



**Comments submitted by Italy
on GREVIO's first thematic evaluation report:**

**Building trust by delivering
support, protection and justice**

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“Building trust by delivering support, protection and justice”***

2025

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INTRODUCTION

Italy has made the prevention and elimination of violence against women and domestic violence a cornerstone of its political agenda. Since the ratification of the Istanbul Convention, Italy has carried out a broad and sustained reform process, progressively developing a robust and comprehensive legal framework, which stands among the most advanced in Europe and internationally.

Following the Baseline Evaluation by GREVIO, Italy has undertaken numerous legislative and policy initiatives aimed at strengthening prevention, protection, and prosecution measures, as well as improving coordination across institutional and local levels to counter violence against women and girls. The most recent and significant step in this evolution is Law No. 168/2023, “Provisions for the prevention and combat of violence against women and domestic violence”, promoted by the Minister for Family, Natality and Equal Opportunities, the Minister of Justice, and the Minister of the Interior. The law is the result of an extensive inter-ministerial effort, with the participation of civil society. Its overarching goal is to enhance victim protection, with particular attention to early-warning offences (“*reati spia*”), and to strengthen preventive measures. Among its key innovations, Law No. 168/2023 introduces stricter timelines for precautionary measures, a more rigorous application of electronic monitoring devices, and the possibility of arrest in cases of “deferred flagrante delicto”, based on video or digital evidence. The law also consolidates a comprehensive framework of criminal, procedural, and preventive provisions to ensure a more effective response to gender-based and domestic violence.

Equally significant is Law No. 53 of 5 May 2022 on gender-based violence statistics, which established an inter-ministerial information system to ensure a continuous and reliable flow of data on violence against women.

On 7 March 2025, the Italian Government – the first in the country’s history to be led by a woman – approved a landmark bill introducing femicide as a distinct and autonomous offence in the Italian Criminal Code. The bill, approved by the Parliament unanimously, with the support of all political parties, on 25 November 2025, provides for that: “*Whoever causes the death of a woman, when the act is committed as an act of hatred, discrimination, subjugation, or as an act of control, possession, or domination because she is a woman, or in relation to the woman's refusal to establish or maintain an emotional relationship, or as an act intended to limit her individual freedoms, shall be punished with life imprisonment*”.

Additionally, a new bill introducing the concept of “free and present consent” to sexual acts is currently under discussion in the Senate, following unanimous approval by the Chamber of Deputies on 19 November 2025, with the support of all political parties. This development further demonstrates the ongoing efforts to strengthen the Italian legislative framework.

In September 2025, the new National Strategic Plan on Violence Against Women and Domestic Violence 2025-2027 was approved. It serves as the strategic and operational framework for preventing and combating violence against women and domestic violence, building on the previous plan and in line with the four pillars of the Istanbul Convention. The Plan is accompanied by an operational framework that ensures immediate and effective implementation, identifying a set of rapidly implementable measures to be carried out over a two-year period, which will be subsequently updated throughout the Plan’s duration to address emerging needs and priorities.

Alongside legislative developments, the Italian Government has significantly increased funding to strengthen prevention, protection, and support services for women victims of violence and their children. Efforts focus on consolidating anti-violence centres and shelters by providing stable funding to existing facilities and supporting the creation of new ones, ensuring nationwide coverage and continuity of services.

Additionally, measures such as the “Freedom of Income” for women victims of violence have been refinanced and will become permanent from 2027. This measure provides direct monthly financial assistance to women leaving violent situations, helping them meet essential needs such as housing, childcare, and employment integration, and supporting their progress toward full economic and social independence.

DEFINITIONS (ARTICLE 3)

13. With a view to enhancing the implementation of the Istanbul Convention in Italy and ensuring greater protection of victims of all forms of violence against women, GREVIO urges the Italian authorities to introduce definitions of domestic violence and violence against women that are in line with Article 3 of the convention with a view to ensuring a harmonised use of these concepts across all areas of the law and policy.

The “National Strategic Plan on Violence against Women and Domestic Violence 2025–2027” (2025-2027 NAP) serves as a multi-year strategic framework outlining the objectives and corresponding measures pursued by the Italian Government to ensure an effective, coordinated, and consistent nationwide response to the phenomenon of male violence against women.

The Plan is embedded within a comprehensive, evolving regulatory framework encompassing both international and European dimensions. It therefore directly incorporates extensive references to Directive (EU) 2024/1385 on combating violence against women and domestic violence, including the definitions of violence against women and domestic violence contained therein.

Furthermore, Law No. 91 of 13 June 2025, known as the *European Delegation Law*, provides the legal basis for this process, authorizing the Government to adopt legislative decrees for the implementation and transposition of EU acts, including Directive (EU) 2024/1385. This step marks the beginning of the formal transposition of the Directive into the national legal system, to be completed by adopting a specific legislative decree by June 2027. By aligning national policy with the Directive’s provisions, the Italian Government will strengthen and harmonize the legal and conceptual framework governing the prevention and prosecution of violence against women, including the definitions of violence against women and domestic violence.

Currently, two key legislative measures are under parliamentary review and approval to strengthen Italy’s legal framework for preventing and addressing violence against women. These proposals are significant, as they seek to fill current legal gaps by introducing the concept of consent in cases of sexual violence and by establishing femicide as a separate criminal offense.

The bill titled “Amendments to Article 609-bis of the Criminal Code concerning sexual violence and the free expression of consent” introduces the issue of the consent, providing that “*Any person who engages in, or causes another person to engage in or submit to, sexual acts with another person without that other person’s free and present consent shall be punished with imprisonment for a term of six to twelve years*”. This bill received unanimous approval from the Chamber of Deputies on 19 November 2025

with the support of all political parties and is now transmitted to the Senate for its examination.

Recognizing the absence of a legal definition of femicide in the Italian legislative, the Council of Ministers, following a proposal by the Minister for Family, Natality and Equal Opportunities, the Minister of Justice, the Minister of Interior, and the Ministers for Institutional Reforms and Regulatory Simplification, has approved a draft law titled “Introduction of the crime of femicide and other legislative measures to combat violence against women and to protect victims” (Bill No. 2528). This historic bill introduces femicide as an autonomous, distinct, and specific offence in the Italian Criminal Code. It provides that: *“Whoever causes the death of a woman, when the act is committed as an act of hatred, discrimination, subjugation, or as an act of control, possession, or domination because she is a woman, or in relation to the woman's refusal to establish or maintain an emotional relationship, or as an act intended to limit her individual freedoms, shall be punished with life imprisonment.”* The bill was unanimously, with the support of all political parties, adopted by Parliament on 25 November 2025, reaffirming Italy’s full and firm commitment to enhancing its legislative framework to combat violence against women and girls.

This Bill intervenes, inter alia, in Book II, Title XII, Chapter I and subsequent provisions of the Criminal Code, introducing Article 577-bis, concerning femicide, as well as a series of aggravating circumstances for certain offences of domestic violence or against women, where such offences are committed in the manner of conduct established for the offence of femicide under Article 577-bis of the Criminal Code. Article 577-bis of the Criminal Code establishes an autonomous and special offence of homicide, based on the characteristics of the victim: indeed, Article 577-bis, paragraph 1, as amended during committee’s reporting stage, punishes, with life imprisonment, conduct aimed at causing the death of a woman, committed through acts of discrimination, hatred, abusive behaviour, as well as acts of control, possession or domination over the victim as a woman, or homicide committed in connection with a woman’s refusal to enter into or maintain an emotional relationship, or as an act limiting her individual freedoms.

It should also be noted that, in parallel with the cases described above, the provision on homicide under Article 575 of the Criminal Code shall apply.

The exhaustive and precise listing of indicators of violent and abusive behaviour towards women and their freedom of self-determination seeks to comply with the recommendation on the introduction of definitions of domestic violence and violence against women, by systematizing the wide range of acts of violence against women already identified by case law.

Firstly, conduct carried out as acts of hatred or discrimination or abusive behaviour, or as acts of control, possession or domination over the victim as a woman are highlighted. With regard specifically to the notions of acts of discrimination and acts of hatred, it should first be noted that such forms of conduct are already addressed under other offences established in our legal system. In particular, reference should be made to Article 604-bis of the Criminal Code, entitled “*Propaganda and incitement to commit offences for reasons of racial, ethnic and religious discrimination*”, which, in paragraph 1, letter a), punishes “*anyone who propagates ideas based on racial or ethnic superiority or hatred, or who incites to commit or commits acts of discrimination on the grounds of race, ethnicity, nationality or religion.*”

In this respect, case law intervened to clarify and specify the scope and meaning of these provisions. The Supreme Court stated that the rule of non-discrimination enshrined in Article 3, paragraph 1 of the Constitution aims to ensure the highest level of implementation of the principle of equality, to be understood as the equal standing of all human beings, in order to banish any drive that fuels inequality and racism (as discrimination and denial of rights and entitlements solely on an ethnic–racial basis, see Cass. crim., Sec. I, judgment no. 10335/2021).

As regards the reference contained in the new Article 577-bis of the Criminal Code to acts of discrimination against the victim as a woman, it should be pointed out that, on the one hand, the principle of formal equality laid down in Article 3 of the Constitution requires equal treatment between men and women in the presence of homogeneous legal situations, but, on the other hand, the provision under examination refers to the subjective qualities of the victim and not of the perpetrator, thereby attributing a specific disvalue to the homicidal conduct in order to respond to the need for protection against violence against women.

With reference to the prohibition of discrimination based on sex, the Constitutional Court delivered numerous rulings reiterating the principle of equality between men and women. By way of example, reference may be made to the principle of material and moral equality between spouses (see Const. Court, judgment no. 71/1987), equality of treatment in access to public employment (see Art. 51 Const.; see Const. Court, judgment no. 181/2024) and to elected offices (see Art. 51 Const.; see Const. Court, judgments no. 422/1995; no. 49/2003), and equality of treatment in remuneration and pension matters (see Const. Court, judgments no. 109/1989; no. 111/2017).

In this context, it should be noted that the Court of Cassation held that “*the cultural root of domestic violence offences and of violence against women, as established in the findings of trial courts, is expressly indicated in the Preamble to the Istanbul Convention, which recalls its ‘structural nature’ and qualifies this specific form of violence as expressing ‘a manifestation of the historically unequal power relations*

between the sexes, which have led to domination over women and discrimination against them by men, and prevented their full emancipation”” (Court of Cassation, 6th Crim. Chamber, judgment no. 28217 of 20/12/2022, filed in 2023, G., para. 5.2.) (see also Court of Cassation, Crim Chamber, judgment no. 3457/2025).

As regards conduct carried out through acts of abusive behaviour, reference may be made to the principles developed by the Supreme Court in relation to the offence of ill-treatment against family members and cohabiting partners under Article 572 of the Criminal Code. In particular, the Court held that acts of physical or moral oppression capable of constituting the offence under Article 572 are those that impair the physical and psychological integrity of the victim within family or support settings where the victim should instead receive protection (Cass. Crim. Ch., judgment no. 23104/2021). In this respect, abusive behaviour between the parties occurs in contexts where there is a situation of passive subjection of one to the other (see Cass. Crim. Ch., judgment no. 5258/2016; similarly, Cass. Crim. Ch., judgment no. 809/2023).

With regard to acts of possession, control and domination, it should be noted that the Supreme Court examined the concrete manifestation of such conduct in the commission of specific offences such as stalking under Article 612-bis of the Criminal Code (see Cass. Crim. Ch., judgment no. 9966/2017; Cass. Crim. Ch., judgment no. 20786/2019) and ill-treatment against family members and cohabiting partners under Article 572 of the Criminal Code (see Cass. Crim. Ch., judgment no. 20870/2025).

As for the case of homicidal conduct committed in relation to the woman’s refusal to establish or maintain an emotional relationship, this provision specifically criminalises conduct perpetrated within the framework of a relationship between the perpetrator and the victim.

The notion of an emotional relationship in the Criminal Code can be found in the offence of stalking under Article 612-bis, which provides for an aggravating circumstance where the act is committed by a person who is or has been linked to the victim by an emotional relationship (Art. 612-bis, para. 2 Criminal Code). On this point, the Court of Cassation clarified that, for the purposes of establishing the above aggravating circumstance, an “emotional relationship” does not necessarily require a stable cohabitation, but also encompasses a bond characterized by a mutual relationship of trust, such as to generate in the victim expectations of protection and care. Indeed, the “emotional relationship” is based on the emotional bond characterizing the relationship between the perpetrator and the victim (see Cass. Crim. Ch., judgment no. 11920/2018; Cass. Crim. Ch., judgment no. 25516/2024).

The offence of femicide under Article 577-bis, paragraph 1, Criminal Code, is further constituted where the homicidal act is committed as a means of restricting the woman’s

individual freedoms, a broad formula intended to encompass any purpose aimed at limiting such freedoms.

The specific aggravating circumstance is provided for offences typically expressing domestic violence and violence against women (*ill-treatment in the family, Article 572 Criminal Code; aggravating circumstances for bodily harm, Article 585 Criminal Code; non-consensual termination of pregnancy, Article 593-ter Criminal Code; aggravating circumstances for sexual violence, Article 609-ter Criminal Code; stalking, Article 612-bis Criminal Code; unlawful dissemination of sexually explicit images or videos, Article 612-ter Criminal Code*), in order to punish more severely those types of conduct that are demonstrations of such phenomena. From this perspective, through a systematic and comprehensive reading of the legislative reform Bill, it emerges that the legislator intends to categorise domestic violence and violence against women by identifying symptomatic and recurring circumstances of such violence (acts of discrimination, hatred, abusive conduct, control, possession or domination over the victim as a woman, acts restricting her individual freedoms, or violent reactions to a woman's refusal to initiate or continue an emotional relationship). In this sense, the Bill already seems to incorporate the indication of the action urged in point 13, aimed at introducing a precise definition of the types of conduct constituting domestic violence and violence against women (including the sub-phenomena of economic and psychological violence).

COMPREHENSIVE AND CO-ORDINATED POLICIES (ARTICLE 7)

24. Recalling the findings issued in GREVIO's baseline evaluation report on Italy, GREVIO strongly encourages the authorities to:

a. ensure that the National Action Plan on Violence against Women and any regional plan refer to and address all forms of violence against women from the perspective of prevention, protection, prosecution and integrated policies, while fully reflecting the needs of all women and the specific needs of women who might be exposed to intersectional discrimination, including Roma and Sinti women, LBTI women, women in prostitution and women with addiction issues, and giving due importance to the gendered nature of such violence. Such policy documents must be supported by a clear operational plan specifying the implementing stakeholders, the timeline and financial resources that are earmarked for each objective and by indicators to measure progress;

b. build on the research conducted on existing regional legislation and policies on violence against women, with a view to identifying and promoting promising

practices across the country, thereby ensuring the harmonisation of policies on violence against women at regional/local level;

c. strengthen the stability and continuity of the work of the co-ordinating body by simplifying its framework and ensuring that its work is not hampered by political turnover; and improve the co-ordination between all relevant ministries and agencies, as well as with regional/local governments in the implementation of policies to prevent and combat violence against women;

d. ensure meaningful and effective consultation and participation with civil society active in the area of violence against women in the shaping of policies, their co-ordination, implementation and monitoring.

The 2025–2027 NAP builds on the 2021–2023 NAP, sharing its key principles, such as:

- the right of every woman and girl to live free from violence in both public and private spheres;
- the principle of inclusion, which requires attention to the diverse vulnerabilities and multiple forms of discrimination experienced by victims of violence.

Together, these principles affirm the right of all women and girls to live free from violence and address their specific needs resulting from vulnerability or multiple forms of discrimination.

To ensure the immediate implementation of the 2025–2027 NAP, an Operational Framework has been developed in parallel, setting out the actions planned by the administrations involved. For each Pillar and Priority, the framework lists the measures to be implemented starting from 2025, specifying the responsible administrations for each intervention. The Operational Framework, presented and approved together with the 2025–2027 NAP for the 2025–2026 biennium, will be periodically updated by the Department for Equal Opportunities, with the support of the Observatory on Violence against Women and Domestic Violence, and in agreement with the political authority. Annual updates will incorporate new actions and resources that address emerging priorities identified during Plan implementation. These priorities are determined through consultation with governance bodies such as the Steering Committee, the National Observatory on Violence against Women and Domestic Violence, thematic working groups, coordination tables, the PNRR Steering Committee, and territorial networks. The implementation process will be marked by broad, structured consultation activities, primarily within the Observatory on Violence against Women and Domestic Violence, aimed at consolidating and expanding the Plan's governance framework.

The 2025–2027 National Action Plan updates previous strategies to guide programming over the next three years. It reaffirms Italy’s commitment to preventing and addressing male violence against women and domestic violence. Drawing on lessons from earlier cycles, the Plan adds operational measures to support immediate implementation.

The strategic framework continues from the previous period and serves as a bridge to the next programming phase. It remains aligned with the United Nations 2030 Agenda, specifically Goal 5, “*Achieve gender equality and empower all women and girls.*” This alignment supports coordination among all relevant institutions and stakeholders toward this shared goal.

At the national level, the Plan forms part of a comprehensive strategy to enhance the protection and empowerment of women and girls. It is closely coordinated with the National Strategy for Gender Equality 2021–2026 and is consistent with the National Recovery and Resilience Plan (NRRP). In response to the evolving nature of violence against women, the Plan is scheduled for 2025–2027, in accordance with Article 5 of Decree-Law No. 93/2013. The Plan will remain effective until a new version is adopted and may be updated as necessary during its implementation.

This bridging approach focuses on strengthening cooperation, integration, and harmonization among recent initiatives, aiming to improve conditions for the full realization of women’s rights. The Plan is a key tool for developing comprehensive and coherent interventions to prevent and address male violence against women. It reinforces institutional accountability and promotes coordinated planning of interventions, diversified by theme and location, by central, regional, and local authorities, as well as economic and social partners.

Drawing on lessons from the previous period, the Plan’s governance and implementation mechanisms have been reinforced in their steering, coordination, and monitoring functions. The Plan is implemented nationwide, utilizing insights from earlier cycles to more effectively identify the diverse forms of male violence against women and the specific contexts in which prevention and response should be prioritized.

Territorial planning and broad implementation of measures are especially critical in metropolitan outskirts and regions with high unemployment rates, where women’s access to quality services, employment opportunities, and full participation in civil society is significantly more limited.

Building on the findings of previous monitoring activities carried out by the Department for Equal Opportunities on the measures implemented under the previous

Plan, the 2025–2027 National Action Plan was developed through a highly participatory process involving all institutional stakeholders and the economic and social partners that make up the Observatory on Violence against Women and Domestic Violence.

Within the Observatory, specific thematic working groups were established - bringing together representatives from institutions and civil society organizations - and organized around the four main Pillars: *Prevention, Protection and Support, Prosecution and Punishment, and Assistance and Promotion*. These groups met in October and November 2024 and January 2025, with the aim of identifying priorities and implementation measures to address the different dimensions of the phenomenon, with a view to continuous improvement and adaptation to the evolving context. The draft Plan was subsequently submitted to the Unified Conference (the body in which Regions, Provinces, and Municipalities express their views on issues of common interest, adopt joint decisions, promote and formalize agreements, issue opinions, and designate representatives) for the required opinion under national legislation. Following this step, the Plan was formally adopted by the Minister for Family, Natality, and Equal Opportunities. Civil society was also actively involved in the revision of the Agreement on the minimum standards for anti-violence centres and shelters (14 September 2022), which led to the extension of the current agreement.

With specific reference to the initiatives carried out by the Ministry of Justice for the “establishment of a network of services” for victims of crime (in compliance with Directive 2012/29/EU), it is worth highlighting:

- the broad-based nature of the protection to be ensured through activities subsidised by the Ministry of Justice (Department of Justice Affairs), uniformly at the national level;
- the coordination between such actions and the interventions already deployed at the local level by anti-violence centres and the widespread involvement of all institutional entities (both public and private social sector) engaged in the prevention of secondary victimization and in support of victims;
- the explicit focus, notwithstanding the broad-based nature of the assistance that may be provided, on the most vulnerable groups or those exposed to high risks of harm, such as victims of gender-based violence or repeated violence in intimate partner relationships (as such certainly included in programs for initial listening, information and specialized referral);
- the multidisciplinary, professional, free of charge and confidential nature of the services provided (before, during, and after criminal proceedings, also enhancing defence rights for access to justice);

- the continuous training of operators responsible for interaction with victims;
- the individualization and protection of the victim's needs regardless of the filing of an explicit complaint;
- the plurality of "partners" implementing the projects and the synergy with all local institutions, in a logic of proximity and widespread coverage of interventions to be deployed for the benefit of victims.

FINANCIAL RESOURCES (ARTICLE 8)

30. Recalling some of the findings issued in GREVIO's baseline evaluation report on Italy, GREVIO urges the Italian authorities to:

a. ensure appropriate, sustainable and long-term financial resources for criminal justice and for all of the policies and measures aimed at preventing and combating all forms of violence against women, including for prevention measures such as awareness raising, training and education, while ensuring separate budget and funding lines for these policies and measures;

b. provide anti-violence centres and shelters with sufficient and sustainable multi annual funding that is commensurate with their estimated needs, including that required to carry out their data-collection obligations. To this end, the authorities should take legislative or other measures to simplify and expedite the disbursement of such funding, for example through direct transfers of national funds and/or by ensuring harmonised criteria for their disbursement.

31. GREVIO, furthermore, encourages the Italian authorities to pursue their efforts to increase the funding made available for the empowerment and reintegration of victims of violence against women in the labour market, such as the "freedom of income" payments, paid leave and private companies' exemption from the payment of social security contributions when they hire victims, and to ensure that sums are disbursed promptly.

As already highlighted by GREVIO, the resources allocated to the operation of anti-violence centres (CAVs) and shelters (CRs) have significantly increased since the baseline evaluation report.

This positive trend will be also confirmed in 2025, with significant increases envisaged, once the allocation decree will be adopted, which would substantially strengthen the national system for the prevention and response to violence against women.

In addition, the 2026 draft Budget Law provides for an additional annual allocation, starting in 2026, to further strengthen anti-violence centres and shelters.

It should be recalled that the funding for anti-violence centres and shelters is transferred by the Department for Equal Opportunities to the Regions on the basis of annual allocation decrees. Since the beginning of the current legislature in 2022, the Italian Government has confirmed a strong financial support to territorial services, as follows:

- € 40 million for 2022;
- € 55 million for 2023;
- € 80 million for 2024.

With reference to the provisions of the 2025–2027 NAP, it should be underlined that the actions set out in the Plan ultimately converge towards several cross-cutting methodological objectives, namely to:

- accelerate the processes that channel new resources and opportunities directly to local territories, ensuring goal-oriented interventions while minimizing delays and bureaucratic burdens;
- coordinate funding from various EU, national, and regional programs;
- monitor and evaluate the measures and their overall impact consistently and on time;
- promote transparency and accountability in the Plan and its results.

In accordance to the Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, with regard to the effective implementation of the “assistance network” for victims of violence against women, supported by the Ministry of Justice, the procedures activated for the allocation of funds available in 2025 have been finalized thanks to the positive response from almost 20 Regions interested in continuing the projects of the assistance network, with the consolidation of initiatives already well-established and progressively strengthened in the relevant communities. The financing agreements (for a total allocation of EUR 1,561,542.56) signed by the end of October 2025 will converge toward strengthening the victim support and information centres already organised and accessible in the various participating Regions. Moreover, along the lines of previous channels of collaboration established with the *Cassa delle Ammende* (the Fines Fund), again with a view to supporting victims, a financing agreement is going to be finalised within the end of 2025 with a view to promoting awareness-raising and accountability measures for offenders within penal institutions (for adults and minors), so as to prevent recidivism and develop awareness in the fight against secondary victimisation and in the field of social reintegration of offenders. This will result in having a tool – albeit preventive and mediated – to support victims of (any type of) crime, in areas as sensitive and crucial as those dedicated to the enforcement of criminal sanctions.

As for female genital mutilation (FGM) – and according to the Law 7/2006, which introduces the specific crime and sets out a series of prevention, training and awareness initiatives - the Ministry of Health provides regions with annual funding dedicated to training health workers involved in caring for and treating women with FGM and their families. Despite the monitoring of funding carried out in 2023-24 showed a fragmented picture and highlighted the need for more training, it also confirmed the presence of reference centers, dedicated care pathways and territorial networks, as well as the continuous training of health worker.

The Italian Government also reaffirms its ongoing commitment to enhancing measures that empower and reintegrate women who are victims of violence into the labour market.

In particular, with regard to the “Freedom of Income” (*Reddito di libertà*), a total of € 20 million has been allocated for 2024 and 2025, supplemented by an additional €1 million in 2025, which made it possible to increase the monthly payment from € 500 to € 530 (following a previous increase from € 400 to € 500 per month). The 2026 draft Budget Law also provides further funding, thereby ensuring the measure's structural continuity.

In parallel, with regard to the “Freedom Microcredit” (*Microcredito di libertà*), the three-year extension of the founding protocol of the scheme has been approved, with an allocation of an additional € 3.6 million to the Fund established to eliminate the costs of entrepreneurial and social microcredit loans, in order to support the economic autonomy and labour reintegration of women victims of violence.

DATA COLLECTION (ARTICLE 11)

39. While acknowledging the progress made since the baseline evaluation report, GREVIO strongly encourages the Italian authorities to:

a. take legislative or other measures to ensure that all statutory agencies, notably, law-enforcement authorities, prosecution services, the judiciary, the health sector and social services are required to collect data on all forms of violence against women including FGM, forced abortion and forced sterilisation, disaggregated as a minimum by sex, age, type of violence, relationship of the perpetrator to the victim, geographical location and other factors deemed relevant.

In this regard, it should be noted that Law No. 53 of 5 May 2022, entitled “*Provisions on statistics concerning gender-based violence*”, under Article 5, places on the Ministry of the Interior the obligation to equip the Data Processing Centre referred to in Article

8 of Law No. 121 of 1 April 1981 with functionalities enabling the collection of any further information useful to define the perpetrator–victim relationship and, where known: the age and gender of perpetrators and victims; information on the location where the offence occurred; the type of weapon, if any, used; whether the violence was committed in the presence of the perpetrators’ or victims’ children at the scene; whether the violence was committed in conjunction with acts of stalking. Such information must be collected with respect to a very detailed series of offences relating to domestic violence, violence against women, or “indicator offences” (*reati spia*) of such phenomena (*murder, including attempted murder and its aggravated forms — as well as femicide, following the approval of the relevant bill; assault; personal injury, including aggravated forms; sexual violence, including aggravated forms; sexual acts with minors and corruption of minors; ill-treatment of family members and cohabiting partners; stalking; unlawful dissemination of sexually explicit images or videos; breach of restraining orders, including order of removal from the family home or prohibition on approaching the victim’s usual places; forced or induced marriage; FGM practices; disfigurement of the face by means of permanent injury; non-consensual termination of pregnancy; kidnapping; unlawful coercion; unlawful entry; violation of family support obligations, including in cases of separation or dissolution of marriage; child prostitution; abandonment of a minor or a mentally incapacitated person; criminal damage; extortion; threats; aiding and exploitation of prostitution; undue influence over an incapacitated person; human trafficking*).

For proceedings relating to these offences, the law also requires the Ministry of Justice to identify the methods and key information necessary to monitor the phenomenon of violence against women, also through its own information systems, and to reconstruct the relationship between the perpetrator and the victim.

This provision does not exclude but rather suggests the possibility for the Ministry of Justice to collect the same data and information as those compulsorily recorded by the Ministry of the Interior, with a view to monitoring the phenomenon and to establishing the interministerial data collection system. This system will include the main information relating to such offences, as well as all information, for every woman victim of violence, at every stage of judicial proceedings, regarding complaints, preventive measures applied by the police commissioner or the judicial authority, precautionary measures, protective orders and security measures, dismissal orders, and judgments.

The interministerial study group in charge of monitoring the implementation of these provisions was convened on several occasions.

In order to further implement the data collection system, the bill on femicide expressly provides, in Article 2 (“*Annual report on the implementation of provisions on femicide*

and on combating violence against women”), that, by 30 June of each year, the Minister of Justice shall submit to Parliament a report on the state of implementation of the measures contained in the law in the process of being approved, with particular regard to the offence of femicide and other legislative measures to combat violence against women. The report must specifically indicate the data on convictions and acquittals for the offence of femicide, as well as for homicide, disaggregated by the sex of the victim and by aggravating circumstances.

Moreover, it should be noted that the data collected by the Italian Ministry of the Interior cover all offences under the Criminal Code, including crimes such as forced abortion and female genital mutilation (the latter corresponding to female forced sterilisation). As such, figures may not exclusively reflect cases of violence against women. The dataset provides valuable disaggregation by sex, age, nationality, place of the event and other relevant variables.

GENERAL OBLIGATIONS (ARTICLE 12)

46. GREVIO encourages the Italian authorities to step up its efforts to raise awareness of violence against women and fight prejudice, gender stereotypes and patriarchal attitudes in Italian society, taking into account Recommendation CM/Rec(2019)1 of the Committee of Ministers of the Council of Europe on preventing and combating sexism. To this end, the Italian authorities should:

a. step up primary prevention efforts and promote on a regular basis awareness raising campaigns on gender stereotypes and patriarchal attitudes in Italian society, as well as on all forms of violence against women, beyond domestic violence, including rape/sexual violence based on the notion of lack of consent, sexual harassment, including in the workplace, FGM, forced abortion and forced sterilisation;

b. raise awareness of the accrued prevalence of violence against women among women who are subject to intersectional discrimination, including women with disabilities, Roma women, asylum-seeking/migrant women, LBTI women, women in prostitution and women with addiction issues, and target such groups by making available information in accessible formats and suitable locations;

c. ensure that sufficient and sustainable funding is made available for awareness raising campaigns, including, for this purpose, to women’s support services and women’s NGOs;

d. regularly carry out impact assessments of any awareness-raising campaigns and primary prevention measures taken.

The 2025–2027 Strategic Plan, in continuity with the two previous Plans, maintains the structure based on thematic Pillars inspired by the Istanbul Convention. Each Pillar identifies Priorities and Areas of intervention considered to be of continued national and regional relevance, updated following the participatory consultation process carried out within the framework of the National Observatory on Violence against Women.

The first Pillar focuses on Prevention and encompasses several areas of action. Primary prevention involves planning and implementing awareness-raising, communication, and educational initiatives to prevent gender-based violence. These initiatives challenge gender stereotypes, promote a culture of mutual respect between women and men, and stigmatize violence against women, with particular attention to social norms and behavioral models. Secondary prevention consists of targeted interventions within specific contexts or environments. These interventions address settings where violence by men against women is associated with higher risk factors or increased prevalence, focusing on reducing both risks and incidence in these areas. Tertiary prevention comprises actions designed to stop repeated or ongoing violence. These actions include interventions targeting men who have committed or are at risk of committing violence, as well as minors who have witnessed male violence against women or femicide. The objective is to break the cycle of violence and promote behavioral change.

The Prevention Pillar includes, among the others, the following priorities:

- *Priority 1.1 “Increasing awareness within public opinion and the education and training system of the structural roots, causes, and consequences of male violence against women, and promoting the deconstruction of the stereotypes that reinforce it”.* Information and awareness efforts are central to prevention, targeting the general public and specific groups. To this end, information and awareness-raising activities contribute to achieving the overarching objective of the Pillar through a series of actions, including:
 - Tailoring awareness campaigns and interventions to address specific groups for greater effectiveness;
 - Specialised training for public administration personnel, to raise awareness across the public sector on respect for differences, the culture of non-violence, and the fight against stereotypes;
 - Conducting awareness campaigns for families to challenge gender stereotypes and encourage respect for differences between men and women;

- Promoting awareness of the national helpline 1522 for immediate assistance;
 - Implementing information, communication, and support campaigns addressing violence against women;
 - Developing awareness initiatives for men to encourage self-awareness and the adoption of respectful, non-violent behaviors;
 - Using accessible communication tools, such as sign language, Braille, or simplified messaging, to ensure campaign content is available to women with disabilities;
 - Developing a dedicated document to promote systemic prevention by identifying particularly vulnerable groups, including older women and migrant women.
 - For an effective action focused on identified target groups, it is essential to adopt a dynamic definition of physical and virtual spaces where interventions are implemented and recipients can be reached, including schools, universities, social spaces, workplaces, media, the cultural and entertainment industries, and civil society at large.
- *Priority 1.2 - “Engaging the private sector (social media, online platforms, mass media) in efforts to counter the online spread of gender stereotypes, sexism, and violent male behaviour towards women, as well as to prevent acts that undermine women’s personal dignity online — including cyberviolence and the unlawful dissemination of sexually explicit images or videos”.* This priority encompasses both primary prevention, aimed at younger audiences, and secondary prevention, designed to identify at-risk groups and employ all available tools for awareness-raising and monitoring of emerging phenomena such as cyberbullying, body-shaming, and the unauthorised sharing of intimate content. Accordingly, it is essential to promote structural interventions that introduce comprehensive, systematic education on gender stereotypes, emotional awareness, and mutual respect, thereby fostering a digital environment grounded in equality and dignity.
- *Priority 1.4 - “Implement actions to identify and combat violence against women victims of multiple discrimination, including migrant, asylum-seeking and refugee women, as well as women with disabilities and older women, particularly in high-risk settings”.* Women facing multiple discrimination experience male violence alongside additional hardships. These may include physical or psychological vulnerability, advanced age, lack of self-sufficiency,

disabilities, or membership in socially and economically disadvantaged groups, such as some migrant women or those with substance dependencies. Due to the diverse needs of affected groups, information and communication efforts must be targeted, accessible, and tailored to specific requirements, skills, and intervention types. In this context, FGM is a serious violation of fundamental rights affecting girls and women globally. This harmful practice often remains invisible and underreported, making it difficult to identify both in society and among professionals who may encounter those at risk or already affected (including staff in schools, social and health services, law enforcement, the judiciary, anti-violence centres, and territorial commissions for international protection). The Department for Equal Opportunities is legally mandated to coordinate activities aimed at preventing and assisting victims of FGM, as well as supporting the elimination of such practices through coordinated national actions.

It is worth noting that, within the framework of the Agreement with the Department for Equal Opportunities of the Presidency of the Council of Ministers, ISTAT conducted a survey examining gender stereotypes and the social perception of violence among boys and girls aged 14 to 19. The Istanbul Convention emphasizes that such stereotypes are central to understanding the cultural origins of violence and underscores the necessity to “modify the social and cultural patterns of behavior of women and men with a view to eradicating prejudices, customs, traditions and all other practices based on the idea of the inferiority of women or on stereotyped roles for women and men.” The study, published on 25 July 2025 and based on data collected in 2023, provides reliable evidence to inform policymaking. Deepening the understanding of gender stereotypes among younger generations is essential for assessing how these attitudes influence perceptions regarding the acceptability of violence. The survey collects data on gender roles, stereotypes related to sexual violence, tolerance of violence, and perceptions of intimate relationships. These findings offer critical evidence to guide prevention and awareness-raising initiatives.

TRAINING OF PROFESSIONALS (ARTICLE 15)

62. Recalling the findings issued in its baseline evaluation report and in view of persisting gaps in the field of training of professionals, whose contribution to a trust-based system of support, protection and justice is vital, GREVIO urges the Italian authorities to introduce systematic and mandatory initial and in-service trauma-

informed training on all forms of violence covered by the Istanbul Convention, including on its digital dimensions and on the need to systematically carry out a risk assessment for victims and their children, and including a lethality risk assessment. Such training is essential for all social services staff, law-enforcement officers, judges, prosecutors, lawyers and court-appointed experts, medical/healthcare providers and teachers, and should be supported by protocols aimed at identifying, providing support to and further referring victims to specialised services.

63. GREVIO further urges the Italian authorities to ensure that the mandatory training of judges addresses:

a. for those presiding over cases involving custody and visitation, the negative effects that witnessing violence against women has on children, the importance that victims' safety has on children's ability to recover from trauma and the need to take such circumstances into account when reaching a decision; the nature and dynamics of domestic violence, including the unequal power relations between the parties, as opposed to a mere conflictual relationship between spouses; and the inappropriateness of the use of the so-called parental alienation syndrome in a context of domestic violence and other notions that position women victims of violence as hostile or unco-operative;

b. for those presiding over criminal cases, gender stereotypes and bias, trauma-induced victim behaviour, the "freeze, flop and befriend" reactions of victims of rape and in-depth knowledge on the standards of the Istanbul Convention, including the concept of rape and sexual violence based on the lack of freely given consent.

The Prevention Pillar of the 2025–2027 NAP emphasizes the essential role of training activities as a foundation for all preventive measures. The Plan identifies the following priority:

- *Priority 1.6 - "Investing, through training, in strengthening the skills of professionals in the public and private sectors who, in various capacities, interact with women and minors in the processes of prevention, support, and reintegration".* The preparatory discussions in the working groups for the 2025–2027 NAP highlighted a strong need for professionally specialized interventions on the issue of male violence against women and domestic violence. In this regard, two distinct levels of action were identified:
 - integrating training into curricula for qualification-based study programs, including university degrees, secondary schools, and vocational education;

- providing specialized and ongoing training for professionals who work directly with women affected by violence.

Key principles for these training activities include multidisciplinary, welcoming attitudes, and strong listening skills. Training also aims to enhance the ability to recognize subtle signs of violence and understand its impact on children. Based on the Training White Paper and in accordance with Law No. 168/2023, specific Guidelines will be developed to ensure adequate, non-sexist, and harmonized training for supporting women victims of violence, including those with disabilities. The training will target:

- professionals directly involved in responding to violence against women, such as doctors, social and health workers, psychologists, and lawyers (also considering the prevention of secondary victimisation);
- teachers at all educational levels, with an emphasis on combating stereotypes and preventing violence against women;
- journalists and media professionals, to encourage gender-sensitive reporting and responsible coverage of violence against women;
- professionals working with pregnant women, to strengthen their ability to recognize signs of violence, communicate effectively, and engage local support networks;
- judges in criminal, civil, and juvenile courts;
- court-appointed technical consultants (CTUs).

Within this framework, the Plan also includes:

- the organisation of training events to challenge stereotypes at all levels through education and capacity-building;
- the implementation of awareness campaigns promoting positive female role models and gender equality, including through initiatives such as the “Italy of Women” project (*Italia delle Donne*), which highlights women of outstanding merit who have contributed both to the development of their local communities and to Italy’s broader history.

The aforementioned Training Guidelines will serve as the reference framework for all training initiatives implemented by institutions, ensuring compliance with shared standards and objectives tailored to each professional category. In addition, there is a recognized need for joint training initiatives tailored to the various professional groups involved in judicial proceedings. With regard to public sector employees, a series of actions will be implemented to promote and disseminate, within the relevant administrative contexts, the Directive on the

recognition, prevention and elimination of all forms of violence against women, adopted on 19 December 2023 by the Minister for Public Administration, aimed at enhancing organizational well-being among public employees.

Finally, as already highlighted in the section on financial resources, the Italian Government has allocated €6 million in 2025 for training activities focused on the prevention and combat of violence against women and domestic violence.

As regards the health sector, for over ten years the Ministry of Health has been implementing training programmes on violence and care in collaboration with the Italian National Institute of Health (*Istituto Superiore di Sanità* – ISS) and the regional authorities. Focusing on the most recent initiatives, the first was a distance learning course launched in 2020, which reached 97% of emergency departments, ensuring that at least one staff member in each facility was trained on violence against women and familiar with the 2017 National Guidelines and the related care pathway. The second initiative consisted of a training course for trainers and healthcare professionals working within local health authorities, developed under the “Ipazia Project”, coordinated by the Tuscany Region.

As for the compulsory training of magistrates, the High Council of the Judiciary (*Consiglio Superiore della Magistratura*, CSM) and the Minister of Justice are tasked with preparing the Program Guidelines concerning in-service training and professional development, in compliance with Articles 5, paragraph 2, and 12, paragraph 1, letter a), of Legislative Decree No. 26 of 30 January 2006, which are subsequently taken into account by the Steering Committee of the Higher School of the Judiciary when adopting or modifying the annual teaching program, it is important to highlight the assessment regarding the incorporation of the specific guidance contained in Recommendations Nos. 62 and 63 in the Minister’s proposal of the Program Guidelines to the School.

It should also be pointed out that in the already mentioned Bill No. 2528, unanimously, with the support of all political parties, adopted by Parliament on 25 November 2025, “*Introduction of the offence of femicide and other legislative measures to combat violence against women and to protect victims*”), a specific provision is made - under Article 8 - for the strengthening of training obligations in the field of combating violence against women and domestic violence. Indeed, Article 6 of Law No. 168 of 2023 is amended so as to specify that training on this subject for magistrates shall take place both at the national and the local level, and shall cover international conventions and supranational directives concerning the prevention of violence against women and domestic (including economic) violence, human rights, judicial bias and stereotypes, the cultural roots of the phenomenon, and the promotion of methods of interaction with victims aimed at preventing secondary victimisation, taking into account the extent of

the trauma and respecting the victims' personal circumstances and age, as well as ensuring effective cooperation with those engaged in the prevention of and response to violence against women or domestic violence. It is further specified that the training shall be multidisciplinary and conducted by experts possessing proven and documented expertise in the relevant fields, selected from the register maintained by the High School for the Judiciary (*Scuola Superiore della Magistratura*), with due regard to gender balance among trainers. It is also provided that attendance to at least one of the specific training courses organised in this manner shall be mandatory for judges, whether of fact or of law, who are assigned - also on a non-exclusive basis - to the handling of proceedings concerning family matters or violence against women or domestic violence, or related matters.

PREVENTIVE INTERVENTION AND TREATMENT PROGRAMMES (ARTICLE 16)

Programmes for perpetrators of sexual violence

73. While welcoming the progress made thus far, GREVIO encourages the Italian authorities to continue strengthening perpetrator programmes, in particular by:

- a. increasing the number and capacity of perpetrator programmes for domestic and sexual violence, including by rolling out programmes to regions in which there are none and ensuring that any programme addressing sexual violence has the required trained staff and is operated in line with the principles of the Istanbul Convention;***
- b. using all available means, including legislative means, to ensure that perpetrator programmes are widely attended, including by integrating them into the criminal justice system and providing for mandatory court referrals, in addition to, and not as an alternative to, sentencing and/or taking protective measures;***
- c. ensuring clear minimum standards for all entities offering perpetrator programmes across the country in line with the Agreement on Minimum Standards for Perpetrator Programmes and their effective implementation in co-ordination with specialist support services, while striving to ensure coherent standards at the regional level;***
- d. developing standards for programme evaluation on the basis of existing best practices and ensuring that an independent evaluation of perpetrator programmes is systematically carried out to assess whether their preventive aim has been achieved;***

e. rolling out programmes for children and young people who have committed sexual violence.

The Prevention Pillar of the 2025–2027 NAP also devotes specific attention to tertiary prevention activities. A dedicated priority has been identified:

- *Priority 1.5 - “Strengthening tertiary prevention to reduce recidivism among men perpetrators of violence against women”*. Preventing recidivism through rehabilitation and recovery programmes is a key component of tertiary prevention. This approach aims to address the factors that have so far generated skepticism toward rehabilitation pathways by implementing targeted actions to improve their effectiveness and acceptance. In this context, it is essential to plan communication initiatives aimed at intervening in high-risk contexts to prevent the persistence of stereotypes and prejudices against women, as well as specific interventions for minors exposed to domestic violence, in order to counter the harmful notion that “those who experience violence will become violent.” Particular attention will also be devoted to minors who have committed acts of violence. Furthermore, pilot initiatives will be launched to test and develop psychological treatment protocols and tools aimed at the social reintegration of offenders convicted of sexual violence, domestic abuse, or stalking.

Within the Prosecution and Punishment Pillar of the 2025–2027 NAP, particular relevance should be given to Priority 3.3 - *“Developing Guidelines for the qualitative and quantitative analysis and monitoring of programmes for male perpetrators of violence”*. This priority acknowledges that programmes for men who commit violence must not be used simply to reduce sentences. Instead, they should be done independently of penalties and based on authentic personal motivation. This approach ensures offenders are punished while giving them real paths to change and, moreover, reduce risks. Ultimately, this benefits potential victims, the community, and the perpetrators themselves: it is crucial, in fact, that, upon completion of custodial sentences, perpetrators of violence no longer represent a risk factor. This requires that treatment pathways be tailored to the specific needs and characteristics of each individual, using scientifically validated national and international methodologies and practices. A strong emphasis on clinical expertise is essential.

In all cases, interventions carried out within programmes for perpetrators of violence must guarantee complete separation from anti-violence centres, in line with the principles of the Istanbul Convention. Moreover, to ensure the delivery of high-quality and specialized services, it is essential to implement the Decree of 22 January 2025, jointly adopted by the Minister of Justice and the Minister for Family, Natality and

Equal Opportunities, which (pursuant to Article 6 of Law No. 168/2023) defines the criteria and procedures for the recognition and accreditation of entities and associations authorized to organize rehabilitation programmes for perpetrators of violence against women and domestic violence, alongside the adoption of specific Guidelines (see below in this paragraph).

Furthermore, when revising the national Agreement on minimum requirements for Centres for Male Perpetrators of Violence (CUAVs), it will be essential to strengthen training for professionals and practitioners. This will help ensure accurate risk assessment and consistent, evidence-based interventions.

From a financial perspective, it should be noted that the Italian Government allocated €15 million to CUAVs for the period 2022–2024, with an additional €5 million earmarked for 2025 to further strengthen interventions in this field.

It is worth recalling that the system of programs for perpetrators of sexual violence currently consists of a number of instruments aimed at ensuring the effectiveness and successful outcome of such programs.

First, Article 165, paragraph 5, of the Criminal Code provides that, in cases of conviction for the offense under Article 575 when committed in the form of an attempt, or for the offenses, whether consummated or attempted, under Articles 572, 609-*bis*, 609-*ter*, 609-*quater*, 609-*quinquies*, 609-*octies* and 612-*bis*, as well as under Articles 582 and 583-*quinquies* in the aggravated cases pursuant to Article 576, paragraph 1, nos. 2, 5 and 5.1, and Article 577, paragraph 1, no. 1, and paragraph 2, the suspended sentence shall always be conditional upon participation in, at least twice a week, and the successful completion of, specific rehabilitation programs carried out by entities or associations engaged in prevention, psychological assistance and rehabilitation of individuals convicted of those offenses, as verified and assessed by the judge, also in relation to the circumstances underlying the assessment made pursuant to Article 164. To ensure the concrete implementation of this provision, Article 18-*bis* of the Implementing and Transitional Provisions to the Criminal Code provides that, in the cases referred to in Article 165, paragraph 5, of the Criminal Code, the clerk's office of the judge who rendered the judgment shall transmit it, once it becomes final, to the Office for out-of-prison service of sentences, which verifies the convicted person's actual participation in the rehabilitation program and communicates the outcome to the public prosecutor at the court that issued the judgment. Furthermore, the entities or associations where the convicted person carries out the rehabilitation program must immediately notify the Office for out-of-prison service of sentences of any unjustified breach of the obligations connected with the program, and the Office shall, in turn,

promptly inform the public prosecutor, for the purpose of revoking the suspension pursuant to Article 168, paragraph 1, no. 1, of the Criminal Code.

In order to ensure the reliability of rehabilitation programs, Article 18 of Law No. 168 of 24 November 2023, entitled “*Recognition and activities of entities and associations organizing perpetrators rehabilitation programs*,” has provided, *inter alia*, that, for the purposes of Article 165, paragraph 5, of the Criminal Code and Article 282-*quater*, paragraph 1, third sentence, of the Code of Criminal Procedure, the Minister of Justice and the Government Authority delegated for Equal Opportunities shall establish, by decree, the criteria and procedures for the recognition and accreditation of entities and associations authorized to organize rehabilitation programs for perpetrators of offences of violence against women and of domestic violence, and shall adopt guidelines for the activities of such entities and associations. This provision was implemented by the decree of 22 January 2025, regulating the criteria and procedures for the recognition and accreditation of entities and associations authorized to organize rehabilitation programs for perpetrators of offences of violence against women and of domestic violence, published in Official Journal No. 73 of 28 March 2025. In this decree, Article 2 of the annexed Guidelines, concerning access to the CUAV (Centre for Men Perpetrators or Potential Perpetrators of Violence, established by Article 1, paragraph 663, of Law No. 234 of 30 December 2021), the definition of the program, and the conduct of the rehabilitation process, expressly provides that: rehabilitation programs must be structured so as to allow the judge, when granting the offender the benefit of suspended sentence, to determine the most appropriate type and duration of the programs, also taking into account the type of violence committed and the needs of the specific case; the request for admission to the program must be submitted to the CUAV personally by the offender, including jointly with his defence counsel; the CUAV conducts initial assessment interviews in order to verify the existence of the objective and subjective conditions required for participation in the program and to define the individual objectives of the program, also taking into account the type of offense and violence committed and other needs of the specific case; the program drawn up shall include the specification of the objectives of the program and the operational tools selected to achieve them, and must enable an assessment of its adequacy with respect to the indications of the judicial authority and its specific suitability in relation to the overall circumstances of the case. This tailoring of the program and the concrete conditions of its reliability are further ensured by the provisions of Article 5 of the Guidelines, which states that: the initial assessment is aimed at verifying the existence of the conditions necessary for participation in the program and covers the quality and level of motivation, the presence of untreated exclusionary conditions (including pathological addictions, psychiatric disorders, or psychophysical impairments disabling

“subjectivity”), the intention and concrete possibility to participate in the proposed interventions for the entire duration of the program, and the initial risk assessment; the final assessment consists in verifying the achievement of the specific objectives of the program, as defined therein, and also includes the final risk assessment, the self-assessment of the participant, and a comprehensive conclusive assessment; a positive evaluation cannot be based solely on regular participation in the activities provided for by the program; all assessments are carried out by the multidisciplinary team using methods and instruments validated by the national and international scientific community; in the reports containing the initial and final assessments, the team shall indicate the methods and tools used, the other reference criteria adopted, and the elements underlying the conclusions reached; finally, the reports shall be transmitted by the CUAV to the U.E.P.E., for the purpose of verifying the offender’s actual participation in the rehabilitation program, through an evaluation of the outcome carried out by an *ad hoc* interprofessional working group.

The system is completed by the provision, at the execution stage, under Article 13-bis of the Prison System Rules, concerning the possibility for persons convicted of the offenses listed in Articles 600-*bis*, 600-*ter*, even if related to pornographic material under Article 600-*quater*.1, 600-*quinquies*, 609-*quater*, 609-*quinquies*, and 609-*undecies* of the Penal Code, as well as Articles 572, 583-*quinquies*, 609-*bis*, 609-*octies*, and 612-*bis* of the said Code, to undergo psychological treatment aimed at rehabilitation and support. Participation in such treatment is assessed pursuant to Article 4-*bis*, paragraph 1-*quinquies*, of the said Prison System Rules for the purpose of granting prison benefits. Persons convicted of these offenses may also be admitted to programs for social reintegration and rehabilitation, organized by entities or associations engaged in prevention, psychological assistance, and rehabilitation of convicted persons, provided that these programs are arranged in agreement with the relevant prison institutions.

Concerning the correlation between participation in psychological treatment and the granting of prison benefits, paragraph 1-*quinquies* provides that, for the purpose of granting benefits to persons convicted of the offenses listed in Articles 583-*quinquies*, 600-*bis*, 600-*ter*, even if related to pornographic material under Article 600-*quater*.1, 600-*quinquies*, 609-*quater*, 609-*quinquies*, and 609-*undecies* of the Criminal Code, as well as Articles 609-*bis* and 609-*octies*, when committed against a minor, the supervising magistrate or the supervisory court shall evaluate the positive participation in the specific rehabilitation program under Article 13-bis.

Finally, paragraph 1-*quater* of Article 4-*bis* provides that prison benefits may be granted to persons convicted of the offenses listed in Articles 583-*quinquies*, 600-*bis*, 600-*ter*, 600-*quater*, 600-*quinquies*, 609-*bis* (excluding minor cases), 609-*ter*,

609-*quater*, 609-*quinquies*, 609-*octies*, and 609-*undecies* of the Criminal Code solely on the basis of the results of a scientific observation of the offender's personality, conducted in collegial form for at least one year, also involving the experts referred to in paragraph four of Article 80 of the Prison System Rules.

Participation in rehabilitation programs, linked to the possibility of benefiting from suspended sentence and prison benefits, and undergoing both psychological treatment and collegial scientific observation of personality, linked solely to prison benefits, are on a voluntary basis, even though these programs and treatments are recommended and promoted by the system, as they affect highly sensitive aspects of the exercise of each individual's freedom of self-determination.

As to ensuring a uniform, minimum, and clearly defined quality standard for all entities offering programmes for offenders convicted of sexual violence, the system is complete given that Article 17 of the Decree of 22 January 2025, issued by the Minister of Justice and the Government Authority for Equal Opportunities. That provision governs the accreditation of such entities and introduces a transitional regime, allowing all organisations already in operation a period of time to adjust to the higher uniform quality standards required of the CUAVs listed in the official register maintained by the Ministry of Justice. Specifically, the decree provides that, during the initial implementation phase and pending compliance with the new requirements and conditions, the CUAVs entered in the national or regional registers, as well as other entities or associations that were already operating at the date of entry into force of the decree - whether under protocols agreed with the judicial authority pursuant to Article 165, paragraph 5, of the Criminal Code or under agreements pursuant to Article 13-*bis*, paragraph 1-*bis*, of Law No. 354 of 26 July 1975 - may continue to organise rehabilitation programmes and prevention programs covered by the decree until the expiry of the transitional period set out in Article 12 of the agreement, as amended by Article 1 of the agreement between the Government, the Regions, and the Autonomous Provinces of Trento and Bolzano, adopted on 25 January 2024 and recorded as Record op acts no. 9/CSR.2. From the day after the Ministry of Justice publishes on its institutional website the coming into operation of the register under Article 4, and up to the sixtieth day before the expiry of the transitional period referred to in paragraph 1, the CUAVs may apply for registration in the new list. After the transitional period, rehabilitation programmes still ongoing before a Centre that has not applied for inclusion must be transferred to another CUAV in the same region or in a neighbouring one.

GENERAL SUPPORT SERVICES (ARTICLE 20)

85. GREVIO encourages the Italian authorities to take measures to ensure that regional measures in the area of housing, employment and financial assistance for victims of all forms of violence against women are ensured consistently across regions on a continuous basis and without undue delays.

Please refer to the section on Article 8 for information regarding financial assistance for victims of all forms of violence against women.

SPECIALIST SUPPORT SERVICES (ARTICLE 22)

97. Recalling the findings issued in GREVIO's baseline evaluation report, GREVIO strongly encourages the Italian authorities to:

a. increase the number and capacity of specialist shelters in an adequate geographical distribution, with the aim of achieving the standard set in the Explanatory Report to the Istanbul Convention of one family place per 10 000 head of population, while ensuring accommodation for all women regardless of their status, notably migrant and asylum-seeking women, as well as women with disabilities, women with addiction issues and women in prostitution;

b. ensure that minimum quality standards imposed on anti-violence centres and shelters for victims of violence against women require long-standing expertise in the provision of victim-centred and empowering support, underpinned by an understanding of violence against women as a gendered phenomenon and that compliance with such standards is verified and monitored;

c. ensure that victims of FGM have access to helpline support that complies with the requirements of the Istanbul Convention, namely confidentiality and anonymity, and is provided by specialist staff with in-depth knowledge, and ensure that awareness is raised of the existence of such support;

d. ensure that the provision of psychological counselling to children exposed to domestic violence or any other form of violence against women is not subject to the approval of both parents.

The Protection and Support Pillar of the 2025–2027 NAP focuses on providing essential tools and services to support women affected by male violence, as well as minors who witness domestic violence, throughout their recovery process. This Pillar guides investments in both physical and non-physical infrastructure to ensure comprehensive support, promote personal recovery, and enable women's reintegration and autonomy through structured empowerment. Within this framework, two cross-

cutting objectives, central to the Italian Government's strategy to combat violence against women, are particularly emphasized:

- harmonizing and standardizing tools and support pathways for women nationwide, building on existing best practices;
- promoting the full and effective implementation of existing legislation, supported by monitoring mechanisms to ensure consistent application and impact.

Among the various priorities identified within the Protection and Support Pillar, the following are of particular relevance in response to GREVIO recommendations:

- Priority 2.1 — *“Providing support to women victims of violence and to minors exposed to domestic violence through the integration of assistance, recovery, and reintegration pathways, both in emergency situations and in the subsequent phases”*. The local support network is the first point of contact for women and, through its territorial dimension, enables comprehensive and multidimensional interventions. Anti-violence centres (CAVs) and shelters (CRs) are central: for this reason strengthening these structures is essential to meet emerging needs and ensure effective responses. Accordingly, considering the maturity and experience of CAVs and Shelters, an analysis of their minimum operational costs will be undertaken to improve quality standards, consistent with the requirements of the Agreement of 14 September 2022. Simultaneously, national and local administrations will continue to support the operation and sustainability of these facilities, aiming to further expand their availability nationwide.

In practice, this Priority will involve implementing measures to:

- support and maintain the functions and activities of CAVs and CRs for women victims of violence and their minor children;
- strengthen existing CAVs and CRs;
- establish new CAVs and CRs;
- promote initiatives that support women's economic and social recovery as they exit situations of violence; strengthen the network of public and private services through prevention, assistance, and reintegration interventions; support housing and employment reintegration measures; enhance the capacity to assist migrant, second-generation, and refugee women victims of violence; develop projects for underage women victims of violence and minors exposed to domestic violence; and reinforce information, communication, and training activities.

- Priority 2.5 - *“Protection, safeguarding and psychosocial support for minors exposed to domestic violence.”* This priority highlights the importance of addressing the specific needs of minors. To support mothers with minor children, better integration among social services, healthcare, and anti-violence centres will be ensured. Additional attention will be devoted to the protection and support of children orphaned by femicide, with the goal of improving their care and inclusion within institutional frameworks. Planned actions include initiatives to improve the protection and assistance of foreign minors who are or may become victims of violence, sexual or labor exploitation, or forced begging. Additional measures will promote support and mediation for minors experiencing social distress, cultural deprivation, neglect, or abuse.
- Priority 2.6 — *“Implementation of operational solutions to ensure equal access to protection and support services for migrant, asylum-seeking and refugee women, as well as for older women and women with disabilities”*. This priority recognizes the unique needs of women who experience violence and face multiple forms of discrimination. The Plan addresses these needs through the following actions:
 - implementing targeted actions for foreign women affected by violence, with cultural mediators involved at every stage, and coordinating with existing services and interventions such as anti-trafficking projects;
 - promoting initiatives to enhance accessibility and accommodation for women with disabilities in CAVs and CRs;
 - developing memoranda of understanding with associations representing persons with disabilities to co-design specific and inclusive interventions.

Regarding the financial support for CAVs and CRs, it is worth recalling the measures already outlined in the paragraph on Article 8 (Financial resources). For 2025, a total of €44 million has been allocated to strengthen assistance and support services for women victims of violence and their children, through the enhancement of the territorial service network by funding existing anti-violence centres and shelters, alongside an additional €25 million earmarked for the creation of new facilities. Moreover, the 2026 Budget Law provides for an annual allocation further funds, starting in 2026, to further reinforce and expand the network of CAVs and CRs, ensuring greater accessibility and continuity of support across the national territory.

With a specific focus on support for minors exposed to violence, it should be recalled that the legal framework appears to be complete with respect to preventing the provision of psychological counselling by anti-violence centres or shelters, as well as

decisions concerning the child's schooling, from being obstructed by the requirement of both parents' consent.

In this regard, it should be noted that the strengthening of procedural safeguards for minors and women victims of violence, introduced into the Code of Civil Procedure by the "Cartabia Reform" through the new provisions set out in Articles 473-bis.40 to 473-bis.46, is intended to give effect, within the national legal system, to the obligations stemming from the Istanbul Convention. These provisions require the court both to give priority to family proceedings marked by violence and to take into account parental violent conduct when determining child custody arrangements, with a duty to provide reasons for its decisions in light of that principle.

Moreover, the strengthening of procedural safeguards for minors and women victims of violence, introduced into the Code of Civil Procedure by the "Cartabia Reform" through the new provisions set out in Articles 473-bis.40 to 473-bis.46, is intended to give effect, within the national legal system, to the obligations stemming from the Istanbul Convention. These provisions require the judge both to give priority to family proceedings marked by violence and to take into account parental violent conduct when determining child custody arrangements, with a duty to provide reasons for his/her decisions considering that principle.

In addition to this provision, the substantive law institute set out in Article 337-quater of the Civil Code - known as "enhanced sole custody" or "super-sole custody" - applies precisely to cases such as the one referred to in point 96 (minors placed with their mother in shelters or other suitable facilities). This form of custody grants one parent not only exclusive daily parental responsibility but also exclusive decision-making authority over all major issues, including health, education, schooling, and habitual residence, without any obligation to consult the other parent. It is ordered where the other parent shows serious shortcomings in the exercise of parental responsibility, to the detriment of the child's well-being.

Enhanced sole custody is therefore an exceptional measure, adopted in the child's best interests after careful assessment by the judge of the circumstances of each individual case. It is aimed at ensuring the child's well-being and balanced development, by way of derogation from the general principle favouring shared parenting.

Article 337-ter of the Civil Code requires the judge to "*give priority to the possibility that minor children remain in the custody of both parents*", so as to best safeguard the child's right "*to maintain a balanced and continuous relationship with each of them*". Both parents therefore hold parental responsibility, which is to be exercised jointly, taking into account the child's capacities, natural inclinations, and aspirations. Consequently, sole custody is an exceptional measure, permitted only where the circumstances affecting one parent render shared custody detrimental and contrary to

the child's best interests. Even in such cases, however, decisions of major importance remain the responsibility of both parents, unless otherwise provided. The non-custodial parent retains both the right and the duty to oversee the child's education and upbringing, and may appeal to the judge if s/he believes that the custodial parent has made decisions contrary to the child's interests. That parent also maintains visitation rights, as well as the legal and moral duty to contribute to the child's maintenance until the child reaches self-sufficiency. It should be noted that either parent may at any time request sole custody, including in cases involving children of unmarried parents. Strengthened sole custody, however, may be applied where the judge is faced with a parent who is entirely incapable of caring for the child. In such circumstances, the custodial parent assumes full decision-making authority regarding the child's education, health, and upbringing, without any obligation to involve the other parent. The latter nevertheless retains parental responsibility and the related duties, including the obligation to contribute to the child's maintenance. The most common cases include serious violence by one parent, complete inability to care for the child, or disregard for the child's life, as well as other cases identified in case-law (violation or neglect of parental duties resulting in serious harm to the child; high levels of conflict and conduct aimed at excluding the other parent from the child's life; failure to comply with visitation schedules; lack of interest in exercising parental responsibility; use of the child as an instrument of blackmail or personal gratification; violent conduct by one parent towards the other in the child's presence; direct violence against the child; and addiction or mental health-related problems affecting the parent; see, most recently, Supreme Court of Cassation, order no. 26517/2024).

It should also be noted that the Bill No. 2528, *"Introduction of the offence of femicide and other legislative measures to combat violence against women and to protect victims"* unanimously, with the support of all political parties, adopted by Parliament on 25 November 2025, includes, under Article 9, a specific provision amending Decree-Law No. 93 of 2013, converted with amendments by Law no. 119 of 15 October 2013, on access to support centres for victims of violence. The amendment provides that minors who are victims of violence who have reached the age of fourteen may access support centres without prior authorization from their parents or those exercising parental responsibility, to receive information and guidance.

CUSTODY, VISITATION RIGHTS AND SAFETY (ARTICLE 31)

109. GREVIO urges the Italian authorities to take the following priority action in the area of custody and visitation rights to ensure the safety of victims and their children and the respect for the human rights of women victims:

c. take all appropriate measures to ensure that all relevant professionals, including social workers, lawyers, members of the judiciary, court experts and child psychologists are trained on domestic violence and understand the harmful impact and unfounded nature of the so-called “parental alienation syndrome” and similar concepts that portray women victims of abuse as alienating, hostile or unco-operative and ensure that the use of such concepts in/by courts is prohibited;

d. ensure that children are not removed from the custody of non-violent parents, including as a result of the application of such concepts;

e. step up measures to ensure that where domestic violence is identified, information exchange between civil courts, family courts, prosecutors and criminal courts is systematically ensured, safeguards such as the fast-tracking of the case are applied, victims are not required or pressured to attend joint meetings with the perpetrator for the purposes of reaching an agreement and separate appointments and waiting areas are ensured during the proceedings;

With regard to the training of judges, it should be recalled that the High Council of the Judiciary (CSM) and the Minister of Justice are responsible for preparing the Guidelines on in-service training and professional development, pursuant to Articles 5(2) and 12(1)(a) of Legislative Decree no. 26 of 30 January 2006 (as already specified). The Governing Committee of the School for the Judiciary takes these Guidelines into account when adopting and amending the annual teaching programme. In this context, we would like to draw your attention to the assessment regarding the incorporation of the specific guidance contained in point no. 108(c) in the Minister’s proposal of the Program Guidelines to the School.

The specific issue of parental alienation syndrome concerns the risks arising in expert reports (CTU) in civil custody proceedings regarding minors from the so-called “parental alienation” theory, also known as Parental Alienation Syndrome (PAS) and under other names. Reliance on this theory - which focuses on an alleged morbid relationship between the mother and child and the consequent victimization of the father - can result in minors being removed from their mothers and placed in foster care, or custody being awarded to fathers even when mothers accuse them of domestic violence, abuse, or ill-treatment. This entails the related risk that women victims of violence may choose not to report the abuse suffered to avoid losing custody of their child. It should be noted that the parental alienation syndrome has been removed from the Diagnostic and Statistical Manual of Mental Disorders and is considered not

scientifically valid by the World Health Organization, the Ministry of Health, the National Institute of Health, and the Order of Psychologists. Moreover, the Council of Europe Convention on preventing and combating violence against women and domestic violence, enacted by Law no. 77 of 27 June 2013, clearly establishes that, in cases of domestic violence, the principle of shared parental responsibility cannot be applied. Indeed, in highly conflictual separations where instances of violence (sexual, witnessed, physical, or psychological) and domestic abuse emerge, it is likely that the minor experiences distress, fear, or refusal to meet the parent identified as the abuser or perpetrator.

With regard to the current case law on the so-called PAS, it is now well established - based on the findings reached by the international scientific community - that parental alienation does not in itself constitute an individual disorder affecting the child, but rather a serious developmental risk factor for the child's psychological and emotional growth (see, in this respect, the Minister of Health's reply of 29 May 2020 to parliamentary question no. 4-02405).

The case law of the Court of Cassation consistently affirms that, in matters concerning the exercise of parental responsibility, what is decisive is the parent's ability to safeguard the continuity of the child's relationship with the other parent, thereby ensuring the child's right to shared parenting and to balanced and untroubled development. The trial judge is therefore required to ascertain the parties' actual conduct, relying on ordinary means of evidence, in order to determine whether one parent is in fact excluding the other from the child's life or otherwise obstructing their relationship, irrespective of any abstract assessment of the scientific validity or invalidity of the syndrome under discussion (see, *inter alia*, Order no. 13217 of 17 May 2021 and the earlier Judgment no. 6919 of 8 April 2016).

As early as 2013, the Supreme Court emphasized that the trial judge is under a duty to examine the specific objections raised by the parties against the report of the court-appointed expert and to clearly set out the reasons for adopting the expert's conclusions. The judge must also verify the scientific soundness of any expert opinion that deviates from established medical science, either by relying on his/her own scientific knowledge or by consulting appropriate specialists. The Court further observed that "Certainly, and especially in the judicial context, it cannot be considered that solutions lacking the necessary scientific foundation be adopted, as such solutions may cause harm even more serious than that which the underlying theories - not sufficiently and rigorously verified - claim to avert" (Court of Cassation, Judgment no. 7041 of 20 March 2013). Given that, within judicial proceedings, theories lacking scientific consensus - such as PAS - hold no validity, it remains undeniable that family law disputes may nonetheless involve cases in which the parent with primary custody of the minor engages in

behaviours that - whether consciously or unconsciously - obstruct the child's contact with the other parent. On this point, the Supreme Court has recently affirmed that "The violation of the child's right to co-parenting by a parent who obstructs the child's relationship with the other parent (including by engaging in conduct amounting to serious forms of psychological abuse), and the consequent need to ensure the enforcement of that right, do not necessarily require disqualification from parental responsibility of the hostile parent or the removal of the child from the said parent's residence, as extreme measures that inevitably sever all legal, moral, and emotional ties with the child. Instead, it is necessary, in application of the principle of the child's best interest, to assess whether such a remedy may, in the specific case, be limited by the need to avoid trauma—even irreparable—to the child's physical and cognitive development, resulting from the abrupt and final separation from the parent with whom the child has always lived, and the related disruption of all established routines" (Court of Cassation, no. 9691, 24 March 2022)

Finally, with regard to the issue in point 109(e), concerning the stepping up of measures aimed at systematically ensuring, in cases of identified domestic violence, the exchange of information among judicial authorities, the implementation of safeguards such as fast-tracking of the case, the voluntary participation of victims in meetings intended to reach agreements with the perpetrator, and the physical separation of victim and perpetrator during the proceedings, reference is made to the analysis already presented in the 2024 contribution, which highlighted the concrete and specific effectiveness of these safeguard measures introduced by the Cartabia reform.

PROHIBITION OF MANDATORY ALTERNATIVE DISPUTE RESOLUTION PROCESSES OR SENTENCING (ARTICLE 48)

117. GREVIO urges the Italian authorities to take legislative and other measures to ensure that:

a. judges, prosecutors and other public authorities proceed with caution when proposing or accepting restorative justice in cases of offences under the scope of the Istanbul Convention, including by: (i) carrying out a risk assessment on the suitability of such approach in cases pertaining to violence against women; (ii) duly taking into account the gendered nature of violence against women and, when it comes to domestic violence, the power imbalance that is typical in these cases; (iii) providing full information on the nature, aims, consequences and non-mandatory nature of restorative justice; (iv) and verifying and assessing that the victim has given

her free and informed consent and is aware of her right to withdraw consent at any moment;

b. victims systematically benefit from legal representation and dedicated support, where decisions on restorative justice are being taken.

The concerns raised in point 117 seem capable of being addressed by adopting a comprehensive, systematic interpretation of the primary and secondary legislation that underpins the restorative justice system in criminal matters.

First, it should be noted that, despite the broad and general approach adopted by the Italian legislator regarding access to restorative justice programs, referral to such a program is only possible if the judge (or the public prosecutor during the investigation) has established that all the conditions set out in Article 129-bis of the Code of Criminal Procedure are met, namely that the program:

- can effectively help resolve the issues arising from the fact under consideration. In this respect, “effectiveness” should be assessed with reference to the general principles of restorative justice as set out in Article 43 of Legislative Decree no. 150/2022, particularly the objectives of the programs themselves (Article 43, paragraph 2), which are: promoting recognition of the victim, ensuring accountability of the person identified as the offender, and restoring connections with the community; and with reference to the typical content of the restorative outcome, as defined in Article 42, paragraph 1, letter e) of the same decree, i.e., any agreement resulting from the restorative justice program that seeks to repair the harm, reflects mutual recognition, and enables the rebuilding of the relationship between participants;
- does not pose any concrete danger to those involved;
- does not pose any concrete risk to the ascertainment of the facts.

It is therefore evident that, in cases of violence against women and domestic violence, the judge, at the merits stage, will generally have no room to assess the feasibility of a restorative justice program that meets all the statutory requirements. This is because such cases will likely involve situations in which any potential meeting between the person identified as the offender and the victim(s) would pose a concrete risk both to those involved and to the ascertainment of the facts. Both aspects of the risk associated with the meeting must be carefully evaluated by the judge, and this assessment - together with the equally mandatory evaluation of the program’s usefulness in promoting recognition of the victim, ensuring accountability of the person identified as the perpetrator, and facilitating the rebuilding of the relationship between participants - will, in the vast majority of cases, result in a negative conclusion.

It is equally inconceivable that any form of psychological pressure could be placed on the victim of the offence to obtain his/her consent to participate in a restorative justice programme. The victim will only be heard by the judge if the latter considers it appropriate and useful; thus, it is likely that, in order to exclude the existence of the conditions set out in Article 129-bis of the Code of Criminal Procedure, the judge will rely on the documents contained in the case file. As for the professional mediator, s/he is required to carefully examine the genuine and free nature of the parties' consent (as provided for in Article 48 on obtaining consent). Therefore, even if the judge were to order the referral of a victim of violence against women and domestic violence to a Restorative Justice Centre, the professional mediator, at the preliminary meeting — held in the presence of the victim alone and, if requested, his/her counsel (Articles 48(6) and 54 of Legislative Decree No. 150/2022) — is obliged to inform the victim of all the entitlements, rights, and safeguards to which s/he is entitled, including the possibility of withdrawing consent at any time (Article 45 of the same Decree), as well as to rigorously ascertain the genuine and free nature of any consent given.

It should also be noted that expert mediators receive specific professional training, both initial and in-service training, on violence against women and domestic violence. Indeed, among the topics covered in the theoretical training program (amounting to 160 hours of initial training) are criminology and victimology (Article 4, paragraph 2, of the Decree of the Minister of Justice, in agreement with the Minister of Labour and Social Policies and the Minister of University and Research of 9 June 2023, published in Official Journal no. 155 of 5 July 2023); the study of the specific scope of restorative justice in relation to the most serious offences or those involving underage or otherwise vulnerable victims (Article 4, paragraph 4, letter d), of the said Decree); anti-discrimination law and gender studies (Article 5, paragraph 2, of the same Decree). Of the 320 hours of initial practical training, one component is the development of specific sensitivity to the particular field of application of restorative justice in relation to the most serious offences or those involving underage or otherwise vulnerable victims (Article 6, paragraph 3, letter c), of the said Ministerial Decree).

It will therefore be the responsibility of the expert mediator, in cases where a victim has been referred to and has chosen to attend a Restorative Justice Centre, to detect and avert the risk, during the preliminary meetings, that restorative justice may perpetuate pre-existing and unbalanced power relations, as cautioned by GREVIO. It is considered that, by virtue of the training received (including compulsory attendance of university courses, internship, and successful completion of the final theoretical-practical examination, as well as subsequent in-service training), the expert mediator possesses all the specialist skills necessary to handle such situations should they arise.

It is also worth noting that, in the administrative organization of the restorative justice services network - and particularly in defining the Essential Levels of Performance (*Livelli Essenziali delle Prestazioni - LEP*) for these services (as approved by the Unified Conference, Records of Acts No. 81/CU of 4 July 2024) - two elements have been identified as essential for restorative justice programs involving victims in particularly vulnerable situations: the employment of expert mediators with specialized skills, verified through adequate theoretical and practical training, and the special attention to participants' protection needs at every stage of the program (Article 4, paragraph 6, of the LEP text).

The ability to comply with the above-mentioned LEP has subsequently been recognized as a benchmark for the mapping of existing restorative justice services, in the drafting of the lists by the individual Local Conferences at the district level. Consequently, local authorities designated by these conferences as responsible for delivering restorative justice services, pursuant to Articles 63 and 92 of Legislative Decree No. 150/2022, will draw on these lists when establishing the Centres. This ensures that, from the very start of the legislation's implementation, the Centres are fully equipped to address gender-based and domestic violence issues effectively and in accordance with their operational mandate.

Finally, as for the concern that choosing not to participate in restorative justice processes could affect family law proceedings following the dissolution of the family unit, the system provides a clear safeguard. No consequence results from the decision not to join the program, nor, even more clearly, from the failure to reach a restorative outcome (Article 58, paragraph 2, of Legislative Decree No. 150/2022, which applies to the person identified as the perpetrator, and therefore all the more so to the victim).

GENERAL OBLIGATIONS (ARTICLE 49) AND IMMEDIATE RESPONSE, PREVENTION AND PROTECTION (ARTICLE 50)

128. GREVIO urges the Italian authorities to take legislative or other measures to:

a. assess to what extent the current standard of prosecution is impacting on the prosecution of offences under the scope of the Istanbul Convention, taking remedial measures;

b. ensure, as far as possible, that only prosecutors trained and specialised on violence against women are assigned such cases in all stages of criminal proceedings, while taking into account their work-load;

c. encourage a wider use of immediate production of evidence with a view to ensuring that criminal proceedings can continue even where the victim wishes to withdraw her statement or does not wish to participate in criminal proceedings;

d. review the impact of warnings on victims' safety and perpetrator accountability to assess whether their use is appropriate in these cases and take the necessary measures based on these results;

e. ensure prompt and appropriate investigations into and prosecution of all forms of violence covered by the Istanbul Convention, including forced marriage and FGM.

As regards the measures urged under point 128(a), the recommendation involves two distinct aspects. The first relates to the absence of additional financial allocations to ensure the effective implementation - specifically aimed to combating the phenomenon - of the provisions introducing stricter deadlines at the preliminary investigation stage for offences of violence against women and domestic violence. The concern raised by GREVIO is that such investigations are likely to result in a higher rate of dismissals, due to the heavy caseload of deputy public prosecutors, further strained by the obligation to expedite proceedings without any corresponding reinforcement of specialised deputy public prosecutors. From this angle, the issue intersects with the issue of data collection, noting that the comprehensive collection of dismissal orders issued in investigations concerning the offences listed in Law No. 53/2022 is in the process of being completed (as the implementing decrees of the said law are currently being adopted).

The second aspect of the of the measures urged in point 128(a) concerns the alleged impact that the Cartabia reform ("*modification of the standard for prosecution, under which prosecution should proceed only where there is a reasonable prospect of conviction*") would have on conviction rates in criminal proceedings for domestic or gender-based violence - rates which, even prior to the reform, were not particularly high.

Here too, only a proper analysis of the relevant data can enable a substantive assessment of GREVIO's concern. For present purposes, it suffices to note that the new standard, on the one hand, requires the judge to carry out from the outset an analytical-albeit prospective - examination of the possible weight of the material gathered in terms of evidence; and, on the other hand, it precludes the continuation of proceedings in open-ended or doubtful cases. This offers greater protection, for victims (by reducing the risk of secondary victimisation), precisely in those situations where the previous standard bore the risk of a trial ending in acquittal.

As to the action urged in point 128(b), this relates to a safeguard already fully provided for in legal system.

As to Point 128(e), it should be noted that the existing legislative framework, both primary and secondary legislation, already ensures prompt and appropriate investigations and the prosecution of all forms of violence covered by the Istanbul Convention, including forced marriage and FGM. The law expressly provides priority in both investigation into and handling of this category of offences.

Article 1 of Legislative Decree no. 106 of 20 February 2006, as amended with effect from 21 April 2024, in its paragraph 6(b), provides that the organisational plan of each Prosecutor's Office must set out "...priority criteria for selecting which *notitiae criminis* are to be dealt with first, in line with the general criteria established by Parliament by law, taking into account the number of cases, the specific criminal and territorial context, and the efficient use of technological, human and financial resources..."; paragraph 7, provides that the priorities identified by the Prosecutor's Office must be aligned with those of the corresponding judge's office ("The organisational plan is adopted every four years, after consultation with the Head of the corresponding judge's office and the President of the Bar Association"). A similar provision applies to the drafting of judge's office schedules.

Article 3-bis of the Implementing Provisions of the Code of Criminal Procedure, entitled "Priorities in handling *notitiae criminis* and in conducting prosecution" - introduced by the Cartabia Reform - provides that "In handling *notitiae criminis* and in conducting prosecution, the public prosecutor shall follow the priority criteria set out in the office's organisational plan". Article 127-bis of the Implementing Provisions, entitled "Evocation and priority criteria" - also introduced by the Cartabia Reform - requires the Prosecutor General, when evoking the *notitiae criminis* under Articles 412 and 421-bis (2) of the Code, to take into account "the priority criteria set out in the organisational plan of the Prosecutor's Office that registered the crime report."

Furthermore, Article 4 of the recent CSM Circular on the Organization of Prosecutor's Offices, dated 26 June 2024, entitled "Priority Criteria", reiterates in principle the provisions of Article 1, paragraph 7(b) of Legislative Decree no. 106/2007, establishing that "... (i) priority criteria must in any case ensure: a) absolute priority in the handling of proceedings referred to in Article 132-bis of the implementing provisions of the Code of Criminal Procedure; b) absolute priority for requests for personal precautionary measures for the offenses listed in Article 132-bis, paragraph 1(a-bis) of the implementing provisions of the Code of Criminal Procedure."

Among the offenses for which Article 132-bis of the implementing provisions of the Code of Criminal Procedure establishes absolute priority in the preparation of hearing schedules and the conduct of related proceedings are, under letter (a-bis), violence

against women and domestic violence provided for under Articles 387-bis, 558-bis, 572, and 582, in aggravated cases pursuant to Articles 576, paragraph 1(2),(5), and (5.19, and 577, paragraph 1(1), and paragraph 2, Articles 583-quinquies, 593-ter, Articles 609-bis to 609-octies, 612-bis, 612-ter, and 613, paragraph 3, of the Criminal Code; in any case, under letters (b), (c), (d), (e), and (f), absolute priority applies to offenses punishable by imprisonment with a maximum term of no less than four years, proceedings involving defendants detained - even for offenses other than the one under trial, proceedings where the defendant has been subjected to arrest, detention as a suspect, or any personal precautionary measure, including revoked or expired measures, proceedings in which recidivism is alleged pursuant to Article 99, paragraph 4, of the Criminal Code, and proceedings to be conducted under the immediate trial or direct committal for trial procedures (all of which are statistically frequent in this category of offenses).

CONVICTION RATES

135. GREVIO urges the Italian authorities to:

a. examine and address factors that contribute to the high number of dismissals in criminal justice proceedings in relation to all cases of violence against women covered by the Istanbul Convention;

b. ensure that sentences and measures imposed for the offences covered by the Istanbul Convention are effective, proportionate and dissuasive;

c. take measures to ensure that any fast-tracking process applies to all stages of criminal proceedings and is supported with the necessary resources, with a view to decreasing the duration of trials.

With regards to the dismissals rate, the issue intersects with the issue of data collection, noting that the comprehensive collection of dismissal orders issued in investigations concerning the offences listed in Law No. 53/2022 is in the process of being completed (with the implementing decrees currently being adopted). Another aspect to consider the “modification of the standard for prosecution, under which prosecution should proceed only where there is a reasonable prospect of conviction” under the Cartabia Reform. This new standard requires the judge to carry out from the outset an analytical examination of the possible weight of the material gathered in terms of evidence; and, on the other hand, it precludes the continuation of proceedings in open-ended or

doubtful cases. This is meant to offer greater protection for victims (by reducing the risk of secondary victimisation), precisely in those situations where the previous standard bore the risk of a trial ending in acquittal.

As to the action urged under paragraph 135(b), the safeguard in question is already well provided for under the legal system, given that offences of violence against women and domestic violence are punished by significant penalties, calibrated to ensure their proportionality.

It should also be noted that Bill No. 1693 (*“Amendment of Article 609-bis of the Criminal Code on sexual violence and the free expression of consent”*) is currently under discussion in the Chamber of Deputies, which explicitly and specifically emphasises the role of consent in a sexual act.

EMERGENCY BARRING ORDERS (ARTICLE 52)

145. Recalling the findings issued in GREVIO’s baseline evaluation report, GREVIO urges the Italian authorities to take legislative or other measures to ensure that:

a. emergency barring orders ordering the removal of the perpetrator from the family home can be issued quickly by criminal justice actors in cases of immediate danger in a context of domestic violence in which harm is imminent or has already materialised and is likely to happen again, with arrest and detention being the preferred option where there is a risk of serious harm or death;

b. perpetrators are monitored effectively with appropriate means and that a prompt response is ensured in case of breach;

c. children are included in the scope of protection of emergency barring orders.

It should be noted that the system governing the issuance of Emergency Barring Orders (EBOs), as acknowledged by GREVIO, has been implemented through Article 384-bis, paragraph 2-bis, of the Code of Criminal Procedure. This provision empowers the public prosecutor to order the removal of the perpetrator, with immediate effect, from the family home and to prohibit him from approaching certain places where there is a risk of repeated serious acts of violence endangering the life or the physical or psychological integrity of the victim. Article 384-bis CCP already regulated, in paragraph 1, an autonomous precautionary measure for offences committed in a family context. It provides that police officers may order the urgent removal of a person caught

in the act of one of the offences listed in Article 282-bis, paragraph 6, from the family home, with a prohibition on approaching places habitually attended by the victim. Such an order must be authorised by the public prosecutor, in writing or orally, where the state of *flagrante delicto* and reasonable grounds exist to believe that the conduct may be repeated, thereby placing the victim's life or physical and psychological integrity at serious and imminent risk. The newly introduced paragraph 2-bis of Article 384-bis CCP further provides that, without prejudice to Article 384 (on the arrest of a suspect), even outside cases of *flagrante delicto*, the public prosecutor may issue a reasoned order for urgent removal of the suspect from the family home and prohibit him from approaching places habitually attended by the victim. This applies to persons strongly suspected of committing the offences of breach of removal orders from the family home and breach of restraining orders (Article 387-bis CC), as well as other offences involving violence against women or domestic violence, where there are reasonable grounds to believe that the criminal conduct may be repeated, thereby placing the victim's life or physical integrity at serious and imminent risk, and where, due to the urgency of the situation, it is not possible to await a judicial order.

The concern expressed by GREVIO regarding an allegedly excessive threshold for triggering such measures is unfounded. The risk of repeated criminal conduct posing a serious and present danger to life, or even only to physical and psychological integrity (in the first case) or to physical integrity alone (in the second), adequately addresses the “situations of immediate danger” referred to in Article 52 of the Convention. This is the case even without requiring that the danger be immediate, since the law demands only that it be current.

As for the requirement of seriousness of the danger, it should be noted that this is sufficiently met by conduct which, even if it does not directly compromise the victim's physical (or psychological) integrity, nonetheless seriously endangers the victim, given the violent context where such conduct occurs. Thus, the seriousness of the danger takes on a distinctly intersubjective character, reflecting a non-negligible degree of threat to the individual's integrity. Only entirely minimal acts are excluded, namely those incapable of posing a genuine risk of violating the legally protected rights and interests.

Any concern regarding the limited use of the measure, which falls outside the remit of this Office, should be considered in the context of data collection on proceedings for offences of violence against women and domestic violence, as noted with reference to the data collection obligations (Article 11 of the Istanbul Convention).

Regarding the urged measure referred to in point 145(b), the issue concerns the technical and practical challenges associated with monitoring devices (electronic tag [*braccialetto elettronico*]), which are also outside the competence of this Office.

Finally, with respect to the urged measure in point 145(c), it is important to note that minors are already covered by the safeguards provided by precautionary measures when they qualify as crime victims. In particular, in cases of domestic abuse, a minor who witnesses such acts is deemed to be a crime victim under the last paragraph of Article 572 of the Criminal Code.