

Italy (ratification: 1963)

Articles 1 and 2 of the Convention. Equality of opportunity and treatment for men and women. Legislation. The Committee notes the adoption of Legislative Decree No. 198 of 6 April 2006 enacting the Act on Equal Opportunities between Men and Women which consolidates previous legislation on the subject, including legislation specifically concerning gender equality at work, that is now contained in Part III of the Act. The Committee also notes that the transposition of Directive 2006/54/CE on equal opportunity and treatment between men and women in employment and occupation is currently under discussion. ***The Committee requests the Government to continue to provide information on any further legislative developments regarding equality of opportunity and treatment between men and women in employment and occupation.***

National policy. The Committee notes that under the Act on Equal Opportunities between Men and Women, the National Committee for the Implementation of the Principle of Equality of Opportunity and Treatment between Men and Women shall elaborate a general goal-setting programme encompassing positive action aimed at eliminating gender discrimination in education, training, access to work and promotion, as well as overcoming job segregation based on gender through both the promotion of diversification in education and training and the participation of women in sectors and positions where they are under-represented. ***The Committee requests the Government to supply information on the adoption and implementation of these programmes, including information on the extent to which the Commission for Equal Opportunities between Men and Women, public and private employers, training centres, and trade unions have participated in promoting positive action in accordance to section 43 of the Act.***

Public administration. The Committee recalls its previous comments regarding section 7 of Legislative Decree No. 196/2000 providing that the public administration must prepare triennial plans to promote the access of women in sectors where they are under-represented. It notes that this provision was incorporated into section 48 of the abovementioned Act on Equal Opportunities between Men and Women (Legislative Decree No. 198 of 6 April 2006). Section 48 also provides that public administration institutions recruiting or promoting male employees shall adequately motivate their choice. The Committee notes that according to the findings of the working group established to assess the implementation of this provision, only 25 per cent of the administrative institutions covered by the survey – involving only 13 regional and 55 provincial institutions – adopted an action plan. In most cases, action plans focused on the promotion of a greater harmonization between work and life. However, the Committee notes that women are still under-represented in senior positions and although women employed in the public administration amount to 54 per cent of the total employees, they only receive 29 per cent of the total remuneration paid. In this regard, the Committee notes that, on 23 May 2007, a directive regarding measures to implement the principle of equal opportunity between men and women in the public administration was issued jointly by the Ministry for

Reforms and Innovations in Public Service and the Ministry for Equal Rights and Opportunities. This directive calls for the adoption of positive measures to address current gender imbalances, including promoting women's training, the collection of statistical information on the distribution of men and women in the various positions, and sensitization campaigns aimed at overcoming traditional stereotypes on women's role in society. ***The Committee requests the Government to continue to provide information on the adoption and implementation of triennial action plans in the public administration, notably the results so far achieved in promoting equality of opportunity and treatment between men and women workers. It also requests the Government to supply information on the implementation of the abovementioned directive and to provide the statistical information on the distribution of men and women in the various positions in the public administration.***

Workers with family responsibilities. The Committee recalls its previous comments on section 9 of Act No. 53 of 8 March 2003, providing for subsidies for enterprises adopting measures to meet the needs of workers with family responsibilities, such as flexible working time and training to facilitate the reintegration of workers after a career interruption. The Committee notes from the Government's report that demands for the financing of such projects steadily increased from 2001 to 2006. In 2006, 205 project proposals were received and 99 were ultimately approved and a subsidy was provided. The Committee also notes that these projects were mainly implemented in the northern and central regions (about 70 per cent of the financed projects) and more than 80 per cent of the workers benefiting from them were women. ***The Committee requests the Government to continue to provide information on the projects implemented in accordance with section 9 of Act No. 53 of 8 March 2003. The Committee also encourages the Government to take adequate measures to promote a more equal balancing of family responsibilities between men and women workers as well as a greater awareness of the subject at enterprise level, especially in southern regions, and to provide information in this regard.***

Sexual harassment. The Committee notes that on 20 March 2007, the Supreme Court delivered a ruling on sexual harassment holding that a worker sexually harassing a colleague can be legitimately dismissed. As regards the codes of conduct on sexual harassment applicable to the employees of the Ministry of Labour and the Ministry of the Interior, the Committee notes that both codes establish internal complaints procedures. ***The Committee requests the Government to continue to provide information on relevant case law concerning sexual harassment as well as on any complaints and disciplinary action taken in the application of the codes of conduct.***

Equality of opportunity and treatment irrespective of race, colour, religion and national extraction. The Committee notes the Government's indication that during the reporting period the Office for the Promotion of Equality of Treatment and Elimination of Discrimination based on Race and Ethnic Origin (UNAR) carried out a number of initiatives aimed at preventing racial discrimination, including sensitization campaigns, conferences, seminars and competitions

addressed to primary and secondary schools, as well as awareness-raising programmes focusing on existing legislation. The Committee also notes that conciliation undertaken by the UNAR, under section 7 of Legislative Decree No. 215/2003, contributed to ending discriminatory practices and, in some cases, could also address the adverse effects stemming from them; the UNAR also assisted victims of discrimination to bring complaints before the courts. *The Committee requests the Government to continue to provide information on the sensitization activities and legal assistance carried out by the UNAR and the outcome thereof, including information on the nature of the cases brought to the UNAR's attention. The Committee also requests the Government to provide information on the initiatives taken by the associations that have legal standing in racial discrimination cases.*

Recalling the high level of discrimination experienced by Moroccan workers in obtaining jobs as highlighted by an ILO International Migration Paper (Paper No. 67-1, ILO, 2004)), the Committee notes that on 8 July 2007, the Governments of Italy and Morocco signed an Executive Protocol to the 2005 Bilateral Agreement on Employment. The Protocol stipulates, among other things, that training courses and Italian language teaching shall be organized in Morocco for candidates for the Italian labour market. The Committee also notes from the Government's report that the immigration population, currently amounting to approximately 4.7 per cent of the Italian population as a whole, also includes workers from countries such as Romania, Albania, China and the Ukraine. The Committee notes the concerns expressed by the Committee on the Elimination of Racial Discrimination over the situation of undocumented migrant workers, especially from Africa and Eastern Europe, who are increasingly reported facing serious violations of human rights, including debt bondage (CERD/C/ITA/CO/15, March 2008, paragraph 17). *Drawing the Government's attention to the continuing need to take adequate measures to protect all migrant workers, including undocumented migrant workers, from discriminatory practices in employment and occupation based on race, colour, religion, or national extraction, the Committee requests the Government to indicate the measures taken or envisaged in this respect.*

The Committee notes from the Government's report that a draft law on the protection of the Roma is currently under consideration. Further, the possibility of including Roma minorities among the minorities safeguarded by Law No. 482/1999 on Linguistic and Historical Minorities is being discussed. *The Committee requests the Government to supply information on any further developments in this regard. Please also indicate the measures taken or envisaged to promote a greater participation of Roma people in the labour market, including measures aimed at improving their access to education and training programmes.*

Parts III to V of the report form. Please provide statistical information on the distribution of workers in the labour market disaggregated by sex and, to the extent possible, by race, colour and national extraction, as well as information on the monitoring activities carried out by labour inspectors.