



REFUGEE RIGHTS
EUROPE

AN OVERLOOKED CRISIS

TRAFFICKING AND SEXUAL AND GENDER-BASED
VIOLENCE AGAINST DISPLACED WOMEN IN ITALY



ACKNOWLEDGEMENTS

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Photo credit: Alessandro Perazzoli

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TRAFFICKING AND SGBV IN ITALY

VIOLENCE AGAINST WOMEN AND GIRLS IS A HUMAN RIGHTS VIOLATION



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In recent years, Italy has been one of the countries with the highest numbers of arrivals of displaced people.¹ Between 2014 and 2018 the displaced people arriving in Italy reached 648,117, with a huge drop in arrivals in 2018. Since the beginning of 2020, 32,000 people have reached Italy.² According to UNHCR data,³ analysed by AGI,⁴ 10% of the displaced people who arrived in Italy in 2018 were women while 18% were minors.⁵

Most of the women and girls experienced multiple forms of violence during their journeys, often continuing after their arrival in Italy.⁶ Prompt support and identification of women and girls that experience trafficking and sexual gender-based violence is crucial to allow them to escape from exploitation. Instead, women and girls are not supported and identified promptly; and most of them do not receive timely medical support for their sexual and reproductive health.⁷

IN ORDER TO UNDERSTAND THE DYNAMICS THAT AFFECT WOMEN AND GIRLS IT IS CRUCIAL TO HAVE OPERATORS AND LAW ENFORCEMENT OFFICERS WHO ARE SKILLED AND HAVE A SOLID BACKGROUND IN SGBV AND THB.

It is important to note that sexual gender-based violence (SGBV) and trafficking in human beings (THB) have a great impact on women and girls and can affect how they interact with operators, police officers, and doctors. In order to understand the dynamics that affect women and girls it is crucial to have operators and law enforcement officers who are skilled and have a solid background in SGBV and THB to better assist these survivors. Some dispositions and procedures do not take into account the difficult situation of people who experience THB and SGBV, increasing the risk of exposing them to refoulement or years of exploitation.

Women and girls are most at risk of trafficking for the purpose of sexual exploitation⁸ and Nigeria is the main country of origin for women that experience trafficking in Italy. Approximately 80% of Nigerian women who arrive in Italy are THB survivors.⁹ In recent years, the number of women trafficked from other countries has also increased.¹⁰ Institutional obstacles prevent women from being adequately tracked and supported in Italy.¹¹

1. https://www.ecfr.eu/specials/mapping_migration - <https://data2.unhcr.org/en/situations/mediterranean/location/5205> and <https://frontex.europa.eu/along-eu-borders/migratory-routes/central-mediterranean-route>
2. <https://data2.unhcr.org/en/situations/mediterranean/location/5205>
3. <https://www.unhcr.org/it/risorse/carta-di-roma/fact-checking/donne-rifugiate-la-violenza-molte-facce> (2017)
4. https://www.agi.it/data-journalism/morti_migranti_mediterraneo_dati-5605198/news/2019-06-05
5. https://www.agi.it/data-journalism/morti_migranti_mediterraneo_dati-5605198/news/2019-06-05
6. <https://www.unhcr.org/it/risorse/carta-di-roma/fact-checking/donne-rifugiate-la-violenza-molte-facce>
7. https://www.unhcr.it/wp-content/uploads/2018/10/UNHCR_SGBV_-_Strategia_2017_2019_Final.pdf
8. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/577950/EPRS_BRI\(2016\)577950_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/577950/EPRS_BRI(2016)577950_EN.pdf)
9. https://www.unhcr.it/wp-content/uploads/2018/10/UNHCR_SGBV_-_Strategia_2017_2019_Final.pdf
10. https://ec.europa.eu/anti-trafficking/member-states/italy-1-general-information_en
11. <https://www.direcontrolaviolenza.it/violenza-sulle-donne-in-che-stato-siamo-migranti-richiedenti-asilo-e-rifugiate>

IN 2003, ITALY ADOPTED THE NATIONAL LAW AGAINST TRAFFICKING IN HUMAN BEINGS¹² AND INTRODUCED THE PROVISION OF A SPECIFIC ASSISTANCE PROGRAMME FOR PEOPLE THAT EXPERIENCED TRAFFICKING (ART. 13).

In 2016, the number of women and girls arrived in Italy increased exponentially.¹³ The same year saw the adoption of the “National action plan against Trafficking and serious exploitation of human beings”.¹⁴

The adoption of the Plan supported the identification of survivors of trafficking, based on the “4Ps” established in the Istanbul Convention,¹⁵ however until now, an effective implementation of the plan has not taken place.¹⁶

The latest National Plan was published in 2016, for implementation throughout 2016-2018. The NGO Differenza Donna¹⁷ note however that the National plan hasn't been updated since 2018.¹⁸ For instance, the regional anti-trafficking plan for the Lazio Region,¹⁹ funded by the Equal Opportunities Department (DPO²⁰), is meant to take place over 15 months²¹ with a possible extension of 6 months.²² The extended assignment expires on 31 December 2020 but no new tender has yet been announced.²³ The extension to 31 December is contingent on the Covid-19 situation as usually within 15 months the DPO would publish a call for project proposals for the new tender.²⁴ Moreover, delays in allocating economic resources are commonplace and substantial, causing associations to turn to banks for advances.²⁵ The uncertainty linked with the delays of the announcement and the entrusting of projects to individual associations makes it difficult to work and plan activities.²⁶

FOR PEOPLE EXPOSED TO VIOLENCE, TO ACQUIRE THE RESIDENCE PERMIT ON THE BASIS OF ART. 18-BIS IS ALMOST IMPOSSIBLE WITHOUT FILING A COMPLAINT BECAUSE IT IS DIFFICULT TO PROVE THE RISK OF VIOLENCE FOR WOMEN.

Italy furthermore ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic

Violence in 2013.²⁷ The law No. 119/2013 (that converted the Decree-Law No. 93/2013) addresses gender-based violence, providing also a residence permit for foreign victims of domestic violence (art.4)²⁸ and Italy adopted a National Plan against violence.²⁹

The National Law on migration (D.L. No. 286/1998) stipulates in art. 18 and 18-bis³⁰ the right to a residence permit and the participation in a social programme for people subjected to exploitation or violence. It does not foresee the need to proceed with a complaint to obtain the permit, which is very critical in order to allow each woman to make her own choices and escape the exploitation network, making it a remarkable disposition. In practice, it's difficult to acquire the permit to stay as per art. 18, without submitting a complaint,³¹ and people generally prefer to proceed with the request of asylum. This means the use of art. 18 is residual.³² In fact data show a decline in the use of the permit to stay under art. 18 TUI³³ as passed from 418 in 2017 to 155 in 2019.³⁴ Moreover, for people exposed to violence, to acquire the residence permit on the basis of art. 18-bis is almost impossible without filing a complaint because it is difficult to prove the risk of violence for women.³⁵ The legislative framework is remarkable but the application of the disposition is not always possible.



Photo credit: Beto

12. Law No. 228/2003 - <https://www.camera.it/parlam/leggi/O3228L.htm>

13. https://italyiom.int/sites/default/files/news-documents/Sintesi_Rapporto_OIM.pdf

14. <http://www.pariopportunita.gov.it/materiale/piano-dazione-contro-la-tratta-e-il-grave-sfruttamento>

15. The Istanbul Convention is based on 4 pillars: Prevention, Protection, Prosecution, Co-ordinated policies <https://rm.coe.int/istanbul-convention-violence-against-women-brochure-4ps-en/16809ecc93>

16. <https://italyiom.int/sites/default/files/news-documents/PROTECT-project-mapping-legal-framework-SGBV.pdf>

17. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

18. Differenza Donna and the national plan update until 2018: <http://www.pariopportunita.gov.it/wp-content/uploads/2017/12/Piano-nazionale-di-azione-contro-la-tratta-e-il-grave-sfruttamento-2016-2018.pdf>

19. <http://www.regione.lazio.it/it/dallapartedelledonne/piano-regionale-antitrattra-del-lazio-2>

20. <http://www.pariopportunita.gov.it>

21. From February 2018 to May 2020

22. Differenza Donna NGO (<https://www.differenzadonna.org/>): “Differenza Donna was founded in Rome on 6th March 1989 with the goal of exposing, combating, preventing and overcoming gender-based violence. Since the beginning, the Association has held the view that discrimination, marginalization and oppression of women are a widespread, complex and serious social phenomenon that can be effectively fought through specific competences only.”

23. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

24. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

25. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

26. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

27. <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures>

28. <https://www.gazzettaufficiale.it/eli/id/2013/08/16/13G00141/sg>

29. <https://www.interno.gov.it/it/notizie/adottato-piano-dazione-straordinario-contro-violenza-sessuale-e-generale>

30. <https://www.altalex.com/documents/news/2014/04/08/testo-unico-sull-immigrazione-titolo-ii#titolo2>

31. https://www.asg.it/wp-content/uploads/2015/04/doc_GRETA.pdf

32. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

33. National Law on migration No. 286/1998 and modifications

34. USDOS – US Department of State: 2020 Trafficking in Persons Report: Italy, 25 June 2020 <https://www.ecoi.net/en/document/2036291.html> (accessed on 19 November 2020)

35. GREVIO 2020, p. 79

36. <https://italyiom.int/sites/default/files/news-documents/PROTECT-project-mapping-legal-framework-SGBV.pdf>

37. <https://italyiom.int/sites/default/files/news-documents/PROTECT-project-mapping-legal-framework-SGBV.pdf>, p. 62

38. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

WITHOUT AN EFFECTIVE IMPLEMENTATION OF LEGISLATION, ITALY RISKS FAILING TO PROTECT WOMEN IN NEED BECAUSE THE PRESENCE OF NORMS AND GUIDELINES IS INSUFFICIENT TO SUPPORT, ASSIST AND IDENTIFY VULNERABILITIES.

The International Organization for Migration (IOM) highlights that the main obstacles to the effective implementation of the legislative framework, is the lack of funds and resources, in addition to support for NGOs that work with survivors of SGBV/THB.³⁶ IOM emphasises that services for SGBV are inadequate, often led by staff who are not trained on SGBV/migration. The services are often provided through volunteer-based NGOs.³⁷ Without an effective implementation of legislation, Italy risks failing to protect women in need because the presence of norms and guidelines is insufficient to support, assist and identify vulnerabilities.

Regarding the training of public authorities, the Law No. 69/2019 provides for training courses on gender-based violence against women, but there is no direct mention of collaboration with organisations working on migrant women/SGBV/THB.³⁸ Moreover, the dispositions entered into force with Law No. 46/2017 and No. 132/2018 brought about challenges in following-up on and helping victims of trafficking and sexual gender-based violence. With the Decree Law No. 13/2017 converted into Law No. 46/2017, it becomes more difficult for women exposed to trafficking and exploitation outside the reception centres to ask for asylum, as the disposition declares that people must be hosted in a reception centre or in a private residence to receive the notification of the asylum procedure (art.6).³⁹ Women exploited outside the reception centres and without a residence⁴⁰ face challenges in asking for asylum and receiving a response from the Territorial Commission. The right to access asylum procedures can become compromised if good practises are not put in place.

The Decree Law No. 130/2020, planned⁴¹ to partially modify the Law No. 132/2018 which had eliminated humanitarian protection, reduced and modified reception conditions and introduced the automatic inadmissibility of a subsequent application (art. 29-bis), hence creating serious risks of expulsion of vulnerable people.⁴²

The association Differenza Donna, stressed that Law No. 132/2018 intensifies existing difficulties of access to services due to the impossibility to use a specific address⁴³ normally used for the homeless. This address can be used for people lacking a personal address but who need one in order to access services. In fact, the shelter address for women survivors of SGBV/THB is confidential and cannot be tied to the name and surname of the person who benefits from this protection service.⁴⁴

IT IS REPORTED THAT THE ABOLITION OF HUMANITARIAN PROTECTION PRODUCES HIGH RISKS FOR WOMEN AFFECTED BY SGBV.

Moreover, the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO-2020) underscore in the report that before the introduction of the Law No. 132/2018⁴⁵, which abolished the humanitarian protection,⁴⁶ a lot of women that experience rape during their journey to Italy were previously recognised for international protection on humanitarian grounds. It is reported that the abolition of humanitarian protection produces high risks for women affected by SGBV.⁴⁷ The GREVIO report also points out that women are mostly recognised under humanitarian and subsidiary protection; meanwhile the number who are recognised as refugees is lower than expected.⁴⁸



Photo credit: Em Campos

³⁸ Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna NGO

³⁹ <https://www.gazzettaufficiale.it/eli/id/2017/04/18/17A02767/sg>

⁴⁰ https://www.meltingpot.org/Lege-46-17-novita-sulla-notificazione-degli-atti-e.html#_X7OWTMKI00

⁴¹ At the time of writing the decree law has not yet been converted into law

⁴² <https://www.asgi.it/decreto-immigrazione-sicurezza-1/> and <https://openmigration.org/analisi/storia-di-anthonia-detenuta-in-un-cpr-e-quasi-espulsa-in-barba-alle-regole>

⁴³ On the use of the "non real" address for homeless and practices in Rome: <https://legale.savethechildren.it/residenza-nuove-aperture-sulla-questione-della-residenza-c-d-fittizia/> and https://www.meltingpot.org/IMG/pdf/cautelare_trib_roma_residenzavirtuale07092019_1.pdf

⁴⁴ Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

⁴⁵ Modifications are planned in the D.L. No. 130/2020 - not yet converted into law at the time of writing

⁴⁶ <http://www.pariopportunita.gov.it/wp-content/uploads/2020/06/Grevio-revisione-last-08-06-2020.pdf> GREVIO, p. 87

⁴⁷ GREVIO, p. 88

⁴⁸ GREVIO, p. 87

⁴⁹ GREVIO, p. 87



Photo credit: Corradobarattaphotos

Indeed, Italy has adopted guidelines for identification of victims of trafficking but not for survivors of SGBV. The absence of national guidelines means that there are different outcomes for similar cases across regions.⁴⁹

Regarding trafficking, two Directives have been amended in Europe, the directive 2004/81/EC on the residence permits to be issued to third-country nationals who are victims of trafficking in human beings⁵⁰ and the Directive 2011/36/EU of the European Parliament and of the Council, concerning the prevention and repression of trafficking in human beings and the protection of victims.⁵¹

ITALY IS NOT ONLY A PLACE WHERE EXPLOITATION TAKES PLACE BUT ALSO A TRANSIT COUNTRY TO REACH OTHER EU COUNTRIES WHERE WOMEN RUN THE RISK OF BEING EXPLOITED.

Moreover, cooperation between European states must be implemented to effectively tackle trafficking for sexual exploitation. Italy is not only a

place where exploitation takes place but also a transit country to reach other EU countries where women run the risk of being exploited.⁵²

The Council of Europe's Convention on preventing and combating violence against women and domestic violence,⁵³ states in art. 60⁵⁴ that SGBV may be recognised as a form of persecution and hence granted refugee status,⁵⁵ or as a form of serious harm, which is grounds for the subsidiary protection. The Convention emphasised the importance of ensuring a gender-sensitive approach related in reception centres, guidelines, procedures and interpretation. Art. 61⁵⁶ of the Convention furthermore outlines that States must ensure that survivors of SGBV are not returned to any country where they are at risk of being exposed to torture, inhuman or degrading treatment or punishment. Following from this regulation, Italian Government should revoke the Italy-Libya Memorandum of Understanding (MoU)⁵⁷ because women and girls risk being pulled back to or currently residing in Libya are exposed to unfathomable and grave violence⁵⁸. Italy ought stop any cooperation with Libya and prevent the re-victimisation of women exposed to violence by allowing them to exercise their right to ask asylum.

50. <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32004L0081>

51. <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32011L0036>

52. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

53. https://rm.coe.int/168008482e/Istanbul_Convention-11/05/2011

54. Council of Europe Convention on preventing and combating violence against women and domestic violence "Article 60 – Gender-based asylum claims:

1. Parties shall take the necessary legislative or other measures to ensure that gender-based violence against women may be recognised as a form of persecution within the meaning of Article 1, A (2), of the 1951 Convention relating to the Status of Refugees and as a form of serious harm giving rise to complementary/subsidiary protection.

2. Parties shall ensure that a gender-sensitive interpretation is given to each of the Convention grounds and that where it is established that the persecution feared is for one or more of these grounds, applicants shall be granted refugee status according to the applicable relevant instruments.

3. Parties shall take the necessary legislative or other measures to develop gender-sensitive reception procedures and support services for asylum-seekers as well as gender guidelines and gender-sensitive asylum procedures, including refugee status determination and application for international protection."

55. Article 1, A (2), of the 1951 Convention relating to the Status of Refugees

56. Council of Europe Convention on preventing and combating violence against women and domestic violence "Article 61 – Non-refoulement: 1. Parties shall take the necessary legislative or other measures to respect the principle of non-refoulement in accordance with existing obligations under international law. 2. Parties shall take the necessary legislative or other measures to ensure that victims of violence against women who are in need of protection, regardless of their status or residence, shall not be returned under any circumstances to any country where their life would be at risk or where they might be subjected to torture or inhuman or degrading treatment or punishment."

57. <https://www.avvenire.it/attualita/pagine/rinnovato-memorandum-italia-libia> and <https://www.avvenire.it/c/attualita/Documents/Avvenire-%20Memorandum.pdf>

58. An overview <https://espresso.repubblica.it/attualita/2020/07/06/news/memorandum-italia-libia-l-accordo-della-vergogna-che-continua-a-condannare-a-morte-1.350743>

CHAPTER THREE

DISEMBARKATION AND FIRST AID

THE UNHCR HAS WARNED OF THE LACK OF HARMONISATION AND STANDARDISATION OF DISEMBARKATION AND REFERRAL PROCEDURES, IN TURN PREVENTING THE TIMELY IDENTIFICATION OF VULNERABILITIES SUCH AS SGBV AND THB.

The identification of women and girls experiencing THB or SGBV, once arriving at the ports in Italy, is crucial to escaping from continued and/or future violence and exploitation. In fact, most survivors experience violence throughout the journey, some of them are pregnant or have contracted a sexually transmitted disease. Therefore, timely medical intervention is essential.⁶⁰

However, there is a lack of people that can conduct the first identification at the port as well as cultural mediators.⁶¹

INDICATORS OF SGBV AND THB DEVELOPED BY IOM CAN HELP WORKERS TO IDENTIFY WOMEN AND GIRLS THAT EXPERIENCED TRAFFICKING, BUT MUST BE USED BY TRAINED OPERATORS/STAFF.

Women and girls arriving at the port are tired, traumatised by the long journey and the violence in Libya and are unable to ask for help or tell their stories to operators in confidence. The short time at the port is

insufficient to gain develop a sense of trust with the relevant authorities.⁶² Indicators of SGBV and THB developed by IOM can help workers to identify women and girls that experienced trafficking,⁶³ but must be used by trained operators/staff.

NGOs additionally reported problems relating to identification mechanisms at the disembarkation points and that law enforcement often divided victims of THB into asylum seekers and undocumented people.⁶⁴ During filling the C3 it is important to understand if a woman or girl is at risk of exploitation and to have operators able to identify and apply these indicators.⁶⁵

The problem becomes further complicated in relation to girls that most of the time do not present themselves as underage, on the instruction of traffickers.⁶⁶

Therefore, the situation in the hotspots does not guarantee protection and identification of women and girls suffering trafficking,⁶⁷ and the system must be implemented. There is no a safe place to undergo interviews with vulnerable people⁶⁸ and various NGOs reported problems in the hotspots related to facilities, the low number of cultural mediators and lack of information.⁶⁹ The situation in the hotspots can expose women to violence and problems with access at the international procedure as occurred when 20 Nigerian women were expelled despite having evidence of being survivors of violence.⁷⁰



Photo credit: Massimo Todaro, Shutterstock

59. https://www.unhcr.it/wp-content/uploads/2018/10/UNHCR_SGBV_-_Strategia_2017_2019_Final.pdf - Strategies on sexual and gender-based violence (UNHCR Italy-2017/2019)

60. https://www.unhcr.it/wp-content/uploads/2018/10/UNHCR_SGBV_-_Strategia_2017_2019_Final.pdf

61. https://www.direcontrolaviolenza.it/wp-content/uploads/2018/04/Report-Samira_web_ridotto.pdf, p. 57

62. https://www.direcontrolaviolenza.it/wp-content/uploads/2018/04/Report-Samira_web_ridotto.pdf

63. https://italy.iom.int/sites/default/files/news-documents/RAPPORTO_OIM_Vittime_di_tratta_O.pdf, P. 14

64. USDOS - US Department of State: 2020 Trafficking in Persons Report: Italy, 25 June 2020; <https://www.ecoi.net/en/document/2036291.html> (accessed on 19 November 2020)

65. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

66. https://www.direcontrolaviolenza.it/wp-content/uploads/2018/04/Report-Samira_web_ridotto.pdf, p. 56

67. https://www.direcontrolaviolenza.it/wp-content/uploads/2018/04/Report-Samira_web_ridotto.pdf, p. 60

68. https://www.actionaid.it/app/uploads/2019/04/Nigeria_Mondi_Connessi.pdf, p. 35

69. GREVIO 2020, p. 82

70. GREVIO 2020, p. 82

THE CHANGE OF THE RECEPTION CENTRE FROM THE SPRAR⁷¹ SYSTEM TO SIPROIMI⁷², DAMAGED THE VULNERABLE ASYLUM SEEKERS, WOMEN THAT EXPERIENCE THB/SGBV, DUBLIN RETURNES WHO ARE PREGNANT BECAUSE THEY WILL HAVE ACCESS JUST AT FIRST-LINE RECEPTION CENTRES THAT ARE NOT PROVIDING IMPORTANT SERVICES FOR THE WOMEN SUPPORT.⁷³

In 2020 the Government plans⁷⁴ to partially modify the Law No.132/2018 with the D.L. No. 130/2020,⁷⁵ with the change of the reception system to SAI,⁷⁶ a reception and integration system where asylum seekers with an ongoing asylum case are allowed to enter.⁷⁷

Often in the accommodation centres, operators do not apply a gender-sensitive approach or have proper education in how to support, identify and refer women and girls at risk of THB/SGBV.⁷⁸ The conditions in the reception centres for women are often inadequate and present a high risk of violence and abuse, one key factor being that the facilities which house asylum seekers do not always separate facilities on the basis of gender.⁷⁹

Additionally, the access to health services is often difficult and rife with language barriers.⁸⁰ The lack of cultural mediators in the hospital or sanitary services prevents an adequate identification of vulnerabilities and support to women.⁸¹ Therefore, the difficulties to have access to an abortion in hospital lead many women to resort to illegal abortion⁸² which brings with it a high health risk to the women.

More attention must be given to training of health care professionals that are able to refer possible cases of women with multiple miscarriage or signs of violence to relevant associations. The system is lacking the presence of trained cultural mediators who have the capacity to connect with women at risk and report vulnerabilities.⁸³ This is important to the identification and sustainment of survivors of THB/SGBV.⁸⁴

Furthermore, the conditions in the CPR⁸⁵ for women is lacking essential services. In 2019 the NGO Differenza Donna reported poor services related to health of women in the CPR, despite most of them having experienced female genital mutilation/cutting (FGM/C) or sexual exploitation and being exposed to sexually transmitted diseases, hence being in high need of medical assistance and check-ups.⁸⁶ These places in many cases lack even the most basic hygiene products such as sanitary pads.⁸⁷



Photo credit: Cecille Arcurs

71. Second-line reception center

72. SIPROIMI (former SPRAR): Reception center for holder of international protection and unaccompanied minors

73. GREVIO, p. 84

74. At the time of writing the decree law has not yet been converted into law

75. <https://temi.camera.it/leg18/temi/d-l-130-2020-disposizioni-urgenti-in-materia-di-immigrazione-e-sicurezza.html#:~:text=La%20Camera%20dei%20deputati%20ha,ter%20e%20588%20del%20codice>

76. "Sistema di accoglienza e integrazione"

77. The D.L. No. 130/2020, foresee the access to the second-line reception center at asylum seekers (art.8) and gives the possibility of providing health and psychological assistance services <https://www.gazzettaufficiale.it/eli/id/2020/10/21/20G00154/sg>.

78. GREVIO, 2020

79. GREVIO, 2020 - p. 83

80. https://www.direcontrolaviolenza.it/wp-content/uploads/2018/04/Report-Samira_web_ridotto.pdf, p. 70

81. https://www.direcontrolaviolenza.it/wp-content/uploads/2018/04/Report-Samira_web_ridotto.pdf, p. 101

82. https://www.direcontrolaviolenza.it/wp-content/uploads/2018/04/Report-Samira_web_ridotto.pdf, p. 102

83. Differenza donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

84. USDOS - US Department of State: 2020 Trafficking in Persons Report: Italy, 25 June 2020

85. <https://www.ecoi.net/en/document/2036291.html> (accessed on 19 November 2020)

86. CPR (centro rimpatrio permanente): Formerly CIE, center for expulsion

87. <https://www.narrazionidellacooperazione.it/migrazioni-le-donne-alla-frontiera-del-diritto>

88. <https://www.narrazionidellacooperazione.it/migrazioni-le-donne-alla-frontiera-del-diritto>

CHAPTER FIVE TRAFFICKING

THE EXPLOITATION OF WOMEN AND GIRLS IN ITALY CAN BE WITNESSED IN A VIDEO⁸⁸ FROM THE ASSOCIATION ON THE ROAD AND THE GUARDIAN. FURTHERMORE, THE ASSOCIATION DIFFERENZA DONNA DECLARES THAT, AS PER THE “4PS” OF THE ISTANBUL CONVENTION, THE PREVENTION OF THB REQUIRES EARLY IDENTIFICATION AND THIS IS NOT TAKING PLACE IN ITALY.⁸⁹

Different women encountered by the association have been in Italy 3 - 4 years and had never been identified before. Law enforcement, institutions and healthcare personnel which encounter women must be trained to conduct an early identification or to make referrals to specialised associations. There is a need for highly trained staff on trafficking and gender violence to support women to escape THB. As reported by the Group of experts in action against trafficking in human beings (GRETA),⁹⁰ more efforts must be put in place to assure the best assistance and identification to women and girls that experience trafficking. Often the exploitation has not yet taken place when women and girls land in Italy so it's even more difficult to prevent it and to explain what can happen next.⁹¹



Photo credit: Fotojog

TRAINED INTERVENTIONS MUST BE MADE BY ALL RELEVANT OFFICIALS AND STAFF THAT ARE IN TOUCH WITH WOMEN UPON ARRIVAL IN ITALY.

One useful solution is to report women who leave CAS or other reception centres, as this can be one indicator of trafficking and exploitation.⁹² It is difficult to understand the full extent of the gender violence that women and girls suffered before the arrival in Italy, but this is crucial to improve the referral mechanism and to prevent exploitation.⁹³ Identification is time-consuming, and the recognition of oneself as a survivor of trafficking is difficult.⁹⁴ Trained interventions must be made by all relevant officials and staff that are in touch with women upon arrival in Italy.⁹⁵ With trafficking, the challenges of intervention are particularly complicated in relation to underage girls,⁹⁶ hence law enforcement and operators must give special attention to girls in order to offer timely support.

The association Differenza Donna furthermore suggests the introduction and implementation of specific programs related to sexuality and consensual relationships.⁹⁷

In Italy, the Territorial Commission for the recognition of International protection (TC) can make a *referral*⁹⁸ to a competent association that signed an agreement with the TC. But the request for referral by the TC is region specific,⁹⁹ leading to different interventions to similar cases.

THE FUNDS GIVEN BY THE GOVERNMENT ARE NOT SUFFICIENT TO ASSIST ALL THE WOMEN WHO ARE SURVIVORS OF TRAFFICKING.

In addition, the anti-trafficking association that is consulted by the TC ought to make a report on the woman “quickly”, normally within 4 months, depending on the situation of the women.¹⁰⁰

Different associations reported problems related to the effectiveness of the referral mechanism and the existence of different quality standards between the regions.¹⁰¹ The funds given by the Government are not sufficient to assist all the women who are survivors of trafficking.¹⁰²

The association Differenza Donna explained also that more attention needs to be directed to the phenomenon of women who are taken to Italy to be forcibly married.¹⁰³ Different reports confirm that women are trafficked and then forced to marriage.¹⁰⁴ A report published in 2020 underlines the link between trafficking and forced marriage and outlines the case of a woman who was exploited in Italy.¹⁰⁵

88. <https://www.ontheroad.coop/risorse/the-guardian>

89. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

90. <https://rm.coe.int/greta-2018-28-fgr-ita/168091f627>, p. 14 - 15

91. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

92. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

93. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

94. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

95. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

96. https://www.direcontrolavioleza.it/wp-content/uploads/2018/04/Report-Samira_web_ridotto.pdf, p. 56

97. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

98. National action plan against Trafficking and serious exploitation of human beings

99. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

100. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

101. USDOS - US Department of State: 2020 Trafficking in Persons Report: Italy, 25 June 2020. <https://www.ecoi.net/en/document/2036291.html> (accessed on 19 November 2020)

102. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

103. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

104. https://fra.europa.eu/sites/default/files/fra-2014-forced-marriage-eu_en.pdf

105. https://www.unodc.org/documents/human-trafficking/2020/UNODC_Interlinkages_Trafficking_in_Persons_and_Marriage.pdf, p. 55

CHAPTER SIX

ITALY'S RESPONSE TO SGBV

SEXUAL GENDER-BASED VIOLENCE ENCOMPASSES FORCED MARRIAGE, DOMESTIC VIOLENCE, FORCED STERILISATION, FEMALE GENITAL MUTILATION/CUTTING, THE THREAT OF CRIME "OF HONOUR", SEXUAL VIOLENCE AND RAPE¹⁰⁶.

In the GREVIO report from 2020 it was concluded that Italy made strides regarding THB in providing the relevant institutions with guidelines, but did not do the same on SGBV.

WOMEN'S ASSOCIATIONS CANNOT BE ABANDONED TO SINGLEHANDEDLY BATTLE AGAINST GENDER VIOLENCE, AND THE ROLE OF SHELTER WORKERS MUST BE RECOGNISED WITH PROPER EDUCATION AND SALARY.

Funds and resources for shelters do not address existing needs and there are major delays in the distribution of funds to relevant associations. Italy should implement funds and allow associations supporting women survivors of SGBV to plan the projects for three-year periods at the very least.¹⁰⁷ Most of the operators that assist women in the shelter are volunteers.¹⁰⁸ Women's associations cannot be abandoned to singlehandedly battle against gender violence, and the role of shelter workers must be recognised with proper education and salary.

In 2017 it was estimated that 28% of women who asked for support through the helpline were foreigners, trained cultural mediators are insufficient to give adequate support to all women that reach out for assistance.¹⁰⁹

IN CONSEQUENCE, WOMEN WITH THE SAME SITUATION CAN EITHER RECEIVE DIFFERENT LEGAL RECOGNITION OF THEIR STATUS (DIFFERENT PERMITS TO STAY ETC.) OR THEY MIGHT NOT RECEIVE ANY PROTECTION AT ALL.

Without the effective application of legal frameworks and guidelines, women and girls can face obstacles to find protection while suffering from SGBV. Protection provided furthermore might differ depending on the Territorial Commission that examines the asylum request, due to the regional approach explored earlier.¹¹⁰ In consequence, women with the same situation can either receive different legal recognition of their status (different permits to stay etc.) or they might not receive any protection at all.

The absence of data regarding the number of women having received international protection based on SGBV makes it difficult to whether women are granted refugee status on the basis of sexual gender-based violence.¹¹¹

A CASE WAS RECORDED OF A WOMAN WHO RISKED EXPULSION WHILE IN THE PROCESS OF REQUESTING A SUBSEQUENT APPLICATION, DESPITE BEING IN POSSESSION OF A MEDICAL CERTIFICATION OF FGM.

For instance, FGM/C is a human rights violation, a form of discrimination against women and girls and can compromise the right to life,¹¹² but can constitute a form of torture and degrading treatment.¹¹³ The ONG Differenza Donna supported the knowledge regarding FGM with a comprehensive guide.¹¹⁴ Yet, a case was recorded of a woman who risked expulsion while in the process of requesting a subsequent application, despite being in possession of a medical certification of FGM which was also shared with the Police Office. The woman has not been expelled thanks to a Judge's decision, which stated that the medical document, that reported the FGM/C, is a new element for the subsequent asylum request.¹¹⁵

Art. 60 of Istanbul Convention recognised that gender violence can amount to persecution¹¹⁶ but often we do not know if the FGM/C certification is supporting cases for refugee status as there is no motivation suggesting this in the decision given to the women recognised as refugee.¹¹⁷

Education is central to the battle against trafficking and SGBV, directed both at key officials, actors and institutions as well as women and girls that arrive in Italy, especially education on consensual relationships, with a view to foster prevention efforts.¹¹⁸

Italy should provide a referral mechanism and specific guidelines for SGBV similar to those in place for THB,¹¹⁹ to avoid the risk of expulsion of women exposed to SGBV. Furthermore, it is important that funds and resources are given to associations with expertise in SGBV, who can address the particular needs of women and girls that experienced violence.¹²⁰

The existing lack of a systemic approach, training and immediate support has thus far failed to protect women and girls in need.¹²¹

106. <https://www.coe.int/en/web/gender-matters/types-of-gender-based-violence>

107. https://www.ilmessaggero.it/mind_the_gap/centri_antiviolenza_femminicidio_commissione_femminicidio-5452049.html?fbclid=IwARlyRbcfUlpvMuQhQ7rsRoz2vmXPTW2SOVZX3NvRfzZutO9YXtFE4s

108. https://www.ilmessaggero.it/mind_the_gap/centri_antiviolenza_femminicidio_commissione_femminicidio-5452049.html?fbclid=IwARlyRbcfUlpvMuQhQ7rsRoz2vmXPTW2SOVZX3NvRfzZutO9YXtFE4s

109. https://www.ilpost.it/2020/11/25/centri-antiviolenza/?fbclid=IwAR2_9e2UIMISzSP4o8Z01Y5vgnzpitCk4wAg95r-BGWnPCHO-D_qkIBQrs

110. GREVIO, 2020 - p. 81

111. GREVIO, 2020 - p. 81

112. <https://inmigration.caritas.it/sites/default/files/2017-04/2017.linee%20guida%20assistenza%20ovitime%20tortura%20geraci.pdf>

113. <https://inmigration.caritas.it/sites/default/files/2017-04/2017.linee%20guida%20assistenza%20ovitime%20tortura%20geraci.pdf>

114. <https://www.differenzadonna.org/fgm-en>

115. https://www.meltingpot.org/IMG/pdf/tribunale_di_roma_ord_25112019.pdf

116. <https://www.endfgm.eu/content/documents/studies/Istanbul-Convention-FGM-guide.pdf>

117. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

118. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

119. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

120. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

121. <https://aidos.it/project/europa-risposta-coordinata-del-sistema-di-accoglienza-di-persone-migranti-vittime-di-violenza-sessuale-e-di-genere-nel-mediterraneo-med-res>

CHAPTER SEVEN NON-REFOULEMENT



Photo credit: Pixelfusion3d

THE INABILITY TO IDENTIFY WOMEN AND GIRLS THAT EXPERIENCE SGBV/THB AND FOLLOW-UP ON CASES CAN RESULT IN THEM FACING EXPULSION¹²².

Art. 61 of the Istanbul Convention states that a woman suffering from SGBV and in need of protection cannot be expelled if her life would be at risk.¹²³

The D.L. No. 130/2020 planned¹²⁴ to modify the Law No. 132/2018 with an amendment to art. 29-bis allowing the Territorial Commission to examine the request and eliminating the automatic inadmissibility of the subsequent application for international protection. In fact, the Law No. 132/2018 introduced to the Italian legal system the possibility to declare a subsequent request for asylum made by a person during an expulsion order as inadmissible. The application of this law was not examined in relation to the high risks of expulsion that it would potentially cause women and girls that have been exposed to or that face SGBV and THB.¹²⁵ The D.L. No. 130/2020 now stipulates that a decision of a “manifestly unfounded” application cannot be applied to victims of FGM/C, torture, THB, rapes and violence.¹²⁶ These planned changes to the Law No. 132/2018, that penalised vulnerable categories came too late, leaving women exposed for years of insufficient services or the risk of repatriation. However, these were often prevented thanks to the intervention of associations and Courts.

GIRLS OFTEN PRESENT THEMSELVES AS ADULTS UNDER TRAFFICKERS' INSTRUCTIONS, FOR THEM TO GAIN ACCESS TO RECEPTION CENTRES FOR ADULTS.

Women and girls lack trust in Italian police/administrative officers, making it even more acute for institutions to receive relevant training in order to be able to interact with and appropriately assist vulnerable women and girls. Moreover, girls often present themselves as adults under traffickers' instructions, for them to gain access to reception centres for adults where there is lack of oversight by official authorities.¹²⁷

In recent years, laws and practices are preventing the arrival of ships that have rescued migrants from pullbacks or life-threatening danger at sea. This has exposed women, who have the right to seek asylum and obtain protection in Italy, to further violence, with the possible return to countries such as Libya, where they have suffered violence and torture and where the respect for human rights is not guaranteed.¹²⁸ Apart from the personal risks to these women, these policies furthermore violate the principle of non-refoulement.

Other practises risk expelling women in contrast with *non-refoulement* principles.



credit: Ranier Meloni

122. GREVIO, p. 91

123. <https://www.coe.int/it/web/conventions/full-list/-/conventions/rms/090000168008482e>

124. At the time of writing the decree law has not yet been converted into law

125. Fortunately, Tribunals in Italy acted differently and allowed women at risk of expulsion in the CPR to register the asylum request. <http://www.befreecooperativa.org/2020/02/12/audizione-befree-commissione-dei-diritti-umani-presso-il-senato> and <https://openmigration.org/analisi/storia-di-antihonia-detenuta-in-un-cpr-e-quasi-espulsa-in-barba-alle-regole>

126. <https://www.gazzettaufficiale.it/eli/id/2020/10/21/20G00154/sg> Art. 2 - at the time of writing, has not been converted into law yet

127. https://italy.iom.int/sites/default/files/news-documents/RAPPORTO_OIM_Vittime_di_tratta_O.pdf, p. 10

128. GREVIO, p. 86

SECONDARY EXPLOITATION

The association Differenza Donna often found women to have been victims of a secondary exploitation, in particular related to drugs¹²⁹.

In fact, in recent years people trafficked for other purposes than sexual exploitation have been increasing.¹³⁰

DURING 2019, DIFFERENZA DONNA WAS IN CONTACT WITH 125 WOMEN OUT OF WHICH FIVE HAD BEEN EXPOSED TO SECONDARY EXPLOITATION.

The association staff met women in a CPR who were exposed to secondary exploitation. They had arrested and key institutions (e.g. judges and police officers) and lawyers were unable to recognise the secondary exploitation.¹³¹ These women risk to be repatriated and hence denied international protection by being convicted of drug-related crimes.¹³² During 2019, Differenza Donna was in contact with 125 women out of which five had been exposed to secondary exploitation. In 2020 the association was able to reach with 41 women, among which four had been exposed to secondary exploitation.¹³³ Six of them were brought to the CPR, at high risk of expulsion, and previously five of them have been arrested.¹³⁴

Institutions are failing in their duty to protect vulnerable people and in turn expose them to a high risk of being repatriated. Moreover, legal action against traffickers and exploiters are very rare.¹³⁵

PEOPLE ARE CONVICTED OF DRUG AND OTHER CRIMES WHEN THE EXPLOITATION IS NOT PROVEN, DUE TO THE FACT THAT THE LAW REQUIRES PROOF OF EXPLOITATION.

The current Italian law does not guarantee protection to victims of trafficking forced to commit crimes, such as those related to drugs, as there is no provision expressly preventing it and the perpetrator should already have been convicted of trafficking in human beings.¹³⁶ NGOs reported that people are convicted of drug and other crimes when the exploitation is not proven,¹³⁷ due to the fact that the law requires proof of exploitation.¹³⁸

This is why it is necessary to introduce a specific disposition that prevents victims of THB to be punished by crimes committed during the exploitation, as required by Art. 26¹³⁹ of the Convention¹⁴⁰. On this point, the Special Rapporteur on trafficking in persons underlined how important it is to recognise that people exposed to trafficking cannot be prosecuted for crimes undergone during exploitation.¹⁴¹



129. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

130. https://ec.europa.eu/anti-trafficking/member-states/italy-1-general-information_en

131. Differenza Donna

132. Law No. 132/2018 art. 7: modify artt. 12 and 16 regarding denied and exclusion from international protection, where drug trafficking is foreseen - <https://www.siproimi.it/wp-content/uploads/2019/11/La-tutela-della-protezione-internazionale-e-altre-forme-di-protezione.pdf>, p. 26-27

133. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

134. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

135. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center "Prendere il volo" of Differenza Donna ONG

136. USDOS - US Department of State: 2020 Trafficking in Persons Report: Italy, 25 June 2020: <https://www.ecoi.net/en/document/2036291.html> (accessed on 23 November 2020)

137. GRETA, 2018 - p. 59

138. USDOS - US Department of State: 2020 Trafficking in Persons Report: Italy, 25 June 2020: <https://www.ecoi.net/en/document/2036291.html> (accessed on 27 November 2020)

139. <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168008371d> "Article 26 - Non-punishment provision. Each Party shall, in accordance with the basic principles of its legal system, provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so."

140. GRETA, 2018 - p. 58

141. https://reliefweb.int/sites/reliefweb.int/files/resources/A_HRC_44_45_E.pdf - Trafficking in persons, especially women and children (6 april 2020)

SAFE REPORTING

The association Differenza Donna puts great emphasis of the necessity to ensure “safe reporting” to undocumented women. It often happens that police arrest and take an undocumented woman to the CPR who had called the police to report violence.¹⁴² Women willing to denounce a violent partner or a trafficker are afraid to do so because they do not have a permit to stay.¹⁴³ Differenza Donna had evidence of cases where women who called the police, reporting cases of SGBV, did not register their complaints. Instead, the police just brought the woman to the CPR. In fact, in many cases the violent partner has a permit to stay but not the woman. Women thus do not feel safe even to report cases of violence.¹⁴⁴ The risk of this behaviour by the police is the refolement of women unless the associations, allowed to enter in the CPR, meet the woman and bring attention to her case.¹⁴⁵ For instance, during the lockdown in Rome, a Peruvian woman received a decree of expulsion after having denounced her partner for violence.¹⁴⁶ The association Differenza Donna, that follows that case, urged the intervention of the Ministry of the Interior which led to revocation of the decree of expulsion.¹⁴⁷

AMONG THE 123 WOMEN THAT THE ASSOCIATION WERE ALLOWED TO SPEAK WITH, 23 WERE VICTIMS OF VIOLENCE. 19 WOMEN WERE BROUGHT TO THE CPR AFTER THEY SPONTANEOUSLY CONTACTED THE POLICE ASKING FOR HELP.

Differenza Donna collected data on women in CPR that are also survivors of violence. In 2019, they concluded that among the 123 women that the association were allowed to speak with, 23 were victims of violence. 19 women were brought to the CPR after they spontaneously contacted the police¹⁴⁸ asking for help¹⁴⁹. On one occasion the staff at Differenza Donna spoke to a woman that reported the kidnapping of her children by her violent partner yet the officers decided to bring her to CPR and refused the safe reporting.¹⁵⁰ The association has evidence of women victims of trafficking for sexual exploitation being taken from the police officers directly from the street and brought to the CPR, putting them at risk of refolement. Five women were brought to the CPR when police found them during exploitation.¹⁵¹

Since March 2020, due to the Covid-19 emergency, the association is not allowed to enter the CPR. In the beginning of the year, prior to the lockdown they were able to speak with 41 women out of which one was exposed to violence.¹⁵²

Denying the right to safe reporting is an institutional violence against women that experienced gender-based violence.¹⁵³

THE WOMEN AFFECTED BY MALE VIOLENCE BEFORE AND INSTITUTIONAL VIOLENCE ARE COMING FROM DIFFERENT NATIONALITIES, SHOWING THAT VIOLENCE AGAINST WOMEN IS A WORLDWIDE CONCERN.

The women affected by male violence before and institutional violence are coming from different nationalities,¹⁵⁴ showing that violence against women is a worldwide concern. It's therefore important to refrain from categorising women on the basis of their country of origin but rather to understand that women from all over the world can be exposed to unspeakable violence and that institutions, key staff, judges and law enforcement must be trained to understand their situations.

Differenza Donna believes that it is important that specific trainings are rolled out for public authorities and law enforcement officers by associations with expertise in this field. It is furthermore essential to ensure the presence of cultural-linguistic mediators that will help women in need to fulfil their requests without misunderstandings, and ensure the presence of protected help-desks within law enforcement offices with the aim to facilitate safe reporting with experts of SGBV and THB.¹⁵⁵



Photo credit: Pax Paloscia

142. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

143. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

144. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

145. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

146. https://www.ilmessaggero.it/mind_the_gap/violenza_denuncia_peruviana_espulsa_roma_ministra_lamorgese-5230013.html

147. https://www.ilmessaggero.it/mind_the_gap/violenza_quarantena_peruviana_denuncia_espulsa_revoca_provvedimento-5237352.html

148. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

149. Differenza Donna - Domestic violence: 9 Rape: 3 Physical assault by strangers: 2 Robbery / mugging: 2 Sexual exploitation: 1 labour exploitation: 1 Child abduction: 1

150. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

151. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

152. Differenza Donna - Sexual exploitation: 4 Labour exploitation: 1

153. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

154. Differenza Donna (Nigeria, Tunisia, Morocco, China, Peru, Algeria, Dominican Republic, Brazil, Colombia, Russia, Senegal, Argentina, Bolivia, India, Ukraine.)

155. Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

DURING THE LOCKDOWN IN ITALY, THE SITUATION FOR WOMEN AND GIRLS SUFFERING FROM SGBV OR THB DETERIORATED FURTHER DUE TO THE FORCED RESTRICTIONS OF MOVEMENT.

Women affected by trafficking have during the lockdown been left to fend for themselves with traffickers.¹⁵⁶ They do not have access to food and money, nor government aid.¹⁵⁷

THE SITUATION FOR VICTIMS OF TRAFFICKING AND SEXUAL EXPLOITATION HAS TAKEN A TURN FOR THE WORSE GLOBALLY

The Special Rapporteur on trafficking in persons concluded that the situation for victims of trafficking and sexual exploitation has taken a turn for the worse globally due to the lack of financial resources, and poor access to services – causing further exposure to abuse by the traffickers.¹⁵⁸

The access to service is limited because women often stay at home with the violent partner and may have difficulties in contacting helplines which support women suffering from violence or trafficking.¹⁵⁹ In Italy, during the lockdown, the capabilities for identification of vulnerabilities, violence and trafficking have diminished. A key driving factor is the impossibility/difficulties to gain access to crucial places where women in need can meet the associations. This encompasses social health services (e.g. “Codice Rosa” in the hospital), the Territorial Commission for international protection, Italian language schools, social services and the reception system.¹⁶⁰

During Covid-19, Italy did not provide funds to support women exposed to trafficking hence associations must themselves find the funds required to support women in need.¹⁶¹



Photo credit: claudiolandi, Shutterstock

¹⁵⁶ <https://www.theguardian.com/global-development/2020/jul/10/sex-traffickers-left-thousands-of-women-to-starve-during-italy-lockdown-coronavirus>

¹⁵⁷ <https://www.theguardian.com/global-development/2020/jul/10/sex-traffickers-left-thousands-of-women-to-starve-during-italy-lockdown-coronavirus>

¹⁵⁸ <https://www.ohchr.org/Documents/Issues/Trafficking/COVID-19-Impact-trafficking.pdf>

¹⁵⁹ <https://www.ingenero.it/articoli/come-stanno-le-migranti-nella-pandemia>

¹⁶⁰ <https://www.ingenero.it/articoli/come-stanno-le-migranti-nella-pandemia>

¹⁶¹ Differenza Donna, Giovanna Bruno Responsible for the anti-trafficking center “Prendere il volo” of Differenza Donna ONG

CHAPTER NINE

CONCLUSION

PREJUDICES HAVE A FUNDAMENTAL IMPACT ON THE POSSIBILITY OF IDENTIFICATION OF VULNERABILITIES AND RECOGNITION OF INTERNATIONAL PROTECTION, ESPECIALLY WHEN PEOPLE ARE NOT TRAINED TO RECOGNISE INDICATORS OF SGBV/THB.

In fact, women and girls affected by trafficking and violence may have normalised the violence suffered, do not identify themselves as a victim, have difficulties in recounting the violence. Moreover, they often fear being exposed to renewed violence by violent partners or traffickers.

Therefore, women are coming from different cultural, economic and religious backgrounds and it is important to understand how violations of sexual and reproductive rights, violence, exploitation and trafficking interact with these factors to affect women's lives in different ways.

Institutions must be trained to address the specificity of gender-based violence and the migration context, supporting women in escaping from violence.

A feminist and an intersectional approach is necessary to identify vulnerabilities, support women in escaping violence, improve the effectiveness of the legislative system and prevent the exploitation and the non-refoulement of women exposed to violence and trafficking.

Lastly, more funds must be allocated to associations that support women exposed to SGBV and THB or trafficking to allow the effective implementation of the legal provisions and appropriate support to address the women's needs.



Photo credit: Pasquale Senatore, Shutterstock

THB	Trafficking in human beings
SGBV	Sexual and gender-based violence
SIPROIMI	former SPRAR Reception centre for holders of international protection and unaccompanied minors
SAI	Sistema di accoglienza e integrazione Reception and integration system
TC	Commissione Territoriale per il riconoscimento della protezione internazionale Territorial Commission for the recognition of the international protection
CPR	Centro Rimpatrio Permanente Formerly CIE, center for expulsion
TUI	Testo unico immigrazione National Law on migration, No. 286/1998
CAS	Centro accoglienza straordinaria Reception center



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