

# **DOTCOM: The Disability Online Tool of the Commission**

## **Italy**

### **A. UN Convention status**

#### **A1. Ratification or conclusion of the UN Convention**

Italy signed the UN Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol on 30 March 2007. The Italian Parliament passed the Law authorising ratification of the CRPD in March 2009 and the CRPD was ratified on 15 March 2009.

##### **Links**

Law 18 of 3 March 2009 on Ratification and implementation of the UN Convention on the Right of Persons with Disabilities, with Optional Protocol

<http://www.parlamento.it/parlam/leggi/09018l.htm>

#### **A2. Ratification or accession to the Optional Protocol**

The Optional Protocol was ratified simultaneously with the ratification of the Convention on 15 March 2009 and the National Observatory on the conditions of persons with disabilities was established by Article 3 of Law 18 of 3 March 2009.

##### **Links**

Law 18 of 3 March 2009 on Ratification and implementation of the UN Convention on the Right of Persons with Disabilities, with Optional Protocol.

<http://www.parlamento.it/parlam/leggi/09018l.htm>

#### **A3. Declarations, Reservations and Objections**

No Declarations or Reservations were entered.

##### **Links**

UNCRPD Declarations and Reservations

<http://www.un.org/disabilities/default.asp?id=475>

#### **A4. Comprehensive review**

A Comprehensive Review of legislation was not published prior to submission of the initial report.

##### **Links**

Universal Periodic Review for Italy

[https://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=ITA&Lang=EN](https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=ITA&Lang=EN)

#### **A5. Focal point**

In 2018, the Ministry for the Family and Disability was established, which is also the focal

point for implementation of the UN Convention.

### **Links**

Ministry for the Family and Disability

<http://www.mfd.gov.it/it/>

## **A6. Coordination mechanism**

The National Observatory on the Status of Persons with Disabilities is a body set up under Article 3 of Law 18 of 3 March 2009 and chaired by the Minister of Labour and Social Policy. The Rules of the Observatory are governed by the Inter-Ministerial Decree 167 of 6 July 2010, published in the Official Gazette No. 236 of 8 October 2010.

Within the National Observatory on the Status of Persons with Disabilities, a Scientific Committee for data analysis and research in relation to the activities and the tasks of the Observatory has been established. The Committee is composed of one representative from the Ministry of Labour and one from the Ministry of Health, a representative from one of the regions and local governments, two representatives from the most important associations of people with disabilities and three experts from the Observatory.

### **Links**

Regulation of the National Observatory on the condition of persons with disabilities

<http://www.osservatoriodisabilita.gov.it/it>

## **A7. Independent mechanism**

The independent human rights monitoring for persons with disabilities in Italy is very limited. The system of monitoring human rights in general is insufficient. There are three governmental bodies: CIDU (Inter-Ministerial Committee on Human Rights - the Ministry of Foreign Affairs), UNAR (National Office Against Racial Discrimination - the Presidency of the Council of Ministries - Equal Opportunity Department) and National Councillor on equal opportunities - the Ministry of Labour and Social Policies. There are two independent bodies: the National Guarantor for the Rights of Persons Detained or Deprived of Personal Liberty (GNPL) that started monitoring health and social care homes in June 2017, in particular, by conducting an investigation of the conditions of persons with disabilities living in institutions on the basis of the Concluding Observations no. 42 of the UN Committee of the rights of persons with disabilities. Finally, there is the National Authority for minors and young people.

### **Links**

National Guarantor for the Rights of Persons Detained or Deprived of Personal Liberty (GNPL)

[http://www.garantenazionaleprivatiliberta.it/gnpl/it/pub\\_rel\\_par.page](http://www.garantenazionaleprivatiliberta.it/gnpl/it/pub_rel_par.page)

National Authority for minors and young people

<https://www.garanteinfanzia.org/>

## **A8. Official reporting**

Italy's initial state report was due in June 2011 and it was submitted to the UN in January 2013. Italy submitted an interim report in October 2017.

### **Links**

State reports to the UN Committee

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=85&DocTypeID=29](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=85&DocTypeID=29)

Link to all UN reporting cycle documentation

[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=85](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=85)

## **A9. Shadow reporting**

The Forum italiano sulla disabilità (FID), the member of the European Disability Forum, submitted the alternative report in January 2016 to the UN Committee.

### **Links**

Civil society reports to the UN Committee

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=85&DocTypeID=14](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=85&DocTypeID=14)

## **B. General legal framework**

### **B1. Anti-discrimination legislation**

Law 67 of 2006 establishes the right of disabled people not to be discriminated against, and also provides that the court may prohibit an act or behaviour that discriminates. If the ordinances of the judges are not met, the legislation provides for prosecution against the defaulting party. Anyone who is discriminated against by a private or public administration may, therefore, submit a complaint to the Registry of the Civil Court: and the judge may request compensation for damages caused. If, after appropriate investigation, the judge finds that discrimination has taken place, he may order its cessation or, if it is impossible to eliminate with a single act, provides for the adoption of a plan for the removal of discrimination within a specified period. For example, if the judge finds that a number of train stations cannot be used by disabled customers he may decide to set out a plan to change them and make them more accessible for the needs of disabled people.

### **Links**

Measures for the judicial protection of persons with disabilities who are victims of discrimination

<http://www.parlamento.it/parlam/leggi/060671.htm>

### **B2. Recognition of legal capacity**

The most important piece of legislation for people with disabilities in regard to their legal capacity is Law 6 of 2004, which regulates the Institute of support administration (istituzione dell'amministrazione di sostegno). This Law has introduced many important changes to the social and legal image of people with disabilities. The rationale behind this Law is to ensure greater freedom for the beneficiaries and to minimise the number of interdiction cases. In carrying out the duties of their office, support administrators must take into account 'the needs and aspirations of the beneficiary'.

### **Links**

Law 6 of 9 January 2004 on Establishment of supporting management

<http://www.camera.it/parlam/leggi/04006l.htm>

### **B3. Accessibility of voting and elections**

In Italy, there are clear rules to facilitate the exercise of the right of voting for persons with disabilities. The opportunity to exercise the voting right to persons who are blind or with a physical impairment that prevents the use of hands, is guaranteed through the practice of assisted voting. Since 2009, the law also provides for the establishment of the practice of voting at home for all people who cannot be transported to the polling. According to Law 15 of 15 January 1991, if polling stations are not accessible, voters may use another accessible polling place in the constituency. In this instance, voters have to show a voting certificate and a medical certificate or a certified copy of a special disability driver's licence. This Law provides that during elections municipalities organise public transport services to make it easier for disabled voters to reach polling stations.

Patients in hospitals and nursing homes may be eligible to vote where they are hospitalised.

Article 11 of Law 180 of 1978 removed restrictions to the voting rights of people in psychiatric institutions and those who have limited mental capacity. However, persons with mental disability cannot be assisted in voting; they must exercise their right to vote without any assistance.

#### **Links**

Law 46 of 7 May 2009: Extension of the rights of voting at home to the voters unable to move independently from their home

<https://www.gazzettaufficiale.it/gunewsletter/dettaglio.jsp?service=1&dataqu=2009-05-08&task=dettaglio&numgu=105&redaz=009G0054&tmstp=1242047818102>

Law 17 of 5 February 2003: New rules for the exercise of voting by voters with severe disabilities

<http://www.handylex.org/stato/l050203.shtml>

Law 15 of 15 January 1991: Rules to facilitate the vote of the electors with limited mobility

<http://www.handylex.org/stato/l150191.shtml>

Law 180 of 3 May 1978: Voluntary and mandatory assessments and treatments

[http://www.salute.gov.it/imgs/C\\_17\\_normativa\\_888\\_allegato.pdf](http://www.salute.gov.it/imgs/C_17_normativa_888_allegato.pdf)

### **B4. Official recognition of sign language**

The recognition of sign language is provided by draft Law 4207 on 'Measures to promote the full participation of deaf people to community life and recognition of Italian Sign Language.'

On 16 March 2011, the Constitutional Affairs Committee of the Senate unanimously approved the unified text of the draft law. Now the law has to be approved by the Commission of Social Affairs of the Chamber of Deputies to become effective.

Proposal of Law C.4207 was submitted by the Senate on 23 March 2011: 'Measures for promoting the full participation of deaf people to community life and recognition of Italian Sign Language'. Actually, at present, there is no officially adopted law on the issue.

#### **Links**

Proposal of law C.4207 submitted by the Senate on 23 March 2011: 'Measures for promoting the full participation of deaf people to community life and recognition of Italian Sign Language'

<http://leg16.senato.it/leg/16/BGT/Schede/Ddliter/36637.htm>

## **B5. National disability strategy and action plan**

The Government approved two Bi-annual action programmes to promote rights and integration of persons with disabilities: the first one with Decree of the President of the Republic of 4 October 2013, and the second one with Decree of the President of the Republic of 12 October 2017.

### **Links**

The First Action Programme

[https://www.lavoro.gov.it/documenti-e-norme/normative/Documents/2013/Decreto del Presidente della Repubblica 4 ottobre 2013.pdf](https://www.lavoro.gov.it/documenti-e-norme/normative/Documents/2013/Decreto%20del%20Presidente%20della%20Repubblica%204%20ottobre%202013.pdf)

The Second Action Programme

<http://www.handylex.org/news/2017/12/13/disabilita-il-programma-di-azione-biennale-e-legge>

## **C. Accessibility**

### **C1. Transport accessibility**

The Decree of the President of the Republic 503 of 24 July 1996 provides that the means of public transport: trams, trolley buses, bus lines, subways, trains, stations, railways, shipping services, air terminals should be equipped with walkways, ramps or other suitable elevation equipment in order to facilitate access by wheelchair for people with mobility impairment.

### **Links**

Decree of the President of Italian Republic 503 of 24 July 1996: Rules for the elimination of architectural barriers in public buildings, public environment and facilities

<http://www.handylex.org/stato/d240796.shtml>

### **C2. Built environment accessibility**

Some laws guarantee the right to accessibility in public environments. The most important of these laws are: Decree 114 of the Ministry of Arts and Culture of 16 May 2008 that contains guidelines for the elimination of architectural barriers in places of cultural interest; Law 41 of 28 February 1986 (Finance Act 1986) that requires local authorities, the State and Regional Offices to adopt plans for the removal of architectural barriers and to allocate part of their annual budget for this purpose; the Presidential Decree 503 of 24 July 1996 that regulates the removal of architectural barriers in public buildings with particular reference to accessibility of services; and Law 104 of 5 February 1992, where some paragraphs deal specifically with architectural barriers, introducing respect for accessibility in different fields such as health care, education, training, employment, transport, justice, etc. People with disabilities may not be excluded from entitlement to services, benefits and opportunities normally enjoyed by every citizen. For private buildings, the norms of accessibility are set in Law 13 of 1989 and the Ministerial Decree 236 of 1989.

## Links

Decree 114 of the Ministry of Arts and Culture of 16 May 2008: Guidelines for the elimination of architectural barriers in places of cultural interest

<https://www.gazzettaufficiale.it/eli/qu/2008/05/16/114/so/127/sq/pdf>

Finance Act 1986

[https://www.isfol.it/DocEditor/arlex/File/1980-1989/Stato\\_Legge%20n.41%20del%2028%20febbraio%201986.pdf](https://www.isfol.it/DocEditor/arlex/File/1980-1989/Stato_Legge%20n.41%20del%2028%20febbraio%201986.pdf)

Decree of the President of Italian Republic 503 of 24 July 1996: Rules for the elimination of architectural barriers in public buildings, public environment and facilities

<https://www.gazzettaufficiale.it/eli/id/1996/09/27/096G0512/sq>

Law 104 of 5 February 1992, Framework Act on assistance, social integration and rights of persons with disabilities

<https://www.gazzettaufficiale.it/eli/id/1992/02/17/092G0108/sq>

Law 13 of 9 January 1989: Measures for overcoming and remove architectural barriers in private buildings

<http://www.handylex.org/stato/l090189.shtml>

## C3. ICT and Web accessibility

The law 4 of 9 January 2004, named the 'Stanca Act', is inspired by Article 3 of the Italian Constitution, that establishes that the Republic has the responsibility to remove those obstacles of economic and social nature which limit the freedom and equality of citizens, prevent full individual development and the effective participation of all workers in the political, economic and social life in the country. The 'Stanca Act' aims at breaking down the 'virtual barriers' that limit the access of disabled persons to society and exclude them from the possibility to access web sites of Public Administration. The law ensures accessibility to all sites and IT applications of Public Administration. The 'Measures to facilitate the access to ICT for disabled people', as stated in Law 4 of 9 January 2004, were published in the Official Gazette no. 13 of 17 January 2004.

## Links

Law 4 of 9 January 2004

<http://www.camera.it/parlam/leggi/04004l.htm>

## D. Independent living

### D1. Choice of living arrangements

Law 162 of 21 May 1998 in Article 1 has introduced the definition of personal assistance available during 24 hours from the social services. However, only some Italian regions have activated this possibility. In 2014, the Ministry of Social Policy launched a pilot project on independent living.

## Links

Law 162 of 1998

<http://www.handylex.org/stato/l210598.shtml>

The pilot programme on independent living

<https://www.lavoro.gov.it/temi-e-priorita/disabilita-e-non-autosufficienza/focus-on/Vita-indipendente/Pagine/default.aspx>

## D2. De-institutionalisation

Law 180 of 13 May 1978 is the first and only framework law that has regulated the closure of asylums, and has governed the practice of mandatory medical treatment, establishing public mental health services. Law 180 had the aim of modernising the clinical setting of psychiatric care by promoting new relationships with mental health professionals and the local community, recognising full rights and the need for the quality life of patients in the care of local mental health facilities. The National Guarantor for the Rights of Persons Detained or Deprived of Personal Liberty (GNPL) has developed an investigation on the condition of respect the human rights of persons with disabilities institutions reported in the Parliament Reports 2018 and 2019.

## Links

Law 180 of 13 May 1978 on Voluntary and mandatory medical examinations and treatments

[http://www.salute.gov.it/imgs/C\\_17\\_normativa\\_888\\_allegato.pdf](http://www.salute.gov.it/imgs/C_17_normativa_888_allegato.pdf)

National Guarantor for the Rights of Persons Detained or Deprived of Personal Liberty (GNPL)

[http://www.garantenazionaleprivatiliberta.it/gnpl/it/pub\\_rel\\_par.page](http://www.garantenazionaleprivatiliberta.it/gnpl/it/pub_rel_par.page)

## D3. Quality of social services

The provision of welfare is the responsibility of the regions. There are 21 regions with 21 welfare systems (regions are autonomous in this field). It is very difficult to define the quality of social services because the regional services are often not comparable in terms of typologies, quantities and qualities of their services.

## D4. Provision of assistive devices at home

The provision of assistive devices is a responsibility of Local Health Authorities (ASL). Specific devices are assigned following a health assessment conducted by a psychiatrist, orthopaedic physician, neurologist, who prescribe specific devices (for instance, an electric wheelchair to move independently, a bathroom lift for personal hygiene or an alphabetic communicator for interpersonal communication, etc). The costs of assistive devices are determined by the State, through the 'Tariff Nomenclature', applied to all the Italian regions.

Normally, health authorities (named differently region by region) provide the finance for the basic version of the device. The regional health authorities pay for a wheelchair the standard cost included in the Tariff Nomenclature. Costs exceeding the contribution need to be covered by the disabled person.

## Links

Tariff Nomenclature

<http://www.salute.gov.it/portale/esenzioni/dettaglioContenutiEsenzioni.jsp?lingua=italiano&id=4773&area=esenzioni&menu=vuoto>

## **D5. Availability of personal assistance schemes**

Act 104 of 1992, modified by Act 162 of 1998, contains an article regarding the inclusion and social integration of persons with disabilities including the availability of personal assistance services. Those services are set up by municipalities or Local Health Authorities within their ordinary budget for people with temporary or permanent serious limitations of personal autonomy and who are not covered by the provision of technical aids or any other form of support. The goal is to facilitate self-sufficiency and integration, including through interpreting services for deaf people. Only some regions have activated personal assistance projects.

To guarantee the right to independent living for people with disabilities and severe restrictions of personal autonomy in the performance of one or more essential functions, Law 162 of 1998 has introduced the procedures for the implementation of personal assistance programmes, managed by the disabled person.

### **Links**

Independent living projects

<http://www.parlamento.it/parlam/leggi/98162l.htm>

Personal assistance services

<http://www.handylex.org/stato/l050292.shtml>

## **D6. Income maintenance**

Italy has a high level of public funds allocated to pensions (17.17% of the GDP in 2014) and among these only 7.2% are addressed to persons with disabilities. There are two types of measures to address poverty: the pensions scheme (EUR 280 per month for 13 months) and the tax exemption or reduction (until a maximum of EUR 6,500). According to the ISTAT survey, material deprivation affects persons with disabilities to a greater extent than the general population. Significant regional disparities have been documented: the percentage of individuals with disabilities who live in deprived families reaches 38.6% in the South, 20.5% in the Centre and 15.5% in the North, against, respectively, to 23%, 12.2% and 8.5% of those without disabilities. The presence of one or more persons with disability in a family represents one of the main causes of poverty. The lack of job or difficulties in accessing the labour market, high costs of social and health services, lack of assistive care, the overhead for families who eventually resort to the private market or take on the care-giving role, with significant impact on the career path of caregivers, are all factors affecting the family income.

Half (50.1%) of persons with severe functional limitations declare not having sufficient household economic resources in comparison with 39.3% of the non-disabled population. Significant regional disparities have been documented: the percentage of individuals with disabilities who live in deprived families reaches 38.6% in the South, 20.5% in the Centre and 15.5% in the North, against, respectively, to 23%, 12.2% and 8.5% of those without disabilities. The policies to reduce poverty (Reddito di cittadinanza, Income of citizenship, 2019) include very limited support to families with persons with disabilities.

## Links

ISTAT press release (2013)

<https://www.istat.it/en/archivio/165371>

'Condicio' web site that collects Italian available data on disability from the point of view of the Italian federation FISH (2012)

<https://www.istat.it/it/archivio/166482>

## D7. Additional costs

There are tax deductions that reduce costs for persons with disabilities in various areas. Among these are the reduction of VAT on some products, the possibility to reduce the total amount of taxes for costs related to disability, the reduction for architectural barriers removal, the contribution for car adaptation, local tax exemptions, etc. Generally, a high level of invalidity or a severe handicap condition (it depends on the income and rules of various competent authorities) allows a person with disabilities to benefit of reduction of taxes. It also allows access to social and support services (the level of percentage of invalidity status that permits to have access to the social services is regulated by the regional rules).

## Links

See the web site handylex

<http://www.handylex.org/cgi-bin/temi.pl?v=a&d=h&c=9900>

## D8. Retirement income

Law 118 of 1971 states that after a medical diagnosis that certifies total incapacity for work persons with disabilities who are older than 18 years are granted a disability pension for 13 months a year. A disabled person aged from 18 to 64 years old with reduced earning capacity, equal to or greater than 74%, who is not employed at the time when that condition exists, is granted a monthly allowance for 13 months a year (EUR 286, and for blind persons EUR 305 in 2018).

Persons with disabilities under the age of 18 who are assessed as having a complete functional impairment by the health commission, as per Law 118 of 1971, and who are attending school or vocational training programmes or outpatient centres and are not admitted to a hospital, shall be paid for each year of attendance, an allowance for 13 months (EUR 516 in 2018).

Additionally, Law 382 of 1970 provides rules on pensions for blind persons, and Law 33 of 1980 regulates the monthly assistance for deaf persons. In Article 1 of Law 381 of 26 May 1970 these pensions are defined as 'not reversible pensions' (EUR 915 in 2018), and the same for deaf persons (EUR 256 in 2018).

Law 18 of 1980 provides a non-reversible 'assistance allowance' paid entirely by the state for 12 months to persons with physical or psychological impairments who are assessed by Special Medical Boards as persons unable to walk without permanent help of an assistant and unable to carry daily tasks without support, as also stated in Articles 2 and 12 of Law 118 of 30 March 1971. Law 508 of 1988 specifies that the assistance allowance is granted also to

blind persons.

### **Links**

Law 118 of 30 March of 1971: 'Conversion into law of D.L. 30 January of 1971 n. 5 and new rules in favour of civilian disabled'

<http://www.handylex.org/stato/l300371.shtml>

## **E. Education**

### **E1. Special schools**

In Italy there is a very advanced legislation for the inclusion of pupils with disabilities in mainstream school system. The Court of Audit in 2018 acknowledged a form of compliance to international and European regulatory frameworks but pointed out the overall fragmentary nature of the interventions, caused by the coexistence of several bodies and parties such as schools, local administrations, health services, etc. The various problems described show a significant gap between the principles present in the Italian legislation, which are largely consistent with the most inclusive views on the protection and promotion of the right to education for persons with disabilities, and their implementation. This gap is triggering forms of nostalgia towards the historic practice of special schools, especially for the education of students with intellectual disabilities, that progressively disappeared as a result of Law 517 of 1977, which anticipated the model of school inclusion and has later become an international standard.

### **Links**

Court of Audit - Central Section for the control of the management of the state administrations (2018)

[http://www.corteconti.it/export/sites/portalecdc/\\_documenti/controllo/sez\\_centrale\\_controllo\\_a mm\\_stato/2018/delibera\\_13\\_2018.pdf](http://www.corteconti.it/export/sites/portalecdc/_documenti/controllo/sez_centrale_controllo_a mm_stato/2018/delibera_13_2018.pdf)

Law 517 of 1977

<https://www.gazzettaufficiale.it/eli/id/1977/08/18/077U0517/sq>

### **E2. Mainstream schools**

Article 12 of Law 104 of 1992 states that all pupils with special needs, including those with severe disabilities, have the right to attend mainstream schools at all levels (kindergartens and primary, lower and upper secondary schools). There is also a guaranteed right to inclusion in childcare and university. In the last 15 years, the number of students with disabilities attending schools at all stages and levels has increased. Available data (Centro Studi Investimenti Sociali) indicate an increase in the number of students identified with disabilities. In absolute values, 254,366 students with disabilities were enrolled in Italian schools in 2016. The most noteworthy increase concerns the number of students with learning disabilities, with 68,000 in upper secondary school during the academic year 2014-2015, which represents an increase of 180% since 2011-2012.

Law 104 of 1992 states that for pupils with disabilities a diversified Individualised Education Plan (IEP) is established, in accordance with educational goals that are designed to match the abilities, skills and potential of each pupil. The IEP is drawn up in cooperation with schools, local health units and the pupil's family, and includes didactic, rehabilitative, social and

welfare aspects intended to provide a comprehensive plan for the pupil with disabilities. The IEP is the official document for the pupil's inclusion in mainstream education, serving as a basis for mainstream and specialist teachers to design an education plan tailored to the pupil's needs and abilities.

Law 62 of 2000 states that any public or private, municipal, or regional school in Italy that obtains official recognition is obliged to accept any pupil with disabilities, even if they need intensive support.

Article 9 of Presidential Decree 122 of 2009 states that if the class council (composed of teachers of different subjects and a support teacher) finds that the pupil has achieved learning levels that meet or are comparable with the goals set by the Ministerial Programmes, the pupil has to be assessed using the same system applied to other pupils. If the pupil does not reach these goals, the class council has to evaluate the pupil's learning performance in accordance with the aims set out in the IEP. In this instance, the student will obtain a certificate of attendance rather than a school diploma, and a certificate of training credits that is also valid for access to integrated education and further training.

### **Links**

Law 104 of 5 February 1992

<http://www.handylex.org/stato/I050292.shtml>

Law 62 of 10 March 2000

<http://www.camera.it/parlam/leggi/00062l.htm>

Presidential Decree 122 of 22 June 2009: Regulation for the applicable standards of pupil assessment

[http://www.istruzione.it/esame\\_di\\_stato/Primo\\_Ciclo/normativa/allegati/dpr122\\_2009.pdf](http://www.istruzione.it/esame_di_stato/Primo_Ciclo/normativa/allegati/dpr122_2009.pdf)

## **E3. Sign language and Braille in school**

For blind and deaf students in the mainstream school competent support teachers or specialised interpreters can be provided by the municipality. Appropriate tools can be provided such as electronic format document, etc.

## **E4. Vocational training**

The vocational training falls under the responsibility of each region, which provides for differences in service provision from region to region. Some regions support training in special settings, other regions support the mainstream training with appropriate support, other regions do not provide vocational training courses at all. In 2012, there were 6,714 persons with disabilities registered in the vocational training courses.

## **E5. Higher education**

Act 17 of 1999 provides funds to universities to support students with disabilities in various forms. A professor is nominated to support the student with disabilities with the appropriate tools (computer, streaming the lessons, necessary support to study, personalised exams) and specific services (transport, peer support). From the data collected during the academic year 2014/15 in 65% of universities, there were 14,649 enrolled students with disabilities (with a

certified disability above 66% and with learning disabilities), that is a 13.3% overall increase since 2012/13 (but just 1.4% for students with a certified disability above 66% and 108,3% for students with learning disabilities), with an overall impact of 10.2 students with disabilities per 1,000 students.

Most students with disabilities are enrolled in the courses in the Humanities and Education areas of study (33.1% in 2014/2015), with the Science field being at 29.3%, and Law and Economics at 27.7%. Only 9.9% attend courses in the Medical Sciences.

### **Links**

Data collected in a Census study and published in Census (2017), 51° Rapporto Censis sulla situazione sociale del Paese, ch. II "Processi formativi"

[http://www.censis.it/7?shadow\\_comunicato\\_stampa=121142](http://www.censis.it/7?shadow_comunicato_stampa=121142)

## **F. Employment**

### **F1. Non-discrimination in employment**

Law 68 of 1999 on the right to employment of people with disabilities (Norme per il diritto al lavoro dei disabili, in Italian), promotes work placement and work integration of people with disabilities by supporting services and targeted employment.

Act 68 of 1999 structures new rules based on the principle of placement of people with disabilities which respects their working capacities without penalising the employing company. Article 18 specifies that companies with more than 15 employees must employ workers with disabilities in accordance with a quota system (companies with 16 to 35 employees must employ one person with disabilities; companies with up to 50 employees - two people with disabilities; and the number of people with disabilities employed shall be equivalent to 7% of the total number of employees at companies with more than 50 employees). Law 68 of 1999 makes provision for an annual fund of 31 million euros to: subsidise exemption of companies from social security contributions of up to 100% and over up to eight years, in proportion to the level of disability of the workers to be employed; partially reimburse expenses incurred for adaptation of the work environment; and to finance activities aimed to support work placement. Otherwise, the provincial labour directorate makes provision for sanctions (Article 15). These financial penalties contribute to the regional fund for targeted placement, and finance employment inclusion projects. Public administrations that do not respect the Law are also subject to penal sanctions.

Since the introduction of Act 68 of 1999, all Italian regions have issued regional decree laws on work placement.

Italy adopted European Union Directive 2000/78/CE, establishing a general framework for equal treatment in occupation and employment through Legislative Decree 216 of 9 July 2003 that includes non-discrimination rules for employees and workers with disabilities. When a persons with disabilities are employed, Article 9 defines the obligation of reasonable accommodation in the public and private sectors.

### **Links**

Act 68 of 12 March 1999: Regulations for the right of employment of disable people

<http://www.parlamento.it/parlam/leggi/99068l.htm>

Decree 216 of 9 July 2003

<https://www.isfol.it/sistema-documentale/banche-dati/normative/archivio/14105>

## **F2. Public employment services**

Act 68 of 1999 in Article 6 has defined the specific unit promoting the employment of persons with disabilities. This unit is formed by experts including a representative of the trade unions, and a representative of disabled people organisations. Inside this Unit a technical committee is responsible for the assessment, evaluation of tools and supports necessary for a concrete job. The Act supports job coaching and guarantees the placement of the right person in the right place through the "Collocamento mirato" (or 'targeted employment'). The responsibilities that fall under these Units differ from region to region.

### **Links**

Act 68 of 12 March 1999: Regulations for the right of employment of disable people

<http://www.parlamento.it/parlam/leggi/99068l.htm>

Decree 216 of 9 July 2003

<https://www.isfol.it/sistema-documentale/banche-dati/normative/archivio/14105>

## **F3. Workplace adaptations**

Employers who hire people with disabilities can benefit from a contribution for removing barriers and adapting the workplace, according to Article 13 of Act 68 of 1999. The benefit is addressed to persons with 50% disability. Some regions increase the contribution on the basis of regional law.

### **Links**

Measures for overcoming and eliminating architectural barriers in private buildings

<http://www.handylex.org/stato/I090189.shtml>

Rules for the right to work of disabled people

<http://www.parlamento.it/parlam/leggi/99068l.htm>

## **F4. Financial incentives**

Act 151 of 2015 in Article 10 defines the incentives for the enterprises who hire persons with disabilities: 70% of the salary for three years for persons with over 79% of certified incapacity; 70% of the salary for five years for persons with intellectual and mental disabilities over 45%; 35% of the salary for persons with disabilities recognised with an incapacity of 67 to 79%.

### **Links**

Act 151 of 2015

[http://www.lavoro.gov.it/documenti-e-norme/normative/Documents/2015/Decreto Legislativo 14 settembre 2015 n.151.pdf](http://www.lavoro.gov.it/documenti-e-norme/normative/Documents/2015/Decreto_Legislativo_14_settembre_2015_n.151.pdf)

## **G. Statistics and data collection**

### **G1. Official research**

In Italy, statistical data concerning persons with disabilities are collected by the ISTAT (The

National Institute of Statistics), and administrative data are collected and elaborated by the regions. Part of these data have been collected and elaborated in the project 'Sistema di Informazione Statistica sulla Disabilità', managed by the ISTAT and financed by the 'Ministero della Solidarietà Sociale' (the Ministry of Welfare). The Survey on Health conditions and use of health services enables a deeper analysis of the living conditions of people with different types of impairment. ISTAT periodically promotes other research in the field of disability including on health, living conditions, employment, etc. Other private entities promote other types of research which are available on the website 'Condicio'.

### **Links**

'Disability in Figures'

<http://dati.disabilitaincifre.it/dawinciMD.jsp>

Condicio: data on persons with disabilities

<http://www.condicio.it/>

## **G2. Census data**

All data on disability is collected by ISTAT, the National Institute of Statistics, and is made available on a specific web site. ISTAT periodically collects data on disability, with the last publication being from 2010. Other data are published in the Annual Report elaborated by ISTAT. The last available Report entitled 'The State of the Nation' was published in 2018.

### **Links**

ISTAT - Disability data

<https://www.istat.it/it/archivio/disabili>

ISTAT Report on Disability in Italy

[https://www.fabi.it/public/documenti/salute-e-sicurezza/7286ISTAT\\_DISAB\\_2010.pdf](https://www.fabi.it/public/documenti/salute-e-sicurezza/7286ISTAT_DISAB_2010.pdf)

Annual Report 2018 - ISTAT 'The State of the Nation'

<https://www.istat.it/en/archivio/217955>

## **G3. Labour Force Survey**

There are two specific types of research conducted on employment and persons with disabilities. First, the research elaborated by the Ministry of Labour that collects administrative data on employment of persons with disabilities. Every two years this Ministry elaborates a Report on the implementation of Act 68 of 1999 for the Parliament. This research is often incomplete because the regions do not send data from all the provinces. The last report concerns the years 2014-2015. The second research is managed by the ISTAT and is provided occasionally, with the last research conducted in 2011.

### **Links**

Eight Report on Parliament on state of implementation of the law 68 of 1992

<https://www.lavoro.gov.it/temi-e-priorita/disabilita-e-non-autosufficienza/focus-on/norme-sul-collocamento-al-lavoro-delle-persone-disabili/Documents/VIII-Relazione-Parlamento-anni-2014-2015-legge-68-99.pdf>

## **G4. Disability equality indicators**

No specific indicators are available on the disability equality.

## **H. Awareness and external action**

### **H1. Awareness raising programs**

No national or regional campaigns are in place to promote disability awareness. The national public TV (RAI), through the national agreement with the users, where the organisation of persons with disabilities and their families are represented, put in place some actions related to provision of subtitles and audio description of some broadcast programmes and Sign Language Interpretation in the daily edition of the news broadcast programme.

#### **Links**

RAI public service agreement

<http://www.rai.it/trasparenza/Contratto-di-servizio-e6731507-23ae-41bf-83dd-bf99b44b66ec.html>

### **H2. Training for teachers**

The support teachers for students with disabilities are trained in the universities. In addition to developing general teaching skills during specific training they get training on the field of disability and inclusion. Since 2015 (Law 107 of 13 July 2015), all school teachers shall be trained on disability and inclusion, although this training is done only in regards to general aspects.

#### **Links**

Law 107 of 13 July 2015

<https://www.gazzettaufficiale.it/eli/id/2015/07/15/15G00122/sq>

### **H3. Training for lawyers**

We do not yet have information of training for lawyers or judges in the field of disability.

### **H4. Training for doctors**

We do not yet have information of training for doctors in the field of disability.

### **H5. Training for engineers**

We do not yet have information of training for engineers on disability issues.

### **H6. International development aid**

The MAECI (the Ministry of Foreign Affairs and International Cooperation) and the AICS (Italian Agency on Development Cooperation) have a specific attention to disability issues. In 2013, the Italian Cooperation adopted Disability Action Plan, which was included in the "Italian Government Action Programme on Disability". The Action Plan establishes the principle of including disability in every phase of development policies and practices, and illustrates several actions aimed at promoting equal opportunities for people with disabilities. This document is the result of an inclusive process, which involved many central and local

institutions, along with academics, NGOs, private companies and research centres. The Action Plan draws upon the collaboration with civil society through the MAECI-AICS-RIDS Working Group, where RIDS stands for the Italian Network for Disabilities and Development. Italy spent 2.68% of the total budget of international cooperation for projects related to disability issues from 2010-2014.

**Links**

AICS (Italian Agency on Development Cooperation)

<https://www.aics.gov.it/home-eng/fields/human-development/disability/>