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Statement submitted by Donne in Rete contro la Violenza, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.



Statement

Donne in Rete contro la Violenza — ONLUS is a national network including 67 women's organizations managing Anti-violence Centres and women's shelters, located all over Italy. The Association lobbies against male violence against women, focusing on gender difference. It aims to promote national politics to trigger cultural changes to raise awareness on gender violence as a social phenomenon within Italian society, mainly through strengthening the role of women's shelters.

In Italy, gender based violence is still one of the main obstacles to women's full enjoyment of fundamental rights. Donne in Rete contro la Violenza — ONLUS has already expressed some of the following observations in the shadow report Beijing 2009-2014, that has been drawn up together with several human rights organizations, women associations, other Non-Governmental Organizations, trade unions and gender-specialised professionals (<http://www.direcontrolaviolenza.it/pubblicazioni/>).

Donne in Rete contro la Violenza — ONLUS addresses the following challenges:

To take integrated measures to prevent and eliminate violence against women: the first national Plan against violence, expired in November 2013, had an extraordinary nature, inconsistent with the structural essence of male violence. Shelters and anti-violence services are at risk of closure because of considerable budget cuts.

That National plan, lacking structural actions, was not applied nor monitored by the Government and did not foresee the direct involvement of civil society organizations expert in violence against women. Italy has ratified the Istanbul Convention (Law 77/2013), entered into force on 1 August 2014, without planning a comprehensive package of rules to meet the obligations deriving from the ratification.

Law n. 119/2013 (so-called Law on Femicide), envisaged the implementation of a national extraordinary plan against gender and sexual violence respectively. Such distinction is alarming and shows a lack of awareness of the common origin of all forms of violence against women. Law n. 119/2013 has introduced new provisions for preventing and fighting gender-based violence, yet neglecting a more structured approach, as suggested by the civil society organizations. Law n. 119/2013 is only the last and most recent emergency response to the problem, regarding the penal code as the privileged tool for the defence of victims, considered as weak subjects that need to be protected.

Many shelters are at risk of closure; in 2012 the State budget allocated for managing women's shelters and anti-violence services entailed a cut from €1 million to €600,000. On the other hand, the number of women supported by anti-violence centres has substantially increased: from 15,201 in 2012 to 16,517 in 2013, 70 per cent of which had children. The number of shelters is inadequate and their distribution on the territory is not uniform. Within this weak framework, combined negative factors are that: anti-violence services are sometimes entrusted to entities that possess neither an ascertained skilfulness nor the prerequisites required by international standards; the lack of acknowledgement of anti-violence operators' professional identity; the failed adoption of the international guidelines. Under Letta's Government, competent Ministries and civil society organizations

including Donne in Rete contro la Violenza — ONLUS, have set up a joint task force coordinated by the Department for Equal Opportunities on gender-motivated violence, whose mandate has not been renewed under Renzi's Government. The task force activity was occasional, poorly coherent and short of a well-defined political direction. Due to different views of its members, it has often been difficult to reach an agreement, particularly for the adoption of suitable measures to best tackle gender-motivated violence. A shared mechanism for elaborating and processing documents, according to the provisions of the Istanbul Convention (art. 7 and 9) was not implemented and the goal of planning a new Anti-violence Action Plan remained unattained. Despite two important Recommendations of the Council of Europe on children witnessing violence (1714/2010 and 1905/2010), this phenomenon is still underestimated. Italy lacks a system to detect children who are victims of ill-treatment and there are no rules that explicitly recognize and categorize violence related to minors in its witnessed form. Often, even in cases of intra-family violence, there happens that court houses impose family mediation and parental shared custody, which increases the risk for life and for psychological, emotional and cognitive development of children. Domestic violence is still being confused with conflict between partners and experts keep drawing on the controversial theory of the Parental Alienation Syndrome. This implies a double victimization: of the mother, who is the victim of direct violence; of the children, who witness that violence.

Italy has not yet implemented the European directives relating respectively to: the rights of victim of crime (D. 2012/29/EU) and, the European protection order (D.2011/99/EU).

To study the causes and consequences of violence against women and the effectiveness of preventive measures without proper data collection and analysis of factors for determining greater or minor incidence of violence against women in local areas it is impossible to prepare adequate prevention measures.

Studies on male violence against women are mainly performed by non-governmental organizations on a voluntary basis or within the framework of projects funded by international and European institutions. Moreover there is no provision regarding specific strands of public funding targeting researches on a topic, which is cross-cutting with respect to various areas of concerns. In 2012, thanks to the constant lobbying activity by civil society organizations, the Department of Equal Opportunities commissioned a second survey on male violence against women to the National Statistics Institute. The budget allocated for this survey — still ongoing — has been cut by one-third compared to that of 2006. Data collected by Donne in Rete contro la Violenza — ONLUS and other civil society organizations, show that the majority of cases of femicides have been preceded by reports to law enforcement by women, whose need of protection by public authorities has not been met. So far no sex and age disaggregated data respectively have been recorded with reference to particularly disadvantaged groups, such as Roma and Sinti women, older or detained women or women with disabilities.

There is no system in place for gathering and sharing data between actors who deal with women and children victims of violence on both a local and a national level, especially with respect to the access to health care facilities and emergency departments of public hospitals. Training programmes for medical and paramedical staff employed at the emergency departments are not appropriate and uniform

throughout the national territory. Therefore services quality is often linked to the individual performance and gender sensitivity of the provider. As a consequence, cultural stereotypes and the underestimation of violence seriousness cause omissions in medical reports to be used in legal proceeding and delays in performing diagnosis and starting appropriate treatments, such as emergency contraception and anti-infective prophylaxis, in alerting law enforcement agencies, women's shelters, social services.

To eliminate trafficking in women and assist victims of violence due to prostitution and trafficking: the national anti-trafficking system suffers the lack of a national anti-trafficking Plan and the financial uncertainties connected to it. Other key instruments on the national level, namely a co-ordinator, a rapporteur, a referral mechanism, guidelines on the identification of victims, are not available in Italy.

The Italian system of protection is still considered a positive example of a victim-centred approach, especially for the law provision of a residence permit on social protection grounds. However, various challenges remain to be tackled in order to meet the requirements of a human rights-based and gender-oriented approach. The Government has showed total disregard for this issue, failing to abide by all the terms previously established through the implementation decree on the above mentioned directive. A national anti-trafficking Plan that should fully implement the principles and measures of the European Union Directive 2011/36 is still missing. The Government should consider the funding needs of assistance programmes and adapt the respective resources, also providing long-term funding for civil society organisations running victim assistance projects. Efforts to proactively identify victims of trafficking in human beings amongst asylum seekers, irregular migrants and unaccompanied foreign children need to be significantly increased, to ensure that all victims of trafficking are identified as such and can benefit from the assistance and protection measures contained in Italian law and in the Council of Europe Convention on Action against Trafficking in Human Beings. Efforts should also be strengthened to ensure that victims of trafficking have effective access to compensation and are not punished for their involvement in unlawful activities.
