



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by the Women against Violence Europe – Wave, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[4 June 2012]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Violence against women, women's shelters and gender policies in Italy**

D.i.Re, donne in rete contro la violenza, along with Giuristi Democratici, Pangea ONLUS, part of the Italian Platform "30 years CEDAW: work in progress", draws the attention of the United Nations Human Rights Council to the alarming trend violations of women's rights in Italy, specially women's right to a life free of violence.

D.i.Re, Women's Network against Violence was founded in 2008 and it works at national level currently representing 60 women's shelters locally based.

D.i.Re's creation marks a very important achievement for the women's movement in Italy, as it is the result of a very long process and of more than 20 years of the women's shelters experience. Indeed an informal network existed since 1990. The women's shelters affiliated to D.i.Re do not only offer services, but work at a social-cultural level to raise awareness on and to prevent gender violence.

D.i.Re works synergistically at national, European and international level together with other networks of women's associations, among them the European Network WAVE – Women against Violence Europe, for which D.i.Re is the Italian focal point. D.i.Re is as well an executive board's member of the following prominent networks: the Global Network of Women's Shelter - GNWS and the European Women's Lobby.

### **Women's shelters**

Women's help requests addressed to shelters are increasing while the accommodation and welcoming capacities decrease due to the reduction of the funds for the victim's protection made available by the local authorities. Many women's shelters have already close and other are facing closure's risks.

Every year nearly 14.000 women turn to D.i.Re's women shelters and in most of the cases they are Italian women suffering from Italian male violence.

Not all shelters in Italy can offer accommodation to women victims of violence and their children. Among D.i.Re's shelters only 31 out of 60 have accommodation houses and only 19 are shelters run projects against forced prostitution.

Out of the 127 centers existing in Italy only 99 are managed by women's associations and only 61 have accommodation houses for a comprehensive capacity of 500 beds.

There isn't an equal distribution of shelters through out the national territory: some regions don't even have shelters and in most of the regions are very few.

The European Council recommends one women's shelter every 10.000 inhabitants and an emergency shelter every 50.000 inhabitants (Rec. Ue – Expert Meeting on violence against women- Finland 8-10 November 1999). In Italy there should be 5.700 beds and there are only 500. We are far away from the requested standards.

The requests of many women remain unanswered and many women risk their lives: every year in Italy more than 120 women are killed, from the beginning of 2012 61 were killed and the majority of the femicides are carried out by partners or former partners inside the victims' house.

### **Data**

Updated, regular and systematized data related to the different forms of gender violence is lacking. In particular, Italy is one of the few European countries where a regular analysis on

violence's social costs, on human suffering and economic loss that affects the social context, the health and judicial system is completely missing.

There is the need of precise quantitative and qualitative comparable data on all forms of violence against women and there is the need of indicators so that state actions and strategies can be elaborated and implemented with a complete knowledge of the facts.

We are missing data and a focused monitoring on the number of protection orders requested and issued to protect victims of gender violence, on complaints and outcomes of the trials, because the majority of the Italian attorney offices and tribunals uses different methods for the data collection without desegregating them by gender.

After ten years from the promulgation of Law 154/2001 on protection orders for cases of domestic violence, it is not possible to assess the efficiency of this law and to understand the reasons why in many tribunals it remained unimplemented while in other it has been quickly applied.

Law n. 54 of 2006 introduced the joint custody that is based on the principle of "bi-parenthood". But law does not foresee explicitly the exclusion of that kind of custody in case of abuses, sexual, physical and/or psychological violence.

Even witnessed violence is considered as one of the "underestimated" forms of abuse (Third monitoring report on the Convention of the Rights of the Child in Italy, 2006-2007. [www.gruppocrc.net](http://www.gruppocrc.net)).

Even the National Plan for Children of 2002-2004 (approved in 2003) confirmed the urgent need to activate forms of data collection to know the features and dimensions of the witnessed intra-familial violence phenomenon. Up today a detection system for children victims of abuse is lacking as well as a law able to rule or explicitly recognize witnessed violence.

No sufficient attention is paid to witnessed abuses, to the services offered, not even to the work carried out by those in contact with children: school, health and social personnel, police forces and magistracy.

## **National plan**

The first National Plan against Violence was approved the 11<sup>th</sup> of November of 2010 and D.i.Re contributed to achieve the government approval.

Women's shelters hoped that its involvement and consultancy could assure that some of its fundamental demands would be included within the plan. We were expecting national coordinated policies and strategies against violence, but up until now, after almost two years, the plan has remained a document of good will and no concrete actions were taken.

One of the core points that remained unaddressed is a cultural issue that concerns the subjects in charge of the Plan goal's implementation. The Plan identifies, together with women's shelters other "services of public and private assistance, of protection and reintegration of victims", and no women's shelter definition has been included.

As we know women's shelter are places defined by the fact that are ran by women, shelters are born with the specific aim to help women to get out from violence through individual paths, supported by specialized operators. It is a very specific activity that arises from the believe that violence against women is a cultural fact typical of patriarchal societies and that, as involves the dimension of the relation among sexes, it needs to be faced with a particular attention and a gender perspective.

For this reason, women's shelters all over the world do not coincide with any other model with welfarism features. The Plan's opening to other type of centers, which are not clearly identified demeans and disregards the peculiar and unique role of women's shelters.

The monitoring committee foreseen by the Plan has not yet been established. It is currently unknown the status of implementation of the Plan or if local authorities have been included for the programming, assessment and action activities. A permanent presence of all stakeholders involved by the Plan inside the Monitoring Committee, like CSOs, police forces, women's association, operators and other relevant professional figures, institutions, local authorities, would have been fundamental. Women's shelters have been excluded.

The gender violence approach should not be defined by the emergency of the phenomenon, which leads governments to deal with the issue of violence against women using security and public orders measures. Violence against women is not an emergency, but a structural element of our societies.

The European Directive of 2004/80/CE of 29 of April 2004 foreseen that States should indemnify the victims of all intentional crimes when culprits are not able to fulfill them. The Italian State is the only one that breaches this directive.

Italy has signed the Convention for the prevention and combating violence against women and domestic violence of the Council of Europe in Istanbul the 11<sup>th</sup> of May of 2011.

## **Demands**

We call upon Italian State to respect, fulfill and implement 2011 Concluding observations of the Committee on the Elimination of Discrimination against Women and Recommendations of the UN Special Rapporteur on violence against women, Ms. Rashida Manjoo.

We urge Italian State to quickly ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, in a timely manner.

We remind Italian State of its obligation to exercise its due diligence obligations with regard to violence against women, to prevent, investigate, prosecute, punish and compensate for violence against women as well as provide services for women survivors of VAW including shelters.

Based on its obligations with regard to violence against women, we urge the Italian Government:

- an adequate, regular and direct funding to women's shelters managed with a gender perspective;
- to ensure that all women victims of violence receive immediate protection and guarantees of been accommodated in secure and well financed shelters all over the national territory;
- to implement investigation and detection of all data related to women victims of violence, in coordination with the Ministry of Justice and Internal Affairs.
- to ensure a systematized training of all interested operators;
- to clearly introduce the intra-familiar witnessed violence as a cause of revocation or limitation of parental rights and the exclusion of the joint custody.