



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

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 681st meeting

Held at Headquarters, New York, on Tuesday, 25 January 2005, at 10 a.m.

Chairperson: Ms. Manalo

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The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined fourth and fifth periodic reports of Italy (CEDAW/C/ITA/4-5, CEDAW/PSWG/2005/I/CRP.1/Add.4 and CEDAW/PSWG/2005/I/CRP.2/Add.3)

1. *At the invitation of the Chairperson, the delegation of Italy took places at the Committee table.*

2. **Mr. Mantovani** (Italy), introducing the State party's combined fourth and fifth periodic reports, stressed that Italian legislation clearly prohibited direct or indirect gender-based discrimination. In October 2003, the Italian Parliament had adopted Law No. 306, incorporating European Directive 2002/73 into the domestic legislative framework. The Act, currently under review by the relevant Ministries, would mainstream gender equality in the labour market, education, professional training and working and social conditions. It would also broaden the definition of sexual discrimination to include sexual harassment and retaliatory measures by employers in response to allegations of discrimination. In fact, existing Italian legislation already exceeded the recommendations of the European Directive, particularly with regard to gender equality in the workplace, parental leave and motherhood. Law No. 125 provided for stricter judicial measures to protect female victims of discrimination. In addition, the mandate of the Office of the Minister for Equal Opportunities established, in May 1986, had recently been extended to combating paedophilia, sexual exploitation and sexual slavery.

3. In keeping with his Government's conviction that the participation of women in political decision-making was an asset to society, article 51 of the Italian Constitution had been amended to ensure gender equality and access to political office. Under Law No. 90, adopted in late 2004 on the initiative of the Ministry for Equal Opportunities, at least one third of the candidates in elections to the European Parliament must be women. Political parties that failed to comply were penalized by a reduction in public funding. As a result, there had been a 20 per cent increase in the number of women elected to the European Parliament in the June 2004 elections. A bill extending those

provisions to other types of elections was currently being reviewed by Parliament.

4. The work of the Ministry for Equal Opportunities had resulted in two long awaited reforms. Under the first reform, the Ministry would chair the National Commission for Equal Opportunities in order to ensure uniform implementation of equal opportunity policies and broader representation of non-governmental organizations (NGOs), trade unions and individuals. Under the second reform, the Minister, with input from the Commission, was compiling all relevant legislation and administrative measures into a consolidated text, entitled "Code of Equal Opportunities", aimed at raising women's awareness of their rights.

5. According to the latest data of the Italian Institute for the Development of Training for Workers, the 1998-2003 period had witnessed a 3.7 per cent increase in the job rate for Italian women workers, nearly double the European average. Within the context of a further increase in employment in 2004, the number of men had decreased from 70.3 per cent to 69.8 per cent, and the number of women had increased from 45 per cent to 45.2 per cent. In the second quarter of 2004, the unemployment rate had declined for both men and women. A new initiative known as "Gender News-Good News" had been promoted by the Ministry of Welfare together with European Union partners France, Malta and Spain. The project promoted the role of female workers with a view to eliminating stereotypes in the workplace and balancing family and work responsibilities.

6. In its 2003 White Paper on the Welfare State and the subsequent National Action Plan on Social Inclusion, his Government had stressed the crucial role of the family in society. The White Paper also provided for the reconciliation of work and family life and the promotion of equal opportunities for women in the workplace. In that connection, the new "Biagi Law" on reforming the labour market provided for greater flexibility, particularly through part-time work, and the Ministry of Social Welfare had recently launched an awareness campaign on opportunities for female workers.

7. Data on female employment showed that the proportion of women in the labour market was up from 44.4 per cent in 2002 to 45.51 per cent in the first half of 2004. Through a fund established in 2000 to provide support to companies that offered flexible working

hours and training and re-entry in the workplace after maternity leave, 23 new projects would be given 2 million euros. In 2003, another fund had been established to assist companies with on-site childcare services; thus far, 10 million euros had been allocated to that end.

8. The Ministry for Equal Opportunities coordinated action to combat violence against women in accordance with the most recent legislation: Law No. 66/96 on sexual violence, Law No. 269/98 on childhood, Law No. 285/97 on the promotion of children's rights, Decree No. 286/98 on trafficking in human beings and Law No. 154/2000 on the forced estrangement of a violent spouse. Additionally, Law No. 66/96, designed to raise public awareness of sexual violence, had led to an increase in the complaints filed by women between 1994 and 2002.

9. The Italian Government accorded top priority to combating trafficking in women and girls. Pursuant to article 18 of Law No. 286, residence permits were issued to ensure social protection, in other words, to enable foreigners to escape from perpetrators of violence and criminal organizations, and to participate in assistance and social-integration programmes. Under that same article, an inter-ministerial commission established within the Department of Equal Opportunities coordinated and assessed assistance programmes carried out by local authorities and the private sector. Up to 70 per cent financing was provided by the national Government for that purpose. From 1999 to 2004, the Department of Equal Opportunities had co-financed 296 social protection projects nationwide, and they had been extremely effective in rehabilitating and reintegrating trafficking victims.

10. In 2003, Italy had adopted one of the most advanced laws in Europe, characterizing trafficking and the slave trade as specific, independent crimes. Law No. 228 on measures against trafficking in human beings was based on the Protocol to the United Nations Convention against Transnational Organized Crime. In November 2004, within the framework of the European Union initiative entitled "Diversity against Discrimination", the Ministry for Equal Opportunities had opened the Office for the Promotion of Equality and Elimination of Racial and Ethnic Discrimination. Additionally, the Ministry of Education, through its "school for development" programme, had stepped up gender awareness campaigns in the workplace and in

schools, assigning specific responsibilities to teachers and sponsoring innovative ways for secondary schools to facilitate female students' access to the labour market.

11. Italy attached paramount importance to women's health and access to health-care services. The latest National Health Plan (2003-2005) promoted a reduction in Caesarean sections, particularly in regions where it was more prevalent, and the Mother-Child Project of April 2000 guaranteed obstetrical and paediatric neonatal assistance for all, administered at both the regional and interregional levels by a network of specialized staff with a wide range of technical resources. An initiative to promote natural childbirth and ensure personalized assistance during labour, contemplated by the social affairs committee of the Chamber of Deputies enjoyed support by all the main stakeholders, including women's associations.

12. In conclusion, his Government believed that the most meaningful approach to achieve further progress was through dialogue with all relevant stakeholders, including political actors, NGOs, trade unions, social partners, specialized bodies and organizations and qualified individuals.

13. **The Chairperson** said that, in an effort to refine its working methods and enhance their efficiency and effectiveness, the Committee, at its thirtieth session, had decided to introduce the practice of country task forces on an experimental basis, beginning with its consideration of Italy's combined reports. Under the revised procedure, a limited number of experts would pose clusters of questions on the four substantive parts of the Convention: articles 1 to 6, articles 7 to 9, articles 10 to 14, and articles 15 and 16. Other experts would then have a brief period in which to pose additional questions. After the delegation gave its answers under each cluster, the members of the country task force would have an opportunity to request clarification on the responses that had been provided.

Articles 1 to 6

14. **Ms. Šimonović** noted the significant legislative reforms introduced by Italy since the submission of its second and third periodic reports. Welcoming the preparation of the combined fourth and fifth periodic reports by an inter-ministerial Working Group, she asked whether it had been formally adopted by the Government and/or submitted to Parliament in order to

obtain information. Had the report been reviewed by non-governmental organizations (NGOs) and what role had they played in its preparation? She also wondered whether the Committee's concluding comments would be submitted to the Government or Parliament in order to heighten the visibility of the State party's obligations under the Convention.

15. The responses to the list of issues contained no statistics on the percentage of women in the judiciary. Additional data on women in universities, especially on those holding professorships, would be appreciated. Nor was there any information on the situation of Roma women and girls, particularly in the areas of education, employment and health. Were Roma girls subjected to double discrimination in school? Why was their drop-out rate higher than that of other children? The delegation should describe any special Government measures or action plans undertaken to address that problem. Commending the State party on its improved legislation on indirect discrimination in employment, she asked whether indirect discrimination in the other fields covered by the Convention was prohibited as well.

16. **Ms. Gaspard** enquired about the State party's tardy submission of reports. After all, it had not had to overcome the kinds of technical and financial obstacles faced by developing countries. The Committee was available to offer help in ensuring more timely submission of the next periodic report. She noted that the combined reports did not respect the guidelines that the Committee had provided to States parties and failed to address a number of issues signalled by Committee members in their consideration of the State party's previous report. Certain articles, for example, article 8, had been omitted altogether. Perhaps Italy, like other European countries, attached greater importance to the European Directive than to the Convention. How familiar were Italian judges, Government officials and civil society with the provisions of the Convention? Was the Convention readily accessible on the website of the Ministry of Equal Opportunities?

17. It would also be useful to know whether Italy had an independent human rights monitoring mechanism to ensure that it complied with its treaty obligations, and, if so, whether it had reviewed the combined reports. Had NGOs been consulted during the drafting process, or informed of the current meeting with the Committee, and had advice been sought from Parliament or a parliamentary commission? The

Committee requested information on the status of the Ministry of Equal Opportunities in the Government hierarchy, its human and financial resources and its capacity for mainstreaming gender equality into all Government policies. She wondered whether that Ministry had focal points in other relevant Ministries, and whether gender-based budgeting was practised at the national and local levels with a view to remedying discrimination.

18. The Committee would appreciate it if the delegation could comment on reports that the women's rights section of the National Commission for Equality had been replaced by a smaller commission that enjoyed less autonomy. She enquired about the conclusions of the study groups on the elimination of discrimination, and those drawn by the Italian Government on the basis of their findings. It would be interesting to know whether the current campaign to promote regional equality in Italy was helping to promote gender equality as well. Lastly, what action was the Government taking to discourage the media from stereotyping or disseminating negative images of women?

19. **Mr. Flinterman** said that he was concerned that the combined reports focused too much on the legal situation in Italy and not enough on the de facto situation, such as legislation, programmes, etc., and lacked conceptual clarity in places. In particular, he wondered how Italy had followed up the Committee's recommendation (A/52/38/Rev.1, para. 362) that, as a State member of the European Union, it should take concrete initiatives to encourage the acceptance by the European Union of the Convention as a fundamental bill of rights for women. While he welcomed the establishment of the Ministry for Equal Opportunities, he wished to know — given its broad scope — how the Government planned to prevent the specific characteristics of gender discrimination from being sidelined.

20. Regarding the ratification of the Optional Protocol, Italy's response to question 3 (CEDAW/PSWG/2005/1/CRP.2/Add.3, p. 3) did not provide any details of court cases filed by women facing discrimination, as requested, and he therefore wondered how aware the courts were of the Convention. According to page 19 of the combined reports, Italy's Constitutional Court had ruled that legislation establishing a minimum quota of women in candidate lists was unconstitutional, even though

article 4 of the Convention required States to adopt temporary special measures. The Committee on Economic, Social and Cultural Rights had also expressed concern that there was a lack of case law in Italy regarding equal pay for work of equal value. He therefore wished to know what the Convention's role was in Italian case law and whether any cases had specifically invoked the Convention.

21. The Committee was also concerned about the situation of immigrant women, who were subjected to many forms of discrimination around the world. For immigrant women in Italy, the problem was not only one of horizontal or vertical segregation, but also, for them, one of a "cement ceiling", a situation exacerbated by the "Bossi-Fini" law of 2002, which placed many restrictive measures on those women. He would appreciate clarification concerning those measures and their impact on such women. With regard to women asylum-seekers, it was not clear from either the reports or Italy's response to question 27 whether gender-related forms of persecution were considered to be a basis for recognition of refugee status. The delegation should indicate whether Italy had any general asylum legislation and, if not, whether the Government was planning to introduce such legislation.

22. On the question of victims of trafficking, the "Bossi-Fini" law had been a step backwards, as it gave far-reaching discretionary powers to local authorities and made it harder for victims of trafficking to acquire residence permits. As for violence against women, despite a number of recent initiatives, he reiterated the concern expressed in question 20 that Italy still did not have a coordinated approach towards the problem. Following the delegation's comment that the Ministry for Equal Opportunities was the coordinating ministry, he would appreciate more information on actions taken by that Ministry, especially since the Committee on Economic, Social and Cultural Rights had recently expressed concern at the low number of complaints of domestic violence filed. Once again, the impact of legislation seemed to be limited.

23. **Ms. Simms** said that, even though the Ministry for Equal Opportunities had a mandate to combat all forms of discrimination, as stated on page 7 of the combined reports, the reports seemed to put ethnic minority women into their ethnic enclaves and view them differently from mainstream Italian women. If that was not the case, she would appreciate concrete

examples. Prostitution, for example, was illegal on the streets, but not in private homes. Many immigrants did not have private homes, however, and she wondered whether such legislation was not therefore discriminatory on the basis of ethnicity and race.

24. Labour legislation provided benefits to help women move into the professions, but many immigrant women in Italy were not professionals, and the Committee therefore wondered what legislation was in place to protect their families from violence and discrimination. On the issue of abortions, she urged Italy to review its statement on page 52 of the combined reports that a higher proportion of immigrant women than Italian women had abortions because they came from countries where abortion was more common than in Italy. Abortion was in fact illegal in many of their countries of origin, and it was important therefore to avoid stereotypes. The Ministry for Equal Opportunities needed to look at the cross-cutting issues of gender, race and ethnicity if it wanted to avoid setting up a hierarchy of women within Italian society. In that regard, she wished to know what concrete measures had been taken since the last report to integrate immigrant women.

25. **Ms. Popescu** said that she would appreciate further information concerning the new forms of flexibility envisaged in the so-called Biagi law on labour market reform, as part-time work — which entailed smaller allowances, pensions, etc. — was often a form of discrimination. In particular, she wondered what impact the increase in part-time possibilities was expected to have and whether men were also being encouraged to make use of the new provisions.

26. **Ms. Morvai** commended Italy on its efforts to harmonize work and family life, which pointed to a clear vision that people were not robots or machines, but human beings, who deserved to be treated with dignity and respect. She hoped to see the same vision applied in other areas. She encouraged the study group on sexuality, discrimination and social integration to consider sexuality from the perspective of equal partners. Moreover, if women were treated with dignity and respect, and not as objects, there would be fewer abortions in Italy and the legalization of prostitution would be unacceptable.

27. **Mr. Serio** (Italy), responding to questions concerning the preparation of the combined reports,

said that, under the current system, reports were prepared and circulated before being submitted to Parliament. The current reports would be submitted to Parliament towards the end of 2005. If, however, the Committee felt that the Parliament should be involved earlier in the process, Italy would consider that suggestion and could ultimately change its working methods. His only concern was that it could further delay the circulation of the report. As for the reasons behind the delay in submitting the combined report under consideration, the new millennium had been a very important time in Italy, with a number of laws relating to gender equality being passed. The Government had therefore decided to delay submitting the report so that it could give a clearer picture of measures taken. As for NGO participation, he reiterated the Government's belief that the most effective way of obtaining results was through participation and dialogue with all social partners. The Government accepted that NGOs did not always agree with the action that it took and was ready to work with them in order to find a solution. The outcome of the consideration of the previous report had been made known to NGOs. Italian NGOs would also attend the upcoming session of the Commission on the Status of Women, which would provide a key opportunity for dialogue.

28. He agreed that the topic fell within the remit of several different ministries, as demonstrated by the composition of the delegation, but he wondered whether it would not be better to give one body overall responsibility. The Ministry for Equal Opportunities had been set up less than a decade before as a direct consequence of the conclusions reached at the 1995 Beijing Conference. The Government knew that the Ministry was not a magic wand, but it had nonetheless been seen as a major step forward in achieving the common goal. All of the bodies involved in matters relating to gender equality had been involved in preparing the report, circulating data and drafting policy, so that all their views would be taken into account.

29. It was, however, up to the political arena to decide if a more comprehensive body should be set up. A number of European Union countries had done just that, and he was confident that, with European Union support, Italy could do the same. Very recently, an Office for the Promotion of Equality and Elimination of Racial and Ethnic Discrimination had been set up in

the Ministry for Equal Opportunities pursuant to a European Union Directive. The Government was now considering whether the Office could be given sole responsibility for all matters relating to discrimination. It was not an easy task, however, as all administrations needed to be consulted.

30. In response to the question concerning responsibility for coordinating national gender equality policy, the Minister for Equal Opportunities — who was a woman — had responsibility for implementing measures and the financial instruments to do so. He wished to clarify that the National Commission for Equal Opportunities, which dated back to 1990, when the Ministry for Equal Opportunities had not even existed, had not been abolished. Its duties had merely been modified to bring them into line with the policies adopted by the Minister of Equal Opportunities in order to avoid a duplication of responsibilities. The Commission therefore still represented all the main actors, such as NGOs, trade unions, civil society, etc.; political parties alone had been excluded in order to prevent the Commission's consultative role from becoming a political one, thereby impeding its effectiveness.

31. The National Commission for Equal Opportunities was by no means an irrelevant body. For example, as stated previously, the Ministry, with the full support and advice of the Commission, was currently compiling a code of equal opportunities, the purpose of which was both symbolic and practical. In other words, its aim was both to stress the importance of equal opportunities now that the amendment to article 51 of the Constitution had been adopted and to educate judges about the issue of women's rights, which covered the entire legal field. The Commission was also in the process of setting up a group of experts who would identify areas where legislative provisions should be transferred to a single legislative body. Only the revamped Commission could perform such a task.

32. **Ms. Borgia** (Italy) said that the establishment of the National Commission for Equal Opportunities in 1990 had been an important moment for Italian women, and that the amendment to article 51 of Italy's Constitution, establishing the right of all citizens to be elected to public office on an equal basis, had represented a major victory after years of struggle by women parliamentarians. The Commission had always insisted that a bipartisan political approach was required in order to combat the general atmosphere of

distrust towards the proposed constitutional amendment and to ensure continuity through successive Governments. Italy was unusual in having an unusually high number of non-governmental organizations (NGOs). The Government machinery for the advancement of women had been trying for three decades to educate and inform NGOs and other women's institutions, but there continued to be a pervasive sense of distrust on their part, and the Commission would welcome the assistance of the Committee in her country's efforts to overcome that distrust.

33. **Mr. Serio** (Italy) said that his Government was developing a project, together with the National Institute of Statistics, to gather and analyse statistics concerning women's access to work and their participation in political and economic decision-making. The Convention would have a greater impact on Italian society following the amendment to article 51 of the Constitution, since the issue of equal opportunities had effectively been raised to the constitutional level. As a result, those who breached the principle of equal opportunities would be civilly liable, and the denial of a women's right to take part in political life could be punishable in law. Italy's courts had witnessed fundamental tests of basic freedoms, and did cite the Convention as a major instrument for the promotion of human rights. The issue of equal opportunities would thus continue to attract public attention, because under the Constitution its achievement was a fundamental national goal.

34. The main purpose of the study groups set up by the National Commission for Equal Opportunities was to formulate strategies on issues relating to equal opportunities, for subsequent translation into legislation. While it was true that the Constitutional Court had ruled against the introduction of quotas, it had done so, not because it sought to deny the implementation of the Convention within the Italian legal framework, but because it feared that to impose a quota on voters was to deprive them of their freedom to choose. However, following the adoption of Law 90 in 2004, the proportion of Italian women members of the European Parliament had doubled. While it was true that Italy remained far behind certain other countries in respect of quotas, it was determined to improve its performance.

35. Committee members had expressed concern about the lack of a global and comprehensive vision

regarding violence against women. However, Parliament's adoption of three key laws had created just such a vision. Under a law introduced in 1996, sexual violence had become a crime against women's dignity, rather than a crime against social ethics, as before. Moreover, because of women's reluctance to report cases of violence, public prosecutors had been empowered to act on the information provided to them. Under a 2001 amendment to the Civil Code, family judges had been empowered to issue a protection order against the offending spouse or order his eviction from the home. Lastly, Law 228 of 2003 on measures against trafficking in human beings had established trafficking as a specific offence and encapsulated the provisions of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

36. With respect to asylum-seekers and foreign women in general, he wished to note that all basic individual human rights were accorded to all persons living either permanently or temporarily in Italy. There were many centres in the country that were equipped with the necessary resources to ensure that immigrant women were able to exercise their rights. However, no specific national institution had yet been established to provide legal aid, and he would inform his country's Ministry of Justice of the Committee's recommendation that such an institution should be set up. The Committee was right to suggest that there were not enough women judges in Italy's highest courts. However, since women had been given the right to enter the judiciary only in 1964, Italy had not had sufficient time to raise the number of senior women judges significantly. Measures would be taken by the judicial system to improve opportunities for women judges. The European Union was indeed taking steps to raise awareness of the Convention. In that regard, the forthcoming meeting of the European equal opportunities ministers would consider a recommendation that all States Members of the European Union should achieve full and effective implementation of the Convention and its Optional Protocol.

37. **Mr. Clavarino** (Italy), addressing the Committee's questions regarding education, said that Italian society in general was moving towards a situation in which women were taking the lead in areas traditionally dominated by men. That was also true at all levels of the education sector. Among the younger

generation, women were outperforming men in certain areas. There were many women doctors, researchers, pharmacists and computer technicians, and more women were being appointed as school principals. The changes were due to the development of innovative curricula, the partial elimination of stereotypes, the empowerment of women, and the general increase in democracy within the family and in society as a whole.

38. Italy had also taken steps to address the educational and social needs of immigrant women and children. The Government was acting through local authorities and skilled local cultural mediators to address the needs of the 40,000-strong nomadic Roma community. The female director-general of a newly established directorate general for students was in charge of the country's policies in the area of education. There was also a network of 20 regional representatives, teacher trainers and tutors, who offered training seminars to immigrant communities.

39. **Ms. Menichini** (Italy) said that her country's code on immigration was very comprehensive and addressed both the need to combat illegal immigration, as well as the need to ensure foreigners' rights pertaining to education, family reunification, employment and access to social benefits. Immigrant women benefited from specific rules, such as the provision prohibiting a pregnant woman's expulsion from Italy. Another important aspect of the code was that it both regularized the status of illegal immigrants and simultaneously combated the informal labour market. The latter had been highlighted in the National Action Plan on Employment, and its success could be gauged by the fact that it had curbed the illegal labour market. As a result, today almost 700,000 people had the right to work legally in Italy, a high percentage of whom were women.

40. The reporting State also wanted to highlight the importance that it attached to the integration measures provided under the code on immigration. The last section of the code, for example, was dedicated to the integration of immigrants, and specific rules had been laid down to fight discrimination in accordance with European Union Directive on the issue. A specific commission on integration policies had been allocated funds, most of which had been transferred to the regional and local authorities to implement the integration measures. Local authorities carried out numerous projects to integrate immigrants, some of which were financed by the Government, in particular

by the Ministry of Labour and Social Affairs. Most of the projects pertained to cultural mediation, and were particularly useful to women, for example, by helping them gain access to the labour market, health-care institutions, schools and hospitals.

41. **Ms. Iacolino** (Italy) said that the national health system, which was based on the principle of universality of access, covered the whole of Italy. There had been a general reduction in the number of voluntary abortions since the adoption of Law No. 194/78, although an increase had been recorded among immigrant women, with the number of clandestine abortions totalling 21,000 in 2000. Part of Italy's 2003-2005 National Health Plan strategy was to reduce the number of voluntary abortions, particularly among immigrant women. To that end, the Ministry of Health had taken many measures to facilitate access to health facilities and to family consultative centres where psychological assistance was available. Lastly, pursuant to European Directive 2000/43/EC, which had led to the establishment of an office for the elimination of all discrimination on the basis of ethnic origin, religion or sex, both direct or indirect discrimination, were now covered by law in Italy.

Articles 7 to 9

42. **Ms. Gaspard** commended Italy's amendment of article 51 of the Constitution, which had made it possible for measures to be taken, as called for in article 4, paragraph 1, of the Convention, for example, in 2004 with regard to the European election law. The Committee would appreciate information on the election law in the reporting state and on the reasons for the law representation of women among Italy's delegates to the European Parliament.

43. Information should also be provided on the issues addressed in the other laws that were currently under parliamentary consideration. For example, it had been pointed out that no voting list for Parliament was available, hence the difficulty in applying quotas to the list when a constituency only had one candidate. In addition, the Committee would appreciate statistics on women's representation in regional and local assemblies, where, according to reports, women made up only 16 per cent of deputies. In that connection, she suggested that assistance might be provided to raise women's representation in municipal bodies.

44. It was not clear whether any substantial increase had taken place in the number of decision-making positions occupied by women in the civil administration and the judiciary since the submission of Italy's previous report. The reporting State should provide statistics to show the evolution of the overall situation. Lastly, she requested figures showing any upward trend in woman's representation in the diplomatic corps since the 1977 report and asked whether any measures had been taken in that regard, such as allowing couples to work in the same location.

45. **Ms. Šimonović** said the limited number of women in politics and decision-making positions in Italy constituted discrimination and was contrary to article 7 of the Convention. When the Committee had examined Italy's second and third periodic reports, its concluding comments had expressed concern in that connection. Some eight years later the combined fourth and fifth periodic reports showed that the situation was almost unchanged, and there was no evidence that the Government was attempting to redress it. Page 18 of the report explained that the shortage of female representatives in the political arena was due to factors deeply rooted in Italian culture: the perception of women as being weak and the intrinsic feature of the Italian ruling class to perpetuate itself. The stereotypical notion that women were weak had been repeated in the delegation's introductory statement. She, therefore, asked the reporting State whether the Italian Constitution or any other law contained a definition of discrimination against women in accordance with article 1 of the Convention.

46. **Ms. Shin** was surprised to read Italy's definition of formal and substantial equality in the combined reports since it differed from the Committee's understanding of de jure and de facto equality. The reporting State should, therefore, clarify its definition, and indicate whether any specific measures were in place to accelerate women's political representation. For example, the reporting delegation had mentioned that a bill containing the same provisions as the European Parliament election law was under discussion in the Italian Parliament. Information should also be provided on Italy's definition of substantial equality and temporary special measures, which the Committee deemed to be very important to bring about de facto equality, namely, equality in results, not only in opportunities.

47. **Ms. Belmihaub-Zerdani** said that women's extremely low representation in parliaments should increase in every part of the world, so that it would not be just in the Scandinavian countries or in individual countries like Rwanda or Costa Rica where their representation was at acceptable levels. Governments might enact laws compelling political parties to nominate female candidates and to ensure they were eligible, on an equal basis with men, to be elected to office. A system of government subsidies could be introduced to provide incentives for parties in that regard. Another measure could be to establish initially a 30 per cent quota for female candidates.

48. **Mr. Serio** (Italy) said that, under the European Parliament electoral law amended in 2004, any list of candidates had to contain at least one third of each gender. That, however, did not provide any guarantee that the candidates would be elected. In that regard, the Constitutional Court had clearly stated that no predetermination of the political outcome could be made compulsory by the legislator, in other words, the voters' right of a free choice was an overriding concern. Such measures, nevertheless, could have an impact in the future.

49. Provisions that previously applied to European elections were now applicable to all national and local elections in Italy. The technical points raised by Ms. Gaspard were of utmost import and related to the electoral system that would be adopted. Since Italy had two systems, one based on the first-past-the-post principle and the second on proportional representation, Italy had to find the right balance between the two. The issue was very controversial. For its part, the Ministry for Equal Opportunities was trying to ensure that substantial equality would be achieved while also upholding other fundamental principles.

50. When the Government had stated its intention to achieve formal and substantial equality, it had envisaged eliminating the barriers preventing equality of opportunities as well as promoting positive measures. That included providing childcare services in all workplaces and making parental leave available to both men and women. While that was a cultural process, the Convention was certainly an important factor in achieving progress. Lastly in reply to the question as to whether the Convention had parity with national law, he said that, as soon as article 51 had been amended, changes for the better had occurred, for

example, the Convention now had protection under the Constitution.

51. **Mr. Cavallari** (Italy) said he had no precise statistics on the number of female ambassadors, but felt that there was the same lack of representation in that field as in public administration. Nevertheless, recent trends showed an increase in the number of women ambassadors and directors-general, and women were increasingly represented at all diplomatic levels. In the past decade, more than a third of all new diplomats had been women. Although no specific norms existed to assist or improve the situation of couples in the diplomatic service, the Government was currently trying to accommodate their needs, for example, by allowing postings to the same location.

52. **Ms. Borgia** (Italy) said that, regarding the number of Italian women in the European Parliament, there were currently 16 women out of 78 Italian delegates, or 19.5 per cent of the total. At the previous session European Parliament there had been 10 women out of 87, comprising 11.5 per cent of the total. Therefore Italy had almost doubled its female representation in the European Parliament. She was convinced that there was a need for a movement in Italy to help further women's representation in politics, and it was currently being organized. She hoped that non-governmental organizations would be able help bring about an amendment to article 47 of the Constitution on the organization of political parties. Greater transparency was needed to force men to admit women to parties as they would never relinquish their positions voluntarily.

The meeting rose at 1 p.m.