

*Building trust  
by delivering support,  
protection and justice*

**Italy**

First thematic  
evaluation report

**GREVIO**

Group of Experts  
on Action against Violence  
against Women and  
Domestic Violence



Council of Europe Convention  
on preventing and combating  
violence against women  
and domestic violence  
(Istanbul Convention)

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## Executive summary

This evaluation report addresses the progress made in providing support, protection and justice to victims of violence against women and domestic violence under selected provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention). It offers an assessment made by the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent human rights monitoring body mandated to monitor the implementation of the convention. GREVIO's findings identify developments that have taken place since the publication of its baseline evaluation report on Italy on 13 January 2020 and are based on the information obtained during its first thematic evaluation procedure as set out in Article 68 of the Istanbul Convention, including from written reports (a state report submitted by the Italian authorities and additional information submitted by ActionAid Italy, AIDOS, Association Alice Project, the D.i.Re Network, CADMI - Home for Abused Women in Milan, Association on Educating about Diversity, Women Jurists Forum, Italian Coordination of the European Women's Lobby, GIUDIT, Italian Disability Forum, Period Think Tank, Scosse APS, If Not Now When?, Free University of Bozen-Bolzano, UN.I.RE and Relive) and from a nine-day evaluation visit to Italy. A list of the bodies and entities with which GREVIO had exchanges can be found in Appendix II.

The report assesses the wide variety of measures taken by the Italian authorities to prevent violence against women and domestic violence and to deliver protection, support and justice for victims – the theme chosen by GREVIO for its first thematic evaluation round. By identifying emerging trends in preventing and combating violence against women and domestic violence, GREVIO shines a light on the laudable efforts made to implement this convention. Moreover, it provides in-depth information on the implementation of selected provisions in the areas of prevention, protection and prosecution as building blocks for a comprehensive response to the different forms of violence against women that instils trust in victims.

In this regard, GREVIO welcomes Italy's significant expansion and development of its legislative framework on violence against women, clearly demonstrating a commitment to the implementation of the Istanbul Convention. The positive legislative developments include Law No. 53/2022 on gender-based violence statistics, which aims to ensure comprehensive data collection on gender-based violence against women and support for evidence-based policies. Positive measures stemming from reforms on criminal proceedings (notably Law No. 150/2022 and Law No. 122/2023) are also welcomed in this report, in particular the requirement to appoint dedicated prosecutors for offences under the scope of the convention and to publish national guidelines on training for all professionals in this area. As regards family law proceedings where allegations of domestic violence are made, equally noteworthy is the possibility introduced by reforms to fast-track such proceedings. The enhancement of the investigative powers of judges and the requirement to consult the prosecutor and other criminal justice actors to ascertain whether criminal proceedings are pending or a verdict has been handed down for acts of domestic violence are equally welcome steps.

As regards integrated policies, GREVIO welcomes the adoption of two subsequent national action plans in the period under review, including the more recent National Action Plan on Violence against Women and Domestic Violence with its related Implementation Plan (covering the period 2025-2026). These national action plans offer a comprehensive set of policies addressing men's violence against women, are anchored in a gendered perspective and have been created on the basis of an evaluation of previous strategies. In the area of prevention, Italy has progressively improved its strategic and regulatory framework in relation to perpetrator programmes with the adoption of an agreement defining minimum requirements at the national level.<sup>1</sup> This agreement harmonises requirements pertaining to the mandates of the organisations carrying out the programmes, the methodologies employed, the training of staff and the level of security ensured to victims and their children and reflects a gendered understanding of violence against women. This has been accompanied by a rise in perpetrator programmes and an improvement in the geographical coverage. In the area of protection, of particular note is the widespread implementation by healthcare

1. The Agreement between the Government, the Regions and the Autonomous Provinces of Trento and Bolzano Defining the Minimum Requirements at National Level for Perpetrator Programmes.

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establishments of the 2017 national guidelines for victims of violence against women, which provide for a prompt and comprehensive response to and treatment of victims by healthcare services. Several measures aimed at victims' empowerment and their integration into the labour market have also been introduced and are being implemented, such as the financial support to victims of domestic violence ("freedom of income") and exemptions from the payment of social security contributions for companies that hire victims.

To enhance the criminal justice response to violence against women and strengthen victims' trust in institutions, GREVIO welcomes measures that have been taken, including the setting up of an interagency database (SCUDO) to allow the recording of all incidents of domestic violence and to enable law-enforcement authorities to gain an overview of past police interventions involving the same perpetrator/address; the launch of a new application (Youpol) to facilitate the reporting of acts of violence to the police through digital means, including in an anonymous manner; and the newly introduced obligation to record on video interviews with vulnerable victims. Ongoing efforts carried out by the Court of Cassation and the Permanent Observatory on the Effectiveness of Norms on Gender and Domestic violence of the Ministry of Justice to examine discriminatory language, including gender stereotypes, contained in judicial decisions, also demonstrate an important engagement with the Istanbul Convention, GREVIO's findings and the case law of the European Court of Human Rights.

Beyond the progress made in Italy to implement the convention, GREVIO has identified areas that require urgent action by the authorities to comply fully with the convention's provisions. Additional financial resources are needed for the implementation of criminal justice reforms that introduce the fast-tracking of criminal proceedings related to violence against women. In particular, the recruitment of more prosecutors and criminal justice professionals is crucial for ensuring such reforms yield the intended positive outcomes. Legislative and other measures are also needed to simplify and expedite the disbursement of adequate funding to anti-violence centres and shelters and to harmonise criteria for their disbursement. In the area of prevention, the teaching of subjects such as gender equality, non-stereotyped gender roles and violence against women remains uneven and sporadic across the country and the newly introduced obligation to teach civic education in a transversal manner has not bridged the existing gap. Moreover, the notion of rape as being based on the lack of consent and the dangers posed by violent pornography are not part and parcel of the mandatory curriculum. Furthermore, additional measures are needed to ensure systematic and mandatory initial and in-service trauma-informed training on all forms of violence against women for a range of professionals, in particular for judges, prosecutors, lawyers and court-appointed experts.

Moreover, in the area of substantive law, GREVIO has identified various shortcomings with regard to custody and visitation rights, including the need to ensure that pending cases before courts are systematically screened for instances of domestic violence; judges ask for the disclosure of risk assessments by other bodies; instances of domestic violence are a mandatory legal criterion to be systematically taken into account when deciding on custody and visitation; and children are not removed from the custody of the non-violent parent, including as a result of the use of harmful and unfounded concepts such as the so-called parental alienation syndrome and similar concepts.

As regards criminal justice proceedings, while data on prosecution and convictions are not systematically collected, sample data show that there are high levels of dismissals and attrition rates for all cases of violence against women. Moreover, trials continue to be extremely long and even where they end with a conviction, sanctions are not always proportionate or dissuasive. Furthermore, victims continue to experience secondary victimisation in such trials as a result of gender stereotypes and prejudices. GREVIO has also expressed concerns about the way restorative justice is used in cases of violence against women, underscoring the need for judges and prosecutors to proceed with caution when proposing and accepting such processes. Among other things, GREVIO calls for the systematic application of a number of safeguards, including the carrying out of a risk assessment on the suitability in such cases; the provision of full information on the aims, consequences and non-mandatory nature of restorative justice; the verification by judges that the victims consents to such procedures; legal representation when such decisions are taken; and dedicated training for mediators working in restorative justice centres.

GREVIO has identified a number of additional issues that require sustained action in order to effectively build trust by delivering protection, support and justice for acts of violence against women. These relate to the need to:

- ensure that the National Action Plan on Violence against Women and regional plans address all forms of violence against women, have an intersectional approach and are supported by an operational plan specifying for each objective the timeline, the financial resources and the indicators to measure progress;
- ensure the meaningful and effective consultation and participation of civil society in the shaping of policies and their implementation;
- harmonise the collection of data on all forms of violence against women between law-enforcement agencies, prosecution offices and the judiciary, with the aim of tracking the progress of cases from reporting to conviction, to identify attrition rates and the sanctions imposed;
- promote on a regular basis awareness-raising campaigns on gender stereotypes and patriarchal attitudes in society, as well as on all forms of violence against women;
- ensure that perpetrator programmes are widely attended, including by providing for mandatory court referrals in addition to, and not as an alternative to, sentencing and/or taking protective measures;
- ensure adequate service provision, referral pathways and training of medical personnel on female genital mutilation with a view to ensuring adequate and holistic care for victims;
- ensure that minimum quality standards imposed on anti-violence centres and shelters 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.

Finally, GREVIO has pointed to several emerging trends, including an increase in sexual violence against girls, the growing consumption of violent pornography by children and insufficient preventive action in this respect.

## Introduction

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, hereafter “the Istanbul Convention”) is the most far-reaching international treaty to tackle violence against women and domestic violence.

It sets up a two-pillar monitoring mechanism to assess the level of implementation by its parties: the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), an independent expert body, and the Committee of the Parties, a political body composed of official representatives of the Parties to the Convention. In line with Article 68 of the convention, GREVIO has been providing country-based monitoring reports under its baseline evaluation procedure since 2017. Its baseline evaluation report on Italy, offering a comprehensive assessment of the convention’s implementation in its entirety, was published on 13 January 2020, following Italy’s ratification of the Istanbul Convention on 10 September 2013.

This report was drawn up under GREVIO’s first thematic evaluation round launched in 2023 focusing on the theme of building trust by delivering support, protection and justice. To address this overarching theme, it describes emerging trends in the areas of preventing and combating violence against women and domestic violence in the country. Section two aims to identify developments in key areas such as comprehensive and co-ordinated policies, funding and data collection that have ensued following the completion of the baseline evaluation procedure. Section three sets to obtain more in-depth information on the implementation of selected provisions in the areas of prevention, protection and prosecution, in respect of which baseline evaluation procedures and the Conclusions on the implementation of recommendations of the Committee of the Parties to the Istanbul Convention have revealed significant challenges and the need for further action.

In respect of Italy, the first thematic evaluation procedure was initiated in accordance with Article 68 of the convention by letter and transmission of GREVIO’s first thematic questionnaire on 12 January 2024. The Italian authorities subsequently submitted their state report on 1 July 2024 – the deadline set by GREVIO. Following a preliminary examination of Italy’s state report, GREVIO carried out an evaluation visit to Italy, which took place from 23-31 October 2024. The delegation was composed of:

- Ellen O’Malley Dunlop, Member of GREVIO and Second Vice-President from June 2023 to June 2025
- Angelina Zaporojan-Pirgari, Member of GREVIO and First Vice-President from 30 June 2025 until June 2027
- Francesca Montagna, Administrator at the Secretariat of the monitoring mechanism of the Istanbul Convention
- Severina Spassova, Administrator at the Secretariat of the monitoring mechanism of the Istanbul Convention

During the evaluation visit, the delegation met with a wide range of governmental and non-governmental representatives working in the area of preventing and combating violence against women. GREVIO wishes to highlight its constructive exchanges with the Italian authorities, in particular Stefano Pizzicanella, Director of the Department for Equal Opportunities at the Presidency of the Council of Ministries. A list of the national authorities, non-governmental organisations and others met is set out in Appendix II of this report. GREVIO is grateful for the valuable information provided by all of them. For the co-operation and support provided throughout the entire evaluation procedure, it wishes to extend its gratitude to Dr. Elena Palloni, Senior Officer at the Department of Equal Opportunities who was appointed as contact person. The state report and the written contributions submitted by civil society are available on the country monitoring website of the Istanbul Convention.

The present assessment was drawn up under the exclusive responsibility of GREVIO and is based on the information collected during the various steps of the evaluation procedure. In keeping with the approach adopted in its baseline evaluation reports, the findings made reflect different levels of

urgency, indicated in order of priority by the following verbs: “urges”, “strongly encourages”, “encourages” and “invites”.

Resulting from a process of confidential dialogue with the aim of offering country-specific proposals and suggestions for improvement within the national context of the party under review, this report describes the situation as observed by GREVIO up until 3 July 2025. Where applicable, relevant developments up until 14 October 2025 have also been taken into account.

According to the convention, national parliaments shall receive this report from the national authorities (Article 70, paragraph 2). GREVIO requests the national authorities to translate this report into their official national language(s) and to ensure that it is widely disseminated, not only to the relevant state institutions at all levels (national, regional and local), in particular to the government, the ministries and the judiciary, but also to non-governmental organisations (NGOs) and other civil society organisations which work in the field of violence against women.

## I. Emerging trends in the areas of violence against women and domestic violence

1. In the period following the adoption of its baseline evaluation report, GREVIO identified several trends in Italy in the area of preventing and combating violence against women. Some of these trends were related to legislative developments prompted by broader societal movements, while others pertained to shifts in attitudes and approaches to addressing violence against women.

### Promising legislative and institutional developments

2. In the past few years, Italy has significantly expanded and further developed its legislative framework on violence against women, clearly demonstrating its commitment to the implementation of the Istanbul Convention (the convention). GREVIO notes with satisfaction, for example, the entry into force of Law No. 53/2022 on gender-based violence statistics aimed at ensuring comprehensive data collection on gender-based violence against women, including by the Ministries of Health, Justice and Interior, with a view to supporting evidence-based policies. Equally positive are the measures introduced by the Privacy Authority and the amendments to the Privacy Code in 2021 and 2022 following the entry into force of the offence of illegally sharing images or videos containing sexually explicit content. These measures allow victims to report these offences to the authorities so that they can pressurise social media platforms to block illegal images or videos. Measures aimed at integrating women victims of domestic violence into the labour market are also worth highlighting, such as the financial support to victims of domestic violence ("freedom of income") and possible exemptions from the payment of social security contributions for companies that hire victims. As regards positive institutional developments, GREVIO commends the institution in 2023 of the Bicameral Parliamentary Commission of Inquiry on the Phenomenon of Femicide and Gender-based Violence (Commission of Inquiry on Femicides and Gender-based Violence) so that the two branches of parliament can proceed in a concerted manner with reforms on combating violence against women. The prolific work of this commission, as well as that of its predecessor, has contributed tremendously to understanding the dimensions of violence against women in Italy, raising society's awareness and giving a bicameral impetus to legislation to combat such violence. Likewise, GREVIO commends the setting up by the Ministry of Justice of the Permanent Observatory on the effectiveness of norms on gender and domestic violence (the MoJ Observatory) on 24 October 2024. The MoJ Observatory aims to support the implementation of legislation on violence against women by, *inter alia*: fostering cooperation between a large array of institutional and non-institutional stakeholders;<sup>2</sup> monitoring the organisation of judicial offices, evaluating their effectiveness, while, at the same time making recommendations for their improvement and collecting best practices; extracting data and statistics from courts and prosecution offices; contributing its expertise in the context of training of judges; and preparing important compendiums of legislation and jurisprudence in the area of violence against women.<sup>3</sup>

3. As regards reforms having an impact on criminal proceedings, the entry into force of Law No. 69/2019 (Red Code) in August 2019 – introducing, *inter alia*, a range of new violence against women offences to the Criminal Code, increasing the penalties for certain forms of violence against women and establishing a fast-track procedure for the prosecution of offences under the scope of the convention – was followed by a notable number of legal acts adopted in quick succession. These include Law No. 150/2022 (known as the Cartabia reform), Law No. 122/2023 and Law No. 168/2023,<sup>4</sup> demonstrating an engagement with the findings issued by GREVIO in its baseline evaluation report. Positive measures from the latter law include the requirement to appoint dedicated prosecutors for violence against women offences and to publish national guidelines on training for all professionals who may come into contact with a victim of violence against women.

2. Notably, *inter alia*, the Ministry of Justice, the Court of Cassation, the general prosecutor's office, the Superior School of Magistrates, universities and law enforcement authorities.

3. In this connection, GREVIO welcomes, in particular, the publication in October 2024 of a compendium of national and supra-national legislation on violence against women.

4. Law No. 168/2023 on combating violence against women and domestic violence with a view to further strengthening measures of protection for victims has amended the Criminal Code, the Code of Criminal Procedure and Law No. 159 of 6 September 2011 (Code of Anti-Mafia Laws and Prevention Measures).

This law also introduces the innovative possibility of a deferred arrest *in flagrante delicto* for a range of offences on the basis of video or photographic footage that documents the perpetration of the crime, provided the arrest is carried out within 48 hours of the commission of the offence and some other conditions are met. Equally positive is the new ability for victims to obtain provisional compensation in cases of, *inter alia*, gender-related killings, sexual violence and grievous bodily harm.

4. As regards civil proceedings, the Cartabia reform has introduced the fast-tracking of family law proceedings where allegations of domestic violence are made and the investigative powers of the judge are enhanced. Moreover, the prosecutor and other criminal justice actors must be consulted to ascertain whether criminal proceedings are pending or a verdict has been handed down for acts of domestic violence. Mediation is equally prohibited and special safeguards for victims and their children apply.<sup>5</sup>

### **The impact of the criminal justice reform on women victims of gender-based violence**

5. In practice, however, although taken with a view to strengthening criminal justice procedures and reducing their length, some aspects of the above reforms negatively impact women victims of the different forms of violence covered by the convention.<sup>6</sup> By way of example, several crimes, including certain forms of physical violence, are no longer subject to *ex officio* prosecution but can be prosecuted only following a complaint from the victim, contrary to the requirements of the convention. Furthermore, judges have been granted the possibility to refer any criminal case, without the consent of the victim of violence, to restorative justice centres.<sup>7</sup> However, the necessary safeguards do not seem to be applied. These include the provision of full information on the nature, aims, consequences and non-mandatory nature of restorative justice, a prior risk assessment of the suitability of such process, legal representation and dedicated specialist support.

6. Similarly, Law No. 122/2023 and Law No. 168/2023 have further reinforced the fast-tracking of cases of, *inter alia*, domestic violence, physical violence, rape and stalking as well as hearings for breaches of precautionary measures/barring orders and for requests for precautionary measures, without earmarking additional financial resources to ensure the adequate implementation of these reforms.<sup>8</sup> Indeed, according to lawyers working in the area of women's rights, the more stringent timelines are seemingly leading to outcomes that are adverse for victims of these forms of violence, including a higher rate of dismissals of these cases as a result of the high caseload within the criminal justice system, which an obligation to fast-track further aggravates. While it is encouraging that, further to recent recruitment procedures, approximately 1 000 new judges are expected to take office by the end of 2025, it is clear that in order for the new fast-track procedures to yield the intended positive outcomes, significant investment in the justice system is required, including the recruitment of more prosecutors and criminal justice professionals along with appropriate training on violence against women. GREVIO has equally been informed by legal practitioners that the higher rates of dismissals is compounded by the recently amended standard of prosecution. Further to the above-mentioned reforms, prosecution must now be continued only if there is a reasonable prospect of conviction, while previously, the standard was whether the elements acquired could be considered as sufficient and suitable to uphold the accusation in court. Indeed, lawyers working in the area of women's rights have drawn GREVIO's attention to the fact that this development negatively affects the probability of cases under the scope of the convention to proceed to court. GREVIO notes in this context that in the past there have been consistently low numbers of convictions in cases of domestic violence, rape and stalking.<sup>9</sup>

5. See in this respect Chapter III, Custody, visitation rights and safety.

6. The objective of reducing the average duration of criminal proceedings was set by the National Recovery and Resilience Plan (PNRR), the programme with which the Italian government manages the funds provided by the European Union to ensure economic recovery following the Covid-19 pandemic.

7. The determination of whether the parties consent to such a procedure is left to the mediator, who, by law and in practice, is not trained on violence against women. See in this respect Chapter III, Prohibition of mandatory alternative dispute resolution processes or sentencing.

8. More specifically, Law No. 122/2023 invests the public prosecutor at the level of the Court of Appeal with the power to revoke a case from another public prosecutor who has failed to hear the victim within three days of the reporting of domestic violence, rape, stalking or physical violence so that s/he can take up the case or assign it to another prosecutor.

9. See Chapter III, General obligations and Immediate response, prevention and protection.

## **The rise in sexual violence and rapes committed against girls, the consumption of violent pornography and insufficient preventive action**

7. Since its baseline evaluation report, GREVIO has observed a worrying increase in the rates of sexual violence and gang rapes committed in Italy among children below the age of 18. Official statistics point to a 28% increase of sexual violence committed by children and a 57% increase of gang rapes committed by all perpetrators between 2019 and 2022, with one third of victims being a child. Moreover, the statistics indicate that in cases of gang rapes committed against a child, the perpetrator was below the age of 18 in up to 78% of cases.<sup>10</sup>

8. The impact of violent pornography on children committing such crimes is increasingly being acknowledged through research. A wide number of studies highlight in particular the correlation between the consumption of (violent) pornography and harmful sexual behaviour in children.<sup>11</sup> Indeed, because violent pornography frequently portrays abusive and misogynistic behaviour and values, including violent sexual domination over women, its consumption is considered to be a perpetration risk factor. Viewing violent pornography at a young age, in fact, increases the acceptance of gender stereotypes,<sup>12</sup> as well as the tolerance for discriminatory, harmful and violent behaviour in sexual relations.<sup>13</sup> This is exacerbated when children, as is the case in Italy, are not equipped with the skills to appropriately contextualise the pornographic material they view and critically analyse it against the principles of gender equality, the notion of consent in sexual relations, mutual respect, non-stereotyped gender roles, gender-based violence against women and the right to personal integrity.<sup>14</sup>

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10. See the reports “Violenza di Genere, Focus Violenza sessuale e Violenza Sessuale di Gruppo” and “Criminalità Minorile in Italia 2010-2022” issued by the Ministry of Interior, Department of Public Security, Criminal Police, respectively in September and October 2023.

11. See also the UK Children’s Commissioner, “Evidence on pornography’s influence on harmful sexual behaviour among children” (2023), available at: [www.childrenscommissioner.gov.uk/resource/pornography-and-harmful-sexual-behaviour/](http://www.childrenscommissioner.gov.uk/resource/pornography-and-harmful-sexual-behaviour/).

12. See Steering Committee for the Rights of the Child (CDENF), “Feasibility study on age-appropriate comprehensive sexuality education to strengthen responses for – *inter alia* – preventing and combating violence, including risky or harmful sexual behaviour by children”, p. 22. Prepared by Meghan Campbell, Aoife Daly and Catherine O’Sullivan.

13. See Loredana Cerbara and others, “The (un)equal effect of binary socialisation on adolescents’ exposure to pornography: girls’ empowerment and boys’ sexism from a new representative national survey” (2023), *Societies* 13(6) 146, pp. 12-13.

14. See Chapter III, Education.

## II. Changes in definitions, comprehensive and co-ordinated policies, funding and data collection in the areas of violence against women and domestic violence

9. Chapter I of the Istanbul Convention sets out general principles that apply to all the substantive articles contained in Chapters II to VII and therefore lay the foundation for a comprehensive and adequate response that ensures the delivery of support, protection and justice for all women and girls at risk of or who have experienced gender-based violence. These include, among other things, that it is a fundamental human right for everyone, particularly women, to live a life free from violence in both the public and the private sphere, that the convention must be implemented without discrimination on any ground and that the potential for, and effects of, multiple forms of discrimination should be borne in mind. They also spell out that a gender perspective must be integrated into the implementation of the convention and the evaluation of its impact. Chapter II of the Istanbul Convention sets out the core requirement for a holistic response to violence against women: the need for state-wide effective, comprehensive and co-ordinated policies, sustained by the necessary institutional, financial and organisational structures.

### A. Definitions (Article 3)

10. Article 3 of the Istanbul Convention sets out key definitions of concepts that are fundamental to its implementation. “Violence against women” refers to “all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”, whereas the expression “domestic violence” is to be understood as referring to “all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim”. The definition of “gender-based violence against women” provided in paragraph *d* of Article 3 seeks to ensure more clarity regarding the nature of the violence covered, by explaining that this is “violence that is directed against a woman because she is a woman or that affects women disproportionately”.

11. As GREVIO had observed in its baseline evaluation report, domestic violence was criminalised under the Criminal Code as the offence of “ill-treatment in the family”.<sup>15</sup> GREVIO notes with satisfaction that the Red Code has strengthened this provision, including by foreseeing the application of aggravating factors where domestic violence is committed in the presence of or against a child, a pregnant woman or a woman with a disability, or if it is committed with a weapon. Moreover, it has explicitly clarified that a child who witnesses or is exposed to domestic violence is to be considered a direct victim.<sup>16</sup>

12. Nonetheless, GREVIO regrets that there is no national policy document or legislation, including criminal legislation, that offers definitions of domestic violence or violence against women in line with the convention and that specifies the type of conduct that is prohibited. While the White Paper on Training, published by the authorities in early 2025 for training purposes, contains definitions and descriptions of domestic violence and violence against women that align with the definitions set out in Article 3, it does not replace uniform definitions firmly anchored in a national policy document. Similarly, jurisprudence of the Italian Court of Cassation acknowledges that

15. The offence of ill-treatment in the family is defined as one in which someone “mistreats a person of the family or otherwise cohabiting with them, or a person subject to their authority or entrusted to them for reasons of education, instruction, care, supervision or custody, or for the exercise of a profession or an art”.

16. GREVIO notes that the draft bill on “the crime of femicide and other regulatory interventions to combat violence against women and protect victims” (draft bill on femicide) approved on 7 March 2025 by the senate and currently under review by the Chamber of Deputies, proposes to raise the applicable sanctions for ill-treatment in the family by one third to one half if “the act is committed as an act of discrimination or hatred towards the offended person because she is a woman or to repress the exercise of her rights or freedoms or, in any case, the expression of her personality”. See the press release from the Council of Ministers, available at [www.governo.it/it/articolo/comunicato-stampa-del-consiglio-dei-ministri-n-117/27892](http://www.governo.it/it/articolo/comunicato-stampa-del-consiglio-dei-ministri-n-117/27892).

domestic violence encompasses all acts of physical, sexual, psychological or economic violence, but according to legal experts this does not seem to be considered consistently by lower courts, which often do not consider economic or psychological violence as domestic violence.<sup>17</sup> A clear definition of domestic violence and, more generally, of violence against women would therefore be needed in order to provide clear guidance to those who apply the law and support women victims of violence.

**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.**

## **B. Comprehensive and co-ordinated policies (Article 7)**

14. Article 7 of the Istanbul Convention requires parties to take co-ordinated and comprehensive measures to prevent and combat all forms of violence against women. Policies must ensure effective co-operation and place the rights of victims at their centre. This includes taking into account and addressing the specific circumstances and barriers experienced by women exposed to or at risk of multiple forms of discrimination,<sup>18</sup> in line with Article 4, paragraph 3, of the convention. Ensuring service delivery, effective protection and justice with a comprehensive understanding of intersecting forms of discrimination is a fundamental element of building trust among all women and girls.

15. GREVIO welcomes the fact that since the baseline evaluation report, the Italian authorities have continuously developed the policy framework on violence against women, firmly embracing the four-pillar approach of the Istanbul Convention and rooting policies and measures in a gendered understanding of such violence. GREVIO further welcomes the adoption by the Italian authorities of the fifth national action plan on women, peace and security (2025 – 2029).

16. Building on the 2017-2020 National Action Plan on Men's Violence against Women (the third VAW NAP), the two subsequent national action plans offer a comprehensive set of policies addressing men's violence against women, each developed on the basis of the prior NAP's evaluation. GREVIO commends the robust anchoring of a gender perspective, and the attention paid to the need for an intersectional approach in some of the objectives, which address the needs of certain groups of women, notably women with disabilities, migrant and asylum-seeking women and older women.

17. The 2021-2023 National Action Plan on Men's Violence against Women (the fourth VAW NAP) which remained in force until the recently adopted 2025 – 2027 National Action Plan on Violence against Women and Domestic Violence (the fifth VAW NAP) with its related Implementation Plan covering 2025 – 2026 (both adopted on 16 September 2025) lies at the heart of the assessment provided in this report, while some of the main characteristics of the newly adopted fifth VAW NAP are also discussed.<sup>19</sup>

18. GREVIO notes with interest that 41% of the measures foreseen in the fourth VAW NAP are in the area of prevention, a pillar of crucial importance for tackling the root causes of violence against women and for deconstructing harmful masculinities that drive perpetration among men and boys.<sup>20</sup> The objectives of the fourth and fifth VAW NAP and the Implementation Plan for the latter are broadly aligned and integrated with the first national Gender Equality Strategy covering the

17. See for example, the Court of Cassation, penal section VI, 22 April 2022 no. 19847, pp. 7-8. See also the Court of Cassation, penal section VI, 13 January 2025 no. 1268.

18. These include, but are not limited to, women from national and/or ethnic minorities, Roma women, migrant, asylum-seeking and refugee women, women with disabilities, women without a residence permit, LBTI women, women from rural areas, women in prostitution and women with addiction issues.

19. GREVIO was informed by the authorities that the Implementation plan will be updated on an annual basis by the Department of Equal Opportunities, together with the interinstitutional steering committee and with the Observatory.

20. See, however, Chapter III, General obligations, and the drastic decrease in funding dedicated to prevention.

period 2021-2026. The Gender Equality Strategy includes measures aimed at introducing gender budgeting in all administrations and the systematic use of a gender impact assessment on legislative proposals. It equally envisages prevention measures aimed at deconstructing gender stereotypes, including gender mainstreaming in education and training of teachers to this end. Finally, financial and employment-related incentives for victims of violence against women, such as micro-credit initiatives, are also foreseen.

19. Despite the above, the broad and programmatic nature of the fourth VAW NAP, which is also reflected in the newly adopted fifth VAW NAP and its Implementation Plan, make it difficult for operational partners to ensure coherence in their implementation. While implementing stakeholders have now been specified in the fifth VAW NAP and its Implementation Plan, operational definitions of violence against women do not exist. Moreover, a timeline within which the measures must be carried out has not been identified, nor have financial resources been earmarked for each objective or indicators to measure progress been determined. The fifth VAW NAP indicates that the monitoring of the implementation of the national action plan shall be carried out each semester on the basis of robust indicators, however these indicators are not specified in the fifth VAW NAP nor in its Implementation Plan. GREVIO therefore points to the importance of ensuring greater specification of the goals to be achieved in the short, medium and long term, in line with the recommendations made by the NRC in its evaluation of the third VAW NAP.

20. Moreover, and despite a general commitment to intersectionality, in the above-mentioned VAW NAPs, no specific mention is made of the specific situation of Roma and Sinti women and girls, LBTI women and women in prostitution who are victims of violence. As regards Roma and Sinti women and girls in particular, this gap is not bridged by the 2021-2030 National Strategy for Equality, Inclusion and Participation of Roma and Sinti. This is notwithstanding their documented exposure to gender-based violence and harmful practices, as was outlined in GREVIO's baseline evaluation report. Furthermore, according to indications provided by civil society, not all the action plans on violence against women adopted by the regions, who are essential stakeholders in preventing and combating violence against women, take an intersectional approach.

21. Turning to the mandate and functioning of the co-ordinating body for violence against women policies, GREVIO welcomes the fact that in response to a finding made in its baseline evaluation report, it is no longer linked to a specific National Action Plan on Violence against Women, thus creating much-needed institutional stability and continuity. Further to ministerial decrees issued in 2022, co-ordination is now carried out by the Department of Equal Opportunities together with an interinstitutional steering committee – which provides strategic political guidance and ensures the horizontal and vertical co-ordination of violence against women policies – and with the Observatory on the Phenomenon of Violence against Women (the Observatory), which is tasked with monitoring the implementation of national action plans on violence against women as well as making proposals to improve their implementation.

22. However, several challenges stemming from the complexity and multi-layered nature of this new co-ordination framework would require to be addressed. First, as emerged clearly in meetings held by GREVIO during the evaluation visit, there appears to be lack of clarity as to which body maintains a decision-making role, whether the steering committee or the assembly within the Observatory. Second, according to indications from civil society, the co-ordination body is still subject to political turnover, thus affecting the stability of its work.<sup>21</sup> Third, research carried out by the National Research Council (NRC) confirms that there remains insufficient horizontal co-ordination between ministries and vertical co-ordination with regions and local authorities. Finally, as also raised by the Committee of the Parties in its conclusions, there remains insufficient consultation with civil society on key documents.<sup>22</sup> More specifically, according to indications from women's rights organisations, NGOs were merely informed of important regulations such as the minimum standards on anti-violence centres, in the context of the assembly, once decisions had already been taken.

21. For instance, the members of the Technical and Scientific Committee are appointed by the government and the assembly is equally subject to turnover when there is a change of government.

22. See the Conclusions on the implementation of recommendations in respect of Italy adopted by the Committee of the Parties to the Istanbul Convention, IC-CP/Inf(2023)9, paragraph B1, adopted on 1 June 2023.

Additionally, NGOs are not part of key decision-making bodies such as the steering committee, thus greatly limiting their ability to contribute to and/or shape policies and their implementation. GREVIO notes with concern that this lack of consultation equally concerns the development of the fourth VAW NAP, which appears not to have allowed for the sufficient and meaningful involvement of those women's rights organisations with the relevant expertise and is mirrored in policy making at regional level.<sup>23</sup>

23. When it comes to multi-agency co-operation and co-ordination on violence against women policies at a regional level, reports confirm that all regions have put in place guidelines and protocols or have otherwise set up territorial networks comprising various professionals and that 15 regions have embedded a territorial network in regional law, which GREVIO welcomes.<sup>24</sup> Despite the move towards greater alignment across the country on the basis of national standards for crucial services, such as women's support services, perpetrator programmes and the training of professionals, their lack of enforcement and voluntary nature still results in varying approaches and great regional disparity. In this context GREVIO welcomes the analysis of existing regional laws, policies and bodies that deal with violence against women and the introduction of a database collecting all such policy documents and legal acts to identify promising practices and any differences in the approaches taken.<sup>25</sup> Moreover, regions are asked twice a year to report back to the Department of Equal Opportunities on the activities carried out in the area of violence against women. GREVIO notes, however, that the impact of the different policies does not appear to have been measured or evaluated or recommendations formulated. Accordingly, the quality and breadth of regional policies/laws on violence against women vary considerably across regions, as well as their practical implementation,<sup>26</sup> with the regional plan in Sicily, for example, having adopted gender-neutral language. As has been observed by the Committee of the Parties in its conclusions, more needs to be done to harmonise the implementation of violence against women policies at regional/local level and improve the co-ordination between the co-ordinating body and the regional/local level.<sup>27</sup>

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;**

23. See the NGO written submission by D.i.Re – Donne in Rete contro la violenza, in the context of the Committee of the Parties evaluation, April 2023, p. 16.

24. See Proia F. (2022), "Report containing regional factsheets on regulatory acts and regional governance arrangements regarding the fight against male violence against women", p. 13.

25. See LARA – Regional Anti-Violence Laws and Acts. Online database on regional laws and acts on preventing and combating violence against women, available at <https://lara.viva.cnr.it/>.

26. See Proia F., Petrobelli M. and Ddemurtas P., "Mappatura degli strumenti regionali a sostegno del percorso di fuoriuscita dalla violenza con specifico riferimento all'ambito abitativo, economico e occupazionale".

27. See the Conclusions on the implementation of recommendations in respect of Italy adopted by the Committee of the Parties to the Istanbul Convention, IC-CP/Inf(2023)9, paragraph B1, adopted on 1 June 2023.

- 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.

### C. Financial resources (Article 8)

25. Article 8 of the Istanbul Convention aims to ensure the allocation of appropriate financial and human resources for activities carried out by public authorities and by relevant non-governmental and civil society organisations.<sup>28</sup>

26. As was described in GREVIO's baseline evaluation report, the main sources of funding that support policies and measures to prevent and combat violence against women are those provided under Articles 5 and 5 bis of Law No. 119/2013, which relate, respectively, to the funding of the national action plan and the financing of specialist support, which transits first through the regions. GREVIO welcomes the fact that since its baseline evaluation report, the allocation of these two funding streams has continued to increase steadily. More specifically, a yearly allocation of €5 million was established in 2022 to finance the fourth VAW NAP and was raised to €15 million in 2023. Moreover, GREVIO notes with satisfaction the significant increase in funding for anti-violence centres and shelters from around €10 million per year at the time of the baseline evaluation report to €55 million in 2023 and €80 million in 2024.<sup>29</sup> In addition, funding has increased for other important measures, such as work with perpetrators and the empowerment of women victims. As regards the funding of perpetrator programmes, the funding increased from €1 million to €5 million between 2020 and 2025. Moreover, regions were provided with €9 million in 2023 for the reintegration of victims in the labour market and the Italian authorities have introduced and funded several important measures in this area such as the freedom of income, the freedom of micro-credit and exemptions from the payment of social security contributions for companies that hire victims.<sup>30</sup> As regards the freedom of income, first established in 2020, it became a permanent measure in 2024 with its funding substantively increased from €3 million to €10 million for the 2024-2026 biennium and €6 million annually as of 2027. As regards the micro-credit initiative, €3 million was earmarked in 2020, whereas the yearly funding for the social security exemptions ranges between €1.5 million and €4 million for the 2024 to 2027 triennium. Finally, victims of violence against women can benefit from the "Inclusion allowance", introduced in January 2024. This measure provides, *inter alia*, financial, as well as employment support to families in a vulnerable situation. GREVIO welcomes the extensive budget allocations for all of the measures described above, but notes, as regards the freedom of income, that despite the increase, only a fraction of women have been able to benefit from it and that long delays have been signalled in relation to its disbursement.<sup>31</sup> GREVIO welcomes the fact that -with a view to addressing the former shortcoming-, the authorities issued a Ministerial Decree in December 2024 allowing those victims whose application was denied due to insufficient funds, to be prioritised when allocating this benefit, provided they submitted again their application in early 2025.

27. Despite the significant resources that have been earmarked to prevent and combat violence against women, it is still not possible to assess the overall funding for measures to prevent and combat violence against women made available across the country as the fourth VAW and fifth NAP

28. Explanatory Report to the Istanbul Convention, paragraph 66.

29. See the report submitted by Italy pursuant to Article 68, paragraph 4, of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (state report), p. 20.

30. See Chapter III, General obligations, for more information on these measures.

31. For example, according to women's rights organisations, it is estimated that in the period under review, out of 30 000 potential recipients, only 2 772 women had benefited from this measure. See the NGO written submission by D.i.Re – Donne in Rete Contro la Violenza p. 6. On the other hand, according to the authorities, between 2021 and 2024 only 7 184 applications were received and 3 583 women benefited from this measure.

and the latter's implementation plan do not earmark funds for each objective. Furthermore, while different ministries dedicate financial resources for combating violence against women, these are not quantifiable as they do not have separate budget lines for such measures. The gender budget drafted by the Ministry of Finance, which includes a section on funding for violence against women measures, does not, in fact, capture all the measures being financed in this area by the different administrations.

28. While some funding has been earmarked for prevention measures for cases of female genital mutilation (FGM), civil society has brought to GREVIO's attention that there has been a lack of transparency and accountability about whether and how these funds have been spent.<sup>32</sup> Moreover, no funds appear to be destined for other forms of violence against women, including forced marriage, forced abortion and forced sterilisation. It is, furthermore, important to reiterate that while funding for perpetrator programmes has increased, civil society has brought to GREVIO's attention the fact that a very low percentage of funds spent at the central and regional levels are aimed at primary prevention, including awareness raising, training and education, and that these sums have worryingly decreased in the period under review.<sup>33</sup>

29. As regards more specifically the funding of anti-violence centres and shelters, GREVIO regrets that there has been no significant improvement in reducing the delays in the funds reaching these centres and shelters, as observed in the baseline evaluation report. It may take up to 14 months for the funds that have been allocated to reach their final beneficiaries. As a result, anti-violence centres and shelters have difficulty planning their work in a sustainable manner and often have to resort to borrowing money from banks to cover the shortfall of resources.<sup>34</sup> This situation is further exacerbated by the fact that the funds made available only cover the expenses linked to a victim's accommodation and do not take into account or cover the running costs for the NGOs nor the important work to prevent violence against women carried out by them. Moreover, it was brought to GREVIO's attention that there are significant differences in the amounts disbursed in practice, as every region appears to adopt additional and non-harmonised criteria for the disbursement of funds, leading to disparity in treatment.<sup>35</sup> Finally, differing minimum requirements established by each individual region to access state/regional funding equally affect whether, and the extent to which, anti-violence centres and shelters receive funding.<sup>36</sup> Moreover, the extensive data-collection requirements placed on anti-violence centres – although they enable the identification of developments in service use and service provision to women victims – require additional resources not currently accounted for.<sup>37</sup>

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;**

32. See the NGO written submission in the context of the Committee of the Parties evaluation, by D.i.Re – Donne in Rete Contro la Violenza, p. 14.

33. Ibid., p. 6.

34. For example, it is worth noting that a 2024 ISTAT survey found that 30.6% of the anti-violence centres had a balanced budget, while 32.5% had a negative budget where expenses exceeded revenue and 36.9% had a positive budget at the end of the year. See "I Centri Antiviolenza e le Donne che Hanno Avviato il Percorso di Uscita dalla Violenza", Anno 2023, ISTAT, p. 9.

35. For example, some regions delegate to local entities the transfer of funds to the NGOs without predefining the criteria to be applied. Other regions allocate funding to entities that manage anti-violence centres and shelters either by providing a fixed amount for all or, in other cases, based on the (female) population in the region or the number of victims they provide support to. As a result, sums disbursed in practice for anti-violence centres vary between €15 000 and €65 000, whereas funds for shelters vary between €25 000 and €100 000 per year. Information made available during the visit by the NRC.

36. See in this respect Chapter III, Specialist support services.

37. See in this respect Chapter II, Data collection.

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.

#### **D. Data collection (Article 11)**

32. Preventing and combating violence against women and domestic violence requires evidence-based policy making. The collection of systematic and comparable data from all relevant administrative sources is crucial in this regard, as is information on the prevalence of all forms of violence against women.

33. GREVIO welcomes the multiple steps taken by the Italian authorities since the baseline evaluation report to strengthen the collection of data on violence against women by several administrative and non-administrative entities. Indeed, in line with the objective set out in the fourth VAW NAP to create an integrated system of data collection on violence against women, Law No. 53/2022 on gender-based violence statistics has laid down the foundations for the collection of comprehensive data on gender-based violence against women by the Ministries of Health, Justice and Interior. In addition to providing for specific obligations on the collection of such data in the area of health and criminal justice, Law No. 53/2022 requires a number of additional obligations. First, all public institutions required by law to collect statistical data – not limited to data on violence against women – must now ensure that it is disaggregated by sex. Second, The Italian National Institute of Statistics (ISTAT) is to carry out every three years a survey on certain forms of violence against women and must disaggregate the data by the sex of the victim, the victim–perpetrator relationship and the presence of children.<sup>38</sup> Third, under Article 7 of the law, ISTAT must, on a regular basis, collect data on service use from anti-violence centres and shelters, capturing a wide range of information. While GREVIO welcomes the inclusion and use by ISTAT of essential data provided by support services, a key first point of contact for victims, civil society has nonetheless drawn GREVIO’s attention to the fact that such data-collection efforts are onerous and require significant financial and human resources but are not supported by additional dedicated funding from the authorities.

##### **1. Law-enforcement agencies and the justice sector**

34. In its baseline evaluation report, GREVIO had noted that data collected by law-enforcement authorities and prosecutors were incomplete as they were not, *inter alia*, disaggregated by victim–perpetrator relationship.<sup>39</sup> Moreover, data at the level of the courts were not collected in an electronic database and, owing to a lack of use of similar data sets by all criminal justice actors, it was not possible to trace the progress of cases from reporting to conviction and to identify attrition rates. The baseline evaluation report had equally expressed concern for the lack of data from civil courts and a limited analysis of gender-related killings of women.

35. GREVIO notes with satisfaction that further to Article 5 of Law No. 53/2022, the data-collection obligations of the Ministry of Interior and of the Ministry of Justice have been strengthened. Notably, the Ministry of Interior must collect data for a wide spectrum of offences under

38. Notably, physical, sexual, psychological and economic violence; see Article 2 of Law No. 53/2022.

39. Save in certain exceptional circumstances by law-enforcement authorities; see the GREVIO baseline evaluation report on Italy, paragraph 53.

the scope of the convention (with the exception of forced sterilisation), disaggregated by age and sex of the victim and perpetrator as well as the relationship of the perpetrator to the victim and the place in which the offence was committed. This data must also indicate whether a weapon was used and if the violence was committed in the presence of a child. The law equally requires the Ministry of Justice to collect data on the very same offences, disaggregated by victim–perpetrator relationship. Moreover, in line with the findings issued by GREVIO’s baseline evaluation report, the two ministries are now required to set up an interministerial database collecting data on the above-mentioned forms of violence against women, presumably using the same data sets. The data collected therein must refer to all stages of the criminal proceedings and record reports made, precautionary or other measures applied, the dismissal/discontinuation of criminal proceedings and the convictions handed down. GREVIO was informed by the authorities that the Ministry of Interior started collecting data with a view to complying with the obligations under Law No. 53/2022 from January 2024 and has provided training to law-enforcement authorities to this end. Moreover, GREVIO notes with satisfaction that the Ministry of Interior publishes data on the number of homicides at least four times a year, as well as at least three times a year data on the crimes of domestic violence, rape/sexual violence, stalking, forced marriage and non-consensual image or video sharing, disaggregated by sex of the victim and, in the case of homicides, disaggregated according to the relationship of the perpetrator to the victim.

36. Nonetheless, GREVIO notes that, in practice, data collected, published and made available to GREVIO by the Ministry of Interior do not reflect all forms of violence against women and are not disaggregated in line with the requirements of the law.<sup>40</sup> As regards the collection of data by the Ministry of Justice, it is not clear to what extent under Law No. 53/2022 this administration must ensure disaggregation of data according to sex and age of the victim and the perpetrator and other criteria imposed on the Ministry of Interior.<sup>41</sup> Moreover, while steps have been taken to collect information on the relationship between the perpetrator and the victim, the authorities have confirmed that full data in line with the new law is not yet available and that significant difficulties were encountered by the Ministry of Justice in complying with these requirements. GREVIO thus notes with regret that little data are available on the number of prosecutions and convictions for acts of violence against women and that a system that allows cases to be adequately tracked across the criminal justice system is not yet in place. GREVIO underscores the importance of compliance with such a requirement in order to gain an accurate picture of the criminal justice response to violence against women, identify any gaps in the response of the relevant institutions and assess whether recent criminal justice reforms are yielding positive results in stemming impunity. Finally, GREVIO notes that, as was the case at the time of the GREVIO baseline evaluation report, the new legislation does not call for the collection of data on civil proceedings, including custody proceedings or data on protection orders.

## 2. Healthcare sector

37. In its baseline evaluation report, GREVIO had observed that no disaggregated data were collected at the national level on violence against women by the healthcare sector but that the Ministry of Health was planning to start the collection of such data by emergency departments. Since the baseline evaluation report, with the entry into force of Law No. 53/2022, public healthcare institutions and, in particular, emergency departments are now required to collect data on certain forms of violence against women, disaggregated by the victim–perpetrator relationship, the presence of children at the time of the commission of violence and any risk of re-victimisation. Moreover, the implementing decree regulating such obligations has been issued by the Ministry of Health and an agreement with ISTAT (the Ministry of Health and ISTAT Agreement) was renewed in 2023 with a view to sharing such data. While welcoming these measures, GREVIO notes that a number of shortcomings need to be addressed. Notably, the forms of violence against women referred to in the above-mentioned law does not include FGM, forced abortion and forced sterilisation. Moreover,

40. Notably, the data provided by the authorities do not cover physical violence, forced abortion or forced sterilisation and data are only disaggregated according to the sex of the victim.

41. Under Article 5 of Law No. 53/2022, in fact, disaggregation by age and sex of the victim and perpetrator, the place in which the offence was committed, an indication of whether a weapon was used and whether violence was committed in the presence of a child, is explicitly foreseen only for the Ministry of Interior.

providers of primary healthcare and perinatal services do not appear to be subject to data-recording obligations under Law No. 53/2022 and the Ministry of Health and ISTAT Agreement. Finally, GREVIO notes that while emergency departments are indeed complying with the new data-collection obligations, the data that are publicly available are not disaggregated by type of violence, age, the relationship between perpetrator and victim and geographical location.

### 3. Social services

38. Although some data-collection obligations for social services may be foreseen in the context of local protocols,<sup>42</sup> GREVIO notes with regret that no disaggregated data are collected at the national level on violence against women by social services, as was the case at the time of the baseline evaluation procedure.

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;
- b. take measures to ensure the effective implementation of data-collection obligations by law-enforcement agencies, prosecution services and the judiciary and the monitoring of the implementation of these obligations;
- c. harmonise the collection of data on all forms of violence against women between law-enforcement agencies, prosecution offices and the judiciary, with the aim of tracking the progress of cases from reporting to conviction, to identify attrition rates and the sanctions imposed;
- d. ensure the collection of data on the issue of emergency barring orders/protection orders per year, their breach and the sanctions imposed;
- e. take legislative or other measures to ensure that both public and private healthcare providers collect data on all contact made by victims of violence against women with all other healthcare providers in relation to all forms of violence against women, disaggregated as a minimum by sex, age, type of violence, geographical location and other factors deemed relevant.

42. See for example, the protocol entered into by the municipality of Milan and other stakeholders such as women's rights organisations, courts, healthcare and social services and law-enforcement authorities, requiring local social services to share data collected on victims of violence against women.

### **III. Analysis of the implementation of selected provisions in priority areas in the fields of prevention, protection and prosecution**

#### **A. Prevention**

40. Chapter III of the Istanbul Convention contains a number of general and more specific obligations in the area of prevention. This section analyses progress made, since the baseline evaluation monitoring procedure towards the implementation of early preventive measures. It also covers progress made towards the implementation of the more specific preventive measures provided under this chapter in the areas of education, training of all relevant professionals, and perpetrator programmes. Ensuring the effective prevention of all forms of violence against women and domestic violence is an important step in rendering it unacceptable and reducing levels of perpetration.<sup>43</sup> In turn, effective prevention empowers women and girls to speak out about their experiences and seek support and protection.

#### **1. General obligations (Article 12)**

41. Article 12 sets out a number of general preventive measures that represent the overarching principles of the parties' duty to prevent violence against women. These include the requirement to promote changes in the social and cultural patterns of behaviour of women and men, with a view to eradicating prejudices, customs, traditions and all other practices that are based on the idea of the inferiority of women or on stereotyped roles for women and men. A positive contribution to achieving such change can be made by men and boys acting as role models and advocates for equality between women and men and mutual respect, including by speaking out against violence, engaging other men in ending violence against women or actively taking on caring responsibilities. Moreover, flowing from the premise that violence against women is a cause as much as a consequence of gender inequality, Article 12 further requires that parties adopt specific measures to empower women in order to enable them to recognise and reject discrimination, unequal power relations and, ultimately, reduce women's vulnerability to violence and achieve greater gender equality.

42. Since the baseline evaluation report, the Italian authorities have taken steps to strengthen preventive measures, as reflected in a number of priorities set out by the fourth VAW NAP and fifth VAW NAP, as well as the Gender Equality Strategy. In particular, the fourth VAW NAP has set as priorities, *inter alia*: raising awareness of the structural roots of violence against women; fighting gender stereotypes, including in the context of the media and journalism; raising awareness on the rise of the digital dimension of violence against women, including on the rise of non-consensual image or video sharing; empowering women financially and preventing economic violence; and carrying out preventive action targeting women subject to intersectional discrimination, including migrant and asylum-seeking women and women with disabilities. These objectives continue to be pursued by the fifth VAW NAP and its Implementation Plan which, in addition, set as priorities raising awareness *inter alia* on: gender equality in the national armed forces, including by carrying out a survey on gender-related stereotypes and sexism experienced by women working therein; and on FGM. The Gender Equality Strategy has equally prioritised combating gender stereotypes, introducing incentives to hire women, including upon return from maternity leave, and other measures to close the pay gap and ensure better and more equal working conditions. In turn, this has led the Ministry of Equal Opportunities and Family to enter into a number of memoranda of understanding with other administrations to reinforce gender equality.<sup>44</sup> Moreover, as regards digital forms of violence against women, research on the digital dimension of violence against women and girls, conducted by universities and research institutions with funding from the Ministry of University

43. The importance of this endeavour has been reiterated and strengthened through the Dublin Declaration on the Prevention of Domestic, Sexual and Gender-Based Violence, adopted in Dublin, Ireland, on 30 September 2022, by 38 member states of the Council of Europe.

44. For example, a memorandum of understanding was signed with the public broadcaster RAI to promote an equal and balanced representation of both sexes in the media, convey a non-stereotypical representation of women's role in society and ensure the use of inclusive and non-sexist language.

and Research, have contributed to a better understanding of how gender-based violence against women is perpetuated in digital spaces, including by children and young adults.

43. As regards awareness-raising campaigns carried out since the baseline evaluation report, two examples are worth highlighting. First, the “1522: you are not alone” campaign run on a yearly basis in connection with the International Day for the Elimination of Violence against Women, which aims to provide information to the public on gender-based violence against women and on the 1522 helpline. According to information provided by the authorities, this has led to an increase of 57% in the number of calls to the helpline in 2024 compared to 2021. Second, the “This is not love” campaign, organised by the state police, which has been running since 2017 on a yearly basis and is complemented by an informational booklet that is distributed nationwide. The information primarily raises the public’s awareness of domestic violence and sexual violence, addressing in a more limited manner forced marriage and stalking.

44. Notwithstanding these positive developments, according to indications provided by civil society, funding for the prevention of violence against women has registered a staggering 70% reduction from 2022 to 2023.<sup>45</sup> Moreover, data available for 2023 show patriarchal attitudes and stereotypes that contribute to the acceptance of violence and tend to blame women for violence. For example, around 54% of Italians still hold at least one gender stereotype related to gender roles, with 39.3% of Italians still believing a woman can avoid sexual assault “if she really wants to”, 20% believing women’s clothing contributes to sexual violence and 11% believing that a woman who is drunk or under the effect of drugs is partly to blame in cases of sexual violence/rape.<sup>46</sup> Furthermore, sexist portrayals of women in the media persist and media coverage of sexual violence and rape often conveys stereotypes and perpetuates prejudices and rape myths.<sup>47</sup> GREVIO notes with concern that women, LBTI women and people with disabilities continue to be the main target of online hate.<sup>48</sup> Finally, sexual harassment at work against women continues to be prevalent, with studies estimating a prevalence rate of 13.5%.<sup>49</sup> Despite the existence of equality councillors and an Equal Opportunity Code provided for under Law No. 198/2006 to ensure the respect of the principle of equal opportunities and non-discrimination between men and women at work,<sup>50</sup> data show that where allegations of sexual harassment are made, it is the victim rather than the perpetrator that bears the consequences. According to information provided by the authorities, in 32% of reported cases in 2022, it was in fact the victim who was subject to a demotion, dismissal or who resigned, whereas measures against the perpetrator were taken in 8% of all cases.<sup>51</sup>

45. The above-mentioned data speak clearly and point to an urgent need to step up preventive efforts, including the implementation of the objectives set out in the fourth VAW NAP and the Gender Equality Strategy. In reviewing Italy’s awareness-raising efforts, GREVIO notes that the focus has been primarily on domestic violence, with little attention to all other equally serious forms of violence against women, including rape/sexual violence based on the notion of the lack of consent, sexual harassment, including, in particular, sexual harassment in the workplace, forced marriage, forced sterilisation and FGM. As regards women who may be subject to intersectional discrimination, civil society expressed concern about the continued lack of awareness raising on the accrued exposure of victims subject to intersectional discrimination to violence against women, including women with disabilities, Roma, asylum-seeking/migrant women, LBTI women, women in prostitution or women with addiction issues, and about insufficient information having been made available in accessible formats (such as Braille, sign language or audio descriptions). Moreover, where NGOs

45. See the NGO written submission by D.i.Re – Donne in Rete contro la violenza, p. 16.

46. See “Gender stereotypes and social image of violence: first results – Provisional data May-July 2023”, ISTAT, 22 November 2023. See also the state report, p. 77.

47. See the NGO written submission by D.i.Re – Donne in Rete contro la violenza p. 14.

48. See the latest report published by the Italian Observatory on Rights, which monitors hate speech on social media, available at: [www.voxdiritti.it/la-nuova-mappa-dell'intolleranza-7/](http://www.voxdiritti.it/la-nuova-mappa-dell'intolleranza-7/).

49. See the statistics published by ISTAT, “Le Molestie: vittime e Contesto, anno 2022-2023”, 1 July 2024.

50. Under the law, equality councillors can intervene in cases of sexual harassment at work to protect victims, either by intervening in support of victims before courts or within administrative proceedings.

51. See the state report, p. 32. GREVIO has been informed by the authorities, however, of a slight improvement in this area in 2023, whereby, for the relevant calendar year, the victim was subject to a demotion, dismissal or resigned in 26% of cases, whereas measures against the perpetrator were taken in 16% of all cases.

have strived to fill this gap, they have been constrained by the absence of dedicated state funding to this end.

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.

## 2. Education (Article 14)

47. The drafters of the convention recognised the important role that formal and informal educational settings play in addressing the root causes of violence against women and girls. Article 14 therefore requires the design of teaching material that promotes equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships and the right to personal integrity and informs learners of the different forms of gender-based violence against women, adapted to the age and capacity of learners and where parties deem appropriate. The obligation to promote these principles extends to informal educational facilities as well as any sports, cultural and leisure facilities. In this context, GREVIO underlines the importance of informing parents about the content of related courses, the qualifications of the persons providing the courses and to whom any questions can be directed.

48. In its baseline evaluation report, GREVIO had observed that Law No. 107/2015 (the so-called Law on the Good School) and Guidelines on the Education of Respect required all schools to include in their three-year planning the promotion of the principles of equal opportunities and gender equality, as well as the prevention of gender-based violence and all forms of discrimination. Since the baseline evaluation report, of relevance is the entry into force in August 2019 of Law No. 92/2019 on the teaching of civic education, coupled with its implementing guidelines (Guidelines on the Teaching of Civic Education), issued in September 2024. The law and the guidelines provide that the mandatory subject of civic education is to be mainstreamed, in a co-ordinated manner, in the teaching of other subjects foreseen in the school curriculum, ensuring a minimum of 33 hours per year. The guidelines identify the overall competences to be acquired and the objectives to be reached by students through this subject. For upper secondary school students, such competences include the learning of the principles of gender equality and non-discrimination, as well as the importance of combating violence against women, which GREVIO welcomes. A specific competence on digital literacy, including on how to safeguard oneself and others from physical and psychological harm when using digital technologies, is equally foreseen in the guidelines. Issues such as online stalking may also be addressed in this context. With the exception of the topic of violence against women, similar competences are included for primary and secondary school students, adapted to their learning capacity. Additionally, in the wake of two gang rapes and a number of gender-related killings

committed in 2023, the Ministry of Education issued an additional directive on education on relations in November 2023 with a view to strengthening education on respect and combating male violence against women.<sup>52</sup> More specifically, the directive aimed to promote projects and activities in upper secondary schools, including the production of videos, the carrying out of awareness-raising campaigns and the distribution of educational material on the topic of violence against women. Additionally, for the period 2021-2024, specific funds were earmarked for projects/activities in schools aimed at combating cyberbullying and raising awareness of the safe use of digital technologies.<sup>53</sup> Specific “guidelines on bullying and on cyber bullying” were also updated in 2021 and provide for the training of teachers in this area and the appointing of a reference person in each school to provide support to students. An on-line platform supports these efforts by providing on-line training to teachers; and enabling the monitoring of bullying and cyber-bullying in schools across the country, through an on-line survey and a personalised assessment for such schools.<sup>54</sup>

49. Despite the above measures, GREVIO notes with concern that the implementation of the above-mentioned guidelines and, more generally, of the subjects foreseen under Article 14 of the convention, remain uneven and sporadic across the country.<sup>55</sup> Moreover, no measures have been put in place to monitor the implementation of these obligations, and no consequences are foreseen for any lack of implementation. Despite the existence of some positive practices in different regions, including those involving external experts and women’s rights organisations in the teaching of some of the subjects under Article 14 of the convention, NGOs have alerted GREVIO to the limited implementation of the Guidelines on the Education of Respect. The teaching of the subjects referred to in these guidelines appears to largely depend on the sensitivity of individual teachers and headmasters of schools and often translates into ad hoc initiatives that are limited in time. The newly introduced obligation to teach civic education in a transversal manner, including some of the topics required under Article 14 of the convention, does not appear to have bridged the existing gap. Moreover, while welcoming the earmarking of dedicated funds (€15 million) for the implementation of the activities foreseen under the November 2023 directive on education on relations, GREVIO notes that such projects are to be carried out upon the discretion of the school, concern exclusively upper secondary students on an extracurricular basis and require the consent of parents – requirements that are not in line with Article 14 of the convention as interpreted by GREVIO. The public scandal which emerged in August 2025, involving the widespread non-consensual publication of women’s intimate photos through a Facebook page and a pornographic website are an example of the urgent need to change mind-sets, combat sexism and effectively teach the subjects provided under Article 14 of the convention.<sup>56</sup>

50. The inconsistent implementation of the above-mentioned obligations is compounded by persisting shortcomings previously identified by GREVIO in its baseline evaluation report. Among these is the lack of mandatory training of teachers on violence against women, leading as a result to teachers abstaining from teaching these topics or to teaching them without the required qualifications. A second shortcoming is the absence of dedicated and approved teaching material on the issues related to Article 14 of the convention, the choice of which is entirely left to schools in light of the principle of autonomy. Third, despite the importance given by the 2015 Guidelines on the Education of Respect on the use of adequate teaching material devoid of any gender stereotypes and the objective set under the Gender Equality Strategy to revise the requirements for school textbooks with a view to eliminating gender stereotypes, no measure has been taken in this area. Nor has educational material been reviewed to verify the absence of such stereotypes, despite indications from women’s rights organisations of their persistence in textbooks.<sup>57</sup> Fourth, civil society has alerted GREVIO to continued resistance from some parents to the teaching of courses that address issues such as equality between women and men, non-stereotyped gender roles and the different forms of gender-based violence against women as a result of disinformation spread around

52. The gang rapes had a ripple effect throughout Italian society due to the young age of the victims and perpetrators and the fact that the acts of violence were filmed, with, in one case, the video having been circulated on social media.

53. See the state report, p. 39.

54. This platform is available at <https://www.piattaformaelisa.it>.

55. See the NGO submission by RELIVE, p. 7.

56. As regards the Facebook page, it allowed the non-consensual sharing of intimate pictures of wives/partners. The pornographic website allowed the distribution and publication of manipulated and degrading images of public figures.

57. See the NGO submissions by Italian women’s NGOs, p. 17, and by Relive, p. 11.

the benefits of such education by groups and discourses that call into question and seek to roll back the advances made in women's equality with men.

51. GREVIO regrets, in particular, the lack of progress made since the baseline evaluation report on the teaching of consent in sexual relations and the persisting stalemate in the adoption of the guidelines on affectivity, sexuality and reproductive rights. Civil society has drawn GREVIO's attention to some ad hoc projects on sexuality education in schools, which, however, are not underpinned by a legal/policy framework specifying the goals, methods or content of the programmes. In some cases, this leads to such courses focusing solely on the biological and healthcare aspects of sexuality.<sup>58</sup> GREVIO, therefore, notes that sexuality education, including the notion of rape as being based on the lack of consent and the dangers posed by violent pornography, are not part and parcel of the mandatory curriculum, including as a result of persistent resistance from certain pockets of society, including some parents. This is particularly concerning in light of the significant increase of sexual violence and gang rapes committed among teenagers and the correlation between the consumption of (violent) pornography and harmful sexual behaviour in children.<sup>59</sup> Moreover, studies are now revealing how the exposure of children below the age of 12 to pornography causes guilt, shame, trauma and anxiety disorders similar to post-traumatic stress disorder, including anxiety attacks, problems sleeping, nightmares and headaches.<sup>60</sup> The Council of Europe Steering Committee on the Rights of the Child has recently issued a guidance note on safeguarding children from the risks of accessing online pornography, which contains tools and recommendations on tackling this issue that may be of assistance.<sup>61</sup> More generally, GREVIO considers it essential that the effective teaching of these subjects be accompanied by information campaigns on the content and objectives of the programmes in order to inform all parties, especially parents. The aim of these campaigns must be to refute the misinformation and misconceptions that are being spread about the aims of sexuality education as well as other topics addressed under Article 14 of the convention, which, in turn, are fuelling movements that jeopardise the implementation of such programmes. Similarly, it is essential to inform parents about the training received by the staff who teach these subjects and the bodies they can turn to should they have questions.

52. **Recalling the findings issued in the GREVIO baseline evaluation report, GREVIO urges the Italian authorities to ensure:**

- a. **the teaching of the topics under Article 14 of the Istanbul Convention, notably equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, the notion of freely given consent in sexual relations and the harmful effects of violent pornography, adapted to the evolving capacity of learners, by mainstreaming them in the education system and/or ensuring their effective teaching across the country in a dedicated, mandatory subject by teachers with appropriate training;**
- b. **monitor to what extent these subjects are taught in schools in practice;**

58. In this connection, it is particularly concerning that sums earmarked in the 2025 budget law for sexuality education/sexual and reproductive health were redirected towards the training of secondary school teachers on how to prevent infertility. See in this respect, *La Repubblica*, "Ciriani: i 500mila euro per l'educazione sessuale destinati alla formazione dei prof sulla fertilità", 8 January 2025..

59. See Chapter I, Emerging trends in the areas of violence against women and domestic violence. See also GREVIO's first thematic evaluation report on Austria, paragraphs 5 and 6, and GREVIO's baseline evaluation report on the United Kingdom, paragraph 123.

60. See the report submitted to the French Senate on 27 September 2022, "Porno : l'enfer du décor – Rapport d'information n. 900(2021-2022)".

61. Council of Europe Steering Committee on the Rights of the Child, Thematic guidance note on safeguarding children from the risks of accessing online pornographic content, available at: <https://rm.coe.int/cdenf-2024-20-final-guidance-note-on-safeguarding-children-from-the-ri/1680b4bc32>. See also Committee of Experts on the Prevention of Violence, "Study on sexual violence and harmful sexual behaviour displayed by children: nature, causes, consequences and responses", p. 33, available at: <https://rm.coe.int/enf-vae-2024-05-e-harmful-sexual-behaviour-1680b219c7>.

- c. raise parents' and educators' awareness of the importance of education on these subjects to make children aware of all forms of violence against women and protect them from harm and, more generally, to prevent violence against women;
- d. review teaching curricula and materials with a view to removing negative stereotypes of women and girls and fostering equality.

### 3. Training of professionals (Article 15)

53. Building society's trust by delivering support, protection and justice to women and girls with experiences of gender-based violence requires well-trained professionals across a wide spectrum of fields. The standard set by the Istanbul Convention in its Article 15 is that of systematic initial and in-service training of all those who deal with victims or perpetrators of all acts of violence. The training that is required must cover the prevention and detection of such violence, equality between women and men, the needs and rights of victims, and the prevention of secondary victimisation.

54. In its baseline evaluation report, GREVIO had noted that while training on gender-based violence against women and gender equality had been made available to several groups of professionals, a need to expand training efforts and to ensure their compulsory nature had been identified for virtually all categories of professionals. Since then, a range of legislative and policy measures have been taken in this direction, with both the fourth VAW NAP, fifth VAW NAP and its Implementation Plan and the Gender Equality Strategy calling for training initiatives, some of them of a mandatory nature. These include compulsory training for all healthcare professionals in co-operation with anti-violence centres and multidisciplinary training for all professionals that come into contact with victims. GREVIO welcomes in particular the recent emphasis placed on striving to establish violence against women as the subject of modules in university education. This is foreseen by the fourth VAW NAP and several universities across Italy have already done so, albeit on a voluntary basis.<sup>62</sup> Moreover, Law No. 168/2023 requires the Ministry of Justice to address to the Superior School of Magistrates guidelines on training containing modules on violence against women, while also requiring the Department of Equal Opportunities to develop national guidelines on training on violence against women for all professionals that may come into contact with victims. In this context, the White Paper on Training was published in January 2025, providing an overview of some forms of violence against women and identifying common principles and content that must be included in the training of different professionals.<sup>63</sup> GREVIO welcomes the fact that this paper reflects a gendered understanding of violence against women and contains very helpful guidance, but notes that the above-mentioned national guidelines on training are yet to be developed. Finally, significant interprofessional training is provided by NGOs that are part of the local violence against women networks throughout the country, although their continuity hinges on available funding.

55. As regards more specifically the training of law-enforcement authorities, since the baseline evaluation report, training requirements have continued to be strengthened. Notably, under Article 5 of the Red Code, mandatory in-service training is to be provided to law-enforcement officials that deal with cases of violence against women. GREVIO notes with satisfaction that in practice Carabinieri officials are required to attend a mandatory module on violence against women as part of their initial training. Moreover, specialist officers who are part of the National Monitoring Network on gender-based violence receive two-week mandatory training in this area. Regular in-service training is also provided and online resources are made available to officers, all supported by a dedicated operational handbook on handling cases of domestic violence, sexual violence and stalking. As regards more specifically the state police, according to the authorities, mandatory initial and in-service training is provided to all police officers, with three rounds of specialist training having taken place in 2021 and a dedicated manual/guidelines on how to handle cases of domestic violence, sexual violence and stalking supporting the work of the police.<sup>64</sup>

62. Including in the universities in Rome, Foggia, Padova, Trento, Trieste, Bari and Milan.

63. With the exception of forced marriage, forced abortion and forced sterilisation.

64. It is also encouraging that the Implementation Plan of the fifth VAW NAP foresees in-service training for local police officers who do not operate in specialist units, albeit it is not clear whether such training is mandatory.

56. Notwithstanding these positive developments, concerns over the handling of reports persist. GREVIO, therefore, underscores the importance of ensuring that all law-enforcement authorities effectively receive mandatory initial and in-service trauma-informed training on all forms of violence against women and on the importance of carrying out a standardised risk assessment, taking into account lethality risks such as non-fatal strangulation and access to firearms, for example. Moreover, dedicated manuals must equally address forms of violence against women such as forced marriage, FGM, forced abortion and forced sterilisation and ensure that any definition of sexual violence used is based on the lack of consent, while underscoring the importance of systematically carrying out a standardised risk assessment for victims and their children.<sup>65</sup>

57. When it comes to the training of judges and prosecutors, GREVIO has been informed by the authorities that since 2020, judges and prosecutors benefit from some initial mandatory training on domestic violence in the context of their traineeship, which GREVIO welcomes as an important step forward. Moreover, GREVIO notes as a positive development that, in 2025, the School of Magistrates expanded the offer of elective courses on violence against women, which form part of the compulsory in-service training of judges.<sup>66</sup> In addition to touching upon domestic violence, sexual violence, stalking, mediation and gender-related killings of women, these courses now address, for example, the need for coordination and consultation between criminal and civil courts, as well as the prevention of secondary victimisation, in particular by using respectful language that steers clear of stereotypes. Furthermore, it is encouraging that the draft bill on femicide presented in March 2025 proposes to introduce the obligation to attend at least one course on violence against women for judges that deal with such cases. Equally positive is the wide promotion and attendance by judges and prosecutors of the Council of Europe e-learning HELP course on combating violence against women and the launch by the School of Magistrates of the "Strasbourg workshops". These bring together judges to discuss judgments issued by the European Court of Human Rights (the "Court") in respect of Italy with a view to sharing their experience on how to align their jurisprudence.

58. Nonetheless, GREVIO regrets that currently, judges and prosecutors do not receive initial, mandatory training on all forms of violence against women, beyond domestic violence, nor do university law degrees include this topic as a mandatory course. Moreover, in-service training on violence against women is not mandatory. Furthermore, lawyers and women's rights organisations have drawn GREVIO's attention to the fact that available in-service training on violence against women does not sufficiently address bias, sexist prejudice and stereotypes that judges/prosecutors may have and that, unfortunately, feature in national civil and criminal judgments.<sup>67</sup> Lawyers have equally stressed that lack of training is particularly felt in the area of custody and visitation, leading to serious shortcomings in complying with Article 31 of the convention.<sup>68</sup> This is compounded by a lack of mandatory initial and in-service training on violence against women for psychologists used as expert witnesses in courts and for lawyers. While GREVIO underscores its full respect for the independence and autonomy of the judiciary, as well as for judicial autonomy in the organisation of training, it notes, at the same time, the unique and essential role the judiciary plays in applying the convention. By virtue of this essential role, their decisions may directly engage states' responsibility.<sup>69</sup> It is therefore of paramount importance that, when adjudicating cases in criminal and civil law pertaining to violence against women, such decisions are informed and based on appropriate, specialist knowledge.<sup>70</sup> Such training needs cannot be sufficiently addressed by ad hoc,

65. Currently the police's manual on violence against women does not refer to the need to carry out a risk assessment and uses a definition of sexual violence based on force/coercion.

66. See "Initiatives by the School of Magistrates on Violence against Women and Domestic Violence, p.6.

67. As regards the use in judgments of sexist stereotypes and language leading to secondary victimisation, see *J.L. v. Italy*, Application No. 5671/16 of 27 August 2021, in which the Court found Italy in breach of Article 8 of the European Convention on Human Rights on account of comments made about a victim of sexual violence by the judge in the reasoning of the judgment, which were guilt-inducing, moralising and conveyed sexist stereotypes.

68. See Chapter III, Custody, visitation rights and safety.

69. The following are examples among many cases in the area of violence against women where the decisions of judge(s) engaged states' responsibility under the European Convention on Human Rights and led to a violation: *Vuckovic v. Croatia* (Application No. 15798/20, 12 December 2023), *J.L. v. Italy* (Application No. 5671/16, 27 May 2021) and *Carvalho Pinto de Sousa Morais v. Portugal* (Application No. 17484/15, 25 July 2017).

70. For example addressing, *inter alia*, gender stereotyping, trauma-induced victim behaviour, the "freeze, flop and befriend" reactions of victims of rape, the long-term harm and consequences of witnessing domestic violence on children and in-depth knowledge on the standards of the convention.

optional courses, but require mandatory and in-depth training of judges on relevant issues. It is encouraging that this is increasingly being recognised and that judicial training academies are moving towards mandatory training on violence against women to address the complex nature of these offences.<sup>71</sup> Ways must be found, therefore, to ensure that members of the judiciary are equipped with the necessary knowledge to respond to women victims of violence and their children in a manner that instils their trust in the judiciary and provides an adequate sense of justice.

59. As regards healthcare personnel, the varying levels of specialist knowledge noted by GREVIO in its baseline evaluation report are being addressed and 97% of emergency departments have at least one staff member trained on violence against women and the relevant protocol. This notwithstanding, GREVIO regrets that neither initial nor in-service training on violence against women is mandatory for all medical personnel that may come into contact with a victim.

60. GREVIO notes that social workers do not receive mandatory initial or in-service training on violence against women and that university law degrees do not include this topic as a mandatory course.<sup>72</sup> GREVIO notes with grave concern that the absence of such training has far-reaching negative effects on victims and their children.<sup>73</sup> The high turnover rate of staff working in social services further exacerbates the situation as any expertise acquired on the ground is then lost once the professional moves on.

61. As regards teacher training, despite the fact that the fourth VAW NAP and the Gender Equality Strategy set as objectives mandatory initial and in-service training for teachers on violence against women, gender equality and gender stereotypes and despite the existence of local promising practices spearheaded by women's rights organisations, GREVIO regrets that in practice there continues to be a lack of mandatory initial or in-service training for teachers on the topics covered by Article 14 of the convention. GREVIO notes that in the absence of such training, teachers may be unknowingly perpetuating biases and stereotypes, may not be able to identify or respond adequately to experiences of violence against women that may emerge in the classroom and/or may ultimately abstain from teaching subjects foreseen under Article 14 of the convention.

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;**

71. See the first thematic evaluation report on Montenegro, paragraph 68.

72. Courses for social workers on gender-based violence are offered on a voluntary basis, for example at the Milano-Bicocca University.

73. See in this respect, Chapter III, General support services.

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.

#### 4. Preventive intervention and treatment programmes (Article 16)

64. Perpetrator programmes are important elements of an integrated and comprehensive approach to preventing and combating violence against women. Under Article 16 of the convention, parties are required to set up or support programmes that prevent perpetrators of domestic violence and of sexual violence from reoffending and support them in adopting non-violent behavioural strategies. Making the safety of, the support for and the human rights of victims a primary concern, these programmes are key elements in ensuring women’s safety from known perpetrators. The convention requires their close co-ordination with specialist support services for victims.

##### a. Programmes for perpetrators of domestic violence

65. Since GREVIO’s baseline evaluation report, Italy has taken important steps to improve its strategic, legislative and regulatory framework in relation to perpetrator programmes. A particularly welcome development was the adoption on 14 September 2022 of the “Agreement between the Government, the Regions and the Autonomous Provinces of Trento and Bolzano Defining the Minimum Requirements at National Level for Perpetrator Programmes” (the Agreement on Minimum Standards for Perpetrator Programmes), in line with one of its strategic objectives under the fourth VAW NAP and with the findings issued in this respect by GREVIO’s baseline evaluation report. The agreement was enacted to respond to a pressing need to harmonise requirements pertaining to, *inter alia*, the mandates of the organisations carrying out the programmes, their structure, the methodologies employed, the training of staff and the level of security ensured to victims and their children. GREVIO notes with satisfaction that the agreement reflects a gendered understanding of violence against women, promoting behavioural change in perpetrators and underscoring the need for them to take responsibility for their violent behaviour, addressing the related issues of gender equality and gender stereotypes. Under the agreement, state funding and the accreditation in dedicated registers shall hinge on the respect of such minimum requirements. Perpetrator programmes have been given until September 2025 to align themselves with the new requirements, which also envisage standards on contact made with the victim, which GREVIO welcomes in view of the concerns in this regard expressed by some specialist support services providers.

66. The regional competence in this area, however, allows for the establishment of additional or differing criteria at regional level, a matter of concern to GREVIO. Moreover, in January 2025 a ministerial decree was issued by the Ministry of Justice setting out additional minimum requirements and establishing guidelines for perpetrator programmes catering for convicted perpetrators wishing to benefit from a suspended sentence or for indicted perpetrators, where the removal of a security measure/warning is dependent on such attendance. In the light of a such a complex legal framework, GREVIO considers that more must be done to ensure the respect of the Agreement on Minimum Standards for Perpetrator Programmes for all entities offering such programmes across the country.

67. GREVIO further notes with satisfaction progress made in relation to another finding issued in its baseline evaluation report that asked the authorities to expand the number of available programmes for perpetrators of domestic violence. As of December 2022 there were 94 perpetrator programmes in Italy (compared to 54 in 2017), with a marked improvement of geographical coverage also in southern Italy, although three regions (Val d’Aosta, Molise and Basilicata) still do not offer such programmes.<sup>74</sup> Another encouraging finding that emerges from this report is the fact

74. See “Centres for men perpetrators of violence in Italy, data from the second national survey”, pp. 10-12, May 2024. This is a research report containing the results of the second national survey on perpetrator programmes, under the ViVa project implemented within the framework of a co-operation agreement between IRPPS-CNR, the Department for Equal Opportunities of the Presidency of the Council of Ministers.

that 90% of such programmes organise compulsory training for staff on the dynamics of gender-based violence, risk assessment, gender stereotypes and a gendered approach in the treatment of perpetrators.<sup>75</sup> Finally, GREVIO commends the authorities for the scientific research carried out by the NRC on perpetrator programmes, including the mapping of the existing perpetrator programmes that addresses, *inter alia*, their characteristics, approaches taken, methods of evaluation and referral pathways for perpetrators.<sup>76</sup> GREVIO notes, however, that the increase in the number of programmes available seems to be offset by the increase in demand, including by perpetrators of sexual violence and stalking, which is a direct result of the legislative change introducing the possibility of obtaining a suspended sentence following the attendance of a perpetrator programme.<sup>77</sup> This, in turn, has put under great strain perpetrator programmes that have historically focused on domestic violence and are therefore struggling to adapt their services, potentially leading to insufficient treatment of perpetrators.

68. Indeed, despite the acknowledgement by the fourth VAW NAP that perpetrator programmes must not be used as a means to reduce perpetrators' sentences,<sup>78</sup> Article 165 of the Criminal Code as amended by the Red Code introduced the requirement to attend and successfully complete a perpetrator programme in order to benefit from the suspension of a sentence for a number of serious crimes. These include domestic violence, sexual violence (including its aggravated form and group sexual violence), stalking, the illicit dissemination of sexually explicit images or videos and some cases of homicide. The required assessment of the perpetrator and his self-evaluation do not always seem to be carried out before the decision to suspend a sentence is taken.<sup>79</sup> Similarly, under Article 282 *quater* of the Code of Criminal Procedure, judges can assess whether to reduce the sanction where they have been informed that the perpetrator is attending/has attended a perpetrator programme. Moreover, the attendance of perpetrator programmes is taken into account by judges to amend or revoke a security measure or to revoke a warning.<sup>80</sup> In this respect, GREVIO points to the importance of holding perpetrators accountable for criminal acts and to the need to impose appropriate sanctions in cases of serious violations of human rights, in line with states' due diligence obligations. It underscores that using perpetrator programmes as an alternative rather than as a complement to sentencing/sanctioning leads to impunity, undermines the deterrent effect of the criminal justice response and may put victims at serious risk. In this connection, GREVIO notes with great concern cases of gender-related killings in which the perpetrator had benefited from a suspended sentence, in light of his attendance of a perpetrator programme.<sup>81</sup>

69. In addition to the above-mentioned incentives to attend perpetrator programmes, the referral pathways for perpetrators include self-referrals, self-referrals following a "warning" issued by law-enforcement authorities with an invitation to attend a perpetrator programme<sup>82</sup> or non-mandatory referrals by the judiciary or by other professionals. Mandatory referrals by courts are, therefore, still not provided for under the Italian law. In this respect, GREVIO recalls that while voluntary referrals are likely to manifest greater motivation to change, research also suggests that court-mandated participation, where attendance is backed up by "swift and certain" sanctions for non-attendance or dropouts, can work because programme completers are less likely to reoffend.<sup>83</sup>

75. Ibid, p. 21.

76. Ibid.

77. According to indications provided by civil society, 32.3% of admissions to perpetrator programmes are linked to this new legislative development. See the NGO submission by the Italian Disability Forum, 12 June 2024, p. 12.

78. See the fourth VAW NAP, p. 41.

79. Information obtained during the evaluation visit.

80. A warning is an administrative measure foreseen under Law No. 119/2013 aimed at preventing further conduct that might lead to more severe forms of violence. It is issued in cases of domestic violence or stalking to discourage acts of violence that may be a precursor to more serious forms of violence.

81. See, for example, the gender-related killing in 2022 of Gabriela Serrano and Lidija Miljkovic, the details of which are available at

[www.ilgazzettino.it/nordest/vicenza\\_bassano/zlatan\\_vasiljevic\\_libero\\_centro\\_ares\\_zlatan\\_vasiljevic\\_gabriela\\_serrano-6748755.html?refresh\\_ce](http://www.ilgazzettino.it/nordest/vicenza_bassano/zlatan_vasiljevic_libero_centro_ares_zlatan_vasiljevic_gabriela_serrano-6748755.html?refresh_ce).

82. Notably under Article 3 of Law No. 119 of 2013.

83. See "Domestic and sexual violence perpetrator programmes: Article 16 of the Istanbul Convention, a collection of papers on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence", Council of Europe, p. 12.

70. Finally, turning to the evaluation of the programmes, reports indicate that currently 60% of programmes evaluate their activities primarily through self-assessments, with only 15% using external evaluators. Nonetheless, GREVIO welcomes the fact that the share of perpetrator programmes that use external evaluators doubled between 2017 and 2022. GREVIO points to the need to continue along this path and to support these efforts by developing standards and criteria for programme evaluation on the basis of existing best practices so that an assessment can be carried out as to whether these programmes actually serve their preventive purpose.<sup>84</sup>

### **b. Programmes for perpetrators of sexual violence**

71. As noted in the baseline evaluation report, treatment programmes for perpetrators of sexual violence exist both inside and outside of prison settings and perpetrators can access such programmes while serving their prison sentence or once they are released. Since the baseline evaluation report, no mapping exercise has been carried out to identify the overall number and types of programmes for sexual violence perpetrators. The authorities estimate that around 77% of perpetrator programmes for domestic violence also work with men who have committed sexual offences against adults and children. As was indicated earlier in this section, perpetrator programmes that previously only focused on domestic violence are now increasingly receiving referrals of perpetrators of sexual violence who have benefited from a suspended sentence under Article 164 of the Criminal Code, and the programmes may not be equipped to address their needs, including cases involving the perpetration of sexual violence against children.

72. In view of the increase in the rates of sexual violence and gang rapes committed by children and young adults, GREVIO welcomes the fact that the fourth and fifth VAW NAPs and the implementation plan of the latter envisage the introduction of programmes for children who have committed 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.**

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84. See the NGO submission by RELIVE, pp. 30-32. The IMPACT protocol developed by the European Network for the Work with Perpetrators of Domestic Violence (WWP EN) proposes a unified and standardised treatment assessment and evaluation system and is being used by some perpetrator programmes.

## B. Protection and support

74. Chapter IV of the Istanbul Convention requires a multifaceted, professional and victim-oriented support structure for any woman or girl who has experienced any of the forms of violence covered by the convention. General and specialist support services that are victim-oriented, accessible to all and adequate in numbers greatly facilitate recovery by offering support, protection and assistance to overcome the multiple consequences of such violence. As such, they play a key role in offering a comprehensive and adequate response to the different forms of violence covered by the convention.

### 1. General obligations (Article 18)

75. Article 18 of the Istanbul Convention sets out a number of general principles to be respected in the provision of both general and specialist protective and supportive services for women victims of violence. One of these principles is the need for services to act in a concerted and co-ordinated manner, with the involvement of all the agencies concerned. More specifically, Article 18, paragraph 2, of the convention requires parties to put in place appropriate co-ordination mechanisms that can ensure effective co-operation among, *inter alia*, the judiciary, public prosecutors, law-enforcement agencies, local and regional authorities, NGOs and other relevant entities and organisations. In this regard, women's rights NGOs and specialist women's support services play an important role in guaranteeing that the rights of victims are safeguarded in multi-agency co-operation. Other general principles established under this article include the need for measures of protection and support to be based on a gendered understanding of violence against women and to focus on women's safety and human rights, taking into account the relationship between victims, perpetrators, children and their wider environment, and addressing their needs holistically. Specialist support services must aim at the empowerment and economic independence of women victims of violence and avoid their secondary victimisation. This provision equally stresses the importance of ensuring that access to services is not subject to the victim's willingness to press charges or testify against the perpetrator.

76. Since the baseline evaluation report, GREVIO welcomes the inclusion in the fourth VAW NAP of the objective to develop shared tools to protect victims, conduct risk assessment and to ensure co-operation between all stakeholders. Moreover, the 2022 agreement between the government, the regions and the autonomous provinces of Trento and Bolzano and the local authorities concerning the minimum requirements for anti-violence centres and shelter homes, which replaced the previous agreement of November 2014, now requires territorial anti-violence networks to be set up across the country, involving all stakeholders that come into contact with a victim on the basis of protocols or agreements. Several such territorial anti-violence networks supported by an official protocol already exist. As a minimum, these protocols provide for co-operation between the municipality, anti-violence centres/shelters, healthcare establishments, law-enforcement authorities and social services and, in some cases, also involve prosecutors and courts/juvenile courts, defining the role of each stakeholder and providing specific guidelines on how to support and further refer victims.<sup>85</sup> Additionally, they foresee measures in the area of data collection, training of staff, awareness raising and victims' reintegration into the workforce. Such protocols generally address support for victims of domestic violence, stalking and sexual violence although they are also considered to extend to other forms of violence against women such as forced marriage and FGM. GREVIO notes with satisfaction that some of these territorial anti-violence networks meet regularly to discuss complex cases, carry out a risk assessment and decide on how to proceed.<sup>86</sup>

77. Despite these positive developments, research and information provided by women's rights organisations point to a lack of a uniform approach across the country with regard to co-ordination mechanisms. Indeed, research shows that while certain parts of the country benefit from

85. For example, while the protocol of the territorial anti-violence network for Milan includes courts and prosecutors, these important stakeholders are not included in the relevant protocol for the city of Rome.

86. Including those in Milan, Tuscany, Palermo and Catania.

well-functioning territorial networks involving all necessary stakeholders,<sup>87</sup> others may only offer agreements that do not encompass all actors, co-operation mechanisms that function on the basis of personal relations. Some may have no such network in place at all. A holistic and co-ordinated response to violence will largely depend on where a victim resides and on whether a formalised well-functioning territorial anti-violence network is in place that systematically includes the prosecution services and courts, reflects a gendered understanding of violence against women and is supported by an operational protocol.

78. As regards the requirement to provide support to victims regardless of their willingness to report the violence, GREVIO notes that the situation has not changed since the baseline evaluation report. Women's rights organisations have brought to GREVIO's attention that staff from social services of certain regions require victims to report the violence in order to be referred to a shelter, a practice that is in breach of Article 18 of the Istanbul Convention. Furthermore, under the Criminal Procedure Code, officials providing a public service are required to report any offence subject to *ex officio* prosecution of which they are aware, including in cases of ill-treatment in the family, FGM and some forms of rape. GREVIO recalls in this respect that blanket reporting obligations may raise issues around the provision of victim-centred and gender-sensitive support services. Mandatory reporting may in fact constitute a barrier to seeking help for women victims who do not feel ready to initiate formal procedures and/or fear the consequences of reporting for them or for their children, for example retaliation from the abuser, financial insecurity or the removal of children from their care. Where the authorities have introduced mandatory obligations for professionals, GREVIO notes that these should allow for the balancing of the victims' protection needs – including those of her children – with respect for the victim's autonomy and empowerment, and should thus be circumscribed to cases in which there are reasonable grounds to believe that a serious act of violence covered by the scope of the convention has been committed and further serious acts are to be expected. In these cases, reporting may need to be made subject to certain appropriate conditions such as the consent of the victim, with the exception of some specific cases such as where the victim is a child or is unable to protect her/himself because of disabilities.

79. **GREVIO encourages the Italian authorities to:**

- a. **take the necessary measures to ensure that multi-agency co-operation structures are established across the country ensuring co-ordination and co-operation among all governmental and non-governmental actors, including prosecution services and courts. These should be based on a gendered understanding of violence against women, aim to empower victims and be supported by protocols detailing the measures to be taken;**
- b. **ensure that access to specialist support services is not subject to the victim's willingness to press charges against the perpetrator.**

## **2. General support services (Article 20)**

80. General support services, such as social services, health services as well as housing or employment services must be equipped to offer support and protection to women victims of gender-based violence of all ages and backgrounds. Article 20 of the Istanbul Convention requires state parties to ensure that these services are adequately resourced and that the staff is adequately trained on the different forms of violence against women, and able to respond to victims in a supportive manner, in particular those that women and girls turn to first (i.e. health and social services).<sup>88</sup> Their interventions are often decisive for victims' onward journey towards a life free from violence and thus a core element of a trust-based system of protection and support.

81. In its baseline evaluation report, GREVIO had observed, *inter alia*, that there were structural inequalities in victims' access to general support services across the country due to the high levels of autonomy of regions and municipalities in this area, although essential levels of support were

87. Research carried out by the NRC in the context of the VIVA project.

88. Explanatory Report to the Istanbul Convention, paragraph 127.

ensured for healthcare services. GREVIO had equally noted that the objective to support victims' access to employment, permanent housing and financial assistance foreseen in the third VAW NAP had just begun to be implemented.

### a. Social services

82. As observed earlier in this report, several positive financial measures aimed at women's empowerment and their reintegration into the employment market have been introduced since the baseline evaluation report, which GREVIO commends. These include the "freedom of income", which is a monthly financial allocation of up to €400 (€500 since 2025) for a period a maximum of 12 months to support a victim living in poverty who seeks protection from an anti-violence centre to ensure their financial independence.<sup>89</sup> The "micro-credit of freedom" initiative, also introduced in 2020, aims to empower victims and incentivise them to start their own business. GREVIO equally welcomes the new measure introduced in 2023 to exempt private companies from the payment of social security contributions for a period ranging between 12 and 24 months, when they hire victims of domestic violence who benefit from the freedom of income payments. Finally, although not catering exclusively to victims, the latter can benefit from the "inclusion allowance", a measure introduced by the authorities to combat poverty and social exclusion. This measure consists in a financial allocation for the household, as well as a contribution of €3 640 per year to cover rental costs, together with support from a social worker and other support services. Regions have also been endowed with financial resources to finance specific programmes on housing, employment and economic empowerment for victims of domestic violence. For example, in the area of housing, certain regions allocate up to 25% of public social housing to women victims of domestic violence who have ongoing civil/criminal proceedings or are supported by an anti-violence centre.<sup>90</sup> Other regions provide financial support for the payment of rent, following victims' stay in a shelter.<sup>91</sup> GREVIO equally welcomes the practice in certain regions of investing funds in the renovation of housing confiscated from the mafia, which is then used for long-term lodging for victims and/or premises for anti-violence centres.<sup>92</sup>

83. While GREVIO welcomes the above, regional measures in the area of housing, employment and financial assistance are not ensured consistently across regions or on a continuous basis, pointing to a need for structural measures across the country.<sup>93</sup> As regards the "freedom of income" and the "micro-credit of freedom" measures, improvement of their implementation is necessary and quicker disbursement required.<sup>94</sup> Concerning the measure of paid leave already described in the baseline evaluation report,<sup>95</sup> despite an increase in the number of applications, only 35% of such requests were approved between 2019 and 2022.<sup>96</sup>

84. In terms of support provided to victims by social services, following amendments introduced in 2020, the social workers' code of ethics now explicitly refers to the need to combat violence against women. This notwithstanding, social workers do not receive mandatory initial or in-service training in this area.<sup>97</sup> Women's rights organisations have drawn GREVIO's attention to the multiple negative repercussions on victims and their children stemming from such lack of expertise. This includes the limited ability to identify victims of domestic violence and refer them to anti-violence centres and

89. This sum was raised to €500 per month as of 2024.

90. For example, in Calabria, Lazio, Piemonte and Umbria. See the report "Mapping regional tools to support the empowerment of women with experiences of violence: focus on housing, economic, and employment empowerment" (2024), F. Proia, M. Pietrobelli and P. Demurtas, VIVA project, Institute for Research on Population and on Social Policies, p. 11.

91. As is the case in Trento and Liguria.

92. For example, Lazio, Lombardia, Piemonte and Toscana. See the report "Mapping regional tools to support the empowerment of women with experiences of violence: focus on housing, economic, and employment empowerment" (2024), F. Proia, M. Pietrobelli and P. Demurtas, VIVA project, Institute for Research on Population and on Social Policies, p. 26.

93. Ibid., p. 64.

94. See Chapter II, Financial resources.

95. This measure, initially introduced in 2015, allows victims of domestic violence to reduce their working hours for a period of three months, while retaining full pay and pension benefits.

96. See the NGO submission by Italian women's NGOs, p. 7.

97. See Chapter III, Training.

shelters;<sup>98</sup> instances in which social services subject the referral of the victim to a shelter to reporting to the police; and the tendency to question mothers' parental abilities in proceedings related to custody in contexts of domestic violence.

**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.**

### **b. Healthcare services**

86. GREVIO welcomes the widespread implementation by healthcare establishments of the 2017 national guidelines for territorial medical services and hospitals for women victims of violence against women (2017 National Guidelines). These provide for a prompt and comprehensive response to and treatment of victims of violence against women by healthcare services. More specifically, they foresee the speedy reception, identification of victims and triage; the provision of information in simple and empathetic language, including on the availability of specialist support services and the possibility of reporting the violence, adapted to the special needs of women with disabilities; the use of cultural mediators for migrant women; the procedures for medical examinations and for the taking of forensic evidence, including the use of rape kits in cases of rape; where the victim agrees, the referral to and contact with anti-violence centres, shelters and other stakeholders; the carrying out of a risk assessment to identify victims at high risk of being killed or severely injured; and the application of such guidelines to the victims' children, who stay with the victim throughout the process.<sup>99</sup> Indeed, the Italian authorities confirmed that a survey carried out on the application of such guidelines showed that 80% of emergency departments across the country apply them, with the support of multidisciplinary teams, including cultural mediators. GREVIO welcomes, in particular, the professionalism and comprehensive specialist support provided by specialist departments in public hospitals.<sup>100</sup> These departments offer medical and forensic examinations, trauma support and counselling for victims, including co-operation with women's support services, enabling victims to make a report to the police on site if they so wish, in line with the one-stop-shop approach required by the convention. Expertise on FGM and on how to care for such victims is also a feature of the hospitals. Finally, GREVIO notes with great interest a study launched in 2024 by the Ministry of Health and the National Institute of Health I on the long-term effects of violence against women on women's health and their DNA to see, *inter alia*, whether such violence leads to illnesses many years after the act of violence or affects the ageing process.<sup>101</sup>

87. Despite the above, the above-mentioned survey showed that only 39% of emergency departments provide dedicated support staff for women victims with disabilities.<sup>102</sup> Moreover, a national pilot survey involving over 300 doctors published in early 2025 showed that over 60% considered their training on FGM to be inadequate and over 70% did not have sufficient information to refer patients to specialist support services.<sup>103</sup> This is notwithstanding funding provided to the regions for training on FGM identification and treatment and the existence of specific guidelines on this form of violence. GREVIO therefore notes that redoubled efforts are needed to ensure adequate service provision and training on FGM.

98. See the NGO written submission in the context of the Committee of the Parties evaluation by Italian women's NGOs, April 2023, p. 25.

99. GREVIO takes note that the fifth VAW NAP equally foresees an update of the National Guidelines with a view to integrating information on the effects of date rape drugs used to facilitate sexual violence.

100. Such as those in Rome (San Camillo), Milan and Turin.

101. This initiative aims to link data from different national health-care databases, in order to obtain a comprehensive picture on victims' health, enable the early detection of risk factors linked to past violence and take measures aimed at mitigating the long-term consequences of trauma.

102. In this respect, GREVIO welcomes the Italian Parliament's approval in November 2023 of a resolution to improve accessibility and the services in healthcare establishments for persons with disabilities and to provide an assessment of hospital facilities from the perspective of accessibility.

103. This survey was conducted by the Global Health Research Centre of the Catholic University of the Sacred Heart in collaboration with the Public Health Institute and the National Institute and the promotion of the health of migrant populations and the fight against poverty-related diseases. See [www.iss.it/-in-italia-80mila-donne-con-mutilazioni-genitali-femminili-serve-piu-formazione-per-gli-operatori-sanitari](http://www.iss.it/-in-italia-80mila-donne-con-mutilazioni-genitali-femminili-serve-piu-formazione-per-gli-operatori-sanitari).

88. **GREVIO encourages the Italian authorities to:**

- a. ensure adequate service provision, referral pathways and training of medical personnel on FGM with a view to ensuring adequate and holistic care for victims;
- b. ensure that general healthcare support services cater to the specific needs of women victims with disabilities.

**3. Specialist support services (Article 22)**

89. Specialist support services ensure the complex task of empowering victims through optimal support and assistance catered to their specific needs and are an equally important cornerstone of a trust-based system of protection and support. Much of this is best ensured by women's organisations and by support services provided, for example, by local authorities with specialist and experienced staff with in-depth knowledge of gender-based violence against women. They need to be able to address the different types of violence covered by the Istanbul Convention and to provide support to all groups of victims, including hard-to-reach groups.

90. Since the baseline evaluation report, comprehensive qualitative standards in line with the requirements of the Istanbul Convention for the provision of specialist support services to victims, for funding eligibility and for registration in the respective regional registries, have been introduced, which GREVIO welcomes.<sup>104</sup> These are spelled out in the above-mentioned minimum standards for shelters and anti-violence centres introduced in 2022, which replaced an earlier agreement of November 2014. Yearly surveys are carried out by ISTAT on the number of anti-violence centres and shelters, capturing a wide range of additional information, including their geographic distribution, the type of support services provided, the violence experienced by victims and whether they have benefited from a protection order.<sup>105</sup> GREVIO further welcomes the setting up of anti-violence help-desks in various universities across the country providing a wide range of specialist support services to victims of violence against women.<sup>106</sup>

91. According to the authorities and data collected by ISTAT, in 2022 there were 385 anti-violence centres providing support services for various forms of violence against women, while this number rose to 404 in 2023.<sup>107</sup> As of 2023, there were 464 shelters with, in parallel, a rise in the number of women victims assisted.<sup>108</sup> GREVIO notes, however, that it is difficult to assess whether there has been progress in terms of the availability of shelter provision since the baseline evaluation report<sup>109</sup> given the fact that these figures encompass non-specialist entities. In any case, reports continue to indicate a shortfall in the number of shelter places, well below the convention standard of one family place per 10 000 head of population.<sup>110</sup> Moreover, the distribution of anti-violence centres and shelters across the country continues to be uneven, with a higher percentage distributed in the north of Italy and a lesser presence in the centre, south and on the islands.<sup>111</sup>

104. These pertain to, *inter alia*: the training of staff on a gendered understanding of violence against women; the need to ensure a variety of support services regardless of a victim's place of residence; co-operation with general support services and with anti-violence networks; and the need to ensure support regardless of prior reporting of the offence.

105. See "Shelters and non-specialised residential facilities for victims of violence", ISTAT, 14 April 2025, and the "Anti-violence centres and the women who have started the path out of violence", ISTAT, 24 November 2023.

106. Including but not limited to universities in Bologna, Perugia, Pisa, Naples, Rome, Turin, Venice and Viterbo.

107. See "Anti-violence centres and the women who have started the path out of violence", ISTAT, 2022, p. 3. See also the fifth VAW NAP, p. 20.

108. As regards the number of victims who were supported, according to the state report, in 2022 26 131 women were assisted by an anti-violence centre compared to 15 837 in 2020. Moreover, the number of women accommodated in shelters grew to over 3 000 in 2023, compared to 1 800 in 2017. See in this respect "Shelter homes and non-specialised residential facilities for victims of violence", ISTAT, 14 April 2025, p. 2.

109. The baseline evaluation report reported around 285 anti-violence centres and 228 shelters, although it had noted that numbers may not accurately reflect those operating according to the standards of the convention.

110. An average of 0.15 per 10 000 women.

111. See "Anti-violence centres and women who have started the pathway out of violence", ISTAT, 24 November 2023, p. 3.

92. As regards anti-violence centres more specifically, they continue to provide support services to victims of different forms of violence against women, including digital dimensions of violence against women. Support to victims of forced marriage, FGM, forced sterilisation or forced marriage, however, account for a lower percentage of the support provided.<sup>112</sup> Most anti-violence centres provide holistic support, including legal support and representation in court proceedings. While GREVIO notes that this latter component of their range of services has recently come into question, it recalls that the provision of legal counselling is a full component of the specialist support services that states parties are called on to provide.<sup>113</sup> According to Article 9 of the Istanbul Convention, such services may be best ensured by women's rights organisations and specialist support services provided by experienced professionals with in-depth knowledge of violence against women.

93. In terms of support for children exposed to violence, GREVIO notes with concern that the provision by anti-violence centres/shelters of psychological counselling, as well as decisions on their schooling, is hampered by the requirement of both parents' authorisation.<sup>114</sup> GREVIO observes that with fewer opportunities available to subjugate their former partners after separation or after the victim has left the common residence, many perpetrators retaliate by abusing their children. Not giving their consent to allow their children to receive the needed psychological support may be one of the ways to do so and must be addressed.

94. When it comes to the minimum requirements for specialist support services set out by the agreement on minimum standards for shelters and anti-violence centres, women's rights groups have drawn GREVIO's attention to proposed amendments to the agreement submitted by regions that aim to relax the current cumulative requirements for funding eligibility and registration in the regional registry.<sup>115</sup> In this respect, concerns have been voiced by women's rights organisations that such amendments would enable non-specialist entities that do not operate on a gendered understanding of violence against women to receive funding, reducing the possibility for women to obtain high-quality and specialist support. At the same time, GREVIO's attention has been drawn to the work of co-operatives, whose mandates do not exclusively include the protection and support of women victims of violence but who have dedicated sectors with experience of providing such work through trained staff. GREVIO notes in this respect that any decision taken in this regard by the authorities must ensure that specialist support for women victims of violence is provided by entities with proven expertise in the provision of victim-centred and empowering support to victims of violence against women, underpinned by an understanding of violence against women as a gendered phenomenon. This is best ensured by women's right's organisations and by support services provided by specialised and experienced staff with in-depth knowledge of violence against women. Attention must equally be paid to ensuring an equal distribution of specialist support services across the country. Furthermore, GREVIO notes, as was the case at the time of the baseline evaluation report, that the requirements set by the agreement on minimum standards for shelters and anti-violence centres are not always applied in practice by regions, as they are not binding. More specifically, women's rights organisations have brought to GREVIO's attention that eligibility requirements established by regions to access funding may differ from the national minimum standards and sometimes do not reflect or require a gendered understanding of violence against women. Moreover, criteria for calls for tender may be gender neutral and benefit the lowest bidder.<sup>116</sup> An additional concern brought to GREVIO's attention is the fact that there is no monitoring of compliance with the relevant quality standards after the accreditation process.

112. Under 2%, as indicated in the ISTAT survey "I Centri Antiviolenza e le Donne che hanno Avviato il Percorso di Uscita dalla Violenza", 2022.

113. See paragraph 132 of the Explanatory Report to the Istanbul Convention.

114. Under Article 337-quater of the Civil Code even where custody is given to only one parent, important decisions such as in the case of the child's health and education are made by both parents, unless the judge decides otherwise.

115. The proposed amendments concern, *inter alia*, Article 1 of the agreement, which provides that: "the statute must address the protection and support to victims of gender-based violence against women and their children as the exclusive or main goal of the organisation and this must be reflected in the budget; the statute must include such a mandate for at least five years; and proven experience of at least five years must be provided".

116. See the Bicameral Parliamentary Commission of Inquiry on the Phenomenon of Femicide and Gender-based Violence, "Report on the governance of anti-violence services and the funding of anti-violence centres and shelters", Doc XXII-bis no. 3, p. 27.

95. As regards the accessibility of specialist support services for asylum-seeking/refugee women and migrant women, GREVIO notes the recent adoption of two policy documents by the Italian authorities concerning the identification and referral to specialist support services of these groups of women in the context of the asylum determination procedure, rescue operations and reception.<sup>117</sup> However, several barriers persist, including insufficient provision of information, lack of cultural mediators and insufficiently trained staff capable of identifying and then referring victims to specialist support services.<sup>118</sup> This is compounded by the difficulty of shelters to accept asylum-seeking women due to the fact that many regions do not fund or reimburse the costs for asylum seekers' stays, with the Ministry of Interior instead funding their stay in reception centres.<sup>119</sup> Indeed, data collected by the women's rights organisation network Di.re showed that in 2023 asylum-seeking women represented only 0.5% of victims assisted by anti-violence centres/shelters of the network, a very low incidence considering the high prevalence rate of violence against women in this group of women and the high risk among this population. Similarly, concerning women without a residence permit, the cost of their stay in shelters is equally not reimbursed by the authorities, although shelters strive to accommodate them as far as possible. As regards women with disabilities, reports indicate that although many shelters have put in place measures to overcome architectural barriers for women with physical disabilities, many anti-violence centres and shelters are still not accessible to these groups of women, despite minimum standards set by the agreement on minimum standards for shelters and anti-violence centres in this respect.<sup>120</sup> GREVIO further notes with concern that reports indicate that 94% of shelters do not accept women with addiction issues and women in prostitution.<sup>121</sup>

96. Since the baseline evaluation report, GREVIO notes with satisfaction a rise in the number of calls received by the national telephone helpline for all forms of violence against women (the helpline 1 522),<sup>122</sup> which continues to fulfil the requirements of the convention. GREVIO further welcomes the objective included in the fifth VAW NAP aimed at rendering the support provided by the national telephone helpline more accessible to women with speech or hearing impairment. Nonetheless, as expressed in its baseline evaluation report, GREVIO reiterates its concern regarding the helpline run by the Ministry of Interior for FGM victims, as it receives very few calls despite the receipt of substantial funding.<sup>123</sup> Indeed, with FGM being prosecutable *ex officio*, victims may feel intimidated and insecure in approaching a helpline managed by law-enforcement authorities, which does not respect the requirement of anonymity.

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;**

117. Worthy of note are the standard operating procedures on the detection and referral of persons at risk of gender-based violence in the context of asylum and the international protection determination procedure, published in April 2022 by the National Commission for Asylum; and the "Handbook for the identification, referral and care of persons living with vulnerabilities entering Italy and within the protection and reception system", published by the Ministry of Interior on 23 June 2023.

118. See the NGO written submission by D.i.Re – Donne in Rete Contro la Violenza p. 27.

119. See the 2023 annual report from Di. Re.

120. See the NGO submission by Forum Italiano sulla Disabilità, p. 19.

121. *Ibid.*, p. 15.

122. According to the state report, in 2023, the national helpline received 51 713 calls, which represents an increase of 59.5% compared to 2022 and an increase compared to previous years. See the state report, p. 75. According to the fifth VAW NAP, in the first three trimesters of 2024, the national helpline received 48 338 calls which represents an increase of 58.1% compared to 2023.

123. GREVIO was informed that only 13 calls were received in the period 2020-2021.

- 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.

#### 4. Support for victims of sexual violence (Article 25)

98. Under Article 25 of the Istanbul Convention, parties are required to provide a set of holistic services to victims of sexual violence, including immediate medical care and trauma support, combined with forensic examinations, and short and long-term psychological counselling and therapy to ensure the victim's recovery. Such services should be provided by trained and specialised staff in an appropriate manner to respond to the victims' needs, preferably within rape crisis or sexual violence referral centres established in sufficient number throughout the country to ensure their easy access. The recommendation is to set up one of the above-mentioned centres per every 200 000 inhabitants.<sup>124</sup>

99. As already noted in GREVIO's baseline evaluation report, major Italian hospitals such as those in Rome, Turin and Milan provide comprehensive specialist support to victims of rape, including medical and forensic examinations, trauma support and psychological counselling, as well as immediate support by staff members from anti-violence centres present on site, thus qualifying, in GREVIO's view, as sexual violence referral centres. Such co-ordinated support is underpinned and supported by the 2017 National Guidelines.<sup>125</sup> Nonetheless, women's rights organisations have drawn GREVIO's attention to smaller hospitals in other parts of the country sometimes lacking the required trained staff, with support to victims of rape/sexual violence primarily consisting of the use of rape kits by healthcare professionals and the gathering of forensic evidence. Victims are then referred to anti-violence centres for trauma support, psychological counselling and legal support. Furthermore, GREVIO's attention was drawn to the need to strengthen the integrated referral system for victims of sexual violence, in particular in Naples and Genoa.<sup>126</sup>

100. **GREVIO encourages the Italian authorities to ensure that rape crisis and/or sexual violence centres offering medical care, forensic examination and immediate, short and long-term trauma counselling delivered by trained professionals are available in sufficient numbers in the country in an adequate geographical distribution, in line with the standards of the Istanbul Convention.**

#### C. Substantive law

101. Chapter V of the Istanbul Convention covers a range of provisions related to substantive law, in the area of both civil and criminal law, which aim to create the necessary legislative framework to prevent women and girls' further victimisation and to ensure robust intervention and prosecution by law-enforcement agencies. This section focuses on progress made with respect to selected provisions of the convention in the area of substantive law, notably Article 31 on custody, visitation rights and safety and Article 48 on the prohibition of mandatory alternative dispute resolution processes or sentencing in cases of violence against women.

124. Explanatory Report to the Istanbul Convention, paragraph 142.

125. See Chapter III, General support services.

126. Information obtained during the evaluation visit.

## 1. Custody, visitation rights and safety (Article 31)

102. Custody and visitation decisions in relation to families with a history of abuse require a careful balancing of the different interests at stake. Article 31 of the Istanbul Convention seeks to ensure that incidents of violence covered by the convention, in particular domestic violence, are taken into account in decisions on custody and visitation rights, to ensure that the exercise of these rights does not harm the rights and safety of the victim or children. This provision contributes directly towards their trust in the authorities because it offers essential protection from post-separation abuse.<sup>127</sup>

103. GREVIO commends the Italian authorities for the broad reforms in the area of civil procedural law, which seek to align legislation with Article 31 of the convention and the findings issued by GREVIO in its baseline evaluation report. Further to this reform, a dedicated sub-section has been introduced into the Code of Civil Procedure regulating family law proceedings in which allegations of domestic violence are made. These cases may be fast-tracked, and the investigative powers of the judge are enhanced, allowing for the acquisition of evidence *ex officio* and the hearing of the parties to the proceedings/witnesses. Moreover, the judge must consult the prosecutor and other competent authorities and ascertain whether criminal proceedings are pending or a verdict has been handed down for acts of domestic violence and, in these cases, must ask for the transmission of acts that are not covered by secrecy.<sup>128</sup> These provisions equally prohibit mediation where the perpetrator has been convicted of domestic violence or where criminal proceedings are pending, and require the judge to abstain from proposing mediation in cases where allegations of domestic violence have been made, unless these allegations subsequently prove to be unfounded. Additionally, the victim is not required to be heard in person and can be heard separately from the perpetrator, with special protection measures applying equally for minors. Another important requirement is for court experts appointed by the judge to be trained on domestic violence. GREVIO further welcomes the setting up of a working group by the Commission of Inquiry on Femicides and Gender-based Violence to monitor this reform and assess to what extent its new provisions are being applied.

104. While welcoming the new provisions and the procedural safeguards that have been put in place, GREVIO notes with concern that they fall short of some important requirements under Article 31 of the convention. First, they do not introduce as a mandatory legal criterion the obligation for the judge to take into account the negative impact that exposure to violence by one parent against the other has on children when deciding on custody and visitation rights. Indeed, the relevant provision only requires the judge to establish the modalities for visitation arrangements to be safe for children and victims in cases of domestic violence, assuming, therefore, that visitation rights shall be granted.<sup>129</sup> In light of the many findings made during its baseline evaluation cycle, GREVIO considers that it is essential, in order to ensure a more effective implementation of Article 31 of the convention, to explicitly include in legislation, as criteria to be taken into account when determining custody and visitation rights, incidents of domestic violence, including those witnessed by children.<sup>130</sup> Judges should specifically lay out the reasons in their decisions to maintain custody and visitation rights in the presence of such incidents. GREVIO recalls that a child's exposure to physical, sexual or psychological violence and abuse between parents or other family members breeds fear, causes trauma and adversely affects children's health and development and that joint parenting in these

127. It is noteworthy that in the case of *Bîzdița v. the Republic of Moldova* (Application No. 15646/18, 17 October 2023), the European Court of Human Rights held that in proceedings concerning the custody and visitation rights regarding children in a domestic violence context, the primary focus must be on the best interests of the child, and an assessment of any risks of violence or other forms of ill-treatment therefore has to form an integral part of such proceedings. For this reason, it found that an alleged history of domestic violence was a relevant and even mandatory factor to be weighed in the assessment of the domestic authorities when deciding on contact rights (§ 62). In the recent case of *Luca v. the Republic of Moldova* (Application No. 55351/17, 17 October 2023), the Court found a violation of Article 8 of the European Convention on Human Rights on account of the failure of the Moldovan authorities to take into account incidents of domestic violence in the determination of child contact rights.

128. See Article 473-bis.42 of the Italian Code of Civil Procedure. Furthermore, under Article 64 bis of the implementing provisions of the Code of Criminal Procedure, criminal judges must inform civil courts dealing with proceedings related to custody and visitation of information such as the issue or modification of a protection order, the end of a preliminary investigation or dismissal of the case.

129. See Article 473-bis.46 of the Code of Civil Procedure.

130. See the Explanatory Report to the Istanbul Convention, paragraph 144.

circumstances allows perpetrators to maintain their control and dominance over the mother and children.<sup>131</sup>

105. Second, the reform does not require courts to systematically screen proceedings relating to custody and visitation rights for instances of domestic violence by means of a standard questionnaire submitted to the parties or otherwise. Under the law as amended, in fact, domestic violence will emerge only if the relevant lawyer explicitly refers to it in the complaint. This may be problematic in light of most lawyers' lack of training on the different forms of violence against women. Third, the procedural safeguards and fast-tracking foreseen under this new sub-section are applied by the judge only on a discretionary basis, thus not ensuring a consistent and predictable application of such safeguards.<sup>132</sup> Fourth, although the amended provisions require the judge to carry out a preliminary investigation as to whether the allegations of domestic violence are founded, they do not require her/him to systematically conduct a risk assessment or request the disclosure of risk assessments drawn up by other relevant bodies in cases in which domestic violence is identified, with a view to taking them into account.

106. As regards the practical implementation of the above-mentioned provisions, pending the related study by the Commission of Inquiry on Femicides and Gender-based Violence, legal experts have brought to GREVIO's attention that while some improvements have been made in fast-tracking the first hearing and the adoption of protection measures for children, the reduction in the overall duration of such proceedings has not materialised yet. When it comes to civil courts' consultation with other courts, some judicial offices have established protocols to ensure the sharing of information with criminal courts, but this, as well as the prosecutor's enhanced involvement in the proceedings, is not ensured systematically.<sup>133</sup> More generally, women's rights organisations have brought to GREVIO's attention that the reform has not been successful in remedying the grave shortcomings that were identified in GREVIO's baseline evaluation report in this area. More specifically, although 61% of first instance civil courts have introduced a special division that deals with cases of domestic violence and violence against women, this is not ensured at the level of the courts of appeal or juvenile courts.<sup>134</sup> Furthermore, GREVIO notes that there remains insufficient training of judges as noted earlier in the report. This is compounded by a persistent and widespread lack of training of lawyers, court experts and social services on the dynamics of domestic violence and its adverse impact on children which continues to affect their ability to identify it and assess its implications. In 98% of such cases, judges rely on the expertise of social services, who, as has been previously described, do not receive any mandatory training on violence against women.<sup>135</sup> Similarly, despite the newly introduced requirement for court experts to have specific expertise on violence against women, survey results indicate that 90% of courts do not have a list of such trained court experts to draw from, with studies pointing to misogynistic biases and stereotypes of women that many experts belonging to this category of professionals harbour.<sup>136</sup> As a result of this lack of training, cases of domestic violence are often qualified as conflicts between spouses, with decisions on shared custody prevailing even when evidence of domestic violence has been provided, protection orders have been issued or the perpetrator has been convicted.<sup>137</sup>

131. See the Explanatory Report to the Istanbul Convention, paragraph 143.

132. Article 473-bis.42 of the Code of Civil Procedure states that a judge "may" shorten statutory deadlines.

133. This may also be hampered by technical obstacles such as the fact that criminal courts have not yet fully transitioned to electronic filing of documents, while civil courts have, thus rendering the sharing of court files more complex.

134. See Results of monitoring carried out by the Working Group on the application of the "Guidelines on organization and good practices for handling cases of gender-based and domestic violence", Superior Council of the Judiciary, 7 May 2025, p. 27.

135. See Chapter III, Training of professionals.

136. See Osservatorio sulla violenza contro le donne 2/2021, available at [www.sistemapenale.it/it/scheda/osservatorio-violenza-contro-le-donne-2021-3](http://www.sistemapenale.it/it/scheda/osservatorio-violenza-contro-le-donne-2021-3).

137. See the NGO written submission by D.i.Re – Donne in Rete contro la violenza p. 32. See also the Bicameral Parliamentary Commission of Inquiry on the Phenomenon of Femicide and Gender-based Violence report on secondary victimisation, pp. 9 and 16. This is despite the jurisprudence of the Court of Cassation clarifying the differences between a conflict between spouses and domestic violence. See for example, the judgements of the Court of Cassation from the Sixth Criminal Division, no. 32042 of 8 July 2024, F., Rv. 286854; and the Sixth Criminal Division, judgment no. 26934 of 12 March 2024.

107. Moreover, despite findings issued by GREVIO and a judgment of the Court of Cassation stating that the use of the concept of “parental alienation syndrome” cannot be considered legitimate,<sup>138</sup> this and similar concepts are still being used in lower-instance courts by judges, lawyers and court experts. As GREVIO has had occasion to note in several of its evaluation reports, the positioning of mothers as alienating, hostile or unco-operative contributes to a masking of the extent of the violence experienced by both the abused mother and the children exposed to such abuse, with a detrimental impact on their ability to obtain safe custody and visitation decisions.<sup>139</sup> GREVIO recalls the importance of ensuring an understanding among family law professionals at all levels of the historical use of such concepts to discredit women’s valid reports of domestic violence and children’s legitimate reluctance to make contact with an abusive father, nor do they consider the potential safety risks that reliance on such concepts may pose. GREVIO thus notes with grave concern that training on such dangerous concepts is being provided in the country. Furthermore, civil courts often require victims to meet their abusive partner to reach an amicable agreement on custody and visitation, regardless of allegations of domestic violence. Where the victim raises domestic violence as a reason for not attending meetings, she is frequently labelled as unco-operative and an unfit mother, which may lead to the loss of her parental or custody rights.<sup>140</sup> Indeed, GREVIO notes with grave concern that custody is given to social services, rather than the mother, in 43% of all cases with a history of domestic violence.<sup>141</sup> Moreover, despite judgments issued by the Italian Supreme Court and by the European Court of Human Rights against Italy, criticising Italian courts’ decisions to declare a child as adoptable without considering less drastic solutions, notably, safeguarding the relationship with the mother, a victim of domestic violence, adoption was ordered in several cases that have come to GREVIO’s attention.<sup>142</sup> GREVIO underscores in this respect that victims should neither be held responsible nor sanctioned for the violence they experience. The authorities have a duty to ensure that victims receive the necessary support to enable them to care for their children safely. GREVIO notes with concern a bill proposed in 2025, which, if adopted, may exacerbate the recourse to mediation, as well as the ability of courts to remove a mother’s parental rights, including in cases of domestic violence.<sup>143</sup>

108. As regards mechanisms in place for safe supervised visits, GREVIO regrets that the information brought to its attention points to a lack of progress since the baseline evaluation report, as dedicated spaces with staff trained in violence against women is not yet ensured.

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:**

- a. **systematically screen all pending cases on custody and visitation for instances of domestic violence, even where allegations have not been brought, requesting the disclosure of risk assessments and safety plans drawn up by all relevant bodies;**
- b. **ensure that incidents of domestic violence against women are a mandatory legal criterion to be systematically taken into account when deciding on custody and visitation rights;**

138. See ordinance 9691 of 2022 of the Italian Court of Cassation.

139. See for example GREVIO’s first thematic evaluation reports on Denmark, paragraph 116, and on Serbia, paragraph 140.

140. See the NGO written submission by the Italian Disability Forum in the context of the Committee of the Parties assessment, p. 20.

141. See the state report, p. 379. See also the Bicameral Parliamentary Commission of Inquiry on the Phenomenon of Femicide and Gender-based Violence report on secondary victimisation, p. 94.

142. See Ordinance 35110 of the Court of Cassation, November 2021. See also *D.M. and N. v. Italy*, Application No. 60083/19 of 20 January 2022, which condemned Italy for a breach of Article 8 of the European Convention on Human Rights because the Italian court had declared adoptable a child without considering less drastic solutions and the need to safeguard the relationship between the mother, a victim of domestic violence, and her child.

143. The proposed Legislative Decree 832/2025 introduces mandatory mediation where children are involved and in cases where there is disagreement between the parents, with no specific mention made of cases of domestic violence. Moreover, it strengthens the principle of shared custody as the default solution, setting the obligation of double residence for the child and equal time spent with the two parents. Finally, the decree strengthens the courts’ ability to limit parental rights where one parent unilaterally takes action requiring the agreement of both parents or where the parent has hampered the child’s contact with the other parent.

- c. take all appropriate measures to ensure that all relevant professionals, including social workers, lawyers, judges, 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;
- f. provide safe premises where supervised visits can take place and take measures to safeguard both the child's and victim's safety, underpinned by a sufficient number of professionals trained in domestic violence, including post-separation abuse, to accompany the supervised visits.

## 2. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48)

110. Article 48, paragraph 1, of the Istanbul Convention requires parties to prohibit the mandatory participation in any alternative dispute resolution processes, including mediation and conciliation, in relation to cases of all forms of violence against women covered by the convention. This provision stems from the principle that violence against women is a manifestation of unequal power relations and that victims of such violence can never enter the alternative dispute resolution processes on an equal footing with the perpetrator. To avoid the re-privatisation of such violence and to enable the victim to seek justice, it is the responsibility of the state to provide access to adversarial court proceedings on the basis of robust criminal and civil law provisions.

111. As noted in its baseline evaluation report, formally there are no mandatory alternative dispute resolution processes in criminal and civil proceedings. In practice, however, *de facto* quasi-mandatory mediation in proceedings related to custody and visitation seem to persist.<sup>144</sup> Moreover, within criminal proceedings, the practical application of restorative justice processes seems to run counter to the obligations set out in Article 48 of the convention.

112. By way of introduction, as a result of the Cartabia reform, restorative justice processes have been widely mainstreamed in the Italian criminal justice system. Under the law, the aim of restorative justice is to repair the damage done by the perpetrator and ensure that responsibility is taken for such acts, as well as the "mutual recognition of the victim and perpetrator" and "rebuilding the relationship between the participants".<sup>145</sup> It can consist of mediation or dialogue between the victim and the perpetrator or between the perpetrator and the victim of another crime. Restorative justice can be initiated at all stages of criminal proceedings, either *ex officio* by the judge or the prosecutor, or upon application of the victim or the perpetrator, for any offence, regardless of its gravity. There is no requirement for the judge to hear the victim prior to referring a case to a restorative justice centre or to ensure her informed consent. It is only when the case reaches the restorative justice centre that consent to restorative justice processes must be sought from the victim and alleged perpetrator by the mediator. The judge can decide to refer the case if s/he considers it "can help resolve problems arising from the facts and does not pose a risk for those involved or for fact-finding".<sup>146</sup> Participation must be on a voluntary basis and consent can be withdrawn at any stage. Nonetheless, the victim's consent is not required where s/he is not directly involved in the process. The final outcome may result in formal excuses, behavioural commitments or, for example,

144. See Chapter III, Custody, visitation rights and safety.

145. See Articles 42 and 43 of Legislative Decree No. 150/2022.

146. See Article 129-bis of the Code of Criminal Procedure.

the payment of damages. The judge will take into account the outcome when assessing the gravity of the crime,<sup>147</sup> including by applying mitigating circumstances<sup>148</sup> or issuing a suspended sentence for one year.<sup>149</sup>

113. When it comes to cases of domestic violence, a first concern emerging from this reform pertains to the language used in the law. For instance, speaking of “rebuilding a relationship between victim and the perpetrator” in cases of domestic violence suggests that it is the relationship between victim and abuser that is sought to be restored. In many cases of intimate partner violence, such an approach is incompatible with the imbalance in power between victim and perpetrator and the endured abuse, as well as the resulting fear and trauma, and may not serve the interests of the victim nor the interests of justice. Another concern pertains to the possibility for a judge to refer a case of domestic violence to a restorative justice centre without first obtaining the victim’s duly informed consent. Consent is verified by the mediator who, however, is not specifically required by law to be trained on the dynamics of domestic violence and its cyclical nature with the possibility of escalation, although general training on how to handle cases involving vulnerable victims is foreseen. More specifically, Decree No. 155 of 5 July 2023, provides that mediators shall be trained also in “specific areas of application of restorative justice, including those relating to the most serious crimes or crimes committed in contexts of organised crime or involving victims who are minors or otherwise vulnerable” and that universities may also offer courses on anti-discrimination law and gender studies. GREVIO notes these training requirements, but points to the importance of providing specialist knowledge on all forms of violence against women, its dynamics and its impact on victims. In this respect, GREVIO underscores how, because of a lack of specialised training, mediators might not be capable of identifying when a victim is being pressured or coerced into accepting an offer of restorative justice by her ex/partner, nor of apprising the power imbalance and economic, psychological and social subordination of a victim, which may lead them to accept such processes. Additionally, GREVIO notes with grave concern that restorative justice has been proposed even for cases of gender-related killings, such as fatal domestic violence, and that it can be accepted despite the express refusal of the victim’s family.<sup>150</sup>

114. A further consideration that points to the need to proceed with caution when proposing or accepting restorative justice processes for cases of domestic violence is its impact on civil proceedings related to custody and visitation. Women victims of domestic violence are often involved in parallel civil proceedings related to custody and visitation rights after separating from the abuser. In light of the reinforced channels of communication between civil and criminal judges following the Cartabia reform and bearing in mind judges’ limited training on violence against women,<sup>151</sup> as well as persisting conflation between domestic violence and conflicts between spouses,<sup>152</sup> GREVIO considers that there is a concrete risk that allegations of domestic violence may not be taken into consideration by judges in decisions on custody and visitation where the perpetrator has been accepted to a restorative justice programme and has benefited from a reduction in his sentence or where the crime is extinguished. Conversely, where a victim refuses to engage in restorative justice processes in criminal proceedings, the widespread practice of considering as unco-operative a woman who does not agree to joint meetings with her partner or who alleges domestic violence in custody and visitation proceedings<sup>153</sup> may be further reinforced. In this connection, GREVIO notes that a decision not to engage in restorative justice processes should not have any impact on any ensuing family law proceedings.

147. See Article 57 of Legislative Decree No. 150/2022.

148. Under Article 62 of the Criminal Code, if a perpetrator participates in restorative justice processes with a positive outcome and behavioural commitments made by the perpetrator have been respected, the sanction can be reduced by up to one third.

149. Under Article 163 of the Criminal Code.

150. In the gender-related killing of Carol Maltesi, who was murdered, dismembered, stored in a freezer and thrown down a ravine, the judge referred the case to restorative justice (with a surrogate victim), notwithstanding the victim’s family’s dissent, on account of the fact that the perpetrator had expressed the wish to “repair the consequences of the crime” and had apologised to the family at the first hearing of the trial.

151. See Chapter III, Training of professionals.

152. See Chapter III, Custody, visitation rights and safety.

153. Ibid.

115. More generally, when it comes to cases relating to all forms of violence against women, such as rape and stalking, GREVIO has identified the need to strengthen the applicable safeguards when proposing or accepting restorative justice processes. In this connection, GREVIO deems it essential, due to the unique and essential role the judiciary and prosecutors play in applying the convention, that these criminal justice actors assess whether all parties to the proceedings, in particular victims, have provided their free and informed consent to the procedure. Indeed, by virtue of such an essential role, their decisions may in fact directly engage states' responsibility. More specifically, full information must be provided by judges on the implications of restorative justice on the relevant criminal proceedings. By way of example, the victim must be informed that in crimes prosecutable upon complaint,<sup>154</sup> participation in such processes will result in the suspension of criminal proceedings and, if the outcome is deemed successful, can result in the extinguishment of the crime.<sup>155</sup> The victim should equally be informed that for crimes that are prosecuted *ex officio* the restorative justice processes may lead to the suspension of criminal proceedings and may impact on the decision to prosecute. The assessment of the consent of the parties to the proceeding should be preceded by a risk assessment of the suitability of restorative justice in cases pertaining to violence against women. Moreover, the presence of the victim's lawyer and the provision of dedicated support are equally of essence to ensure full information, including on the non-mandatory nature of restorative justice and its implications.<sup>156</sup>

116. On the whole, while GREVIO recognises that restorative justice may bring closure to some victims of violence against women, it considers that such processes must be proposed and/or approved with caution and that the safeguards outlined in this section should be carefully applied. GREVIO notes with concern that statistics made available from one region appear to indicate otherwise, as 50% of all cases referred by courts to restorative justice centres pertained to domestic violence, stalking, rape and technology-facilitated violence against women. GREVIO notes that the fifth VAW NAP and its Implementation Plan have included as an objective the monitoring of restorative justice practices in cases of violence against women and expresses the hope that the observations outlined in this section shall be taken into account in the context of such review.

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

- a. **Judges and other relevant 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 of the suitability of such an 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, before being referred to a restorative justice centre and after such referral (when the decision on the use of such process is made) 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;**
- c. **mediators working in restorative justice centres receive specialised, mandatory training on violence against women.**

154. Such as in certain cases of physical violence, stalking and non-consensual image or video sharing.

155. More specifically, if the restorative justice process is deemed successful and the perpetrator has complied with the agreed behavioural commitments, the complaint is deemed to have been tacitly revoked and the crime is considered as extinguished.

156. In this respect, currently Article 48 of Decree No. 150/2022 does not require the presence of the parties' lawyers when verifying the consent to restorative justice, unless the parties (and the victim) have expressly asked for such a presence.

## **D. Investigation, prosecution, procedural law and protective measures**

118. Full accountability for all acts of violence against women requires an adequate response from law-enforcement agencies and the criminal justice sector. Chapter VI of the Istanbul Convention establishes a set of measures to ensure criminal investigations, prosecutions and convictions in a manner that validates women's and girls' experiences of violence, that avoids their secondary victimisation and that offers protection throughout the different stages of proceedings. The provisions covered in this section are fundamental to the delivery of protection and justice for all women and girls at risk of or who have experienced gender-based violence.

### **1. General obligations (Article 49) and Immediate response, prevention and protection (Article 50)**

119. A key principle of an adequate response to violence against women is that of swift and effective investigations and judicial proceedings that are based on a gendered understanding of these types of offences and that take into consideration the rights of the victim during all stages. Law enforcement or judicial actors often do not prioritise incidents of violence against women and domestic violence, thereby contributing to the impunity of perpetrators and reinforcing the misconception that this type of violence is "acceptable" in society.<sup>157</sup> A consequence of assigning low priority to incidents of violence against women and domestic violence are delays in initiating investigations and judicial processes, which in turn may lead to the loss of vital evidence and to an increased risk for the victim of repeated violence. For these reasons, Article 49 of the convention requires parties to ensure that investigations and judicial proceedings are conducted without undue delay, while at the same time respecting the rights of victims during each stage of these processes. Article 50 further reinforces these obligations by requiring that law-enforcement agencies react promptly and appropriately in cases of violence against women, including by offering victims immediate protection and by engaging in the prevention of violence. GREVIO reports focus on the application of Article 50 at key stages of the criminal justice process, notably reporting, investigation, prosecution and conviction, all of which are key contributors to victims' sense of support, protection and justice.

#### **a. Reporting to, immediate response and investigations by law-enforcement agencies**

120. GREVIO notes with satisfaction that since the baseline evaluation report the specialised units operating within the different law-enforcement agencies in Italy have further expanded their training, including trauma-informed training. Such units are supported by dedicated manuals/guidelines on how to handle cases of domestic violence, sexual violence and stalking, with particular attention, in the case of the Carabinieri, to victims with disabilities, which GREVIO welcomes. Further guidance is provided to law-enforcement authorities by some prosecutorial offices through dedicated prosecutorial guidelines. GREVIO commends the adoption of a number of measures by the Italian authorities to improve the reporting of offences under the scope of the convention and strengthen victims' trust in institutions. In particular, the number of police stations with dedicated rooms offering a comfortable and private setting in which victims can report violence, many of which are fitted with video-recording devices, has been further expanded. According to information from the authorities, for the police there are around 92 across the country, while for the Carabinieri, there are over 200. Moreover, a comprehensive interagency database has been set up (SCUDO) to allow all law-enforcement authorities to record incidents of domestic violence and gain an overview of past police interventions involving the same perpetrator/address, thus capturing the repetition and/or escalation of violence. Furthermore, a new application (Youpol) has been developed facilitating the reporting of acts of violence to the police through digital means, including in an anonymous manner. This application allows victims and witnesses to directly exchange files, including video footage with law-enforcement authorities, enables victims/witnesses to be geo-localised and to identify the

157. Explanatory Report to the Istanbul Convention, paragraph 255.

nearest police station. Available data indicate a rise in reported offences since the baseline evaluation report for domestic violence, sexual violence/rape, stalking and forced marriage.<sup>158</sup>

121. This notwithstanding, concerns around the handling of cases by the police still persist,<sup>159</sup> including the underestimation of violence against women, the framing of it as a conflict between partners, the prioritisation of petty crimes allegedly committed by the victim in cases where mutual complaints are filed, failure to report the incident to the prosecutor and failure to systematically carry out a risk assessment.<sup>160</sup> GREVIO considers that these concerns must be addressed with priority, and that further expanding the recruitment of female law-enforcement agents, which currently stands at 10% in the Carabinieri force, may contribute to reinforcing victims' trust.

122. **GREVIO strongly encourages the Italian authorities to step up efforts to ensure prompt and appropriate responses from law-enforcement agencies in relation to all forms of violence against women covered by the Istanbul Convention. Furthermore, GREVIO encourages the Italian authorities to pursue their efforts to attain a gender-balanced workforce within law-enforcement agencies by increasing the number of female officers.**

### **b. Effective investigation and prosecution**

123. Since the baseline evaluation report, the fast-tracking of the prosecution of domestic violence, physical violence, rape/sexual violence and stalking as well as hearings for breaches of protection measures/barring orders have been further strengthened.<sup>161</sup> Notably, the prosecutor must in these cases hear the victim within three days and decide within 30 days whether to issue a protection measure.<sup>162</sup> A monitoring mechanism is equally foreseen to ensure the respect of these deadlines and disciplinary measures can be imposed in case of non-compliance. While GREVIO welcomes these efforts, it regrets that no additional financial resources have been earmarked to ensure the adequate implementation of these reforms. Indeed, according to legal experts, the more stringent timelines are seemingly leading to a higher rate of dismissals of these cases, due to the elevated caseload of prosecutors, which an obligation to fast-track further aggravates. Significant investment in the justice system would thus be required, including the recruitment of more prosecutors with appropriate training on violence against women, in order for the fast-tracking measures to bear fruit. Another factor stemming from the Cartabia reform that appears to further impact on the prosecution rates is the amended standard for prosecution, whereby prosecution should be continued only if there is a reasonable prospect of conviction.<sup>163</sup> Lawyers working in the area of women's rights have drawn GREVIO's attention to the fact that this is leading to a rise in the discontinuation of investigations and/or of dismissal of cases following investigation, for instances of domestic violence, rape and stalking. GREVIO notes in this context that there have been consistently low numbers of convictions for these offences in the past. Indeed, GREVIO notes with concern that available data before the relevant reforms show a dismissal rate for these crimes of between 30% and 60% and is thus concerned about a further worsening of the situation.<sup>164</sup>

124. As regards the setting up of specialised prosecution services on violence against women, GREVIO welcomes the new requirement under Law No. 168/2023 to appoint dedicated prosecutors for such offences and the existence of specialised prosecutors in over 77.5% of prosecution offices

158. See Criminological Analysis of Gender Violence, Ministry of Interior, Department of Public Security, Criminal Analysis Directorate, October 2024.

159. Following the killing of Giulia Cecchettin, the state police's Instagram account posted a quote from a poem, adding the message "You are not alone". Within a matter of hours, under this post, thousands of comments were posted by victims indicating the insufficient response of the police to their own reports. See <https://tg24.sky.it/cronaca/2023/11/24/violenza-donne-polizia-instagram>; [www.ilpost.it/flashes/commenti-polizia-violenza-di-genere/](http://www.ilpost.it/flashes/commenti-polizia-violenza-di-genere/); [www.huffingtonpost.it/life/2023/11/23/news/se\\_domani\\_non\\_torno\\_polizia\\_di\\_stato-14263316/](http://www.huffingtonpost.it/life/2023/11/23/news/se_domani_non_torno_polizia_di_stato-14263316/).

160. See the NGO submission by Italian women's NGOs, p. 43. See also Chapter III, Training of professionals.

161. See Emerging trends in the areas of violence against women and domestic violence.

162. See Article 362 of the Code of Criminal Procedure as amended.

163. More specifically, under Article 425 of the Code of Criminal Procedure as amended, the judge at the preliminary hearing can pronounce the dismissal of the case when the elements acquired do not allow a reasonable prospect of conviction. Prior to the reform, the judge could dismiss the case when the elements acquired were considered as insufficient, contradictory or unsuitable to support the accusation in court.

164. Data on the number of prosecutions that are publicly available can be extracted from draft law 2530/2022, p. 50, and concern data prior to the Cartabia reform.

as at 2021.<sup>165</sup> Reports indicate, however, that cases of violence against women are not necessarily assigned to specialist prosecutors even where they are present.<sup>166</sup> Where they are responsible for the investigation, they are often replaced by non-specialised prosecutors during the preliminary hearings and subsequent phases of criminal proceedings.<sup>167</sup> Moreover, information provided by the authorities points to the fact that the complexity of such cases is not taken into account when deciding on prosecutors' workload, leading to a significant turnover of such professionals because of excessive workloads.<sup>168</sup>

125. When it comes to developments aimed at robust case building for cases of violence against women, GREVIO welcomes the introduction of the obligation for law-enforcement authorities to record on video interviews with victims who are particularly vulnerable, including victims of violence against women. Indeed, GREVIO considers that this new obligation allows all those in the criminal justice system, including prosecutors, to gain a more comprehensive account of the violence experienced by the victim, thereby increasing the chances of the case successfully proceeding through the criminal justice chain. Moreover, it reduces the burden on victims to give their statement repeatedly. At the same time, with a view to ensuring that criminal proceedings can continue even where the victim wants to withdraw her statement or does not wish to participate in criminal proceedings, GREVIO considers that more could be done to make use of immediate production of evidence, provided for under the Code of Criminal Procedure (*incidente probatorio*), which according to the authorities is currently used in less than 10% of cases of violence against women. More specifically, immediate production of evidence allows crucial evidence to be collected at an early stage of the proceedings, which can be used even if the victim withdraws her statement. It allows the victim to give her testimony once, during the preliminary investigation via an audio link or other measure of protection, in the presence of the judge, the prosecutor and the defence lawyer, thus enabling her to give evidence a few months after lodging the complaint, rather than years later, which is often the case due to the long duration of criminal proceedings. She will equally not be required to testify again during the trial on those facts.

126. As regards more specifically cases of domestic violence, GREVIO notes with concern the current use of "warnings" by law-enforcement authorities, an administrative measure issued in respect of individuals suspected of having committed certain offences under the scope of the convention, to deter them from engaging in harmful behaviour and preventing the escalation of violence.<sup>169</sup> Since the baseline evaluation report, this administrative measure has been further strengthened and its breach/the commission of another act of domestic violence, even if against a different victim, leads to *ex officio* prosecution and the application of aggravating circumstances. GREVIO notes that according to the authorities, the number of warnings issued in cases of domestic violence rose from 3 638 in 2022 to 8 740 in 2024. Although the authorities have informed GREVIO that the issue of a warning does not rule out the parallel initiation of an investigation, GREVIO shares the concerns expressed by civil society that warning is being used in many cases to replace the immediate opening of an investigation into domestic violence/ill-treatment. Concerns around the safety of the victim have also been raised, as this measure is not preceded by a risk assessment and is not accompanied by the application of protection measures, which may be warranted as the issuing of a warning may prompt more violence. Moreover, civil society has drawn GREVIO's

165. See the state report, p. 13. As regards first instance prosecutors, information provided by the authorities indicates that around 90% are trained on violence against women and domestic violence, while only 30% of prosecutors in prosecution offices at the level of the court of appeals have received such training.

166. See the Bicameral Parliamentary Commission of Inquiry on the Phenomenon of Femicide and Gender-based Violence Report on Gender-based Violence and Domestic Violence in the Judiciary, 23 June 2021, p. 7.

167. See the NGO written submission by the Italian Disability Forum in the context of the Committee of the Parties evaluation, 6 April 2023, p. 19. In this respect, GREVIO welcomes the guidelines ("orientamenti") on gender-based violence issued by the Attorney General's Office of the Court of Cassation in May 2023, recommending prosecutorial offices in cases of violence against women, to, *inter alia*, assign the same prosecutor at various stages of the criminal proceeding.

168. See Results of monitoring carried out by the Working Group on the application of the "Guidelines on organization and good practices for handling cases of gender-based and domestic violence", Superior Council of the Judiciary, 7 May 2025, p. 6.

169. Previously, under Law No. 38/2009 and Law No. 119/2013, warnings could be issued in cases of stalking, battery or grievous bodily harm occurring in a context of domestic violence. Under Law No. 168/2023, warnings can now be issued also in cases of private violence, aggravated threat, unlawful dissemination of sexually explicit images or trespassing, and damage.

attention to the fact that in case of violation of a warning, in practice, prompt prosecution is not ensured. The impact of warnings on victim safety as well as perpetrator accountability must therefore be urgently assessed.

127. Concerning investigations into other grave forms of violence against women such as FGM and forced marriage, women's rights organisations have drawn GREVIO's attention to cases of girls of migrant origin being taken out of school by their families to return to their country of origin for reasons that are potentially linked to forced marriage and FGM; however, investigations are rarely opened in these cases.

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 and take remedial measures;**
- b. **ensure, as far as possible, that only prosecutors trained and specialised in violence against women are assigned such cases at all stages of the criminal proceedings, while taking into account their workload;**
- 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.**

**c. Conviction rates**

129. On a general note, GREVIO welcomes the important work carried out by the MoJ Observatory and by the Superior Council of the Judiciary aimed at monitoring the organisation of courts and prosecution offices in dealing with cases related to violence against women and domestic violence and their improvement, ultimately with a view to stemming impunity.<sup>170</sup> Another promising development is the setting up in July 2025, within the Court of Cassation, of an ad hoc Working Group tasked with examining the issue of discriminatory language, including gender stereotypes contained in judicial decisions, which demonstrates an important engagement with the case-law of the European Court of Human Rights.<sup>171</sup> The working group on "language used in courts in cases of violence against women" that has been set up in the MoJ Observatory further reinforces these efforts. GREVIO particularly welcomes the on-going efforts to develop guidelines in this area for judges and other actors with a view to avoid the secondary victimization of victims. Furthermore, GREVIO notes with satisfaction the publication by the MoJ Observatory of a compendium of the jurisprudence of the Court of Cassation in the area of violence against women (covering both civil and criminal judgements). In this connection, GREVIO welcomes the multiple references made in the jurisprudence of the Court of Cassation to the gendered nature of violence against women and to the Istanbul Convention, thereby setting an authoritative and correct interpretation of the discriminatory nature of these forms of violence.

170. See, *inter alia*, Results of monitoring carried out by the Working Group on the application of the "Guidelines on organization and good practices for handling cases of gender-based and domestic violence", Superior Council of the Judiciary, 7 May 2025; See also the compendium of best practices available on the Ministry of Justice website: [https://ispettorato.giustizia.it/ig/it/raccolta\\_completa.page](https://ispettorato.giustizia.it/ig/it/raccolta_completa.page).

171. A working group on the language used in courts in cases of violence against women has also been set up in the MoJ Observatory and guidelines in this area for judges and other actors is being developed with a view to avoid the secondary victimisation of victims.

130. Despite these positive developments, the monitoring carried out by the above-mentioned bodies points to persisting difficulties in creating specialised sections on violence against women with the needed expertise in first instance courts as well as in courts of appeal and in ensuring that only trained judges hear such cases. This is due to the insufficient number of judges and the fact that the complexity of such cases is not taken into account when deciding on judges' workload, as well as the high number of such cases. Guidelines have been issued by the Superior Council of the Judiciary and by the MoJ Observatory to address these shortcomings, *inter alia*, calling for: the set up of specialised sections on violence against women and domestic violence in courts, or where this is not possible, ensuring that all judges are trained every two months on violence against women; the need to ensure that the complexity of such cases is taken into account when determining the case-load of the judges; and an adequate offer of training on gender stereotypes.

131. The collection of data on prosecutions and convictions for offences under the scope of the convention are of essence to see whether the above-mentioned positive developments are leading to a reduction of attrition rates. GREVIO therefore notes with regret, as is referred to earlier in this report that such data are not systematically collected by the authorities and are not publicly available. Nonetheless, the data that are available for some forms of violence against women show that many cases are dismissed, as was the case in the baseline evaluation report. For example, in 2020 there were 3 268 convictions for ill-treatment in the family, while the number of reported offences that same year was at 21 709. Similarly, there were 1 927 convictions for stalking and 16 774 reports to the police.<sup>172</sup> Indeed, sample data from certain tribunals show that for these crimes and for sexual violence, cases are dismissed in the first instance in 64% of cases. In light of the above, GREVIO notes with concern that there continues to be no examination of the reasons for such high numbers of dismissals at the level of courts. Data are equally unavailable in relation to the sanctions applied to perpetrators.

132. GREVIO's attention has also been drawn to the wider use, further to the recent reforms, of alternatives to detention for cases of violence against women, including for cases of rape. Moreover, GREVIO notes with concern judges' ability to issue suspended sentences for some offences under the scope of the convention, when the perpetrator has attended and successfully completed a perpetrator programme, as well as the ability to reduce the sanction in these cases.<sup>173</sup> In this respect, GREVIO points to the importance of holding perpetrators accountable for criminal acts and to the need to impose dissuasive sanctions, taking into account their seriousness as required by Article 45 of the Istanbul Convention. GREVIO equally recalls its observations in relation to the use of restorative justice in cases of violence against women.<sup>174</sup> As regards the duration of trials and the risk of crimes being time-barred, trials continue to be extremely long, for example up to seven years. Legal experts have in fact confirmed that while reforms have accelerated the investigations, the subsequent stages of the criminal proceedings continue to be extremely slow, with cases of trials for grave cases of violence against women regrettably continuing to be time-barred.<sup>175</sup> This is despite the fact that since the baseline evaluation report, the statutes of limitations for ill-treatment in the family and sexual violence have been increased with the aim of lessening such risks.<sup>176</sup>

133. Furthermore, legal experts have drawn GREVIO's attention to the fact that, despite on-going work of the Court of Cassation's and the MoJ Observatory in this field, victims of violence against women continue to experience secondary victimisation in judicial proceedings by the judiciary, court experts and lawyers as a result of persisting challenges to victims' credibility, gender stereotypes and prejudices as well as an underestimation of the gravity of the different forms of violence against women.<sup>177</sup> By way of example, as regards trials concerning ill-treatment in the family, as was the

172. See draft law no. 2530/2022, p. 50.

173. Notably in cases of domestic violence, sexual violence, stalking, the illicit dissemination of sexually explicit images or videos and some cases of homicide.

174. See Chapter III, Prohibition of alternative dispute resolution.

175. In the European Court of Human Rights case of *De Giorgi and M.S. v. Italy*, the proceedings against the perpetrators were terminated due to the expiration of the statute of limitation. See H46-23 *Talpis group v. Italy* (Application No. 41237/14), Supervision of the execution of the European Court's judgments, the 1531st meeting, 10-12 June 2025 (DH) p. 5.

176. For ill-treatment they range between eight years and eight months and 13 years.

177. As is shown in the judgment of the European Court in the case *J.L. v. Italy*, Application No. 5671/16 of 27 August 2021.

case in the baseline evaluation report, courts continue to apply a restrictive interpretation of what is to be considered a habitual crime,<sup>178</sup> often dismissing cases of ill-treatment in the family when the victim has not remained passive; when there have been different episodes of violence interspersed with periods of peace; or when such episodes have happened over a short period of time.<sup>179</sup>

134. With regard to trials for sexual violence and rape, GREVIO notes with satisfaction that the Supreme Court of Cassation has clearly aligned itself with the requirements of the Istanbul Convention, by applying in its decisions a consent-based understanding of this offence.<sup>180</sup> GREVIO regrets, however, that lower-instance courts often do not comply with such an interpretation, requiring the use of force<sup>181</sup> or reflecting stereotypes and prejudices that are not in line with the convention.<sup>182</sup> A legislative amendment aligning Italy's Criminal Code with the requirement of the Istanbul Convention to adopt a consent-based definition of sexual violence and rape, accompanied by a widespread public awareness campaign and debate on the nature of consent, would therefore be vitally important.

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.**

## **2. Risk assessment and risk management (Article 51)**

136. Many perpetrators of domestic violence, rape, stalking, sexual harassment, forced marriage and other forms of violence covered by the Istanbul Convention threaten their victims with serious violence, including death, and have subjected their victims to serious violence in the past, including non-fatal strangulation. The growing digital dimension to such violence further exacerbates women's and girls' sense of fear. Article 51 thus places concern for their safety at the heart of any intervention in such cases by requiring the establishment of a multi-agency network of professionals to protect high-risk victims without aggravating the harm experienced. It sets out the obligation to ensure that all relevant authorities, not just law-enforcement authorities, effectively assess and devise a plan to manage the safety risks a victim faces, on a case-by-case basis, according to standardised procedures and in co-operation with each other.

137. In its baseline evaluation report, GREVIO had observed the existence of non-binding guidelines on risk assessment appended to the National Action Plan on Men's Violence against Women in place at the time. A risk assessment was foreseen also under the 2017 National Guidelines for hospitals. At the same time, GREVIO had noted with regret that in many cases of domestic violence, risk assessments were not carried out in practice by law-enforcement authorities and/or the risk was apprised on the basis of their experience rather than through standardised tools in a co-ordinated manner with other stakeholders. It also noted that a dedicated risk-assessment tool did not exist for cases of FGM and forced marriage. Finally, GREVIO had

178. In Italy ill-treatment in the family is qualified as a "habitual crime", requiring therefore an abusive pattern of behaviour occurring over time, where each act is in itself a crime.

179. See in this connection the judgement of the court *Scuderoni v. Italy* (application no. 6045/24).

180. See, for example, Judgment No. 19559 of 10 May 2023, which states that sexual violence is committed where "there is absence of consent" and "lack of consent is presumed unless a clear expression of consent is given".

181. See the NGO submission by Italian women's NGOs in the context of the Committee of the Parties monitoring, p. 30.

182. For example, in one judgment, the court acquitted the perpetrator of sexual violence because the victim did not express her dissent immediately, with a reaction time of 20/30 seconds. See the article "Violenza sessuale e ricerca del dissenso della vittima: la difficoltà dei giudici di merito a recepire gli insegnamenti della Corte di cassazione", by Andrea Niccolò Pinna, 8 March 2022, available at [www.sistemapenale.it/it/scheda/tribunale-busto-arsizio-2022-violenza-sessuale-dissenso-vittima](http://www.sistemapenale.it/it/scheda/tribunale-busto-arsizio-2022-violenza-sessuale-dissenso-vittima).

observed that Italy lacked a domestic homicide review or domestic violence fatality review to examine cases of gender-related killings of women and the reasons underlying them.

138. In response, the fourth VAW NAP and the fifth VAW NAP and its Implementation Plan have set as an objective the strengthening of risk-assessment procedures in a co-ordinated manner between all relevant stakeholders, and some form of risk assessment seems to be carried out by emergency departments, anti-violence centres and, in many cases, by perpetrator programmes for cases of domestic violence, although it is unclear what risk-management measures are taken by law-enforcement agencies in response. As regards domestic violence fatality reviews, GREVIO welcomes the 2021 study of the Commission of Inquiry on Femicide and Gender-based Violence that retrospectively examined gender-related killings that occurred between 2017 and 2018 to identify recurring shortcomings in the response of law-enforcement authorities, prosecution services and courts.<sup>183</sup> GREVIO notes, however, that such an analysis does not extend to other equally relevant stakeholders.<sup>184</sup>

139. Despite the positive steps taken, other than in the area of domestic homicide review mechanisms, GREVIO regrets that the above-mentioned shortcomings have remained unchanged since the baseline evaluation report. As regards prosecutors and judges, monitoring carried out in 2023 by the Superior Judiciary Council indicates that measures to assess the victim's risk are carried out to a certain extent, but that very few use a standardised risk assessment tool.<sup>185</sup> With regards to law enforcement authorities, indeed, while in some cases risk assessments are carried out by law-enforcement authorities, this is not ensured consistently across the country, as is illustrated by the case law of the European Court of Human Rights, and is not carried out in a co-ordinated manner.<sup>186</sup> Moreover, as described earlier, GREVIO notes with concern that the police's manual on violence against women does not refer to the need to carry out a risk assessment using standardised tools. While this requirement is clearly stated in the manual issued for the Carabinieri, GREVIO notes that strangulation, including attempted strangulation, an important precursor to an escalation of violence, is not included in the listed red flags.<sup>187</sup> GREVIO further notes with concern that children's risks do not appear to be assessed in parallel with those of their mother's. With fewer opportunities available to subjugate their former partners after separation, many domestic abusers retaliate by abusing their children, leading, in some cases, to their murder. The importance of carrying out a risk assessment for all victims, including children, cannot therefore, be overemphasised.<sup>188</sup>

**140. Recalling the findings issued in GREVIO's baseline evaluation report, GREVIO urges the Italian authorities to take legislative and other measures to ensure that risk assessment and management are systematically carried out for victims of all forms of violence against women, using evidence-based risk-assessment tools by law-enforcement authorities and all other relevant stakeholders. To this end the Italian authorities should:**

183. See the Bicameral Commission of Inquiry on Femicide and Gender-based Violence Report on Gender-based Violence and Domestic Violence in the Judiciary, 23 June 2021. Moreover, the commission informed GREVIO that it had set up a working group to further look into cases of gender-related killings.

184. The Ministry of Interior also collects data on gender-related killings, notably on the number of such offences and whether a weapon was used, for example. It does not, however examine retrospectively individual cases to identify gaps in the institutional response.

185. See Results of monitoring carried out by the Working Group on the application of the "Guidelines on organization and good practices for handling cases of gender-based and domestic violence", Superior Council of the Judiciary, 7 May 2025, p. 10.

186. See for example *Landi v. Italy*, Application No. 10929/19, in which the Court found that the Italian authorities had not conducted an assessment of the risk of ill-treatment focused on the context of domestic violence and in particular the situation of the applicant and her children, an assessment that would have warranted concrete preventive measures to protect them from such a risk. See also *De Giorgi v. Italy*, Application No. 23735/19.

187. Non-fatal strangulation is a particularly dangerous form of domestic violence. It is known to greatly increase the risk of physical escalation and lethal violence and can cause long-term health consequences through brain injury, as well as extreme distress to victims, who commonly feel like they are about to die. Symptoms include blood-red eyes, petechiae (tiny red spots on the neck and face) and involuntary urination. See, for example, Douglas H. and Fitzgerald R. (2021), "Proving non-fatal strangulation in family violence cases: a case study on the criminalisation of family violence, *The International Journal of Evidence & Proof*, 25(4), 350-370, available at: <https://doi.org/10.1177/13657127211036175>.

188. See in this respect GREVIO's third-party intervention before the European Court of Human Rights in the case of *Kurt v. Austria*, 22 January 2020, p. 4. available at <https://rm.coe.int/grevio-inf-2020-3-third-party-intervention-kurt-v-austria/pdfa/16809987e9>.

- a. ensure that manuals and guidelines for law-enforcement authorities clearly refer to the need to systematically carry out a risk assessment using standardised tools that take into account lethality risks such as non-fatal strangulation in domestic violence settings and to the need to include children and their individual risks in the assessment;
- b. ensure that risk assessments lead to the drawing up of a safety plan for victims;
- c. further strengthen domestic violence fatality reviews so that any retrospective analysis encompasses the response by all relevant stakeholders that the victim came into contact with and ensure that such a review mechanism is made permanent and identifies systemic gaps in the protection system for victims of violence.

### 3. Emergency barring orders (Article 52)

141. Under Article 52 of the Istanbul Convention, in situations of immediate danger, the authorities are granted the power to issue an emergency barring order, ordering the perpetrator to leave the residence of the victim or person at risk for a specific period of time, and to prohibit the perpetrator from entering the residence or contacting the victim or person at risk. Emergency barring orders are tools intended to prevent a crime and to put safety first.<sup>189</sup> They should therefore be time-bound and incident-based, with the possibility of renewal in the case of continued danger. Longer-term protection should, however, be granted by a court by means of a protection order, upon application by the victim. An emergency barring order should in principle extend to children in need of protection and should have immediate effect.

142. Since the baseline evaluation report the legal framework governing the issue of emergency barring orders (EBOs) has been further refined, which GREVIO welcomes. Notably, under Article 384-bis, paragraph 2bis of the Code of Criminal Procedure as amended, the prosecutor can now ban with immediate effect a perpetrator from the family home and restrain him from approaching certain places if there is a risk of repeated severe violence putting at risk the life or physical or psychological integrity of the victim. This possibility is in addition to the EBO foreseen under Article 384-bis, paragraph 1, which was already available at the time of the baseline evaluation report. This measure can be issued by law-enforcement authorities only in cases where the perpetrator is caught *in flagrante delicto* committing a domestic violence offence, provided the same conditions described above are satisfied.<sup>190</sup> GREVIO notes with satisfaction that in both such cases the adoption and validation of the EBO is particularly quick. While its duration is for a maximum of 48 hours,<sup>191</sup> if validated by courts, it can be extended with a longer-term EBO.<sup>192</sup>

143. Nonetheless, when it comes to the application in practice of EBOs under Article 384-bis, GREVIO's attention was drawn to their sporadic use by law-enforcement authorities. While public data on the number of EBOs and breaches thereof are scarce and not publicly available, reports indicate that a maximum of 402 EBOs were issued per year between 2019 and 2021.<sup>193</sup> This figure pales in comparison to the number of reported offences for ill-treatment and stalking,<sup>194</sup> implying that the burden of leaving the home still rests with the victim and her children. Moreover, GREVIO was informed by NGOs that children are rarely included in the scope of protection of the EBOs and that victims might still find themselves obliged to facilitate contact between the perpetrator and the children.

144. Following reforms, the respect of EBOs must now be monitored, with the perpetrator's consent, through electronic devices, the technical feasibility of which must be assessed by

189. See GREVIO's baseline evaluation report on Denmark, paragraph 207, and on Malta, paragraph 218.

190. As well as of violation of a barring order, physical violence or stalking.

191. The prosecutor needs to request the validation of the measure by a court within 48 hours and the court needs to confirm or reject the measure within 48 hours.

192. Those under Article 282-bis of the Code of Criminal Procedure.

193. See the NGO written submission in the context of the Committee of the Parties evaluation, by D.i.Re – Donne in Rete Contro la Violenza, p. 26.

194. Notably, 21 709 reported offences of ill-treatment and 16 774 reports of stalking.

law-enforcement authorities. Should the perpetrator refuse the electronic device or the device be considered as technically unfeasible, more stringent protection measures are applied. This notwithstanding, the authorities have acknowledged that their numbers are insufficient. Moreover, civil society has drawn GREVIO's attention to the fact that they are often applied with delays and frequently malfunction, leading, in some cases, to lethal outcomes.<sup>195</sup>

**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 are issued in practice in cases of immediate danger in a context of domestic violence where 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 any breach;**
- c. **emergency barring orders are extended to children in need of protection.**

#### **4. Restraining or protection orders (Article 53)**

146. Restraining and protection orders are conceived to prolong the protection afforded to the victim and her children by emergency barring orders and may be considered complementary to the protection offered by emergency barring orders. Under Article 53 of the Istanbul Convention, victims of all forms of violence against women should be able to obtain a protection order available for immediate protection – without undue financial or administrative burden placed on the victim and irrespective of whether or not they choose to set in motion any other legal proceedings.

147. As was the case in the baseline evaluation report, in addition to protection orders available under the Code of Criminal Procedure, protection orders are also provided for under the Code of Civil Procedure.<sup>196</sup> As regards those available under Article 282-bis of the Code of Criminal Procedure, the judge can order the removal of the perpetrator from the family home and restrain him from approaching certain places for a duration of up to one year or the duration of criminal proceedings. While this provision does not refer to a deadline, Law No. 168/2023 provides that such a request must be made by the prosecutor within 30 days of the recording of the complaint and the preliminary judge must decide within a maximum of 20 days.<sup>197</sup> Protection orders available under the Code of Criminal Procedure are monitored, with the perpetrator's consent, through electronic devices, the technical feasibility of which must be assessed by law-enforcement authorities.

148. When it comes to protection orders available under the Code of Civil Procedure, these measures aim to protect the spouse or cohabitant from conduct that creates serious harm to the physical or psychological integrity of the victim, ordering the removal of the perpetrator from the family home and restraining him from approaching certain places. As was also the case in the baseline evaluation report, civil protection orders can also be issued on an *ex parte* basis, with immediate effect in cases of emergency, with confirmation or revocation of the measure within 15 days by the judge and a duration of the measure of up to one year (extendable for serious reasons). Moreover, these measures can be requested irrespective of other legal proceedings. From the perspective of substantive law, while many requirements of Article 53 of the convention are met, GREVIO regrets that civil protection orders continue to be unavailable for forms of violence against women other than domestic violence, a shortcoming that should be remedied.

149. As regards the availability in practice of civil protection orders, despite some exceptions in certain parts of the country, GREVIO's attention was drawn to the very limited issue of protection

195. At least two women were killed in 2024 by a perpetrator who had been fitted with an electronic bracelet that malfunctioned.

196. See Article 473-bis 69-71.

197. See Article 362-bis of the Code of Criminal Procedure.

orders by criminal courts as well as by civil courts, with a significant decrease in 2024.<sup>198</sup> Even more limited are those issued on an *ex parte* basis, with civil courts mainly using the ordinary procedure that leads to longer delays, which have regrettably increased in the last years.<sup>199</sup> GREVIO notes that this, in turn, leads to potential gaps in protection that may occur after an EBO has expired and before a protection order can be issued. Moreover, GREVIO was informed by NGOs that children are rarely included in the scope of protection of the protection orders and that victims might still find themselves obliged to facilitate contact between the perpetrator and the children.

150. GREVIO notes with satisfaction that since the baseline evaluation report, higher sanctions are foreseen for breach of protection orders issued by criminal or civil courts and that prosecution in these cases must now be ordered *ex officio*, in line with findings issued by GREVIO.<sup>200</sup> Nonetheless, GREVIO's attention was drawn to the fact that cases of violation of protection orders are often dismissed, with very few convictions being handed down.<sup>201</sup>

**151. Recalling the findings issued in GREVIO's baseline evaluation report, GREVIO strongly encourages the Italian authorities to ensure that civil protection orders are available to victims of all forms of violence against women regardless of any criminal or other proceedings; that no gap in the protection of the victim arises because of the expiry of an emergency barring order, by making available successive protection measures that can be applied immediately afterwards and are issued on an *ex parte* basis; and that children are included in the scope of protection of protection orders.**

## 5. Measures of protection (Article 56)

152. Article 56 of the Istanbul Convention is a key provision for building trust at the level of judicial proceedings for women and girls who have experienced or who are witness to any of the forms of violence covered by the convention. It sets forth a non-exhaustive list of procedures designed to protect victims of violence from intimidation, retaliation and secondary victimisation at all stages of proceedings, during investigations and at trial. The drafters intended this list to be indicative, and parties may adopt additional protection measures that are more favourable than those provided for in the convention. Moreover, intimidation and secondary victimisation can occur not only at the hands of perpetrators but also when investigations and judicial proceedings are not based on a gendered understanding of violence against women, which is why the practical application of measures of protection should be firmly anchored in such an understanding.

153. In its baseline evaluation report, GREVIO had observed that Italian legislation complied with most obligations foreseen under Article 56 of the convention. Notably, when law-enforcement authorities hear that victims are considered to be particularly vulnerable, the presence of a psychologist must be ensured, measures must be taken to avoid the presence of the perpetrator in the same premises and repeat questioning of the victim must be avoided. Moreover, different measures are available to avoid direct contact with the perpetrator when testifying, through a partition or a dedicated room, for example. GREVIO had noted, however, that the provision of information as regards the release of the perpetrator from detention or on the cessation of a precautionary measure was subject to an express request from the victim and did not concern all such measures or stages of the proceedings.

154. Since the baseline evaluation report, GREVIO welcomes the amendments to the Code of Criminal Procedure, further to which victims of certain offences such as domestic violence, stalking, sexual violence/rape must always be informed of the release of the perpetrator, the cessation of a precautionary measure and any measure that adversely affects the perpetrator's

198. Statistics show that out of 534 requests for protection orders registered in 2024, only 26 were granted. See *Talpis group v. Italy* (Application No. 41237/14), Supervision of the execution of the European Court's judgments, the 1531st meeting, 10-12 June 2025 (DH), p. 4.

199. Ibid. For example, in 2024 the average duration of such proceedings was 131 days, compared to 89 days in 2023.

200. Breach of EBOs and protection orders is now sanctioned with between six months and three years of imprisonment.

201. Information obtained during the evaluation visit.

personal freedom.<sup>202</sup> GREVIO underlines in this respect the importance of extending such measures of protection to all cases of violence against women. Moreover, GREVIO recalls the amendments introducing the obligation to record on video the hearing of the victim by law-enforcement authorities, as well as the increase in the number of dedicated rooms offering a comfortable and private setting in which victims can be heard. GREVIO considers the former a welcome measure to avoid repeat questioning and to support the prosecution of offences under the scope of the convention.

155. Nevertheless, as regards the obligation to ensure that contact between a victim and perpetrator within court premises is avoided where possible, while good practices exist, they are not consistently applied across the country. Indeed, more should be done to ensure that courts have separate waiting areas for victims and perpetrators.

156. **GREVIO encourages the Italian authorities to apply the various existing measures effectively to protect the rights, psychosocial health and interests of women victims of all forms of violence covered by the Istanbul Convention at all stages of investigations and judicial proceedings, in particular by ensuring across the country that courts have separate waiting areas for victims and perpetrators.**

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202. See Article 90-ter, paragraph 1-bis of the Code of Criminal Procedure.

## **Appendix I** **List of proposals and suggestions by GREVIO**

### **II. Changes in definitions, comprehensive and co-ordinated policies, funding and data collection in the areas of violence against women and domestic violence**

#### **A. Definitions (Article 3)**

1. 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. (paragraph 13)

#### **B. Comprehensive and co-ordinated policies (Article 7)**

2. 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. (paragraph 24)

#### **C. Financial resources (Article 8)**

3. 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. (paragraph 30)

4. 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. (paragraph 31)

#### **D. Data collection (Article 11)**

##### **3. Social services**

5. 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;
- b. take measures to ensure the effective implementation of data-collection obligations by law-enforcement agencies, prosecution services and the judiciary and the monitoring of the implementation of these obligations;
- c. harmonise the collection of data on all forms of violence against women between law-enforcement agencies, prosecution offices and the judiciary, with the aim of tracking the progress of cases from reporting to conviction, to identify attrition rates and the sanctions imposed;
- d. ensure the collection of data on the issue of emergency barring orders/protection orders per year, their breach and the sanctions imposed;
- e. take legislative or other measures to ensure that both public and private healthcare providers collect data on all contact made by victims of violence against women with all other healthcare providers in relation to all forms of violence against women, disaggregated as a minimum by sex, age, type of violence, geographical location and other factors deemed relevant. (paragraph 39)

### **III. Analysis of the implementation of selected provisions in priority areas in the fields of prevention, protection and prosecution**

#### **A. Prevention**

##### **1. General obligations (Article 12)**

6. 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. (paragraph 46)

## **2. Education (Article 14)**

7. Recalling the findings issued in the GREVIO baseline evaluation report, GREVIO urges the Italian authorities to ensure:

- a. the teaching of the topics under Article 14 of the Istanbul Convention, notably equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, the notion of freely given consent in sexual relations and the harmful effects of violent pornography, adapted to the evolving capacity of learners, by mainstreaming them in the education system and/or ensuring their effective teaching across the country in a dedicated, mandatory subject by teachers with appropriate training;
- b. monitor to what extent these subjects are taught in schools in practice;
- c. raise parents' and educators' awareness of the importance of education on these subjects to make children aware of all forms of violence against women and protect them from harm and, more generally, to prevent violence against women;
- d. review teaching curricula and materials with a view to removing negative stereotypes of women and girls and fostering equality. (paragraph 52)

## **3. Training of professionals (Article 15)**

8. 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. (paragraph 62)

9. 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. (paragraph 63)

#### **4. Preventive intervention and treatment programmes (Article 16)**

##### **b. Programmes for perpetrators of sexual violence**

10. 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. (paragraph 73)

##### **B. Protection and support**

###### **1. General obligations (Article 18)**

11. GREVIO encourages the Italian authorities to:

- a. take the necessary measures to ensure that multi-agency co-operation structures are established across the country ensuring co-ordination and co-operation among all governmental and non-governmental actors, including prosecution services and courts. These should be based on a gendered understanding of violence against women, aim to empower victims and be supported by protocols detailing the measures to be taken;
- b. ensure that access to specialist support services is not subject to the victim’s willingness to press charges against the perpetrator. (paragraph 79)

###### **2. General support services (Article 20)**

###### **a. Social services**

12. 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. (paragraph 85)

**b. Healthcare services**

13. GREVIO encourages the Italian authorities to:

- a. ensure adequate service provision, referral pathways and training of medical personnel on FGM with a view to ensuring adequate and holistic care for victims;
- b. ensure that general healthcare support services cater to the specific needs of women victims with disabilities. (paragraph 88)

**3. Specialist support services (Article 22)**

14. 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. (paragraph 97)

**4. Support for victims of sexual violence (Article 25)**

15. GREVIO encourages the Italian authorities to ensure that rape crisis and/or sexual violence centres offering medical care, forensic examination and immediate, short- and long-term trauma counselling delivered by trained professionals are available in sufficient numbers in the country in an adequate geographical distribution, in line with the standards of the Istanbul Convention. (paragraph 100)

**C. Substantive law**

**1. Custody, visitation rights and safety (Article 31)**

16. 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:

- a. systematically screen all pending cases on custody and visitation for instances of domestic violence, even where allegations have not been brought, requesting the disclosure of risk assessments and safety plans drawn up by all relevant bodies;
- b. ensure that incidents of domestic violence against women are a mandatory legal criterion to be systematically taken into account when deciding on custody and visitation rights;
- c. take all appropriate measures to ensure that all relevant professionals, including social workers, lawyers, judges, 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 uncooperative 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;
- f. provide safe premises where supervised visits can take place and take measures to safeguard both the child's and victim's safety, underpinned by a sufficient number of professionals trained in domestic violence, including post-separation abuse, to accompany the supervised visits. (paragraph 109)

## **2. Prohibition of mandatory alternative dispute resolution processes or sentencing (Article 48)**

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

- a. judges and other relevant 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 of the suitability of such an 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, before being referred to a restorative justice centre and after such referral (when the decision on the use of such process is made) 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;
- c. mediators working in restorative justice centres receive specialised, mandatory training on violence against women. (paragraph 117)

## **D. Investigation, prosecution, procedural law and protective measures**

### **1. General obligations (Article 49) and Immediate response, prevention and protection (Article 50)**

#### **a. Reporting to, immediate response and investigations by law-enforcement agencies**

18. GREVIO strongly encourages the Italian authorities to step up efforts to ensure prompt and appropriate responses from law-enforcement agencies in relation to all forms of violence against women covered by the Istanbul Convention. Furthermore, GREVIO encourages the Italian authorities to pursue their efforts to attain a gender-balanced workforce within law-enforcement agencies by increasing the number of female officers. (paragraph 122)

#### **b. Effective investigation and prosecution**

19. 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 and take remedial measures;
- b. ensure, as far as possible, that only prosecutors trained and specialised in violence against women are assigned such cases at all stages of the criminal proceedings, while taking into account their workload;

- 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. (paragraph 128)

**c. Conviction rates**

20. 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. (paragraph 135)

**2. Risk assessment and risk management (Article 51)**

21. Recalling the findings issued in GREVIO's baseline evaluation report, GREVIO urges the Italian authorities to take legislative and other measures to ensure that risk assessment and management are systematically carried out for victims of all forms of violence against women, using evidence-based risk-assessment tools by law-enforcement authorities and all other relevant stakeholders. To this end the Italian authorities should:

- a. ensure that manuals and guidelines for law-enforcement authorities clearly refer to the need to systematically carry out a risk assessment using standardised tools that take into account lethality risks such as non-fatal strangulation in domestic violence settings and to the need to include children and their individual risks in the assessment;
- b. ensure that risk assessments lead to the drawing up of a safety plan for victims;
- c. further strengthen domestic violence fatality reviews so that any retrospective analysis encompasses the response by all relevant stakeholders that the victim came into contact with and ensure that such a review mechanism is made permanent and identifies systemic gaps in the protection system for victims of violence. (paragraph 140)

**3. Emergency barring orders (Article 52)**

22. 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 are issued in practice in cases of immediate danger in a context of domestic violence where 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 any breach;
- c. emergency barring orders are extended to children in need of protection. (paragraph 145)

**4. Restraining or protection orders (Article 53)**

23. Recalling the findings issued in GREVIO's baseline evaluation report, GREVIO strongly encourages the Italian authorities to ensure that civil protection orders are available to victims of all forms of violence against women regardless of any criminal or other proceedings; that no gap in the

protection of the victim arises because of the expiry of an emergency barring order, by making available successive protection measures that can be applied immediately afterwards and are issued on an *ex parte* basis; and that children are included in the scope of protection of protection orders. (paragraph 151)

##### **5. Measures of protection (Article 56)**

24. GREVIO encourages the Italian authorities to apply the various existing measures effectively to protect the rights, psychosocial health and interests of women victims of all forms of violence covered by the Istanbul Convention at all stages of investigations and judicial proceedings, in particular by ensuring across the country that courts have separate waiting areas for victims and perpetrators. (paragraph 156)

## **Appendix II**

### **List of the national authorities, other public bodies, non-governmental organisations and civil society organisations with which GREVIO held consultations**

#### **National authorities**

Minister for the Family, Birth rate and Equal Opportunities  
Presidency of the Council of Ministers - Department of Equal Opportunities  
Ministry of Labour and Social Policies  
Ministry of Health  
The National Centre for Disease Prevention and Control  
Ministry of Education and Merit  
Ministry of Interior, including representatives of the National Police and the Central Directorate for Migration Policies, Asylum, Migration and Integration Fund Authority  
Ministry of Defense - Carabinieri  
Ministry of Justice, including representatives of the Permanent Monitoring Centre on the Effectiveness of Regulations on Gender and Domestic violence  
Court of Milan, including the President of the Court  
Ministry of Economy and Finance  
Minister of Disability  
Ministry of Labour and Social Policies

#### **Public bodies**

Representatives of the Prosecutors' Offices  
Superior Judicial Council  
Superior School of Magistrates  
National Council for Research (CNR)  
National Institute of Statistics (ISTAT)  
National Observatory on the Condition of People with Disabilities  
Representatives of the State-region conference  
Representatives National Association of Italian Municipalities (ANCI)  
National Council of Social Workers  
National Bar association  
Public Hospital San Camillo-Forlanini, Rome  
Italian National Institute of Health  
Parliamentary Committee of Inquiry on Femicide and Gender-based Violence  
Milan Bar Association and Lombardy Union of Bar Associations

#### **Regional/local authorities**

Regional authorities dealing and representatives of the regional network dealing with violence against women policies in Lombardy, including representatives from the:

- Directorate-General for Family, Social Solidarity, Disability, and Equal Opportunities
- Lombardy health protection agencies
- Center for Restorative Justice and Criminal Mediation

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Regional authorities and representatives of regional networks dealing with violence against women policies in Sicily, including representatives from the:

- National Association of Italian Municipalities, representative for Sicily
- Regional Councillor for Family, Social Policies, and Labor
- Department of Family and Social Policies
- Regional Department for Health Activities and Epidemiological Observatory
- Regional Department of Planning
- Regional Department of Labor, Employment, Guidance, Services, and Training Activities
- Regional Councilor for Equality
- Regional School Office for Sicily
- Public Prosecutor's Office
- National Police
- External Criminal Enforcement Office
- Prefecture of Palermo

### **Non-governmental organisations**

Actionaid - organisation dealing with social justice, combating inequality and combating violence against women

Anti-Violence National Network "Frida Kahlo" - Network of Women's rights organisations

Relive – Organisation offering perpetrator programmes

Italian Disability Forum

Italian Association for Women in Development – Women's rights organisation

Nosotras Onlus – Migrant women's rights organisation

D.i.Re – Network of Women's rights organisations

Centro di Ascolto Uomini Maltrattanti - Organisation offering perpetrator programmes

Fondazione Pangea – Women's rights organisation

Be Free Social Cooperative – Network of Women's rights organisations

Casa delle Donne Lucha y Siesta – Women's rights organisation

Italian Coordination of the European Women's Lobby

Associazione Differenza Donna - Women's rights organisation

CADMI - Women's rights organisation

Women's House of Milan - Women's rights organisation

Women of Benin City, Palermo – Anti-trafficking organisation

Thamaia Onlus - Women's rights organisation

Centro Penc – Organisation dealing with the rights of migrants

Association Donne Insieme Sandra Crescimanno - Women's rights organisation

Le Onde - Women's rights organisation

Association Millecolori - Women's rights organisation

Cedav - Women's rights organisation

Parsec social cooperative – Organisation promoting social inclusion

Evaluna - Women's rights organisation

Galatea onlus - Women's rights organisation

Quadrifoglio cooperative - Organisation promoting social inclusion and providing community services

Etnos cooperative – Domestic violence shelter/Organisation providing community services

Nuova Generazione cooperative - Organisation providing community services/ Organisation offering perpetrator programmes

Arcadia cooperative – Organisation providing employment inclusion services

Casa dei Giovani Community – Anti-trafficking organisation

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## Civil society organisations and other organisations

Conference of Deans of Universities  
Italian Centre for the Promotion of Mediation  
Francesca Garisto, lawyer  
Costanza Nardocci, University of Milano Bicocca  
Alice Ollino, University of Milano Bicocca  
Claudia Pedrotti, lawyer  
Nadia Piscitello, lawyer  
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**G**REVIO, the Group of Experts on Action against Violence against Women and Domestic Violence, is an independent human rights monitoring body mandated to monitor the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) by the parties.

Following the comprehensive stocktaking exercise set out in its baseline evaluation reports, GREVIO's first thematic evaluation round identifies progress made in building trust among women and girls by delivering support, protection and justice for any of the forms of violence against women covered by the Istanbul Convention. This report contains an analysis of developments in law and policy in respect of provisions of the convention relating to victim support and protection, criminal investigation and prosecution of acts of violence. It also covers developments in the determination of child custody and visitation rights in cases with a history of violence and wider preventive measures.

[www.coe.int/conventionviolence](http://www.coe.int/conventionviolence)

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