



ITALY

ASYLUM

On 22 October, a Ministerial decree listing “safe countries” came into force. The list includes 13 countries of which five (Algeria, Ghana, Morocco, Senegal, Tunisia) criminalise same-sex relations. The decree failed to make an exception for LGBTI asylum seekers. Asylum seekers from safe countries will undergo a “fast track procedure”. No appeals are possible. 51 civil society organisations signed an appeal against the decree.

BIAS-MOTIVATED SPEECH

On 14 January, a court in Turin ruled that descriptions of the LGBTI movement aiming to “spread paedophilia” by anti-LGBT speaker Silvana de Mari, amounted to defamation.

The annual meeting of the anti-LGBT World Congress of Families, supported by the government, was held in Verona on 30 March. Civil society delivered over 143,000 signatures to the government, protesting the meeting. Tens of thousands held a demonstration on the day of the event. Activists projected huge displays declaring, “Love Makes a Family” in the city.

BIAS-MOTIVATED VIOLENCE

Numerous hate crimes against LGBT people were documented this year, including two murders in May and June. On the occasion of IDAHOT, Arcigay released its documentation of hate crimes and discriminations that were committed against LGBT people in the past 12 months. Arcigay collected 187 cases, which marks a stark increase compared to 119 in the previous year. As a response, Arcigay launched a campaign against homophobia and transphobia.

BODILY INTEGRITY

As part of the UPR, Italy was recommended to ban medically unnecessary and non-consensual surgeries on intersex children.

The UN Committee on the Rights of the Child recommended Italy to implement a human rights based healthcare protocol for intersex children, ban non-consensual and medically unnecessary surgeries, guarantee bodily integrity, autonomy and self-determination to children concerned, and provide families with intersex children with adequate counselling and support.

DIVERSITY / EDUCATION / EMPLOYMENT

On 19 February, the Court of Cassation reaffirmed the judgment of the first instance court from 2014 and found in favour of a manager, who was repeatedly called “faggot” by his employer.

On 1 May, Arcigay launched the Have I Told You?/Te L’Ho Mai Detto? campaign to increase the visibility of LGBT people in employment, featuring six protagonists from the community.

The opinion of the CJEU Advocate General, Eleanor Sharpston, published on 31 October, established that an interviewee on a radio show, who said he would never hire a “homosexual” person, violated the principle of equal treatment set out in Council Directive 2000/78/EC.

EQUALITY AND NON-DISCRIMINATION

On 27 July, the region of Emilia-Romagna adopted the “Regional law against discrimination and violence on the basis of sexual orientation or gender identity”. The adoption was preceded by a 39-hour discussion in the Regional Council.

Three Italian trans women were stopped and returned from the airport when arriving for holiday in Egypt, because their gender expression did not match the legal gender in their IDs. Arcigay highlighted the case as a prime example of how delays in legal gender recognition affect trans people.

Italy underwent its third UPR review in November and received 17 recommendations on LGBTI issues, including to renew the National LGBT Strategy.

The CRC recommended Italy to prevent discrimination and if needed, take affirmative action for the benefit of LGBT children and children of LGBT parents.

FAMILY

In January, the Ministry of the Interior amended the decree on “issuing electronic ID cards”, setting out that electronic ID cards for minors will be issued at the request of “the father and the mother”. The previous wording included “parents”. The amendment discriminates against children who have same-sex parents.

On 8 May, the Court of Cassation ruled that a Canadian ruling



recognising two fathers whose child was carried to term by a surrogate is not valid in Italy. The Court stated that surrogacy is contrary to public order, constitutional values, and the dignity of women. The partner of the biological father will have to apply for stepchild adoption.

On 18 June, the Constitutional Court confirmed the constitutional legitimacy of the ban on same-sex couples accessing IVF.

On 21 October, the Constitutional Court declared the case of two mothers in Pisa, regarding the registration of their child, inadmissible.

On 11 November, the Court of Cassation referred a case to the joint chambers of the Court on whether full same-sex adoption processed abroad should be recognised in Italy, where only married (different-sex) couples can adopt.

Italy received a UPR recommendation to recognise same-sex parents and allow for adoption by same-sex couples.

FREEDOM OF ASSEMBLY

A record number of 43 Pride marches took place this year.

HEALTH

A lack of available hormones had a harmful impact on the trans community this year, affecting those using testosterone. Although the shortage is the fault of the company producing the drug, activists warned that it is a symptom of the failing trans healthcare system in the country. Most health clinics failed to obtain hormones from abroad.

The drug Progynova, used as part of hormone replacement therapy, was moved to a different cost coverage category (Fascia A to Fascia C). From 1 October onwards it will have to be fully paid for by users. This results in a 300 per cent price increase.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

Gianmarco Negri, Italy's first trans mayor was elected in the town of Tromello in May. Negri beat the candidate of the far-right League party.

"The politics of arrogance, violence and oppression, sooner or later will be overcome by a kindness revolution."

- Gianmarco Negri, Mayor of Tromello to The Guardian

PUBLIC OPINION

Results of the first European survey on SOGI based discrimination in sports were published in May. The study found that the level of homophobia and transphobia in sports was higher in Italy than the European average.

The Eurobarometer survey, published in September, found that Italy continues to be below the European average in terms of social acceptance of LGBTI people.