



## Teen Dating Violence - Italian legal framework

### Introduction

In the Italian legal system gender violence refers to all the forms of violence that affect women and which contain a discriminatory component linked to their female sexual identity. With gender violence, in the Italian legal system, we mean psychological and physical violence, sexual violence, persecutory acts such as stalking, up to rape and femicide.

The Italian legal system **in the field of fighting gender violence** aims, in general, at:

- preventing crimes,
- punishing the culprits,
- protecting the victims.

The Italian legislation falls within the framework outlined by the **Istanbul Convention (2011)**, that was the first international legally instrument 'on preventing and combating violence against women and domestic violence'. The main element introduced by the Convention is the recognition of violence against women as a form of violation of human rights and discrimination. The Convention also provides for the protection of children witnesses of domestic violence and requires, among other things, the penalization of female genital mutilation.

Many interventions are put in place in Italy: the protection of victims of ill-treatment and domestic violence, a network of refuge-house, training on listening and approaching to the victims, evaluation risk and identification of protection measures, courses on domestic violence and stalking.

The **Osservatorio per la sicurezza contro gli atti discriminatori** is an interforce agency (Italian National Police and Carabinieri Corps) established in 2010 and set up within the Public Security Department – Central Directorate of Criminal Police. It provides qualified support to victims of discrimination offences (hate crimes).

At local level, the Prefectures promote information and initiatives to fight gender violence in the first place: training in schools, training courses for health and social workers, improving the first reception, collaboration with local authorities and associations for enhance reception and support for victims, task forces and work groups to plan initiatives and disseminate best practices.



## **Italian Law regarding gender violence**

**Art. 2. Italian Constitution** – The roots of all the laws that protect women from gender violence are in the Constitution and in particular in its art. 2. This article states that 'the Republic recognizes and guarantees the inviolable rights of person, both as an individual and in social formations where his personality takes place.

**Legge 27 giugno 2013, n. 77** Law n. 77. 27 June 2013, - Italian ratification of the Council of Europe Convention on the prevention and combating of violence against women and domestic violence, held in Istanbul on 11 May 2011.

**LEGGE 15 ottobre 2013, n. 119** – Conversion into law, with amendments, of the decree-law 14 August 2013, n. 93, containing urgent provisions on security and the fight against gender-based violence, as well as on the subject of civil protection and provincial administration. (13G00163) (GU n.242 of 15-10-2013). It is the main legal reference in the Italian system regarding the prevention and protection of gender violence. This law strengthens judicial protection and support for victims by providing a series of aggravating circumstances and the possibility to have a permit for humanitarian reasons for foreign victims of violence.

**27.7.2010 Decreto del Capo della Polizia** establishing the Observatory for Security against Acts of Discrimination (Oscad); It is an interforce agency (Italian National Police and Carabinieri Corps) established in 2010 and set up within the Public Security Department – Central Directorate of Criminal Police. It provides qualified support to victims of discrimination offences (hate crimes)

## **Umbria Region**

**Legge regionale 15 aprile 2009, n. 6** .Establishment of the 'Center for equal opportunities' CPO and implementation of gender policies in the Umbria Region. The Umbria Region, in implementation of Article 62 of the Statute, establishes the Center for Equal Opportunities as a regional equality body, which competes with the Regional



Council, the Council and its President to eliminate gender discrimination and to promote gender policies

[Legge regionale 25 novembre 2016, n. 14](#) Rules for gender policies and for a new civilization regarding the relationships between women and men. Law of the Umbria Region that recognizes the value of female difference and freedom and aims to promote new forms of cohabitation based on the principle of interdependence that binds human beings and these to other beings living, to natural, productive and cultural resources with a view to sharing responsibilities between the sexes and the generations and in the respect and promotion of diversity.

### **Tuscany Region**

[Legge Regionale n. 59/2007](#) Rules against gender violence. This law strengthens the system of integrated policies to combat violence, with specific responsibilities for the Region, local authorities, the social and health system. For the full realization of the law the Region coordinates the health, social, equal opportunities and security policies. The Region also has created technological platforms, has activated collaborations with local authorities and has enhanced the work done with schools, associations, law enforcement agencies and the judiciary.

[Delibera G.R. n. 291/2010](#) With this text Region of Tuscany adopts the 'Regional Guidelines on gender violence', committing itself to coordinating the initiatives in this area and to promoting the establishment of coordination centers in healthcare companies and hospitals.

**TYPES OF CRIMES.** Three types of offenses provided by the **Italian Penal Code.**

1. ACTS PERSECUTORS (Article 612 bis, stalking)
2. ABUSE AGAINST FAMILIES OR CONVIVERS (Article 572)
3. SEXUAL VIOLENCE (Article 609 bis)