

Brief report 2016-2018 on the activities in Italy of the A.D.M.I. Association (*Associazione Donne Magistrato Italiane* – Italian Association of Women Judges) for the I.A.W.J. International Association of Women Judges Conference in Buenos Aires.

As requested, I hereby submit a brief report on the activities carried out by the A.D.M.I. Association (Italian Association of Women Judges) in 2016-2018, with a view to the I.A.W.J. International Association of Women Judges Conference that will take place in Buenos Aires.

Following the conference in Washington D.C. held in May 2016 our association activities were led in the first place in deepening the topics discussed in the US at the panel on “women, minors, and detention”, which woke up an intense will to continue discussing this issue. We wanted to deepen the Italian “detention” situation in terms of its structure and organisation, as well as lives, experiences, and re-education measures during and following the period of detention. We further examined how women in prison live their lives, their peculiarities – also from a psychological point of view – , the difficult relationships among women in prison and their families, origin and nationality (especially if of foreign or Roma nationality), the life in prison of women that keep their baby during the detention, the adequacy of prisons and law measures in Italy, which are in the best interests of the child according to the Italian and the European law and the New York Convention. We therefore specifically discussed these topics during our Annual Meeting that took place at the beginning of October 2016 in South Italy, in the wonderful Lecce, in partnership with the University of Salento. This study meeting was a remarkable success and fostered further considerations thanks to the participation of many students and the contribution of a variety of speakers, such as experts and operators in the prison system, judges, prison wardens, the Provincial Councillor for Equal Opportunities, as Authority for the detention structures, legal experts, sociologists, and psychologists. The proceedings of this meeting have been collected in the volume “*Donne e carcere*” (“Women and Prison”), published by Giuffrè Editore in 2018, that will be adopted as textbook in three Italian Universities (in Lecce, Brescia, and Urbino) starting from the next academic term.

As already mentioned regarding the Washington DC Conference, we continued analysing the difficult career inside Magistracy, University and the legal profession to focus why the path of women is so difficult and why women in Italy struggle so hard for breaching the glass ceiling and achieving top representative positions on equal terms in courts, universities and public institutions, despite the positive passing in 2011 of the law on listed companies. After a comparison among women colleagues in Ordinary, Accounting and Administrative Courts, women lawyers and academics, the Italian Association of Women Judges deeply discussed the gender representation topic inside the Italian judiciary self-governing body, the C.S.M. – *Consiglio Superiore della Magistratura* – where currently women are represented only by one Ordinary woman judge out of a total of 16 seats. Since the C.S.M. was created and after fifty years since women entered the Magistracy, only 23 women judges have been elected, against 450 male judges, which means scarcely 5%. This is unacceptable. After that the chance to write “in time” a legislative reform towards the C.S.M. elections in 2018 had faded (we have always been endorsing “lists” of candidates that would represent different associations as well as “shares of result”), at the end of 2016 the Italian Association of Women Judges prepared a law proposal as a stopgap solution to the current law of 1958, which does not allow lists of candidates but only single candidates and “shares of chances”. We therefore created some “first rebalancing measures” to be included in the C.S.M. electoral law, that in May 2017 became a draft law submitted by MP Ferranti, President of Commission for Justice of the Italian Chamber of Deputies, and other 57 signatory Members. The parliamentary process is yet not completed, but already took place hearings of the Italian Association of Women Judges, of the Italian Association of Judges (*A.N.M. Associazione Nazionale Magistrati*), and of academics, especially constitutionalists. This process may come

to an end after the general elections in March 2018. Meanwhile we are setting in motion a round table together with the Italian Association of Judges to submit a new “revolutionary” electoral law that uses proportional representation, lists of candidates, temporary shares of three terms of office and 50% equal shares of result. We also externally set up many networking meetings to study the topic with women lawyers of the National Lawyers’ Council and women academics from different universities. On July 4, 2017 a draft law concerning the “first rebalancing measures for an equal gender representation in C.S.M.” was firstly submitted during a symposium attended by many at the Chamber of Deputies and then studied and compared by different experts of the University of Milan at the end of September 2017. In 2018 the work has been collected in a free downloadable instant-book published by Angeli Editore whose significant title is “Gender Representation in Magistracy: How much longer must we wait?” (*“Rappresentanza di genere in magistratura: quanto tempo dobbiamo ancora aspettare?”*).

Moreover, in 2016-2018 we kept on publishing our Association magazine, “Woman Judge” (*“Giudice donna”*), which aims at spreading the gender culture and discussing every emerging sensitive issue belonging or not to Magistracy. Over these years the magazine activities have increased and have successfully spread on-line gaining many readers.

In March 2017 we organised a meeting in Rome to discuss together with judges, legal experts, sociologists, and philosophers the topic of surrogate motherhood, a sensitive and controversial issue.

In Autumn 2017 together with Anisa Dhinj, IAWJ regional representative for Europe and North Africa, we organised in Rome a meeting and a dinner during the gathering of the IAWJ Board of Directors, since many Board members (as well as the person writing this report), at the invitation of the Pontifical Academy in Vatican City, were participating with other hundred women judges from all over world in the Summit of Women Judges and Prosecutors on Human Trafficking and Organized Crime. At the conclusion of the Summit, many of those present undersigned an important final statement to pursuit objectives stated in twenty propositions, to operate as women judges in order to contrast, or anyway hinder, and hopefully in the long-term put an end to human trafficking, a terrible form of slavery in our world.

Lastly, on April 12, 2018 the Italian Association of Women Judges is going to attend an important meeting organised by the C.S.M. about “gender violence”, in which we will describe the activities carried out over the past 20 years since the IAWJ Conference of 1994 in Rome against violence and femicide. The strong commitment of our Association led in Italy, even before the Istanbul Convention, to the introduction of relevant legal instruments, such as laws that allow the judge to issue “protection orders” as well as the immediate estrangement of a violent subject from its marital home. Furthermore, there is the possibility to establish “hybrid criminal courts” and “dedicated reserved rooms” in Law Courts for victims and witnesses waiting for a hearing. A concrete implement was achieved in January 2014, when the first “information site against gender violence or violence witnessed by minors” was created in an Italian Law Court, in Brescia: it can be considered as a “neutral” information site to help those in need that want to escape violence, the site is also reachable on-line in case a victim requests a material aid intervention to Family Planning centres, the Municipality of Brescia, hospitals, Social Services, Police or the Education Authority.

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