



This Project is co-funded by the Rights, Equality and Citizenship Programme of the European Union



BUILDING A SAFETY NET FOR MIGRANT AND REFUGEE WOMEN PROJECT

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POLICY BRIEF - ITALY





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Table of Contents

1. INTRODUCTION 3

2. APPROACH AND RESULTS 3

3. IMPLICATIONS AND RECOMMENDATIONS 4

4. CONCLUSION 5





BUILDING A SAFETY NET FOR MIGRANT AND REFUGEE WOMEN PROJECT

1. INTRODUCTION

Building a Safety Net for Migrant and Refugee Women (Safety Net) is a project co-funded by the European Commission (Daphne Strand), aiming to empower migrant and refugee women (MRW) to stand for their rights and be able to enjoy a life free of gender-based violence (GBV).

The project engages partner organizations and institutions from three different countries: *KETHI* (project coordinator), a private entity under the supervision of the Greek Ministry of Interior; *CRWI Diotima*, an NGO from Greece; *Differenza Donna* NGO, a women's organization from Italy; *Fundació Surt*, a women's organization from Spain; the *General Secretariat for Gender Equality* of the Greek Ministry of Interior.

Safety Net focuses on the current situation in Southern Europe, especially in partner countries, where GBV continues to be a significant issue and its prevalence among MRW remains high. Specific forms of GBV are more common than others and affect MRW disproportionately in their home country, during their journey and in the host country, among them: trafficking, FGM and other traditional harmful practices, forced marriages, rape, sexual harassment, and honour crimes. The project aims to empower MRW and to improve the availability and quality of services provided to survivors of GBV, including provision of better protection and support as well as more effective and efficient prevention and response mechanisms.

2. APPROACH AND RESULTS

Differenza Donna NGO (DD) carried out a context analysis study which included an evaluation and review of the policy, legal and administrative frameworks at the national level, and the identification of good and bad practices. The study highlighted the vulnerable condition of MRW living in Italy, and pointed





BUILDING A SAFETY NET FOR MIGRANT AND REFUGEE WOMEN PROJECT

out the factors which make MRW more likely to suffer all forms of gender-based discrimination and violence.

The main source of information for the analysis were MRW themselves, in particular those who sought support at DD's helpdesks, shelters and Anti-Violence Centres (CAV). DD's specialized staff documented the lives of these women, recorded their experiences and concerns, identified gender-based stereotypes and discrimination, and reported these women's *subjugated knowledge*, i.e. the knowledge usually excluded from the dominant discourse and "subject" to the dominant patriarchal culture. This approach is key to effectively challenging the patriarchal norms, structures and ideologies which continue to oppress women and limit their action; at the same time, it fosters MRW's (and other marginalized groups') empowerment and emancipation, promoting social change and social justice.

In order to give direct voice to the beneficiaries of the project, DD organised three focus groups which provided key information on the issues under consideration in a very short period of time, and were able to shed light on fundamental aspects of women's experiences thanks to the exchange and interactions among participants. The focus groups not only provided valuable information but they also encouraged mutual learning and constructive advice on how to make future action plans more effective and efficient. In particular, the group highlighted the following critical issues:

- MRW have little or no information about their rights;
- Law enforcement officers, social workers, health care staff and personnel operating in migrant reception centres lack specialised training on gender issues, particularly on GBV prevention and protection, which further increases the risk for MRW to suffer GBV both in the public and private spheres;
- Access to justice for MRW is often ineffective and inefficient;
- The lack of coordination and a well-connected network among NGOs and civil society organizations (CSOs) hinders the identification and recognition of women victims of trafficking;
- The lack of reception centres and other resources for victims of human trafficking increases the risk for women to be re-trafficked and re-victimised.

3. IMPLICATIONS AND RECOMMENDATIONS

At the end of the focus groups, participants made the following recommendations regarding women's access to:

- **Information:** Raise women's awareness of their rights and of the remedies available to them when a violation occurs, starting from their arrival at the Centre of First Aid and Reception Centres (hotspots). In the first identification phase, this would help to recognise victims of trafficking or other forms of GBV and to identify those women who qualify for international protection. Thus, it is





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important: (a) to ensure that there are appropriate facilities to hold confidential interviews aimed at identifying survivors of trafficking and GBV in hotspots and other centres where asylum seekers and migrants are held; (b) to strengthen multi-agency involvement in victim identification efforts by introducing a National Referral Mechanism and further engaging NGOs and IOs, granting them increased access to hotspots, reception centres and CIE.

- **Safe reception and accommodation:** Increase the number of places available in reception centres and ensure adequate reception standards for refugees and asylum seekers, paying particular attention to the needs of women and girls. Ensure strict compliance with the principle of *non-refoulement* in all applicable cases regarding women and girls in need of international protection according to an individual risk assessment approach in line with the *National Plan on Trafficking in Human Beings* and with the *Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)*.
- **Justice and international protection:** Enhance the social protection provided for in Article 18 *T.U. Imm. (Italian Consolidated Immigration Act)* ensuring that victims' protection is not dependent on their cooperation with police operations and investigations. Extend to three years the duration of the residence permit for social protection purposes pursuant to Article 18 *T.U. Imm.*, as the current six-month extension period is inadequate to ensure that victims have sufficient time to process and overcome their trauma, and to adapt to the new Italian context. In addition, it would be important to extend the possibility of obtaining a residence permit for family reunification to kin of victims of trafficking, who may be exposed to the risk of retaliation from traffickers in their home country; current constraints to such reunification procedures regarding the degree of kinship, housing capacity and income, should be eliminated.
- **Services:** Improve and strengthen the availability, access and quality of support programmes and services for GBV survivors, both adults and children.

4. CONCLUSION

Italian immigration policy has increasingly become more restrictive and repressive, curtailing migrants', refugees' and asylum seekers' access to fundamental rights and favouring migrants' criminalisation over reception and inclusion.

Such policy has progressively and negatively affected the practice of operators (law enforcement officers, magistrates, social workers, public officers and healthcare staff, etc.) who work with migrants, refugees and asylum seekers, increasing the risk for the latter to suffer multiple violations of their rights.¹

¹ ECtHR caselaw, Report ASGI, MEDU, Women's Link World Wide.





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Despite the legally recognized duty to protect and obligation to ensure the unconditional respect of fundamental rights to everybody without discrimination (Articles 2 and 3 of the *Italian Constitution*; Article 2 of the *Italian Immigration Law*), a framework focused on limiting migrants' flow and increasing their removal appears to prevail over the rights to protection, healthcare, legal assistance and fair process, respect for family and private life. These involutions of the legal system heavily affected MRW, increasing their risk to suffer GBV both in the public and private dimensions and limiting their access to protection and justice, with a higher risk of secondary victimization².

The recent security decree issued by the Italian Government (approved on November 7, 2018) represents a worsening of the living condition of the migrant population on the national territory, increasing uncertainty and vulnerabilities. DD has launched an intensive awareness-raising campaign among public institutions and CSOs, and has renewed its efforts to support MRW and ensure effective protection of their human rights.

²Data on GBV against migrants: ISTAT (Italian National Institute of Statistics), FRA, ShadowReports, CEDAW Recommendations, Beijing Report.

