



## **UN.I.RE.**

### **UNiversità In REte contro la violenza di genere per l'applicazione della Convenzione di Istanbul** *Universities in Network against gender-based violence for the implementation of the Istanbul Convention*

*To the  
Monitoring Mechanism of the Istanbul Convention  
Council of Europe (CoE)  
Strasbourg*

### ***Comments and Recommendations on the responses provided by the Italian Authorities to the Committee***

UN.I.RE. is an academic network aimed at promoting and developing teaching and training activities, research projects, third mission initiatives, advocacy/awareness campaigns, and institutional and supranational collaboration for the prevention of gender-based, sexual and domestic violence. UN.I.RE. is composed of scholars and research centers focused on the application of the Istanbul Convention and it is actively engaging all Italian universities to become members of the consortium.

UN.I.RE. is part of the Council of Europe project OCEAN and, in 2019, it contributed with *Comments and Recommendations* to the first GREVIO's Report on Italy.

The following comments and recommendations refer to the Italian *Reporting form on the implementation of the recommendations addressed to state parties* to stress the necessity to develop additional programs and policies to tackle violence and gender-based discrimination.

With this respect, universities can play a pivotal role in cooperating with national and local institutions, agencies, anti-violence centers, NGOs, as well as with the media.

**Prevention** is one of the pillars of the Istanbul Convention and it has to be also culturally pursued.

Our document starts from the analysis of weaknesses and shortcomings as emerging from the *Reporting form*, if compared with the conditions of Italian society. Our notes intend thus to contribute to the application of the Istanbul Convention thanks to the enhancement of foreseen or to be planned policies and interventions aimed at preventing gender-based, domestic and sexual violence from the viewpoint of a collaborative education and university system.

The following sectors are taken into consideration:

- I. *Fundamental Rights, Equality, and Non-Discrimination (Article 4).*
- II. *Comprehensive and Co-ordinated Policies Implemented under the Responsibility of an Adequately Mandated and Resourced Co-ordinating Body (Articles 7 and 10).*
- III. *Financial Resources (Article 8).*
- IV. *Non-Governmental Organizations and Civil Society (Article 9).*
- V. *Data Collection and Research (Article 11).*
- VI. *Custody, Visitation Rights and Safety (Article 31).*
- VII. *Immediate Response, Prevention, and Protection (Article 50).*

In the end we support the idea that education and the university system already play and can play further a pivotal role for preventing gender discrimination as well as forms of physical and psychological abuse, starting from the earliest years of life.

University can offer a fundamental contribution to the planning of prevention programs related to teaching curricula, research, and third mission. It is also pivotal for the training of specialized professionals in the change of violent mentalities.

The struggle against any form of gender violence, discrimination and intolerance is a cultural matter.

#### **I. Fundamental Rights, Equality, and Non-Discrimination (Article 4)**

In the *Reporting form*, the Italian Government emphasizes the institution of a Ministry devoted to Disabilities, as a response to the intersectional dimension of violence against women. It is without any doubt a decisive improvement in respect to the past. However, the answer of the Italian Government regarding the protection of fundamental rights is limited to disability, health, and age.

These are certain factors that can aggravate or determine the condition of women as victims of violence. However, the goal of the Italian "National strategic plan on male violence against women 2021-2023" intend to contrast all forms of discrimination that hinder the pursuit of gender equality.

In addition to disability, health, age, there are other forms of discrimination that contribute to marginalizing vulnerable people as victims of gender-based violence. Women migrants and LGBTQIA+ people are in fact victims of diversified forms of violence and discrimination.

→ Migrant women and LGBTQIA+ people need thus stronger both anti-discriminatory and inclusive policies.

##### **I.1. Migrant Women**

The weakness of the Italian legal system does not only concern the protection of fundamental freedoms and human rights towards citizens but proportionally also those persons (migrants and asylum seekers), who settled in Italy for a more or less long period

and enjoy limited protection of rights. Improvements have been made if compared to the past. Yet there are still many areas that need to be improved, as we'll try to argue in the following notes.

The classification of "fragile groups" should include migrant women, girls, and their families, who are currently at the core of political and public debates because of the ways they are dealt with during the different stages of reception phases.

Women migrants have different statuses when reaching Italy: women who join their husbands, who have a work permit, who are victims of human/ sex trafficking, who are asylum-seekers, who come "illegally" crossing borders by land and sea and in some cases tortured and impregnated.

All these typologies of women migrants, although in different ways, are often subjected to sexual and domestic violence and forms of intolerance.

Specific attention should thus be addressed to migrant women considered both as a whole and a configuration of diversities that determine different interventions.

The lack of reference to the status of migrant women, in particular those belonging to ethnic and racial minorities, stresses the weakness of the legal response.

→ Further efforts are needed to ensure the full inclusion of migrant women (starting with the right to education for girls) to prevent any form of gender-based violence.

→ We encourage particularly the monitoring of forced marriages and further culturally based harmful practices, like female genital mutilation, which undermine human dignity.

These forms of discrimination and violence (female genital mutilation and forced marriage) continue to be largely underreported in the Italian legal system. The enforcement of existing law is far away to be enacted.

Law No. 7/2006 on Female Genital Mutilation requires to demonstrate that the harm caused to the girl was intentionally performed based on a cultural constraint rather than due to the decision to violate the (psycho)physical integrity of the victim.

This misleading legal construction is emblematic because it does not properly tackle this specific form of gender-based violence. Moreover, forced marriage was recognized as a crime only under Law No. 69 of 2019. Yet these cases - female genital mutilation and forced marriage - are insufficiently considered in the Italian legal system if compared to the increasing social consistency of the phenomena.

Recently a young Pakistani woman, Saman Abbas, was killed by members of her family in Novellara (Reggio Emilia) because she was opposing a forced marriage with a cousin in her country of origin.

→ To oppose the replication of such tragic events, we stress the necessity to strengthen prevention measures thanks to a multi-agency approach, engaging interested social services and schools, training teaching staff, linguistic and cultural mediators, in cooperation with associations and non-governmental organizations.

Therefore, due to the increasing of honor-based crimes and forced marriage, new legal responses become crucial to contrast all forms of culturally based violence perpetrated against women and girls, to apply Article 42 of the Istanbul Convention that states the unacceptability of justifications for crimes, "including crimes committed in the name of so-called 'honor'".

## I.2. LGBTQIA+ People

LGBTQIA+ people are identified as vulnerable groups because of different sexual orientation, non-binary gender identities, and transgender. Italy still lacks a proper law addressing the issue of discrimination and violence against LGBTQIA+ people.

In the explanatory documents of the Istanbul Convention, the Council of Europe has repeatedly stated that "applying the provisions of the Convention without discrimination on the grounds of gender identity means, for example, ensuring that the gender identity of transgender people does not prevent them from availing of support and protection when faced with a risk of domestic violence, sexual assault, rape or forced marriage. The same principle applies to women in same-sex couples so that all women, including lesbian, bisexual, or transgender women, can access shelters for victims of domestic violence and have the right to live a life free of violence. It can equally cover homosexual men who are victims of domestic violence".

→ Anti-discriminatory, inclusive, and gender diversity policies and actions for LGBTQIA+ people have to be activated by equality bodies, civil society, and companies at all national, regional and local levels to meet the objectives of the Convention strategy.

Many obstacles have to be still removed in the respect of European provisions.

Although Article 21 in the *Charter of Fundamental Rights of the European Union* refers to "Non-discrimination", a directive proposed in July 2008 by the European Commission and approved with amendments by the European Parliament in 2009 is still pending before the Council of the European Union. This proposal is aimed at preventing all forms of discrimination based on religion or belief, disability, and sexual orientation in different areas such as those concerning access to goods and services, education, care and social protection, and cultural and recreational activities. The proposal aims to protect individuals against any form of discrimination across the board and horizontally in all areas left uncovered by previous anti-discrimination directives, which relate more specifically to the labor market, ethnic origin, and equal treatment between men and women. Especially for governments with a restricted approach to diversity, a communitarian instrument of protection against intersectional discrimination could have positive effects on LGBTQIA+ people.

The failure of the Italian Parliament in approving in 2021 (XVIII legislature) the Draft Law on "Measures to prevent and combat discrimination and violence on grounds of sex, gender, sexual orientation, gender identity, and disability" has distanced Italy from the full compliance with Article 4 paragraph 3 of the Istanbul Convention, which expressly states that efforts against gender-based violence should be carried out without discrimination on grounds of sexual orientation and gender identity. However, on 5th October 2022, the Council of Ministers approved "The National LGBTQ Strategy 2022-2025 for the prevention of and the fight against discrimination on the grounds of sexual orientation and gender identity", promoted by the Department for Equal Opportunities - Presidency of the Council of Ministers and UNAR (National Anti-Discrimination Office). UN.I.RE. contributed to drafting this document for the part devoted to anti-discriminatory policies in the university system.

→ Besides the necessity to develop stronger *ad hoc* policies towards vulnerable groups, new comprehensive and holistic approaches are required in Italy to prevent gender-based violence.

### **I.3. Combating all Forms of Discrimination and Gender-Based Violence**

GREVIO recommended a stronger focus and integrated programs encompassing prevention and combating differentiated but often overlapping and intersectional forms of violence that meet women and girls both in the household and outside. Namely, the Convention refers to the struggle against sexual, physical, psychological, and economic violence as well as against coercion and arbitrary deprivation of liberty.

Italy should become more aware of the multifaceted dimension of violence against women and girls and hate speeches that are perpetuated nowadays also through new communication technologies and social media.

- The definition of violence against women has to include all those forms of violence performed on the web and recognized as a crime in the legal system.
- We believe that to address this multifaceted phenomenology of violence, a comprehensive national project aimed at raising a stronger socio-cultural awareness and developing advocacy strategies is necessary, starting from school.

### **I.4. Economic violence**

The Istanbul Convention mentions economic violence as a form of violence to be faced. More effective measures are needed to strengthen women's economic autonomy, which is an important driver for their empowerment as well as for the choice to end an abusive relationship. Some Italian regions have supported the project on "Income for freedom" (*Reddito di libertà*). It is an important measure but too poorly funded, so that very few women have benefited from it so far.

- Women who want to get out of an abusive relationship need more effective support, aimed at facilitating work integration/ reintegration, even at advanced ages, supporting the care of their children, financing programs of financial education and promoting professional training.

### **I.5. Catcalling**

According to the Italian penal code, catcalling is not included as a gender-based offense.

- It can be included as a form of harassment under Article 660 of the penal code, but a deeper debate is needed on the gendered nature of this behavior, which meant an offense against women's dignity.

### **I.6. Institutional Violence**

Despite an extensive legal framework, the Italian system hinders access to justice for women survivors of domestic and sexual violence. There are no mechanisms in place to evaluate the effectiveness of the legislation. The set of rules and mechanisms in force fail to address sexist and misogynic cultures affecting the condition of women in general. There are no interventions in place to address institutional violence. Four judgments of the European Court of Human Rights against Italy took place almost altogether in 2022.

The charges were all related to a lack of appropriate action or to the passive attitude attributed to the Italian Judiciary. Moreover, the sexist attitudes and actions of some professionals in the social services were described. These critical issues were highlighted in a survey conducted by the lawyers of the D.i.Re Association on the secondary

victimization of women in the courts and the non-recognition of domestic violence in civil and juvenile courts.

In addition, in a first report in June 2021, the “Parliamentary Commission of Inquiry into Femicide and All Forms of Gender-Based Violence” (established at the Senate of the Italian Republic during the XVIII Legislature) highlighted the invisibility of gender-based and domestic violence in civil courts. In another report published in May 2022, the Parliamentary Commission found that in 96% of separations involving GBV, courts did not consider violence relevant for child custody. This fact is reflected in the number of children who are formally fostered to social service, which is 55.2% of cases (175 cases out of 317). In 54% of the cases, juvenile courts allowed free contact with violent fathers. These critical issues were highlighted by GREVIO in its first baseline report on Italy. Moreover, even though also the Supreme Court of Cassation ruled clearly on the lack of scientific basis and credibility of court-appointed expert opinions and expand medical reports establishing a diagnosis of parental alienation syndrome, lower courts frequently refer to concepts related to PAS.

- We believe that recent cases show persistent shortcomings, so that institutional violence must be seriously faced at both structural and cultural levels by concerned ministries, courts, and the legal system in general also by developing training programs on secondary victimization for magistrates, law enforcement officers, lawyers, and professionals in the psychological and social professions.
- In this context, the role of University is pivotal in order to train students attending these academic curricula before entering the professional world.

### **I.7. Secondary Victimization**

Weaknesses of domestic implementation of the Istanbul Convention is proved by the case law of the European Court of Human Rights, which represents, for now, the only teary body with judicial powers to condemn the Contracting States for the violation of the fundamental rights and the infringement of ratified Conventions, like in the case of the Istanbul one.

In 2022, Italy was condemned three times for having violated the CoE Convention. See the cases of *De Giorgi v. Italy*, *M.S. v. Italy*, *I.M., and Others v. Italy*. The judgments followed the landmark case *Talpis v. Italy* of 2017 (see more recently the very similar case of *Landi v. Italy*, 2021), stressing ongoing criticisms by the Italian legal system, even after the coming into force of Law No. 69/2019. The importance of these four cases does not merely rely on the condemnation of the Italian State; it covers the additional features of gender-based violence, unraveled by the European Court of Human Rights. Following the notorious case on secondary victimization, *J.L. v. Italy*, which continues to be emblematic of the difficulties that survivors of violence have to access justice, 2022 cases disclosed an additional and dangerous consequence of violence against women, concerning the status of children witnessing episodes of domestic violence (see *I.M and others v. Italy*). In a nutshell, the case law of the European Court of Human Rights could be regarded as a tool to disclose some of the most evident criticisms of Law No. 69/ 2019 and its lacking application.

In *I.M. and Others v. Italy* of 10 November 2022, the Strasbourg Court, in affirming that the safety of the non-violent parent and the children must be a central element in assessing the best interests of the child in custody matters, stigmatized, enhancing the previous issues raised in the GREVIO Report of 2020, the widespread practice in civil courts of considering as 'uncooperative' parents and 'unfit mothers' women who invoke domestic violence as a

reason for refusing to attend their children's meetings with their ex-spouse and for opposing shared custody.

Secondary victimization has been also understood as a form of epistemic injustice, where women are not believed in what they are referring to or are subjected to very intrusive questions by the magistrate with inappropriate language, which augments women's post-traumatic stress.

- We believe that the Italian State is required to undertake proper actions to tackle issues that still surround victims' access to justice: secondary victimization; a sex consent law; an adequate recognition of all forms of violence against women, as mentioned above.

## **II. Comprehensive and Co-ordinated Policies Implemented under the Responsibility of an Adequately Mandated and Resourced Co-ordinating Body (Articles 7 and 10)**

### **II.1. Design of coordinated policies based on the multi-agency approach**

Over the years many efforts have been made by the Italian State to improve the coordination between different institutional entities that are involved in the support of women who survived domestic and sexual violence.

However, it is necessary to further address specific questions. A strong critical issue concerns the capacity for dialogue and understanding between the different institutional authorities and concerned services, for example, the relationship between the ordinary Court and the Juvenile Court, or between social services and anti-violence centers. These difficulties are largely due to a training deficit of the service operators and the lack of knowledge not so much of the legislation, but of its implementation tools.

- It is thus important to design policies that include all involved parties, institutions, and entities, aimed at protecting women victims of violence and their children and prosecuting abusers, sex offenders, and perpetrators thanks to specific measures and interventions.
- We believe that inter- and interprofessional training and refresher courses for operators should be provided at both regional and territorial levels thanks to the constitution of ramified and interactive networks. A special investment has to be foreseen thanks to European resources such as the NRRP funds for the strengthening, support, and monitoring of the territorial anti-violence networks.
- We think that a multi-agency approach has to be reinforced at all levels thanks to continuing collaboration between institutions, services, agencies, anti-violence centers, and the cooperation between professionals involved in the prevention and contrast to domestic violence, permitting women and children to live safely at their home more than in shelters.
- Universities could play a fundamental role in providing methodological tools, aimed at evaluating training programs and at assessing intervention impact.

### **II.2. Education and Training**

The Italian *Reporting form* does not stress adequately the fact that educational institutions should be the first arenas where fundamental rights, such as equality and non-discrimination, should be implemented. The educational system plays a key role in the prevention of violence. It is therefore of concern that in some regions local authorities have

suspended support for educational activities in schools against gender discrimination and related issues.

- Therefore, we invite the Government to implement long-term, coordinated, and comprehensive measures in educational institutions (schools, universities, research centers, etc.) to raise awareness and contribute to combating gender-based violence and any form of intolerance.
- We believe that monitoring and assessing policies should be always accompanied by prevention measures.

### **II.3. Monitoring and Evaluation Projects**

In the section devoted to the monitoring and evaluation of policies, the Italian Government does not mention the ViVa Project on “Monitoring, evaluation, and analysis of interventions to prevent and combat violence against women”, financed by the Department of Equal Opportunities and developed from 2017 to 2021 by the Institute for Research on Population and Social Policies at the National Research Council. This is a fundamental project for the application of the measures foreseen by the Istanbul Convention because it involves researchers, experts, professionals, and anti-violence centers.

- We believe that this project could be implemented with continuity in support of the new national programming on the phenomenon of violence against women.

### **II.4. The Role of Parliamentary Commissions of Inquiry**

The Italian Report does not mention the important documentation and the essential recommendations provided by two Commissions of Inquiry on the phenomenon of femicide and gender-based violence, established at the Senate in 2018 and 2022 in the 17<sup>th</sup> and 18<sup>th</sup> Legislatures. Thanks to surveys and audits, these Commissions have reported on many aspects of violence against women and come to conclusions.

However, the interest remains. The present Parliament (XIX Legislature) has voted for a bicameral Commission, which should soon come into force (Law No. 12 of 9 February 2023). The Commission, which will be composed of 18 senators and 18 deputies, intends to strengthen the power of previous commissions, although the results of previous investigation and recommendations have been not yet fulfilled.

Due to its enquiring authority, the new bicameral Commission carries out an investigative function with the same powers and limits that the judicial authority has. The risk is that the Commission can investigate the phenomena recurring to experts; however, it could act mainly as a judicial authority and not as a program actor aimed at changing unfair situations.

- We believe that a closer and more effective collaboration between the various stakeholders involved in anti-violence activities and the monitoring of their activities investigated by the Commission will be crucial.

### **II.5. Italy and the European Union**

The Italian *Reporting form* does not mention adequately the role of the European Union in contrasting the phenomenon under consideration. Although the EU has not yet completed the ratification process of the Istanbul Convention, it is developing strategies and actions on gender and the prevention of gender-based violence.



- We believe that Italy could play a pivotal role in developing stronger cooperation with national departments of EU member states dealing with violence against women and domestic violence, by consolidating a specific body devoted to the issue of concern.

### **III. Financial Resources (Article 8)**

The “National Strategic Plan on Male Violence against Women 2021-2023” identifies goals, actions, and resources to counter gender-based violence, allocating 30 million Euros per year for its implementation. It reflects a comprehensive strategy embracing all aspects of gender-based violence: prevention; protection of victims; prosecution of abusers/ sex offenders who commit violence; training and education of professionals; information and awareness; action on perpetrators; protection of migrant women and victims of multiple discrimination; labor, economic and housing autonomy; increasing anti-violence centers. However, among the main problems identified concerning the policies adopted, there is the lack of funding and the delay in the allocation. According to a recent report, only 2 % of the provided funds come to anti-violence centers. Extraordinary measures were adopted by the Government in 2020 due to the growth of requests for help, following the needs of women who suffered violence during the pandemic. However, resources allocated in 2020 for the ordinary functioning of the anti-violence centers and shelters took an average of 7 months to be transferred from the Equal Opportunities Department (DPO) to the Regions, which, in 2021, have provided only 2 % of the total funds, and only in two regions, Liguria and Umbria. In 2020, the DPO has allocated approximately 140 million Euros – i.e., 75% of the resources at disposal - to the Protection axis, while approximately 25.8 million Euros have been allocated for Prevention (14 %).

Besides these funds, neither the National Recovery and Resilience Plan (NRRP) nor the National Strategy for Gender Equality 2021-2026 foresee specific measures to combat and prevent violence against women. Funds come thus only from the 2021-2023 Anti-violence Strategic Plan.

- Therefore, we claim the necessity to avoid further delay in the allocation of funds at disposal because this institutional dysfunction is causing many problems in devoted centers with consequences over the life of women victims and their exit from violence.

### **IV. Non-Governmental Organizations and Civil Society (Article 9)**

The response provided by the Italian Government to the provisions mentioned in Article 9 of the Istanbul Convention is peremptorily affirmative. In this regard, it is fundamental to stress the risk of diminishing the action of anti-violence centers to mere service activities. Vice-versa it is fundamental to enhance the ethical-political principles (liberty, solidarity, equality) that have historically characterized the anti-violence and feminist movements.

For decades anti-violence centers have been the only possible hub where women victims could find care and a shelter due to the lack of State intervention.

Antiviolence centers are repositories of fundamental knowledge and practices to culturally contrast the different forms of violence, playing a determinant role in advocacy policies.

This knowledge has constituted a fertile ground for the constitution of a fruitful collaboration between anti-violence centers and the education/ university system and to reinforce a holistic and multidisciplinary approach in terms of professional training, third mission activities, and public engagement with civil society associations.

- We believe that the role of anti-violence centers continues to be relevant not only in terms of territorial services but as a matter of prevention and awareness-raising and as a basic contribution to the building of a culture of respect and gender equality, a question on which GREVIO had already raised criticism in the 2020 Report.

## **V. Data Collection and Research (Article 11)**

### **V.1. Data Collection and Collaboration by Italian Ministries**

Italian Government's response to Article 11 refers almost exclusively to the activity performed by the Ministry of Justice regarding the monitoring of Law 69/19. The initiatives promoted by the Department for Equal Opportunities during the Covid-19 pandemic are also mentioned, reporting the institution of the anti-violence number 1522 and the ISTAT data collection. However, we would like to remember the importance of the memorandum of understanding signed during the pandemic period between the Department of Equal Opportunities, the Ministry of the Interior, and the Ministry of Justice, which provided for a synergy of intervention to ensure protection from domestic violence and ill-treatment of women during the lockdown.

The Ministry of the Interior has set up a special page dedicated to the detection, analysis, and monitoring of crimes of violence and ill-treatment against women, which deserves to be continued and improved in the monitoring of violent phenomena, like revenge porn, (cyber) bullying, and catcalling.

- Ministries have to adopt a common methodology to collect and store data to avoid a possible risk to lose information.
- Although improvements are evident in individual ministries and departments, a stronger and more comprehensive collaboration between all ministries (justice, interior, education, university, economy, health, culture, youth, etc.) became necessary for the prevention of gender-based violence, in collaboration with research centers, territorial institutions, NGO's.

### **V.2. Collection and missing data**

The Italian *Reporting form* mentions Law No. 53/ 2022 about the collection of data. ISTAT – the Italian National Institute of Statistics – is the institute that officially gathers data. However, until a few years ago data on gender-based violence were sporadic and determined by the decision taken by the interested Minister. The approval of Law No. 53 of 5 May 2022 (“Provisions on statistics on gender-based violence”) is thus significant. This law establishes the duty of statutory agencies to collect gender-disaggregated data related to the gender of the victim and the perpetrator, their relationship, the different forms of violence and offenses covered by the Istanbul Convention, and information about the presence of child witnesses and victims. This makes easier the harmonization of data collection between law-enforcement agencies and the judiciary, to enable an analysis of the pathway of cases in the criminal justice system through the chain – law enforcement, prosecutors' offices, and the courts and of identifying gaps in the response of institutions which may contribute to low conviction rates and/or discrepancies between reporting rates and conviction rates.

- We believe that the application of Law No. 53/2022 is crucial under many, judiciary, social, economic, educational, and cultural aspects. Yet it is basic not only for the reinforcement

of collaboration between ministries but for the political development of *ad hoc* polls based on gathered information and social needs.

Still, there are missing data: data on civil proceedings lack. Statistical data on femicide in Italy are still scarce, uneven, and difficult to compare; there are no official data on harmful practices, in particular on forced marriages or on transgender women addiction. The problem is that various criteria have been adopted in selecting and classifying gender-based crimes, so that it is difficult to compare them, especially since different normative systems coexist.

No agreement has even been reached on the definition of femicide, and there is no definition of femicide in the Italian Criminal Code.

→ We believe that all missing data should be included in the ISTAT periodic surveys, employing a coherent and comprehensive methodology.

### **5.3. The Role of Universities in the Data Gathering Process**

University expertise has to be included in data collection. Recommendations by the GREVIO and EU Commission/ Parliament about the collection of data have been acknowledged in the academic system, as mentioned in the annual reports on Gender Budgeting and the Gender Equality Plan (GEP), with specific actions taken in this regard (observatories, anti-violence counters, trusted advisor, research centers, theses, teaching programs, etc.).

Much data have been thus collected in universities.

UN.I.RE. has carried out information on research activities, teaching courses, research, and third mission initiatives promoted by universities from 2016 to 2020.

This kind of survey can become a permanent activity to achieve the goals that the “National Strategic Plan 2021-2023” has set for both training actions and the evaluation of specific gender-based teaching competencies.

- We think that information gathered in universities can be integrated into national data collection to contribute to the prevention of gender-based violence.
- The collection of data and information in schools of different grades is also basic, monitoring the sexist language that still exists in textbooks and verifying compliance with the self-regulation code, signed in 1999 by the government and the Italian Publishers’ Association (POLITE Project).
- As stated in the Council of Europe Convention for the Protection of Individuals about Automatic Processing of Personal Data, the collection of data has to guarantee victims’ privacy and anonymity.

## **VI. Custody, Visitation Rights and Safety (Article 31)**

In the *Reporting form*, the Italian Government states that custody and visitation rights are based on the Istanbul Convention. However, recent cases show that children are not always safe during the so-called “protected visit” with violent fathers, who can abduct them.

- A more careful evaluation of the perpetrators’ violent actions and condition before meeting their children as well as a better training of professionals for the guarantee of the safety of women and children is needed.

- Moreover, efforts have to be made to implement national guidelines towards the assistance of child witnesses to avoid suffering and traumas with harmful effects in adult age.

## **VII. Immediate Response, Prevention, and Protection (Article 50)**

In the *Reporting form*, the Italian Government affirms that interested authorities are aimed at considering and identifying any failure of protection, but the text does not provide any further information or answer about the proceeding to do it.

To the request for additional measures contributing to the implementation of Article 50, the Italian Government explains that “Many Police Headquarters have taken steps to guide the admonished person toward re-education paths, through agreements with specialized centers for ‘taking charge’ of the admonished person.” This is the only mention done about the measures taken against stalkers/ abusers.

Yet there is no mention of the fact that, according to Law 69/2019, which introduced the so-called Red Code, violent men could have a reduction of the sanction if they follow treatment at centers devoted to abusive men to prevent recidivism.

However, apparently no information about the results of this process is required to apply the reductions of the sanctions.

- We believe that information about the result of the treatment of abusers in both legal and social terms has to be given.
- A wider perspective of gender-based violence should include the systematic treatment of perpetrators. However, this kind of treatment should be carried out following high-quality evidence regarding medium-long-term efficacy. The evaluation of the risk of recurrence of violence, following the treatment of perpetrators, has to be regularly practiced because not yet systematized. Criminological treatment of perpetrators should be implemented through a comprehensive, integrated, and multiagency method with the involvement of several institutional actors and professionals (i.e., political system, judicial system, social services, antiviolence centers etc.), monitoring any relationship with women and children.
- The risk assessment with victims and perpetrators, performed by trained professionals in interested centers and entities, has to become compulsory to avoid both recidivism and even feminicides.

## **General Considerations and Concluding Remarks**

### **1. Including Prevention in the Verification Process**

The *Reporting form* doesn't refer to prevention (education, training, and awareness-raising), as one of the fundamental issues to meet the Istanbul Convention.

- We believe that prevention should be included in the monitoring and verification process since prevention is one of the fundamental pillars of the Convention, on which any action aimed at combating gender-based violence has to be grounded.
- Within this frame, we invite European observers to monitor and assess not only the measures actuated by national governments but also the activities performed by institutional actors at the regional and local levels, such as by the educational, university, and media systems.

Prevention programs should be promoted, taking into account the increased diversity and complexity characterizing contemporary societies. Governments and public authorities are implementing a great number of initiatives to fight domestic and gender-based violence at all levels. However, there is still a lack of information about victims' pathway out of violence and abusers' treatment.

Moreover, an intergenerational collaboration is also needed. Young people should not only be more informed, trained, and aware of the risk, manifestation, and consequences of domestic and sexual violence, but proactive in contrasting the phenomenon. Practical information should be provided – especially in schools - to the greatest possible number of people, who have to learn how to be empathic to others (relatives, friends or schoolmates), who might be involved in situations of domestic violence, to inform them about remedies and assistance that are made available by the legal system, health care institutions, social assistance, antiviolence centers.

- Civic, solidaristic, and cooperation should build an extensive network of people committed to acting together to foster the prevention of violence and the protection of victims.
- The fight against violence has to be considered a collective task, from which no one may feel exempted: the Istanbul Convention – unlike most international agreements – cannot be fully implemented only by legal measures or means adopted by the public authorities because it needs the effective support of the civil society and individuals at all levels.

## **2. Prevention in Educational Institutions**

Education is a powerful tool for preventing discrimination as well as physical and psychological abuse, starting from the earliest years of life. A strong effort must be made in the training of young couples, parents, and teachers to capitalize on the powerful role that family and school have in the formation of gender identities and the respect for equal opportunities for men and women.

In the *Reporting form*, no reference is made to the university system, although it is clearly mentioned in several national plans, such as the "National strategic plan on male violence against women 2021-2023" and the "Report on language, school education, and university formation to prevent gender-based violence: a cultural question", issued by the Parliamentary Commission of Inquiry in 2022.

This is precisely the mission of UN.I.RE. that has co-organized a conference in Senate with the Parliamentary Commission of Inquiry and some interested ministers on this issue. [https://www.senato.it/application/xmanager/projects/leg18/file/repository/relazioni/libreria/novita/XVIII/Universit\\_genere.pdf](https://www.senato.it/application/xmanager/projects/leg18/file/repository/relazioni/libreria/novita/XVIII/Universit_genere.pdf)

The university system can offer a fundamental contribution to the planning and evaluation of prevention programs of teaching curricula, research, and third mission. A lot of academic initiatives aimed to prevent violence have been already undertaken thanks to the Single Guarantee Committees (CUGs). However, although compulsory according to the administrative law in force, the CUG does not operate in all universities with proper funding. Until now most initiatives have been carried out on voluntary bases, but not organized in a proper structure.

- Universities have the expertise to contribute to the prevention of gender-based violence, but the chronic lack of funding prevents the development of more fruitful initiatives.
- The university's contribution is fundamental for the respect of fundamental rights, prospecting of policies, development of research, training of future professionals, and public engagement with the association of civil society.

We do hope that our comments from the viewpoint of an academic network can be considered towards the developments of comprehensive initiatives and policies to prevent gender-based, sexual and domestic violence.

\*\*\*\*

The following academics have contributed to the draft of the UN.I.RE. Report:

- Marina Calloni (director), Daniela Belliti (coordinator), Giorgia Serughetti (University of Milano-Bicocca)
- Giovanna Vingelli (University of Calabria)
- Isabella Loiodice (University of Foggia)
- Marilisa D'Amico, Costanza Nardocci (University of Milan)
- Luca Milani, Chiara Ionio, Federica Facchin, Chiara Ferrari (Catholic University of the Sacred Heart of Milan)
- Alessandra Pietrobon (University of Padua)
- Michele Nicoletti, Giovanna Covi, Tiziana Faitini, Lisa Marchi (University of Trento)
- Patrizia Romito (University of Trieste)
- Alessandra Kustermann, Giusy Barbara (Fondazione Ca' Granda Ospedale Maggiore Policlinico di Milano)
- Francesca Brezzi, Mariella Nocenzi, Laura Moschini, Marisa Occhionero Ferrari, Elisabetta Strickland (Gender Interuniversity Observatory – University of Roma “La Sapienza” , University of Roma Tre, University of Roma “Tor Vergata”)

\*\*\*

For further information on UN.I.RE.:  
E-mail: [unire-academicnetwork@unimib.it](mailto:unire-academicnetwork@unimib.it)  
Website: <https://unire.unimib.it/>

Prof. Marina Calloni  
Dipartimento di Sociologia e Ricerca Sociale  
Università degli Studi di Milano-Bicocca  
Via Bicocca degli Arcimboldi 8 - 20126 Milan (Italy)