



**COUNCIL OF EUROPE CONVENTION  
ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND  
DOMESTIC VIOLENCE**

**1st thematic evaluation round:  
Building trust by delivering support, protection and justice to women  
victims of domestic and gender-based violence.**

**SHADOW REPORT  
In relation to the questionnaire for the evaluation of the implementation  
of the Council of Europe Convention on Preventing and Combating  
Violence against Women and Domestic Violence by the Parties**

**BY the ITALIAN DISABILITY FORUM**

**12 JUNE 2024**

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## About the authors

The Italian Disability Forum (Forum Italiano sulla Disabilità - FID) is an Italian not-for-profit DPO, full member of the European Disability Forum (EDF), representing the interests of persons with disabilities in Italy. It is composed exclusively of national organizations of persons with disabilities and their families. Its aims are to fight for the recognition, promotion, and protection of the human rights of persons with disabilities, as well as for non-discrimination and equal opportunities. Since its establishment, the Italian Disability Forum has participated in all initiatives and activities carried out by EDF.

## Contact details of the authors:

Forum Italiano sulla Disabilità (FID) - Italian Disability Forum Via Borgognona 38 - 00187 ROMA

Italy Secretariat - International Relations Office: Tel. (+39) 06/69988375-388 E-Mail:

[fid.presidenza@gmail.com](mailto:fid.presidenza@gmail.com) Facebook: <https://www.facebook.com/forumitalianodisabilita>

Web: <https://www.uiciechi.it/AttivitaInternazionali/fid.asp>

The text was drafted by the Italian Disability Forum's GREVIO Ad Hoc Working Group coordinated by Luisa Bosisio Fazzi and composed of Patrizia Cegna, Silvia Cutrera, Haydee Longo, Elisa Marino and Francesca Sbianchi.

Please note that the text has been edited following accessibility criteria.

## Introduction

*For girls and women with disabilities, the first form of oppression has always been invisibility: not being seen means not being included in the world order, not being able to be.*

Many legal provisions exist when it comes to victims' rights and combating gender-based violence, however none was found that covered the targeted actions needed to protect and support girls and women with disabilities as victims of gender-based violence and domestic violence.

According to data published on the website of the Council of the European Union<sup>1</sup> in Europe there are 101 million persons with disabilities (over the age of 16 ). In Italy they are 22.7% of the total population. Women with disabilities are 25% of Italian women population and 56% of the total number of persons with disabilities. Women and girls with disabilities are particularly at risk of gender-based violence and constitute a significant portion of victims. According to WHO's statistics 1 in 3 women with disabilities experience physical or sexual violence during their lifetime. Violence is even higher for the most marginalised women with disabilities. For example, according to a research by Inclusion Europe, 6 out of 10 women with intellectual disabilities report of being abused. Despite growing awareness, violence against women and girls with disabilities remains pervasive, and the rights of victims and survivors are not sufficiently protected.

In December 2018 the Monitoring Working group of the Italian Disability Forum – FID sent to GREVIO [its considerations on the implementation of the Istanbul Convention in Italy](#).

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<sup>1</sup> <https://www.consilium.europa.eu/en/infographics/disability-eu-facts-figures/>

In April 2023 FID sent to the Committee of the Parties its [Shadow Report](#) after analyzing the Reporting form submitted by the Italian authorities on the implementation of the recommendations of the Committee of the Parties IC-CP/Inf(2020)2.

Also UN CEDAW Committee in January 2024 received from FID its [Alternative Report](#) on the situation of girls and women with disabilities in Italy. The same UN CEDAW Committee issued its [Concluding Observations CEDAW/C/ITA/CO/8](#) to Italy underlining many serious critical issues about the respect of the human rights of girls and women with disabilities also in the area covered by the Istanbul Convention.

In each of these documents, FID has repeatedly stressed the absence of any attention by Italian Governments to the condition of girls and women with disabilities in the different areas covered by the Convention.

And now, once again, FID is submitting to the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) the same information that was sent in the previous Reports.

Undoubtedly, the Istanbul Convention addresses all women, in all their diversity, but it is necessary to be aware that:

- Gender documents don't give enough space and attention to women with disabilities;
- Women with disabilities, beside facing double discrimination, have also to face the problem of a double invisibility: as women and as persons with disabilities;
- Writing explicitly about the specific problems of women with disabilities increases the possibility that Governments will take adequate measures to solve them.

It is for this reason that FID asks the GREVIO, when drafting its evaluation report on Italy, to reiterate the specific recommendations on women with disabilities. Recommendations that Italy did not consider when, and if, applying the Istanbul Convention.

Finally, we would like to stress that, being advocates of mainstreaming, we have worked with women's organizations, coordinated by D.i.Re, so that the condition of disability could be also taken into account in their alternative report.

## Part I: Changes in comprehensive and co-ordinated policies, funding, and data collection in the area of violence against women and domestic violence

### Article 7: Comprehensive and co-ordinated policies

7.1 After the 2020 adoption of GREVIO's baseline evaluation report on Italy, in November 2021 the Department for Equal Opportunities of the Presidency of the Council of Ministers approved the National Strategic Plan on male violence against women 2021-2023.

Recalling FID previous submission in 2023, we point out that the same Department delegates the implementation procedures to a subsequent plan which has not yet been presented. There are many shortcomings, but the most serious are as follows:

- The lack of adoption of a document **that identifies the most vulnerable groups**, such as women with disabilities, and defines the concept of violence in all its forms.
- The lack of adoption of official and homogenous codes or guidelines for the prevention and contrast of harassment, abuse, and sexual exploitation with reference to the most vulnerable women such as disabled women, older women, migrant women

- The lack of activation of actions to highlight the phenomenon and to contrast the violence against women victims of multiple discrimination as campaign with specific awareness-raising interventions aimed at fragile categories such as older women and disabled women who are victims of gender-based violence.
- Furthermore, the whole matter of **access to justice**, an area in which women with disabilities are frequently discriminated and exposed to secondary victimization, is not covered.

In general:

- Concrete measures are lacking for the implementation of collaboration between Helpline number 1522, anti-violence centres, houses shelter, law enforcement agency, territorial networks, and the judicial system supporting women with disabilities when approaching the helpline 1522.
- the meetings every six months have not been activated yet **to oversee the implementation** of the 2021-2023 National Strategic Plan to consider *the transversal nature of some issues such as disability and immigration*.
- The mention is lacking to disaggregate the data also regarding persons with disabilities.
- Women with disabilities are not expressly mentioned in all areas of the Plan axis.

Regarding the issue of forced abortion and forced sterilization these practices remain taboo, and often take place behind closed doors. Even when mandated by the State or a court, data concerning this practice is either inexistent, outdated or not disaggregated. Although in Italy forced sterilization is prohibited by law, women with disabilities report that they have been subjected to forced sterilisation without their knowledge or consent. Following sexual violence resulting in pregnancy, many are subjected to forced abortion and subsequent forced contraception. In the previous 2023 report to the Committee of the Parties dramatic examples of these practices were mentioned.

7.3 It should be noted that violence is not addressed under disability policies framework as if violence against girls and women with disabilities did not belong in disability policies. In practice there is a big gap in prevention, protection, and sanctions in these policies.

#### Article 8: Funding

8.4 The latest National Strategic Plan on male violence against women 2021-2023 is divided into four thematic axes (prevention, protection and support, prosecution and punishment, assistance and promotion), in line with the Istanbul Convention, with specific priorities attached to each. It should be remembered that this plan, like the previous one, commendably refers to foreign women, migrants, and asylum seekers, but unfortunately does not mention women with disabilities.

Having said that, in the report of the Study Centre of the Chamber of Deputies of 23 April 2024 in the chapter on the "[Action Plan against Gender-based Violence \(and resources for its implementation\)](#)" there is a list of the financial resources to support the measures provided for in the Plan that is awarded to the regional level of governance. It is not clear how the Regions allocate these funds given the non-homogeneous application of the Plan. In any case, the distribution criteria of National Funds to the regions does not include any specific actions in favor of women and girls with disabilities.<sup>2</sup>

8.5 Regarding the *provision of appropriate and sustainable financial and human resources for women's rights organizations that provide specialist support services to victims, including those supporting migrant women and girls*, it is useful to have a look at the 2021 [ISTAT](#) survey. In this survey, which takes into account the expenditure incurred and the number of

<sup>2</sup> <https://www.fiscoetasse.com/normativa-prassi/13197-riparto-fondi-centri-antiviolenza-2022.html>

women who contacted the anti-violence centres in 2021, the average allowed expenditure is 412 euros per woman (at national level, this corresponds to the average funding received per woman). This sum is lower than the average actual expenditure per woman. Again, women with disabilities are not considered, neither in the question nor in the answer.

#### Article 11: Data collection and research

11.6 Reference is made to what was written in the cited document sent to the Committee of the Parties in April 2023. In addition, FID underlines that:

**Disaggregated data collection is essential** as well as being an important tool for **understanding and monitoring the phenomenon and identifying the most effective political interventions**. Until now FID has asked for data collection and statistics to be produced with at least a breakdown by gender and type of disability.

The ISTAT<sup>3</sup> document "[Implementation of the Integrated Information System: collection and analysis of data on the phenomenon and on the various articulations](#)" **does not mention disaggregating data also by disability**.

In 2022 the Italian Parliament approved "[Law 53/2022 Provisions on gender-based violence statistics](#)" and from January 1<sup>st</sup> 2023 this law should have begun to be applied. It establishes that statistics and data must be disaggregated by gender **but not by disability**.

On August 7<sup>th</sup>, 2023 ISTAT published a research report entitled '[Protection System for Women Victims of Violence](#)' 2021- 2022. This report contains some data on accessibility in Women's Shelter and Anti-Violence Centres (CAVs) and Helpline 1522, but the **real accessibility of the facilities is not known, and the disability of the victims and direct accessibility to information and to the services are not mentioned**. The adequacy of risk assessment instruments is not considered, and disability training for staff is minimal. It should be noted that **94.1%** of the 337 centres /shelter responding to the ISTAT questionnaire **adopted criteria of guest exclusion**. This is missing in the text of the ISTAT report; **the information is in Tables 16 and 17 included in the Excel file with data on Women's Shelters (year 2021)**.

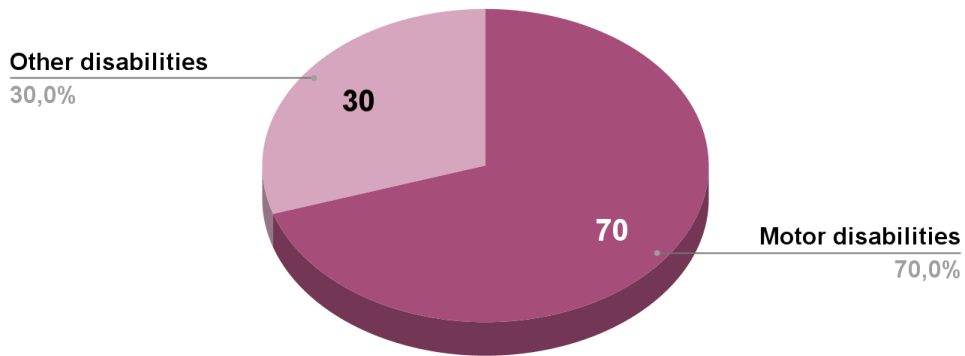
As has been emphasized several times, the latest National Institute of Statistics data date back to 2014 and reveal that among women with disabilities 36% suffered violence, while among women without disabilities 30% suffered violence; 10% women with disabilities suffered rape compared to 4% of those without disabilities.<sup>4</sup> To address the problem of missing data and measure the effects of violence on women with disabilities, a [research was conducted by FID member FISH \(2020\)](#), via an online questionnaire, aimed at women with disabilities.

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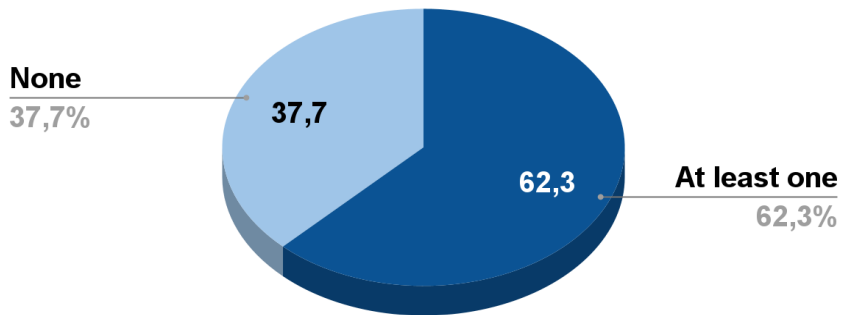
<sup>3</sup> ISTAT: National Institute of Statistics

<sup>4</sup> <https://www.istat.it/it/archivio/161716>

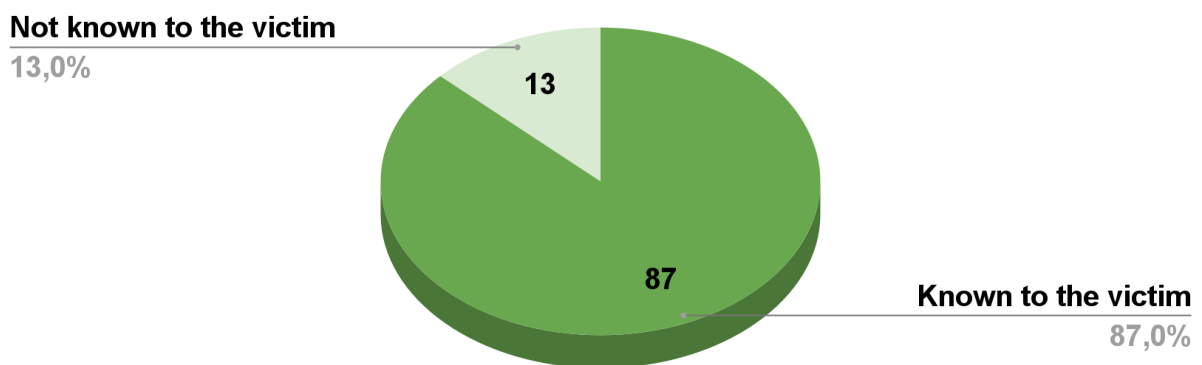
**FISH questionnaire 2020 - 486 answers**



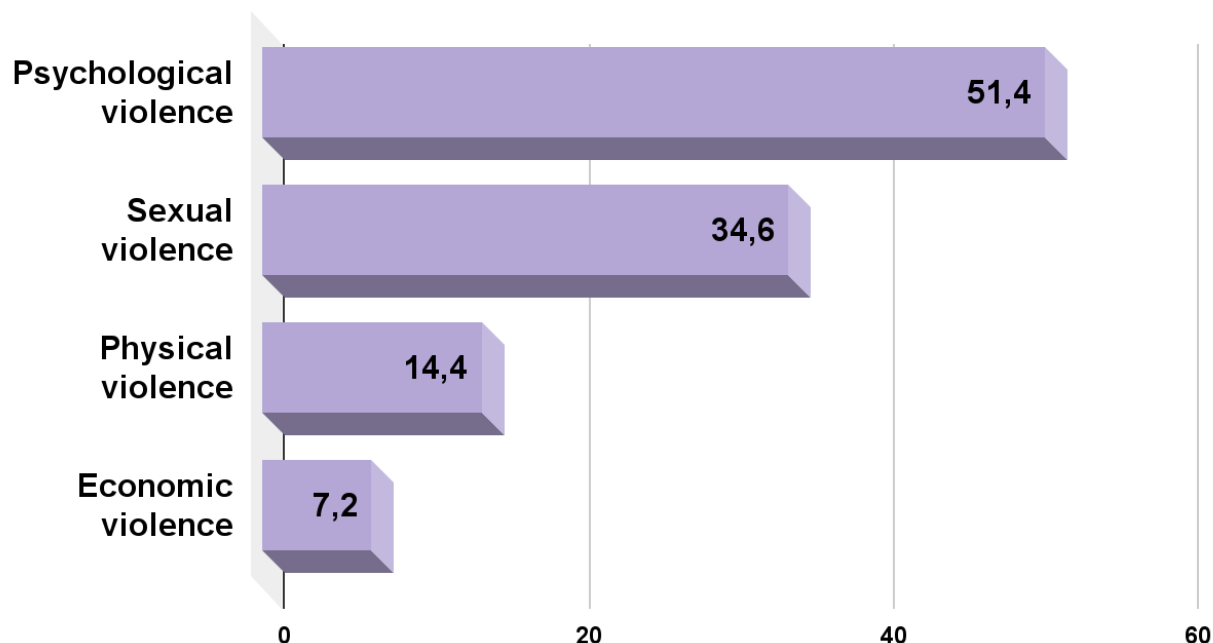
**Episodes of violence suffered during life by women with disabilities**



**Perpetrator of violence**



## Type of violence



Some women with disabilities responding to the questionnaire declared that they suffered from more than one type of violence during their life.

Only 6.7% of women with disabilities reported violence to the police and only 3.5% turned to Anti-Violence Centres.<sup>5</sup>

11.7 Although not directly relevant, it is worth mentioning the following positive development from the Criminal Police.

In the publication prepared by the [CRIMINAL ANALYSIS SERVICE OF THE CENTRAL DIRECTORATE OF THE CRIMINAL POLICE](#), in addition to the general data relating to crimes committed against women in the first nine months of 2023, there is a chapter focused on "violence against women with disabilities" edited by the OBSERVATORY FOR SAFETY AGAINST DISCRIMINATORY ACTS, where the data, disaggregated by gender and disability referring to the period 1 October 2022 - 30 September 2023, were extrapolated **by including for the first time the search parameter** disabled/invalid/handicapped .

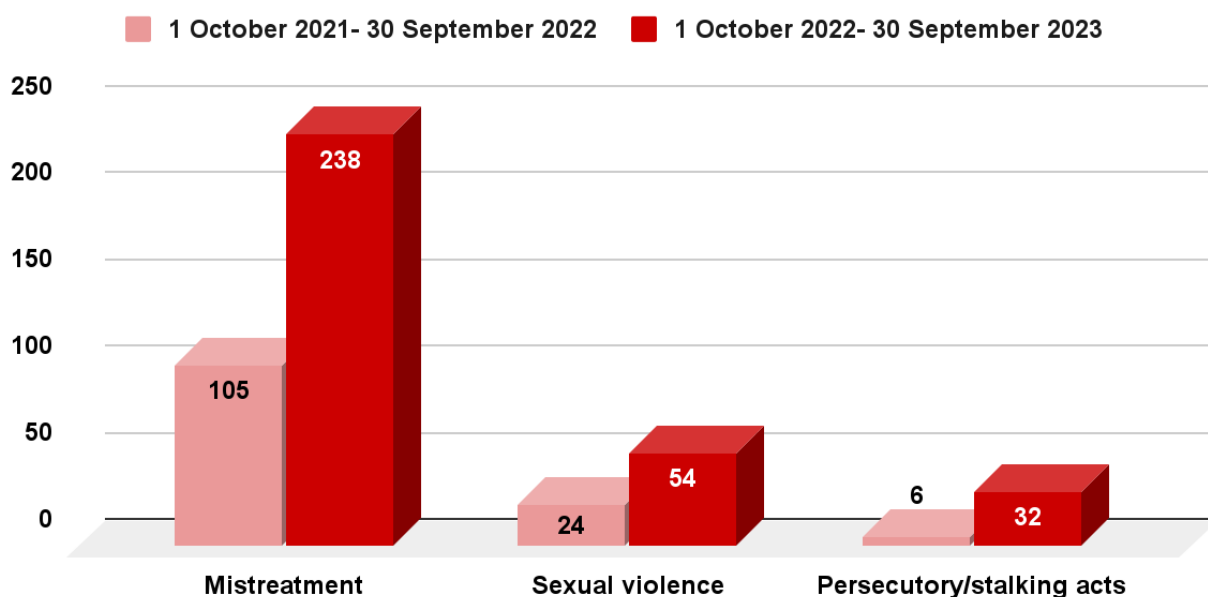
These data refer only to the complaints submitted and therefore represent a small minority compared to those that are not reported. The comparison with the data collected the previous year highlights a notable increase, more than double, in the number of crimes regarding mistreatment (238 against 105), sexual violence (54 against 24) and persecutory/stalking acts (32 against 6).<sup>6</sup>

<sup>5</sup> <https://www.fishonlus.it/la-violenza-sulle-donne-con-disabilita-i-dati-e-i-fatti/>

<sup>6</sup> <https://www.interno.gov.it/it/notizie/punto-pregiudizio-e-violenza-contro-donne-presentato-roma-report-servizio-analisi-criminale>



## Reported episodes of violence suffered by women with disabilities



On 25 November 2023, on the occasion of the International Day on gender-based and domestic violence against women, the Minister for Disabilities together with the Minister for the Family, announced the establishment of a working group dedicated to violence against women with disabilities to obtain information and suggestions regarding: communication, awareness-raising campaigns and accessibility of anti-violence centres and shelters. The aim is to prepare guidelines to be forwarded to the Ministry of the Family and its Technical Committee of the National Observatory on gender-based violence. The working group consists of representatives of associations of persons with disabilities, trade unions, regional administrations, ministries, Institute of Statistics and social security institutions. The working group has been meeting since April 2024 and will conclude its work on 25 June 2024. On the contrary, the National Observatory on the condition of persons with disabilities will continue its work in five groups on: universal accessibility, independent living, education, work and health. The co-ordinators of these groups, who come from universities and civil society, are all men and none of them has a disability.

Policies and legislation to combat gender violence go on a parallel track to policies and legislation on disability, thus failing to address the specific needs of women with disabilities. The intersectional discrimination that affects women with disabilities is not recognized in laws and in language.

The mapping of anti-violence centres and shelters does not include accessibility requirements: victims of violence with disabilities do not have adequate access to services.

## Part II: Information on the implementation of selected provisions in priority areas in the field of prevention, protection and prosecution

## Article 12: General obligations

Italy lacks a systemic approach to combat gender stereotypes. **Awareness-raising and prevention campaigns do not reach girls and women with disabilities, especially those with intellectual and/or psychosocial disabilities.**

9-a. **No information in “easy to read” or “easy to understand” format**, no reference in videos, spots and/or written communications concerning situations that may involve girls or women with sensory disabilities, with physical disabilities, with intellectual disabilities and/or psychosocial disabilities. **Girls and women with sensory disabilities do not benefit from these campaigns because the overcoming of their disabilities is not supported with appropriate languages and tools** (sign language, subtitles audio descriptions, braille format, etc.).

9.b Above all, no information or education campaign on the phenomenon as if women and girls with disabilities would be immune from this. On the contrary, evidence shows that they are seen as ‘easy-targets’ and therefore at a higher risk of violence. Furthermore, their difficulty to report violence and abuse puts the perpetrator at a higher chance of impunity, increasing the risk of violence. This difficulty in reporting comes from several issues:

- Difficulty of the woman to emancipate herself from a position of dependency from the rapist;
- Much violence is perpetrated in the silence of the families;
- The woman's lack of awareness that she is suffering violence;
- Unpreparedness of public and private service providers who collect and follow up the complaint process.

9.c Regarding language, the National Strategy for Gender Equality 2021-2026 calls for the adoption of a protocol for non-sexist and non-discriminatory language throughout the Public Administration, recognizing the role of language as a functional tool for building women's empowerment and leadership within the Public Administration.

No attention is given to the phenomenon of violence against girls and women with disabilities by the media, both private and public. The National Communications Authority (AGCOM) does not make any specific reference to girls and women with disabilities in its regulatory, analysis and monitoring action.

## Article 14: Education

10.a With the approval of the so-called Good School Law, Law No. 107/2015 reforming the school system, Article 1 paragraph 16 includes a regulatory provision to implement the principles of equal opportunities by promoting gender equality education, the prevention of gender-based violence and all forms of discrimination in schools. The aim of this law is to inform and raise awareness among students, teachers and parents on the fight against gender-based violence. It is not clear whether monitoring processes of the effectiveness of these educational paths have been activated. In any case, there are no references to girls with disabilities. The guidelines ‘Educating for Relationships’, issued by the Ministry of Education (MIUR) in November 2023, and the subsequent Memorandum of Understanding ‘Preventing and Combating Male Violence against Women and Domestic Violence - Initiatives for Schools’ - a joint initiative of the Ministry of Family, Natality and Equal Opportunities, the MIUR and the Ministry of Culture, propose a time-limited intervention, applicable only to higher education (14-19 years), after school hours, based on voluntary participation and without provision for teacher training. There is no specific reference to women or girls with disabilities.

10.b The above-mentioned National Strategy envisages tax breaks or incentives for private companies to provide courses in after-school digital and computer literacy for the

female target group and the provision by public authorities of free public digital and computer literacy. It is also established that curricular computer courses are to be strengthened and that extracurricular courses are to be funded in compulsory schools to promote digital learning training in school. However, **there is no obligation to consider the needs of girls with disabilities in these digital education programs. In any case, no data is available on their implementation.**

10.c Within the Guidelines of the Ministry of Education, issued in 2015, '*Educating for respect: for gender equality, prevention of violence and of all forms of discrimination*' it is mentioned that in teaching practice it is suggested to check the appropriateness of the language used in the textbooks of all disciplines not only with regard to the presence of possible stereotypes of the male and female genders, but also regarding the use of grammatical gender, which constitutes a fundamental tool for the representation of women in language. In addition, the National Strategy indicates the objective of revising the requirements for textbooks and training materials to incentivize publishers to ensure visibility for women. **Women with disabilities, and the specific stereotypes of which they are victims, are not considered in actions to ensure that schoolbooks and teaching materials do not propagate gender prejudices and stereotypes.**

#### Article 15: Training of professionals

11. 12. There are few positive examples like ADV (Against Domestic Violence). ADV is a departmental research centre (Department of Sociology and Social Research) of the University of Milan-Bicocca that aims to produce and disseminate knowledge on domestic violence and all forms of violence against women; it offers training on the topic to students, operators and professionals working in the field of preventing and combating violence against women; it exchanges information and good practices between Italy and other countries, in particular the United Kingdom.

It organizes seminars and specialization courses to '*Train operators in combating gender-based violence*' offered to students of degree courses belonging to the Departments of Sociology and Social Research, Medicine and Surgery, Psychology, Human Sciences for Education and the School of Economics and Statistics. **Within these courses, issues related to women with disabilities are also developed:** Are there greater risks of violence for women with disabilities? Why is it difficult to know and recognize this violence? What are the main obstacles to preventing, detecting and combating this phenomenon?

Very different is the situation regarding the training of law enforcement officers on the gendered nature of violence against women and its consequences, which is not widespread.

**The courses organized by the Scuola Superiore della Magistratura focus only on legal and technical aspects without referring to gender bias, Istanbul Convention or CEDAW<sup>7 8</sup>**

Regarding female genital mutilation (FGM), the Budget Laws allocated € 917,129.00 in 2021 and 2022, and € 1,239,845.00 in 2023 for awareness-raising campaigns, a national emergency number and training of professionals and operators. Between 2019 and 2022,

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<sup>7</sup> [CEDAW/C/ITA/CO/8](#) 11. [...] *The Committee remains concerned, however, about the general lack of awareness of the Convention, the Optional Protocol, the Committee's general recommendations and the Committee's views on individual communications and inquiries in the State party. It is particularly concerning that disadvantaged groups of women, including rural women, women with disabilities, migrant, asylum-seeking and refugee women, Roma, Sinti and Caminanti women and lesbian, bisexual, transgender and intersex women, are unaware of their rights under the Convention and the remedies available for claiming them*

<sup>8</sup> [CEDAW/C/ITA/CO/8](#) 16 (b) *Strengthen capacity-building programmes for judges, prosecutors, lawyers and other legal professionals on the Convention, the Optional Protocol and the Committee's general recommendations, its views on individual communications and its inquiry reports under the Optional Protocol, address judicial gender bias and prevent the secondary victimization of women.*

the Department of Equal Opportunities (Dipartimento Pari Opportunità - DPO) has allocated approximately € 1,200,000.00 for activities related to the FGM. **No comprehensive and easily accessible information is available on how these funds were spent and there is no mention of women with disabilities in their programs.**

#### Article 16: Preventive intervention and treatment programmes

13. With Law No. 69/2019, in addition to the strengthening of procedural protections for victims of crimes of sexual and domestic violence, the introduction of new offences in the Criminal Code (such as the unlawful dissemination of sexually explicit images or videos) and an adjustment of the penalties for crimes that are most frequently committed against victims of gender-based violence, an amendment to Article 165 was introduced. The latter mechanism has provided for a reinforcement in the cooperation between the CUAVs<sup>9</sup> (Centri Uomini Autori di Violenza - Centres for abusive men, i.e. places in which men with violent and aggressive behavior receive professional help and support, in order to overcome it) and the criminal justice system, by subordinating de facto subjecting the suspended sentence to the obligation to participate in specific rehabilitation programs of recovery. From the entry into force of Red Code (Codice Rosso) on 31 December 2022, the share of admissions from Red Code is 32.3 per cent of new admissions (Table 16); Red Code admissions are mostly attributable to crimes of ill-treatment (86%) and/or persecutory acts (80%) against partners or ex-partners; slightly more than half of the CUAVs also report offences related to ill-treatment towards children (52%) or other family members/partners (51%). It is therefore noteworthy that the follow-up is carried out by 86% of the CUAVs. Of these, 55% always carry it out and 31% do so only in some cases.

This is the list of topics covered in the training programmes provided to practitioners by the CUAVs:

- Gender approach
- Istanbul Convention
- Gender-based violence
- Gender roles and masculinity
- Criminological approaches
- Methodologies: welcoming and relating to male perpetrators of violence
- Recognition and management of the risk of reiteration of violence
- Violent behaviour
- Assisted violence Main regulations on gender-based violence.

Men who access the centres receive support and are listened to, mainly by telephone.

13.a. Programmes for perpetrators of violence must, at every level, give priority to the safety of women. According to a report submitted to the Senate of the Republic, programmes for male perpetrators of violence are part of a broader system of intervention and should always be integrated with territorial and inter-institutional networks against violence against women.

13.b The violent men's process is divided into an initial individual assessment and group meetings, carried out by psychotherapists, and monitoring work is carried out by the centres to assess the results of the courses offered. Consistent with international guidelines, the CUAVs must give particular importance to the following treatment purposes:

- to support empowerment with regard to acted violence and its consequences,

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<sup>9</sup> C.U.A.V. Centri per Uomini autori o potenziali Autori di Violenza di genere (Centres for Men perpetrators or potential perpetrators of gender-based violence)

- provide tools for the non-violent management of conflicts, promote processes of change in the relational dynamics that generate violence,
- accompany frustration and anger management processes, increase of anger, increase reflective capacity.

**There are no references to violence against girls and women with disabilities who, as already mentioned, are at higher risk of suffering violence in forms that are often specific and linked to the disability condition.**

13.d The abusive men's centres produce impact reports on their activities and recently there has been a comprehensive national report. These reports do not seem to be structurally provided for by regulations, but are often the result of initiatives and projects of individual centres.

### Article 18: General obligations

Due to invisibility of girls and women with disabilities in the activities of *any multi-agency co-operation mechanisms, structures or measures in place designed to protect and support victims of any of the forms of gender-based violence against women covered by the Istanbul Convention (e.g., interdisciplinary working groups, case-management systems, cross-sectoral protocols/ guidelines...)* we are unable to reply punctually to each of items 15 -16 -17 of the questionnaire. For this, we suggest to read the FID previous submission to the Committee of the Parties last 6<sup>th</sup> April 2023. In any case, in order give you, the GREVIO, a better understanding of this difficulty, FID is bringing to your attention a few considerations here below.

**The dramatic persistence of cultural prejudices and sexist stereotypes permeates** courtrooms, mechanisms, institutions and policies designed to protect and support victims with disabilities; this dramatic situation is also reflected in media portrayals and the wider social context, resulting in the re-victimization of women who have suffered violence, exposing them to further trauma and hindering the establishment of the truth in court.

Regarding the "**Secondary victimization**" and in case of women with disabilities who have reported the violence they suffered, further discrimination is generated, for example during the child custody proceedings, following the complaint in penal office. Women with disabilities are often subjected to assessments of their parenting skills without considering the condition of disability, using instead standard parameters in an undifferentiated way with consequent negative results. Women with disabilities who turn to anti-violence services often have cognitive or intellectual and psychiatric difficulties but are not taken into due consideration by the institutions that should provide the necessary support for them to better exercise the role of mother, keeping their children with them.

Although women with disabilities are among the victims of gender-based violence who are most exposed to secondary victimization, also in relation to their role as mothers, in the recent report entitled "Secondary victimization of women who suffer violence and their children in proceedings governing the 'custody and parental responsibility' of the Parliamentary Commission of Inquiry into femicide and any other gender-based violence of May 2022, **women with disabilities are completely ignored.**

The Observatory for Security against Discriminatory Acts OSCAD operates within the Security Police Department to provide support to victims of discriminatory crimes to facilitate the submission of complaints and encourage the bringing such crimes to light. The complaint does not replace the reporting of a crime to the police. **OSCAD published some data on complaints of violence against women with disabilities in 2022 and 2023**, noting an increase in their number.

There is also a serious problem of under reporting. There are many reasons for this, but the main one remains the difficulty in recognizing and communicating the violence suffered and the fear of not being believed, as well as the lack of training and competence in disability issues on the part of those responsible for recognizing the physical and behavioral signs of violence suffered by women with disabilities and for receiving the complaint.

In any case when collecting data, OSCAD includes, among the various forms of violence, pharmacological abuse, the denial of essential care, the denial of aids for autonomy considering that this form of violence is perpetrated by people close to the victims.

A prerequisite for guaranteeing access to justice for all women with disabilities is equal recognition before the law, enshrined in art. 12 of the UN Convention on the Rights of Persons with Disabilities which states that persons with disabilities enjoy legal capacity on an equal basis with others. **Women under legal guardianship are denied access to complaints** and they are believed to be unreliable in their statements.

### Article 20: General support services

18. The general support services for women with disabilities affected by violence do not frequently **have enough knowledge** to work with this target group. It is necessary to introduce appropriate tools for understanding the condition of women with disabilities and permit better practical and psychological support.

19. Pink Code (Codice Rosa)- The [National Guidelines for Health Authorities and Hospitals in the Rescue and Socio-Medical Assistance to women suffering violence](#) , issued with Prime Ministerial Decree in 2017, consider also women with disabilities.

22. The guidelines recommend that the operator who takes charge of a woman must use correct communication with simple, understandable and accessible language also for women suffering from sensory, cognitive or relational disabilities.

The training modules must provide adequate basic knowledge of the phenomenon of male violence against women regarding the *protection of vulnerable categories; the specific obligations and possible routes for disabled women, pregnant women, minors, etc.*

The guidelines recommend that in the organization of training modules it is necessary to include among the contents the promotion of the ability to establish a relationship with women based on listening and welcoming, using a simple, understandable and common language, also accessible to women with sensory, cognitive or relational disabilities, and guarantee an empathetic and non-judgmental approach.

**Unfortunately, the serious shortcomings of public health in Italy do not guarantee the implementation of these guidelines.**

In November 2023, the Chamber of Deputies approved a Resolution to improve the accessibility of Health and Hospital services for persons with disabilities, providing, among others, a mapping of hospital facilities as regards accessibility, better accessibility of hospital facilities, strengthening of home care and also training of healthcare workers as well as a platform for collecting epidemiological and clinical data relating to the health problems of persons with disabilities.

23. Abuse and violence within social and healthcare facilities **are difficult to report** considering that the residents depend on the operators. Additionally, some women may have communication difficulties.

A sad example is a **rape that occurred to a girl with severe intellectual disability in a residential facility in September 2020, during the quarantine, when the facility was locked to visitors.** The rape was discovered by chance as the girl got pregnant.<sup>10</sup>

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<sup>10</sup> <https://www.lasicilia.it/news/cronaca/365594/troina-la-violenza-shock-su-una-disabile-scoperta-perche-la-ragazza-e-rimasta-incinta.html>

24. There is no data on forced sterilization which in Italy is punished as an aggravating circumstance of personal injury but from some testimonies it is clear that it is still a widespread practice disguised as other types of intervention. Furthermore, women with mental or cognitive disabilities often suffer forms of forced contraception and forced abortion as happened to Ms. Yaska<sup>11</sup> a young woman with psychosocial disability who, in addition to segregation, experienced forced abortion and forced contraception.

### Article 22: Specialist support services

25. 26. 27. The State - Regions Agreement of 14 September 2022 relating to the minimum requirements of anti-violence centres and shelter homes contains some references to women with disabilities who are victims of violence, where it provides that the centres, in supporting personalized paths to escape violence, *"must not practice discrimination based on age, ethnicity, origin, citizenship, religion, social class, level of education, level of income, ability, or other discrimination"* (art. 1 in accordance with art. 4 co 3 of the Istanbul Convention)

**Women with disabilities do not receive adequate consideration for their specific needs regarding, for example, physical accessibility, communication in usable formats and languages, accessible and easy to read and understand, support services for housing and economic autonomy.** Furthermore, regarding the reception of disabled women in shelters, **no attention** is paid to the possibility that the disabled woman who is a victim of violence may be non-self-sufficient and therefore in need of personal assistance services.

**In fact, many shelter homes do not accept women with chronic illnesses and/or with various forms of disability or who have children with these characteristics:** this is what results from Istat data published on 7 August 2023 on the protection system for women victims of violence 2022-2023, in which it is underlined that 94.1% of shelter homes have exclusion criteria for women with psychiatric distress, drug addicts, the homeless, prostitutes and those in the last months of pregnancy.

### Article 25: Support to victims of sexual violence

28. Accessibility, universal design and the necessary reasonable accommodation represent the further requirements that anti-violence centres and shelters will have to equip themselves with to accommodate women with disabilities<sup>12</sup>. To date, these requirements are not present, except sporadically and as a voluntary measure.

### Article 31: Custody, visitation rights and safety

32. e. The "Guidelines for the assessment and self-assessment of the risk of recurrence of male violence against women in intimate relationships" have recently been published (2024)<sup>13</sup> also available in easy to read language, created within [FuTuRE – Fostering Tools of Resilience and Emersion of GBV with intersectional perspective](#), a European project promoted by the Differenza Donna Association in partnership with the Universities of Tuscia in Viterbo and La Sapienza in Rome, and financed with CERV (Citizen, Equality, Rights and Value) funds. The tools for assessing the risk of recidivism consider the possible disability of women victims of violence.

It is worth mentioning that only the Civil Society Organizations CSO, on their own or in cooperation with DPOs, have implemented projects and/or Guidelines to support disabled victims of sexual violence. Some of these projects involved marginally public bodies.

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<sup>11</sup> <http://www.superando.it/?s=yaska&submit=Cerca>

<sup>12</sup> Regarding accessibility, the following freely downloadable guidelines are highlighted  
<https://besafe.unibs.it/>

<https://www.mondodonna-onlus.it/wp/wp-content/uploads/2022/01/ACCORCIARE-LE-DISTANZE-ok.pdf>

<sup>13</sup> [https://www.differenzadonna.org/wp-content/uploads/2024/04/FuTuRE\\_D2.3\\_Guidelines\\_ITA-2.pdf](https://www.differenzadonna.org/wp-content/uploads/2024/04/FuTuRE_D2.3_Guidelines_ITA-2.pdf)

## Article 48: Prohibition of mandatory alternative dispute resolution processes or sentencing

Currently, the Italian regulatory framework seems to be compliant with this provision.

The latest reform approved on procedural matters (i.e., the Cartabia Reform) has also not intervened on this point, as can be seen from the Dossier prepared by the Senate of the Republic and the Chamber of Deputies on September 6, 2022, [“Reform of the civil trial and revision of the regulation of alternative dispute resolution mechanisms”](#) (see for example in particular pages 132-133, "(...) provide that the reporting judge may, excluding cases where gender or domestic violence is alleged, as provided by the aforementioned Council of Europe Convention on preventing and combating violence against women and domestic violence, invite the parties to attempt family mediation (...)").

**Nothing specific to report about women with disabilities.**

## Article 49 and 50 – General obligations & – Immediate response, prevention and protection

40. We are not aware of any specific resources on violence against women with disabilities. However, we refer to the following as informative resources

- a) the recent research carried out by the Criminal Analysis Service of the Central Directorate of the Criminal Police, an interdepartmental office of the Ministry of Public Security, which led to the drafting of the report *"Il Punto - Prejudice and Violence against Women"* (for which the information contained in the police database was used), which also includes data on violent crimes against women with disabilities; and
- b) the "Operational manual for crimes of gender violence and for the approach to particularly vulnerable victims" of the General Command of the Carabinieri, which devotes considerable space to the issue of disability and the double discrimination suffered in particular by women with disabilities, with operational indications for law enforcement agencies.

41. Since 2019, protected hearing rooms for vulnerable victims have been set up at Carabinieri stations, Police offices, and some Prosecutor's offices. However, there is no comprehensive survey of how many of these rooms are active and accessible to people with disabilities. Their establishment seems largely linked to the implementation of individual projects funded by local stakeholders as part of social responsibility activities (e.g., the Soroptimist network appears to be heavily involved).

42. With regards to Institutional measures, we outline the following:

### a) **Police Measures:**

- The Central Operational Service and the Central Anti-Crime Service (within the Central Anti-Crime Directorate of the Public Security Department) are responsible for coordinating and synthesizing analyzed situations to guide and promote prevention activities.
- Dedicated units for combating gender-based violence are included in mobile squads and in the anti-crime divisions of police headquarters.
- The EVA Protocol outlines operational methods for police response to gender-based violence incidents (domestic abuse, stalking, family disputes, etc.).



b) **Carabinieri Measures:**

- An agreement with the Department for Equal Opportunities of the Presidency of the Council of Ministers to monitor violence perpetrated in the form of stalking, violence, sexual offenses, or harassment against vulnerable victims.
- 79 agreements with state prosecutors, prefectures, police forces, hospitals, and anti-violence centres.
- The establishment of the "National Monitoring Network on Gender-Based Violence" structured with judicial police officers, sergeants, and brigadiers, activated at all provincial commands with two units per department within Investigative Units.
- The creation of a dedicated section for stalking acts, resulting in an "operational handbook" issued by the General Command of the Carabinieri in 2012 and available on the institutional network portal.
- 68 protected hearing rooms for vulnerable victims at Carabinieri stations.

c) **Public Prosecutor's Office:**

- The establishment of specialized working groups appears to be confined to local initiatives. The General Prosecutor's Office at the Court of Appeal, as part of the implementation of Article 6 of Legislative Decree No. 106/2006 on the uniform exercise of criminal action, issued guidelines on May 3, 2023, for gender-based violence. These emphasize the lack of specialization among prosecutors and magistrates on these issues and the need for more thorough training and updates.

**There is no evidence on the existence of working groups / specific units or department specialized on violence against women with disability or on disability in general.**

43. The most important innovation is the reform of the **non-penalization of particularly serious offences (referred to in Article 131-bis of the Criminal Code)**, brought about by the Cartabia reform, and in particular the explicit exclusion of the offences provided for in the Istanbul Convention on violence against women and domestic violence from the scope of Article 131-bis of the Criminal Code.

**On the other hand, there are no specific innovations for women with disabilities.**

44. No specific institutional activities have been undertaken to encourage women with disabilities to report abuse. The FISH Women's Group (Italian Federation for Overcoming Handicap) has played a crucial role in this regard, planning various informational activities on these issues along the years. FISH is a member of the [Italian Disability Forum](#) ("Forum Italiano sulla Disabilità – FID").

45. We outline the following:

- a. The "Operational Handbook for gender-based violence crimes and approaches to particularly vulnerable victims" by the General Command of the Carabinieri extensively covers disability and double discrimination.
- b. The State Police's "Guidelines on personal prevention measures," July 2020 edition, although with only one specific mention of disability.

- c. The EVA protocol defines procedures for police response to gender-based violence incidents but lacks clear indications on disability.
- d. The national guidelines for healthcare companies and hospitals on assisting women victims of violence include specific provisions for women with disabilities.

The following disability-specific guidelines from other entities, are identified:

- [FuTuRE](#). Guidelines for the Assessment and Self-Assessment of the Risk of Recurrence of Male Violence against Women in Intimate Relationships.
- [Gender, Disability, and Violence](#). Guidelines for the Accessibility of Assistance and Support Services for Victims of Violence.
- [Bridging the Gap](#). Guidelines for the Care of Women with Disabilities who have Suffered Violence and Multiple Discriminations.

46. The "National Strategic Plan on Male Violence Against Women" includes specific sections on women with disabilities. There are several shortcomings as reported in point 7.1 of this submission.

48. In the ongoing effort to combat gender-based violence and ensure the effective implementation of the Istanbul Convention, it is essential to continually assess and adapt the relevant strategies. Recent developments underscore the need for updated risk assessment tools and enhanced collaboration among stakeholders.

Traditionally, several tools have been utilized to identify the risk of abuse and stalking, such as SARA (Spousal Assault Risk Assessment) and ISA (Increasing Self Awareness)<sup>14</sup>. However, recognition of their limitations in addressing contemporary challenges, including digital forms of violence and the intersectional discrimination faced by certain groups of women, has prompted a reevaluation. Notably, the 2021 – 2023 preliminary document on the national strategic framework for male violence against women no longer mentions SARA as a recognized tool.

In response, recent initiatives, such as the *"Guidelines for the Assessment and Self-Assessment of the Risk of Recurrence of Male Violence against Women in Intimate Relationships,"* have emerged. These guidelines, developed under the FuTuRE project, aim to provide updated methodologies for risk assessment, adopting a gender and intersectional perspective that encompasses the rights of children. **Recognizing the inadequacy of traditional tools, these guidelines have reconfigured instruments like SARA and ISA to better address contemporary forms of violence and the specific needs of marginalized women, amongst which women with disabilities.**

49. Collaboration among various stakeholders is essential for a comprehensive response to gender-based violence. The Istanbul Convention emphasizes the importance of cooperation, particularly in swiftly identifying and addressing instances of potential violence. As mentioned in the [State-Regions Agreement document the](#) Centre for men Author of Violence (CUAV)<sup>15</sup> plays a crucial role in this regard, promptly notifying competent authorities of situations posing a concrete risk of aggression or escalation of violence by participants in intervention programs. This proactive approach is essential for preventing further harm and ensuring the safety of victims. Furthermore, the recognition of Anti-Violence Centres as reference services for healthcare facilities, including hospitals and

<sup>14</sup> <https://www.differenzadonna.org/autovalutazione-del-rischio/>

<sup>15</sup> C.U.A.V. Centri per Uomini autori o potenziali Autori di Violenza di genere (Centres for Men perpetrators or potential perpetrators of gender-based violence)

emergency rooms, highlights the importance of synergy between support services and healthcare professionals. Through the establishment of agreements and conventions with hospital administrations, these centres provide invaluable support to emergency responders, aiding in the identification of warning signs and prevention of femicide.

**However, particularly with regard to cooperation on disability issues, no specific agreement has been reached.**

Effective implementation of the Istanbul Convention requires continuous adaptation to evolving challenges and collaboration among diverse stakeholders. By updating risk assessment tools to address contemporary forms of violence and enhancing cooperation between intervention programs, law enforcement, healthcare providers, and support services, it is important to work towards a safer and more equitable society for all, including women with disabilities.

**However, there is a need to plan and organize more specific initiatives related to disability issues.**

#### Article 53: Restraining or protection orders

53. There are no particular novelties to report for women with disabilities.

#### Article 56 – Measures of protection

55. Systemic discrimination must be tackled by ensuring access to services for women with disabilities.

On August 7, 2023, the Italian National Institute of Statistics (Istat) released a research report titled "*Protection System for Women Victims of Violence*" for the years 2021 and 2022. This report sheds light on **significant shortcomings in the reception and support offered to women with disabilities**. Despite the majority of shelters receiving public funds, 80.7% of these facilities refuse to accommodate women with psychiatric disabilities. The disability status of victims is not adequately recorded, making it impossible to fully understand the phenomenon of violence against disabled women. **The collected information does not include data on the accessibility of services and the adequacy of risk assessment tools for women with disabilities**. Furthermore, training activities at Anti-Violence Centres rarely address the reception of women with disabilities, with only 30.9% of courses covering this topic.

The tables in the report also show that 50.4% of shelters have implemented measures to overcome architectural barriers, but they do not guarantee real accessibility of the facilities. In many cases, the **adopted measures are insufficient to meet the specific needs of women with disabilities**. Additionally, there are no specific professional figures, such as sign language interpreters, to adequately support these women.

The lack of disaggregated data for disability prevents a full understanding of the specific forms of violence experienced by disabled women, such as misuse of medications and reproductive coercion. **Multiple discrimination, resulting from multiple discriminatory factors, is only considered for immigrant or foreign women, completely ignoring women with disabilities.**

**This report confirms institutional and systemic discrimination that violates the principles of equality and non-discrimination of the Istanbul Convention ratified by Italy.** The Istat, under institutional mandate, does not provide sufficient data to describe, prevent, and plan adequate services for women with disabilities who are victims of violence. In 2020, **Italy was already called out for failures in these aspects, and this report represents further confirmation of the urgent need for interventions to correct such discriminations.**

## Part III: Emerging trends on violence against women and domestic violence

56. The following emerging trends are to be noted:
- a. Digital forms of gender-based violence against women are particularly evident for women exposed to cross-forms of discrimination due to factors such as disability, migrant status, sexual orientation, religion, social condition. Gender-based violence against women in the digital sphere has a serious impact on women's lives, including their psychological and physical health, safety and reputation. The abuse to which women are subjected in online environments causes many women to withdraw from participating and expressing their opinions on platforms, resulting in a severe loss of their point of view. In 2022, according to the latest report by [Vox](#), the Italian Observatory on Rights, which monitors hate expressed on social media via Twitter, women were the most affected followed by people with disabilities. Recently women with disabilities have been insulted and offended by a certain Sdrumox, youtuber. In January 2023 in a 90-minute video with 50,000 views (episode 104 of Wild Musk: [Muschio Selvaggio: Ep. 104 - chiacchiere fra disabili con Emanuel su Apple Podcasts](#)), he used sexist and macho language, described his sexual fantasies with girls with disabilities, especially with Down syndrome, denigrating them and reducing them to passive sexual objects. These actions constitute forms of online sexual harassment, acts of sexual bullying that fuel the spread of profanity about the alleged sexual behavior of women. Sexist hate speech helps create a social climate in which women with disabilities are humiliated, their self-esteem is reduced, and their activities are restricted, including at work, in private life, in the public sphere or online. Sexist hate speech often constitutes a first step in the process towards physical violence, it can also escalate or incite overtly offensive and threatening acts, including abuse or sexual assault or rape, thus falling within the scope of Article 40 of the Istanbul Convention relating to sexual harassment. Finally, all forms of violence against women perpetrated in the digital sphere have a psychological impact and could also be classified as psychological violence perpetrated online and with the use of technology, to which women with intersectional identities are more exposed.
  - b. The Delegating Law 227/21 on Disability implements one of the reforms envisaged by Mission 5 "Inclusion and cohesion" of the National Recovery and Resilience Plan-NRRP. In this law the position of "Guarantor of persons with disabilities" is inserted, whose purpose, competences and prerogatives are known. FID awaits to know the effectiveness of this "Guarantor" position.

The existing bodies for detecting and combating discrimination, UNAR, OSCAD, CIDU, as well as the Department for Equal Opportunities at the Presidency of the Council of Ministers, have a very limited scope of prevention of abuses.

### Draft law – Interventions to support mothers with disabilities

#### **Introduction**

The Draft Law on "*Interventions to support mothers with disabilities*" introduces several significant innovations aimed at improving the emancipation of women with disabilities in Italy and increasing the chances of escaping violence. Presented by Italian deputies

Gribaudo and Furfaro, this proposal is based on the experiences collected by the Association "Disability, Independence, Maternity – *DisabilmenteMamme*", whereby a group of young women with disabilities who had recently experienced motherhood decided to draft a proposal of legislation able to meet the needs and address the issues they had faced in that particular context, most of which connected to the peculiarities of intersectional discrimination suffered from women with disabilities. The text originally drafted has subsequently been amended by Italian Federation for Overcoming Handicap ("Federazione Italiana Superamento Handicap" - Fish, an Italian Federation of various associations of persons with disabilities and member of FID), with the conjoined review carried out by the Women Working Group and the Handylex Legal Study Centre of the Federation.

### **Innovatory provisions of the Draft Law**

The main innovations of the proposal are as follows:

- **National Guidelines** - The bill provides for the creation of national guidelines that ensure a safe accompaniment pathway for women with disabilities during pregnancy and the postpartum period. These guidelines include:
  - Therapeutic and physiotherapeutic services, including home-based services.
  - Support from childcare specialists for the first three years of the child's life, helping mothers to make the best use of their physical abilities.
- **Information Desks and National Hotline** - Regional information desks and a national hotline will be established to provide continuous telephone assistance and consultation to mothers with disabilities, connecting these services to the information desks.
- **Awareness Campaigns** - The proposal includes national awareness campaigns to combat stereotypes and discrimination faced by women with disabilities, particularly those related to the sexual and reproductive sphere.
- **Accessibility** - A "Fund for accessibility for mothers with disabilities" will be established at the Ministry of Health with a specific budget to ensure accessibility to healthcare, facilities, and diagnostic equipment. The fund will also be used to ensure the accessibility of anti-violence services.
- **Employment** - The proposal introduces measures for working mothers with disabilities, including:
  - Smart working (or agile working) arrangements, if the job allows it;
  - Extension of parental leave up to three years, also extendable to the father; and
  - Incentives for private companies that hire mothers with disabilities, including exemptions from contributions for a maximum period of 24 months.
- **Data Collection and Monitoring** - ISTAT and INPS will be responsible for collecting and monitoring data on mothers with disabilities, ensuring disaggregation by various disabilities. A database will be established to collect and analyze the conditions of women with disabilities, including gender-based violence.

### **Proposed Amendments**

The Italian Federation for Overcoming Handicap ("Federazione Italiana Superamento Handicap" - FISH) has suggested amendments to improve the original proposal, including:

- Greater protection of maternity regarding adoption and Medically Assisted Procreation (MAP).
- Accessibility of communications and therapeutic and physiotherapeutic services.
- Awareness on violence and school education on disability and affectivity.
- Inclusion of associations of people with disabilities in all implementation phases.
- Employment support measures for single women with disabilities, regardless of maternity.

**Value proposition of the Draft Law for the concerned subject matter**

These innovations represent a significant step towards the emancipation of women with disabilities, improving access to services, support during maternity, and creating a more inclusive working environment. The proposal aims to provide concrete tools to combat violence and discrimination, promoting a more equitable and inclusive society.