

<b>Country</b>	<b>Italy</b>
<b>SIGI 2019 Category</b>	<b>Very low</b>
<b>SIGI Value 2019</b>	<b>14%</b>

<b>Discrimination in the family</b>		<b>22%</b>
	Legal framework on child marriage	50%
	Percentage of girls under 18 married	0%
	Legal framework on household responsibilities	50%
	Proportion of the population declaring that children will suffer if mothers are working outside home for a pay	-
	Female to male ratio of time spent on unpaid care work	2.8
	Legal framework on inheritance	0%
	Legal framework on divorce	0%

<b>Restricted physical integrity</b>		<b>15%</b>
	Legal framework on violence against women	75%
	Proportion of the female population justifying domestic violence	5%
	Prevalence of domestic violence against women (lifetime)	19%
	Sex ratio at birth (natural =105)	106.2
	Legal framework on reproductive rights	0%
	Female population with unmet needs for family planning	11%

<b>Restricted access to productive and financial resources</b>		<b>8%</b>
	Legal framework on working rights	0%
	Proportion of the population declaring this is not acceptable for a woman in their family to work outside home for a pay	1%
	Share of managers (male)	73%
	Legal framework on access to non-land assets	0%
	Share of house owners (male)	-
	Legal framework on access to land assets	0%
	Share of agricultural land holders (male)	69%
	Legal framework on access to financial services	25%
	Share of account holders (male)	50%

<b>Restricted civil liberties</b>		<b>9%</b>
	Legal framework on civil rights	0%
	Legal framework on freedom of movement	0%
	Percentage of women in the total number of persons not feeling safe walking alone at night	59%
	Legal framework on political participation	0%
	Share of the population that believes men are better political leaders than women	18%
	Percentage of male MP's	69%
	Legal framework on access to justice	0%
	Share of women declaring lack of confidence in the justice system	54%

Note: Higher values indicate higher inequality. Percentages range from 0 to 100, while legal variables are categorised as 0%, 25%, 50%, 75% or 100%. See data source [here](#).

Source: OECD (2019), Gender, Institutions and Development Database, <https://oe.cd/ds/GIDDB2019>.

## Italy

### 1. Discrimination in the family

#### a) Overarching legal framework for marriage

In Italy, marriage is based on the moral and legal equality of the spouses within the limits laid down by law to guarantee the unity of the family (Constitution, Art. 29, Civil Code, Article 79). Nevertheless, the Civil Code (Article 89) still prohibits women from remarrying after divorce before a period of 300 days to avert potential crossover pregnancies. There are no legal provisions which prohibit forced marriage, although a draft law presented to the Senate in June of 2016, and under review by the Justice Commission since April 2017, would amend the Penal Code so as to punish both forced marriage and those facilitating a marriage of an individual who is under the minimum age of marriage (Draft Law, n.2441, proposing amendments to Article 605 of the Penal Code). Forced and early marriage has increasingly been recognized as an issue in Italy, especially among Asian and African immigrant communities, as well as among the Roma community (CEDAW Shadow Report, 2017). De facto unions outside of traditional civil marriage, including same-unions ('civil pacts') are regulated by Law 76/2016. In addition, many specific legislative provisions refer expressly to informal relations, in most cases applying the same rules to partners in such relationships, as are applied to spouses.

#### b) Child marriage

The legal age of marriage in Italy is 18 for both sexes (Civil Code Articles 2 and 84), although women and men who have reached the age of 16 may marry with the permission of the court and parental consent (Civil Code, Article 84). The last thirty years (since the 1980s) have seen both a rise in the average age at first marriage, a decline in the overall number of first marriages, and an increase in the number of cohabitations (CEDAW, 2016). Child marriage is prohibited by Article 117 of the Civil Code and while there are no criminal penalties, the registrar (*ufficiale di stato civile*) may be fined for facilitating a marriage of an individual who is under the legal age of marriage (Civil Code, Art. 136). Proposed amendments to the Criminal Code (draft law n. 2441) would further sanction the latter with prison sentences of 6 to 15 years.

#### c) Household responsibilities

Women have the same rights as men to be recognised as head of the household. They are not required to obey their husbands (Civil Code, Article 143). Women also have the same rights as men to be the legal guardians of their children, and have the same rights and responsibilities towards the latter, in both marriage and informal unions (Constitution, Article 30; Civil Code, Articles 147 and 316; Law 76/2016). Married and unmarried women have the same rights as men to choose where to live (Civil Code, Article 144). Despite such legislation, there remains a gender gap in Italy, particularly in terms of unpaid household and care activities, where women spend more hours on the latter than men at all stages of the life cycle, regardless of a growing percentage of female participation in the labour force (Rindfuss et al, 2016; CEDAW shadow report, 2017b).

#### d) Divorce

Women have the same rights as men to initiate and finalise divorce (Divorce Law, 898/1970 and Law 55/2015, Article 1). Italian law envisages only a few grounds for immediate divorce, such as long-term imprisonment of one of the spouses, if the marriage was not consummated, if one of the spouses legally changed their gender, or if one of the spouses is a foreign citizen and has got the divorce/annulment abroad, or has remarried. Otherwise, it is possible to get divorced in Italy only after a period of separation. Up until very recently, this period of legal separation was 3 years (5 years prior to 1987). Given this lengthy period of separation, many couples ultimately never sued for divorce, such that Italian marital instability, at least up until 2015, has been largely described in terms of legal separations, rather than divorces.

Act 55 of 2015 reduced the statutory period for the declaration of divorce from three years to 12 months from the date of the appearance of the couple before the president of the court in which the separation proceedings are held. In cases of consensual separation proceedings, the statutory period for declaration of a divorce is now six months. (Law No. 55, art. 1(1)). In addition, amending the Civil Code, Law No. 55 (article 2) establishes that in the case of separation, cohabitation between the spouses legally ceases from the moment at which the president of the court authorizes the spouses to live separately or from the date on which the spouses sign the minutes of separation by mutual consent before the court president and the president approves such minutes. While on the rise, Italy has one of the lowest rates of divorce in Europe. Studies on divorce show correlations with wives' labour market participation, high education level, residence not in the South, and not being a regular churchgoer (Schnabel, 2013).

Prior to Law 54 in 2006, by which joint custody was enacted in the event of divorce, mothers were almost always given custody of children. The new divorce law grants custody of children to both parents as a standard and priority procedure. Act 219/2012 extended the right of the minor to be heard. In practice, however, judges often award joint custody with the children's stable residence in the conjugal home, which is most often allocated to the mother.

#### e) Inheritance

The law provides women equal inheritance rights as wives (Civil Code, Art. 581-585), and daughters (Civil Code, Art. 565) to inherit land and non-land assets. Since January 2014 a new law (D.Lgs. 154/2013) removed previous discrimination towards children born outside of marriage. Previously, the law distinguished between 'legitimate children' born from parents legally married to each other and 'illegitimate children', or those born from unmarried parents. Now all children inherit equally. The Italian Civil Code also gives qualified status to some family members by granting them a forced share (*quota legittima*), this includes the surviving spouse who, as such, cannot be disinherited (Civil Code, Article 536). There is nothing in the CEDAW reports that suggests that this is an issue in practice.

## 2. Restricted Physical integrity

### a) Violence against women

Italy ratified the Council of Europe's Convention on Preventing and Combating Violence against Women and Domestic Violence in 2013 and the latter entered into force in 2014.

Shortly after ratification, Italy introduced Law 119/2013 which strengthened measures against crimes such as domestic violence, sexual violence, and 'persecutory acts'. In particular, Article 5 of the law provides for an 'Extraordinary plan against sexual and gender-based violence' to be issued by the Minister for Equal Opportunities, which includes multiple measures aimed at prevention, strengthening anti-violence centres and social services, increasing the protection of victims, improving the professional training of police, gathering statistics on these cases and carrying out awareness and education activities. Furthermore, Article 5bis promotes and finances both the creation and the consolidation of specialist support services and shelters, which can be set up by local authorities or voluntary associations and organizations and are to operate in coordination with the National Health Service net of local clinics.

More specifically, the Extraordinary Plan began in late 2015 and contains measures aimed at realizing local-level projects aimed at protecting women against violence, improving the professional training of experts, prevention and the support of women who have experienced violence and social education. The plan covers an initial two-year period (to be renewed once), during which the Department of Equal Opportunities, led by the Prime Minister's Advisor on equal opportunities, is to monitor the latter yearly (European Commission, 2016).

In addition, the plan foresees the establishment of a National Observatory on Violence, the second meeting of which took place in March 2017 and established three working groups, to focus on:

- Legislation proposing amendments to the legal framework on gender-based violence (GBV)
- Protection paths aimed at defining guidelines on new protection paths for victims of GBV
- Strategic framework aimed at defining the next relevant National Action Plan against GBV (CEDAW, 2017).

By decree of the president of Council of Ministers (DPCM), the plan was allocated 40 million euros for four years, with a further 18 million euros for the period 2017-2018 to be allocated to regions, to finance the opening of new anti-violence centres and shelters and strengthening the existing ones (CEDAW, 2017). However, the law leaves responsibility for the provision of shelter to victims with local municipalities, some of which do not provide sufficient funds for the latter (US State Department, 2016; Shadow Report, 2017b). A further 13 million euros, through an additional DPCM in late 2016 is to be distributed among Regions and Autonomous Provinces for the implementation of projects and actions on: training of health personnel of hospitals' emergency rooms, promotion of victim's entry to the labour market, access to public housing for victims, establishment of systems for the collection of data on the phenomenon at the local level (CEDAW, 2017, p.8). As of April 2017, there are 501 safe shelters in Italy (CEDAW, 2017). However, the Extraordinary Plan, due to expire in 2017, has been criticized for being labelled 'Extraordinary'. Moreover, women's organisations have

expressed concern over a lack of evaluation and adequate funding and transparency in using the latter on the part of the regions (Shadow Report, 2017b).

Law 119/2013 has generally been seen as an important step in providing stronger sanctions and improving protection of victims. However, it has been criticized for a lack of sufficient funding, weak as regards to prevention, and with little attention to the need for the professional training of experts and health or social advisors, especially as regards the rehabilitation of perpetrators (European Commission, 2016; CEDAW Shadow Report 2017b).

### **b) Domestic violence**

Domestic violence is a criminal offence in Italy, and perpetrators can be punished with a prison sentence of two to six years, or up to life if the offence results in the death of the victim (Law 119/2013, Art. 1; Criminal Code, Arts 572, 577, 609 and 712). The law covers abuse from former partners and within the family, as well as physical, sexual, psychological and economic abuse (Law 119/2013, Article 3; Criminal Code, Articles 572, 609, and 612).

There are a number of safe shelters in Italy, although women's organisations such as Women Against Violence Europe (WAVE) have reported that this number falls well below that of the Istanbul Convention minimum standard provision, nor is it clear the extent to which such shelters offer comprehensive and accessible health services. Furthermore, there have been criticism for inadequate funding and malfunctioning of anti-violence centres and shelters, which are frequently volunteer-run due to a lack of resources (CILD, 2017). However, Law 119/2013 and the associated Action Plans do provide for a 24-hour toll-free number, which can be contacted from both fixed and mobile phones with reception available in five different languages (Italian, English, French, Russian, and Arabic) (CEDAW, 2016).

While the law provides for the separation of a violent spouse or relative from the family, through civil or criminal proceedings, victims frequently decline to press charges due to fear, shame or unawareness of the law (CEDAW, 2016; US State Department, 2016). Law 119/2013 and the associated action plan have improved awareness of rights and remedies, although cases of domestic violence remain underreported, in part due to the insufficient training of social operators and health workers, in part due to shame felt by victims and views that domestic violence is best either concealed or tacitly accepted (CEDAW 2016; Shadow Report, 2017). Critics have also argued that tougher legislation is not necessarily the solution in that existing laws are adequate but arbitrarily applied, paired with a lack of a well-organized, funded network of psychological, legal and financial assistance and resources for women in abusive relationships (WAVE, 2013)

### **c) Rape**

Since 1996 rape has been classified as a crime against a person (not a crime against public morals) and punishment includes a minimum sentence of five years (Criminal Code, Article 609; Law 119/2013). The law also no longer distinguishes between crimes that include intercourse and crimes as acts of lust, the latter of which carried a lighter sentence (CEDAW, 2011).

Law 119/2013 strengthened measures against crimes such as domestic violence, sexual violence, and ‘persecutory acts’ (e.g. stalking). Article 609 of the criminal code also specifically addresses sexual violence. Rape, including spousal rape, is considered a criminal offence (Criminal Code, Article 609). A rapist could previously be exonerated by marrying his victim, but the latter was abolished in 1981 (Law n. 442/1981). In 2009, the Italian government approved a law that introduced tougher penalties for murder committed after sexual violence, sexual assault and lewd sexual acts against minors, gang rape and stalking all punishable with life imprisonment. Law 119/2013 also aims to ensure greater protection of victims in relations to hearings, which are to be protected and transparency during ongoing investigations and legal proceedings, as well as an obligation to inform victims about local support services. The law also provides for legal aid for women victims of domestic violence and rape whose income is below a limit fixed by national legislation

Talking about rape is, however, still taboo in many parts of Italy, particularly the south, where often shame over being a victim of the crime prohibits women from denouncing the perpetrator (CEDAW, Shadow report, 2017).

#### **d) Sexual harassment**

Law 198 (also known as the ‘Code of equal opportunities for men and women’), enacted in 2006, specifically addresses sexual harassment, defined as “any unwanted conduct, physical, verbal or non-verbal, having sexual character and the purpose or effect of violating the dignity of a worker and creating an intimidating, hostile, degrading, humiliating or offensive environment’ (Law 198/2006, Article 26).

While there are civil remedies for sexual harassment (Law 198/2006, Article 37), the law does not provide specific criminal sanctions, nor is there legislation that addresses sexual harassment outside of the workplace. Sexual harassment can, however, be prosecuted under the criminal code provision on sexual violence, which is broadly worded and makes punishable “everybody who, with violence or threat or through abuse of authority, obliges anybody to make or to undergo sexual acts’. (CEDAW, 2016)

In addition, a law on stalking was introduced in 2009, which includes mandatory detention for perpetrators, including partners. When it comes to sexual harassment specifically in the workplace, many women prefer not to report cases to the police due either to a perceived lack of seriousness of the episode, having solved the problem alone or with family help, lack of trust in the police or the inability to act, or fear of being judged or mistreated when reporting the incident (CEDAW, 2016). As such, many victims fail to report incidents to authorities (US State Department, 2016).

#### **e) Female genital mutilation**

Law 7/2006 introduced measures to prevent and punish FGM; violators are subject to a prison sentence of up to 12 years or more if the procedure is conducted on a minor or for profit. The Department for Equal Opportunities operates a hotline for victims and other affected parties who request the support of authorities and NGOs. There is also a relevant database on the Ministry of Health website that includes information relative to FGM. In addition, the National Institute to

promote migrants' health has launched specific training and assessment-related projects involving hospitals and other social services across the country (CEDAW, 2017).

The increase in migration to Italy has made visible the phenomenon of female genital mutilation (FGM), and a rising number of female infibulations has been recorded, mostly among women from Gambia, Nigeria, Sudan, and Senegal (US State Department, 2016).

### **f) Abortion**

Abortion is available upon request in Italy up until 12 weeks (Law 194/1978), and justifications for a legal abortion include to preserve the mental or physical health of the women, for reasons of rape or incest, foetal impairment, or for economic or social reasons. A certificate attesting to the pregnancy and the request for termination must be issued by a physician and signed by both the woman and the physician. If the pregnant woman is under age 18, parental authorization is required.

Women can, however, face significant difficulties accessing emergency contraception abortive pills, or medical intervention, as doctors may choose to be 'conscientious objectors' on moral grounds. Moreover, a CEDAW shadow report observes that the share of objectors is high and increasing, hindering the implementation of the law. There has been limited effort on the part of the government to provide a regular presence of non-objector doctors in hospitals so as to guarantee women's right to a free access to sexual and reproductive health services (CEDAW shadow report, 2017b).

## **3. Restricted Access to productive and financial resources**

### **a) Secure access to land and assets**

Married and unmarried women have the same rights as men to own, use, and make decisions over land and non-land assets (Civil Code, arts. 180 and 832; Constitution Arts. 3 and 42). According to the Civil Code (and following the reform of family rights in 1975), the default marital property regime is partial community of property (Civil Code, Arts. 159, 177, and 179) and both partners must agree on the administration of property during marriage (Civil Code, Arts. 180, 184, and 185).

Although women have equal access to land, a woman runs one in every three farms and the latter are on average smaller than those run by men (CEDAW, 2016). However, there are numerous local and regional initiatives to enhance women's participation and access in the farming sector. Italy has seen an increase in women holding leadership positions in farming enterprises over the last decade (CEDAW, 2016; CEDAW, 2017). There is a National Rural Network, coordinated by the Ministry of Agriculture, which includes a working group on gender equality and a number of relevant women's associations (e.g. *Donne in Campo*, *Donne impresa*, *Confagricoltura Donna*) that promote women farming-support measures (CEDAW, 2016)

### **b) Secure access to formal financial resources**

Married women have the same rights as men to open a bank account at formal financial institutions. Both married and unmarried women also have the same rights as men to obtain credit. The Code of Equal Opportunities (Decree No. 198/2006, Articles 52-54), followed by the implementation of Directive 2010/41/EU provides for positive actions in promoting female self-employment through

preferential measures meant to favour access to bank credits and public funds and promote the presence of businesses owned or managed by women, including the setting up a Special Guarantee Fund for businesswomen (*Fondo di Garanzia Speciale*) and the stipulation of a protocol of agreement with the Association of Italian Banks (European Commission, 2016; Shadow Report, 2017b)

In practice, however, female entrepreneurs often face difficulties accessing credit and more often rely on self-financing (from family, friends). Those managing very small firms are required to provide external guarantees more often compared to their male counterparts. They also pay 3-5% more on average than male entrepreneurs, despite the fact that the proportion of bankruptcies is higher among men than women (CEDAW, 2016). A CEDAW shadow report suggests that difficulties remain above all for micro-enterprises, which require strong guarantees and other requisites, such as real estate: these conditions regarding assets leave businesswomen at a disadvantage, both in setting up a company and in the following years (CEDAW Shadow report, 2017).

### c) Workplace rights

Italy has ratified ILO Conventions 100, 111, 183, and 189, but not 156.

Italian law 198/2006 (the so-called ‘Code for equal opportunities’) and Article 37 of the Constitution mandate non-discrimination in employment. The law specifically covers equal remuneration for work of equal value (Law 198/2006, Article 28), recruitment, hiring, training, job advertisements (Law 198/2006, Article 27), and promotions (Law 198/2006), but does not specifically mention terms and conditions or termination. The European Parliament notes that with regard to the latter, there remains the practice of “blank resignation letters” (*dimissioni in bianco*), or the custom of employers of making the hiring of young women conditional to signing an undated letter of resignation to be used to justify dismissal in case of pregnancy (European Parliament, 2014), despite legislation aimed at combatting the latter (Act 92/2012, Art. 4; CEDAW, 2016).

The Code for equal opportunities (Article 3) does, however, establish a National Committee for Equal Opportunities and the position of an ‘equal opportunity advisor’, appointed at national, regional and provincial level. Employers with more than 100 employees are required to provide a report every two years to the staff representative and the equal opportunity advisor which illustrates the situation of personnel employed (in terms of male and female employees), their training, career opportunities, level of salaries, etc. The law provides significant administrative sanctions for failure to submit this report. Depending on the findings, the Labour Courts may order the employer to remove the effects resulting from discriminatory acts or conduct. If the employer refuses to follow the orders of the Labour Court, they can be subject to criminal sanctions. An employee who has suffered discrimination is entitled to compensation for damages (Law 198/2006, Articles 46 and 47).

Legislative decree 151 of 2001 (Articles 2, 16, and 22) establishes a mandatory minimum length of maternity leave at 150 calendar days, during which time the government is responsible for financing 80% of the woman’s wages. The government fully covers a paternity leave of two days, and/or a longer, partially paid, parental leave of up to ten months at 30% of wages (Legislative decree 92/2012, Article 4.24; Legislative decree 151/2001, Articles 28, 29, 32, and 34). The mandatory leave

for employed fathers has been confirmed by Act 232/2016, envisaging a 2-day-parental leave for 2017 and a 4-day one for 2018 – to be used also in a non-continuous manner - to which an additional day can be added, upon prior agreement with the mother and only in her replacement, with regard to her mandatory leave period (CEDAW, 2017, p.18)

Despite such legislation, female employment rates remain low in Italy, particularly in the south and for women with low levels of education. Lack of services for childcare and the elderly, combined with rigid work arrangements make it challenging to reconcile work and family life. Female unemployment rates are higher than male rates, career advancement continues to be difficult, and women are over-represented in atypical and precarious jobs (European Parliament, 2014; CEDAW 2016; CEDAW shadow report, 2017b).

## 4. Restricted Civil liberties

### a) Citizenship rights

Married and unmarried women have the same rights as men to acquire, change, and retain their nationality. They all have the same right to register the birth and confer nationality to their children (Law 91/1992, Art.1). Births are to be registered within a 10-day period from conception, although the law also provides for delayed registration (Law 396/2000, Articles 28-49). Married women have equal rights to men to confer nationality to their spouse (Law 91/1992, Art. 5). They also have the same rights as men to apply for identity cards and passports (passport application form, L.D.70/2011, Article 10) and travel outside the country.

The constitution does not recognise and prohibit multiple discrimination nor is the latter included in the law. There is similarly no significant case law on this point. The European Commission relates a recent judgement of the Court of Padua, for example, where the victims had been insulted because they were black and trade union activists. The case was handled as one of racial discrimination, without reference to the multiple discrimination at issue (European Commission, 2016).

### b) Voting

The Constitution provides women with equality with men in voting, irrespective of marital status (Constitution, Article 48).

### c) Political voice

Women and men in Italy enjoy equal rights to hold public and political office in legislature, executive and judiciary (Constitution, Articles 51 and 117).

While there are no quotas at the national level to promote women's political participation, there are financial incentives for parties to include women on candidate lists for national elections. [Law 13/2014](#) (Article 9 mandates that if one of the two genders is represented less than 40% of the overall number of candidates to each election, parties can lose up to 10% of the funds that they receive from the allocations of 2% of the tax on the revenues of natural persons. In addition, parties that do not use

at least the 10% of their income from the 2‰ of the tax on the revenues of natural persons for activities aimed at enhancing the participation of women in politics have to pay administrative fines (20% of the income coming from 2‰). Resources that are not assigned because of these rules are then reassigned to those parties that observed the 40% gender quota, in proportions to the votes received in the current election.

Legislated candidate quotas do exist at the sub-national level and regional laws must ‘remove all obstacles which prevent the full equality of men and women in social, cultural, and economic life, and promote equal access to for men and women to elective offices’ (Constitution, Article 117). More specifically law 215/2012 states that regions must ensure the promotion of gender equality in access to elective posts and specifically mandates that there be no more than two-thirds candidates of the same sex on lists for local governments and regional councils. Non-compliance results in either a rejection of the list, candidates of the higher represented sex removed by the electoral commissions so as to ensure the required proportion, or financial sanctions. Since the implementation of this law, women’s percentages as significantly increased (CEDAW, 2017), although a CEDAW shadow report notes that the implementation of these law remains weak, and there is very little monitoring of the latter (CEDAW shadow report, 2017b, p.11).

A Constitution Act in 2016 (Act of 15 April) provided an amendment to Art. 55 of the Constitution, which would have stipulated as follows “(Para. 2) *Laws that define the modalities for the election to the Chambers promote equality between women and men in the representation*”. A popular referendum to confirm or not the above Law was held on December 4, 2016, but the overall reform was rejected (CEDAW, 2017, p.4)

The Ministry for Rights and Equal Opportunities promoted a multi-annual training project entitled ‘Women, Politics, and Institutions’ to improve women’s education and interest in politics’. This course was offered free in 41 universities across Italy over two or four years. Overall, the project aims at enabling women to participate more actively in politics and decision-making positions at the national and local levels (CEDAW, 2016, p.24). Women remain, however, under-represented in politics and are often the object of discrimination, hate speech, and stereotyped language on online media, television, newspapers, campaign materials (CEDAW shadow report, 2017b; CEDAW shadow report, 2017a).

#### **d) Access to justice**

Married and unmarried women have equal capacity as men to sue and be sued (Constitution, Article 22; Civil Code, Articles 1 and 2) and their testimony carries the same evidentiary weight in court as a man’s in all types of court cases.

There is no specific legislation or measures to protect women from violence in political and public life, nor are there measures in place that specifically address violence and harassment of human rights defenders although in early 2017, the Foreign Affairs Committee of the Chamber of Deputies approved a resolution on human rights defenders. With this resolution, the Italian parliament asks the government to take concrete actions to protect targeted human rights defenders in Italy and around the world. Despite such action, Human Rights Watch (2016) has raised concern over the failure of

police and the judiciary to investigate, prosecute, and punish violations of human rights. Moreover, Italy does not have an independent National Human Rights Institution that is in full compliance with the Paris Principles that would operate in matters of protection of human rights and fights against discrimination, including multiple discrimination against women (CEDAW shadow report, 2017b).

With particular regard to access to justice, law 119/2013 ensures greater attention to female victims of violence both in relation to hearings, which are to be protected, and through a system guaranteeing transparency during ongoing investigations and legal proceedings. There is also a legal obligation to inform victims about local support services. Furthermore, the law provides for free legal aid for women victims of violence, whose income falls below the income limits fixed by national legislation. However, a CEDAW Shadow report (2017b) notes that access to justice is uneven throughout the national territory, particularly as this concerns justice for migrant, Roma, Sinti, and Traveller women. For example, the latter encounter more obstacles to the full legal protection of their rights, such as access to legal aid paid by the State, often precluded to women lacking identity documents.

A National Committee for Equal Opportunities (established by Law 198/2006 and reinforced with Decree No. 151/2015) is tasked with monitoring gender equality and is composed of 26 members who represent women's organizations and civil society organisations that collaborate with the Labour Ministry. The national committee fixes targets for positive actions, monitors their implementation, as well as enforces equality principles and ensures development plans are in line with European directives and international human rights standards. Assistance to the victims of discrimination is also a duty of the national committee, specifically the 'equal opportunity advisors' who are appointed on a national, regional and provincial level. Nevertheless, The European Parliament has noted that not much publicity is given to the activities of the National Committee for Equal Opportunities (European Parliament, 2014).

In addition to the National Committee for Equal Opportunities, in mid-2016, an Inter-institutional Steering Committee was established under the 'Extraordinary plan against sexual and gender-based violence' (Law 119/2013). The committee has gathered three times since late 2016 to monitor government initiatives that are being taken to combat gender based violence (CEDAW, 2017). Also in line with provisions provided by the Plan, in November 2016, the structure for the setting up a specific national database on gender-based violence was defined and is to be implemented through an agreement with the Italian National Institute of Statistics (ISTAT). ISTAT will be the coordinating body of the national database and the entity mainly responsible for it (CEDAW, 2017). However, there is no law obliging ISTAT or other governmental organisations to gather sex-disaggregated data in areas such as education, health, employment, domestic life, or violence.

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