# Country summary: Italy

## COVID-19 cases

As of 21 September 2020, Italy registered 295,368 COVID-19 cases and 35,688 deaths[[1]](#footnote-1). Data was not disaggregated by disability, with few articles reporting unclear numbers.

No data was collected on

1. People living in semi-autonomous situations with support from caregivers;
2. What happened in homes with students/children with disabilities;
3. Persons from ages 18-65 who used day centers which were closed.

Nevertheless, as the competence for care homes and institutions was remitted to the Regions, centralized data is mainly unavailable, not fully reliable and scattered.

## Emergency, lockdown, and confinement

Italy has been in a state of emergency since 31 January 2020. The emergency status was prolonged to 15 October 2020[[2]](#footnote-2). Some areas within the country were declared “red-zones” and the country went into full lockdown, with severe limitations to freedom of movement both between Regions and between cities in the same Region. Italy did not have a plan to combat flu pandemics, as other European countries[[3]](#footnote-3)

Concerns raised about the lack of attention and action relating to persons with disabilities during lockdown led to e Forum Italiano Disabilita (FID) highlighting “human rights vioations” in a report sent to the UN treaty bodies of the Convention Against Torture s[[4]](#footnote-4). The report raised concerns regarding the high numbers of deaths in residential settings, the disregard for the needs of persons with disabilities confined at home, and the lack of support to families caring for persons with disabilities[[5]](#footnote-5).

During lockdown, some exceptions were put in place for persons with disabilities:

* No obligation to wear a mask if disability is “not compatible” with the act of wearing a mask;
* No obligation to respect 6-feet distance between a person with intellectual or sensory disability or non-autonomous people and their personal assistants or caregivers[[6]](#footnote-6);
* Automatic extension of expiring treatment plans (providing for support machines, special alimentation requests, etc) for 90 days[[7]](#footnote-7).

## Involvement of organisations of persons with disabilities

The Prime Minister met with the president of the Italian Federation of DPOs, to discuss the reopening plan and with the objective of defining a more inclusive normative framework[[8]](#footnote-8). He decided to retain disability within the competences of the Prime Minister office, and, in an attempt to mainstream disability, he created a specific office and included the National Observatory on Condition of Persons with Disabilities. The League for the Rights of Persons with Disabilities issued a statement calling the Lombardia Region management of COVID-19 a “Massacre of the Innocents”, to denounce the situation of persons with disabilities[[9]](#footnote-9).

DPO representatives raised concerns over the fact that the Government’s approach to the emergency was not in line with Art.11 of the CRPD, meaning that only repeated requests by DPOs and advocates for the rights of persons with disabilities resulted in governmental answers during the pandemic[[10]](#footnote-10). Moreover, decisions were often remitted to the competences of the 21 Italian Regions, meaning no central provisions were taken, and a national analysis of measures impacting persons with disabilities was not possible[[11]](#footnote-11).

## Communications and announcements

The Government took some measures for inclusive communications, including:

* Civil protection agency [youtube channel](https://www.youtube.com/channel/UC4fru33Tzpu0UhCIHChiNFA) with sign language interpretation, but without captions
* Dedicated email ([1500coronavirus@sanita.it](mailto:1500coronavirus@sanita.it)) to receive targeted COVID-19 updates for deaf and hard-of-hearing persons.
* Dedicated [government page](http://disabilita.governo.it/it/coronavirus-associazioni-ed-altri-enti-a-supporto-delle-persone-con-disabilita/) listing associations providing services to persons with disabilities during the pandemic

However, DPO representatives raised concerns that these efforts were not met with substantive measures to support persons with disabilities. While sign-language was made available, it was often provided without closed-captioning.

## Institutions and closed settings

There was a high death rate of patients from healthcare residents as shown in a sample survey launched by the Istituto Superiore di Sanita[[12]](#footnote-12).

The government released operational guidelines for nursing homes only after the country’s total lockdown on March 9th, requiring care homes to suspend visitations. An update of the operational guidelines dedicated to long-term care facilities was released by the Ministry of Health only on March 25th. The response was then left to the initiative of each nursing home, relying on their capacity and willingness to cope with extraordinary conditions while having limited external support[[13]](#footnote-13).

Moreover, Italy faced serious shortages of Personal Protection Equipment: nursing homes were not prioritized for receiving new procurements. Workers and care users were not sufficiently protected from the spread of COVID-19.

The ISS launched a survey to investigate the high numbers of deaths registered in residential centers for older people, after the national press raised the attention on the potentially significant underestimation of COVID-19-related deaths in care homes. Preliminary results confirm that the actual number of COVID-19 related deaths might be much higher than the one reported in official documents.

DPO representatives highlighted that the welfare system should be thoroughly reformed to be inclusive. The approach should be based on the principle of not institutionalizing unless it is severely necessary to do so, with personalized projects based on the principles of self-determination, rehabilitation, and empowerment[[14]](#footnote-14).

## Health care

The Italian Commission on Bioethics released an expert opinion detailing how persons cannot be denied treatment, in favour of someone else, on the basis of pre-existing conditions, disability, sex or gender[[15]](#footnote-15). This opinion came after the release of the SIAARTI Guidelines[[16]](#footnote-16); the SIAARTI Guidelines explicitly discriminated against persons with disabilities and older persons. These Guidelines - although generally opposed by international organizations - implied discriminatory treatment towards older persons and persons with disabilities l[[17]](#footnote-17). The National Federation of Surgeons publicly criticized these Guidelines spurring a public outcry[[18]](#footnote-18).

The Bioethics Committee of San Marino, published an position paper requested by the government on 15 March detailing how these guidelines are discriminating and that the clinical conditions of a patient, and only such conditions, should constitute the basis for judgement[[19]](#footnote-19).

Finally, as much as there was a public discussion stigmatizing the practice, the responsibility of doctors fell under the doctrine of “emergency healthcare”, distinguishing between “losable losses” and “losses to be saved” with an utilitarian view[[20]](#footnote-20).

## Social Protection

Limited provisions of social protection for persons with disabilities was one of the most criticized areas by DPOs representatives with reference to the response of the Italian Government. As previously mentioned, with many of the social services competences remitted to the Regions, the response was not unified nor inclusive of the different needs of persons with disabilities.

On education, OPDs representatives highlighted that the right to an education for students with disabilities was violated as very few platforms of communication were accessible (lack of sign language interpreter, captioning, accessible format of documentation. etc.), and as 250,000 students with intellectual disabilities did not receive appropriate support[[21]](#footnote-21).

On employment, while during the first phase of the emergency the Italian Government was proactive in supporting employees with disabilities, problems are rising as restrictive measures are lifted. Employees with intellectual disabilities cannot effectively work-from-home and are running out of possibilities to benefit from paid or sick leave, which have not been extended past July 2020.

1. Istituto Superiode di Sanita (ISS), Dati della Sorveglianza integrata COVID-19 in Italia, available in italian and english at: <https://www.epicentro.iss.it/coronavirus/sars-cov-2-dashboard> [↑](#footnote-ref-1)
2. Altalex, available in Italian at: <https://www.altalex.com/documents/news/2020/07/30/proroga-stato-di-emergenza> [↑](#footnote-ref-2)
3. Interview with Luisa Bosisio Fazzi and Giampiero Griffo, 13 August 2020 [↑](#footnote-ref-3)
4. Forum Italiano sulla Disabilita’, CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment 70 Session (09 Nov 2020 - 04 Dec 2020) Adoption of lists of issues prior to reporting, available at: <https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=ITA&Lang=EN> [↑](#footnote-ref-4)
5. Forum Italiano sulla Disabilita’, CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment 70 Session (09 Nov 2020 - 04 Dec 2020) Adoption of lists of issues prior to reporting, available at: <https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Countries.aspx?CountryCode=ITA&Lang=EN> [↑](#footnote-ref-5)
6. Information available in Italian at: <http://disabilita.governo.it/it/notizie/nuovo-coronavirus-domande-frequenti-sulle-misure-per-le-persone-con-disabilita/> [↑](#footnote-ref-6)
7. Ibid. [↑](#footnote-ref-7)
8. Available in Italian at: <https://www.abiliaproteggere.net/2020/06/22/stati-generali-e-disabilita/> [↑](#footnote-ref-8)
9. Article in Italian available at : <https://www.ledha.it/page.asp?menu1=4&menu2=3&notizia=9857&page=1> [↑](#footnote-ref-9)
10. Interview with Luisa Bosisio Fazzi and Giampiero Griffo, 13 August 2020 [↑](#footnote-ref-10)
11. Interview with Luisa Bosisio Fazzi and Giampiero Griffo, 13 August 2020 [↑](#footnote-ref-11)
12. Istituto Superiore di Sanita, Survey nazionale sul contagio COVID-19 nelle strutture residenziali e sociosanitarie, 5 May 2020, available in italian at: <https://www.epicentro.iss.it/coronavirus/pdf/sars-cov-2-survey-rsa-rapporto-finale.pdf> [↑](#footnote-ref-12)
13. International Long Care Policy Network, Updated estimates of mortality of nursing home residents and staff linked to the COVID-19 pandemic in Italy, 26 June 2020, available at: <https://ltccovid.org/2020/06/26/updated-estimates-of-mortality-of-nursing-home-residents-and-staff-linked-to-the-covid-19-pandemic-in-italy/> [↑](#footnote-ref-13)
14. Interview with Luisa Bosisio Fazzi and Giampiero Griffo, 13 August 2020 [↑](#footnote-ref-14)
15. Comitato Nazionale Bioetica, COVID-19: la decisione clinica in condizioni di carenza di risorse e il criterio del “triage in emergenza pandemica”, 8 April 2020, available at: <http://bioetica.governo.it/media/3987/p136_2020_covid-19-la-decisione-clinica-in-condizioni-di-carenza-di-risorse-e-il-criterio-del-triage-in-emergenza-pandemica.pdf> [↑](#footnote-ref-15)
16. Italian Society for Anesthesia, Re-animation and Intensive Care, available in Italian at: <https://www.google.com/search?q=SIIARTI&rlz=1C1CHZL_enIT830US830&oq=SIIARTI+&aqs=chrome..69i57j0l7.3435j0j7&sourceid=chrome&ie=UTF-8> [↑](#footnote-ref-16)
17. Forum Italiano sulla Disabilita’, CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment 70 Session (09 Nov 2020 - 04 Dec 2020) Adoption of lists of issues prior to reporting. [↑](#footnote-ref-17)
18. <https://portale.fnomceo.it/anelli-fnomceo-su-documento-siaarti-nostra-guida-resta-il-codice-deontologico/>

    [↑](#footnote-ref-18)
19. Segreteria di Stato della Repubblica di San Marino, Opinion on use of invasive assisted ventilation on patients with disabilities, available at: <http://www.sanita.sm/on-line/home/bioetica/comitato-sammarinese-di-bioetica/documents-in-english.html> [↑](#footnote-ref-19)
20. Interview with Luisa Bosisio Fazzi and Giampiero Griffo, 13 August 2020 [↑](#footnote-ref-20)
21. Interview with Luisa Bosisio Fazzi and Giampiero Griffo, 13 August 2020 [↑](#footnote-ref-21)