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Gender Mainstreaming in Italy: Lessons to be learnt from good practices

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1. Introduction

Italy has a relatively good legislative and institutional framework in the area of gender equality and equal opportunities. However, gender equality is far from being effectively implemented, especially in the economic sphere.

1.1. Institutional and legal background in Italy

The legal background for the realization of gender equality is usually considered to be relatively well developed. Gender equality is a fundamental right, a common value of Italy, stated in the constitution¹, adopted in 1948. It is considered a necessary condition for the achievement of the objectives of growth, employment and social cohesion.

Efforts to achieve gender equality have been made chiefly by adopting and/or implementing equal treatment legislation, occasionally enacting gender specific measures (almost exclusively in the area of reconciliation between paid work and family life), as well as by establishing relevant gender equality structures and monitoring mechanisms. Moreover, the so called “affirmative action” has been legitimized in Italy in order to promote equal opportunities at the workplace.

1.1.1. Gender Equality Structures

The **Ministry for Equal Opportunities** was established in 1997. The **Department for Equal Opportunities** (established by Prime Ministerial Decree No. 405 of 28 October 1997) is committed to promoting and coordinating the Government’s actions relating to: violations of the fundamental right of integrity and the health of women and girls; exploitation and trafficking in persons; violence against women.

At the national, regional, and provincial levels, Law 125/1991 provided for the appointment of **Equality Councillors** by the Minister of Labour, upon designation of regions and provinces, after hearing the trade unions. In 2000, the procedure has been reformed, specifically innovating the discipline on affirmative action and the role of the equality Councillor. Legislative Decree 161/2000 redesigns with an enhanced and stronger role for the Equality Councillors, to be articulated at the national, regional and

¹ The prohibition of discrimination on grounds of sex is one of the pillars of the Italian legal system, as authoritatively stated more than once by the Constitutional Court. Art. 3 (first paragraph) of the Constitution sets forth the inviolable principle, aimed at ensuring the equality of all citizens before the law and at prohibiting that gender like race, language, religion, political opinion and personal and social conditions might be a source of discrimination. Art. 37 states “the right of the woman worker to the same wages for the man worker, for equal work”, under the motto “equal pay for equal work”. On this basis it is developed a set of standards aimed at ensuring equal rights in the area of the access to employment, training, working conditions and social protection. Besides, the Constitution reserves special attention to the maternity: “working conditions should allow (the woman worker) the performance of her essential role in the family and ensure the mother and the child adequate protection”.

provincial levels, depending on the level of influence of public and private structures affected by their actions. This figure performs "functions of promoting and monitoring the implementation of the principles of equal opportunity and non discrimination for women and men at workplace" (Art. 1) and is appointed by Decree of the Minister of Labour, jointly with the Minister for Equal Opportunities (Art. 2). This figure plays a crucial role with respect to the implementation of the principle of non-discrimination at the workplace, legally assisting individual workers or groups of workers, when required. Equality Councillors – at the national, regional and provincial level - are not explicitly assigned an institutional role in the decision making process leading to the formulation of policies directly or indirectly dealing with the gender issues. In principles, they could take up the initiative, support gender analysis and the gender impact assessment of policy proposals. However, this is not the case lacking of the necessary expertise and resources.

At the national level, the Minister of Labour appoints the **National Equality Counsellor** whose main task is to monitor the compliance with antidiscrimination rules and represents a specific functional Authority for effectively ensuring the respect for gender equality at workplace. In 2000, the role and functions of the National Counsellor have been enhanced by the establishment of the National Network of Equality Advisors, consisting of 220 regional and provincial equality advisors. The National Equality Counsellor is a technical figure, therefore it should be characterised mainly by professional skills and experience in the area of equal opportunity, non discrimination at the workplace and affirmative actions; however, it is designated by the Ministry of Labour and works within the Ministry of Labour. Hence, there is intrinsically a risk of lack of independent judgement in making assessment of policy proposals from a gender perspective.

1.1.2. Gender Mainstreaming and Gender Budgeting

There are no legislative provisions on gender mainstreaming (GM) measures; moreover, there is no tradition of national action programmes for the promotion of gender equality in Italy. However, in order to implement a gender equality approach at both the national and regional level some initiatives worth mentioning have been developed in the area of gender budgeting and the promotion of actions for equal opportunities.

In 2000, for the first time in Italy, an international conference on gender budgeting was organized, financially supported by the Department for Equal Opportunities and the Equal Opportunities Commission. Since then, some local experiences on gender budgeting have been carried out (by provinces, municipalities and regions). In 2002, with the aim of spreading gender budgeting and best practices on equal opportunities, a "Network of Provinces and Municipalities"² was established.

In 2007, the national Budget Law for the year 2008 (L. 244, December 2007) decided to experiment and to test the gender budgeting policy at the national level: in particular the Ministry of Health, the Ministry of Education, the Ministry of Research and the Ministry of Labour were involved in this testing.

1.1.3. Statistics disaggregated by sex

From the point of view of the statistical information on gender issues, the Budget Law for the year 2008 (L. 244, December 2007) has established a special Fund aimed at developing statistics disaggregated by gender. The National Institute for Statistics (ISTAT) is in charge of this project. Since then, ISTAT has also made available new

² Rete tra Province e Comuni per la diffusione di azioni sulle pari opportunità.

publications concerning gender statistics and gender analysis on different topics related to gender issues, filled with indicators from different statistical sources. This kind of product is available to a large public, since it has a “user friendly” approach and users are guided in the reading of the tables and graphs.

1.2. Lack of effective equal opportunities in the labour market and in society at large

Over the last decades, an increasing number of women have attained the highest levels of education and entered the labour market. Nevertheless, inequalities remain, together with the persistence of gender stereotypes and an unequal share of family responsibilities.

In 2010, the rate of women employed amounted to 46.4%, well below the 60% Lisbon target but with a different situation between the Southern Regions (*Mezzogiorno*), with a rate around 30%, and the Northern Regions, with a rate of 58%. It should be pointed out that Italy is the country in the EU27 with the second lowest female employment rate (after Malta) and also among the countries recording a moderate increase in the last decade.

In Italy women continue to be underrepresented in the labour market, in the workplace, in decision making positions, in politics. In particular, Italy is characterized by a clear marginalisation of the women’s role in decision making positions, especially in the political decision making processes. By comparing the situation with other EU countries, Italy is marked by a significant gender unbalance in the elected positions, which poses Italy among the lowest places in the EU ranking. In terms of Parliament seats for women, the number of women deputies and women senators is very low (19% and 21%, respectively). At the governmental positions level, the rate of women amounted to approximately 11% (but none in key ministries). The very low representation of women in decision making positions, especially among policy makers, is certainly a very serious constraint for the implementation of gender mainstreaming and gender impact assessment.

It is widely acknowledged that sustained measures (including the use of temporary special measures, such as gender quotas) to increase the representation of women in elected and appointed bodies should be taken to increase the number of women in political and public positions. Recently, this position has been made by the Committee on the Elimination of Discrimination against Women (United Nations) that considered the sixth periodic report of Italy (CEDAW/C/ITA/6)³.

2. Transferability issues

2.1. Transferability of good practices

2.1.1. Definition of the concept

A key issue with respect to the transferability of good practices on gender mainstreaming of Belgium and Sweden is concerned with the definition of the concept.

In Sweden gender mainstreaming is the Government’s main strategy to achieve the policy goals set up for gender equality policy. This means that “a gender perspective is incorporated in all sectors and at all levels of decision-making.” (DP SE: 2). And this is

³ See question 20 (p. 5) in: “List of Issues to be taken up in connection with the consideration of the sixth periodic Report of Italy”, (CEDAW/C/ITA/Q/6).

done at the Government offices (at the national and regional level) through a systematic integration of a gender equality perspective in all policy areas.

In Belgium gender mainstreaming is defined as an approach, or better as a process, that is a guiding principle that should inform all federal policies. It is stressed that it is important that GM is maintained as a process, that is a strategy, not transforming it in a goal in itself. The aim of GM is to correct and avoid inequalities between men and women in federal public policies; thus, it is a strategy to transform the policy decision process, preventing problems ex-ante rather than correcting the problems ex-post.

Italy not only lacks a genuine GM approach, but also lacks a general knowledge of the concept by policy makers and officials. It should be pointed out that the GM concept is quite widely misused, also in official documents (see, in particular, the 6th CEDAW Report of Italy)⁴. It is quite common to find the expression “gender mainstreaming” in official documents, however GM is simply used to stress in a rhetorical way that a gender perspective has been adopted or that the gender dimension has been, somehow, considered. In short, in Italy gender mainstreaming is never used as a process to inform all stages of the policy making with the final goal to achieve gender equality.

2.1.2. The role of pilot initiatives

GM has long tradition in Sweden, going back to 1994. The implementation of GM is more recent in Belgium, where a pilot project was carried out in 2000-2002. On the basis of this pilot project as well as other initiatives, the federal law on GM was drafted and finally enacted in 2007.

The pilot project played an important role in the Belgian case, allowing a better understanding of the GM approach and the identification of the conditions required for its successful implementation (need to promote cooperation among different ministers, need for organisational change, support and evaluation from an independent body).

Given the lack of effective and genuine GM approach in Italy, it would be useful to prepare and launch a GM pilot project, starting at the national level in a key Ministry.

2.1.3. Need to institutionalize the Gender Mainstreaming process

The successful experience of Sweden, as well as the more recent experience of Belgium, support the idea that it is crucial to institutionalize the GM process. This implies the enactment of legal provisions (such as the federal law on GM in Belgium) providing for the evaluation of all bills and regulations from a gender perspective, in order to prevent and correct any detrimental effect on gender equality, possibly reducing existing gender inequalities.

In Belgium, the 2007 Federal Law introduced the obligation for all ministries and their administration to explicitly take up a gender mainstreaming approach when drawing up a policy measure.

In Sweden, a governmental decision was made in 1994, with the enactment of the Gender Equality Law, adopting gender mainstreaming as the guiding principle for the achievement of gender equality.

The institutionalization of the GM process is not a sufficient condition for assuring an improvement in the quality of policies, that is adopting a genuine gender perspective aiming at eliminating existing gender inequalities. Nevertheless, it is an important first

⁴ *Sixth Periodic Report of Italy, Relating to the UN Convention on the Elimination of all Forms of Discrimination Against Women*, 16 December 2009 (CEDAW/C/ITA/6).

step in order to achieve the systematic integration of a gender equality perspective in all policy areas.

2.1.4. Structures

Organisational support structures for GM work play a key role both in Sweden and in Belgium.

In Sweden, at the regional level, the “Swedish Association of Local Authorities and Regions” runs a program for GM. The main goal of this program is to support municipalities and county councils to develop gender equal services for all citizens, through public funding of projects designed to develop and improve services.

In Sweden, at the national level, the systematic integration of a gender equality perspective in *all* policy areas is supported by a structure set up for the GM work at each ministry.

In Belgium, a key institutional arrangement for implementing the federal law on GM is the “interdepartmental coordinating group” (CIG), established by royal decree in 2010. This structure should promote the collaboration within the federal departments (favouring also the exchange of good practices) as well as the production and utilisation of instruments and tools (such as manuals and the gender test) within the ministries.

Moreover, in Belgium the *Gender Institute* (the Institute for Equality of Women and Men), created in 2001 as an independent body in charge of gender issues, plays a key role in the implementation of GM. The federal law has entrusted the Gender Institute to monitor and support the integration of the gender dimension into law proposals, public policy and action programmes at the national level. Moreover, the Gender Institute has a specific annual budget (€ 60,000) to support the GM work and to develop the necessary tools and actions (manuals, database, training, ...).

The good practices in Sweden and Belgium show that organizational support structures are essential in order to develop the necessary expertise, to support the GM work and to monitor the process. The solution adopted in Belgium, with the entrust of supporting and monitoring tasks to an independent body, seems particularly interesting for the Italian case.

2.1.5. Actions and tools

A series of actions and tools have been developed both in Sweden and in Belgium to support the GM work, both at the national level (within ministries, in both countries) and at the regional/ local level (in Sweden). Among the actions and tools developed so far (and mentioned in the two Discussion papers) the following have to be mentioned:

- manuals (on gender mainstreaming and gender impact assessment, etc.);
- database (for gender equality analysis to be used for gender budgeting and/or gender impact assessment);
- gender equality analysis;
- gender test;
- gender note;
- gender budgeting and gender impact assessment;
- training activities;

- evaluation (quantitative and qualitative) of the gender mainstreaming process and outcomes.

These activities and tools require specific expertise (statistical skills, research knowledge in relevant policy areas, etc.) and adequate resources (i.e. staff to support the process of gender mainstreaming, including reporting).

2.1.6. Gender Mainstreaming at the national and at the regional/ local level

The Swedish case shows that gender mainstreaming can be a successful strategy to achieve gender equality if a gender perspective is incorporated in all sectors and at all levels of decision-making, planning and implementation of policy measures. Thus, the GM process must be implemented on every policy area, both at the national level (within all ministries) and at the local level (regional and local governments).

The Swedish model can be taken as the ideal model for gender mainstreaming, where GM is identified as a strategy for achieving gender equality in society at large, in all domains. This implies:

- the integration of a gender equality perspective in all decision-making processes in all policy areas;
- the implementation of gender mainstreaming at the national level, in all ministries;
- the implementation of gender mainstreaming at the local level (regions, municipalities, county councils) not only with respect to local policies but also with respect to the services provided by the local authorities (municipalities and county councils).

The Swedish integrated model is undoubtedly difficult to be achieved in a country like Italy, where several pre-conditions are far from being reached. However, it should be taken as the ideal model, on the basis of which planning a thorough pilot-project.

2.2. Possible constraints

2.2.1. Pre-conditions

Several pre-conditions for the effective implementation of GM work have been singled out both in the Swedish and in the Belgian case. The lack of these pre-conditions undermine the effective adoption of a gender equality perspective in the decision-making process.

Among the pre-conditions mentioned in the two Discussion papers the following have to be mentioned:

- availability of statistics disaggregated by sex;
- use of statistics disaggregated by sex and of gender analysis in the gender impact assessment of policy measures;
- awareness among decision makers and politicians about gender inequalities and the non-neutrality of policies;
- high level management commitment and support, essential for successful implementation of GM;

- availability of specific expertise (correct use of indicators, gender impact assessment, gender budgeting, etc.) to support the work of decision-makers;
- a specific budget for the implementation of GM at the national and/or regional/provincial level; GM is not a costly process, however a specific budget to finance activities, tools and projects is essential.

Some of these pre-conditions are relatively easy to be fulfilled, as is the case of the availability of gender disaggregated data, while others are difficult to be achieved as they depend on cultural norms and values. In the case of Italy, I would add a further pre-condition related to the very low representation of women in decision making positions, especially among policy makers. This certainly a very serious constraint for the implementation of gender mainstreaming and gender impact assessment.

2.2.2. Lack of an independent structure supporting the GM work

As already pointed out, gender mainstreaming as a process is not implemented at the national level in Italy. The National Equality Councillor (at the Ministry of Labour) could however play a role at least in the area of employment policies. However, this is not the case, being this figure somehow dependent on the Ministry of Labour.

The case of Italy is a clear example of the difficulties for the successful implementation of GM due to the lack of an independent structure. The 4th of November 2008, the National Equality Councillor (Prof. Fausta Guariello) was removed by decree of the Ministry of Labour (Mr. Sacconi). The motivation reported in the decree is based “*on a radical disagreement about the legislative provisions adopted by the Government*” and the necessity that the National Equality Councillor “*operates in coherence with the political plans of the government*” (free translation from the original document).

- The National Equality Councillor made some critical remarks on the policy proposals of three legislative decrees (D.L. n. 93/2008; 97/2008 and 112/2008) on employment policies. She argued that some provisions would have had a negative impact on female employment. In particular, she criticised the “abolition of the supplementary taxation on overtime” (as it would increase earnings inequality between men and women) and the “repealing of the law on voluntary resignation” (as it would represent a step back in the legislation aimed at preventing gender discrimination).
- The institutional role of the National Equality Councillor (originally introduced in Italy in 1987) is set by law (*Codice delle pari opportunità tra uomo e donna*, D. lgs 198/2006); it is clearly stated that it is a highly technical role, and not a political one; finally, the law attributes to the Councillor the authority to take all initiatives useful to contract discrimination and promote equal opportunities.

The decision taken by the Government, and the motivation on which it was based, is emblematic. The action taken is in contrast with the idea to attribute to an independent authority the role of monitoring the realization of equal opportunities, including gender mainstreaming and gender impact assessment of employment policies.

3. Policy debate

As a national expert on gender and employment (EGGE network) I have analysed the Italian NRPs (National Reform Programme) from a gender perspective. In 2009 I concluded:

“The main findings from the evaluation of the Italian 2009 NRP progress report and employment policies is that the gender dimension is systematically left out. Policies are never submitted to a genuine gender mainstreaming process and the overall policy approach to address the problems of the Italian labour market is inadequate in gender terms. These critical observation are all the more important given the recent economic crisis. The gender impact of the economic crisis is not discussed in the progress report and policies in response to the crisis lack a gender dimension. Gender policies have been put aside even more than in the past.” (Villa 2009, p. 37)⁵

At present, the absence of gender mainstreaming (at the national level) is particularly critical with respect to two policy issues:

- announced reforms of taxation (shift from individual taxation to family taxation);
- the economic crisis and the policy measures adopted to reduce public deficit.

3.1. Taxation

The 2009 NRP reiterate the announcement of a radical reform on taxation, with the introduction of the so-called *quoziente familiare* (i.e. family-based taxation system, taking into account the family size and the total number of dependents) without explaining it and without considering the potential negative impact on female employment. Paradoxically, this innovation in the taxation system is listed in the 2009 NRP (p. 78) as a measure favourable to female employment! Alternative fiscal measures useful to support female employment are not considered. Moreover, the negative impact on second earners (i.e. women) is not considered at all. This is very critical for a country with an extremely low female employment rate (only 46,4% in 2010). This is a clear example of the state of confusion of Italian policy makers on policies to foster female employment. It is very common to find statements and declarations of intentions mixing up policy measures with very different goals (female employment, poverty among minor children, low fertility, inequality among households, etc.), simply assuming that whatever it is done with respect to the family, it is also good for women!

3.2. Fiscal consolidation and cuts in funds for social policies

The attempt by the Ministry of the Economy and Finance, Mr. Tremonti, to readdress the public budget in order to curb public expenditure, and progressively reduce net borrowing, has implied a drastic reduction of public expenditure, including the financial resources made available by the central government for social services.

The decision to drastically reduce the resources allocated to the funds specifically created at the central level for the provision of social services at the local level has, inevitably, a direct large negative impact on the people in need of these services (by

⁵ Villa, P. (2009: 37), “Gender Assessment of the National Reform Programme on Employment. Report on Italy”, External report commissioned by and presented to the European Commission Directorate-General for Employment, Social Affairs and Equal Opportunities, Unit G1 ‘Equality between women and men’.

definition, the weakest members of society) and on their families, that will no longer be able to rely on the services previously provided. In a family-centric society, as is the case of Italy, where women are expected to be caregivers, the new burden will fall disproportionately on women. Moreover, the drastic cut in the provision of social services will also affect the people employed for the provision of these services, that now face the risk to lose their job. It should be pointed out that in Italy social services at the local level are provided mainly by social cooperatives, that have been expanding over the last two decades filling the gap left by the Italian weak welfare state. And the vast majority of people working in Italian social cooperatives are women (75%).

The 2011 budget law, approved in December 2010, has planned three-year budgetary adjustments that will progressively reduce net borrowing. Two thirds of the adjustment is to come from reductions in expenditure. Among the several areas affected by the drastic cuts in public expenditure, that of social policies has been very severely affected undermining the very existence of minima welfare services to people in need and families⁶.

⁶ One of the structural weaknesses of the Italian welfare system is the lack of social services for families and their frail family members (including support for non-autonomous people, elderly care, childcare services, inclusion of migrants, etc.). Over the last decade ten funds for social support were created (four in 1997-1998 and six in 2006-2007). In 2008, these ten funds could rely on a total budget of 2,527 million euros. The resources set in the public budget by the central Government are allocated to the Regions that provided to distribute the resources to the local administrations (communes) for the provision of the social services, mainly through social cooperatives. The budget law for 2011 has involved a very dramatic cut, lowering the total amount of resources to only 538 million euros in 2011, down to 340 million euros in 2012 and further down to 271 million euros in 2013. A contraction of such huge proportions (-78% between 2008 and 2011) will inevitably imply the cancellation or the drastic contraction of several types of services and initiatives, a large number of them organised by local authorities already severely hit by the budget cuts, with severe negative implications in terms of gender equality. See Misiani A. (2010), "Finanziaria 2011: fine delle politiche sociali?", Dicembre, NENS, in: <http://www.nens.it>