in particular in the agricultural sector. The Committee nevertheless remains concerned about the persistent labour exploitation of women migrant workers, especially those employed in agriculture and in domestic labour.

40. In line with its general recommendation No. 26 (2008) on women migrant workers, the Committee recommends that the State party continue and further strengthen its measures to combat the labour exploitation of women migrant workers by increasing labour inspections and strengthening the capacity of the National Labour Inspectorate, facilitating access to regularization procedures for undocumented women migrant workers to reduce the prevalence of undeclared work and establishing confidential complaint procedures to enable women migrant workers to lodge complaints against their employers without fear of reprisal, arrest, detention or deportation, as previously recommended ([CEDAW/C/ITA/CO/7](#), para. 40). The Committee also recommends that the State party ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

#### **Health**

41. The Committee welcomes the measures taken by the State party to upgrade the Essential Levels of Care and facilitate access to health services by asylum-seeking and migrant women and women living with HIV/AIDS. The Committee notes, however, with concern:

(a) The persistence of regional disparities and inequalities in access to basic health services due to social and economic status, gender and geographical location, which particularly affects rural women, women living in poverty, women with disabilities, women from ethnic minorities, such as Roma, Sinti and Caminanti women, refugee, asylum-seeking and migrant women and lesbian, bisexual, transgender and intersex women;

(b) The limited access of women and girls to affordable modern contraceptives in the State party;

(c) The lack of information on access to safe abortion services, the very limited number of health centres providing such services, the high rate of conscientious objection to performing abortions by medical practitioners, the requirement to undergo prolonged mandatory waiting periods of up to four weeks in practice and the lack of measures to prevent and address the defamation, victimization and harassment of women who choose to have an abortion;

(d) The limited access of women and girls with disabilities to health services and information in accessible formats.

**42. In line with its general recommendation No. 24 (1999) on women and health, the Committee recommends that the State party:**

(a) **Strengthen women's access to health services, including sexual and reproductive health services, throughout the State party, especially in rural and remote areas, with a special focus on rural women, women living in poverty, women with disabilities, women belonging to ethnic minorities, such as Roma, Sinti and Caminanti women, refugee, asylum-seeking and migrant women and lesbian, bisexual, transgender and intersex women;**

(b) **Increase the budget allocated to the prevention of sexually transmitted infections, in particular HIV, and ensure that women and men, girls and boys, have affordable access to modern contraceptives;**

(c) **Ensure that the exercise of conscientious objection by health-care personnel does not prevent women from having access to safe abortion services, including by requiring mandatory referrals, remove the requirement for mandatory waiting periods, in line with the recommendations of the World Health Organization, and adopt effective measures to prevent and address the defamation, victimization and harassment of women who choose to have an abortion;**

(d) **Ensure that women and girls with disabilities, including women and girls with intellectual and psychosocial disabilities, have adequate access to health-care services, including sexual and reproductive health services, and health information in accessible formats and provide capacity-building to health-care personnel on the right of women and girls with disabilities to decide autonomously on matters relating to their health.**

#### **Economic empowerment of women**

43. The Committee notes with satisfaction the adoption of the national plan against poverty (2021–2023) and the implementation of the basic income policy (*Reddito di cittadinanza*). The Committee notes, however, with concern:

(a) That women have been disproportionately affected by the adverse economic consequences of the coronavirus disease (COVID-19) pandemic and the lack of information on the integration of a gender perspective into the post-pandemic development plan and policy and other pandemic recovery strategies;

(b) The persistence of horizontal and vertical occupational segregation in the State party and women's concentration in the lower-paid service sectors, temporary and part-time work and the informal labour market;

(c) The persistent gender pay gap and the increased risk of poverty for women, in particular women with disabilities.

**44. The Committee recommends that the State party:**

(a) **Ensure that post-pandemic recovery policies and programmes include a gender perspective, that women participate equally in the design, adoption and implementation of such policies and that women who have been severely affected by the adverse economic consequences of the pandemic have adequate access to social benefits for themselves and their children;**

(b) **Adopt targeted measures to increase women's access to formal employment and prioritize the transition of women from part-time to full-time work, including by providing a sufficient number of adequate and accessible childcare facilities;**

(c) **Adopt and implement targeted measures to narrow and close the gender pay gap and to strengthen the implementation of programmes to promote women's entrepreneurship and economic empowerment.**

**Rural women**

45. The Committee welcomes the implementation of the "Women in the field" initiative, designed to encourage the development and consolidation of farms run and managed by women. The Committee notes, however, with concern:

(a) The lack of measures to address the economic vulnerability of rural women, including migrant women, their limited access to economic opportunities, health care and social benefits and the lack of mechanisms to ensure their participation in decision-making processes in relation to rural development programmes;

(b) That rural women still have limited access to land ownership in the State party.

**46. The Committee recommends that the State party:**

(a) **Promote the entrepreneurial activities of rural women, including those who are migrants, facilitate access to low-interest loans without collateral and other forms of financial credit and ensure that rural women, including women agricultural workers, have adequate access to economic opportunities, social benefits and health care and that they participate equally in decision-making processes in relation to rural development programmes;**

(b) **Ensure that rural women have access equal to that of men to land ownership and use, including by conducting awareness-raising campaigns aimed at dismantling patriarchal attitudes and gender stereotypes.**

**Women with disabilities**

47. The Committee welcomes the creation of the fund for the inclusion of persons with disabilities and takes note of the information provided by the State party on incentives for employers to hire women with disabilities and the adoption of the Disabled Advanced Medical Assistance model for medical assistance to women and men with severe intellectual and neuromotor disabilities, to be implemented in all hospitals across the State party. It notes with concern, however, the persistent intersecting forms of discrimination faced by women and girls with disabilities, particularly in education, employment and health care, and their limited inclusion in

public and social life and decision-making processes. The Committee also notes with concern that women and girls with psychosocial disabilities face various barriers in gaining access to justice in the State party, including the denial of their legal capacity.

**48. The Committee recommends that the State party further strengthen targeted measures to ensure that women and girls with disabilities have access to inclusive education, formal employment, health services and decision-making processes. It also recommends that the State party recognize the legal capacity of women and girls with psychosocial disabilities, which should only be revokable by court decision in exceptional cases and subject to strict safeguards, and remove the barriers that they face in access to justice, such as a lack of information in accessible formats on their human rights and the remedies available for claiming them.**

#### **Refugee and asylum-seeking women**

49. The Committee takes note of the web-based publication of the “Handbook for the identification, referral and care of persons living with vulnerabilities entering Italy and within the protection and reception system” in 2023 and of the adoption of the standard operating procedures on the identification and referral of survivors of gender-based violence in 2021. The Committee is concerned, however, about:

(a) The lack of a comprehensive and harmonized framework applied evenly in all regions of the State party for the identification of and provision of assistance to refugee and asylum-seeking women with specific needs and vulnerabilities;

(b) The lack of information on the efforts made to fulfil the obligation to respect the principle of non-refoulement for victims rescued at sea, in particular women and children.

**50. In line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party:**

(a) **Adopt gender-responsive, culturally sensitive and age-appropriate screening and assessment procedures to ensure the identification, protection and referral to relevant support services of refugees and asylum-seekers, in particular women and girls who are victims of or at risk for gender-based violence, as previously recommended (CEDAW/C/ITA/CO/7, para. 16);**

(b) **Strictly observe the principle of non-refoulement for all women and girls in need of international protection and ensure that no individual is expelled without an individual risk assessment.**

#### **Women in detention**

51. The Committee welcomes the adoption of Legislative Decree No. 123 of 2018, which provides for the equal access of women and men in detention to professional training, and the alternatives to detention for pregnant women and mothers of young children. The Committee notes with concern, however, the inadequate conditions, including overcrowding, in places in which women are deprived of liberty and the lack of information on their access to justice.

**52. The Committee recommends that the State party ensure that women in pretrial detention have adequate access to legal assistance, in line with the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, and that the conditions of detention for women, including in migration detention centres, are in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the**



**Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).**

**Climate change and disaster risk reduction**

53. The Committee notes with concern the absence of a gender-responsive national strategy to address environmental risks and challenges, climate change and disaster risk reduction.

54. **In line with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party:**

(a) **Ensure that women are equally represented and participate in the development of legislation, policies and programmes on climate change, disaster response and disaster risk reduction;**

(b) **Integrate a gender perspective into such legislation and policies and ensure that women, in particular rural women, participate equally in their development;**

(c) **Take measures to address the specific impact of climate change on women's livelihoods and access to resources.**

**Marriage and family relations**

55. The Committee takes note of the adoption of Legislative Decree No. 149 of 2022, which provides for measures to prevent the secondary victimization of survivors of gender-based violence, and the National Plan for the Family (2022–2027). The Committee also take note of the recent provisions on the acceleration of divorce procedures and the new rules preventing the use of mediation in cases of gender-based violence. The Committee notes, however, with concern:

(a) Cases of court decisions ordering the shared custody of children, even when there is a record of domestic violence against the mother;

(b) The lack of information on the impact of Law No. 69 of 2019 on the criminalization of forced marriage and the impact of the Cartabia reform with respect to the protection of victims of gender-based violence.

56. **The Committee recommends that the State party:**

(a) **Ensure that courts give due weight to any history of gender-based violence when deciding on child custody or visitation rights and provide mandatory and continuous capacity-building for judges, lawyers and child welfare services in that regard;**

(b) **Assess the impact of Law No. 69 of 2019 on the criminalization of forced marriage and of the Cartabia reform with respect to the protection of victims of gender-based violence and provide information on the criminalization of forced marriage and, more generally, on measures to prevent child and forced marriage in its next periodic report.**

**Beijing Declaration and Platform for Action**

57. **The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.**

**Dissemination**

58. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, Parliament and the judiciary, to enable their full implementation.

**Ratification of other treaties**

59. The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

**Follow-up to the concluding observations**

60. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 24, 26 (a) and 50 (a) above.

**Preparation of the next report**

61. The Committee will establish and communicate the due date of the ninth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

62. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.