



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Concluding observations on the sixth periodic report  
of Italy\***

**Addendum**

**Information provided by Italy in follow-up to the  
concluding observations\*\***

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\* Adopted by the Committee at its forty-ninth session (11-29 July 2011).

\*\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document has not been formally edited.



**Index of Issues**

Under para. 60 of the relevant UN CEDAW Concluding Observations (CEDAW/C/ITA/CO/6), as issued on 2 August 2011, the Committee requested, as follows: “The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 23 and 27 above”

**Introduction****A. (Observation No. 23) “STEREOTYPES AND HARMFUL PRACTICES”**

The Committee calls upon the State party to: (a) Put in place a comprehensive, sustained and coordinated policy, targeted at men and women, and boys and girls, to overcome the portrayal of women as sexual objects and the stereotypes regarding their roles in society and in the family, in accordance with article 2 (f) of the Convention. Such a policy should include legal, administrative and awareness-raising measures, involve public officials and civil society and target the entire population; (b) Mainstream gender equality and eliminate patriarchal stereotypes in the education system; (c) Make gender equality issues and sensitivity training an integral, substantive and mandatory component of all teachers’ training, at all levels

**B. (Observation No. 27) “VIOLENCE AGAINST WOMEN”**

In accordance with its general recommendation No. 19 (1992) on violence against women and the views adopted by the Committee under the Optional Protocol procedures, the Committee urges the State party to: (a) Put emphasis on comprehensive measures to address violence against women in the family and in society, including through addressing the specific needs of women made vulnerable by particular circumstances, such as Roma and Sinti, migrant and older women and women with disabilities; (b) Ensure that female victims of violence have immediate protection, including expulsion of the perpetrator from the home, a guarantee that they can stay in secure and well-funded shelters, in all parts of the country, and that they have access to free legal aid, psychosocial counselling and adequate redress, including compensation; (c) Ensure that public officials, especially law enforcement officials and professionals in the judiciary, health care, social work and education are systematically and fully sensitized to all forms of violence against women and girls; (d) Enhance the system of appropriate data collection on all forms of violence against women, including domestic violence, protection measures, prosecutions and sentences imposed on perpetrators, and conduct appropriate surveys to assess the prevalence of violence experienced by women belonging to disadvantaged groups, such as Roma and Sinti, migrant and older women and women with disabilities; (e) Further pursue, in collaboration with a broad range of stakeholders, including women’s and other civil society organizations, awareness-raising campaigns through the media and public education programmes to make violence against women socially unacceptable, and disseminate information on available measures to prevent acts of violence against women among the general public; (f) Ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence, in a timely manner

## Statistical Annexes

### Introduction

#### General framework

1. Under the reporting exercise to international organisations, mention has to be made of our domestic constitutional framework.

2. The Italian Constitution of 1948 envisages the protection of all rights and fundamental freedoms as included in the relevant international standards, such as the European Convention on Human Rights and Fundamental Freedoms, the Human Rights Universal Declaration or the International Covenant on Civil and Political Rights. The Basic Law determines the political framework for action and organization of the State. The structural principles of the constitutional system governing the organization of the State are as follows: democracy (as laid down in Article 1); the so-called *personalistic* principle (as laid down in Article 2), which guarantees the full and effective respect for human rights; the pluralism principle, within the framework of the value of democracy (Arts. 2 and 5); the importance of labour, as a central value of the Italian community (Arts. 1 and 4); the principle of solidarity (Article 2); the principle of equality and non-discrimination (as laid down in Article 3). The latter is also the basic criterion applied in the judiciary system when bringing in a verdict; the principles of unity and territorial integrity (Article 5); and above all the principles of the welfare state and of the state based on the rule of law.

3. Italy recognizes and guarantees the inviolability of human rights — be it individual or referred to social groups expressing their personality — by ensuring the performance of the unalterable duty to political, economic, and social solidarity (Art. 2 of the Italian Constitution). The protection and promotion of rights — be it civil and political, economic, social and cultural, be it referred to freedom of expression or to the fight against racism or to the human rights of the child and of women — is one of the fundamental pillars of both domestic and foreign Italian policies.

4. In our view, the basic rule, if any, which should guide modern democracies in the protection of rights is the effective implementation of the principle of non-discrimination. The latter is indeed one of the main pillars of our Constitution, upon which the domestic legislative system is based when referring to different categories of people, such as women, minorities and other vulnerable groups: “All citizens have equal social status and are equal before the law, regardless of sex, race, language, religion, political opinions, and personal or social conditions. It is the duty of the republic to remove all economic and social obstacles that, by limiting the freedom and equality of citizens, prevent full individual development and the participation of all workers in the political, economic, and social organization of the country (Art. 3 of the Italian Constitution)”.

5. Within the constitutional framework, the Constitutional Court exercises its duty as one of the highest guardian of the Constitution in various ways. The constitutional jurisdiction is exercised by the Italian Constitutional Court, which plays a vital role throughout the life of our State. The Constitutional Court is outside the instances of the specialist courts and deals only with infringements of specific constitutional laws (from Art. 134 through Art. 137-Art. 127 of the Italian Constitution). This institution becomes active when it is called on.<sup>1</sup>

6. As of today, the observations of international organizations and mechanisms, primarily by UN CEDAW Committee, have been subject to an in-depth examination by the Italian Government.

7. Along these lines, by acknowledging that access to information is one of the basic components of international obligations, we emphasize that the Italian Government is used to keep NGOs, the Parliament, the relevant Authorities, and the public opinion at large informed about the state of implementation and translation of international human rights standards into the domestic system.

8. Within this framework, it is worth-recalling that since the discussion before the CEDAW Committee held in July 2011, relevant steps have been taken and a wide range of measures have been adopted, from ratification of both the Optional Protocol to International Convention Against Torture and the Istanbul Convention — in this regard the Italian MFA is specifically committed to sensitizing other Council of Europe Member States to do likewise — to the adoption of relevant National Action Plans in the following areas: National Action Plan (NAP) on Violence Against Women and Stalking (2010-2013) and National Action Plan on Women, Peace and Security (2010-2013), being both under current revision; National Action Plan on Children and the Youngsters (2011-2013); the first National Strategy on the Integration/Inclusion of Roma, Sinti and Caminanti Communities (2012-2020), in accordance with EC Communication No. 173/2011; the First National Strategy for the prevention and the fight against discrimination on the ground of sexual orientation and gender identity (2013-2015). It is also worthy of mention that the National Office Against Racial Discrimination (UNAR) will soon finalize the (second) NAP on the Fight against Racism (2013-2015).

### **Current political situation**

9. A new Legislature (XVII) was initiated on 30 January 2013. Following last national political elections held on 24-25 February 2013, President G. Napolitano — who formerly served as a lifetime senator, Minister of the Interior, and a Member of the European Parliament — was re-elected as Head of State, for a second term, on 22 April 2013. Furthermore Mr. E. Letta, a high representative from the Centre-Left wing party was sworn in as new Prime Minister, on 28 April 2013.

10. Given this recent development in the political framework, it is worthy of consideration that new guidelines have been developed and the relating programmes are being implemented. Many projects are under way, many more are about to be launched. It is then necessary to consider that while, in the long term, the overall effects will be visible, on the other hand, in the shorter one, we are now in a position to mention the principles and guidelines behind the new governmental policy.

11. Therefore, further to the submission, on 18 July 2011, of additional information in writing, and the swift translation in Italian (August 2011) of last CEDAW Committee Concluding Observations — formally shared with relevant CSOs in September 2011 — Italy is in a position to provide the following information:

## **A. Stereotypes and harmful practices**

12. The Italian approach to the prevention and the fight against violence against women is based upon an integrated strategy, including both repressive measures and coordinated policies and actions into the legislative, social, educational and information related fields, as implemented by relevant public Authorities and civil society. To this end, by Ministerial Decree dated 10 November 2010, the then Minister on Equal Opportunities approved, upon positive opinion by the Unified Conference, the “National Action Plan against gender-based violence and stalking”: For the first time, such a scourge has been tackled in

a structured manner, with the involvement of the main relevant stakeholders, operating at both the national and local levels.

13. While recalling our examination held on 14 July 2011, in New York, when additional and specific information was provided both orally and in writing, specifically by replying on March 2011 to relevant CEDAW List of Issues and by submitting additional information on 18 July 2011, we would like to recall the main features of such a Plan.

14. The above Plan was the result of an inclusive process involving all relevant private and public stakeholders. It envisages, inter alia, specific actions in the following fields: socio-cultural, health, economic, legislative, and judicial ones. This Plan of a three-year term results to be the main instrument to develop relevant coordinated actions at all levels, in order to ensure the prevention and repression of violence against women, inter alia, by developing rehabilitation and integration measures for victims.

15. More specifically, the aim of this Plan is six-fold: (a) Raising awareness in a broad, adequate and effective manner; (b) Ensuring and implementing a network of relevant anti-violence Centers and shelters; (c) Securing an adequate support for the victims nationwide; (d) Adequately training and equipping with the appropriate tools, all those social and health-care providers mandated to supporting victims and/or working in this area, with the ultimate goal of mainstreaming gender-based culture; (e) Envisaging a structured collection of data to better steer relevant policies; (f) Enhancing forms of assistance and support for women, victims of violence, and their children; (g) Broadly enhancing the level of protection by an effective collaboration with Police Forces.

16. In the biennium 2010-2011, 18.6 million Euros were allocated for the implementation of this Plan, and further 1.5 million Euros, for the year 2012. For the overall implementation, the above Plan distinguishes between State, regional and local actions. State actions refer to four specific areas: (a) Prevention, information and awareness-raising; (b) Anti-violence Centers, assistance, support, protection and rehabilitation services for the victims; (c) Training; (d) Data-collection system.

17. On a more specific note, the following relevant activities have been carried out: (As discussed on 14 July 2011) An ad hoc Agreement with ISTAT was signed in order to carry out a new national survey, entitled "Women's security (Sicurezza delle donne)". In a five year time since the first publication, we aim to release updated statistical data and information on physical and sexual violence, violence dynamics, consequences and risk factors, with specific attention to violence perpetrated by partners and with a specific focus on psychological, economic, physical and sexual violence, violence history; extension in the biennium 2012-2014, of the public utility toll-free number "1522" to support victims of violence and stalking; three public notices to support anti-violence Centers and shelters besides public and private aid services (18 million Euros). More in detail, by the first public Notice amounting to a 3 million Euros allocation, financial contributions have been supplied to 24 projects, submitted by various Municipalities, in order to establish and/or enhance local anti-violence centers. The second public Notice of a 10 million Euros allocation was intended for anti-violence Centers hosting women, victims of abuse and their children. The last public Notice of a 1.700,000 Euros allocation was intended for the following activities: (a) Training medical care providers who ensure first aid to victims of sexual and domestic violence; (b) Carrying out training activities within the ad hoc training project for State police that provide support and first aid to victims of gender-based violence; (c) An additional multi-disciplinary training course for 80 young lawyers residing in the southern Regions of Calabria, Campania, Apulia and Sicily; (d) A new Agreement with the Carabinieri Corps (of a three-year term started on 20 November 2012),

by which to collect, on a regular basis, all the formal statistical information relating to relevant crimes — so as to set up a statistical data system allowing the DPO (Equal Opportunities Department) a more accurate monitoring of the services provided for also by means of the above toll free number “1522”. Along these lines, it should be stressed that the monitoring exercise of the state of implementation of this Plan has been launched, too. On 27 November 2012, the first meeting of the ad hoc Monitoring Committee took place, involving all relevant stakeholders. On 30 January 2013, the MoU with the Ministry of Education was signed with the aim of renewing and extending the “National Week Against Violence and Discrimination”, taking place in October of each year.

18. As anticipated in July 2011, the DPO extended, for the biennium 2011-2013, a new form of collaboration with the Self-regulatory Publicity and Commercials Broadcast Institute (acronym in Italian, IAP) by which, in the solely 2012, more than 100 commercials contrary to the correct portrayal of women were promptly removed upon request of the DPO. By this form of collaboration, two MoUs have been signed: The former of a two-year term was signed in 2011 while the latter of a two-year term too was signed on 31 January 2013.

19. Mention has to be made also of the following awareness-raising campaigns on violence against women: 1522 — “Protect your freedom. Start re-writing your life”; financing short films, such as “Giulia has beaten Filippo” (broadcasted by the National Channel, RAI, on the occasion of the international day for the elimination of violence against women (25 November 2012), which was also broadcasted on the occasion of numerous seminars and training courses).

20. Organization of a National Audit of violence against women, held on 22 May 2013, during which the then Minister on Equal Opportunities met with relevant civil society representatives of a national and local relevance (CSOs).

21. Establishment of a high-level inter-ministerial Task Force on gender-based violence (from June 2013 onwards), aimed at coordinating governmental action for the prevention and repression of such a plague.

22. The drafting of relevant national guidelines for the use of structural funds at disposal of regions — European Social Funds), with the aim of better supporting anti-violence centers, also at the logistical level, and to guarantee the proper functioning of local networks also by means of adequate training for relevant local Institutions and care providers.

23. EU public Notice entitled Progress — to fight violence against women and children — The DPO participated in with a communication-related project for men and boys. The cost of this project will be of approximately 400,000 Euros. The result of such a Notice will be made available by the end of this summer.

24. Along the above lines, over the last years UNAR (National Office Against Racial Discrimination) has been enhancing its action aimed at raising awareness and training in the field of human rights. In this regard, mention has to be made of the following initiatives:

25. **“Sport week against gender-based violence”**

On 11 June 2013, the then Minister on Equal Opportunities, Sport and Youth Policies signed an MoU with CONI (Italian Olympic Committee) President, for the introduction of the above week, taking place in the course of the first week of October of each year. The

aim of this MoU is to spread knowledge at all sport levels, of human rights, specifically on the refusal of any form of physical, psychological and oral assault.

**26. “Action week against violence”**

The fourth annual week against violence took place last November. This was launched by the Ministry of Education and the Ministry on Equal Opportunities, on the basis of the cooperation initiated in July 2009. Through this week, financed by the DPO, the aim is to fight against all forms of discrimination by organizing awareness-raising campaigns, information and training courses on prevention of violence and fight against all forms of intolerance, especially those grounded on racial, religious and gender based intolerance, besides dealing with all forms and root-causes of violence, especially those grounded on sexual orientation and gender identity, and paying specific attention to bullying. All the activities scheduled in the relevant programs took place throughout the academic year 2012/13, by the DPO in tandem with all schools, nationwide.

27. During this week, all schools from primary through secondary are involved in several initiatives of sensitization, information and training for students, parents and teachers on prevention against and contrast to any form of violence and discrimination. Students can discuss with Police experts and agents in order to acquire a deeper knowledge of the legal instruments currently enforced in our Country.

28. On January 2013, a new MoU was signed by relevant Ministers to confirm the above engagements besides extending the scope to the fight against specific forms of discrimination, including bullying phenomena grounded on homophobia and transphobia.

**29. “National Strategy to protect LGBT people’s rights”**

As above reported, by UNAR’s action (the National Office Against Racial Discrimination), Italy agreed to participated in the CoE programme “to fight discrimination based on sexual orientation and gender identity”, in line with CoE Ministers Committee Recommendation CM/REC 5 (2010).

30. Our National Strategy was the result of an inclusive process, involving relevant NGOs, national, regional and local authorities, social partners and all other relevant stakeholders and was formally presented to CSOs on 14 February 2013. By this Strategy, the aim is to launch multi-disciplinary and integrated actions. With a more practical approach, four areas for action have been determined following a need-based assessment: formal and informal education, with a specific focus on the prevention and fight against homophobic and transphobic bullying; labour market — fight against discrimination affecting LGBT people, with a specific attention to transgender people; safety especially in the detention system, with regard to information and training activities, especially for State Police forces and penitentiary personnel; media and communication sector at large — to fight against stereotypes and prejudices when LGBT people’s life is portrayed.

31. Roma strategy. In accordance with EC Communication, No. 173/2011 (“EU Framework for National Roma Integration Strategies”), Italy transmitted the EU, its National Strategy for the Inclusion of Roma, Sinti and Caminanti Communities (2012-2020), on 28 February 2012. This Strategy will guide the effective integration/inclusion process of Roma, Sinti and Caminanti communities (acronym in Italian, RSC) in Italy, in the coming years. Such a Strategy was adopted with the aim of “definitively overcoming the emergency phase, which characterized the past years, especially when intervening in and working on this situation in large urban areas ([www.unar.it](http://www.unar.it))”. Furthermore, by this Strategy, it has been acknowledged that over the years, the consecutive rounds of measures aimed, inter alia, at the integration and the inclusion of the Roma, Sinti and Caminanti

communities have demonstrated the complexity of their situation. By this Strategy, the old conception, which associated these Communities with the solely connotation of “nomadism”, has been overcome. This term is out-dated both linguistically and culturally — since it does not portray correctly the current situation (When referring to Roma people living in Italy, we acknowledge the current variety of legal statuses: Italian citizens; citizens from other EU countries, Non-EU citizens; foreigners who were granted asylum or subsidiary protection; (de facto) stateless people, and those born in Italy from stateless parents).

32. To this end, it was established a political control room (Cabina di regia/tavolo politico inter-ministeriale), including the following Ministers: Minister for International Cooperation and Integration; Minister of Labour and Social Affairs; Minister of Interior; Minister on Health; Minister on Education; and the Minister of Justice.

33. Within this exercise, the then Minister for International Cooperation and Integration involved representatives of regional and local Authorities, including mayors of large urban areas, as well as representatives of the Roma, Sinti and Caminanti Communities living in Italy (As of today, 94 NGOs have been included in the list of those Associations which will be involved in the so-called regional tables, while the four main Romani Associations working at the national level have been already involved in the National Working Groups envisaged by this National Strategy).

34. In this context, it is worth-mentioning that the main “Axes” of intervention involve, to a different extent, many Authorities with a variety of roles, tasks and competencies: All of them must participate in this structured exercise, in a coordinated manner, in order to pursue the relevant objectives, as set out by the Government within the relevant “EU Framework”. Therefore the above control room will guide the integration/inclusion process over time, by periodically monitoring and assessing the state of play, including the results so achieved and the consistency of the national choices and projects with the EU recommendations. To this end, UNAR was designated in November 2011 as the National Focal Point (NFP).

35. At the substantial level, this Strategy was drafted in accordance with relevant international and regional standards (see pp. 3 et ff). In its first Part, this Strategy recalls all relevant international and regional standards and the recommendations thereto — from those by the High Commissioner’s addressing the European Commission in September 2011, to the various Concluding Observations by relevant Treaty Bodies, to mention a few. Plus, a gender perspective and a human rights-based approach were introduced in, besides a specific focus on human rights education-related activities.

36. Needless to say, all the elements emphasized in the first Part were also reflected in the last two pages of this Strategy, devoted to the “National Commitments”. Additionally, when designing the above Strategy and the follow-up measures, Italian Authorities took into full consideration the Council of State’s Judgment, No. 6050 of 16 November 2011, by which the decree of the Presidency of the Council of Ministers dated 21 May 2008 concerning “the state of emergency in relation to the settlements of the so-called “nomad communities” in the regions of Campania, Lombardy and Latium, respectively was declared void. The above decree also envisaged the appointment of delegates-Commissioners. Consequently, the Council of State also declared void those acts made in exercising the so-called civil protection emergency powers. In this regard, at the end of April 2013, the Supreme Court, gathered in Joint Sections, just confirmed the above Judgment.

37. At the chronological level, following the approval by the EC of the above Strategy, on 30 May 2012 — and in parallel with its own traditional mission — UNAR promptly launched a stock-taking exercise of its and other relevant past experiences besides concluding a certain number of initiatives relating to “housing”, cultural mediation services, school dropping-out, human rights education (HRE).

38. From June 2012, in parallel with its traditional relevant activities, UNAR started and/or supported the launch of most of the initiatives and projects contained in the Strategy under reference.

39. At the implementation level, by this Strategy a quite complex, though successful, form of governance was envisaged:

(a) The establishment of four Working Groups on: housing (to be promptly established by the newly-established Letta-led Government); education (started in mid-February 2013); labour (started on 1 February 2013); and health (started in mid-February 2013), respectively;

(b) The establishment of some additional Working Groups aimed at collecting relevant data, essential to adequately steer policy choices (launched in June 2012)<sup>2</sup> and at studying the heterogeneous legal status of those undocumented Roma people who arrived in Italy in particular in the aftermath of the Balkan conflict (mainly de facto stateless persons), with the purpose of recommending possible legislative paths to be undertaken under the new Legislature (XVII) – launched last January 2013;

(c) The constant monitoring of the EU and National funding, including monitoring the correct use and the consistency of resources, to make sure that the above objectives be achievable.

40. Additionally, to make sure that the National Strategy could be adequately translated at the local level, UNAR supported the establishment of the so-called National Table (WG) of the Italian Regions (5 December 2012). Within this framework, the State-Region Conference (Coordinator of this WG) requested all Italian Regions to appoint a representative for such a venue — usually the social policies commissioner (Assessore alle politiche sociali) — who will promote in his/her own respective Region, the establishment of single regional Tables (regional WGs) within which to draft and launch local Social Inclusion Plans, in line with the above National Strategy.

41. The Municipality of Milan adopted a Plan in early December 2012 and has recently requested some support from UNAR, to better define its relevant policies. Tuscany and Emilia-Romagna were the first Regions to show their willingness to work towards this end. Additional positive indications have been expressed by the following Regions: Marche, Campania, Sicily and Liguria (besides additional bilateral contacts and initiatives with all the other Regional Authorities and relevant Municipalities, especially those initially involved in the so-called “Nomad Emergency”).

42. With specific regard to relevant additional initiatives, including those directly run by UNAR, as a way of example, mention has to be made of the following measures: a) Relevant UNAR’s actions mainly fall within the so-called “Axis D — Action No. 6 (PON-GAS 2007-2013) and are aimed at promoting governance measures, and inclusion policies and means, as well as tools to fight discrimination against Roma, Sinti and Caminanti Communities — to which to add additional measures, being promptly launched under “Axis A” and “Axis B”. The objective of activities under Action No. 6 is to promote governance models and instruments to support Regions from legal, administrative and

management standpoints, in order to overcome local obstacles to the inclusion of RSC Communities. Among relevant activities, UNAR is: publishing through ad hoc projects, relevant documentation, such as the CoE Fact-sheets on Roma History; besides promoting cultural-linguistic mediation, communication models, a register of Roma and Sinti linguistic mediators; increasing cooperation between local Authorities, including regional education offices and prefectures, and RSC Communities, especially in the so-called Objective-Convergence Regions; developing networks, and awareness-raising campaigns. To these ends, UNAR is involving by public notice, research Institutes and other stakeholders.

43. As for those actions under Axis A and Axis B, respectively, they mainly refer to fight against social exclusion and unemployment, by facilitating social entrepreneurship, especially of RSC women, safety at workplace, and placement — especially in the so-called Objective-Convergence Regions. Within this framework, as for the information and communication sectors, mention has to be made of the Campaign called “Dosta!” (“Enough!”), as initially launched by the Council of Europe in Eastern European countries in order to remove prejudices and stereotypes towards RSC people. UNAR has been promoting it in thirty Italian cities. Events, projects and cultural initiatives and education, training and information campaigns took place in 2010 and 2011, including training courses for journalists, tool-kits for schools, commercials in the subways and on other public transportation services, such as buses. UNAR already formalized the extension throughout 2013. Similarly, from 2013 onwards, the NFP is committed to promoting, on the occasion of the Holocaust Memorial Day (27 January), a specific initiative of national relevance, with regard to the commemoration and the dissemination of information concerning “Porrajmos”. Finally, within the regular “Week of Actions Against Racism”, being promoted since 2005, in conjunction with the International Day for the Elimination of All Forms of Racial Discrimination (21 March of each year), UNAR also plans actions specifically directed to combat “*anti-gitanism*” phenomena.

44. Further, mention has to be made of three distinct interventions, of which the former two have been activated by the Ministry of the Interior and the Department for Equal Opportunities, under the 2007-2013 programme of NDP (PON) “Security” and “Governance”, while the latter will be soon launched by the Ministry of Justice — Department of Juvenile Justice, within the European Fund for the Integration of third country nationals, 2007-2013. Moreover, the Equal Opportunities Department (DPO) — entitled to manage Action 6 of Ob. 4.2 of PON ESF “Governance”, relying on the previous training experience of Roma and Sinti mediators within the project Romed of the Council of Europe — already formalized the start-up of a relevant pilot-project for the biennium 2012-2013, aimed at “The promotion of a network of RSC cultural-linguistic mediators”. With regard to the implementation of cultural mediation services, the General Directorate for the implementation of judicial orders at the Department of the Juvenile Justice submitted six projects, under the Social Fund for the Integration of Third Countries of the Ministry of the Interior (2007-2013), providing for the planning of interventions of cultural, social and linguistic mediators within the Juvenile Services in Venice, Rome, Florence, Palermo, Naples and Catania, to be effectively launched during the biennium 2012-2013.

45. Finally, UNAR signed an MoU with the National Forensic Council, to launch periodic training and refresher courses for lawyers, also covering the fight against discrimination, to be eventually extended to officials of the Department of Penitentiary Administration, involving the personnel from eighteen detention Centers and juvenile prisons where the presence of Roma detainees is prevailing.

46. Since 2011, the Ministry on Education (acronym in Italian, MIUR) has been developing a web page dedicated to Equal Opportunities in the school system (<http://www.noisiamopari.it/>). This website reports numerous experiences and good practices implemented in the schools also in cooperation with experts, associations and institutions operating at the regional and national levels. Didactical itineraries with teaching materials, projects and plans carried out in the schools of any and all grades and levels have been published.

47. By their daily precious educational commitment against stereotypes and prejudices, schools have thus activated concrete actions against all forms of discrimination and attacks on human dignity, including homophobia and violence against women. Starting on 17 May 2012, MIUR joined in the celebration of the International Day against Homophobia, proclaimed by the EU. In 2010, MIUR's Department for Equal Opportunities and several Parents' Associations stipulated an Agreement to implement joint initiatives aiming at the prevention and fight against violence and intolerance among the youth.

48. With specific regard to those initiatives launched by Ministry on Education, on 18 February 2013 an Agreement to fight against violence and discriminations was signed with the Ministry of Labour. This document has a two-fold aim: to teach future generations the respect for others, the refusal of any form of violence and discrimination as well as the civic value of social inclusion — in the belief that this activity is an unfailing investment for the future; (as above reported) to confirm and extend the "National Week against Violence and Discrimination", as established for the first time, in 2009.

49. Very best practices in terms of awareness-raising campaigns to fight against gender-based violence are also taking place, locally, as reported by the National Institute on Agrarian Economy (acronym in Italian, INEA). In this regard, mention may be made, as a way of example, of the initiative at Monti Dauni (Apulia), as financed by the above Region. Along these lines, mention has to be made also of the so-called gender-related agreements (See <http://www.regione.puglia.it/index.php?page=curp&opz=display&id=5909&keysh=patto%20di%20genere>. See also [http://www.meridaunia.it/jsps/382/Menu\\_sx\\_dinamico/575/PATTO\\_SOCIALE\\_DI\\_GENERE/578/](http://www.meridaunia.it/jsps/382/Menu_sx_dinamico/575/PATTO_SOCIALE_DI_GENERE/578/)).

## **B. Violence against women**

50. By Act No. 172/2012, Italy ratified the Lanzarote Convention. Among the main novelties, mention has to be made of the introduction of two new crimes in the penal code: incitement to pedophilia related crimes; and child grooming, respectively. For few crimes mainly related to family ill-treatment cases, more severe penalties have been introduced, too.

51. On 19 June 2013, the Bill to ratify the Istanbul Convention was finally approved. Along these lines, on 27 June 2013, a pattern of Law Decree was approved with the aim of reducing the rate of detainees and prisoners in the national detention circuit by which, inter alia, article 284 of the criminal proceeding code concerning house arrest has been amended: When the justice will decide the release of a house arrest measure in the event of family ill-treatment, stalking or sexual violence, it will have to assess, on a priority basis, the level and extent of security measures for the victim. Along these lines, the suspension of penalty benefit cannot be issued in the event of the committal of ill-treatment against family members and partners when relevant aggravating circumstances have been detected (See Art. 612-bis, para. 3; see also Art. 656, para. 9, of the criminal proceeding code).

52. All in all, by Act No. 38/2009, the Italian Legislator introduced the crime of stalking (See Art. 612-*bis* c.p.) which remains a matter of serious concern, nowadays.

53. The penalties against stalking are among the most severe ones if comparing them to ones inflicted for other crimes against moral liberty. For such crimes, both the arrest flagrante delicto and the application of detention-type precautionary measures is envisaged. Art. 1, para. 2, of Act No. 154/2001, as amended by Act No. 304/2003, introduces specific precautionary measures to repress domestic violence: at the criminal law level, mention has to be made of the expulsion measure from the household (Art. 282-*bis* c.p.p.); at the civil law level, it is worthy of mention the protection measure against abuse (Art. 342- *bis* c.c.). To such a pattern, mention has to be made also of the following measures: Art. 282-*ter* c.p.p. (Restraining order for the prohibition of approaching those places where the victim is used to go), Art. 282-*quater* c.p.p. (Obligation of communicate the above measures to the State Police, the victim herself and the health-care providers, for the possible subsequent measures — as introduced by Act No. 38/2009).

54. The above Act on Stalking also envisages various responsibilities among differing Authorities, to secure a more adequate protection response: (a) the admonition by the police commissioner (*Questore*); (b) the so-called measures for the victim in accordance with Arts. 11, 12, 13 of Law Decree No. 11/2009 (information by State Police, health-care Centers and relevant public Institutions about anti-violence Centers; (c) the establishment at the Presidency of Council of Ministers — DPO of the above-mentioned toll free number for victims of stalking; (d) the establishment of an ad hoc Anti-stalking Office at Carabinieri Corps; (e) the introduction of a solidarity Fund at the territorial level and of the so-called protection desks — a practice already existing in other States.

55. The Court of Cassation promptly stated that sporadic threats and harassment events causing a state of anxiety and forcing the victim to change his/her habits might fall per se, within the description of stalking (Cassation Court, Section V, 2.03-5.07.2010 n. 25527; 6410/2010; 21.01-17.02.2010 n. 6417).

56. In the course of the current Legislature, mention has to be made of the Bill No. 724 concerning “Provisions for the promotion of the female subjectivity and the fight against femicide” and Senate Act No. 764 concerning “*Introduction of the crime of femicide*”, respectively. Of specific relevance is the former Bill by which to contribute to the global response to the fight against gender-based violence. By this Bill, inter alia, we aim to introduce the definition of gender-based discrimination and violence intended as specific typified crimes.

57. Along these lines, following our discussion before the UN CEDAW Committee, the Human Rights Office at the Ministry of Justice swiftly realized the collection and translation from English of relevant documents and data, under the title “CEDAW Convention and other Documents” *available on the website of the Ministry of Justice*, at the following link: Strumenti » Pubblicazioni, studi, ricerche o al link [http://www.giustizia.it/giustizia/it/mg\\_1\\_12\\_1.wp?previousPage=mg\\_1\\_12&contentId=SPS722446-](http://www.giustizia.it/giustizia/it/mg_1_12_1.wp?previousPage=mg_1_12&contentId=SPS722446-), with the aim of enhancing the activities in the following fields: training, refresher courses, and awareness-raising campaigns, for judicial sector and law enforcement officers and operators. To ensure the broadest outreach, such documents, including the translation of the last CEDAW Concluding Observations, were published on-line, on the following ministerial websites: Ministry of Justice, Ministry on Equal Opportunities, Ministry of Foreign Affairs.

58. To enhance the relevant exercise of the penal action, the Italian Ministry of Justice launched in the biennium 2011-2013, the following activities: 1. The possibility of signing MoUs at the local level, with CSOs, to improve the exchange of information between magistrates, law enforcement officials, health-care providers and other relevant stakeholders when dealing with cases of gender-based violence; 2. The possibility of defining modalities to collect relevant quantitative and qualitative data on all forms of discrimination against women and girls, to better steer local and national actions; 3. Confidence-building measures in the judicial sector to adequately protect victims of violence especially when rendering testimony against offenders; 4. Training and awareness-raising initiatives at the local level, considering that the fight against impunity goes through positive measures, including police training, free legal aid, and effective protection for the victims and the witnesses.

59. In terms of best practices, mention has to be made of those initiatives launched in the biennium 2011-2012, by the Public Attorney's Office in Rome. This Public Attorney's Office was greatly committed to improving and enhancing its organizational system to ensure the most expeditious process. At the organizational level, it has been decided that all relevant complaints should be examined on a daily basis, by the magistrate coordinating the relevant Unit — so as to assign the specific follow-up to the competent attorney, on an urgent basis. The number of magistrates devoted to this issue has been increased significantly. Various periodical meetings took place to ensure a uniform exchange of information. A constant exchange of information with other Attorney's Offices as well as with the Juvenile and Civil Courts has been also ensured, besides developing an ad hoc collaboration with the National Bar Association based in Rome which concretely resulted in various seminars with the Family Committee.

60. The above engagement is reflected in the number and rate of precautionary measures issued against crimes' authors. The rate of precautionary measures' requests in the event of family ill-treatment (Art. 572 c.p.), sexual violence (Art. 609 bis c.p.) and stalking (Art. 612 bis c.p.) increased, between 2011-2012, of over 34.5 per cent. In 2013, the trend is increasing with 10 per cent more of the requests.

61. More importantly, within this framework the seriousness of the violence committed — almost exclusively, against women and children- should also be considered. Such factor entails a more frequent resort to precautionary detention measures, due to the dangerousness of the authors and the seriousness of the crimes.

62. The greater commitment to fighting against this plague is confirmed by the role played in particular by the Police forces and the increase in the number of arrests measures *flagrante delicto* — which also confirms the closer and closer synergy with the Public Attorney's Office. Between 2011-2012, the number of requests of relevant arrests of people caught in the act recorded an increase of approximately 40.3 per cent.

63. In terms of infrastructures, the Public Attorney's Office in Rome has been equipped with a "protected hearing room", to make listening easier and more comfortable while ensuring the best hearing modalities, especially in the interest of children. Plus, the work-shifting has been arranged in such a way to ensure experts for the listening of minors available 24/7, when urgent investigative needs so require.

64. Since the entry into force of the Legislation introducing the crime of "stalking", the Central Operational Service of Italian State Police has been carrying out a specific monitoring exercise to verify the effectiveness of the new preventive measure introduced by law: the above-mentioned admonition. This Service already realized various initiatives in order to study the phenomenon of "stalking".

65. As is known, the purpose of the above newly-introduced preventive measure is to provide a mean for halting the misconduct stemming from the crime of “acts of persecution” by allowing the victim to request the release of such a measure directly to the police commissioner. In order to do so, an assessment of the data included in the Law Enforcement Database has been fulfilled, to verify to what extent people affected from the order have persevered in the persecutory conduct, being reported for the offense under Article. 612 bis c.p.

66. Since 1 January 2011 until 30 April 2013, 2,629 measures have been issued. People affected by the admonition are mainly Italian citizens (about 74.5 per cent), of the male gender (85 per cent). The analysis also allowed to determine that about 26 per cent of the “admonished” have been reported for the crime of “stalking” afterwards. Therefore, in most cases the above measure proved to be effective.

67. On a more specific note, several initiatives have been undertaken in order to improve and enhance Police training. The relevant training has been dealt with in a specific interdepartmental cooperation agreement focused on the protection of the so-called “vulnerable categories”. This is the “Convention on training for law enforcement to uniform their approach to the victims of gender-based violence”, signed on 30 May 2011 by the Department for Equal Opportunities of the Presidency of the Council of Ministers and the Department of Public Security of the Ministry of the Interior.

68. In compliance with the aforementioned agreement, in October and November 2011, 5 seminars were organized on common subject areas (i.e. normative, psychological, sociological and techno-operational areas) and attended by **140 senior officers of the Italian State Police**, who in turn organized further refresher courses in their places of work.

69. Furthermore, according to this Convention, special training sections on gender-based violence have been included in the training courses in the **11 “Cadet Officers Police Schools”**, for **1,164 State Police cadet officers**. In the afore mentioned training courses, a seminar on “*Prevention and combating discrimination*” was also organized.

70. In December 2012 a training course for other **2,742 State Police cadet officers**<sup>1</sup> was initiated. Within this course a special training section on “Attention for victims of crime and gender-based violence” have been included too.

71. As far as the regular professional refresher courses are concerned, the issues of domestic violence, stalking and discriminating acts have been included: In 2011: “Stalking” and crimes against the so-called “vulnerable categories” (women, minors, the elderly); In 2012: Monitoring and tackling discriminatory acts against minority groups and OSCAD’s role (the Watch for Protection against Discrimination); In 2013: Violence against women and children — juridical, psychological and operational aspects.

72. On a more specific note, in April 2011, in the framework of the European Daphne Programme, the MuTAVi Project — Multimedia Tools Against Violence — was developed with a view to implementing the training courses for police officers who, in an early stage, interact and support the victims of domestic violence: the project was coordinated by the Central Directorate of Criminal Police of the Public Security Department in cooperation with the Psychology Faculty of “La Sapienza” University of Rome and the NGO “Istituto per il Mediterraneo”. This initiative has been undertaken in compliance with the Daphne II AViCri project and it is mainly aimed at offering

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<sup>1</sup> Funded with ordinary funds of the Ministry of the Interior.

contributions in terms of implementation of training multimedia tools enabling police personnel to become aware of the conditions affecting the victims, their personal and social needs, as well as to direct professionals to social or welfare services. On 7 May 2013, the final Symposium, entitled “Victims of crime: which kind of training is useful for police forces with a view to an international trend”, included the project final outcomes.

73. As to the follow-up training courses for police personnel working at the Special Units of the Squadre Mobili: In 2011, the 4th Course on “Traffic in human beings” was attended by the in-service Police Inspectors and Officers at the Special Units of the Squadre Mobili (rapid response team) (**for 49 police officers**). In 2012, the 8th Course on “Investigation Techniques” related to crimes against children and sexual crimes was held in Brescia, at the Pol. G.A.I. School (**for 23 police officers**).

74. The intranet State Police portal called “*doppiavola*” provides the police personnel with didactic material on stalking and gender-based violence for professional training purposes. In particular: (a) two risk assessment files concerning the victims of stalking are available online: *The THAIS — Threat assessment of intimate stalking* (intended for women who are victims of stalking; this tool aims at identifying the type of stalking referred to by the victim, gathering information and assessing the risk and the seriousness of the stalking acts. S.I.L.Vi.A. — Stalking Inventory List for Victims and Authors (that is a primary evaluation tool to verify the existence of a stalking behaviour and to identify the stalker’s profile; it provides the police officers with suggestions on the right approach to the victim); The Convention signed on 12 January 2011 by the Department for Equal Opportunities of the Presidency of the Council of Ministers and by the Ministry of the Interior, connected the “1522” call centre phone number to the Police services with regard to sexual and gender-based violence; The Memorandum of Understanding for preventing and fighting against sexual and gender-based violence, signed by the Ministry of the Interior and the Department for Equal Opportunities on 3 July 2009; The “Convention on training for law enforcement to uniform their approach to the victims of gender-based violence”, signed on 30 May 2011 by the Department for Equal Opportunities and the Ministry of the Interior — Department of Public Security.

75. As per its own tradition, **Carabinieri Corps** pays the utmost attention to the issue “*Violence against women*”. In this regard, this has kept organizing several activities relating to both initial training and refresher courses.

76. As a way of example, at the entry level, during the academic year 2012/13, approximately 2,600 military servicepersons owing to various ranks attended human rights law courses, including focus on issues such as analysis and impact assessment of the Police activities and the enjoyment of human rights, and the best way to support and provide assistance to victims of crimes. To this end, lectures by professors from “Sant’Anna Institute” in Pisa were organized, too. The students learn about various relevant issues, such as the use of force, victim-oriented approach, and so forth.

77. With regard to refresher courses, mention has to be made of the following activities: *Prevention and Investigation of Sexual and Gender Related Violence Course* (two courses, two-weeks long each, at CoESPU (Center of Excellence for the Stability Police Units) in Vicenza, in 2011), for 60 units at the following ranks: Lieutenant/Lieut. Col./Major and equivalent personnel from the civil sector, to be deployed in Peace Missions. They focused on the following activities:

- Effects/consequences/implications of sexual related crimes;

- The best modalities to manage differences at all grounds, be it cultural, political, religious, ethnic and others when deployed in relevant theatres;
- The development of integrated procedures in order to deal with sexual related crimes;
- The best way to conduct relevant investigations, including assistance to the victims, when deployed in a multinational mission.

*A five-day course on “Training and awareness of counter-trafficking for peacekeepers”* (OIM-TACTIK project, financed by the US State Department and carried out in partnership with OIM) at CoESPU, for 28 Trainers-officers from the Training Units or to be otherwise deployed. During this course, personnel from the NATO School Commandant, lectured on the UN Peace-keepers Code of Conduct.

At the domestic level, with the aim of adequately training personnel to be deployed across the country, specific seminars on stalking for approx. 5700 units, especially those on service at the territorial Carabinieri stations, took place.

78. Furthermore, as for the Carabinieri personnel, mention has to be made of the following activities:

*Training of Trainers workshops: Anti-discrimination & diversity and the other fundamental rights related topics in Police training*, as organized by FRA and the European Police Academy (CEPOL) in Bramshill (UK), with a specific focus on gender related issues, including a gender perspective. Trainers were also provided for by ODIHR.

79. Following an MoU with the DPO, Carabinieri Corps established a specific anti-stalking Unit at RACIS, with the aim of carrying out research and ad hoc studies.

80. In 2012, ad hoc two-day long courses focusing on legal, psychological, sociological and operational aspects were arranged for approximately 1650 units operating at the territorial level (i.e. N.O.R.M.), nationwide.

81. Specific seminars were also organized by UNAR and OSCAD in the years 2012-2013, at the ad hoc Carabinieri school for approx. 150 Carabinieri Officers cadets (For additional information, please refer to the relevant section contained in the National Action Plan on Women, Peace and Security, to be retrieved on: [www.cidu.it](http://www.cidu.it)).

82. Besides recalling the above information under section A, it is worthy of mention data from DPO-1522 — toll free number. On the DPO website ([www.pariopportunita.gov.it](http://www.pariopportunita.gov.it)), it is possible to retrieve relevant data from the year 2006 onwards. Between January-March 2013, the above toll free number 1522 received 13,839 in-bound calls, of whom 7,492 were women and 2,089 were men. 17.9 per cent of the in-bound calls were from victims of violence, 4.5 per cent were reports of alleged cases of violence, and 3.5 per cent calls were from victims of stalking. In 90.6 per cent of the cases, the author was a man; in 40.82 per cent of these cases the author was the victim’s husband. Among the victims contacting this service, 66.49 per cent declared to have children, while 37.05 per cent declared that their children were witnesses of the violence episodes.

83. The Health Ministry is involved at various levels, in the Anti-violence and Anti-Stalking Plan, especially in the Training and Data collection area. In this regard, it has been envisaged a specific MoU with the DPO, to adequately train first aid personnel, including physicians. With specific regard to data collection, in the Emergency rooms it is applied a specific code, indicating that when an ill-treatment case has been detected, it has to be reported on the relevant medical report.

84. On its own, the Health Ministry, in accordance with the above Plan, is carrying out an analysis on the best way to intervene and the number of stakeholders to be involved in the above exercises. To this end, the above Ministry intends to involve those Hospitals that, on an experimental basis, have already developed specific reception patterns, especially at their emergency rooms (i.e. Mangiagalli Hospital, in Milan; S. Anna Hospital in Turin; and S. Camillo Hospital, in Rome). By these experiences, it will be made possible to understand pros, cons, gaps to be closed, and proposals to be shared with all Regions and the Central Authorities.

85. Furthermore, the Health Ministry has launched various projects, in line with relevant national programming indications, to facilitate training and orientation paths, aimed at improving the access to health-care services, especially for immigrants. Within the CCM project, entitled “Promotion of the access to health-care for immigrants in Italy”, in 2008 it has been elaborated a set of relevant indicators, while an ad hoc WG was set up, at the interregional level, within the Inter-regional Health Coordination of the State-Region Conference for promoting exchange of views, information and best practices. The interregional WG, entitled “Immigrants and health-care services” has been elaborating a document, entitled “Indications on the correct use of the health-care legislation for the health-care assistance to immigrants by Regions and Autonomous Provinces”. The aim of this document is to devise equal care to the entire population, besides facilitating the work by health-care providers — by raising awareness of existing relevant national and regional legislation for a uniform implementation. Main issues dealt with are as follows: compulsory registration to the National Health-care service for those foreigners, including irregular ones, under the age of 18 who enjoy the right of free access to health-care in accordance with Art. 32 of the Italian Constitution.

86. In 2010, the joint project of the Health Ministry and AGENAS was launched under the title “Health of immigrant population: the monitoring of the regional health systems”, later concluded in March 2013, with the aim of defining the needs of the immigrant population in Italy — so as to build inter alia a national monitoring system of real needs, on the basis of the final report, entitled “The Health of the immigrant population — methodological analysis”. By this project, the aim is to introduce ad hoc training courses and facilitate exchange of information between various European countries and better cooperation with EU Institutions.

87. Another relevant project recently concluded by the Ministry of Health and Candelaria Donne Immigrate Onlus refers to the “Health and security of the newborn: a guide for immigrant families” by which it was arranged the publication and broadest dissemination of a pamphlet on child-maternity health care, entitled “girls and boys: children of the world”. It was made in 10 different languages, to reflect the languages spoken by the largest immigrant communities living in Italy.

88. As orally reported in July 2011 before the CEDAW Committee, the Health Ministry launched in 2010, a specific project to support the VIP’s requests by immigrant women — which was later concluded in 2012. This project, coordinated by Tuscany Region, involved ten more Regions, with the aim of: organizing training of trainers; adequately organizing relevant services to provide support for immigrant women; protecting sexual and reproductive health care of immigrant women; involving immigrant women communities; and raising general awareness. Another relevant CCM project refers to “Guide-lines on trans-cultural intervention and child-maternal health-care”. The aim of this project is two-fold: exchanging best practices; and launching targeted projects to develop integrated approaches for health-care departments, operating at the local level.

89. Within the same framework, mentioned has to be made of the National Table on Health in the context of the above-mentioned Roma Strategy that intends to submit differing proposals to match the real needs in particular of Roma women, children and the elderly.

90. Needless to say, in the area of the assistance to victims of violence, much remains to be done, especially to improve the relevant services at emergency rooms. Also the hospital personnel could benefit from information desks to learn how to better deal with a ill-treatment or domestic violence.

91. Another form of violence which warrants specific attention refers to FGM. Such a plague affects many immigrant women who have been arriving in Italy over the last years. In accordance with Art. 4 of Act No. 7/2006, health-care personnel must be trained in light of relevant Guidelines (as issued by Ministerial Decree dated 17.12.2007, on the Official Bulletin — G.U. dated 25.3.2008). Such a training involves all relevant care providers working with communities of those immigrants from countries where such a practice contrary to Art. 583-bis takes place. Since 2005, it has been authorized the allocation of resources for a total amount of 2.5 million Euros, per year.

92. The above Act also envisages the implementation of the following activities: Promotion and coordination activities (Art. 2) to be carried out by the Presidency of Council of Ministers-Department for Equal Opportunities; Raising-awareness campaigns (Art. 3), training and information for those pregnant women who have been victim of FGM; ad hoc training for teachers and care providers working in social/communities centres; monitoring of relevant cases. In this regard, a 2 million allocation per year has been envisaged since 2005; the setting up of a toll free number/helpline at Ministry of Interior (Art. 5) with a budget of 500,000 Euros, per year; the harshening of relevant penalties (Art. 6) by introducing ad hoc provisions under Arts. 583 bis and ter of the penal code, respectively; Programs of international cooperation (Art. 7)

93. On the Ministry of Health website ([www.salute.gov.it](http://www.salute.gov.it)), under the section devoted to “Women’s health”, a specific database has been introduced with the aim of providing an overview of all relevant services supplied, at the regional level, to those women and girls, victims of FGM, who live in Italy — such database is being updated (see further data, as annexed).

94. In this regard, by Act No. 7/2006 the Department for Equal Opportunities (DPO) has been entrusted to coordinating all relevant activities and those Ministries responsible *ratione materiae*, in order to prevent, repress and eradicate such a practice while providing the utmost assistance to women and girls, victims of FGM, and collecting data and information both internationally and nationally. Over the very last year, DPO focussed on the detection of the best intervention models to prevent and combat such a phenomenon, nationwide.

95. In light of 21 relevant projects, the Italian Commission for the prevention and the fight against FGM elaborated the second Programming Plan by which this has set the national action priorities, in accordance with Art. 2 of Act No. 7/2006. The above Plan also reports indications provided for by CSOs, operating both nationwide and locally. The content of this Plan, shared with regional Authorities, under “The Agreement on how to share resources, purposes, modalities, including implementation ones, and monitoring of the relevant interventions system”, has been approved by the State-Region Conference, on 6 December 2012. A 3 million Euros allocation has been envisaged for Regional Authorities in order to implement prevention programs, in the following fields: (a) Elaboration of innovative intervention models, by which to implement nationwide, a

systemic action aimed at the social integration of women and children, victims or potentially exposed to FGM; (b) Ad hoc training courses, also with the aim to facilitate contact between relevant Institutions and African communities; (c) Awareness-raising and information activities.

96. Within this framework, specific attention has been paid to the second area of intervention, namely information, education and training for relevant public and private care providers, also to equip them with the best knowledge, in light of international and regional indications. Following the approval of the above Agreement, twelve Italian Regions have already submitted relevant projects to combat FGM.

97. As known, Italy has developed its relevant action also at the international level by closely working with African countries, by supporting and contributing to facilitate the last relevant GA resolution, as adopted on 26 November 2012 — so as to become the privileged interlocutor. Along these lines, during the 57th session of the CSW, DPO supported the organization of a side-event, alongside with Burkina Faso, UNICEF, and UNFPA. A similar event will be replicated during the 68th UNGA inaugural week.

98. Another form of serious violence against women and children refers to trafficking in human beings, the modern-day slavery, is a heinous crime: it consists of a systematic commercialization of the human body and a violation of the human dignity and the fundamental human rights. Victims, especially women and children, are regularly deprived of their identity and dignity and forced into subjection. The sexual exploitation of women and children is an extremely alarming phenomenon. It is therefore a duty binding all of us to combat trafficking in human beings by taking integrated and multi-agency actions and adopting an approach based on the protection of the human rights of the victims.

99. Like many other European countries, Italy has been affected by the phenomenon for almost twenty years. The Department for Equal Opportunities, which is the central administration in charge of coordinating actions to prevent and combat trafficking in human beings and to provide assistance and promote the social reintegration of victims, carries out many activities both at the national and international level.

100. The Italian model, which is still internationally considered as a best practice in this field, was built upon the principle that an effective response to trafficking in human beings should be based on: An approach focused on the promotion and protection of human rights; An integrated and multi-agency approach.

101. Hence, the two main Italian legal provisions against THB are based on the primary importance given to the rights of victims of human trafficking and exploitation and are respectively: Art. 18 of the National Law on Migration (Legislative Decree No. 286/1998), and Law No. 228/2003 establishing “Provisions against Trafficking in Human Beings”.

102. Since trafficking in human beings is an extremely complex and constantly changing phenomenon, legal systems, policies and actions should be also supported by appropriate tools to monitor human trafficking and evaluate the effectiveness of the actions taken: an in-depth and up-to-date examination is fundamental in order to effectively respond to THB. This is the main task of the Department for Equal Opportunities, which is therefore responsible for: the monitoring and analysis of trafficking in human beings; the examination of the results of all projects funded pursuant to art. 18 of Legislative Decree No. 286/1998 and Art. 13 of Law No. 228/2003; the development of a computerized data collection system facilitating the understanding and analysis of the phenomenon, while respecting the possible sensitive data confidentiality guarantees; the carrying out of

surveys and research on trafficking in human beings, both at the national and international level.

103. The Department for Equal Opportunities of the Italian Presidency of the Council of Ministers is the central authority in charge of promoting and coordinating the national action for the protection of trafficked persons. It also supervises the functioning of the national assistance system and is supported by the Inter-ministerial Commission for the Support to Victims of Trafficking, Violence and Exploitation, which is chaired by the Department for Equal Opportunities and composed of representatives of the Italian Ministries of the Interior, Justice, Labour and Social Policies, as well as of the Department for Family Policies, the State-Regional Conference and ANCI (the National Association of Italian Municipalities).

104. In compliance with the abovementioned national laws, the Italian system envisages two different types of assistance and protection programmes for victims of trafficking in human beings, namely.

105. *Short-term programmes* (the so-called “Art. 13 Projects”), which are provided for by art. 13 of Law No. 228/2003 (“Provisions against Trafficking in Human Beings”) also establishing the creation of a special fund for the implementation of actions aimed at identifying and providing first-aid to EU and non-EU citizens, both adults and children, who are victims of reduction to slavery and trafficking in human beings (offences provided for respectively by art. 600 and art. 601 of the Italian Criminal Code, as amended by the abovementioned law).

106. *Long-term programmes* (the so-called “Art. 18 Projects”), which are provided for by art. 18 of Legislative Decree No. 286/1998 establishing the possibility of granting a special residence permit for social protection grounds to the victims of human trafficking, violence and exploitation who want to escape the conditioning of criminal organizations. The long-term programmes’ main aim is to ensure social and employment integration for victims of human trafficking participating in the projects.

107. Art. 13 Projects provide presumed or already identified victims of human trafficking with assistance for a minimum duration of three months which, when applicable, can be extended for a further three months. Victims assisted by public bodies or associations are entitled to receive adequate board and lodging, as well as health and legal assistance. In many cases, victims continue to be assisted under Art. 18 Projects, once the individual Art. 13 Project is over. Short-term programmes are co-funded by the State (namely the Department for Equal Opportunities providing 80 per cent of the total allocated funds) and Regions and/or local authorities (20 per cent) on an annual basis, and projects can be submitted and/or managed by Regions, local authorities and/or accredited non-profit organizations (which need to be enrolled in the Register established by art. 52 of Decree of the President of the Republic No. 394/1999).

108. Art. 18 Projects have an established duration of 12 months and provide trafficked persons with access to a wide range of services and activities, in line with an individual assistance plan which is developed taking into account their specific needs. Some of the services and activities include: residential care facilities, psychological counselling, legal assistance, linguistic and cultural mediation, referral to social and health services, vocational training, internships in enterprises, job-seeking support, employment integration. Long-term programmes are co-funded by the State (namely the Department for Equal Opportunities providing 70 per cent of the total allocated funds) and Regions and/or local authorities (30 per cent) and projects can be submitted and/or managed by Regions, local authorities and/or accredited non-profit organizations (which need to be enrolled in

the Register established by art. 52 of Decree of the President of the Republic No. 394/1999). Long-term programmes' beneficiaries can also be granted a temporary residence permit for social protection grounds.

109. Another central element of the national system against trafficking in human beings is the *National Anti-Trafficking Toll-Free Helpline* (800-290-290), which can be called 24 hours a day, anonymously and free of charge. It enables victims of trafficking in human beings to get in touch with specialized multilingual staff. The Helpline operators provide detailed information on legislation and services for trafficked or exploited persons in Italy and, upon their request, refer them to the social and assistance services funded under Art. 13 and Art. 18 Projects. The National Anti-Trafficking Toll-Free Helpline is composed of a central unit mainly working on Art. 13 Projects with ad hoc facilities called local operational units. Local operational units receive reports from the Toll-Free Helpline, assess the situation and refer the presumed victim of trafficking in human beings or exploitation to specific local services.

110. This service is available for all citizens who want to report exploitation as well as for professionals working in this field with a view to facilitating the networking activity to be carried out at the national level. Every year, the Department for Equal Opportunities launches a Call for proposals for the funding of the Art. 13 and Art. 18 Projects. Regions, local authorities and all NGOs enrolled in the specific Register may apply for funding. All projects need to be co-funded by Regions and/or local authorities, with a view to ensuring the local government ownership of actions to be implemented in a specific area of the country. Both the two different types of assistance and protection programmes for victims of trafficking in human beings are co-funded by the Italian Government on an annual basis. The total amount of funds allocated by the Department for Equal Opportunities in 2012 is 8 Million Euros.

111. Data and statistics can be provided by the Department for Equal Opportunities with regard to victims or presumed victims of human trafficking who participate in the assistance and social protection projects promoted and co-funded by the Department itself. These people, both adults and children, can be victim of both sexual and labour exploitation or other forms of exploitation such as begging and the illegal economy. From 2000 to 2012, 665 projects were financed under art. 18 of Legislative Decree No. 286/1998 and, from 2006 to 2012, 166 projects were financed under art. 13 of Law No. 228/2003. From 2000 to 2012, 21,347 people (including 1,196 children) were assisted within the framework of "Art. 18 Projects" and, from 2006 to 2012, 3,704 people (including 203 children) received assistance under "Art. 13 Projects". The national database on trafficking in human beings collecting data on victims who have been assisted through the implementation of the projects is fully in place and enables the Department for Equal Opportunities to monitor the number of assisted victims at the national level, as well as the protection services provided to victims and the new human trafficking flows.

112. Indicators concerning the number of victims assisted by local services have remained roughly constant over time: about 2,000 people are assisted every year. Some of them do not complete the social protection programme. About one third of all assisted victims leave social services. Such numbers allow us to plan social policies and overall interventions, especially in terms of resources and operational cooperation with Regions and Municipalities. The structure of the indicators and data, which are disaggregated by gender, age, nationality, type of exploitation, etc. makes it possible to understand the trend of human trafficking over time. Besides sexual exploitation, currently many are the cases

of serious labour exploitation and exploitation on behalf of third persons in the so-called illegal economy.<sup>3</sup>

113. As for the European and international activities, the Department for Equal Opportunities has kept its role as the national focal point on the prevention and fight against trafficking in persons throughout 2012, by taking part, through its representatives, in many events and initiatives such as, inter alia, the annual session of the OSCE Alliance against Trafficking in Persons and the meetings of the European Commission Informal Network of National Rapporteurs and Equivalent Mechanisms on Trafficking in Human Beings taking place every six months.

114. A number of activities are carried out with a view to strengthening bilateral institutional cooperation such as: the creation of a multi-agency working group for the promotion of best practices in this field; training workshops for professionals; awareness-raising action and training for groups at risk; assistance and integration actions for victims of THB once they return to their home country.

115. The Department for Equal Opportunities has also acted as a partner in a project funded under the European Commission Thematic Programme for Cooperation with Third Countries in the Areas of Migration and Asylum (EuropeAid/126364/C/ACT/Multi), which was promoted by ILO.

116. The two-year programme was aimed at strengthening cooperation between Nigeria and Italy on the identification of victims, prosecution of traffickers and assistance to victims. Research, which was carried out both in Italy and Nigeria and coordinated by the Department, examined migration flows of Nigerian citizens to Italy, with a specific focus on trafficking in human beings for labour exploitation.

117. While recalling information provided for under section A, it should be considered that as for the biennium 2013-2014, the National Office on Statistics (ISTAT) will carry out the second violence against women survey. This time estimates on violence suffered by women with disabilities will be provided too, as well as data non-migrants. In fact the sample is composed by 21,000 Italian women and 4,000 women having a foreign citizenship.

118. Italian women will be interviewed by CATI technique (Computer assisted telephone interview), migrant women will be interviewed by both CATI and CAPI (Computer assisted personal interview) technique.

119. The survey cover different forms of sexual (rape, attempted rape, physical sexual harassment, to be forced to have sex because of fear of perpetrator's reaction, to be forced to do humiliating and degrading sexual activity) and physical violence (7 kinds of violence from threat to the attempt to be suffocated or strangled) and as regards violence in intimate partnership, the psychological and economic violence are collected too.

120. In this survey edition stalking suffered by women by everyone is collected. In 2006 survey, stalking was asked only concerning former partner, about episodes happened during or after the separation. Other data on sexual violence, human trafficking or maltreatment in the family are provided by registers statistics. These statistics concern the reports of violence to the police, crimes and proceedings from the Public Prosecutor Offices, persons charged of violence by the Public Prosecutors, persons convicted of violence and convictions on violence crimes (data from the Central Register Office of convicted people). These data are very good from the Judicial point of view and concerning the characteristics of perpetrator, but are very poor concerning victims

characteristics, with the exception of police statistics (that have data on victims since 2004). Data can be provided by sex, age and place of birth of the perpetrators and only for police statistics, by sex, age and citizenship of the victims.<sup>4</sup>

121. **In conclusion**, Italian Authorities take this opportunity to reiterate their firm willingness to keep cooperating fully with the United Nations CEDAW Committee and all other relevant UN mechanisms and bodies of the United Nations HR machinery.

### Notes

<sup>1</sup> For example, it supervises the preliminary stages of referenda and it is competent to judge in case of presidential impeachment. Procedurally, the Constitutional Court is empowered to judge (Article 134). When sitting to decide on a case of impeachment against the Head of State, the court consists of its three panels of judges (fifteen judges) and sixteen additional members, who are drawn by lot from a list of citizens elected by the Parliament (Article 135 (7)); otherwise, as to its “ordinary mission”, the Constitutional Court consists of and works with its fifteen judges: one-third being appointed by the president, one-third by the parliament in joint session, and one-third by ordinary and administrative supreme courts.

a. Complaints of unconstitutionality may be submitted to the Italian Constitutional Court by central and local Authorities claiming that a state or a regional Act is unconstitutional. Therefore, the Court monitors Authorities to see whether they have respect the Constitution in their actions. It also arbitrates in controversies between the highest State organs and decides in proceedings between central and local Authorities.

b. The courts must examine *ex officio* (the public prosecutor) or upon request of the plaintiff/defendant whether the provisions to apply are in compliance with the Italian Constitution. When a court considers that an act is not in line with the Constitution, pursuant to Article 134 it suspends the proceedings until a decision by the Italian Constitutional Court is taken.

c. The Constitutional Court decides on (and its decisions may not be appealed to): 1. disputes concerning the constitutionality of laws and acts with the force of law adopted by state or regions; 2. conflicts arising over the allocation of powers between branches of government within the state, between the state and the regions, and between regions; 3. accusations raised against the President in accordance with the constitution.

d. The Constitutional Court decides on the validity of legislation, on its interpretation and whether its implementation, in form and substance, is in line with the Basic Law. Thus, when the Court declares a law — or an act with the force of law — unconstitutional, the norm becomes ineffective the day after the publication of the decision.

<sup>2</sup> This statistics-related Task Force will elaborate monitoring-related indicators, in order to facilitate a better detection of data while giving value to statistics sources already existing at the local level, especially in the four main areas of the National Strategy, namely work, education, health, and housing.

<sup>3</sup> (DPO source) **Facts and figures:** Nigerian women account for 40 per cent of the total number of trafficked and sexually exploited women;

- Women coming from Eastern Europe (Romania, Bulgaria, Albania and Moldova) follow; the percentage of victims coming from Africa (Nigeria, Egypt, Morocco, and Tunisia) is increasing, amounting to approximately 60 per cent of the total number of trafficked and sexually exploited women; Victims coming from Asia (China, Pakistan, and Bangladesh) represent approximately 10 per cent; 70 per cent of victims of human trafficking for sexual exploitation are women, whereas in relation to other forms of exploitation (begging, forced labour and criminal activities) their percentage amounts to 12 per cent; Men account for 27 per cent of the total

number of victims of trafficking in human beings usually for forced labour (in the agricultural and construction sector and in the textile industry). With regard to the last two Calls for Proposals concerning Art. 18 Projects and already closed, the total number of women who received protection is equal to **1,471** in 2011 and **1,198** in 2012. The total number of victims of sexual exploitation who received protection is **1,402** in 2011 and **1,103** in 2012. With regard to the last two Calls for Proposals concerning Art. 13 Projects and already closed, the total number of women who received protection is equal to **481** in 2011 and **664** in 2012. The total number of victims of sexual exploitation who received protection is **384** in 2011 and **535** in 2012.

- <sup>4</sup> (ISTAT Source) Some data on sexual violence crime in Italy in 2010. In 2010 there had been 3.149 crimes of sexual violence that had been prosecuted and 3.426 people that had been charged of sexual violence, while in the same year, 2.641 crimes of sexual violence had been archived for different reasons. In Italy, always in 2010, there had been 2.610 convictions for sexual violence.