

How to Use This Brief

As a business leader, you have the opportunity to create change for LGBT+ people around the world – both within your organizations and in the countries where you do business. This brief provides valuable information to inform your conversations with:

Internal Staff: Ensure that staff at your company who do business in-country are aware of the laws and other regulations that impact LGBT+ people there, and that they've adopted the appropriate internal policies for their location.

Government Leaders: In your meetings with government leaders, particularly those focused on business expansion or diplomacy, we encourage you to bring up the information shared in this brief in an appropriate way, and help them understand how LGBT+ inclusive policies are part of your company's best practices, and acknowledged as global standards. You are the best person to judge whether you have the ability to have such a conversation with a local leader in an appropriate way. Your Government Affairs officer, Diversity & Inclusion head, or equivalent may be appropriate to include in these conversations.

In-country Business Partners: In conversations with business partners, when appropriate, ask them what they're doing to address LGBT+ inclusion, and help explain why inclusion positively impacts your ability to conduct business there.

Talking Points

"Tourism accounts for about 10% of Italy's GDP, and LGBT+ tourism is a \$200 billion annual market. It would behoove Italian lawmakers to help ensure that LGBT+ travelers feel comfortable here."

"Though a majority of Italians support LGBT+ rights, there were still 104 homophobic incidents reported between March 2015 and 2016, according to Arcigay. The real number is undoubtedly higher. Though it's great that Italy's anti-discrimination laws include outlawing violence against LGBT+ people, Italy must also make it possible to consider sexual orientation in hate crime prosecutions."

"Recent surveys put Italy's LGBT+ population at between 4 and 6% of the overall population. Legalizing full gay marriage and outlawing anti-LGBT+ hate crimes would allow 2.4 to 3.6 million people to more fully participate in Italy's social, political, and economic life."

"More than 70% of Italians believe that LGBT+ people should have full equality. Changing laws that prohibit same-sex couples from adopting children and limit in vitro fertilization to heterosexual couples would be consistent with the arc of popular opinion."

Current Legal Status of LGBT+ People

Legal Status of the Lesbian, Gay, and Bisexual Community

As of 2018, Italy is one of the only major countries in Western Europe with a marriage ban for same-sex couples.

Italian Parliament legalized same-sex civil unions in May 2016.

Use of assisted reproductive technology like in vitro fertilization (IVF) and surrogacy is reserved only for those in "stable heterosexual relationships." However, in April 2018, a lesbian couple who used artificial insemination in Denmark to become pregnant, had their baby recognized by Italian authorities. Turin's mayor personally signed the birth certificate of the baby and signed three other birth certificates of babies of three other same-sex couples.

Legal Status of the Transgender and Gender-Diverse Communities

In July 2015, Italian supreme court issued a decision allowing trans people to change their legal gender markers without demonstrating proof of surgery. The decision also meant that sterilization is not required.

Current Legal Status of LGBT+ People

Government Statements and Actions

In June 2018, Italy's minister of families and disabilities Lorenzo Fontana was asked how he would treat "rainbow families" to which he responded: "They don't exist at the moment, as far as the law is concerned."

In July 2018, Fontana told a parliamentary hearing: "The present state of family law cannot account for what has happened in recent months on the matter of parental recognition, in terms of registering children conceived abroad by same-sex couples, using practices that are banned under our legal system and that should remain as such,"

A lesbian couple who had a baby via IVF administered in Denmark had their baby recognized by the Italian government, a first.

A gay couple who had twins using a surrogate in America brought them back to Italy in January 2017. The clerk there refused to register the babies as the couple's children and refused to recognize the boys as brothers. Each man was eventually allowed by the courts to register the child genetically related as his own, but they were not allowed to adopt the other one.

Venice Mayor Luigi Brugnaro – who created controversy by removing children's books with same-sex couples from school libraries upon taking office – announced a ban on pride parades in 2015, calling them "the height of kitsch." He backtracked days later.

Socio-cultural Environment of LGBT+ People

Status of LGBT+ Organizing and Community

There are several annual pride parades in cities across Italy. The 2018 pride in Rome attracted 500,000 people.

The Catholic Church still holds strong sway in Italy, bringing with it entrenched homophobia. In March 2017, the LGBT+ group Arcigay refused to reveal publicly what schools in Genoa were participating in a gender studies program for fear of homophobic backlash.

In the 2017 Rainbow Europe report, Italy ranked 32 out of 49 countries having scored just 27 per cent for its protection of LGBT rights.

Cultural Views of the LGBT+ Community

In January 2016, thousands of Italians attended a rally at the ancient Roman arena Circus Maximus to protest a proposal to legalize same-sex civil unions. The protest was unsuccessful – the law passed four months later.

Surveys in 2015 show that more than 70% of Italians believe LGBT+ people in Italy suffer from discrimination on the basis of sexual orientation or gender identity. But 72% also agreed that LGBT+ Italians should have equal rights with everyone else.

In May 2015, Felice Belloli, who was then the head of Italy's amateur football association, allegedly used "lesbians" as an insult when referring to women's soccer. He was fired for the remarks.



Impact of LGBT Discrimination on Business & Talent



BRAND RISK **LOW**

In terms of supporting LGBT+ rights, there is little brand risk to operating in Italy. Though portions of the population adhere to conservative Catholicism, the majority of Italians support LGBT+ equality.

CLIENT RISK **NONE**

There is little to no client risk to operating in Italy, which does not have a homophobic reputation, despite being the last country in Western Europe to legalize same-sex unions.

TALENT RISK **LOW**

Gay and lesbian people cannot get married in Italy, but many big-city mayors exploit a loophole in Italian law and recognize same-sex marriages performed abroad. Italy also recognizes civil unions. There is little risk overall that LGBT+ talent would be penalized by relocating to Italy.

MARKETING RISK **LOW**

Global corporations already regularly sponsor Italian gay pride parades. Though many Italians still adhere to traditional Catholic dogma, which can include opposing same-sex relationships, there is little risk to marketing to LGBT+ customers in Italy.

Local Leaders Advocating for LGBT Equality

There are many openly LGBT + activists and experts in India. Out Leadership recommends:

Federico Sassoli
Arcigay National Office

Purpose

Multinational companies face operational and reputational risk when they do business in countries where the legal and/or social atmosphere makes it difficult for LGBT+ people to live openly. Discrimination against LGBT+ people creates serious challenges for talent mobility, retention, and development.

Out Leadership's LGBT+ CEO Business Briefs seek to help C-Suite leaders understand and respond to these risks. Secondly, these Briefs seek to inform and empower corporate executives to engage in conversations with trade officials and other local stakeholders about why discrimination against LGBT+ people negatively impacts their ability to do business.



Additional Resources

2016 International Gay and Lesbian Association State Sponsored Homophobia Report

This report contains a country-by-country analysis of anti-LGBT laws and policies around the world.

2016 Human Rights Watch World Report

This report contains a country-by-country analysis of human rights concerns for 2014, and includes specific information pertinent to LGBT issues.

Special Thanks

Our partners and colleagues at the Global Equality Fund, 11.e Council/or Global Equality, The Palette Fund, The United States Department of State, Stonewall, Gay, Lesbian & Straight Education Network, Oogachaga, OutRight Action International, Human Rights Watch, and the Williams Institute were instrumental in the creation of this brief.

We also want to thank Out Leadership's Global Advisory Board Members and our member companies' senior leaders, who have committed to using the brief.

Pro Bono Legal Partner

We thank our partners at Ropes & Gray, who have vetted the legal facts in this brief.

ROPES & GRAY

OutLeadership.com
+1.917.336.0604
info@outleadership.com

520 West 43rd Street New York, NY 10036 USA

nglcc 
Certified LGBTBE

Certified

Corporation