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PREVENTING INTIMATE PARTNER VIOLENCE AGAINST
WOMEN IN ITALY: BENEFITS AND LIMITS OF
PERPETRATOR PROGRAMMES

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Abstract

The aim of this thesis is to explore the prevention of intimate partner violence against women (IPVAW) in Italy through the use of perpetrator programmes, implemented by specialised centres known as CUAVs (Centres for men perpetrators or potential perpetrators of gender-based violence). The approach adopted in this study is a shift of perspective: from the traditional focus on the victims, primarily women, to the ones, mainly men, responsible for perpetrating such violence. The thesis argues that such violence is not a “women’s problem”, but rather a “perpetrators’ problem”, hence the focus on programmes dedicated to perpetrators, aimed at preventing the recurrence and escalation of gender-based violent acts, and at fostering accountability. To conduct this study, the general conceptual context related to gender-based violence against women is examined, exploring its causes and structural nature, and providing legal definitions of related concepts. The legal framework is then analysed at international, European, and Italian levels, encompassing measures related to the fight against IPVAW and the legal basis for perpetrator programmes. Through academic research, legal analysis, and interviews with professionals from Italian CUAVs, the thesis explores the benefits and impacts of perpetrator programmes, supported by recent data. Additionally, this study aims to identify the risks associated with these programmes and the strategies required to mitigate them, particularly concerning the safety of the survivors. The Italian political context is also considered, examining its prevention policies and initiatives, to identify persistent shortcomings. In addition, some policy recommendations are proposed to enhance the effectiveness of IPVAW prevention efforts in Italy. Lastly, the study provides concrete insights into the everyday work of CUAVs, analysing the difficulties they encounter and the risks they need to manage, along with exploring the strategies they are implementing, drawn mainly from the interviews with CUAVs professionals.

Keywords: intimate partner violence against women, Italy, perpetrator programmes, prevention, gender-based violence.

Résumé

L'objectif de ce mémoire est d'explorer la prévention de la violence entre partenaires intimes à l'encontre des femmes en Italie par l'utilisation de programmes pour les auteurs de violences, mis en œuvre par des centres spécialisés appelés CUAVs (Centres pour les hommes auteurs ou auteurs potentiels de violences basées sur le genre). L'approche adoptée dans cette étude est un changement de perspective : de l'accent traditionnel mis sur les victimes, principalement des femmes, à ceux, majoritairement des hommes, responsables de la perpétration de cette violence. Ce mémoire soutient que cette violence n'est pas un « problème de femmes », mais plutôt un « problème des auteurs », d'où l'accent mis sur les programmes dédiés aux auteurs, visant à prévenir la récurrence et l'escalade d'actes violents basés sur le genre, et à favoriser la responsabilisation. Pour réaliser cette étude, le contexte conceptuel général lié à la violence à l'égard des femmes est examiné, explorant ses causes et sa nature structurelle, et fournissant des définitions juridiques des concepts associés. Le cadre juridique est ensuite analysé aux niveaux international, européen et italien, englobant les mesures liées à la lutte contre la violence entre partenaires intimes et la base juridique des programmes pour les auteurs de violences. À travers la recherche académique, l'analyse juridique et les entretiens avec des professionnels des CUAVs italiens, ce mémoire explore les avantages et impacts des programmes pour les auteurs de violences, soutenus par des données récentes. En outre, cette étude vise à identifier les risques associés à ces programmes et les stratégies nécessaires pour les atténuer, en particulier en ce qui concerne la sécurité des survivants. Le contexte politique italien est également pris en compte, examinant ses politiques et initiatives de prévention, afin d'identifier les lacunes persistantes. De plus, certaines recommandations sont proposées pour améliorer l'efficacité des efforts de prévention de la violence à l'égard des femmes en Italie. Enfin, l'étude fournit un aperçu concret du travail quotidien des CUAVs, en analysant les difficultés qu'ils rencontrent et les risques qu'ils doivent gérer, ainsi que les stratégies qu'ils mettent en œuvre, principalement à la lumière des entretiens avec les professionnels des CUAV.

Mots-clés : violence entre partenaires intimes, Italie, programmes pour les auteurs de violence, prévention, violence fondée sur le genre.

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Acronyms and Abbreviations

ATV	Alternative to Violence
CAHVIO	Ad Hoc Committee for Preventing and Combating Violence against Women and Domestic Violence
CAM	<i>Centro di Ascolto Uomini Maltrattanti</i> [Abusive men counselling Centre]
CAV	<i>Centri antiviolenza</i> [Anti-violence centres]
CBT	Cognitive-Behavioural Treatment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CESCR	Committee on Economic, Social and Cultural Rights
CIPM	<i>Centro Italiano per la Promozione della Mediazione</i> [Italian Centre for the Promotion of Mediation]
CoE	Council of Europe
CSW	Commission on the Status of Women
CUAVs	<i>Centri per Uomini Autori o potenziali autori di Violenza di genere</i> [Centres for men perpetrators or potential perpetrators of gender-based violence]
D.i.Re	<i>Donne in Rete contro la violenza</i> [Women in Network against violence]
DAIP	Domestic Abuse Intervention Project
DEVAW	Declaration on the Elimination of Violence Against Women
DPO	Department for Equal Opportunities
DV	Domestic violence
ECOSOC	United Nations Economic and Social Council
ECtHR	European Court of Human Rights
EG-TFV	Council of Europe Task Force to Combat Violence against Women, including Domestic Violence
EIGE	European Institute for Gender Equality
EU	European Union
EWL	European Women's Lobby

GBV	Gender-based violence
GBVAW	Gender-based violence against women
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
HRC	Human Rights Council
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IHRL	International Human Rights Law
IPSV	Intimate partner sexual violence
IPV	Intimate partner violence
IPVAW	Intimate partner violence against women
ISTAT	<i>Istituto Nazionale di Statistica</i> [Italian National Institute of Statistics]
LGBTQI+	Lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual, and more
NGOs	Non-governmental organisations
SARA	Spousal Assault Risk Assessment
UDHR	Universal Declaration of Human Rights
UEPE	<i>Ufficio di Esecuzione Penale Esterna</i> [External Penitentiary Execution Office]
UN	United Nations
UN OHCHR	United Nations Office of the High Commissioner for Human Rights
UNGA	United Nations General Assembly
VAW	Violence against women
WHO	World Health Organisation
WWP EN	European Network for the Work with Perpetrators of Domestic Violence

Introduction

Nearly one-third of women between 15 and 49 years old globally indicate having experienced violence – physical, sexual, or both – perpetrated by an intimate partner (WHO, 2024).

The issue of violence against intimate partners remains pervasive in today's world, affecting every society and corner of the globe, thus demanding sustained attention. The present thesis hence focuses on intimate partner violence against women (IPVAW) perpetrated by male partners or former partners, which is a particular form of gender-based violence against women. The expression intimate partner violence *against women* [emphasis added] is chosen deliberately to emphasise that this type of violence is deeply gendered, rooted in structural disparities between men and women. It disproportionately affects women and must thus be analysed within the context of patriarchy; this approach is crucial for understanding the phenomenon and addressing its underlying causes. Italy is the country focus of this thesis, examining its dynamics related to the issue, identifying the entities that provide perpetrator programmes, and evaluating the political approach as well as the deficiencies of the current government. The thesis primarily concentrates on prevention actions, mainly aimed at reducing the likelihood of recurrence of violent instances. To achieve this, it is crucial to focus on the individuals who are perpetrating such acts. Indeed, addressing exclusively the empowerment and support of women survivors, while undoubtedly crucial, is nonetheless insufficient for effectively tackling the issue. The aim of this work is to shift the perspective from actions dedicated solely to survivors, to analysing those initiatives aimed at holding perpetrators accountable and avoiding recidivism. This is the reason why this thesis will analyse perpetrator programmes, meaning those specific programmes dedicated to men who have perpetrated intimate-partner violence against their (ex-)partner, as well as men at risk of perpetrating it. The study will not only explore the benefits of these programmes, but also their limitations, including the difficulties encountered by specialised centres responsible for implementing them.

The choice of this topic stems from my deep and long-lasting interest in gender equality: as a dedicated feminist, I believe that this cannot be achieved without addressing violence against women. My goal is to address this issue by adopting a gendered perspective, with

a focus on the perpetrators, to reduce the recurrence and severity of such violence. It is particularly important for me to analyse this issue within the context of my country, Italy, where 120 women were killed in 2023. In more than half of these cases, the author was the partner or ex-partner (Public Security Department, 2024, p. 11). While this number is roughly consistent with other European countries, it is especially shocking when it refers to one's own country. Moreover, this data represents only the tip of the iceberg, the most extreme form of violence against women. In today's world, it remains crucial to address this issue by developing policies and initiatives aimed at preventing not only the most visible forms of violence but also the most hidden forms that occur privately within households and can ultimately escalate in the killing of the victim. Hence, the choice of focusing on intimate partner violence.

Given the sensitivity of the topic, certain premises must be established. It is crucial to recognise that gender-based violence is not exclusively perpetrated by men against women. However, due to the predominance of male perpetrators and female victims, and considering the focus of this analysis, the thesis takes into consideration only violence perpetrated by male perpetrators against female (ex-)partners. Moreover, for the purpose of this thesis, gender is understood in binary terms as men and women, although it is acknowledged that gender is a fluid concept. In addition, only heterosexual relationships are considered in discussions of intimate partner violence, to focus on the gendered nature of this analysis.

To conduct the research for this thesis, various types of sources were consulted, primarily academic and legal. The former were indispensable for, among other things, investigating the root causes of IPVAW, and why it should be viewed as a gendered issue deeply entrenched in societal structures. Without acknowledging this perspective, the phenomenon would otherwise be analysed as simple interpersonal violence, overlooking the underlying imbalances between genders. Legal sources have provided the definitions of the terms used throughout the thesis, ensuring clarity in conceptual understanding. Additionally, they have been essential for examining the various legal initiatives undertaken at different levels, and the legal foundation of perpetrator programmes and the Italian centres implementing them. Furthermore, media sources played a significant role, as IPVAW remains a social and political issue with ongoing debates. These sources provided perspectives and positions from political debates, as well as insights from

institutions, NGOs, and Italian centres. Lastly, interviews constituted a crucial source of information, essential to the completion of this thesis. To gain a comprehensive understanding of the operation dynamics of perpetrator programmes, interviews were conducted with the professionals of some Italian CUAVs, *Centri per Uomini Autori o potenziali autori di Violenza di genere* [Centres for men perpetrator or potential perpetrators of gender-based violence]. The interviews provided invaluable firsthand insights into the daily implementation of such programmes, including the challenges faced, strategies employed to mitigate risks, and the ongoing operational complexities. Engaging with practitioners who are dedicated to addressing intimate partner violence through perpetrator-focused interventions was particularly inspiring. These professionals share a profound commitment to the belief that effective intervention requires direct engagement with perpetrators, confirming my personal idea. Workers in CUAVs were extremely supportive and willing to contribute, while the same level of openness was not consistently observed among Italian anti-violence centres that provide protection and rehabilitation exclusively to women. It is important to note that not all centres in Italy were contacted, and those that responded cited lack of time or they deemed not being in the position to help with this research focused on perpetrator programmes, as they do not directly implement them. Therefore, it was not possible to carry out interviews with anti-violence centres. Nevertheless, the interviews conducted with CUAVs were indispensable for enriching this thesis with practical insights from the field. They provided a solid foundation for this study, giving a detailed understanding of the everyday realities and challenges encountered by professionals involved in these interventions.

Therefore, in order to examine the subject of prevention of intimate partner violence in Italy through perpetrator programmes and the limits of such initiatives, the present thesis is divided into two parts. Part I offers a background presentation of crucial concepts and the legal framework, whereas Part II delves deeper into prevention strategies and perpetrator programmes, analysing practical and concrete aspects in Italy. Each part is composed of two chapters. Chapter 1 presents the definitions of crucial concepts based on legal sources. In addition, it provides the foundational reasoning, primarily drawn from academic articles, which establishes gender-based violence against women as a gendered and structural issue that permeates societies. Without this premise, further analyses would not have been possible. Chapter 2 explores the legal framework, crucial for this study,

encompassing international, European, and Italian instruments relevant to combating intimate partner violence. Given that Italian laws are influenced by international and regional legislation, this multi-level analysis is essential. The legal examination also lays the groundwork for understanding the legal basis of perpetrator programmes, which are the primary focus of this thesis. Part II comprises Chapters 3 and 4. Chapter 3 provides detailed insights into violence prevention through perpetrator programmes, examining their operational aspects and focusing on Italian CUAVs. Understanding their functioning is crucial before analysing the challenges they face in Italy. Chapter 4 thus discusses the risks associated with these programmes and examines the Italian political landscape concerning such interventions to assess adequacy and identify persistent deficiencies. The chapter then offers a concrete presentation, based primarily on interviews, of the daily challenges that CUAVs encounter, strategies for overcoming them, and the necessary steps for further progress.

Part I: Violence against women and intimate partner violence: concepts, data, and multi-level legal framework

The first part of this thesis consists of Chapters 1 and 2 and it begins with a broad discussion on the worldwide phenomenon of violence against women (VAW). Chapter 1 explores some crucial concepts and their definitions at both the international and the European levels, particularly those provided by the Istanbul Convention. The chapter then addresses the complexities of these definitions and establishes the gender-sensitive concept of intimate partner violence against women (IPVAW) as the primary focus and terminology used throughout this thesis. Following this, the analysis investigates the reasons why violence against women should be acknowledged as a structural societal issue, delving into its causes and specific characteristics. Subsequently, the challenges in data collection are discussed, alongside a more detailed examination of Italian-specific data, which is the country focus of this research.

Chapter 2 focuses on the legal framework concerning VAW, with a specific emphasis on domestic violence (DV) and IPVAW. Domestic violence is an expression often used especially in this chapter, as it is the term employed more frequently in legal instruments, although the focus of this research remains IPVAW, which is a constitutive part of DV. The analysis starts with an exploration of the general international context, encompassing international human rights law that indirectly pertains to DV. The chapter then examines the evolution and recognition of general VAW as a human rights issue, and the subsequent adoption of specific instruments by the United Nations. The focus then turns to regional instruments, particularly those of the European Union and the Council of Europe, with special emphasis placed on the Istanbul Convention. A comprehensive understanding of the broader legal context is considered essential before presenting Italian legislation, which is inherently shaped by international and regional instruments. The chapter thus finally analyses the three primary national laws addressing VAW and DV.

Chapter 1: Violence against women and domestic violence: an overview

1.1: Concepts and definitions

This first section of the introductory chapter aims to provide clear and agreed definitions for the main and fundamental terms utilised in this study. These definitions draw from international instruments issued by the United Nations, as well as a regional landmark document, namely the Istanbul Convention of the Council of Europe. This section dedicates a particular focus on the said Convention's dual approach, which encompasses both neutrality and sensitivity towards gender, which could be deemed ambiguous; this reflection serves as a foundation for a more appropriate expression here proposed and employed throughout the thesis.

1.1.1: The international definitions of gender-based violence and violence against women

First and foremost, it is essential to present a precise definition of the term violence and to delineate its diverse manifestations. As stipulated by the World Health Organisation (WHO), violence is defined as

“the intentional use of physical force or power, threatened or actual, against one-self, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation” (WHO, 1996).

According to this comprehensive definition, violence can be classified into three overarching categories: self-inflicted, community-based, and interpersonal. Self-inflicted violence incorporates suicidal tendencies and behaviours, whereas communal violence covers acts such as hate crimes and warfare. Regarding interpersonal violence, it can be further nuanced into two subcategories: community violence and family and intimate partner violence. The former involves interactions among individuals who are not related, and it may entail acts such as violent crimes and sexual assaults perpetrated by strangers or acquaintances, as well as aggressions within institutional environments, such as education. On the other hand, family and intimate partner violent acts predominantly occur within the confines of the home and the category incorporates acts such as violence against children and elderly, and intimate partner violence.

Furthermore, the WHO identifies various forms of violent acts, which can be defined as physical, sexual, psychological, and deprivation or neglect. Each of the categories of violence explained above – except for violence against one-self – can potentially encompass the four types of acts (Krug *et al.*, 2002, pp. 6-7).

A specific form of violence demanding focused attention is the so-called gender-based violence (GBV), meaning violent acts committed against individuals solely due to their gender. In its General Recommendation 19 of 1992, the UN Committee of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW Committee) defined gender-based violence as “violence that is directed against a woman because she is a woman or that affects women disproportionately” and as including “physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty” (UN CEDAW Committee, 1992, para. 6).

The concept of violence against women (VAW) was formally defined for the first time in international human rights law through the UN Declaration on the Elimination of Violence Against Women (DEVAW) in 1993. According to the instrument, VAW encompasses

“any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.” (UNGA, 1993a, Art. 1).

The declaration identifies three distinct forms of violence, namely physical, sexual, and psychological while acknowledging that this list is not comprehensive. It also recognises that violence can occur within various contexts, including familial, societal, or state-perpetrated or tolerated situations. Concerning violence in family settings, it specifies that it

“[includes] battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation” (UNGA, 1993a, Art. 2.a).

When it mentions “violence occurring in the family”, the text refers to a specific kind of violence, i.e. domestic violence, which is a constitutive part of violence against women.

However, the definition of this term is not explicitly provided in this instrument of 1993, nor the expression is explicitly used; only a non-exhaustive list is given.

1.1.2: Definitions in the European context: the Istanbul Convention

The definitions enshrined in the international instruments are reiterated and specified by the Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter, Istanbul Convention) of the Council of Europe of 2011. This instrument plays an essential role in providing precise definitions: Article 3 acts as a fundamental reference point of the legal definitions.

Violence against women

The Istanbul Convention provides a comprehensive definition of violence against women (VAW), which is described

“as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life” (Council of Europe, 2011a, Art. 3.a).

In this Convention, it is clearly established that VAW is intended as a human rights violation and as a form of discrimination (Council of Europe, 2011b, para. 40); moreover, it has a gender-sensitive approach, meaning that it pertains exclusively to violence directed towards women, and cannot be used, for instance, to describe gender-based violence against men. The rest of the definition matches the one provided by the UN DEVAW in Article 1. However, the present definition expands the types of harm listed to include economic harm, which was not mentioned beforehand. It is worth noting that the concept was previously prescribed in the 2003 Maputo Protocol to the African Charter¹, which is a regional instrument that contains progressive provisions for, among others, the economic empowerment of women.

¹ Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, adopted by the African Union in 2003 and entered into force in 2005.

Gender

The Istanbul Convention introduces a significant change in defining gender. Rather than using the term “sex”, it adopts the concept of gender. According to the Convention, it is defined as “the socially constructed roles, behaviours, activities and attributes that a given society considered appropriate for women and men” (Council of Europe, 2011a, Art. 1.c). It is important to note that it is the first Convention, both at regional and international level, to define gender in terms of a social construct. The Rome Statute of the International Criminal Court (ICC) of 1998 previously provided a definition of gender, but only as “the two sexes, male and female, within the context of society” (ICC, 1998, Art. 7.3).

The decision to provide a specific definition of gender within the Istanbul Convention was deliberate, reflecting the drafter’s recognition of the importance of addressing gender dynamics in combating VAW and advancing gender equality. As outlined in the Explanatory Report, it has proven that some detrimental practices endure due to certain gender roles and stereotypes, which can lead to the normalisation of VAW (Council of Europe, 2011b, para. 43). As a result, the Convention urges States, in order to prevent violence,

“to promote changes in the social and cultural patterns of behaviour of women and men with a view to eradicating prejudices, customs, traditions and all other practices which are based on the idea of the inferiority of women or on stereotyped roles for women and men” (Council of Europe, 2011a, Art. 12.1).

Furthermore, the Convention emphasises the importance of considering gender when addressing VAW and domestic violence (DV). Gender inequality, stereotypes, gender roles, and discrimination against women must be taken into account to fully understand and respond to these complex issues. This gendered approach is crucial for effective protection and support for victims of VAW and DV (Council of Europe, 2011b, para. 43).

Gender-based violence against women

The Convention provides a definition of the expression “gender-based violence against women (GBVAW)”, blending two other expressions, which are “gender-based violence” and “violence against women”. GBVAW is thus defined as “violence that is directed against a woman because she is a woman or that affects women disproportionately”

(Council of Europe, 2011a, Art. 3.d). The Convention, using the expression GBVAW, adopts a gender-specific term, which differs from the previous gender-neutral term “gender-based violence (GBV)”. In the Explanatory Report of the Convention, it has been declared that such expression must be considered as an equivalent expression of the expression “GBV” used in General Recommendation 19 of 1992 and the UN DEVAW of the subsequent year. Even though in these two past documents a gender-neutral term was used, it was nonetheless defined with a gendered approach, as it was specified that such violence is, indeed, against women.

In the present Convention, it was deemed more appropriate to use the gender-sensitive term GBVAW since, as specified in the Explanatory Report, gender is the main reason for this type of violence. GBV entails the hurt inflicted upon a woman, which is, at the same time, caused by but also the outcome of power dynamics that are not equal between men and women, and that stem from apparent differences that contribute to a lower status of women, both in private and public life. As it will be analysed in section 1.2, society’s norms and cultural structures are the basis of such violence (Council of Europe, 2011b, para. 44).

Domestic violence

Domestic violence (DV) is a specific form of violence against women. A clear definition was provided, for the first time in an international or regional instrument, by the Istanbul Convention, which enshrines that domestic violence encompasses

“all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim” (Council of Europe, 2011a, Art. 3.b).

The definition distinguishes the two types of violence that compose domestic violence: violence within the family unit and violence between intimate partners. The former, which has been called inter-generational violence pertains to instances of the four types of abuse mentioned before (i.e. physical, sexual, psychological, and economic) which are committed by a person against their child, their parent, or other family members. Violence between intimate partners, known as intimate partner violence (IPV), comprises the same four kinds of violence, but it specifically occurs between spouses or partners, whether

current or former. The Explanatory Report also specifies that the term “domestic” is not meant to limit the instances where such violence can occur, as it often continues after the ending of an intimate relationship and can occur even if the persons involved do not cohabit (Council of Europe, 2011b, para. 42).

It is essential to introduce the fact that the expression “domestic violence” is to be considered gender-neutral, as it refers to violence that could be perpetrated against a person regardless of their gender. It thus comprises not only domestic violence against women but also against men. This will be further detailed in the next subsection, 1.1.3.

1.1.3: A gender-sensitive concept: Intimate partner violence against women

As anticipated, it is important to acknowledge that some ambiguity has been underlined regarding the terms utilised in the Istanbul Convention. The instrument’s full title includes both the expressions “violence against women” and “domestic violence”, thus placing the latter outside of the scope of a more general “violence against women”. Certain sections of the Convention explicitly incorporate a gender-sensitive approach, making gender a key component of the concept, as is the case for “violence *against women*” [emphasis added]. This expression highlights that VAW is not only based on gender, but it also specifically targets women because of their status. On the other hand, other aspects of the Convention and the language used are gender-neutral, such as the term “domestic violence”. It refers, indeed, to violence that occurs within the household, although it does not specify the gender of the perpetrator or the victim, thus providing a definition that is not based on gender, encompassing violence perpetrated by men against women, women against men, or individuals of the same gender.

Gender-neutrality

For what concerns gender neutrality, as previously mentioned, certain other aspects of the Convention are gender neutral. For instance, in some articles, the terms “victim” and “gender-based violence”, which do not define the gender of the person, are used, instead of “woman/women” and “violence against women”. This is the case of Article 15 regarding the training of professionals, which provides that States must provide training for those who work with “victims or perpetrators of all acts of violence covered by the

scope of this Convention” (*Ibid.*, Art. 15): this entails that victims and perpetrators can be both women and men, thus not providing a gendered dimension. Moreover, Article 16, which will be the focus of the thesis, concerns preventive intervention and treatment programmes and offers a gender-neutral perception: States have the obligation to create or support programmes “aimed at teaching perpetrators of domestic violence to adopt non-violent behaviour in interpersonal relationships” (*Ibid.*, Art. 16.1). In this provision, as the gender of the perpetrator is not specified, the possibility that they could be either men or women is left open. Nonetheless, as we will delve into shortly, this framing hides the systemic nature of male violence against women.

Moreover, Article 43 stipulates that “[t]he offences established in accordance with this Convention shall apply irrespective of the nature of the relationship between victim and perpetrator” (*Ibid.*, Art. 43). This is further clarified by the Explanatory Report, which explains that the drafters intended that the criminal provisions be presented in a gender-neutral form and that the sex of neither the victim nor the perpetrator should not define the crime (Council of Europe, 2011b, para. 153). It is then noted that certain articles deviate from the principle of gender neutrality of the criminal law part of the Convention, due to the inherent nature of the acts they address. Specifically, this pertains to Article 38 concerning female genital mutilation and Article 39 addressing forced abortion and sterilisation (*Ibid.*, paras. 198, 203).

The term “domestic violence” used throughout the Convention is inherently gender neutral, as previously anticipated: the victim and the perpetrator could be men or women, even though in the Explanatory Report it is stated that “domestic violence as intimate-partner violence [...] constitutes a form of violence which affects women disproportionately and which is therefore distinctly gendered” (*Ibid.*, paras. 41-42). This seems to reflect the compromise that Convention had to reach regarding domestic violence and its gender-neutral approach. Throughout the negotiations, there was hesitation to adopt a gender-based approach for domestic violence, due to the fact that it could affect not only women, but also men, children, and the elderly. Nevertheless, it is pertinent to note that VAW is a human rights issue due to the structural discrimination against women. On the other hand, while domestic violence against men does exist and must be acknowledged, it is not rooted in the same structural discrimination. The Convention thus maintains a degree of ambiguity: Article 2.1 declares that the document

applies “to all forms of violence against women, including domestic violence, which affects women disproportionately” – a gender-sensitive approach –, while Article 3.b provides a gender-neutral definition of domestic violence, as previously explained (Nousiainen and Chinkin, 2015, p. 42), where the terms “perpetrator” and “victim” are used.

According to the academic Jackie Jones (2018, p. 141), there is a concern that the language used in Article 2.2, when it calls on States to “apply this Convention to all victims of domestic violence” might obscure the underlying discrimination that enables domestic violence to occur. The European Women’s Lobby (EWL)² had previously criticised this approach during the Convention’s drafting, voicing its disappointment over the use of a gender-neutral term to refer to all victims of domestic violence. Despite their concerns, the formulation of the article remained unchanged. The EWL sustained that aiming for equal treatment of domestic violence cases against women and other cases, i.e. against men, might ultimately undermine the Convention’s objectives (EWL, 2010).

Moreover, Jones argued that placing domestic violence outside the category of gender-based violence, as is being done in the Istanbul Convention, is incompatible with previous UN documents, notably the DEVAW which declares that “[v]iolence against women comprises [...] violence occurring in the family” (Art. 2) and the General Recommendation 19 stating that “family violence is one of the most insidious forms of violence against women” (para. 23). The landmark case of *Opuz v. Turkey* of 2009 saw the European Court of Human Rights (ECtHR) tackle the issue of domestic violence. The Court’s ruling established that the violence endured by the complainants constituted gender-based violence, which could be considered a manifestation of discrimination against women (ECtHR, 2009, para. 200).

Gender-sensitivity

On the other hand, regarding the gender-sensitive aspects of the Convention, Article 6 explicitly demands States to

² The European Women’s Lobby is the most extensive network of women’s associations in Europe, encompassing over 2000 organisations. For more information, see: <https://womenlobby.org/?lang=en>

“include a gender perspective in the implementation and evaluation of the impact of the provisions of this Convention and to promote and effectively implement policies of equality between women and men and the empowerment of women” (Council of Europe, 2011a, Art. 6).

According to the Explanatory Report, the article in question falls under Chapter 1, which covers the general obligations of States. Its scope thus also includes the rest of the articles established under the Convention. Parties are required to consider gender issues both in the design of the instrument’s implementation measures and in the assessment of their effects. Additionally, States are urged to support and carry out measures intended to attain a gender equality goal (Council of Europe, 2011b, paras. 61-62).

Therefore, the interpretation of the Convention might be ambiguous, as Article 6 appears to adopt a gendered perspective, as supported by the explanations of the Report. However, some aspects of the document present a gender-neutral language.

Indeed, while some articles employ explicitly gender-sensitive language, others are deliberately gender neutral. For what concerns the first approach, examples could be found, among others, in Article 18 regarding general obligations for protection and support, which prescribes that States must take measures that are “based on a gendered understanding of violence against women and domestic violence” (Council of Europe, 2011a, Art. 18). It is also the case of Article 49 on general obligations for investigation, prosecution, procedural law and protective measures, which declares that States must take their measures “having regard to the gendered understanding of violence” (*Ibid.*, Art. 49).

Article 60 also adopts a gender-sensitive approach regarding gender-based asylum claims, which clearly requires a “gender-sensitive interpretation” of the 1951 Convention on the Status of Refugees, and that States must adopt “gender-sensitive reception procedures and support services for asylum-seekers” (*Ibid.*, Art. 60).

A gender-sensitive term: intimate partner violence against women

According to the Special Rapporteur on VAW at the time, given that violence against women is a structural issue, it requires a separate analysis from violence against men. A gender-neutral approach could run the risk of ignoring the distinctive elements of VAW, potentially shifting the discourse to a men *and* women vision, instead of recognising the

system of power of men *over* women. VAW must be thus analysed taking into consideration also institutional and structural factors, which demand a gender-specific approach, in order to tackle the underlying causes of the phenomenon (Manjoo, 2014, para. 61).

It is acknowledged that perpetrators of violence can be of any gender. However, the shift towards gender neutrality can minimise and disregard the fact that the vast majority of this kind of violence is perpetrated by men against women (Jones, 2018, p. 142).

For these reasons and considering the reasonings above, this thesis will adopt a gendered approach. When discussing domestic violence, it is crucial to use a gender-sensitive and specific term, which could be done by adding the gendered dimension, obtaining a term such as “domestic violence *against women*”. This refers to violence that occurs within the home and is directed towards a woman due to her gender.

The thesis will focus solely on violence within intimate relationships, called intimate partner violence, rather than domestic violence as a whole, which involves also violence against other family members. As the document will examine programmes for perpetrators, who are men and who commit violence against their female partner, the term “intimate partner violence against women” (IPVAW) will be used. This expression, used in more recent studies, is deemed more complete and does not obscure the gendered aspect of the phenomenon, which is the focus of this thesis.

When explaining the generalities of the phenomena, more general and comprehensive expressions such as “violence against women” and “gender-based violence” will still be used, as IPVAW is part of them.

1.2: The structurality and specific characteristics of violence against women

1.2.1: The causes of violence against women

In this subsection, the various and intertwining causes of violence against women will be listed and analysed, taking into account their individual, communal, and societal dimensions.

Legal, economic, political, and cultural factors

In a manual published by experts in support of the Council of Europe's work, four main types of factors are identified: legal, economic, political, and cultural (Pandea, Grzemny, and Keen, 2019, p. 21).

Firstly, legal considerations have played a significant role in perpetuating gender-based violence, particularly within the household. In many European countries, gender-based violence has been criminalised; nonetheless, due to outdated legal divisions between private and public settings, women remain vulnerable, particularly in cases of domestic abuse. Furthermore, a large percentage of these crimes go undetected since law enforcement tactics frequently favour offenders, which undermines public confidence in the authorities (*Ibid.*, pp. 21-22).

Secondly, economic aspects significantly raise women's susceptibility to violence, as a lack of funds leads to an abusive and impoverished cycle which can be challenging to come out of.

Thirdly, is the political factor, which contributes to the perpetuation of gender-based violence, as women's limited representation in positions of power hinders their ability to influence policy and implement measures to address GBV and promote gender equality. Furthermore, the issue of GBV is often marginalised, resulting in insufficient resources and attention, particularly regarding domestic violence (*Ibid.*, p. 22).

Last but certainly not least is the cultural factor, which refers to patriarchal and sexist views, that perpetuate the notion of male superiority over women. Cultural factors may encompass traditional views regarding gender roles, biased attitudes towards gender, societal norms, the perception of the family as a private matter controlled by men, and the acceptance of violence as a normal aspect of public life and a valid method of resolving disputes and establishing dominance (*Ibid.*, p. 21).

Patriarchal practices

Patriarchy, a concept with multiple definitions, was used, among others, by the sociologist Max Weber in the mid-1900s, to describe a system of government in which men hold authority in societies as heads of households, thus establishing a hierarchy with men over women and some men over others (Gerth and Wright Mills, 1946, p. 296). The concept

was further elaborated by Walby, who defined patriarchy as “a system of social structures and practices in which men dominate, oppress, and exploit women”. It is argued that patriarchy manifests across various societal structures, including male. Male violence against women is attributed not solely to individual psychological issues but to broader societal structures where violence serves as a tool for male power exertion over women (Walby, 1989, p. 214).

This pervasive violence, including domestic violence against women as well, significantly influences women’s behaviour and is not limited to isolated individuals (*Ibid.*, pp. 214, 224-225). Indeed, it should be noted that, although certain attributes of individuals or situations may exacerbate violence within a couple, the core issue is embedded within societal structures, rather than individual circumstances. This phenomenon echoes a distribution of power that is not equal between men and women and has its origins in the structural dynamics of domination and privilege in society. Indeed, Gavison stated that “when women are battered at home, it is not because each particular victim has triggered an unfortunate «individual» tragedy.” Rather, social structures are at play, and they are not inherently natural but are rather humanly constructed and disproportionately favour men (Gavison, 1992, p. 20).

Already in General Recommendation 19 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) it was affirmed that domestic violence originates from “traditional attitudes by which women are regarded as subordinate to men” (UN CEDAW Committee, 1992, para. 11). In general, the enduring presence of patriarchal beliefs concerning women and their societal roles and duties, exacerbate human rights violations against them (Manjoo, 2016).

Individual, community, and societal levels

Additionally, factors can be categorised into individual, community, and societal domains.

Firstly, at the individual level, exposure to violence, whether as victims or witnesses, has been associated with the adoption of behaviours condoning or perpetrating violence later in life (Flood and Pease, 2009, pp. 131-137). Research has shown that the attitudes towards VAW are transmitted among generations: exposure to violence is linked to later

perpetration of violence. Individuals who experience violence in childhood may develop attitudes that are supportive of violence, thus contributing to the person's engagement in violent behaviour towards their future adulthood partner (Markowitz, 2001, pp. 214-215).

Secondly, in community settings, attitudes towards VAW are shaped by participation in informal groups and peer networks. Men's interactions within these circles significantly impact their acceptance or engagement in violence towards their partners (Flood and Pease, 2009, p. 134).

Thirdly, on a societal level, mass media and social movements, especially women's movements advocating for change, play an important role in influencing attitudes towards VAW and indirectly influencing gender roles (*Ibid.*, pp. 134-136).

Domestic violence against women

For what specifically concerns domestic violence against women a study was undertaken, with the aim to investigate the potential correlations between, among others, the emotional state and depressive symptoms with cases of domestic violence, including intimate partner violence. The study revealed a decrease in violence during positive mood states, while an increase in conflict and violence in the house was linked to symptoms of depression, stress, and anxiety (Lanchimba, Díaz-Sánchez, and Velasco, 2023).

Moreover, other factors that could influence the possibility of domestic violence are, *inter alia*, low level of education, drug and alcohol abuse, and exposure to violence during childhood, as explained above; also, individuals who perpetrated violence in previous relationships tend to continue doing so with subsequent partners (Huecker *et al.*, 2023). Additionally, certain medical and lifestyle factors could contribute to domestic violence. Concerning perpetrators, some traits could be linked to the issue, even though, research findings are tentative. These include severe alcohol and drug consumption, traits such as possessiveness or jealousy, controlling behaviours, and emotional dependence (*Ibid.*). However, it is crucial to recognise that specific actions or situations can never justify or entirely explain an act of domestic violence against women. As it was previously discussed, VAW and thus also IPVAV, is a complex issue that is influenced by a range of cultural and structural factors, that are pervasive in every society. While drug or alcohol

abuse or depression may play a role, it is essential to understand that they cannot be the sole cause of violence against women.

1.2.2: Coercive control in intimate partner violence against women

In his elaboration of the theory of “incidentalism”, Hearn examined interviews carried out in the 1990s with men who had perpetrated violence in their relationships. His aim was to decipher how these men rationalised or failed to acknowledge their own violent behaviour towards women. Notably, Hearn observed that many of these men employed the term “incident” to describe their abuse, a term used to downplay their actions, depicting them as isolated occurrences rather than part of a larger pattern of violence and control. By framing their actions as anomalies, these men sought to distance themselves from the label of being inherently violent individuals (Hearn, 1998, pp. 45, 85).

This notion of incidentalism can be closely related to another concept, developed by the sociologist Evan Stark, in 2007. Stark’s theory posits that domestic violence is characterised by the repeated enactment of violent or controlling acts. These continuous actions serve for a harmful manipulation and dominance exerted by one individual over another – in this case, the partner – through a series of small yet impactful actions. These behaviours can be either physical or non-physical, severe or minor, and are repeated over time to establish some form of control (Stark, 2007, pp. 205-206). Addressing temporality is crucial, encompassing both the duration of actions and their consequences. Temporality manifests in two forms: episodic, where actions are viewed as individual events, and continuous, where the resulting harms persist over an extended period. Detecting such actions is a challenging task, particularly when they seem minor if taken individually, and could be considered as non-criminal acts. However, when viewed cumulatively, they can inflict substantial harm, especially when intentional (Walby *et al.*, 2017, p. 98).

Historically, domestic violence, thus including also intimate partner violence against women, was often downplayed compared to violence occurring in public spaces. It was commonly regarded as a private issue to be resolved internally by the involved individuals and families, without requiring intervention from authorities. However, attitudes have

shifted over time, with domestic abuse now being recognised as equally, if not more, serious than violence between unknown parties (Herring, 2018, p. 37).

Indeed, domestic violence, which encompasses several different forms of violence and coercion, is not merely an isolated incident or assault within the home; rather, it is characterised by coercive control as explained above, where the perpetrator seeks to dominate every aspect of the other person's life. Other characteristics of domestic violence that are not found in general violence are the breach of trust, the serious harm caused to minors who witness such violence, and the fact that it perpetuates and accentuates gender inequalities (*Ibid.*, p. 50). Focusing on the fact of controlling the partner's life with a series of continued acts, a term has been coined to describe the attempt to control the relationship: "intimate terrorism", which are acts "enacted in the service of taking general control over one's partner" (Johnson, 2005, p. 45). To understand the dynamics of controlling behaviour in relationships, it was found that in numerous cases of domestic violence, the male partner tried to hinder the woman's employment opportunities or to confine them to household duties, particularly childcare (Stark, 2007, pp. 242-245). While these actions may not appear particularly significant if considered individually, they become profoundly substantial when seen within the broader context and ongoing pattern of coercive control within the relationship (Burke, 2007, p. 611).

To comprehend the ongoing nature of violence and the challenges in recognising one's situation within a controlling relationship, it is essential to examine what is commonly known as the cycle of violence. Drawing on the observations of independent experts and published by the Council of Europe, it is underlined that a pattern is frequently observed in abusive relationships and involves a combination of instinctive responses and calculated tactics aimed at maintaining power and control. After an episode of abuse, there often follows a period known as the "honeymoon phase". During this time, the abuser may display remorse, offer apologies, and even make promises of change, reminiscent of the initial, romantic stages of the relationship. However, this phase is short-lived and primarily serves to alleviate the victim's concerns about the future of the relationship. Once the victim's anxieties have been momentarily quelled, the abuser typically reasserts dominance, leading to a reemergence of tension and eventual violence. Initially, these acts of violence may be sporadic and relatively minor, such as verbal attacks or minor physical altercations. This can make it challenging for the victim to

recognise the pattern or anticipate its escalation. However, as time progresses, the severity and frequency of the abuse often escalate, with the honeymoon phase becoming shorter or disappearing altogether. This cyclical pattern reinforces the abuser's power and control over the victim, perpetuating the cycle of violence (Pandea, Grzemny, and Keen, 2019, pp. 28-30).

1.2.3: The social and penal responsabilisation of the victim

One of the specific challenges associated with gender-based violence against women is the pervasive stigma surrounding it and the tendency to shift responsibility onto the victim. This contributes significantly to the underreporting of such crimes. In the case of intimate partner violence against women (IPVAW), women often struggle to recognise the abuse they are enduring and find it extremely difficult to leave an abusive relationship due to various factors.

The social acceptance of IPVAW

The perception of IPVAW by the general public significantly influences both its justification and individual behaviours. Understanding the extent to which society accepts or condemns this type of violence is crucial for comprehending the commission of such acts, the victimisation, and the reactions. This involves examining community attitudes towards the notion of a partner's right to inflict harm. Studying public perceptions of IPVAW and social justifications is vital, as these factors influence whether perpetrators engage in such acts, if victims report them, and how third parties respond to them (Waltermaurer, 2012, p. 167). A model has been proposed to elucidate the correlation between the social justification of IPVAW and the actions of perpetrators, victims, and bystanders. This model suggests that in communities where a greater proportion of the population views IPVAW as permissible, potential perpetrators are more likely to believe they have the prerogative to commit such acts. This perception of heightened entitlement corresponds with an increased incidence of perpetuation. Consequently, victims in these communities may be more inclined to perceive their abuse as justified, leading to reduced reporting and intervention by third parties. Additionally, third parties – strangers or acquaintances of the victim – who view such violence and law enforcement systems are

less inclined to intervene when IPVAW is deemed acceptable by society (*Ibid.*, pp. 167-168).

Research has demonstrated that the misconceptions around IPVAW significantly influence the decisions made by survivors of violence and the professionals assisting them. These “information myths” include the belief that IPVAW is solely characterised by physical abuse, the notion that female victims could easily leave their abusive relationships if they actually wished to, and the attribution of blame to the victims of violence (Westbrook, 2009, p. 828). Myths surrounding domestic violence not only serve to minimise the experiences of countless victims and rationalise the harm inflicted but also deter individuals from leaving abusive relationships. Due to feeling responsible for the violence, victims may be hindered from seeking assistance. Moreover, if the public perceives victims as the root cause of the issue, they are less inclined to offer support (Policastro and Payne, 2013, pp. 330-331).

Victim blaming and innocent victims

According to research works, individuals tend to accuse victims once they perceive them as having consented to or encouraged the violence. The phenomenon, known as victim blaming, is associated with the impression that women have the possibility to leave their abusive situation, and those who choose not to do so are to be held accountable, as they are believed to have given their permission to such violence (*Ibid.*, p. 334).

Indeed, victims of IPVAW are often exposed to victim-blaming mindsets, as they are not perceived as innocent victims who need ongoing assistance (Meyer, 2015, p. 1). The notion of “ideal victim” was developed by Nils Christie in 1986, offering a description of a person to be seen as innocent and deserving of support. She must appear as lacking in strength, involved in a socially acceptable activity, not guilty for the circumstances and location, and the offender should be a “big bad” person, a stranger to the victim, and finally, the victim should have enough authority to state their victimhood (Christie, 1986, p. 19). Hence, in the case of domestic violence against women, a perfect victim could be described as a woman, possibly a mother, who does not abuse substances, is employed in a socially acceptable field, or who stays at home caring for the children, whereas the perpetrator should be a big and violent person, who carries out serious violent offences;

the victim should also have the strength to ask for and accept assistance (Cruz, Lukić, and Strand, 2023).

However, victims of IPVAW do not typically fit the definition of the ideal victim and are perceived as not deserving as much assistance compared to individuals who endure other violent crimes. While they may share certain characteristics with the criteria described by Christie, such as being perceived as physically vulnerable and carrying out respectable roles in their households, IPVAW victims are not seen as blameless individuals. This discrepancy arises specifically from the unique dynamics of their personal relationship with the perpetrator, which often involves emotional, financial, and parental ties (Meyer, 2015, p. 3).

Secondary victimisation

Another aspect, related to the concepts previously mentioned, is secondary victimisation. While this term has been mainly associated with cases of sexual assault, it can also be applied more broadly. It pertains to the harm inflicted not directly by the abuse itself, but rather by the actions of institutions and society towards the victim (CoE Recommendation (2006)8). Consequently, it can be applied to victims of IPV as well. Acts through which secondary victimisation can be perpetrated, are, for example, repeatedly exposing the individual to the offender, questioning them about the same information, using improper language, or making insensitive remarks to victims (EIGE, 2016).

Indeed, stigma around IPV remains pervasive, particularly in how society perceives the victims. Extensive research on the phenomenon emphasises the stigma of such violence, which is portrayed as a private matter shaped largely by societal norms rather than individual circumstances. Studies have uncovered victim-blaming tendencies, suggesting that victims are often unfairly criticised for their actions or their perceived character flaws. This unjust treatment perpetuates their stigmatisation through discriminatory reactions and stereotypical attitudes (Meyer, 2015, p.5).

Intimate partner sexual violence

Another significant aspect of IPVAW, highly stigmatised, is sexual assault within intimate relationships, whether married or not, known as intimate partner sexual violence (IPSV). The failure to recognise such violence within relationships and the social stigma attached

to it are significant barriers to seeking treatment and aid (Wright *et al.*, 2021, p. 1). The widespread misconception that sexual assaults are exclusively committed by strangers, reinforces the belief that rape within intimate relationships is less severe or even not to be considered a crime. Despite the interconnected nature of IPV and sexual violence, most of the studies do not treat them conjointly. Additionally, victims of IPSV also struggle with the public's failure to acknowledge their experiences as criminal acts, which undermines their credibility and hinders their ability to receive compassionate assistance (*Ibid.*, p. 2). The research demonstrates the challenges that IPSV survivors may face in obtaining support, emphasising the importance of understanding the impact of external variables and factors, notably social stigma and inadequate support from family and community (*Ibid.*, p. 12).

Historically, sexual assault within intimate relationships has frequently been disregarded. The term “marital rape”, referring to sexual assault in a married couple, is a relatively recent concept. Previously, it was commonly assumed that consent to sexual acts was implicit within marriage. In international human rights law, marital rape is one of the acts comprised in the definition of VAW contained in the DEVAW (UNGA, 1993a, Art. 2)

Men's role and responsibilities

Merely focusing on women and the way gender-based violence is inflicted upon them would be insufficient. It is imperative to shift the focus towards the perpetrators, present or potential, of this violence, predominantly men, in order to comprehensively address the issue. Although it must be acknowledged that only a small fraction of men engages in violent behaviour, every man has the capacity to shape the social context that permits such actions by others. Men, for instance, have the option to choose not to stand by passively in the face of violent conducts exhibited by their peers. It is incumbent upon men to actively participate in efforts to eradicate violence against women. This requires men to acknowledge and assess their own violent tendencies, while also speaking out against the violent actions of other men (Berkowitz and Mathews, 2004, p. 1). By abstaining from using violence, intervening when they witness the violence of others, and tackling its underlying causes, men can make a significant contribution to the prevention of VAW. This strategy targets all men regardless of their perceived risk of violence and incorporates multiple levels of prevention. Prevention initiatives for men encompass

various approaches, ranging from directly addressing specific forms of violence such as sexual assault, domestic violence, and harassment, to indirectly with, for instance, awareness-raising activities. These programmes, targeting the underlying factors of men's violence, sexism, and gender roles, aim to promote positive and non-violent masculinities (*Ibid.*, pp. 1-2).

During the panel discussion held by the Human Rights Council (HRC) regarding actions for the elimination of VAW, a specific focus was dedicated to the involvement of men and boys in preventing and tackling such violence. The panel emphasised the necessity of involving them as allies in the fight against VAW, stressing the importance of challenging harmful cultural norms and stereotypes that perpetuate inequality. Furthermore, it was noted that gender equality is not solely a concern for women, but a responsibility for society as a whole. To effectively address gender inequality, men and boys must be encouraged to take action at both individual and institutional levels. Suggestions included initiating discussions about gender roles and sex education early on, as well as utilising spaces where men naturally gather to promote healthy relationships and masculinity (UN HRC, 2017a).

In elaborating its guidelines for member States, the Council of Europe underscored the pivotal role of men in ending both gender-based inequality and VAW, recognising that they are the primary perpetrators of such violence. This effort ultimately serves the interests of individuals – men and women – and of the whole society in the long term. However, initiatives involving men and boys should be complementary rather than a replacement of policies focused on women and girls. It is essential to acknowledge women's leadership in advancing gender equality and combating VAW, while also recognising men's particular responsibility in preventing such violence (Council of Europe, 2023, paras. 7, 12).

Regarding the case of Italy, the discourse on VAW has undeniably expanded in recent years, with feminist movements establishing crucial support structures like anti-violence centres and educational programmes promoting non-violence. However, an often-overlooked aspect is the acknowledgement of men's role in society and their interactions with women, along with their attitudes toward women's autonomy and the dismantling of patriarchal norms. While anti-violence centres primarily focus on

supporting women survivors, it is imperative to address the root cause of the issue: the perpetrators themselves. Recognising this need, some centres have initiated programmes aimed at abusive men to interrupt and prevent further violence (Delogu, 2021), as will be further discussed in detail in Chapter 3.

1.3: Complexities of data collection on violence against women and Italy's current data

1.3.1: Challenges with violence against women circumscription and data collection

Violence against women occurs globally, transcending national borders, religious beliefs, cultural practices, and socioeconomic circumstances (WHO, 2021). It is a pervasive phenomenon, as roughly one-third of women globally have experienced physical and/or sexual violence over the course of their life (WHO, 2024). However, accurately measuring its prevalence poses specific challenges.

Intersectionality

Certain situations may be complex, influenced by intersecting factors beyond gender alone. The concept of intersectional was pioneered in 1989 by Professor Kimberlé Crenshaw, to contextualise the specific ways African-American women were being subjected to both sex and race discrimination and the barriers they faced when trying to seek redress around this (Crenshaw, 1989, pp. 139-140). An intersectional approach to VAW involves examining how gender intersects with other forms of inequality and oppression, resulting in distinct experiences of violence. These factors coexist simultaneously, contributing to the overall impact.

The Istanbul Convention mandates that States must enforce its provisions, particularly those aimed at safeguarding the rights of victims, without discrimination based on various grounds: “sex, gender, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, sexual orientation, gender identity, age, state of health, disability, marital status, migrant or refugee status, or other status” (Council of Europe, 2011a, Art. 4.3). This comprehensive list addresses key factors that may be associated with discrimination against women. Moreover, Article 12.3, which enshrines the obligations regarding the prevention of VAW and DV, stipulates

that the efforts undertaken must “take into account and address the specific needs of persons made vulnerable by particular circumstances [...]” (*Ibid.*, Art. 12.3). In the Explanatory report, it is explained that persons in such conditions are, among others, women who are pregnant or those with small children, women with disabilities, sex workers, members of national or ethnic minorities, migrants, children, and seniors (Council of Europe, 2011b, para. 87).

Beyond the men-women disparity, other types of discrimination exacerbate violence within specific communities, highlighting the need for an intersectional strategy (Manjoo, 2011, para. 42).

Underreporting

When it comes to data regarding domestic violence, a significant issue that warrants attention is underreporting. Numerous cases of domestic violence against women go unreported, often referred to as the “iceberg” of DV. The reported cases, typically the most severe instances such as femicide, represent only the tip of the iceberg, with the majority of less severe cases remaining submerged and invisible. Women may choose not to report instances of violence for various reasons, be it personal, such as feelings of shame and worries about repercussions, or societal issues, like stigma and victim blaming behaviours, but also disparities in authority between men and women. As previously mentioned, social circumstances can also foster an environment that is acceptable for violence. For example, the inaction of those who are conscious of persistent violence can make it tougher for women to report it (Garcia, 2004, pp. 536-537).

There are other numerous factors that contribute to why women may not report the intimate partner violence they are enduring. Some may hold onto the belief that the abuse will eventually stop, while others may find relief in the quiet time that follows the violent episode, which may comfort them or even deepen their feelings for their partner. Financial dependence on the partner for essential needs such as bill payments or assistance further complicates their decision to report. Fear plays a significant role as well, whether it is the fear of escalating violence upon leaving the relationship, concern for the safety of the children, or worry over potential repercussions such as losing their place of residence or immigration status. Social isolation, lack of awareness about available support, anxiety about dealing with the authorities, and pressure from family, friends or the community

are additional factors that contribute to the reluctance to report the abuse (Gurm and Marchbank, 2020, pp. 153-154).

1.3.2: Current data regarding Italy

Collecting statistical data is fundamental for developing policies to prevent and suppress violence against women, a point emphasised by CEDAW, notably through the Committee's General Recommendation 9 of 1989 (UN CEDAW Committee, 1989a), and further detailed in the Istanbul Convention, which stipulates that:

- “1. For the purpose of the implementation of this Convention, Parties shall undertake to:
 - a. collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention;
 - b. support research in the field of all forms of violence covered by the scope of this Convention in order to study its root causes and effects, incidences and conviction rates, as well as the efficacy of measures taken to implement this Convention.
2. Parties shall endeavour to conduct population-based surveys at regular intervals to assess the prevalence of and trends in all forms of violence covered by the scope of this Convention [...]” (Council of Europe, 2011a, Art. 11).

In Italy, data regarding gender-based violence are collected and elaborated by the Italian National Statistics Institute (ISTAT) in collaboration with the Department for Equal Opportunities (DPO) of the Italian Presidency of the Council of Ministers, the Ministry of Health, and the Ministry of Justice, whereas specific data on intentional homicides – and thus also on femicides – are collected by the Ministry of the Interior. Recently, a new law (No. 53/2022) has been adopted to strengthen and coordinate data collection on gender-based violence. It enshrines specific roles for ISTAT, in particular, the Institute must conduct a survey on VAW every 3 years and then transmit such data to the Department of Equal Opportunity; ISTAT must also collect data on the situation of women who are seeking help from the anti-violence centres and women's shelters.

Additionally, data must be collected taking into consideration some specific information, among which the relationship between the victim and the perpetrator for a series of crimes, such as murder or attempted murder; battery; personal injury; sexual violence; ill-treatment against family members and cohabitantes; unlawful dissemination of sexually

explicit images or videos; violation of orders to leave the family home and prohibition to approach places frequented by the offended person³. The law has outlined a minimum list of relationships that ISTAT should consider, including: spouse/cohabiting partner and ex-spouse/cohabiting partner; boyfriend/girlfriend and ex-boyfriend/girlfriend; other relative; colleague/employer; acquaintance/friend; client; neighbour; schoolmate; teacher or person exercising care and/or custody; doctor or health worker; person unknown to the victim; other; unidentified perpetrator (Italian law 53/2022, arts. 2, 5, 7).

Official data

Concerning intentional homicides committed in Italy, including feminicides, data collected by the Ministry of the Interior concerning 2023 shows 330 intentional homicides, of which 120 with female victims. Of these, more than half are killed by their partner or ex-partner. The data are roughly constant compared to previous years (Public Security Department, 2024, p. 11).

In terms of reported complaints, in 2022 there were nearly 20,000 complaints of ill-treatment against family members and cohabitants, equating to 65.2 per 100,000 women. However, recognising the hidden nature of the phenomenon and the likelihood of high numbers of unreported cases, it is acknowledged that administrative sources such as national police files may not be reliable indicators of violence against women in Italy (Gazzelloni, 2024, pp. 12-13).

Additionally, data regarding calls to the national helpline 1522 were also collected. 1522 is a 24/7 free helpline promoted by the Department of Equal Opportunities with the aim of providing assistance and support to victims of stalking and violence, with the help of specialised staff⁴. The calls saw a significant increase in 2023, reaching more than 50,000 calls throughout the year, rising by 59% with respect to the data of 2022. Calls increased in the last quarter of the year, a variation that occurs every year, coinciding with the period of the International Day Against Violence Against Women. However, in 2023, the increase was particularly notable, possibly due to the publicity surrounding the femicide

³ For the full list of the 32 offences and some aggravating circumstances, see Art. 5 of Law No. 53/2022, para. 3, points (a) to (dd).

⁴ Official website of the service: <https://www.1522.eu/?lang=en>

of Giulia Cecchettin in November 2023 (*Ibid.*, p. 16), a case that will be further explored in the next chapter.

For what it concerns the data on women who are seeking a path out of the violence, numbers regarding 2022 are available: during that year, 26,000 women approached the path out of violence with the help of anti-violence centres. For the majority of these women, the decision of trying to get out of violence came only after months or even years after the violence started: for 43.1% of them, it was more than 5 years later the first episodes of violence.

Of the total of women who turned to anti-violence centres in 2022, almost 67% of them reported experiencing physical violence, and nearly 12% reported rape or attempted rape. Notably, in almost all cases (95.6%), the violence was perpetrated by a single individual, primarily someone with whom the woman had emotional ties. Specifically, 53% of perpetrators were the woman's partner – spouse, cohabiting partner, boyfriend, or lover – while ex-partners accounted for 25.3%. This indicates that over 78% of women seeking assistance from anti-violence centres were victims of intimate partner violence. In slightly more than 11% of cases, the perpetrator was another family member or relative, such as parents, siblings, children, or other relatives, including father/mother-in-law, placing these cases under the other category of domestic violence, namely inter-generational violence between family members. This means that women who have experienced violence perpetrated outside the family and intimate relationships – and have sought help from anti-violence centres – constitute only 10,5% of the total of women who have approached such centres (ISTAT, 2023a, pp. 9-12).

Furthermore, data from 2023 received from the “Scudo” tool has been collected. This device was created in 2020 and is used by police officers to record information on requests for help and interventions made regarding incidents of gender-based violence⁵. In the report published using this data, it was found that during 2023 the police carried out more than 17,000 inspections for alleged gender or domestic violence. Of the more than 19,000 victims, almost 14,000 were female, i.e. 72%. Moreover, in more than 90% of the cases, the alleged perpetrator is a person well known to the woman or a family member, in

⁵ For additional information on the “Scudo” tool, see: <https://www.interno.gov.it/it/notizie/scudo-strumento-piu-forze-polizia-nel-contrasto-alla-violenza-genere>

particular a spouse and/or cohabiting partner, relative or family member, partner or ex-partner. The alleged perpetrator is unknown to the victim in only 1.5% of cases. In 61.5% of the cases, the perpetrator is related to the victim through a current or past romantic relationship (Public Security Department and Save the Children, 2024, p. 4).

Chapter 2: The legal framework concerning intimate partner violence against women

2.1: The international level

Over time, numerous international instruments have been created to address violence against women (VAW), both explicitly and implicitly, mainly by the United Nations (UN). In the following sections, an overview of these instruments will be provided, beginning with International Human Rights Law (IHRL) instruments that do not exclusively address VAW, but are related to the issue in some way. It will then be discussed how VAW was eventually recognised as a human rights concern, an evolution that played a pivotal role in the creation of subsequent documents that specifically target VAW and thus also domestic violence (DV). These instruments will be analysed in Section 2.1.2, with a specific focus on domestic violence, in particular the aspect of intimate partner violence against women (IPVAW), as well as the role men play in preventing and combating such violence.

It is crucial to first examine the international framework surrounding violence against women, as global frameworks serve a significant purpose in establishing commonly agreed-upon norms and standards for the prevention and repression of the issue. Through the work of organisations, mainly women, public consciousness about the topic has been elevated, ensuring international recognition of VAW as a violation of human rights. As a result, governments are expected to treat such violence as a public matter and are held accountable for meeting their international human rights obligations, thus including those related to VAW, comprising domestic violence and its dimension of IPVAW (UN Women and Social Development Direct, 2020, p. 1).

2.1.1: A late specialisation of international human rights law towards domestic violence

The international framework on human rights

In order to fully grasp the legal framework on IPVAW and more generally on VAW, an analysis of the general international framework on human rights is needed, as it sets the basics and the links to the protection against such violence. It should be noted, however,

that initially, international – specifically UN – treaties did not directly tackle domestic violence or IPVAW. Specific attention to this matter only started to emerge in the 1990s, as will be elaborated upon shortly.

Since the creation of the UN, it has upheld the principles of non-discrimination and equality, as evident in the UN Charter’s Preamble, which affirms the equality of rights between men and women. The Charter further underscores the UN’s purposes, one of which is “promoting and encouraging respect for human rights and for fundamental freedoms for all without discrimination as to race, sex, language, or religion” (UN, 1945, Art. 1.3) thus laying the ground for the non-discrimination clause, which is a foundational principle that has been continuously enshrined in subsequent UN documents.

The issue of IPVAW, and more generally of VAW, violates multiple international principles and human rights protected in various international instruments, starting with the International Bill of Human Rights, which includes the Universal Declaration of Human Rights (UDHR), adopted in 1948 by the United Nations General Assembly (UNGA), and the two legally binding core conventions, namely the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), both adopted in 1966.

While early UN human rights instruments do not explicitly mention IPVAW, DV, or general VAW, they nonetheless contain crucial provisions related to these issues. For instance, Article 3 of the UDHR establishes that “[e]veryone has the right to life, liberty and security of person”. IPVAW threatens these fundamental rights that every human should possess simply because of being part of the human family. The equality clause is recognised in Articles 1, 2 and 7 of the UDHR. Article 1 declares that “all human beings are born free and equal in dignity and rights”; Article 2 provides for non-discrimination based on, *inter alia*, grounds of sex; Article 7 recognises that all humans are equal before the law and entitled to the equal protection of laws (UNGA, 1948). Though the UDHR, being a declaration, was initially a non-binding instrument, its provisions gradually became customary law, signifying an accepted international practice and thus entailing international obligations. The principles affirmed in the UDHR were then further reinforced by the ICCPR, which defends the right to life (Art. 6), and the right to liberty and security of person (Art. 9). Similarly, the ICESCR recognises the equal right of men

and women to economic, social and cultural rights (Art. 3) and the right to the highest standard of physical and mental health (Art. 12). The violations of these rights are implicated in IPVAW cases, highlighting the interconnection of human rights standards and the obligations of states to protect women from intimate partner violence, even if not explicitly mentioned.

General comments and recommendations⁶ were the instruments that allowed to specify better the link between the rights and the obligations provided for in the international conventions and gender-based violence generally. These documents are authentic interpretations by the treaty body referring to its respective UN human rights core convention. In the following subsection, their contribution to the development of provisions aimed at tackling domestic violence will be elaborated upon.

The recognition of violence against women as a human rights issue

After having highlighted the application of general international human rights law to instances of domestic violence, it is crucial to acknowledge a turning point in this field. This shift took place when VAW was recognised as a human rights issue, prompting the development of specific instruments to address the problem as a public concern, thereby necessitating action by States.

Human rights instruments have historically concentrated on issues related to the public domain, addressing matters like state violations of one's rights. However, they have not been as effective in handling the private sphere: no early human rights instrument addressed issues such as, among others, domestic violence, which is inherently part of the private domain. While the UDHR, ICCPR, and ICESCR all guarantee the equitable enjoyment of rights in a gender-neutral manner, ascribing rights to humans because of their nature, none of them specifically address the topic of violence against women (Jones, 2018, p. 16).

The recognition of violence against women as a human rights issue marks a crucial milestone, reflecting a gradual evolution in perspective over time. Historically, the acknowledgement has been proven difficult, and one of the main reasons is the dichotomy

⁶ The expression "General recommendations" is exclusively used by the Committee of the CEDAW; for the other treaty bodies, the term "General comments" is employed.

between public and private. Indeed, human rights law imposes three obligations on States: to respect, protect, and fulfil human rights core standards. As mentioned, the focus has been primarily on actions committed directly or indirectly by state agents, whereas violations occurring in the private sector were often overlooked by human rights law. Where there was not a direct implication of a state entity, it was not considered constitutive of a human rights violation (UN OHCHR, 2014, p. 26).

However, since the 1980s and throughout the 1990s and the 2000s, women's rights movements have condemned this narrow interpretation. Indeed, the grassroots movement and activism have finally pushed to change state laws to prevent and punish VAW (Htun and Jensenius, 2020, p. 145). Mostly thanks to this local action, it is now acknowledged that the duty to protect and fulfil human rights extends to safeguarding individuals, including women, from violations perpetrated not only by states but also by third parties, even within the private sphere, as part of their due diligence obligation. The UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) adopted in 1979 already encompasses both public and private domains, mandating states “to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise” (UNGA, 1979, Art. 2.e). The CEDAW stands as the most comprehensive international agreement concerning women's rights. However, it is to be noted that the instrument deals with discrimination and does not directly address violence against women. This is mainly due to the fact that it was formulated at a time when VAW was not yet acknowledged as a human rights concern. However, subsequent interpretations of the CEDAW by its Committee, which monitors its enforcement, have encompassed this issue and incorporated it within the scope of the CEDAW. This development occurred during the 1990s, particularly through General Recommendation 19 – updated by General Recommendation 35 –, which will be analysed in the next subsection.

This broadening of human rights obligations is particularly significant, especially concerning violence against women, and even more specifically for domestic violence, given the fact that it happens in the confines of a house. Long viewed as a private matter, the recognition of DV as a human rights violation was hindered by this perception. As previously mentioned, the idea that international human rights law only applied to

relationships between people and the state contributed to disguising the abuses (Pandea, Grzemny, and Keen, 2019, p. 28).

Such evolution can be particularly noticed starting from 1993. The Vienna World Conference on Human Rights and its final declaration stated that the elimination of discrimination on the grounds of sex is a key international goal, with a specific focus on combating gender-based violence against women, and that states must enhance the efforts to safeguard and advance the rights of women and girls. Such rights are to be considered as an “inalienable, integral and indivisible part of universal human rights” (UNGA, 1993b, para. 18).

2.1.2: United Nations instruments on domestic violence

It is after the recognition of VAW as a human rights issue that some specific instruments on VAW have been adopted.

In the 1990s, domestic violence began having its own international instruments, particularly with General recommendations by the CEDAW Committee and the UN Declaration on the Elimination of Violence Against Women (DEVAW), marking a significant development in the topic. Additionally, the number of resolutions relevant to domestic violence adopted by various UN entities, such as the Human Rights Council (HRC) and the General Assembly (UNGA), has continued to increase over the years.

General comments and recommendations

Since the CEDAW does not include provisions explicitly tackling VAW, it has been the role of its Committee to enlarge the scope of the Convention and include topics related to VAW, notably through its General recommendations. Indeed, starting with General Recommendation 12, the Committee urges that States parties mention in their reports to the CEDAW Committee, their efforts and actions undertaken to protect women against VAW, including domestic violence, and to eliminate such violence (UN CEDAW Committee, 1989b).

General Recommendation 19 of 1992 serves as a crucial milestone, linking violations of human rights entailed by VAW to other violations of rights. It presents a non-exhaustive

list of human rights and fundamental freedoms that gender-based violence – and thus VAW – threatens.

“These rights and freedoms include:

- (a) The right to life;
- (b) The right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment;
- (c) The right to equal protection according to humanitarian norms in time of international or internal armed conflict; (d) The right to liberty and security of person;
- (e) The right to equal protection under the law;
- (f) The right to equality in the family;
- (g) The right to the highest standard attainable of physical and mental health;
- (h) The right to just and favourable conditions of work” (UN CEDAW Committee, 1992, para. 7).

In addition, the instrument represents a pivotal development in addressing VAW within the framework of the CEDAW. This Recommendation explicitly states that “the definition of discrimination includes gender-based violence”, which “may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence”. Consequently, gender-based violence “is discrimination within the meaning of article 1 of the Convention” (*Ibid.*, paras. 6-7). Moreover, the Committee stipulates that States may be held accountable for private acts of violence if they fail to prevent rights violations, thereby not fulfilling their due diligence obligations (*Ibid.*, para. 9).

Twenty-five years later, General Recommendation 19 has been updated by General Recommendation 35 of 2017, which aims to give States “further guidance aimed at accelerating the elimination of gender-based violence against women” (UN CEDAW Committee, 2017, para. 3). In this complementing document, the more specific expression “gender-based violence against women” (GBVAW) is used instead of “violence against women”, to render “explicit the gendered causes and impacts of the violence” and to reinforce “the understanding of the violence as a social rather than an individual problem” (*Ibid.*, para. 9). In this General Recommendation, the Committee dedicates a significant section to delineate the obligations of States concerning GBVAW, encompassing areas such as prevention, protection, prosecution, and punishment (*Ibid.*, paras. 21-35). Furthermore, it is specified that, as demonstrated by the *opinio juris* and State practice,

the banning of GBVAW has developed into a customary principle in international law (*Ibid.*, para. 2).

Along with the CEDAW Committee, other treaty bodies of other UN human rights conventions that do not specifically address gender-based violence, issued certain General comments that relate to the phenomenon.

The Human Rights Committee, which supervises the implementation of the ICCPR, has addressed the issue of VAW through, for instance, General Comment 35 of 2014 related to the right of liberty and security of person (Art. 9 of the ICCPR). It explicitly mentions the obligation of protecting from VAW, stating that “States parties must take [...] measures [and] respond appropriately to patterns of violence against categories of victims such as [...] violence against women, including domestic violence” (UN Human Rights Committee, 2014, para. 9). Furthermore, when specifying the right to life (Art. 6), the Committee makes reference to gender-based violence, in particular to femicide, stating that it “constitutes an extreme form of gender-based violence that is directed against girls and women, is a particularly grave form of assault on the right to life” (UN Human Rights Committee, 2019, para. 61).

The Committee on Economic, Social and Cultural Rights (CESCR) also specified that “[g]ender based violence is a form of discrimination that inhibits the ability to enjoy rights and freedoms, including economic, social and cultural rights, on a basis of equality” (UN CESCR, 2005, para. 27).

Additionally, protecting women from intimate partner violence can be linked with the prohibition of other cruel, inhuman and degrading treatment. The Special Rapporteur on Torture, specified in its report of 2008 that domestic violence, especially in the form of IPVAV, is indeed a form of torture (Nowak, 2008, para. 44). Moreover, with regard to the State’s obligation of due diligence, which encompasses the responsibility to prevent, investigate, prosecute, and punish non-state actors, the Committee emphasised that States violate the UN Convention against Torture when they fail “to prevent and protect victims from gender-based violence, such as rape, domestic violence, female genital mutilation, and trafficking” (UN Committee Against Torture, 2008, para. 18).

UN Declaration on the Elimination of Violence Against Women

The UN Declaration on the Elimination of Violence Against Women (DEVAW) was adopted at the end of 1993, representing the first international instrument that specifically addresses VAW, urging states to condemn and eradicate it. This occurred shortly after the Vienna World Conference on Human Rights and its final Declaration, which emphasised that “human rights of women should form an integral part of the United Nations human rights activities” (UNGA, 1993b, para. 18). Indeed, in the Vienna Declaration, the General Assembly is urged to adopt the DEVAW (*Ibid.*, para. 38), which was accomplished at the end of the same year.

The DEVAW provided the first formal definition of VAW in an international instrument, as explained on page 7, and it recognised some fundamental aspects in its preamble. Some of these are the fact that such violence violates the “rights and fundamental freedoms of women and impairs or nullifies their enjoyment”; moreover, it is underlined that VAW stems from historical power imbalances between women and men, leading to discrimination and subordination of the former and that such violence serves as a “social mechanism” reinforcing their subordination to men (UNGA, 1993a, Preamble).

The Declaration then continues with enshrining the obligations upon States parties, specifying that they “should condemn violence against women and should not invoke any custom, tradition, or religious consideration to avoid their obligations”. States shall not only “refrain from engaging in violence against women”, but also, among other obligations, respect their due diligence obligation and take positive actions to “prevent, investigate and [...] punish acts of violence against women” committed by both the State and by private persons (*Ibid.*, Art. 4). Although the instrument is not legally binding, it offers a thorough framework outlining the scope, obligations of States, and the UN’s involvement in addressing VAW as a human rights violence. It is argued that the Declaration carries substantial influence in shaping international norms related to the elimination of VAW.

Although the instrument is a declaration and therefore not legally binding, also lacking a specific mechanism for monitoring State adherence, it nonetheless offers a detailed framework, providing definitions, States’ obligations, and the UN system’s role. It thus

significantly impacts the elaboration of international standards regarding the fight against VAW (Manjoo, 2018, p. 80).

World Conferences on Women

Significant progress was achieved through the four World Conferences on Women, particularly the last one, held in Beijing in 1995. These international conferences organised by the UN, involve the participation of delegates from Member States and are concluded with the adoption of a final document, detailing goals and actions to be taken to advance women and their rights. Concerning VAW, the Second World Conference in Copenhagen in 1980 did not address the issue, although a decision was adopted by the Conference on “battered women and violence in the family”, calling on States to “adopt measures to protect the victims of family violence and to implement programmes whose aims are to prevent such abuse” (UN, 1980, pp. 67-68). Moreover, this Conference was the occasion for the CEDAW to be opened for signature by Member States.

At the Third World Conference on Women in Nairobi in 1985, no specific focus was dedicated to violence against women; however, it was acknowledged as an issue taking “various forms in everyday life in all societies” and which “is a major obstacle to the achievement of peace” (UN, 1985, para. 258). Moreover, the Forward-Looking Strategies for the Advancement of Women adopted in Nairobi – a plan for action for the period 1986-2000 – paid special attention to specific groups of women facing several problems and vulnerabilities due to their status. Among the categories, the group of “abused women” is present, specifying that “Governments should intensify efforts to establish or strengthen forms of assistance to victims of such violence” providing immediate assistance to victims, and undertake actions “to increase public awareness of violence against women as a societal problem, establish policies and legislative measures to ascertain its causes and prevent and eliminate such violence” (*Ibid.*, para. 288).

Finally, the 1995 Fourth Conference in Beijing and its Declaration and Platform for Action, specifically addressed the issue of VAW. The Conference identified twelve critical areas of concern, urging state and non-state actors to take measures. Among these areas was VAW, recognised as being “an obstacle to the achievement of the objectives of equality, development and peace [and it] violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms” (UN, 1995, para. 112).

Moreover, specifically regarding domestic violence, it is noted that “in many cases, violence against women and girls occurs in the family or within the home, where violence is often tolerated” and that “there is often a failure to protect victims or punish perpetrators” (*Ibid.*, para. 117). Subsequently, strategic objectives to address the issue outline measures to be implemented by state and non-state actors that concern, *inter alia*, measures to prevent and eliminate VAW. Governments, along with NGOs and public and private sectors should, among other things, “[p]rovide, fund and encourage counselling and rehabilitation programmes for the perpetrators of violence” (*Ibid.*, para. 125.i)

Resolutions

Violence against women, and more specifically domestic violence, has been the subject of numerous resolutions by various UN bodies. In this paragraph, some resolutions of the General Assembly, the Human Rights Council, as well as the agreed conclusions of the Commission on the Status of Women, will be presented. While these instruments are not legally binding, they serve to reflect the ongoing development of norms and standards, carrying significant weight in shaping international provisions to eradicate VAW (Manjoo, 2018, p. 74).

It should be noted that these UN bodies do not specifically target VAW. However, the incorporation of a gender mainstreaming agenda within the UN framework has made this focus possible. Through the gender mainstreaming agenda, all UN organs address issues related to VAW, whether directly or indirectly, including specific aspects such as domestic violence. The said agenda emerged as a key approach to advance gender equality in the 1995 Beijing Platform for Action. The definition of gender mainstreaming can be found in the UN Economic and Social Council (ECOSOC) Agreed Conclusions 1997/2, which delineated it as

“the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality” (UN ECOSOC, 1997, p. 24).

In addition, the Human Rights Council (HRC) in its resolution of 2007 titled “Integrating human rights of women throughout the UN system” called all UN entities “to work to actively integrate the human rights of all women and a gender perspective throughout its work” (UN HRC, 2007, para. 6).

The General Assembly (UNGA) started addressing VAW with two resolutions of 1985 and 1990 focusing on domestic violence. The resolution of 1985 was adopted with consideration of the recommendations regarding DV made during the World Conference on Women of the same year. These documents represent the UN’s initial efforts to tackle the issue that, at the time, did not have a specific legal instrument (Manjoo, 2018, p. 80). In the 2000s, the UNGA started to pass resolutions on VAW in accordance with the gender mainstreaming agenda of the UN machinery. Resolution 59/147 of 2004 specifically focuses on the elimination of domestic violence against women. It emphasises the role of men and boys in preventing and eliminating such violence, and calls States to, among other things, “encourage and support initiatives to promote attitudinal and behavioural change on the part of, and the rehabilitation of, perpetrators of violence against women” (UNGA, 2004, para. 7.k). This emphasis on men and boys’ role and their responsibilities will be reiterated in subsequent resolutions, both by the UNGA and the Human Rights Council.

Starting in 2012, the UNGA began adopting resolutions every two years on the topic of VAW, under the title of “Intensification of efforts to eliminate all forms of violence against women”. Some resolutions are dedicated to specific issues, as is the case of Resolution 71/170 of 2017 which centres on domestic violence. The resolution urges States “to take effective action to prevent and eliminate domestic violence”, then listing a series of measures, including the adoption of legislation to proscribe domestic violence and prevent violations of women's human rights (UNGA, 2017, para. 14). Additionally, in order to prevent cases of domestic violence, States should “address structural and underlying causes and risk factors” by, for instance, stressing “the important role that men and boys can play in preventing and eliminating violence against women and girls, including domestic violence” (*Ibid.*, para. 15).

The Human Rights Council (HRC) has similarly passed a series of resolutions addressing VAW and related aspects.

The Commission on Human Rights, which preceded the HRC, adopted resolutions on the topic. In 1994, a resolution created the role of the Special Rapporteur on violence against women and girls, its causes and consequences, a mandate held by an independent expert on the issue⁷.

Since 2006, the HRC consistently passed resolutions focusing on efforts to eradicate the problem, in particular under the theme “Accelerating efforts to eliminate all forms of violence against women”; each resolution is dedicated to a specific aspect of the same issue. For instance, the Resolution of 2010 was dedicated to “ensuring due diligence in prevention”, in which the HRC stressed the obligations of States for the promotion and protection of women and girls’ rights; in addition, States “must exercise due diligence to prevent, investigate, prosecute and punish the perpetrators of violence against women and girls and provide protection to the victims” (UN HRC, 2010, para. 1). Among other things, States are called to intensify their attempts “to involve men and boys in initiatives to prevent violence against women and in highlighting the unacceptability of violence against women” (*Ibid.*, para. 12).

In the Resolution of the subsequent year, the HRC dealt with the topic of programmes exclusively dedicated to perpetrators, indicating that States must “provide, fund and encourage counselling and rehabilitation programmes for the perpetrators of violence [...] to prevent the recurrence of such violence” (UN HRC, 2011, para. 4.m). The importance for States to implement and encourage perpetrator programmes has been repeated in further HRC resolutions. Additionally, a specific resolution was dedicated to “engaging men and boys in preventing and responding to violence against women and girls”, in which the HRC highlighted the men and boys’ role and called on States, in order to prevent such violence, “to fully [engage] men and boys, alongside women and girls [...] as beneficiaries of achieving gender equality and the empowerment of all women and girls as a contribution to the elimination of violence against women and girls” (UN HRC, 2017b, para. 9.a). In addition, States should take measures to create “rehabilitative services in order to encourage and bring changes in the attitudes and behaviour of perpetrators of violence against women and girls and to reduce the likelihood of

⁷ For further information on the Special Rapporteur on violence against women and girls, its causes and consequences, see: <https://www.ohchr.org/en/special-procedures/sr-violence-against-women>

reoffending”, although the protection of the victim must be kept as the central priority (*Ibid.*, para. 10.e).

Commission on the Status of Women

The Commission on the Status of Women (CSW) is an important intergovernmental entity of the UN machinery, established by the ECOSOC, which solely focuses on promoting gender equality and empowerment of women. Each year, it convenes a session in which governments, as well as organisations of the civil society and experts, meet to discuss a priority theme, based on the Beijing Declaration and Platform for Action. Representatives of Member States collaborate to determine additional steps to be undertaken on the established topic. In addition, as a review theme, they assess the implementation of previously agreed conclusions⁸. The CSW addressed the issue of gender-based violence against women as a priority theme four times. Firstly, in 1998, emphasising the actions to be taken by the Governments, such as the adoption of legal measures, efforts to change attitudes, for the prevention, protection, and persecution of acts of VAW. The document also detailed specific actions to be taken by, *inter alia*, the international community, NGOs, and the public and private sectors (UN CSW, 1998, pp. 9-15). Subsequently, VAW was a priority theme in 2007 and 2013. Especially in the agreed conclusions of 2013, States are urged to, among other things, “address and eliminate, as a matter of priority, domestic violence” via legal measures (UN CSW, 2013, para. 34.d). The document also stressed the need to

“[e]ngage, educate, encourage and support men and boys to take responsibility for their behaviour [...] [and to] develop, invest in and implement policies, strategies and programmes [...] to increase their understanding of the harmful effects of violence and how it undermines gender equality and human dignity” (*Ibid.*, para. 34.pp).

In addition, States must

“create, develop and implement [...] rehabilitative services, in order to encourage and bring changes in the attitudes and behaviours of perpetrators of violence against women and girls to

⁸ For further information on the Commission on the Status of Women and its work, see: <https://www.unwomen.org/en/how-we-work/commission-on-the-status-of-women/about-the-commission-on-the-status-of-women>

reduce the likelihood of reoffending, including in cases of domestic violence [...] as well as monitor and assess their impact and effect” (*Ibid.*, para. 34.ggg).

Lastly, the annual session in 2021 addressed the topic of VAW. The agreed conclusions reaffirmed that such violence violates women’s human rights and represents a significant obstacle to gender equality and women's empowerment (UN CSW, 2021, para. 23). States were called, among other things, to

“fully engage men and boys as agents and beneficiaries of change, and as strategic partners and allies in [...] eliminating all forms of violence and discrimination against women and girls, in both public and private spheres, by understanding and addressing the root causes of gender inequality” (*Ibid.*, para. 61.tt).

2.2: The regional level

In this section, an analysis of the regional framework on violence against women will be conducted, with a specific focus on intimate partner violence, on men’s responsibilities and thus on perpetrator programmes aimed at preventing such violence. The primary attention will be on the European system, comprising both the European Union and the Council of Europe, although a brief overview of two other regional systems, namely the African and Interamerican systems, will be provided given their implementation of relevant instruments addressing the topic.

It is essential to dedicate a comprehensive analysis of regional frameworks, as they can offer crucial guidance, particularly for States that have not ratified international treaties but are nonetheless parties to regional instruments. The legal framework at the regional level is significant as it facilitates the adaptation of international standards into domestic laws (UN Women and Social Development Direct, 2020, p. 3).

As anticipated, the regional systems which present legally binding instruments to address VAW are, in chronological order, the Inter-American, African, and European systems.

In 1994, the Organisation of American States adopted the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, commonly known as the Belém do Pará Convention. It represents the first regional legally binding document exclusively dedicated to VAW. Unlike the Istanbul Convention of 2011, this

Convention provides for an individual complaint procedure, allowing individual persons or groups to file complaints to the Inter-American Commission if they believe their State violated its obligations under the Convention (Bettinger-López, 2018, pp. 168-169).

Within the African system, the Protocol to the African Charter on the Rights of Women in Africa – known as the “Maputo Protocol” – was adopted in 2003. It encompasses not only civil and political rights, but also economic, social, and cultural ones. It stands as the first legally binding human rights instrument that addresses the issue of VAW by prohibiting harmful customs, as well as domestic violence. This document is regarded as the most comprehensive in dealing with women’s rights (Orago and Nassali, 2018, pp. 113-114).

Lastly, within the European framework, the Convention on Preventing and Combating Violence Against Women and Domestic Violence, commonly known as the Istanbul Convention, was adopted by the Council of Europe in 2011 and entered into force in 2014. It was elaborated after numerous efforts undertaken by the organisation to combat VAW. This Convention is viewed as the most extensive regional instrument in providing support for victims of such violence and offering the highest level of protection for women (Jones, 2018, pp. 140, 161). The Istanbul Convention will be analysed in detail in subsection 2.2.2.

2.2.1: The European Union

The European Union has adopted various measures and initiatives to address the issue of violence against women. Some of these measures specifically target domestic violence, while others can be related to programmes for perpetrators of intimate partner violence against women (IPVAW). The approach has primarily involved the implementation of action programmes and strategies, rather than the introduction of legal and binding instruments, as prior to the 2000s, the EU’s approach was largely based on soft law. However, a new legally binding instrument was adopted in 2024, which will be further elaborated upon.

It is important to note that the EU Charter of Fundamental Rights, now legally binding thanks to the Lisbon Treaty, contains various concepts that can be linked with the topic

of violence against women, and, more specifically, of IPVAW. Indeed, it upholds the principle of human dignity (EU, 2012, Art. 1), and prohibits discrimination based on various factors, including sex. Additionally, it ensures equality before the law and equality between women and men in every domain (*Ibid.*, Arts. 20, 21, 24).

Resolutions

Regarding the soft law instruments on VAW, several European Parliament resolutions are noteworthy, beginning with the pioneering one from 1986, which marked the first in a series of such instruments addressing the issue. This resolution is dedicated to some specific aspects, including sexual violence, child sexual abuse, sexual harassment, and violence in the private sphere. In this last case regarding domestic violence, the European Parliament urges Member States governments to provide training for staff who could be interacting with victims of domestic violence (European Parliament, 1986, para. 19); it also calls to allocate funds to structures that assist victims of domestic and sexual violence (*Ibid.*, para. 24.a).

Subsequently, the European Parliament has continued to adopt other resolutions addressing VAW. Of significant importance is the Resolution of 2009, which emphasised the need for national governments to enhance their legal frameworks for combating VAW and to provide adequate support to structures assisting women victims of violence (European Parliament, 2009, paras. 1-2). In addition, the Parliament urged the EU to ensure that all victims of violence have access to assistance and support. Moreover, the European Commission was encouraged to begin drafting a directive aimed at preventing and combating all forms of VAW (*Ibid.*, paras. 6, 11).

Directive

In the 2010s the EU started to adopt legally binding instruments that are related to the topic of violence against women. Important to mention is the Directive of 2012 “establishing minimum standards on the rights, support and protection of victims of crime”. The document mentions gender-based violence, defining it as “[v]iolence that is directed against a person because of that person’s gender, gender identity or gender expression or that affects persons of a particular gender disproportionately”. It is then stated that specific attention and protection should be given to women victims of such

violence as well as their children (EU Directive 2012/29, para. 17). Moreover, domestic violence is also addressed, albeit without explicitly mentioning the term. The Directive addresses both violence by family members and by current or former spouse or partner, adopting a gendered approach, by specifying that women are “affected disproportionately by this type of violence and the situation can be worse if the woman is dependent on the offender economically, socially or as regard her right to residence” (*Ibid.*, para. 18). Nevertheless, despite this focus on women, the rights outlined in the Directive employ a gender-neutral approach, as such rights are ascribed to every kind of victim, regardless of their gender. Certain categories of victims, however, have specific needs and are considered vulnerable; within these categories, the Directive also encompasses victims of gender-based violence or domestic violence, as demonstrated by provisions such as specialist support for victims (Art. 9) and individual assessment of victims by the State, to determine if they need special protection needs (Art. 22).

Daphne Programmes

The most comprehensive initiative of the EU concerning VAW is the Daphne Initiative, a funding programme launched by the European Commission in 1997. The Initiative was created to assist those initiatives, projects, campaigns, and other activities aimed at addressing the issue of violence against three specific groups of people: children, young people and women. It has evolved through three successive Programmes: Daphne I, from 2000 to 2003; Daphne II, covering the period 2004-2008; Daphne III, implemented from 2007 to 2013⁹.

One of the projects funded through the Daphne Programme was the IMPACT Outcome Monitoring Toolkit. This initiative was developed in 2013 by the European Network for the Work with Perpetrators of Domestic Violence (WWP EN), which gathers various organisations across Europe. The Toolkit aims to standardise and establish a method for evaluating the impact of programmes dedicated to perpetrators of domestic violence, as will be detailed in Chapter 3.

⁹ For further information on the Daphne Initiative, see:
https://ec.europa.eu/commission/presscorner/detail/en/IP_97_1181

The new EU Directive

A significant recent development is the adoption of the EU Directive aimed at combating violence against women and domestic violence, marking the first binding EU legislation addressing this issue. Proposed by the European Commission in March 2022, the Directive was adopted by the Council in May 2024, following approval of the final text by the European Parliament.

The Directive criminalises several acts, including female genital mutilation and forced marriage; it also dedicates a focus on violence carried out online, such as non-consensual sharing of intimate images, cyber stalking and harassment, and cyber incitement to hatred and gender-based violence.

Additionally, the document presents a comprehensive list of aggravating circumstances, including perpetrating the act against the spouse or partner, both former and current, which constitutes intimate partner violence. Furthermore, it mandates Member States to establish prevention measures, including specific actions to prevent rape. The Directive also elaborates provisions regarding the support and the protection measures that States are asked to ensure to the victim (Council of the EU, 2024).

The Directive includes an article on intervention programmes, requiring States to take actions aimed at establishing such programmes to actively prevent instances of domestic violence and to diminish recidivism, limiting the probability of reoffending. These programmes may also extend to individuals who have not yet perpetrated such crimes but are deemed at risk of doing so. These programmes aim to help individuals develop non-violent relationships by educating offenders or those prone to offending, to avoid engaging in violent behaviour (EU Directive 2024/1385, para. 80).

Member States are now given a period of three years to incorporate the Directive into their domestic legislative framework.

This significant progress has been warmly received by various institutions and civil society organisations, who have long awaited such a necessary step, considering it a missing element in EU legislation. The European Women's Lobby (EWL) welcomed it as a “monumental achievement”, which was possible also thanks to their continuous efforts over time. However, they expressed deep disappointment, particularly regarding

the exclusion of an article from the final version of the Directive that would have established a unified definition of rape based on lack of consent. The omission of such provision was attributed to the opposition from France and Germany, a position grounded in their interpretation of national legal competencies, arguing that the prosecution of rape falls within the sovereign jurisdiction of each Member State, as it pertains to criminal law, which must be dealt with on the national level (EWL, 2024).

In addition, in a joint statement by thirteen civil society organisations dealing with human rights and gender equality, while they deeply welcome the new rule, they expressed regret that certain acts of violence were not included, such as forced sterilisation and intersex genital mutilation. Moreover, they voiced their disappointment over the fact that, due to the position of some States, achieving a consent-based definition of rape was not possible, considering it as a significant missed opportunity (Human Rights Watch, 2024).

2.2.2: The Council of Europe

The Council of Europe also dealt with the topic of VAW, including domestic violence, long before the adoption of its Istanbul Convention, through a series of initiatives, reports, and recommendations.

Recommendations

Recommendations of the Committee of Ministers of the Council of Europe, while not being legally binding, do hold the power to propose frameworks that Member States can subsequently implement at the national level. As early as 1985, a Recommendation addressed the issue of domestic violence, urging States to prevent violence in the family through public awareness, information, training to professionals, and sustaining entities that support victims; States should also take action for the protection of the victim and to avoid reoffending (CoE Recommendation (85)4, paras. 1, 3).

A follow-up Recommendation was adopted in 1990, focusing on the measures States should take regarding domestic violence, with a series of general actions as well as some specific provisions for women victims of such violence, including providing them with support and assistance, financial aid, shelters, and counselling (CoE Recommendation

(90)2, para. 6). Moreover, Member States should take appropriate measures regarding the perpetrators, to rehabilitate them through therapy and other services (*Ibid.*, para. 8).

In 2002, an extremely relevant recommendation regarding the protection of women from violence was adopted. After having reaffirmed the seriousness of VAW and the link with discrimination and violation of human rights in its preamble, the Committee of Ministers recommends Member States to take a series of actions. These include potential legislative adjustments and respecting their due diligence obligations to prevent and prosecute instances of violence, irrespective of whether the perpetrator is the State itself or a private individual. In addition, men should also be called to participate in efforts to eliminate the phenomenon, since, as highlighted, VAW stems from “unequal power relations between women and men”. Moreover, States should also urge various institutions specialised in VAW to develop an action plan (CoE Recommendation (2002)5, paras. 1-4). Furthermore, a series of general and specific actions that should be taken by states regarding VAW are attached to the document. General actions encompass the protection and assistance of victims, prevention efforts, actions for public awareness, education, and media. Moreover, programmes aimed at perpetrators of violence are mentioned: States are recommended to provide such programmes to promote relationships free from violence, utilising such measures as a prevention instrument, and allowing voluntary participation. A specific section is also dedicated to violence among family members, urging States to recognise it as a criminal offence (*Ibid.*, paras. 50-59).

Between 2006 and 2008, a Council of Europe campaign focused on domestic violence against women in Europe was implemented. The Parliamentary Assembly, through a Resolution, called the Committee of Ministers to prioritise combating domestic violence as a key activity of the campaign and to provide NGOs with the necessary funds for their activities in this sense. At the conclusion of the campaign, a final report was drafted containing several concluding recommendations, among which was the creation of a European Convention for preventing and combating VAW and protecting victims, stating its “clear need” to ensure that the measures provided for in the Recommendation of 2002 become legally binding for Member States of such future Convention (Council of Europe EG-TFV, 2008, para. 5.2.1).

Istanbul Convention

Therefore, in 2011, the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (hereinafter, Istanbul Convention) was adopted, undoubtedly representing the major achievement of the Council of Europe regarding VAW. The Convention is recognised as a human rights treaty, as it explicitly associates gender equality with the elimination of such violence. The Convention stands as the instrument that was able to address the legal gap in the European level in protecting women from VAW (Jones, 2018, p. 140).

The Convention, in its Chapter IX, also provided for a specific mechanism in charge of monitoring the implementation of the instrument in States Parties, called the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO).

As mentioned in Chapter 1 of the present document, the Convention is notably significant for its comprehensive definitions provided in Article 3. Moreover, a specific focus is dedicated to the prevention of VAW, the topic of Chapter III of the instrument, which also includes Article 16, a central point of this thesis, addressing preventive intervention and treatment programmes. The inclusion of such programmes has been underscored since the first meetings of the Ad Hoc Committee for Preventing and Combating Violence against Women and Domestic Violence (CAHVIO), responsible for the drafting of the document. It was highlighted that such programmes had already proven successful in certain Member States of the Council of Europe, stating that the new Convention “could thus emphasise the importance of these programmes for the prevention of further violence and promote their implementation” (CAHVIO, 2009, para. 24).

Thus, ultimately, these programmes were included in the Convention under Article 16, which enshrines that:

- “1. Parties shall take the necessary legislative or other measures to set up or support programmes aimed at teaching perpetrators of domestic violence to adopt non-violent behaviour in interpersonal relationships with a view to preventing further violence and changing violent behavioural patterns.
2. Parties shall take the necessary legislative or other measures to set up or support treatment programmes aimed at preventing perpetrators, in particular sex offenders, from re-offending.
3. In taking the measures referred to in paragraphs 1 and 2, Parties shall ensure that the safety

of, support for and the human rights of victims are of primary concern and that, where appropriate, these programmes are set up and implemented in close co-ordination with specialist support services for victims.” (Council of Europe, 2011a, Art. 16).

As stated in the Explanatory Report, these programmes aimed at perpetrators seek to transform their violent patterns, to prevent the recurrence of such crimes. They are designed to promote accountability among perpetrators, analysing their stereotyped perceptions of women. Collaboration with other entities is crucial, including services in support of women, law enforcement, family and children’s services, and judicial authorities. However, the primary focus must always prioritise victim’s safety (Council of Europe, 2011b, paras. 102-105), as will be explained in detail in Chapter 4.

As explicitly mentioned in paragraphs 1 and 2 of Article 16, two different types of programmes are provided for: those dedicated to perpetrators of domestic violence, and those for sex offenders. For the purpose of this thesis, only programmes addressing instances of domestic violence will be analysed, specifically focusing on cases of intimate partner violence perpetrated by men against women.

2.2.3: The need for a new international instrument?

The question of whether to establish a new international treaty exclusively dedicated to addressing VAW, most likely under the auspices of the UN, or, alternatively, to create an optional protocol to the UN CEDAW, remains unresolved. In a 2017 study conducted by the Special Rapporteur on VAW, it was observed that certain experts and the majority of the civil society organisations involved in the research consider such a treaty necessary, underscoring the existing legislative gap in international law regarding the matter. On the other hand, others argue that such a treaty is unnecessary, and efforts should instead focus on the existing instruments (Šimonović, 2017, paras. 43, 56).

While developments at the UN level regarding VAW have been in the form of soft law, which carries persuasive power but is nonetheless not legally binding, it is important to note the existence of a potentially universal Convention, that is the Council of Europe Istanbul Convention. Indeed, such instrument is open to every State to sign and ratify it, including to the European Union. Even though it was created as a regional instrument, it could be considered an international instrument to address VAW.

Currently, only Member States of the Council of Europe have acceded to the Convention, possibly due to reasons such as its Euro-centric approach, that may not be shared globally. Additionally, some measures outlined in the Convention, such as the establishment of shelters and services, can be rather costly, and not every country may have the necessary funds, especially considering the absence of a clause for progressive realisation, as found in other international treaties (Jones, 2018, pp. 159-160).

While it is true that only States that are already members of the Council of Europe are part of the Istanbul Convention, it is crucial to note the significant milestone reached in June 2023, when the European Union eventually ratified the document. The EU's ability to accede to the Convention was possible as it holds legal personality, conferred by the Lisbon Treaty, which enables the EU to engage in international instruments, including human rights conventions. This step builds upon the precedent set when the EU acceded to the UN Convention on the Rights of Persons with Disabilities in 2010. This progress has been deemed crucial, as it fosters deeper collaboration between the EU and the Council of Europe, as well as with the States parties of the Convention. Moreover, it creates legal obligations for the EU to implement the instrument, including the requirement to report to the GREVIO (*Ibid.*, p. 161).

To conclude, while the Istanbul Convention is an internationally recognised and legally binding instrument addressing violence against women, the debate about the necessity of establishing a new dedicated international instrument for this issue remains open. Various perspectives have been presented, including differing opinions on the nature of the possible new instrument.

2.3: The Italian level

In the context of addressing violence against women, including intimate partner violence, the Italian government has implemented a range of laws. In 2013, Italy ratified the Istanbul Convention and is therefore obliged to comply with its provisions. Understanding Italy's legal approach to this issue requires a brief overview of its historical background and the evolution of key instruments such as the Criminal Code.

In Italy, in the 1970s and 1980s, it was feminist battles that led to a series of abolitions of discriminatory laws, thus fostering an advancement of fundamental rights for women. In particular, two discriminatory practices, provided for in the 1930 Criminal Code, were abolished in 1981: reparatory marriage and honour killing.

Notably, a crucial Italian figure who influenced these changes was Franca Viola. In the 1960s, she was kidnapped by her ex-boyfriend, who was related to the local mafia and who, together with others, abducted and raped her. Law at the time contemplated the practice of reparatory marriage, which provided that, in the case of a sexual assault,

“the marriage, which the offender contracts with the offended person, extinguishes the offence, also with regard to those who have participated in the offence; and, if there has been a conviction, its executions and penal effects shall cease.” (Italian Criminal Code, Art. 544)¹⁰.

Franca Viola was the first person to openly reject the practice; her case then succeeded in raising the issue of the practice to a national level, with women’s struggles against such discriminatory practices consequently intensifying, in parallel with a series of demonstrations (Cocchiara, 2013). Furthermore, in the late 1970s, a rape trial was recorded to demonstrate the dynamics in which it took place, and the practice of blaming the victim; the filmed trial was aired as a documentary on the national TV channel. As a result of this, at the beginning of the 1980s there was a big demonstration, and the following year, in 1981, Article 544 on reparatory marriage was finally removed. However, rape was still considered a crime against public morality and decency until 1996, when Law 66/1996 abrogated a series of articles of the Criminal Code and the entire Chapter I of Title IX that defined rape as a “crime against public morality and decency”, and inserted the new Article 609-bis enshrining rape within the section of “crimes against personal liberty” (Law 66/1996, Arts. 1-2).

The topic of violence against women has recently regained relevance in the Italian public and political debate, especially in November 2023, following what has been referred to in the media as the “Giulia Cecchetti effect”. The femicide of Giulia Cecchetti, a 22-year-old woman murdered by her ex-boyfriend, has provoked profound reflection and

¹⁰ Original text in Italian: “[...] il matrimonio, che l’autore del reato contragga con la persona offesa, estingue il reato, anche riguardo a coloro che sono concorsi nel reato medesimo; e, se vi è stata condanna, ne cessano l’esecuzione e gli effetti penali.”

In the thesis, all translations into English are those of the author.

public echo for several reasons. The fact that the crime took place shortly before 25 November and that her body was found after a week-long search while the murderer was still on the run, generated extensive media coverage. The public reaction of her family further amplified the exposure of the case, as they publicly denounced the patriarchal system as the main cause of violence against women. The reaction was not only political, in the media, or in the general public, but also in terms of calls to anti-violence centres and the national number 1522 during this period.

Mariangela Zanni, the president of the anti-violence centre in Padua, the largest in the Veneto region, remarked that such a heightened response had never been witnessed, not even following previous cases of femicide. She emphasised that discussions about the existence and operation of these centres typically only arise during “emergency” situations, while in reality, addressing gender-based violence should be an ongoing, structural effort (Nicolussi Moro, 2023). Furthermore, there has also been a legal impact. While it is true that the new bill addressing violence against women had been in progress since June 2023, its adoption was likely accelerated by the case mentioned. The 168/2023 law, which will be further explained, is known as “Provisions to combat violence against women and domestic violence” and it was unanimously adopted on November 24, 2023 (Gentilucci, 2023).

In the following subsections, the most important Italian laws concerning gender-based violence will be analysed, highlighting the aspects that have been changed with regard to domestic violence, specifically partner violence.

2.3.1: Law 119/2013 “Femicide Law” and the National Action Plans

Law 119/2013 – “Femicide Law”

One of Italy's most important national laws concerning violence against women is Decree-Law no. 93 of 2013, converted into Law 119/2013 known as “Femicide Law”, which was adopted in conjunction with the ratification law of the Istanbul Convention. It encompasses a comprehensive set of preventive and punitive measures aimed at addressing VAW, in line with the requirements of the Convention (GREVIO, 2019, para. 6).

The law amended several articles of the Criminal Code. Among these, it added an aggravating circumstance for two acts, specifically for persecutory acts (Art. 612-*bis*¹¹) and for sexual violence offences (Art. 609-*ter*). The penalty is thus increased if the acts are committed

“against a person of whom the offender is the spouse, even if separated or divorced, or a person who is or has been linked to the same person by a relationship of affection, even without cohabitation” (Law 119/2013, Art. 1.2)¹².

In addition, the 2013 law introduced a new provision in the Code of Criminal Procedure (Art. 384-*bis*), enabling the judicial police to order the

“urgent removal from the family home with a prohibition on approaching places habitually frequented by the offended person against someone who is caught in the act of committing offences [including ill-treatment against family members or cohabitants, murder, and persecutory acts] when there are reasonable grounds for believing that the criminal conduct may be repeated, placing the life or physical or psychological integrity of the offended person in serious and present danger.” (*Ibid.*, Art. 2.1.d)¹³.

Moreover, a provision has been added to an article of the Code of Criminal Procedure (Art. 282-*quarter*), addressing instances in which an individual has been subjected to a family removal or a prohibition of approaching places frequented by the offended person. The law of 2013 added that

“when the defendant successfully undergoes a violence prevention programme organised by the local social-assistance services, the person in charge of the service notified the public prosecutor and the judge for the purpose of assessing [whether to replace the measure taken,

¹¹ The wording of Article 612-*bis* concerning persecutory acts is almost identical and provides for an aggravating circumstance if the act is committed by the same persons as those mentioned in Article 609-*ter*.

¹² Original text in Italian: “nei confronti di persona della quale il colpevole sia il coniuge, anche separato o divorziato, ovvero colui che alla stessa persona è o è stato legato da relazione affettiva, anche senza convivenza.”

¹³ Original text in Italian: “l’allontanamento urgente dalla casa familiare con il divieto di avvicinarsi ai luoghi abitualmente frequentati dalla persona offesa, nei confronti di chi è colto in flagranza dei delitti [compresi maltrattanti contro familiari o conviventi, omicidio, atti persecutori] ove sussistano fondati motivi per ritenere che le condotte criminose possano essere reiterate ponendo in grave ed attuale pericolo la vita o l’integrità fisica o psichica della persona offesa.”

when it no longer appears proportionate to the extent of the offence, with a less serious measure]” (*Ibid.*, Art. 2.1 letter a-bis)¹⁴.

This means that, in the event that the accused person decides to attend such a programme, it is communicated to the competent authority, so that they can decide on the possible request for the modification of the precautionary measure previously applied, i.e. removal from the family home or the restraining order.

Another significant change brought about by Law 119/2013 was the expansion of the use of police warnings. Initially, police warnings were only applicable to the crime of stalking as per the provisions of Law 38/2009. The use of police warnings provides that

“the offended person may expose the facts to the public security authority by applying to the Head of Police for a warning against the author of the act. [...] The Head of Police, after having obtained, if necessary, information from the investigative bodies and after hearing the persons informed of the facts, if he deems the request to be well-founded, orally warns the person against whom the measure has been requested, inviting them to behave in accordance with the law and drafting a report” (Law 38/2009, Art. 8)¹⁵.

Criminal proceedings start if there is a violation of the police warning.

It is with Law 119/2013 that such police warning practice has been extended to cover instances of domestic violence as well, enshrining that:

“[i]n cases where the police are notified, not anonymously, of a fact that is to be considered attributable to the offences referred to in Articles 581 [battery] and 582 second paragraph [aggravated bodily harm], committed or attempted, of the Criminal Code, occurring in the context of domestic violence, the Head of Police, even in the absence of a complaint, may proceed, after obtaining the necessary information from the investigative bodies and after

¹⁴ Original text in Italian: “Quando l’imputato si sottopone positivamente ad un programma di prevenzione della violenza organizzato dai servizi socio-assistenziali del territorio, il responsabile del servizio ne dà comunicazione al pubblico ministero e al giudice ai fini della valutazione [di sostituire la misura presa, quando non appare più proporzionata all’entità del fatto, con una misura meno grave.]”

¹⁵ Original text in Italian: “la persona offesa può esporre i fatti all’autorità di pubblica sicurezza avanzando richiesta al questore di ammonimento nei confronti dell’autore della condotta. [...] Il questore, assunte se necessarie informazioni dagli organi investigativi e sentite le persone informate dei fatti, ove ritenga fondata l’istanza, ammonisce oralmente il soggetto nei cui confronti è stato richiesto il provvedimento, invitandolo a tenere una condotta conforme alla legge e redigendo processo verbale.”

hearing the persons informed of the facts, to warn the offender to refrain from further violence” (Law 119/2013, Art. 3.1)¹⁶.

It is then specified in the article what is meant by acts of domestic violence, which includes physical, sexual, psychological and economic violence within the family or (ex-)intimate partners or spouse, even if non-cohabiting (*Ibid.*).

It is noteworthy that, when the Head of Police issues the warning, they “inform the offender without delay about the services available on the territory, including family counselling centres, mental health and addiction services” (*Ibid.*, Art. 3.5-*bis*)¹⁷. The police warning serves as a preventive measure aimed at deterring the individual from repeating the offence. When issuing a warning, the Head of Police must ensure that the offender understands the opportunity provided to them, especially when informing them about available programmes that could help them avoid repeating the offence and facing criminal consequences. Indeed, the warning is an administrative tool designed to prevent further violence, and penal measures are applied only if the offence is repeated (Pasquariello, 2024). This is a form of referral to perpetrator programmes: although the person warned is not obliged to participate in such a programme, they are provided with information and encouraged to attend, to avoid recommitting the crime and thus to avoid future consequences.

National Action Plans

Furthermore, the law provides for the development of a Special Action Plan against sexual and gender-based violence, to be formulated by the Department for Equal Opportunities, using state funds. One of the key objectives specified in the law is to enhance community awareness and promote education to prevent violence against women, while also emphasising the importance of raising awareness among men and boys. Furthermore, the plan aims to support the nationwide implementation of measures

¹⁶ Original text in Italian: “[n]ei casi in cui alle forze dell’ordine sia segnalato, in forma non anonima, un fatto che debba ritenersi riconducibile ai reati di cui agli articoli 581 [percosse], nonché 582 secondo comma [lesione personale aggravata], consumato o tentato, del codice penale, nell’ambito della violenza domestica, il questore, anche in assenza di querela, può procedere, assunte le informazioni necessarie da parte degli organi investigativi e sentite le persone informate dei fatti, all’ammonimento dell’autore del fatto.”

¹⁷ Original text in Italian: “informa senza indugio l’autore del fatto circa i servizi disponibili sul territorio, inclusi i consultori familiari, i servizi di salute mentale e i servizi per le dipendenze”

to rehabilitate individuals who have committed violent acts, to foster their recovery and prevent recidivism (Law 119/2013, Art. 5.2).

Thus, starting from 2015, the Department for Equal Opportunities has activated three national plans, to support the government's efforts against VAW. The first Plan, covering the period 2015-2017, contains a specific section dedicated to the rehabilitation of abusers, emphasising the need to activate interventions for the rehabilitation of men who perpetrate violence against women, so as to achieve effective recovery and prevent recidivism. It is also stressed that rehabilitation must not be an alternative to conviction, but rather a supplementary measure to prevent future violence. The plan highlights that a conviction is not necessarily required prior to commencing rehabilitation efforts. Furthermore, the plan provides guidelines for the "reintegration of male perpetrators of violence", highlighting the need for interventions to encourage abusive men to take responsibility for their actions and acknowledge the violence they have committed. Additionally, the plan discourages the use of couple therapy and family mediation during the initial stages of treatment or in cases of violence, as they do not ensure the safety of the victim and may enable the perpetrator to continue manipulating the other person (Department for Equal Opportunities, 2015, pp. 23, 42). These guidelines are, however, very broad and do not specify any regional or local standards, which causes every centre to establish its own strategy (Biaggioni and Pirrone, 2018, p. 23).

Building on the first plan, a second plan was adopted for the 2017-2020 period, with a focus on four main areas: prevention, protection, prosecution, and integrated policies. In terms of prevention, one of the priorities is the creation of intervention programmes for men who perpetrated – or could perpetrated – acts of violence against women. This entails allocating resources to support such programmes through the Department for Equal Opportunities, in alignment with Article 16 of the Istanbul Convention (Department for Equal Opportunities, 2017a, p. 22). That same year, a call was initiated to select projects to benefit from the 10 million euros set aside to support intervention projects, in line with the implementation of the Istanbul Convention. Eligible projects include treatment programmes for abusive men, intending to prevent new instances of violence and modify patterns of violent behaviour (Department for Equal Opportunities, 2017b, p. 7).

The latest plan was adopted in 2021, covering the period 2021-2023, as a continuation of the two previous plans. Under the Prevention axis, one of the priorities remains the strengthening of efforts to prevent repeat offences by male perpetrators of violence and offences related to violence against women. Specific actions are planned to address challenges related to intervention types and the consistent application of regulations. This involves developing interventions for men who are perpetrators or potential perpetrators of violence based on intervention guidelines and minimum quality standards. Additionally, a focus is dedicated to monitoring programme effectiveness and ensuring uniform application of regulations nationwide (Department for Equal Opportunities, 2021, p. 32).

2.3.2: Law 69/2019 “Red Code”

A further legislative reform was implemented through Law 69/2019, known as the “Red Code”, which further amended certain provisions of the Criminal Code and of the Code of Criminal Procedure, and provided for other measures on, in particular, domestic violence.

The law introduced some new offences into the Criminal Code, including coercion or induction into marriage (Criminal Code, Art. 558-*bis*), the unlawful dissemination of sexually explicit images or videos, with an aggravating circumstance if committed by a spouse, including a separated or divorced one, or by a person bound, in the present or in the past, by an emotional relationship (Art. 612-*ter*), and deformation of one’s appearance by permanent facial injuries (Art. 583-*quinqüies*). Penalties, i.e. years of imprisonment, have also been increased for various offences, such as ill-treatment against family members or cohabitants, persecutory acts, and sexual violence.

In addition, the offence of violation of orders of removal from the family home and of the prohibition to approach places frequented by the offended person (Article 387-*bis*) is added to the Criminal Code. Should these orders be violated, the judge has the authority to apply a measure, already provided for in the Code of Criminal Procedure (Art. 275-*bis*) which envisages the use of electronic or other technical means, in particular the so-called

electronic bracelet, to prevent transgressions. Nevertheless, the defendant must consent to these measures.

Moreover, the new law also aims to speed up investigations: prosecutors must hear victims of domestic violence within three days after the complaint is filed (Law 69/2019, Art. 2).

Arguably the most significant change introduced by the Red Code is the modification of Art. 165 of the Criminal Code, concerning the conditional suspension of the sentence. This mechanism, already provided for the Italian criminal system, stipulates that, if the sentence is for a period of up to two years, it may be suspended if certain conditions are met, such as the payment of damages. The law of 2019 introduced that, in any case, for crimes – committed or attempted – such as ill-treatment against family members and cohabitants, sexual violence, persecutory acts, facial deformation by permanent lesions:

“the conditional suspension of the sentence is nonetheless subject to participation in specific rehabilitation programmes with entities or associations dealing with prevention, psychological assistance and rehabilitation of persons convicted of [such] offences” (Law 69/2019, Art. 6.1)¹⁸.

The practice essentially involves receiving benefits for taking part in a perpetrator programme, thus motivating participation. The decision to grant a suspension is not guaranteed but is instead discretionary, as it is always the competence of the judge to evaluate whether the conditions for suspension are met. Consequently, the judge must conduct a predictive assessment to determine the likelihood that the offender has taken responsibility for the actions and will not commit further violence.

Lastly, the Red Code introduced a significant provision on rehabilitation programmes for offenders currently in prison. Amending law No. 354 of 1975 concerning the prison system, it added that those convicted of, among others, ill-treatment of family members or cohabitants, facial deformation by permanent lesions, sexual violence, and persecutory acts can participate in psychological treatment, and may participate to specific

¹⁸ Original text in Italian: “la sospensione condizionale della pena è comunque subordinata alla partecipazione a specifici percorsi di recupero presso enti o associazioni che si occupano di prevenzione, assistenza psicologica e recupero di soggetti condannati per [tali] reati”.

rehabilitation programmes, upon agreement between organisations or associations offering such services and penal institutions (Law 69/2019, Art. 17).

2.3.3: Law 168/2023 “Provisions for combating violence against women and domestic violence”

In 2023, a new law was adopted, strengthening some provisions of the Red Code of 2019. As mentioned above, the law was passed quickly, following the events that occurred during the period and which had strong media coverage.

A crucial change has been implemented to strengthen the warning mechanism issued by the Head of Police. The scope of this procedure, already extended by the 2013 law, has now been further expanded to include other acts, always related to domestic violence, such as private violence, serious threat, damage, trespassing, persecutory acts, and non-consensual dissemination of sexually explicit material. Furthermore, it is specified that for these offences, except for persecutory acts, it is not necessary for the victim to personally and explicitly request a warning, but it can be issued also “in cases in which the police, health care facilities and public institutions receive notice from the victim of [such] offences [...] within the scope of domestic violence”¹⁹.

The 2023 law also outlines that the warning can be revoked at the request of the warned person, three years after the issuance of the measure, “after assessing the participation of the person to appropriate recovery programmes at the institutions [...]”²⁰. Penalties for offences for which the warning can be issued are also increased if committed by a person who has already received a warning, even if the victim is different. Additionally, if a warned person commits one of these acts despite the warning, the process becomes automatically penal, rather than administrative (Law 168/2023, Art. 1).

Indeed, one of the goals of this law is to avoid that a series of crimes, including assault, persecutory acts, serious threats, sexual and private violence, degenerate to the point of culminating in femicide. To do so, it is mainly recidivist offenders, meaning those who

¹⁹ Original text in Italian: “nei casi in cui le forze dell’ordine, i presidi sanitari e le istituzioni pubbliche ricevono dalla vittima notizia [di tali] reati [...] nell’ambito della violenza domestica.”

²⁰ Original text in Italian: “valutata la partecipazione del soggetto ad appositi percorsi di recupero presso gli enti [...]”.

had already been issued a warning and who re-offend, who are the recipients of the measures.

In addition, the new law has introduced additional measures to protect victims, amending Law 119/2013 to include special protection measures for victims of domestic violence. In cases of such violence, the prefect may intervene and adopt supervisory measures if there is a risk of reiteration of the behaviour (*Ibid.*, Art. 1.2).

Moreover, urgent measures for the protection of the offended person are envisaged for several offences, including murder, ill-treatment, sexual and private violence, threats, and persecutory acts. If such offences are committed against a spouse, whether separated, divorced, in a civil union, cohabiting partner, in an intimate relationship, or close relatives, the public prosecutor must promptly assess whether precautionary measures are needed, with a maximum delay of thirty days of the offence being reported (*Ibid.*, Art. 7). The new law also strengthens the provisions on precautionary measures and the use of electronic bracelets. If the defendant refuses to consent to these measures, the judge may provide for the application of a more severe measure (*Ibid.*, Art. 12.4).

Concerning the suspension of the sentence conditional to participation in a perpetrator programme, the law of 2023 added to the Red Code that “the conditional suspended sentence is always subject to participation, at least twice a week, and to the successful completion of specific rehabilitation programmes” (*Ibid.*, Art. 15)²¹. This amendment thus specifies that mere participation alone is not sufficient to secure suspension, but active and positive participation is required. It also addresses a previously overlooked aspect regarding the frequency of attendance. The *Ufficio di Esecuzione Penale Esterna (UEPE)* [External Penitentiary Execution Office], an agency of the Italian judicial system, is in charge of verifying the actual participation in the programme and of informing the prosecutor of the results. In addition, facilities hosting the offender in their programme are required to promptly report any unjustified failure to fulfil the obligations to the *UEPE*, which then notifies the prosecutor, who considers revoking the suspension of the sentence (*Ibid.*).

²¹ Original text in Italian: “la sospensione condizionale della pena è sempre subordinata alla partecipazione, con cadenza almeno bisettimanale, e al superamento con esito favorevole di specifici percorsi di recupero”.

Part II: Perpetrator programmes to prevent intimate partner violence and their challenges in Italy

This second part of the thesis focuses specifically on prevention in Italy and on specialised centres that implement perpetrator programmes, aimed at preventing the recurrence of violence.

Chapter 3 introduces the concepts related to prevention, outlining the different levels and how they are interconnected. Perpetrator programmes are then presented, as they are the instrument analysed in this thesis, focusing on their development and implementation in Italy. Specifically discussing this country, further attention needs to be given to those specialised centres that are responsible for implementing such programmes, called Centres for men perpetrators or potential perpetrators of gender-based violence (CUAVs), their characteristics and their functioning.

The final Chapter of this thesis addresses the ongoing difficulties in Italy related to the operation of such programmes by Italian centres, highlighting also the shortcomings within the current political national context. Chapter 4 firstly outlines the general risks associated with perpetrator programmes, particularly concerning victim safety. The focus then shifts to the situation in Italy, with an emphasis on the current political landscape. Understanding political decisions is crucial as they impact the functioning and funding of CUAVs, especially in relation to prevention actions. The practical implementation of certain juridical mechanisms established by national laws is then examined, along with the potential risks associated with them. Finally, the discussion turns specifically to CUAVs and the challenges they encounter in their daily work, including insights from interviews carried out with project coordinators, detailing the strategies they employ to mitigate these risks. Ultimately, it is argued the need for such centres to extend their actions beyond tertiary prevention through perpetrator programmes by implementing initiatives aimed at the general public, providing examples drawn from interviews.

Chapter 3: Prevention of intimate partner violence against women through perpetrator programmes

3.1: Prevention of intimate partner violence against women

The Istanbul Convention focuses on four axes, also called the four Ps, namely Prevention, Protection, Prosecution, and co-ordinated Policies, each one of them having a specific chapter dedicated in the instrument.

In this thesis, the focus will be on the axis of Prevention, which is Chapter III of the Convention, as perpetrator programmes, the focus of this research, are part of the prevention initiatives. Prevention is a systematic and comprehensive process that involves implementing strategies, policies, and interventions, to foster safety in every setting. The primary objective is to diminish the probability as well as the seriousness of instances of intimate partner violence against women (IPVAW) (Cohen, Davis, and Graffunder, 2006, p. 89).

In this section, the different levels of prevention, that is primary, secondary and tertiary will be analysed. A theory will then be presented, called the “Tree of Prevention” that illustrates the links between the actions composing different types of prevention interventions.

3.1.1: Different types of prevention

Prevention, as a general concept applied to addressing violence through public health actions, can be classified into three categories: primary, secondary, and tertiary (Krug *et al.*, 2002, p. 15). The following analysis will focus on these three levels, concentrating specifically on their implications in the context of IPVAW.

Primary prevention

Primary prevention encompasses all the measures taken before violence occurs, aimed at changing societal and cultural norms. The overarching goal of these initiatives is to prevent violence from occurring in the first place. This approach includes actions directed at society as a whole, targeting every individual, regardless of their status as victims,

perpetrators, at-risk individuals, or none of the above (OurWatch, 2024). Primary prevention has been regarded as the most effective approach to combating IPVAW, as it has significant impacts in addressing and reducing this issue. Examples of the various activities could include creating programmes and workshops for teenagers to encourage respectful approaches to dating; running campaigns that highlight positive male conduct; providing training and education for service providers; engaging men's organisations to create initiatives that involve men in ending IPVAW (Cohen, Davis, and Graffunder, 2006, pp. 90-95).

Focusing on this kind of prevention has a series of positive effects, such as diminishing the mortality rate of this violence, enhancing life quality, as well as carrying a positive influence in the fight against, for instance, violence against children and youth. It is important to note that in primary prevention, education and information alone are not enough to change societal behaviours and beliefs. In order to create real change, there needs to be a shift in norms and actions taken by political leaders. However, policymakers often prioritise urgent issues over actions aimed at changing societal norms, considering primary prevention as less impactful. Nevertheless, it is through these changes that perceptions shift, and norms evolve as communities change their behaviours and collectively agree to new norms. As already explained in Chapter 1, the community and society context have the capacity to influence the behaviours of individuals. In a background where IPVAW is accepted or at least condoned by society, it is more likely that individuals, who might feel entitled to, perpetrate this kind of violence. This is the reason why it is so crucial to also focus on the general context of sexist beliefs, addressing those underlying norms that allow IPVAW to reproduce, even though results are not immediately evident, and if the actions needed are long-term (*Ibid.*).

Secondary prevention

The second level of prevention encompasses the range of initiatives designed to address the immediate aftermath of violent acts. These measures are implemented shortly after an act of violence is committed and include responses such as initial medical assistance, emergency intervention, and treatment for sexually transmitted diseases subsequent to a case of rape. Typically, this type of intervention is prioritised as it addresses the immediate

effects of violence, aiming to support victims and penalise offenders. (Krug *et al.*, 2002, p. 15).

Tertiary prevention

The last level is tertiary prevention, which comprises actions designed to address long-term care in the aftermath of violent acts. This includes the recovery phase and the process of reintegration, with the aim of mitigating the consequences and impact of the violence in the victim's life (*Ibid.*). Tertiary prevention also aims to prevent further recurrence of violence, especially through the participation in programmes dedicated to perpetrators of such violence, so that individuals responsible for acts of IPVAW take accountability for their actions and do not commit the same act again, even with a different partner.

The pyramid of prevention

The timing of the different actions of prevention serves to define them, as they can be undertaken before the act of violence, immediately after, or in the long run. Addressing IPVAW necessitates actions across all preventive levels, as they collectively serve to complement and reinforce one another while allowing for a comprehensive and effective response to the issue (*Ibid.*). Despite the predominant focus on secondary and tertiary actions, primary prevention remains indispensable in effecting behavioural change to effectively tackle the issue. These relationships among the preventive levels have been depicted in the form of a pyramid, as shown in Figure 1.

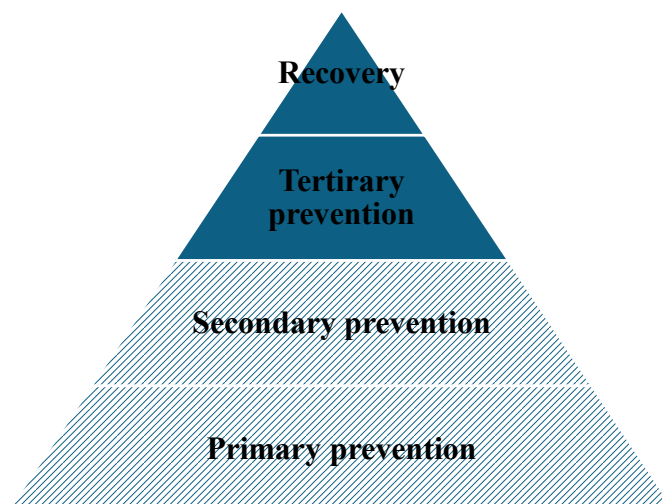


Fig. 1. The pyramid of prevention (adapted from OurWatch, 2024)

Indeed, the foundation of societal change lies in initiatives of primary prevention, represented at the base of the pyramid, serving as the groundwork for such transformation. At the top of the pyramid is the recovery of women who have experienced violence, underscoring the pivotal role played by these initiatives across all three levels in enabling the victim in their progression towards a safe and healthy life. Undoubtedly, the challenge of addressing IPVAV and the broader gender-based violence, demands a comprehensive strategy incorporating all levels and facets of society, ranging from individual contexts to communities and the societal framework as a whole.

3.1.2: The Tree of Prevention

As mentioned, traditional responses to IPVAV have been focusing on secondary and tertiary prevention, meaning addressing violence after it has occurred. However, there has been a recent increase in primary interventions. These three levels of prevention are interrelated, and a theory has been developed to better demonstrate this interconnectedness. The Model is called the “Tree of Prevention”, and it visually explains that the interventions at the various levels support one another, thereby fortifying the entire framework of prevention (Fig. 2).

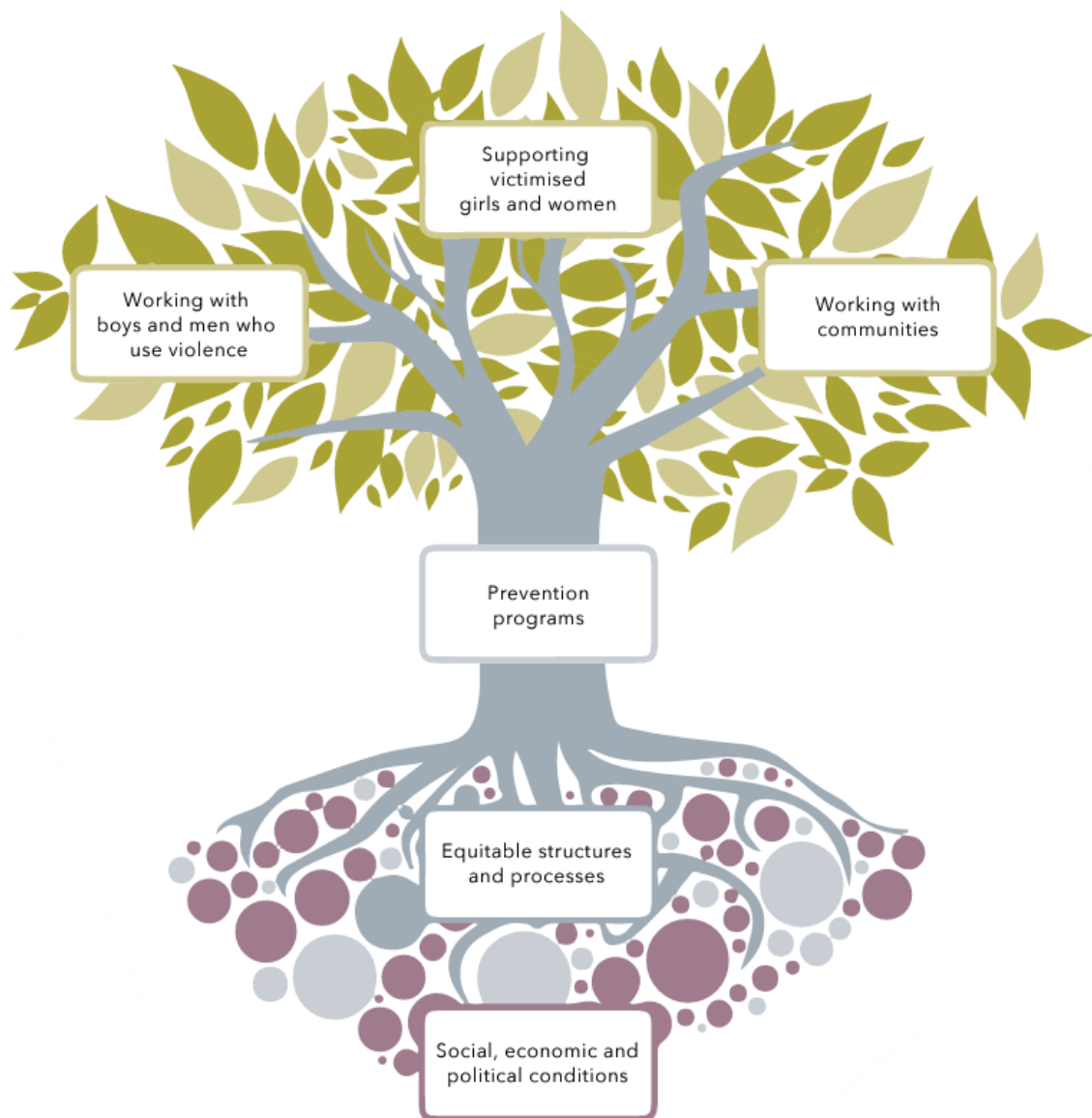


Fig. 2. The Tree of Prevention (Salter and Gore, 2020, p. 67)

The Tree Model represents a shift from considering the foundational circumstances for primary prevention to specifying particular activities, thus transitioning from the general context to specific actions. The Model acknowledges the interplay between IPVAW and the broader environment in which it occurs, recognising that such violence both influences and is influenced by these underlying settings. Its structure aims to elucidate these connections. Built on the understanding of IPVAW as a social practice, rather than a single behaviour, the Model recognises how actions of such violence mirror social positions and norms. Therefore, preventing violence entails reducing the factors of risk,

but also necessitates changing the paradigms that allow IPVAW to be perpetuated and condoned. This requires a collective and shared sense of accountability, rather than just individual responsibility (Salter and Gore, 2020, pp. 68-69).

The ground

The “ground” represents the larger social, cultural, economic, and political environment, which forms the basis for activities represented as the roots of the tree. It refers to the contexts that allow for primary prevention activities. Some of the elements included in this section of the Tree comprise: the pursuit of gender equality, being also a fundamental aim of primary prevention; economic equality, which can reduce the likelihood of IPVAW; respect for human rights and stability of the political context; anti-racism as a means to counter the reproduction of social inequalities and their intersection with gender and class; promotion of non-violent social norms, considering that men who tolerate violence are more inclined to engage in it (*Ibid.*, pp. 70-71).

The roots

The “roots” of the tree build upon the “ground” in which they exist, meaning the general environment. At the same time, they also represent the basis for the initiatives – the “trunk” – that serve to target social norms and change them, to transform the environments where violence can occur. These are activities focused on preventing violence, thus they address underlying factors that decrease the likelihood of IPVAW. To better understand this concept, here are mentioned some of the activities that may be part of the “roots” of this Model: organisations that are gender-equal, as some contexts that are prevalently dominated by men tend to be more violent, such as the workplace; inclusive attitudes towards gender, avoiding stereotyped roles; equality in the housework tasks and childcare, combating the gender pay gap, and ensuring accessible childcare, as inequalities in these aspects can hamper women’s contribution to society and their economic empowerment. The involvement of women in decision-making could also be a factor influencing the reduction of IPVAW, as their participation could drive policies and discourses supporting the fight against violence. Additionally, mass media and social media also play a role, as through the promotion of images and messages of non-violence and gender equality, they can transmit and promote positive approaches regarding gender and thus the elimination of such violence (*Ibid.*, pp. 72-75).

The trunk

The “trunk” refers to interventions designed to modify societal conventions and approaches, particularly those pertaining to primary intervention. These “programmatic interventions” refer to activities with citizens, which are aimed at equipping those persons with fresh perspectives regarding their intimate and interpersonal relationships. Examples of such activities include: educational programmes in schools with the aim of promoting non-violent and respectful relationships and consent, aiming at reducing the incidence of IPVAW acts; programmes for new parents; public awareness campaigns that can influence mindsets that are associated with IPVAW, fostering changes in people’s approaches regarding the phenomenon (*Ibid.*, pp. 76-77).

The branches

The three “branches” refer to efforts of secondary and tertiary prevention. While these activities may not be explicitly aimed at preventing IPVAW, they still contribute to the cause, as they enhance people’s safety and welfare.

The first branch focuses on ceasing violence, and such activities primarily target men and boys who might commit acts IPVAW or have already done so. This includes targeted interventions aimed at holding individual perpetrators to account, with activities of introspection, awareness and accountability. This branch encompasses perpetrator programmes aimed at preventing the recurrence of such violence, whether participants are voluntary or mandated to participate.

The second branch is dedicated to preventing further victimisation of women who experience IPVAW, which is a significant concern that needs to be tackled, as explained in Chapter 1. These interventions include support immediately after the violence occurred (secondary prevention), as well as long-term activities to aid the victim’s rehabilitation, recovery and safety (tertiary prevention).

The third and last branch pertains to specific communities that require special attention due to their vulnerability. For example, individuals in the LGBTQIA+ community face an increased risk of violence, and their association with this community may further heighten their susceptibility to intimate partner violence and abuse. Similarly, individuals with disabilities may be more vulnerable to such violence, as is the case for those living

in remote areas, who encounter, for instance, barriers in accessing safety services due to geographical isolation (*Ibid.*, pp. 78-82).

3.2: Perpetrator programmes

Perpetrator programmes are designed to educate and provide therapy and rehabilitation for individuals who have committed intimate partner violence (IPV), with the intention of addressing and adjusting their behavioural violent patterns (Rothman, Butchart, and Cerdá, 2003, p. 6).

These programmes typically focus on understanding the role and impact of power and control in intimate relationships, especially since the majority of this type of violence is perpetrated by men against the female partner, meaning that these interventions must have a gendered approach.

The treatment of male perpetrators of violence from a prevention perspective is explicitly foreseen, as already mentioned, by the Istanbul Convention in Article 16, within the chapter on Prevention. Nonetheless, these interventions could be seen as falling between two of the Convention's axes: Prevention and Protection. On the one hand, the primary aim should be the interruption of violence, using a victim-centred approach, meaning that the focus must be on the needs, safety, and protection of the victim, ensuring that they are central to these interventions and always kept in mind as the priority. On the other hand, these programmes undoubtedly serve to prevent further violence or potentially violent situations (Conzatti and Maiorino, 2022, p. 3).

Moreover, perpetrator programmes, as initiatives of tertiary prevention efforts targeting mainly men, complement broader actions, particularly those of primary prevention, as illustrated in the Tree of Prevention shown in Figure 2 and discussed in the preceding subsection. These programmes are built upon societal and broader interventions aimed at addressing the structural and root causes of such violence, with a focus on addressing gender and social equality issues, which are the context in which IPVAW can occur. As previously explained, perpetrator programmes form solely a branch of this tree, while the foundation of the entire prevention system, represented by the tree, consists of activities

aimed at preventing such violence in a wider sense, by addressing the surrounding environment, which is crucial for ultimately considering such programmes.

3.2.1: Origins and evolution

Historically, the most widespread interventions at the international level originated from the commitment of women's political movement. Various types of initiatives with different approaches were developed and expanded over the years, reaching Europe and Italy, and eventually merging together, offering services with combined approaches.

The first initiative "Emerge"

The first centre for men, named Emerge, was established in the United States in Boston in 1977. This was made possible by the efforts of a group of men who became aware of the issue of domestic violence through their interactions with women who were already involved in helping female victims of such violence. Before Emerge, numerous advocates for victims contended that men should stand with women in this endeavour. They aimed to emphasise that violence against women is a human rights issue and that it should be equally important to men. These advocates also recognised a distinct role for men in educating and challenging those who abuse women. The concept of Emerge arose from a recognised scarcity of research on men's accountability for violence (Adams and Cayouette, 2002, p. 1) and since its conception, Emerge has been the leading organisations in the country in the fight against IPVAW. The focus is on educating those who perpetrate such violence, discouraging youth from learning to condone it, advancing governmental actions, and raising general awareness around the issue. Emerge's approach begins with the belief that violence in the family is not a medical condition of an individual, but rather a behaviour that has been learned and that can thus be changed. It provides programmes in which participants are voluntarily participating, and not mandated to by other people or institutions (Emerge, 2020). According to their perspective, individuals who have been violent within their family have the ability to change if they truly desire so and are motivated. They are capable of non-violent behaviour, as evidenced by the fact that most of their relationships with other people are not violent, thus their violence, typically directed at the partner or children, is a choice

aimed at keeping control over them, as they perceive it to be socially acceptable. As a result, these programmes should aim to teach them to make different choices and challenge their social beliefs that lead them to think that violence is allowed and justified (Adams and Cayouette, 2002, p. 4).

Domestic Abuse Intervention Project (DAIP): The Duluth Model

In 1981, a new programme known as the “Domestic Abuse Intervention Project (DAIP)” was developed with a unique approach, commonly referred to as the Duluth Model after the location in which it was born, a small Minnesota community, in the United States. This model represents the first of its kind to employ a psycho-educational method with group activities. Its primary goal is to hold perpetrators accountable while prioritising the safety of the victim. It operates at a community level, seeking collaboration within communities to eradicate domestic violence. The model seeks to move the responsibility from an individual level to the broader community and government and underscores a collective effort, with interventions addressing both the safety of the victim of violence and the accountability of the perpetrator. It recognises a fundamental role for the community in combating this type of violence, which is the main difference with regards to the first programme previously explained, Emerge (The Duluth Model, 2024).

One of the greatest contributions of the Model is the development of the so-called “Power and Control Wheel” in 1984 (Fig. 3).



Fig. 3. Power and Control Wheel (The Duluth Model, 2021)

Its main purpose was to explain the dynamics of abusive behaviour in intimate relationships to not only the victim and the perpetrator, but also to professionals and the general population. Information was thus gathered and the patterns of IPVAV were analysed to develop the scheme, which takes into consideration the most commonly used strategies in this type of violence. The model was called the “Power and control wheel” as IPVAV is characterised by deliberate actions aimed at exerting control and power over the partner, with this concept at the centre of the wheel. The spokes include coercion,

intimidation, emotional and economic abuse, and manipulation, which are less evident forms of violence that serve to frighten the partner. The outer rim represents the most visible forms of violence, namely physical and sexual, which are the culmination of these actions. This model emphasises that violence is, as explained, a learned behaviour resulting from a patriarchal context that enables men to exert control over women, particularly in their intimate relationships (*Ibid.*, 2021). Indeed, this approach bases its intervention on combating stereotypical beliefs and prejudices regarding gender, which is crucial for changing the general settings and ultimately eliminating IPVAW.

This model has faced strong criticism for several reasons. It has been accused of focusing more on blaming men rather than addressing their personal issues of violent behaviour. Additionally, it has been criticised for taking an approach towards violence that is exclusively gendered, as it only considers violence perpetrated by men against women, despite the fact that women also engage in violence in intimate relationships (Dutton and Corvo, 2006, pp. 463-467).

Supporters of the Duluth Model argue that male domination over women is a deeply rooted social structure and that it is, indeed, a highly gendered issue. However, they also acknowledge that not every man believes that they should control their partner, and they claim that while it is true that some women perpetrate violence against men, the prevalence is unarguably lower than the other way around (Paymar and Barnes, 2017, pp. 4-7).

The debate surrounding this model persists, and in today's world, few programmes rely exclusively on this approach, despite its contributed recognition as a foundational framework for many approaches throughout the world.

Evolution in Europe and Italy

The majority of programmes developed starting from the end of the 1970s are a mix of the different techniques and approaches of interventions. In Europe, most programmes are mainly inspired by Emerge, the Duluth model, or a mix of both (Baccaro, 2015, p. 29).

The first and most important programme in Europe dedicated to men who use violence was developed by the Norwegian NGO Alternative to Violence (ATV) in 1987. This approach, named after the NGO, has become an important model and basis for similar

programmes in various countries, including Italy. These programmes offer psychological treatment to men, operating on the belief that violence can be addressed as a learned behaviour as it is the outward manifestation of a personal issue. Additionally, these initiatives help raising awareness of the need to address IPVAV not only at an individual level, but also as an issue of the society as a whole (Alternative to Violence, 2018).

In Italy, as will be detailed below, the approaches are mixed and draw from the various international experiences. The first activity dedicated to men who have perpetrated violence against an intimate partner – or fear to do so – was developed in 2009, in Florence, by the *Centro di Ascolto Uomini Maltrattanti (CAM)* [Abusive men counselling Centre], a non-profit organisation of social utility. They offer group sessions for men, including those who have not yet committed physical violence but recognise that their behaviour has made their partners and/or children fearful. The programme aims to help these men address and change their harmful behaviours and take responsibility for their actions, through mainly psychological and educational group activities (Centro di Ascolto Uomini Maltrattanti, 2024).

Another significant development in the Italian context was the establishment of *Relive - Relazioni Libere dalle Violenze* [Relationships free from violence] in 2014. This initiative brought together the initial centres offering perpetrator programmes to facilitate the exchange of experiences and the evaluation of programme effectiveness. The primary goal was to enhance the quality of their intervention by collectively addressing gender-based violence against women, which is believed to reflect historical power relations and discrimination of men over women (Relive, 2024).

3.2.2: The characteristics of these programmes

Different approaches

From a theoretical standpoint, there are several approaches to consider, with the primary ones being the psychodynamic, cognitive-behavioural, and pro-feminist approaches. The key characteristics of these different approaches will be outlined in summary, following Creazzo and Bianchi's descriptions.

The psychodynamic approach focuses on addressing an individual's past to understand and influence their present behaviour, which in these cases is characterised by violence in intimate relationships. This approach has been criticised for its perceived tendency to overlook the societal and gender-related factors contributing to violent tendencies, often attributing them solely to personal hardships resulting from childhood experiences.

The cognitive-behavioural approach, or psycho-educational, often referred to as CBT (Cognitive-Behavioural Treatment), focuses on modifying what is defined as "cognitive distortions", which are dysfunctional and negative ways of interpreting experiences, distorted ways of perceiving reality. For example, it addresses the belief that it is acceptable for a man to physically harm his wife for trivial reasons, with the goal of altering emotions and behaviours. However, this approach might oversimplify all types of violence as issues related to impulse control, while overlooking the social factors that are specific to violence in intimate relationships.

Lastly, the pro-feminist, or socio-political, approach interprets intimate partner violence as a social issue stemming from patriarchy and power imbalances between men and women. It views individual violent behaviours as a deliberate means for men to establish and maintain control within their intimate relationships. It is a gendered perception of violence, and thus interventions are aimed at challenging stereotypes and addressing the structural roots of gender-based violence.

It is important to acknowledge that the approaches used by the various programmes are often a blend of these various methodologies, and purely singular approaches are rare (Creazzo and Bianchi, 2009, pp. 23-24).

Programme content and duration

Before being accepted on a perpetrator programme, prospective participants undergo individual interviews to determine the feasibility of enrolment. Upon establishing that no substantial risks exist and that there is sufficient motivation for change, individuals are accepted into the programme and commence either as solo participants or as part of a group (State-Regions Agreement, 2022, Art. 5.1, points b, c).

The content of a programme, meaning the specific topics covered during the sessions, can present significant variation based on the approach employed. Generally, CBT and

pro-feminist methodologies centre on issues such as the perpetration of violence, power dynamics within relationships, gender-related matters, sexist attitudes and stereotypes, the minimisation and denial of violence, accountability for one's actions and the attribution of the blame to the other party, and the various forms of violence, including sexual and psychological violence. One notable difference between programmes is whether they explore the links between an individual's personal history and their violence perpetration, as CBT typically do not include this investigation. Programmes may comprise multiple phases that involve assuming accountability for one's conduct, delineating personal values, and seeking nonviolent alternatives (Creazzo and Bianchi, 2009, pp. 25-26).

In Italy, programmes are required to have a minimum duration of sixty hours, over a period of at least twelve months. In any case, the structure, the implementation, and the duration of the programme are determined by the professionals responsible for the participant, based on factors specific to the single situation (State-Regions Agreement, 2022, Art. 5.1.c)

Aims

The activities designed for perpetrators should aim to achieve a variety of goals, including acknowledging the responsibility for the perpetrator's actions by examining defensive attitudes such as denial, minimisation, victim blaming, and the use of gender stereotypes; understanding the detrimental impact of their actions on the well-being of those around them, on their role as parents, and on the development of their children; strategies for effectively managing impulses and negative emotions; expanding the range of positive interpersonal skills; fostering critical examination of male identity, masculinity, and the association of such topics with gender-based violence, by challenging stereotypes and negative attitudes toward women. More broadly, these programmes aim to prevent and interrupt IPVAW and reduce recidivism, while always prioritising the safety of the victim as well as the human rights of women and their children. Additionally, they are part of a larger process aimed at challenging and overcoming gender stereotypes, inequality, and discrimination (State-Regions Agreement, 2022, Art. 1, points 3, 6).

Participation

Participation in these programmes can be divided into two broad categories: mandated and voluntary.

Mandated participation may include persons who have already been sentenced and are currently in prison, if the person is determined to undertake the treatment and if they obtain a transfer to a facility where the programme has been activated, and can then start the programme either from the prison facility or from an affiliated institution. Persons may also be sent to participate by the social services, mainly on the basis of a measure ordered by the judicial authority, particularly in the presence of minor children. They may also be sent by the police, in the case of a warning: in this case, the man has been reported as a potential perpetrator of violence.

Finally, the man may be sent by the judge, through the mechanism created by the Code Red law, as a condition for the suspension of the sentence: it is offered by the judge the possibility of serving the sentence through positive participation in the programme. The underlying idea is that, since the perpetrators of these offences are more likely to re-offend, detention without treatment alone would not produce any preventive effect (Conzatti and Maiorino, 2022, pp. 12-38).

On the other hand, in the case of voluntary participation, there is no need for any previous legal action or restrictive measures against the person. Instead, individuals choose spontaneously, or almost spontaneously, to engage in these programmes. Allowing voluntary participation is crucial, as it may prevent potential harmful behaviours that have not happened yet. People may make independent decisions to participate due to a variety of reasons, such as the desire of keeping their relationship or parental rights, or the fear of eventually committing a criminal act. These individuals aim to change their behaviours, cultivate non-violent relationships, and already recognise the need to take responsibility, and their internal motivation and drive to participate is of significant importance. In addition, voluntary participants may be influenced by their close family members, partners, or ex-partners. In such instances, the person's motivation to participate is not entirely internal, as it is often driven by the desire to preserve emotional relationships (*Ibid.*, pp. 35-36).

When comparing the data regarding access to perpetrator programmes in Italian centres from the investigation concerning 2022 to that of 2017 (see Fig. 4), the impact of the Red Code, which entered into force in 2019, is evident. In 2022, voluntary participation was quite rare (10%), and about 32% of participation was prompted by advice and recommendations from professionals, mainly lawyers, while 20% were mandated by judges. Compared to 2017, there has been a notable decrease in spontaneous participation and an increase in referrals by professionals and judicial authorities (Demurtas and Taddei, 2023, p. 10).

Men participating according to the modality of access				
Absolute values (N) and percentages (%)				
	2017		2022	
	N	%	N	%
Spontaneous access	485	40	416	10
Referral by the judicial authority	137	11	846	20
Referral by the Head of Police (warning)	3	1	555	13
Referral by professionals	122	10	1336	32
Referral by territorial services	416	34	808	20
Not indicated	51	4	213	5
Total	1214	100	4174	100

Fig. 4: Men participating in perpetrator programmes according to the modality of access (translated and adapted from Demurtas and Taddei, 2023, p. 18, Tab. 14)

3.2.3: *The evaluation of their impact: do these programmes work?*

Discussing the effectiveness of perpetrator programmes can be challenging, particularly when assessing their impact on the safety of violence victims and their ability to reduce reoffending.

An extensive study has been conducted to evaluate these programmes, specifically focusing on recidivism rates. The analysis gathered information from 70 studies, which examined 62 programmes for perpetrators of violence, for a total of more than 50 thousand offenders, of which around 20 thousand were treated and 30 thousand for comparison.

Results showed that, across all programme types, meaning for sexual violence, domestic violence, or general violence, recidivism was found to be lower for people who attended

treatment, i.e. 13.4%, compared to 19.4% for those who had not. This means that the reduction of recidivism between those who participated and those who did not was 30.9%. For what it concerns programmes specific for domestic violence, meaning 14 programmes from various countries, mainly the United Kingdom, with follow-up data after 62 months on average, findings showed that recidivism for this kind of violence diminished by 36% for individuals who attended these programmes, compared to those who did not. In this meta-analysis, programmes adopting a cognitive-behavioural approach did not show strong results in the reduction of recidivism. However, programmes utilising the Duluth Model produced convincing reductions, even though the Model itself is based on cognitive-behavioural activities. It is essential to note that this analysis of the different approaches is based on relatively few programmes and therefore should not be interpreted as asserting the superiority of one approach over another (Gannon *et al.*, 2019, pp. 1-8).

IMPACT Toolkit

Given the variety of approaches, the rarity of programmes adopting pure models, and the predominance of mixed methods, along with the various data collection techniques and programme evaluation methods, an instrument has been developed, to be used by service providers and centres, to assess the effectiveness of their programme.

The instrument, called “IMPACT Outcome Monitoring Toolkit” was developed by the European Network for the Work with Perpetrators of Domestic Violence (WWP EN), starting in 2014. It has since then evolved in line with the advancement in perpetrator programmes. This tool was created in response to the realisation of the constraints of existing research methods. It is defined as the first instrument capable of measuring the changes in the behaviour of a participant in a programme. It has been very valuable to help providers of programmes assess the impact and the effectiveness of their programmes, to see if they are reaching their goals of victim safety and reduction of recidivism. It has also enabled the standardisation of evaluation methods and the collection of data that is comparable across all programmes in Europe.

Concretely, it foresees a questionnaire provided to the facilities, both for the male participant and for the (ex-)partner, to collect information about the changes during the

participation, and the questions for the two parties are almost identical, so that they can be compared from the two different points of views.

The questionnaires are administered at different times, specifically: when the man first comes in contact with the facility and the (ex-)partner is informed about it (T0); at the start of the programme (T1); at the midpoint of the programme (T2); upon completion of the programme (T3); six months after the programme is finished, to follow-up on the situation and the changes in their behaviours (T4).

Some specific elements studied through the questionnaires include attitudinal changes in the participants, especially the reduction of violence, the safety of the (ex-)partner and the children, and taking accountability for past actions and an internalised commitment to change (Vall, Pauncz, and McKenzie, 2021, pp. 7-12).

The Toolkit was first adopted in Italy by the CAM of Florence in 2020. The second report of the CAM of the Tuscany Region was published in 2022, and the results revealed a decrease in violence when comparing the beginning and the end of the programme, from both the man and the (ex-)partner's perspectives. At the beginning of the programme (T1), 65 men and 53 women provided information on various violent behaviours: about 32% of the (ex-)partners reported suffering injuries such as bruises or minor cuts, and nearly 28% of men admitted those same injuries as a result of their violence. Additionally, 17% of women reported injuries requiring medical attention. However, data collected at the end of the programme (T3) from 55 men and 43 (ex-)partners indicated a decrease in reported violence. Approximately 75% of the men stated that they had stopped being violent, while 51% of the partners or ex-partners reported the same. None of the men admitted to still being violent, but almost 14% of the women declared that their (ex-)partner still uses violence. Trend analysis confirmed a significant decrease in both the frequency and severity of emotionally and physically violent behaviour from the beginning to the end of the programme, which was also significant for the partners, and most of the participants, both men and women, reported no violent behaviour by the end of the program. However, data collected 6 months after the programme (T4) was insignificant due to the low number of respondents (3 men and 5 women) (Centro di Ascolto Uomini Maltrattanti, 2022, pp. 4-43).

3.3: Centres for men perpetrators of gender-based violence (CUAVs) in Italy

The *Centri per Uomini Autori o potenziali autori di Violenza di genere* (CUAVs) [Centres for men perpetrators or potential perpetrators of gender-based violence] are the entities responsible for the implementation of perpetrator programmes in Italy. In 2022, during the Conference between the State and the Regions, an agreement was reached to set minimum requirements for these centres. This agreement enables the accreditation process and the establishment of quality standards for the services provided, with the goal of preventing the operation of entities lacking the necessary experience and qualifications. Indeed, it is through this agreement that CUAVs were formalised, and they are defined as

“facilities whose staff implement programmes aimed at perpetrators of domestic, sexual and gender-based violence, to encourage them to adopt non-violent behaviour in interpersonal relationships, in order to change violent behavioural patterns and prevent recidivism”²² (State-Regions Agreement, 2022, Art. 1.1).

3.3.1: The evolution of CUAVs in Italy

In Italy, the first facility that implemented programmes for men perpetrators of violence was the *Centro di Ascolto Uomini Maltrattanti (CAM)* [Abusive men counselling Centre] in Florence in 2009, as already mentioned. Over the years, the number of centres has increased significantly, and for instance, since 2014, four more CAM locations have been opened in other Italian cities scattered across various regions (Centro di Ascolto Uomini Maltrattanti, 2024).

When comparing data from the initial investigation in 2017 to the second one referring to 2022, there is a noticeable increase in the total number of CUAVs, which has risen from 54 in 2017 to 94 in 2022. Moreover, the number of secondary locations has also seen an increase, jumping from 69 to 141. In terms of male participation, in 2022, 2802 men initiated a programme in these facilities, while over 4000 men utilised the services throughout the year, averaging almost 46 men per facility. In contrast, in 2017, around 500 men began a programme, with over 1000 attending throughout the year. Typically,

²² Original text in Italian: “sono strutture il cui personale attua i programmi rivolti agli autori di atti di violenza domestica e sessuale e di genere, per incoraggiarli a adottare comportamenti non violenti nelle relazioni interpersonali, al fine di modificare i modelli comportamentali violenti e a prevenire la recidiva”.

CUAVs in Italy are of small dimensions, providing services for between 25 and 50 men, although some can accommodate over 100 participants. Overall, 8.4% of men attending those programmes interrupted the service without prior agreement with the responsible team, a number known as the drop-out rate.

The geographical distribution of CUAVs across Italy is not uniform. The majority of them are situated in the northern regions of the country. Remarkably, three out of twenty Italian regions – namely Valle d’Aosta, Molise, and Basilicata – do not possess any CUAV for the moment (Demurtas and Taddei, 2023, pp. 2-9).

Typologies

Different categories of CUAVs can be identified based on the entity responsible for managing the facility. They may be operated individually or in partnership by public and local authorities, health service entities, or third-sector organisations²³. In the third case, they are required to be registered bodies with a minimum of three years of experience and expertise in working with and supporting activities for male perpetrators of violence (State-Regions Agreement, 2022, Arts. 1-2). Recent data highlights that the majority (75%) of CUAVs are managed by non-profit private entities, with less than 20% being overseen by local or public entities, predominantly by local health authorities or municipalities (*Ibid.*, pp. 5-6).

Regarding the different approaches of the various CUAVs, almost half of them adopt combined approaches. Among those that adopt a specific approach, the cognitive-behavioural prevails, followed by the psychodynamic and lastly the pro-feminist and gender-based approach.

The majority of centres offer both individual and group meetings, while a portion of them only offer one of the two formats (*Ibid.*, p. 4).

²³ In Italy, third-sector entities (in Italian, “Enti del terzo settore – ETS”) are non-profit private entities with civic, solidarity, and socially useful purposes. For more information, see: <https://www.lavoro.gov.it/temi-e-priorita/terzo-settore-e-responsabilita-sociale-impres/focus-on/riforma-terzo-settore/pagine/codice-del-terzo-settore>

3.3.2: The functioning of the CUAVs

For Italian centres providing activities for men perpetrating IPVAV, the most frequently provided services are counselling by telephone, offered by 83% of the centres, and psychological counselling, available in 73% of the centres. Some of the most common activities that are offered free of charge include telephone counselling, educational sessions focusing on gender-based violence, support for parental responsibilities, and psychological counselling. On the other hand, approximately half or less of the facilities charge a fee for individual and group psychotherapy (*Ibid.*, p. 5).

In order to carry out these activities, the centres need specialised staff, including both female and male personnel, specifically formed in gender-based violence (GBV). It is required that the staff at these centres have diverse expertise, and the team must consist of at least three professionals, including at least one psychotherapist or psychologist with specialised training in GBV. The team may also include educators, social workers, psychiatrists, lawyers, mediators, etc. All staff members must undergo training annually (State-Regions Agreement, 2022, Art. 4). Data on CUAVs shows that slightly more than half of the staff members are psychologists or psychotherapists, while educators, counsellors and criminologists are also included. A little prevalence is for female staff (59%). Additionally, it is important to note that while 65% of staff members are paid employees with contracts, 35% are volunteers. Almost half of the centres solely employ paid staff, while a significant portion have a mix of paid and voluntary staff. A small number of centres rely exclusively on volunteers (Demurtas and Taddei, 2023, p. 7).

Funding

CUAVs are eligible for public funding and must ensure that their activities meet the requirements during the whole period of the funding, otherwise, the financial support is withdrawn (State-Regions Agreement, 2022, Art. 9). According to the most recent and comprehensive data, CUAVs typically receive funding from various sources. Public funding is the primary source, with 60% of the centres participating in calls for proposals from public entities in 2022. Additionally, funds are obtained through donations from citizens (24%), as well as from private organisations. Nearly half of the centres are able to sustain their programmes also through participant fees collected from those attending the activities (Demurtas and Taddei, 2023, p. 14).

In the Italian budget law for the year 2024, which was passed at the end of 2023, an amendment was approved, under the strong initiative of the opposition parties, to increase the *Fondo per le politiche relative ai diritti e alle pari opportunità* [Fund for rights and equal opportunities policies] by approximately 40 million euros, in order to address men's violence against women. The allocation breaks down as follows: 20 million euros for the construction of new shelters, 10 million for microcredit, 5 million for anti-violence centres, 3 million for prevention and training of professionals dealing with victims, and finally 4 million euros are dedicated to CUAVs, thus for activities for perpetrators (Budget law 213/2023, Art.1 paras. 187-194).

Regarding these centres, it is important that they comply with the minimum requirements of the State-Region Agreement in order to be considered a CUAV. Failure to do so may result in exclusion from these funds. The specific region is responsible for creating the list of such centres that are present in its territory (State-Regions Agreement, 2022, Preamble).

The additional sum of 40 million euros supplements the 55 million euros allocated in 2023 (an increase from the 35 million allocated the previous year), an annual amount of the national Fund referenced earlier. These 55 million euros are divided among: existing anti-violence centres (20 million); existing shelter homes for women (20 million); women's economic and social recovery, housing support, job reintegration (6 million); women's empowerment, information, awareness-raising (9 million). These resources are divided among the regions according to various criteria, including the number of facilities present and the resident population (Decree-Law of 16 November 2023, Arts. 1-3).

3.3.3: An integrated approach: CUAVs and support services for women

Intervention with perpetrators of IPVAW should be carried out as part of an integrated approach involving different local actors. This is outlined in the guidelines from the European Network for the Work with Perpetrators (WWP EN), as well as in the Italian guidelines developed by the association Relive, which are based on the former; this need for collaboration is also specified in the 2022 Agreement between the State and the Regions.

The European Standards by WWP EN, which is still a working document with the latest version released in 2023, defines the minimum standards for services for male perpetrators of IPVAV. These are baseline requirements for working with perpetrators, while emphasising that the primary concern is the safety of the partner or former partner. It is also specified that programmes for perpetrators must be in collaboration with other local services specifically dedicated to women survivors, throughout all programme stages. In particular, during the initial phase in which the risks for the (ex-)partner are assessed and she is contacted and informed, and during the closing phase, for gathering information, monitoring drop-out, and addressing ongoing risks that may still be present (WWP EN, 2023, pp. 12-23).

In Italy, the association *Relive - Relazioni Libere dalle Violenze* [Relationships free from violence], which comprises several Italian centres implementing programmes for perpetrators of violence, adopted the European network guidelines and developed Italian guidelines. Emphasising the importance of close collaboration between centres for male perpetrators of violence and support services for women and children, it is recognised that CUAV are part of a broader intervention system against domestic violence and should be initiated in coordination with specific women's support services. Therefore, they should be integrated within an overall intervention system and play an active role in collaborations and networking strategies against IPVAV (Relive, 2017, pp. 2-3).

In the State-Regions Agreement, it is specified that the CUAVs must collaborate closely with the territorial health and social services network, maintaining constant communication with organisations responsible for preventing and helping victims of violence, such as anti-violence centres, local social services, regional health service hospitals, judicial services, law enforcement agencies, courts, professional associations, and all levels of schools. This ensures the programme's unity and coherence, as well as the continuity of intervention (State-Regions Agreement, 2022, Art. 2).

The *Reti territoriali antiviolenza* [Territorial anti-violence networks] are collaborative frameworks that bring together a range of public and private entities in close geographical proximity, which operate synergistically to combat gender-based violence against women, fostering multi-stakeholder cooperation (ISTAT, 2023b, pp. 7-8). They serve as the central communication hubs for all general and specialised services related to

preventing, protecting, and combating violence against women. As of the end of 2022, 68% of the CUAVs are affiliated with territorial anti-violence networks, a number that has increased since the previous survey. CUAVs collaborate with various stakeholders, including anti-violence centres for women, police headquarters, local authorities, and local health authorities. In addition to being part of these networks, more than half of the CUAVs have also established partnerships with local anti-violence centres (Demurtas and Taddei, 2023, pp. 10-11).

Chapter 4: Persistent shortcomings and challenges in Italy: practical realities

4.1: The victim-safety oriented approach

In this first section of the concluding chapter, the necessity of adopting a victim-centred strategy in the implementation of perpetrator programmes will be examined. This approach is fundamental, as it integrates activities such as risk assessment and necessitates close collaboration with other services, particularly those dedicated to the support and safety of women. As previously discussed in this research, these programmes must prioritise the safety of the partner or former partner, who is also the victim of IPVAW, and must keep this consideration in mind in every phase and action undertaken. Subsequently, this section will explore the significance of contacting the (ex-)partner, while also addressing the potential risks associated with such activity. Additionally, it will consider the criticisms raised by certain networks in the Italian context, primarily anti-violence centres, regarding this practice, analysing the complex balance between ensuring victim safety and maintaining contact with her.

4.1.1: A necessary risk assessment

The close collaboration between the centres which implement perpetrator programmes and other services, especially support services for women who have been victims of IPVAW, is of paramount importance, as previously emphasised. This networking is essential for effectively managing and mitigating risks of suffering further violence for the (ex-)partner. The Istanbul Convention underscores this priority of perpetrator programmes in Article 16, which stipulates that States must “ensure that the safety of, support for and the human rights of victims are of primary concern” and that such programmes are to be carried out “in close co-ordination with specialist support services for victims” (Council of Europe, 2011a, Art. 16.3).

This commitment is reiterated in Article 51.1 dealing with risk assessment and risk management, which prescribes that States parties have the responsibility to take any needed action to make sure that “an assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence is carried out by all relevant authorities in order

to manage the risk and if necessary to provide coordinated safety and support” (*Ibid.*, Art. 51.1).

The Council of Europe’s Explanatory Report further elaborates on these concepts, stressing the need to implement perpetrator programmes in coordination with services dedicated to women and other entities, including those specialised for children, when deemed necessary. Notably, it is emphasised that the involvement of the (ex-)partner, who is the offender, in these programmes may create a “false sense of security” for the woman and potentially impact her decision to keep the relationship with the man or to leave him. This underscores the critical importance of prioritising the safety of the victim and upholding her fundamental rights as the primary objective of perpetrator programmes. These core principles should consistently guide the development and implementation of such initiatives (Council of Europe, 2011b, para. 104).

Standards and guidelines for the execution of perpetrator programmes emphasise the crucial importance of always keeping in mind the priority of victim’s safety. Rigorous risk assessment activities must be conducted continuously to evaluate the risk for the (ex-)partner and assess the evolving motivations of the perpetrator during the programme. External entities such as police, judicial authorities, and social services are integral to this process, but this should be done in parallel with direct contact with the victim, to verify her perspective and analyse the risks she might be running (Hester and Lilley, 2014, pp. 16-17).

Italian data

The data concerning risk assessment practices of Italian centres which implement perpetrator programmes will now be described, based on a recent investigation presenting figures for 2022. The findings show a significant increase in the proportion of CUAVs conducting a risk assessment procedure, rising from 69% in 2017 to 80% in 2022.

A risk assessment carried out before a possible future participant starts the programme is crucial, as it may help detect an extremely high risk of re-offending. This assessment may lead to the man’s exclusion from the programme, as was the case for five centres across Italy in 2022.

The risk assessment can be conducted using various means, adopting internal procedures or through nationally or internationally recognised methods, as indicated by the majority of Italian CUAVs. Regarding the second case, the most adopted internationally valuable protocol was the SARA method (Demurtas and Taddei, 2023, pp. 11, 16), which stands for “Spousal Assault Risk Assessment”. The procedure was developed in the 1990s in Canada, with the aim of evaluating the likelihood that a man who has committed intimate partner violence against his current or former partner re-offend committing similar or more serious acts. In the simplified version of the model, ten indicators are considered, which encompass risk factors related to the perpetrator’s violent behaviour, such as severe violence committed, threats, escalation patterns, and violations of legal measures. Additionally, it considers the perpetrator’s psychosocial profile, including criminal history, employment status, financial stability, substance abuse and addiction, and mental health issues. Moreover, it also incorporates five indicators to assess vulnerabilities specific to the victim, including factors such as justification or minimisation of the violence suffered, lack of social support due to, for instance, language barriers, addiction, and physical or psychological health concerns. Professionals adopt these indicators to assess the level of risk, determining its immediacy and potential escalation to lethal violence (Corazziari, 2023, pp. 4-14).

An internal method of risk analysis and programme evaluation has been adopted by “LUI Livorno”, an association created in Leghorn in 2011, involving facilitators completing session-specific goal achievement forms at the conclusion of each session, regarding each participant. Additionally, at the end of the programme year, these records are reviewed to assess whether participants have met the established objectives. This systematic and continuous approach enables ongoing monitoring and evaluation of individual progress throughout the programme duration²⁴.

4.1.2: The practice of partner contact

As previously noted, risk assessment extensively involves consultation with various external entities, including social and health services, judicial authorities, and law

²⁴ Interview conducted on 13/06/2024 with Dr. Jacopo Piampiani, co-founder of “LUI Livorno”.

enforcement agencies. Additionally, a commonly utilised method involves direct contact with the (ex-)partner. However, prioritising the safety of the victim is extremely crucial in this activity, given the delicate nature of the operation, which necessitates meticulous attention and evaluation of the risk.

The partner contact involves professionals reaching out to the (ex-)partner of participants – or potential participants – in perpetrator programmes. The primary objectives are to ensure the safety of the victims of IPVAV, inform them about the programme and its content, and make them aware of available local support services they can turn to. This contact may be initiated by providers within the perpetrator programme, but ideally, it is conducted by specialised services, particularly anti-violence centres, which offer targeted support to women victims. The purpose of contacting the (ex-)partner is to inform her of the man's participation in the programme and assess the risks she may face, while also providing information about the support she might need (Belotić, Vall, and McCartan, 2024, pp. 20-21).

This procedure is included in the guidelines regarding the implementation of such programmes. It is indeed required that perpetrator programmes maintain strong collaborations with services for women, ensuring that the (ex-)partner, and victim, is aware of the possibilities of accessing these services if she has not yet done so. According to the guidelines formulated by the European Network for the Work with Perpetrators, contacting the (ex-)partner is essential for the reasons previously explained, and to address her expectations from the programme and the potential for the participant to use his involvement to manipulate her. (Ex-)partners who have suffered IPVAV must be given comprehensive information, and this includes discussions with her about the possibility that the man may change, but also the reality that he may not, thereby highlighting the programme's limitations and the uncertainty of its effectiveness in preventing future violence. This ensures that she does not develop unrealistic expectations, is fully aware of the risks, and can make informed and fully conscious decisions, thus promoting her safety (WWP EN, 2023, pp. 12-13).

Moreover, it is essential that risk analyses are conducted throughout the entire duration of the programme, not solely at its beginning, to minimise the risk to the victim's safety. Additionally, the woman's decisions and consent should be central to the process,

allowing her to choose whether she wishes to be contacted and involved in her (ex-)partner's potential path towards non-violence. She should have complete autonomy in deciding the extent of information she receives and her level of involvement in this process, and her choice should be seriously respected (*Ibid.*).

In Italy, contacting the partner was a prevalent procedure among the majority of CUAVs in 2022. This practice served multiple purposes, including gathering information to make sure that the participant's perspective matches that of the (ex-)partner. Slightly more than half of the centres used the partner contact to assess the risk and ensure the safety of the victim, while just under half facilitated referrals to local support services, in particular to anti-violence centres. Moreover, the great majority – i.e 81% – of the CUAVs employing partner contact, declared that it is their policy that the man accepts that the professionals contact the woman, otherwise, he is not granted access to the programme. Typically, partner contact occurs at the beginning of the programme and in specific situations of risks, while its use diminishes in other phases, such as during the programme or at its end, and the reduction is even more evident in the follow-up phase (Demurtas and Taddei, 2023, pp. 12, 20).

4.1.3: Precautions and criticism of partner contact

In Italy, the State-Regions Agreement concerning CUAVs addresses the issue of victim safety and the precautions that need to be taken in this practice. According to the Agreement, centres implementing perpetrator programmes are prohibited from conducting mediation activities between the perpetrator and the victim under any circumstances. In addition, when engaging in actions involving the victim, such as partner contact, they must maintain strict separations from the activities with perpetrators. If the same entity works with both perpetrators and victims of violence, facilities must be physically separated and the professionals involved must be different (State-Regions Agreement, 2022, Art. 3 points 5, 6). Moreover, every contact with the partner must be carried out exclusively by female staff members, who need to be specialised in gender-based violence (*Ibid.*, Art. 4.1).

The Agreement also specified that contacting the (ex-)partner is an integral part of assessing the risk of specific situations, emphasising the importance of using all available resources to do so, thus including obtaining the partner's perspective. Additionally, an article of the document is dedicated to victim's safety, which is defined as the "primary goal of CUAVs". Indeed, to make sure that this goal is achieved, having the consent of the woman before contacting her is fundamental and should always be respected, as already mentioned in the WWP EN indications. Contacting the partner aims to provide her with information about her (ex-)partner's involvement and attendance in the programme, details about the content of the activities, but also clear information about the limits of the programme; she is also informed in the case the man drops out of the programme before it is considered concluded by the operators. This information activity with the victim can be done directly by the centre implementing the programme, or, preferably and when possible, by support services in which she is involved (*Ibid.*, Arts. 5.1.d and 6.1).

However, when comparing the number of centres in Italy that have declared not to engage in the practice of contacting the partner, there has been an increase from 27% in 2017 to 34% in 2022. This trend may be attributed to concerns raised by anti-violence centres, which emphasise the critical nature of this practice and its potential risks to the victim's safety. In a joint press release, Italian networks primarily composed of anti-violence centres strongly criticised the State-Regions Agreements on CUAVs and the way it was formulated. They argued that the document was adopted without adequately considering the feedback from these anti-violence centres, which have extensive and long-term experience addressing IPVAV. Their primary concern focused on the provision in the Agreement that allows CUAVs to contact (ex-)partners. The anti-violence network highlighted the extreme danger inherent in such contact, and they expressed their fear that Article 6 of the Agreement, titled "Victim safety", intended to protect the (ex-)partner of a participant in the programme, might instead be closer to an attempt of facilitating mediation between the perpetrator and the victim. The practice of mediation is expressly prohibited by the Agreement itself and by the Istanbul Convention in Article 48, enshrining that States must take the necessary actions "to prohibit mandatory alternative dispute resolution processes, including mediation [...]" (Council of Europe, 2011a, Art. 48.1).

Moreover, there is the concern that if a woman decides to decline such contact, a decision she has the right to make, given that her consent is always required, she may be viewed as uncooperative by authorities or social services, especially when there are children involved, placing her in a difficult position. Anti-violence centres argue that a woman attempting to escape a violent family situation should never be pressured to establish contact with the perpetrator, who is responsible for the said situation (Nosotras, 2022).

On the other hand, some CUAVs argue that the practice of partner contact is a strategy aimed specifically at reducing risks for women who are victims of IPVAV. For instance, the “P.U.M. Programme” in Leghorn, in the Tuscany Region, implements this practice, especially if the couple remains together and their intimate relationships continues. The primary objectives include informing the partner about the programme’s activities and the services available to her, such as the national violence helpline – by calling the phone number 1522 – and local anti-violence centres. Additionally, the programme emphasises the potential impact on the couple dynamic when one partner participates in such interventions while the other does not. They highlight that the educational and awareness activities undertaken by the participant can lead to personal changes that may disrupt the relationship dynamics. This period is considered highly sensitive for the couple, as the partner may experience difficulties in recognising their partner, due to these transformations²⁵.

The Association “CIPM Lazio” – *Centro Italiano per la Promozione della Mediazione* [Italian Centre for the Promotion of Mediation] in the Latium Region similarly advocates for contacting the partner, detailing that if it is a former partner this is usually done through the lawyer. They implement this practice especially to collect information about the man involved in the programme, and emphasise that this participation is not to be considered as a false sense of security for the victim. Moreover, maintaining contact with the partner is deemed essential, particularly if she is still in contact with the man, as this allows them to gather details about any potential recurrence of violent behaviours towards her²⁶.

²⁵ *Ibid.*

²⁶ Interview conducted on 6/06/2024 with Dr. Carla Maria Xella, president of “CIPM Lazio”.

4.2: Shortcomings of Italy

In this section, the focus will be on the broader Italian context surrounding the operations of CUAVs. This includes an examination of the current government's willingness – or lack thereof – to effectively deal with the issue of IPVAW and more generally of VAW, particularly in light of the abstention when voting on the accession of the European Union (EU) to the Istanbul Convention. Moreover, the analysis will highlight deficiencies in prevention efforts, a central theme of this thesis, with a specific focus on funding allocations and corresponding government policies. Lastly, attention will be given to issues related to the legal framework, particularly concerning the implications of the 2019 Red Code and the warning mechanism.

4.2.1: A lack of political willingness?

When assessing the commitment to effectively address the issue of IPVAW, and of gender-based violence against women, a significant indicator that should be analysed is the May 2023 vote concerning the EU's accession to the Istanbul Convention.

As detailed in Chapter 2, the EU has the capacity to accede to and ratify the said Convention, and, with a recent ruling from the European Court of Justice, it was clarified that to complete the EU ratification, unanimous consent from all Member States is not required, and that a qualified majority is sufficient. During the voting process, it is notable that the majority of the two leading right-wing to far-right parties in the current Italian government coalition, namely *Fratelli d'Italia* [Brothers of Italy] and *Lega* [League], decided to abstain, while two deputies of the League voted against (Il Post, 2023)

To contextualise the general perspectives surrounding the Istanbul Convention, it is important to recognise that it has faced criticism from various organisations, in particular ultra-Catholics, anti-feminist, pro-life, associations against LGBTQI+, as well as by some conservative governments such as those in Poland, Hungary, and Turkey. Indeed, Turkey officially withdrew from the treaty in 2021, citing concerns that the Convention was threatening conservative family values. Central to this criticism is Article 3 of the Convention, which defines the term “gender” as “the socially constructed roles [...] that a given society considered appropriate for women and men”. This definition has been

considered by some as undermining traditional gender distinctions, still deemed necessary.

Supporters of the Convention argue that addressing *gender*-based violence [emphasis added] necessitates defining gender, although this is not the primary focus of the treaty. When Turkey withdrew, the President's office stated that the Convention had been "hijacked by a group attempting to normalize homosexuality – which is incompatible with [Turkey's] social and family values" (Presidency of the Republic of Türkiye, 2021).

The Istanbul Convention has thus become emblematic of Europe's cultural and political division, "a symbol of Europe's cultural wars" (De la Baume, 2021).

It would appear that conservative parties in Italy align, at least in part, with the view that the Convention is posing a risk to family values and traditional gender roles. They have justified their abstention – or their votes against – by invoking the rhetoric of the "gender theory", "gender ideology", or "LGBT agenda", terms that have been prominent in public discourse in Italy in recent years. The Head of the delegation of Brothers of Italy criticised the EU's decision to proceed with its accession through a qualified majority rather than a unanimous vote, and explained that the reason for their abstention relates to concerns regarding gender. It was declared that "we want to once again denounce the constant instrumentalisation of the Convention by the left-wing rainbow parties, who would like to make it yet another Trojan horse to impose the LGBT agenda"²⁷ (European Conservatives and Reformists and Fratelli d'Italia, 2023).

This "gender ideology" that the Convention would be trying to impose, could be defined as a theory, if not a conspiracy, born in ultra-Catholic and ultra-conservative environments, aimed at the collapse of the traditional family values and gender roles. It is argued that gender identity and biological sex are intrinsically innate, and proponents of such theory are particularly opposed to affectivity and sexual education in schools. Their primary concern revolves around the fear of normalising sexual behaviours among young children and of normalising homosexuality.

²⁷ Original text in Italian: "vogliamo ancora una volta denunciare la costante strumentalizzazione della Convenzione da parte delle sinistre arcobaleno, che vorrebbero farne l'ennesimo cavallo di Troia per imporre l'agenda Lgbt."

However, this ideology largely distorts the field of gender studies, that emerged from feminist discourse in the 1970s and 1980s. This “gender ideology” can be arguably considered as merely promoting sexist and homophobic propaganda (Alliva, 2023).

If the political parties currently in power adhere, at least partly, to this ideology, it is unlikely that they are sensitive and willing to effectively address the issue. This is evident from their abstention or opposition to the EU’s accession to the most comprehensive and legally binding instrument on violence against women.

4.2.2: An insufficient focus on prevention

A critical aspect to consider in evaluating government decisions is their commitment to prevention, which is essential in addressing IPVAW and VAW, as detailed in Chapter 3.

Law 168/2023 provides a clear illustration of this issue, as it is almost exclusively dedicated to strengthening the security of women who suffered violence and punishing perpetrators, in particular through amendments to the Criminal Code and the Code of Criminal Procedure. However, regarding prevention, the law is extremely scarce, especially for what it concerns primary prevention, which encompasses, as explained beforehand, those crucial measures that would allow for change in the social norms favourable to violence against women.

Education in schools

Before the law 168/2023 was adopted, opposition parties had proposed an amendment aimed at introducing sexual education and gender equality topics in primary schools as part of the law’s prevention activities. However, this proposal was not accepted, and the final version of the bill, which became law, did not include provisions on education. Specifically, a representative of the League described affective and sexual education in primary schools as “rubbish” and labelled the proposed amendment as an “obscenity”²⁸, arguing that such education would deviate children’s minds (Ansa, 2023). Thus, in the law 168/2023 no reference is made to education nor to primary prevention activities.

²⁸ The original terms in Italian are “porcheria” and “nefandezza”.

However, the debate on this kind of education in schools resurfaced following the femicide of Giulia Cecchettin in November 2023. A plan for school education had been under discussion for several months, but in the wake of the shocking event, the directive was quickly adopted alongside law 168/2023. The Ministry of Education's directive introduces a project in schools named *Educazione alle relazioni* [Relationship education], aimed at enhancing educational efforts to develop a culture of respect, strengthen relationships education, and combat violence against women. The Plan, also known as *Piano Valditara* [Valditara Plan], after the name of the current Minister of Education, is not mandatory: schools have the option to undertake these activities exclusively on a voluntary basis, and lessons are conducted outside of regular school hours. Additionally, prior consent from both students and their parents is required (Directive 83/2023, Arts. 1-2).

This initiative, though potentially beneficial, presents significant shortcomings and falls short of addressing the issue adequately. Firstly, its non-mandatory nature entails that only schools opting to participate will implement these initiatives, which are in any case subject to prior consent from the participants and the parents. Furthermore, it is not envisaged that a professional with expertise in gender issues will conduct the activities; instead, teachers are tasked with leading these sessions after undergoing training, acting as facilitators for group activities with the class. However, teachers may lack the specialised knowledge necessary to effectively handle these complex matters, which ideally should be managed and implemented by qualified experts. This educational initiative clearly does not address the origins and underlying causes of intimate partner violence nor of general gender-based violence against women. Indeed, it is exclusively targeted at high schools – thus to students aged 14 to 19 years – and it would seem to be especially centred on addressing the punitive and penal consequences of such violence. Instead, its emphasis should be redirected towards addressing the social and cultural factors that contribute to such violence; only then it could serve as a tool for primary prevention.

Investments in prevention

Investments destined for prevention are a critical measure of the government's commitment to addressing IPVAW.

The yearly allocated amount of the national Funds for rights and equal opportunities, which for 2024 is of 55 million euros, is undeniably noteworthy. However, its current distribution primarily towards pre-existing anti-violence centres and shelters, which provide crucial support to victims in terms of financial assistance and housing, predominantly addresses post-violence situations, rather than preventive measures. While they are essential for immediate victim support, and funds should be dedicated to such activities, this approach underlines a significant gap in preventive strategies aimed at transforming cultural and social norms conducive to IPVAW. A long-term approach is crucial to tackle the issue of violence against women, focusing, for example, on affective, sexual, and relationship education, which remains underdeveloped in Italy's approach.

Furthermore, concerning the additional allocation of 40 million euros mentioned in Chapter 3, which, once again, was a commendable initiative, only 4 million are destined to CUAAs, thus on tertiary prevention, and 3 million are allocated to prevention activities and training for professionals who interact with victims. It is also noteworthy that this initiative to allocate additional resources was exclusively driven by opposition political parties, even though it was then accepted as an amendment to the budget law by the leading parties. Moreover, this funding increase is a one-off measure and not a structural intervention, and it was likely prompted by recent events that had strong echoes and that gathered significant public and political attention, as well as widespread manifestations.

Generally speaking, the funding allocated to primary prevention appears to be often overlooked. Analysis of investments in violence against women for the period between 2020 and 2023 shows that the vast majority – more than 80% – of funds were dedicated to the support and protection of women who have already been victims of such violence. In contrast, only 12.4% of the total funds were dedicated to prevention, equating to 30.9 million euros out of a total of 248.8 million. Of this allocation for prevention, less than half was destined to primary prevention activities, such as awareness-raising campaigns and educational initiatives in schools. More specifically, out of the 248.8 million euros invested over the three years, only 5.6% – i.e. approximately 13.8 million euros – was towards primary prevention (Silvestre and Orfano, 2023a, pp. 4-5).

This approach does not offer a long-term strategy, but rather views violence against women as an emergency and a temporary phenomenon, therefore not requiring a

structured plan. Further evidence of this approach can be noticed in proposals such as chemical castration, advocated by various right-wing politicians, including Matteo Salvini, leader of the League and Vice-President of the current Meloni cabinet. Following some shocking rape cases that happened in the country, a law has been proposed by some senators of the League, asking, for persons sentenced for, among others, offences of sexual violence, for the voluntary administration of a medical treatment that inhibits the reproductive system. The decision would be subject to the judge's assessment of the person's dangerousness and requires the offender's consent, unless the person is mentally incapacitated (Draft law 839/2023, Art. 1).

This narrative can be arguably considered as aimed primarily at gathering support from a public shocked by recent events and who would like to see immediate actions taken. However, these initiatives only portray perpetrators as mentally ill individuals, and fuel the vision that intimate partner violence and gender-based violence are emergency issues, thus inadequately addressing the underlying causes of this structural violence.

Instead, it is critical to address those structural causes through primary prevention actions, to effectively tackle the issue of IPVAW as well as of violence against women in general. These efforts are essential, as reiterated throughout this document, since such violence thrives in environments that are conducive to such behaviours based on male domination over women. Therefore, these preventive efforts must form the foundation of future interventions, the ground, roots and trunk, as illustrated in the Tree of Prevention presented on page 69 of this thesis. This means that to effectively and sustainably address the issue, interventions should also focus on dismantling the patriarchal system that underpins this violence, rather than solely relying on response actions after violence has occurred.

4.2.3: The deficiencies of the legal framework and its implementation

Lastly, some observations about Italy's approach to the issue of IPVAW could be made regarding its domestic legal framework, particularly concerning the Red Code and its application.

The conditional suspension of the sentence, which is subordinated to the participation in specific perpetrator programmes, a mechanism provided for in Article 6 of the Red Code, poses the real risk of an instrumentalisation of these programmes, and of granting a suspended sentence without thoroughly assessing the risk of an individual to re-offend or of committing a more serious act. Indeed, there have been at least four cases in Italy in which men, who had been previously reported for domestic abuse, participated, completed, or were scheduled to attend a perpetrator programme, but later killed their ex-partners. For instance, in one case, the individual had previously attended a programme but voluntarily abandoned it before its completion. In another case, the offender had agreed to start a programme at a local CUAV but had not yet started it (Somma, 2023).

Consideration should be given to the fact that the implementation of the conditional suspension of sentences upon participation in the programme represents a significant advancement. This mechanism is already established in the Italian legal system, and now, the grant of suspension in cases of violence against women is contingent, also, on participation. Previously, there was the risk of granting such suspension, based on other considerations, allowing individuals to return to liberty without undergoing any form of rehabilitation. Consequently, their perspectives were unlikely to change, and they had no alternatives to their violent behaviour, increasing the risk of recidivism. These programmes now offer the possibility to change, to take accountability and to foster non-violent relationships, ultimately reducing the risk of reoffending.

The issue appears to originate neither from the legislation itself nor the functioning of the CUAVs that receive men who obtain suspended sentences and must autonomously go to the centre. Instead, the problem lies in the underestimation of the actual risk posed by these men, which could ultimately result in femicide. This underestimation occurs when the individual is granted suspended sentences by the judge, but the risk is not thoroughly analysed. Therefore, it is crucial to conduct a deep case review before deciding on suspending a sentence. It is essential to acknowledge that predicting the outcome of each case is unrealistic. However, the likelihood of re-offending is in any case higher for individuals who do not participate in a perpetrator programme compared to those who do so.

The judge and president of the Court of Milan, citing one of the cases of femicide that occurred after the man had obtained a suspended sentence as he had agreed to attend a programme, stressed the importance of avoiding sending men who perpetrated violence to participate solely for “judicial benefits”, emphasising the necessity of rigorous oversight by programme operators. Moreover, he explained the pressing need for a specialisation of judges, who are the ones deciding on suspending the sentence, and who must be trained on the topic of violence against women. Indeed, non-specialised judges often misinterpret common dynamics of IPVAV, such as the practice of women reporting and subsequently withdrawing the complaint, as inconsistency factors in the woman’s recollection of facts. In reality, these behaviours are characteristics of victims of IPVAV and are part of the manipulation pattern by the perpetrator. However, the judge noted that a mere 24% of Italian courts have one or more judges specialised in this domain (D.i.re, 2021).

Moreover, the Red Code, although generally regarded as a significant and positive legislative development, missed certain opportunities. Particularly, the stipulation of the financial invariance clause mandates that “the enforcement of the law shall not result in new or increased burdens on public finance”²⁹ (Law 69/2019, Art. 21). Consequently, the law does not impose additional financial obligations on the state, thereby excluding dedicated investments and resources for perpetrator programmes. This weakness was subsequently addressed through the State-Regions Agreement, which tried to compensate for some of the deficiencies of the Red Code.

In addition, the Red Code, when providing for the possibility of suspending the sentence by attending a perpetrator programme, did not take into account the unequal distribution of such programmes across the country. Moreover, at the time of the adoption of the law, there was no comprehensive mapping of centres providing these programmes; this matter was also subsequently addressed by the State-Regions Agreement, and was delegated to the Regions (Zancaner, 2019).

²⁹ Original text in Italian: “Dall’attuazione delle disposizioni di cui alla presente legge non devono derivare nuovi o maggiori oneri a carico della finanza pubblica.”

Furthermore, in its report on Italy's implementation of the Istanbul Convention, GREVIO noted that a law provision allowing to obligate a person to attend a perpetrator programme would enhance the usage of such instruments (GREVIO, 2019, para. 113). Currently, Italy does not have the legal framework to compel an individual to participate in such a programme after he has committed an act of violence against women. While there are mechanisms such as referrals from social services, warnings, and the possibility of suspending a sentence upon successful programme completion, none of these options is an obligation to participate. Even with sentence suspension, the individual must independently present himself to the centre, as there is no enforced obligation to do so. Introducing mandatory participation could undoubtedly increase the utilisation of perpetrator programmes, and could be considered by legislators. However, it is important to carefully weigh the risks, as the effectiveness of participation in such programmes is closely tied to the individual's motivation to change. A mandatory approach may not inherently foster the internal drive needed for behavioural change, nonetheless, it could serve to reduce the likelihood of reoffending, if appropriate precautions are taken.

Lastly, in relation to the warning mechanism, which was initially extended to specific instances of domestic violence by the 2013 law, and further expanded by law 168/2023, the network of anti-violence centres *D.i.Re* regards it as a potentially hazardous instrument for the safety of women, expressing deep concerns about the recent extensions. According to *D.i.Re*, there is a lack of systematic and thorough risk assessment and no assurance of the woman's protection. Furthermore, they highlight that issuing a warning may expose the woman to blackmail or false expectations and may exclude her from any communication and participation in the procedure. It is also noted that the administrative process can be initiated without the consent of the offended person, except in the case of persecutory acts, which could pose a danger to the woman.

Moreover, the initial proposal of the law included the possibility of extending the warning to offences of sexual violence (Art. 609-bis, Criminal Code) and non-consensual dissemination of sexually explicit images (Art. 612-ter). *D.i.Re* explicitly requested the removal of all references to these two articles, highlighting that providing for the possibility of a warning in cases of sexual violence offences could be considered as decriminalising this serious crime and would be in breach of the Istanbul Convention, which requires the criminalisation and prosecution *ex officio* for the crime of sexual

violence. Although the reference to the article on sexual violence was removed in the final adoption of the law, the extension of the warning in cases of non-consensual dissemination of sexually explicit images was retained. *D.i.Re* has emphasised that the inclusion of such an offence in this mechanism reflects a clear lack of understanding of the phenomenon. In cases of non-consensual dissemination of such content, the greatest challenge is securing evidence, often retrieved from computer media through searches, and if possible without informing the suspect: this is not practicable if a warning procedure is issued (D.i.Re, 2023, pp. 3-5).

4.3: Persistent challenges for perpetrator programmes and Italian CUAVs

In this concluding section of Chapter 4, the persistent challenges encountered by Italian centres offering perpetrator programmes will be examined as a culmination of this research.

Drawing from the earlier points and the analysis of Italian laws and state limitations, the discussion will be focused on the potential challenges posed by the Red Code application for the CUAVs, particularly concerning the establishment of the mechanism for suspending a sentence conditional to programme participation. While this mechanism represents a positive advancement, it may introduce risks, particularly in the assessment of the participant's motivation to engage in the programme.

Subsequently, the funding of such centres will be analysed, considering the funding mechanisms discussed in Chapter 3. This analysis will assess whether the issue of funding has been resolved for every centre through the State-Regions Agreement stipulated in 2022.

Finally, the type of prevention offered by these centres will be considered. Based on the distinction between primary and tertiary prevention, those definitions will be applied more concretely to the experiences of some CUAVs. This will help understand whether the intervention is solely tertiary prevention or if it needs to be more comprehensive and, perhaps, more ambitious.

4.3.1: Managing risks of the Red Code implementation

The introduction of the Red Code mechanism, which allows the suspension of sentences on the condition of participating in a perpetrator programme, has led to significant changes. Initially, participants attended these programmes voluntarily, but more and more individuals are now being referred to them through the Red Code procedure. In 2022, only 10% of participants joined the programmes voluntarily, compared to 40% in 2017 (Demurtas and Taddei, 2023, p. 8) as shown on page 82 of this document.

Both categories of participation, on a voluntary basis or referred by authorities, present inherent strengths and weaknesses. The focus of this subsection will be on the differences between the two and especially on the challenges of participation through the referral of a judge in application of the suspension of the sentence.

Voluntary participation

Individuals who participate voluntarily are typically intrinsically motivated to do so. Their motivation may stem from a genuine desire for personal transformation, or external pressures such as familial ultimatums, particularly from partners threatening to end their intimate relationships unless the partner participates in the programme. Some participants are driven by a desire to improve their parenting, particularly in response to the distressing realisation that their children fear them. However, voluntary participation often experiences higher drop-out rates, given the absence of a requirement and the absence of consequences in case of non-attendance. The debate surrounding voluntary participation persists. While some researchers argue that mandated involvement produces better results, others maintain that autonomous, self-motivated engagement is pivotal for genuine behavioural change; ultimately, no consensus has been reached on this matter. Nevertheless, it is evident that in voluntary programmes, the impetus to participate originates internally, particularly for those who opt to engage independently, out of a sincere aspiration for personal transformation (Baccaro, 2015, pp. 36-37). This internal motivation has the potential to lead to more profound and enduring transformations, as individuals are often more committed when they choose to participate, even though it is important to note that each situation is inherently unique and personal, and there is no certainty when analysing an individual's motivation.

Participation through referral

On the other hand, participation through referral, particularly through the Red Code mechanism for sentence suspension, can pose specific risks. The provision of this mechanism is essential, as previously mentioned, given the challenges in reducing the recidivism rate solely through judicial interventions such as prison and house arrest. Without a clear programme for perpetrators to help them take responsibility for their actions and to provide with alternatives to violent behaviours, achieving this reduction becomes significantly difficult.

In the case of referral by the judge, it is often extrinsic factors that drive participants to attend, primarily to gain benefits, especially to avoid imprisonment. This may become their primary motivation for participating in these programmes, and thus it is not necessarily a motivation to change their violent behavioural pattern towards the (ex-)partner. The role of professionals in the centres is pivotal, as they are tasked with meticulously assessing the motivations of each individual and monitoring any changes throughout the programme to determine if intrinsic motivation is developing, thereby avoiding potential judicial consequences. This participation through the Red Code mechanisms thus presents a challenge for programme providers, given that participation is often driven by “instrumental motivations”³⁰. Therefore, assessing motivation becomes significantly challenging for providers, as participants might disguise their motivation solely with the aim of avoiding legal consequences. The objective evaluation of motivation is inherently unachievable, given the fact that individuals might manipulate their presentation and exteriorly present a motivation that is not mirrored internally, especially when they are advised by a lawyer. However, due to the nature of the programme, which is a long-term intervention of at least one year, a lack of genuine motivation tends to manifest over time, especially in a participant’s attendance. Nevertheless, despite close monitoring, accurately determining an individual’s motivation remains subjective and uncertain, with no guaranteed outcome, even in cases where there was an apparent initial strong³¹.

³⁰ Interview conducted on 10/06/2024 with Andrea Campione, project manager of *M.Uo.Viti – Mai più uomini violenti* [Never again violent men].

³¹ Interview conducted on 6/06/2024 with Alessio Testi, project manager of *LDV – Liberiamoci Dalla Violenza* [Free from violence].

In any case, these programmes, even when attendance is not entirely voluntary, still offer an opportunity to prompt reflection on violent behaviour and present alternative solutions, aiming to facilitate change. Participation is therefore crucial in reducing violence and preventing reoffending, making it essential for centres to closely monitor and support participants' motivation for genuine transformation and to foster non-violent intimate relationships.

4.3.2: Funding: a resolved issue?

A lack of funding does not appear to be the primary concern for entities that provide programmes for men who have used or are at risk of using IPVAW, particularly for those that adhere to the criteria outlined in the State-Regions Agreement and are thus considered CUAVs, therefore are eligible to receive public funding for their initiatives.

On the other hand, for organisations not meeting the criteria to be recognised as a CUAV, persisting funding issues remain, and they predominantly need to rely on voluntary work rather than employing staff. Although they may engage in projects and receive financial support upon successful proposal submissions, this is a temporary funding source, typically lasting for one year. Furthermore, these entities depend on private donations and can receive funds, for instance, through the *5 per mille*³² [5 per thousand]³³.

The State-Regions Agreement, as previously discussed, enabled recognised CUAVs to receive public funding for their operations. For instance, when the number of participants to a centre increased significantly, the Region, which is responsible for the distribution of funds to the centres in its area, allocated additional funding. In this specific case, this sum allowed the centre to hire another staff member, who was specifically tasked with contacting the (ex-)partner of the participants³⁴.

Another example of the changes brought about by the State-Regions Agreement is evident in the experience of the LUI Association. Although they are currently not significantly

³² The *5 per mille* is a mechanism in Italy that allows citizens, who pay taxes, to allocate 5 per thousand of their annual income to recognised organisations and institutions of their choice. This does not entail additional costs for the taxpayer.

³³ Supra note 26.

³⁴ Supra note 31.

impacted by a lack of funds, the initial decade of their operations, during which no state funding was allocated to their activities, posed considerable challenges. During this period, a substantial portion of their efforts relied on voluntary work. Following the Agreement, the LUI Association has been recognised as a CUAV, thereby becoming eligible to receive public funding for their activities. It is important to note that, irrespective of the public funding received, the participants in their programmes are still required to pay a participation fee. This policy underscores the principle that individuals must take an active role in their own rehabilitation, acknowledging their past mistakes. The imposition of a fee serves as a means for participants to demonstrate their commitment to personal change and accountability³⁵.

Providing funds to CUAVs does not appear to impede or reduce the allocation of resources to other types of centres, especially to shelters and anti-violence centres (known in Italy as *CAV – Centri antiviolenza*), as they receive money from separate funding streams. However, this does not imply that those centres supporting women are adequately funded. On the contrary, as emphasised by the network *D.i.Re – Donne in Rete contro la violenza* [Women in Network against violence], these centres consistently experience financial constraints and struggle with insufficient resources (Silvestre and Orfano, 2023b). It is particularly important to recognise that a wise and attentive government invests in both domains: ensuring the protection and support of women, as well as transforming the socio-cultural system through initiatives targeted at men³⁶. This dual approach acknowledges that addressing intimate partner violence against women requires a comprehensive strategy, and calls for directing a specific focus also towards men, given that they are the primary perpetrators in the majority of cases. By focusing on both changing male behavioural patterns and societal attitudes, a government can more effectively combat the underlying causes of the phenomenon.

All factors considered, the allocation of state funds represents a positive initiative and a promising initial step. Nevertheless, the current level of funding still proves insufficient, particularly, as analysed in the previous section, concerning primary prevention efforts. This deficiency however also affects tertiary prevention measures, thus those centres

³⁵ Supra note 24.

³⁶ Supra note 31.

providing perpetrator programmes. Notably, despite receiving state funds as per State-Regions Agreement, some facilities continue to face financial struggles, which in some cases may limit their ability to accept participants, or limit the number, and reduce their overall effectiveness³⁷.

4.3.3: Beyond tertiary prevention

Lastly, as previously mentioned, perpetrator programmes should not exclusively focus on changing an individual perpetrator's violent attitudes. Instead, they must be integrated into a broader framework aimed at transforming social approaches to IPVAW. While addressing the specific behaviour of an individual to reduce their risk of recidivism is undoubtedly critical, given its effect of protecting the victim from living further and perhaps more severe violence, this approach should not be the sole objective.

This dual approach is increasingly adopted by centres offering treatment programmes for individuals who have committed acts of IPVAW, or, in rare cases, are at risk of committing such acts and seek to prevent them. It is essential that these programmes aim to change societal norms, rather than focusing solely on the rehabilitation of individual perpetrators or groups of them. Many projects, such as *Muoviti* in Ravenna, emphasise the need for multifaceted interventions that operate on several levels. These interventions include not only the treatment of violent perpetrators, but also efforts to raise awareness in schools and among the general public to promote changes in patriarchal structures and paradigms³⁸.

Many centres have indeed integrated clinical treatment of perpetrators with a strong emphasis on broader activities of prevention, such as the LDV Centre in Parma. The centre has engaged with a thousand students from kindergartens to universities, more than 300 teachers and school educators, and with a significant number in terms of the general population, through events that they carry out regularly throughout the year, with awareness-raising activities, training operators and professionals, and many others. These actions aim to prevent violence and promote awareness, focusing on men. Indeed, their

³⁷ Supra note 30.

³⁸ *Ibid.*

aim is not only focusing on those who have already perpetrated violence through their clinical service, but also on all those who have not yet done so, especially children and young boys, on whom they can act more impactfully³⁹. It is important to note that the responsibility for changing social and cultural norms does not rest solely on perpetrator programmes. Centres offering these services also engage in other activities, aside from the programme, to disseminate information and carry out campaigns, for example. While treating perpetrators reduces the likelihood of recidivism, addressing IPVAW, and more generally gender-based violence against women, necessitates a networked approach. This involves collaboration among all relevant services, institutions, the justice system, centres for male perpetrators, and anti-violence centres that protect and support women victims of such violence⁴⁰.

As noted in the GREVIO's report on Italy's compliance with the Istanbul Convention, Italian authorities need to enhance preventative measures through, *inter alia*, perpetrator programmes, but at the same time, they are also expected to implement measures to address harmful societal norms and stereotypes (GREVIO, 2019, p. 8). Thus, a comprehensive approach is necessary, and this objective should also be embraced by policymakers. As previously discussed, this double-faceted approach can be effectively implemented also by CUAVs, which play an essential role in this effort.

While interventions with men are essential, the focus must extend beyond individual actions. Collaboration among various local and national entities is vital, as addressing IPVAW requires a networked approach. Given that the phenomenon is deeply structural and entrenched in all aspects of society, efforts must be collective. Offering not only perpetrator programmes to treat and rehabilitate men, but also carrying out complementary activities, such as those previously described, contributes to addressing IPVAW at its roots. These initiatives challenge the norms that create a favourable context for the justification and perpetuation of such violence, and unless this environment is tackled, violence will not be reduced. Efforts should be directed at fostering a culture of non-violence and combating patriarchy, thereby contributing to broader societal change

³⁹ Supra note 31.

⁴⁰ Supra note 26.

against the structural issue of IPVAW. Perpetrator programmes are necessary, but they are just a drop in the ocean.

Conclusion

This thesis underscores the significance of perpetrator programmes as a fundamental initiative with numerous advantages, effectively reducing the probability of recurrence of violence, thus preventing further instances, and contributing to the more general goal of preventing intimate partner violence against women. Nevertheless, findings drawn mainly from interviews with professionals, reveal that these programmes do not come without risks, hence the necessity of foreseeing strategies to mitigate them, especially to safeguard the wellbeing of survivors. Consequently, a comprehensive risk assessment is imperative for potential participants, both prior to and throughout the programme, but as well as after it has ended. To do so, cooperation with support services is essential, in particular with local anti-violence centres, which is necessary for the important but delicate practice of partner contact. This is crucial to obtain information about the participants and their behaviours, and to communicate to the (ex-)partner about the man's involvement in the programme, its scope but also its limits. However, risks need to be assessed, and the consent of the victim to be contacted must be respected, and this practice must not turn into a mediation process. Furthermore, it has been found that Italian CUAVs (Centres for men perpetrators or potential perpetrators of gender-based violence) face various challenges ranging from managing risks to overcoming difficulties related to the conditional suspension of sentences and the participant's motivation, as highlighted in the interviews. In addition, it is imperative for these centres to not only focus on tertiary prevention through perpetrator programmes after an act of violence has happened, but also to engage in primary prevention activities with the general public. Conclusions must also be drawn regarding the shortcomings of Italy, especially its political landscape, as it impacts the work of CUAVs. Research findings reveal that Italy primarily addresses the topic of IPVAV in response to shocking events that have a strong impact on the population, leading to the implementation of short-term measures, that perceive such violence more as an emergency, thus overlooking its structural nature. To effectively combat IPVAV in Italy, taking into consideration its weaknesses, some policy recommendations have been elaborated:

1. Increase structural investment in primary prevention by allocating a significant portion of the national Fund for rights and equal opportunities policies to these activities;
2. Allocate additional funding to establish new CUAVs in all regions to ensure more equal distribution of services across the country, considering that three Regions do not possess these centres;
3. Provide specialised training to judges responsible for granting conditional sentence suspension, focusing on the particular dynamics of IPVAW and the risks related to this mechanism;
4. Introduce mandatory activities in schools, during school hours, on gender equality, affectivity, sexual education, and safe relationships and dating, conducted by professionals.

This thesis has provided critical insights into the persistent challenges of preventing IPVAW in Italy. Despite the presence of comprehensive multi-level legislation, issues still endure, particularly in the Italian political will and long-term preventive approach to the matter. The broader European context is also cause for concern, especially with the rise of conservative leadership, as recently demonstrated by the European Parliament elections of June 2024. Critiques of the Istanbul Convention highlight a troubling trend where this crucial instrument is increasingly portrayed as conflicting with traditional values, hindering the consideration of such violence as a structural issue in societies. Turkey's withdrawal from the Convention in 2021 serves as a stark reminder of how deeply conservative stances can hinder efforts to combat violence against women. This conservative shift across Europe poses risks to addressing the underlying causes of this violence and hampers progress toward effective solutions. Moving forward, it is crucial to adopt a comprehensive and structural approach; this involves not only strengthening the legal framework and services, but also fostering broader changes in social and cultural norms and attitudes.

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