



**Oral Statement of the Italian CEDAW Platform “30 years CEDAW – work in progress”
To the Committee for the Elimination of All Forms of Discrimination against Women on the Sixth Periodic
Report of the Italian Government by Barbara Spinelli, Simona Lanzoni and Claudia Signoretti**

July 11th 2011, 49th CEDAW session

Thank you Madam Chair,

I am Simona Lanzoni, speaking on behalf of the Italian Platform “30 years CEDAW – WORK IN PROGRESS”. I’m here with my colleagues Claudia Signoretti and Barbara Spinelli. The Shadow report was written in collaboration with 8 organizations and endorsed by one hundred organizations, that make up one million individuals.

We would highlight main critical issue:

- CEDAW implementation and promotion of women’s rights,
- Employment and welfare,
- Political participation of women,
- Sexual and reproductive rights,
- Protection of survivors of gender violence,
- Trafficking and Prostitution.

Implementation of CEDAW and promotion of women’s rights

Italian Government has not fulfilled its obligations under the Convention: no action was taken to disseminate the Convention, OP, and Concluding observation. Civil society consultations in the reporting process was unclear in its objectives, actors involved, and was not transparent. No discussion of the concluding observations was done in the National Parliament, regional Legislative Assemblies and in local administrations. No progress was made in the establishing of an independent human rights institution that can protect and promote women rights. Although there is a draft bill for a NHRI, it is inadequate as it does not conform to the Paris Principles and is in fact a regression when compared to a former draft bill which received technical advice from the UN High Commissioner for Human Rights.

The government formal approach to gender equality makes impossible to adopt comprehensive and long term strategy to combat structural discrimination against gender and sexual orientation based discrimination.

Machismo attitudes are widely tolerated. The mass media and the political debate has reinforced them through frequent sexual references, stereotyped expressions and a degrading representation of the body and the role of women in society.

This view is also reflected in the adoption of laws and policies that legitimize these prejudices. Although there is a law that criminalizes racial, ethnic and religious based acts of violence and speech, Parliament denied to recognize gender discrimination, rejecting every draft bill to eliminate gender based and sexual orientation discrimination.

Welfare and employment

The welfare system is deteriorating, Government through devolution and cutting of budget is discriminating women particularly in work life balance, and female employment, for ex. lack of public free nurseries and free care services, longer hours in public school.

Women are in lower paid and unskilled jobs, have more part-time and atypical contracts, and receive less pay for equal work compared to men, even if they are highly educated. There is no social protection for the atypical contracts and this has a significant impact in the final pension calculation.

Women are discouraged to look for a job and to maintain it because of the increasingly heavy expectations at home. This leads to feminization of poverty.

Moreover, at municipal level mayors often use their ordinance powers to exclude migrant families from social security benefits and access to services.

Political participation of women

Although there is a Constitutional guarantee, art.51, there are no measures taken to increase the number of women in politics as recommended by the CEDAW Committee. Government does not guarantee the law is equally implemented in all regions. In Parliament, there is a tacit coalition of men in both ruling and opposition parties to oppose electoral reform for special temporary measures.

Violation of women Sexual and reproductive rights

National and local Governments have adopted conservative policies aiming to promote traditional values and protection of life from the embryo.

The right to women's sexual autonomy and reproductive choice is systematically disregarded.

- Firstly local promotion of pro-life policies has reduced or makes impossible the access to a sexual reproductive service although provided by national law.
- Secondly, about 60% of gynecologists in public health structures objects to voluntary abortion, for ex. In Basilicata region 92,6% of doctors rejected abortion. Government has not taken any action in order to guarantee every woman access to abortion, although guaranteed by national law.
- Thirdly, Health Department guidelines restrict access to emergency contraception and to medical abortion.
- Lastly, the law concerning assisted fertilization explicitly bans prenatal diagnosis and the freezing of embryos, and only allows for simultaneous implant of three embryos. The Constitutional Court declared this as illegitimate, since it provides excessive protection for the embryo, to the detriment of the mothers' health rights.

We also are concerned that devolution in the Health System has resulted in different levels of access from region to region.

Protection of survivors of gender violence

- This conservative approach is also impacted in divorce where gender violence is still not considered as a reason for the exclusion of shared custody.
- A draft bill currently being discussed will force women who have suffered violence to sit at a table with their aggressor and discuss the conditions of custody, making family mediation compulsory.
- There are not enough shelters and furthermore are at risk of closure because of lack of public funds.
- The lack of harmonisation of civil and criminal laws makes difficult for women to obtain adequate protection from domestic violence.
- Undocumented female migrants do not report acts of violence for fear of deportation.

Trafficking and Prostitution

- Although there is a national law guaranteeing trafficked women to obtain a permit of stay and social protection, another amendment of the same law in 2009 now reduces the trafficked undocumented women access to the same rights.
- There is now a draft bill (n. 1079) that is going to make outdoor prostitution illegal and will force women to indoor prostitution and make them vulnerable to trafficking.
- This draft bill is opposed by the committee of the sex workers, organizations working against trafficking and by judiciary as the bill does not recognize the right of self determination of sex workers provided by the national law.

Madam Chair, members of the committee, thank you. We look forward to answer your questions.