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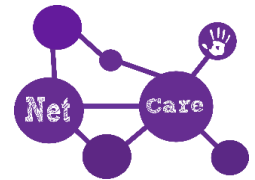
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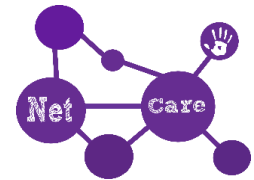
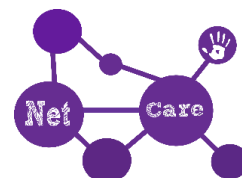
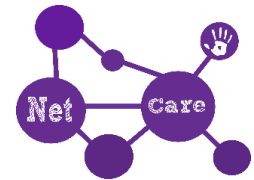


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1. Introduction

"We realize the importance of our voices when we are silenced."

Malala Yousafzai

Activist, Nobel Prize Laureate

According to the United Nations High Commissioner for Refugees (UNHCR), 1,015,078 people arrived by sea (mainly by the Mediterranean Sea) in the EU in 2015, out of which 50 per cent were men, 19 per cent were women and 31 per cent were children.

In 2019, 123,663 people arrived by sea, from which the 16,2% were women and the 25,1% children ascertaining an important dip in women and children's arrivals in comparison to men¹.

One important question arising from the global context of arrivals of people from third countries is the way refugee and migrant women are treated. According to the European Institute for Gender Equality's (EIGE) Milestones Report and taking into consideration the provisions of the Victims' Rights Directives (Directive 2012/23/EU) and the Anti-Trafficking Directive (Directive 2011/36/EU), member states of the European Union (EU) "are committed to continual monitoring and assessment of gender-based violence"². Furthermore, the Reception Directive (Directive 2013/33/EU of the European Parliament and of the Council, June 2013, art.25) requires Member States to provide access to appropriate medical and psychological treatment or care for persons who have been subjected to rape or other serious acts of violence.

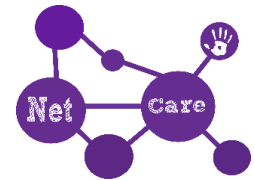
However, the EIGE notes that the existing "data mask the true scale of gender-based violence in Europe"³ as most violent acts are not reported by women and children. The reasons why women and children do not report these cases will be reviewed in the process of our analysis from the point of view and data analysis of the three partner countries of the NetCare project that have received large afflux of refugees and migrants : Greece, Spain and Italy.

Through the present analysis, we will compare the data deriving from desk and field research that took place in the three countries. We will analyse the existing policies, the status and trends

1 UNCHR. (2020). *Operational Portal Refugee Situation*. Retrieved 20.03.2020 from: <https://data2.unhcr.org/en/situations/mediterranean>.

2 EIGE. (2020). *EIGE's work on gender-based violence*. Retrieved 20.03.2020 from: <https://eige.europa.eu/gender-based-violence/our-work>.

3 EIGE. (2019). *Violence for 2019*. Retrieved 20.30.2020 from : <https://eige.europa.eu/gender-equality-index/2019/violence>.



of existing support services to reveal the service delivery gaps and requirements to meet the needs of the victims of sexual and gender-based violence (SGBV) among migrant and refugee children, women, girls, and vulnerable people in Greece, Spain and Italy.

2. The national context: statistical and demographic data

In Italy, at the beginning of 2009, ISMU Foundation estimated a presence of 6,2 million migrants on a national population of 60,360,000 (more than one foreigner per 10 Italian inhabitants). Compared to the same period in 2018, the increase in foreigners corresponds to 1.9% (while between 2017 and 2018 this growth was 2.5%): this is mainly due to the increasing number of irregular migrants present in the Country (+5.4%), corresponding to 562,000 people⁴. Among this population of foreigners, 4,443,000 have third country nationalities (including persons without residence permit and irregular ones).

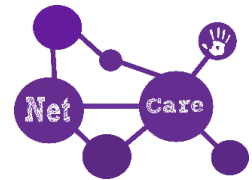
In the first six months of 2019, around 4,000 migrants reached the Italian coast. In comparison to 2017, the numbers are highly decreased: the arrivals through the Mediterranean route were estimated around 119,000 in the same period. In 2018 through humanitarian corridors⁵ 1,700 migrants arrived in Italy (1,000 from Lebanon, 700 from other places, 50% of them were males and 50% females - mainly family groups).

Women represented 11% of the migrants who arrived at the Italian coast in 2017 (13,130 according to UNHCR), most of them coming from Nigeria (23%). The remaining mainly came from Ivory Coast, Eritrea, Ethiopia and Somalia. Missing unaccompanied minors were 5,229 in 2018 (Source: Idos). At the end of 2018, the reception system was hosting 787 female unaccompanied minors from whom 237 came from Nigeria.

In Spain, according to the annual publication on Asylum in Figures, belonging to the Office of Asylum and Refuge of the Ministry of the Interior (2018, edited in September 2019), during 2018, 55,749 applications were formalized, of which 57.34% were submitted by men and 42.66% by women. This represents a 75% increase over the 31,740 applications registered in 2017. Furthermore, if we take into account the countries of origin, Venezuela, Colombia and Syria continue to lead the countries of origin of applicants for international protection in Spain. The

⁴ XXV Rapporto sulle migrazioni, ISMU (XXV Report on migration – Ismu Foundation 2019).

⁵ In Italy these projects are mainly funded by AMIF funds (EC) and by Private sponsorships programme (i.e. Waldensian Evangelic Church).



number of applications for international protection filed as of this date is 73,601. Of these, 40,260 belong to men and 33,341 to women.

In Greece, according to the Eurostat Immigration Data browser presenting the number of long-term immigrants arriving in Greece during each reference year, 119,489 persons arrived in 2018, 112,247 arrived in 2017 and 116,867 in 2016. These numbers seem much higher in comparison to the 64,445 immigrants that arrived in Greece in 2015 and 59,013 in 2014.

The last updated data analysis concerning the total arrivals in Greece shows that 6,127 people arrived in Greece up until February 23, 2020, including refugees and migrants, women, men and children. 4,714 sea arrivals and 1,413 land arrivals have been recorded only in 2020. According to the operational portal refugees situation data browser, in 2019, there have been 59,726 sea arrivals, 14,887 land arrivals and 70 people reported dead and missing.

Taking into consideration data from January 2019, from the aforementioned numbers, 36,5% of the persons arriving were children, 23% women and 40,5% men⁶. Most third countries nationals come from Afghanistan (2,396 according to the 2020 UNCHR data collection) and from Syria (1,208 arrivals according to the 2020 UNCHR data collection).

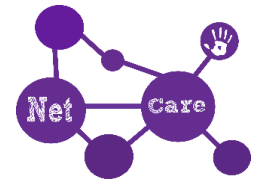
Italy, Spain and Greece remain three countries that receive immigrants and refugees due to mixed geopolitical factors. Furthermore, the arrivals' number remains very high even if a diminution is ascertained in comparison to 2016 and 2017, years of the highest migration afflux. What seems important to point out is that in all cases, there are less women than men as far as asylum seekers applications and third-country residents' arrivals are concerned. Finally, even if an important number of third country nationals come from Syria, the other nationalities diverge as in Italy there are many immigrants from Lebanon, Ivory Coast, Eritrea, Ethiopia and Somalia, in Spain from Venezuela and Colombia and in Greece, from Afghanistan and Congo.

3. Data on cases of Sexual and Gender-Based Violence

Data on cases of SGBV against migrants/refugees and nationals

It is important to point out that the data provided to the present analysis do not concern exclusively migrant and refugee women. There is a broad description of SGBV cases in Italy,

6 UNCHR. (2020). *Operational Portal Refugee Situation – Greece*. Retrieved 20.03.2020 from: <https://data2.unhcr.org/en/situations/mediterranean/location/5179>.

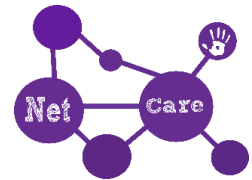


Spain and Greece with statistical data including inter alia, cases of SGBV against migrants and refugees. Consequently, the fact that there are no official data (deriving from judicial or competent public authorities) published on SGBV against migrant and refugee women in some partner countries, such as Greece, proves the lack of information about violence in migrant and refugee communities, even if in all three countries, refugee and migrant women have experienced SGBV. Greece, for example, is supposed to be one of the countries reporting highest incidences of SGBV cases among with Malta, Belgium, Ireland and Hungary (Oliveira, Keygnaert, Oliveira Martins, & Dias, 2018).

In Italy, according to the data collected by Di.RE (National network of anti-violence centers) the majority of women that reported forms of GBV were Italian. In 2017, 29,227 women accessed the services provided by anti-violence centers for SGBV victims and survivors. Among these, 7,891 were foreigners (27%). This percentage changes when national statistics report the number of foreigner women hosted in secure shelters (68% of the total are foreigner women). The difference between the reported cases of violence and the need for housing is due to the fact that migrant women have proportionally less social capital and less support (in term of safety networks) available to them in the host country. Furthermore, national statistics take into account the percentage of migrant women present in the country in order to understand the degree of SGBV they suffer, in comparison to local women.

Data collected from 2004 to 2014 estimated that foreign women have suffered physical or sexual violence to an extent similar to the abuse Italian women have experienced during their lives (31.3% and 31.5%). Physical violence is more frequent among foreigner women (25.7% against 19.6%), while sexual violence is more frequent among Italians (21.5% against 16.2%). Foreigners are much more subject to rape and attempted rape (7.7% versus 5.1%): Moldovan (37.3%), Romanian (33.9%) and Ukrainian (33.2%) women are more frequently victims of violence (ISTAT, La violenza contro le donne (2004 – 2014) funded by Dipartimento Pari Opportunit).

Foreign women, unlike Italian women, suffer mainly violence (physical or sexual) from partners or former partners (20.4% against 12.9%) and less from other men (18.2% against 25.3%). Foreign women who suffered violence from an ex-partner are 27.9%, but for 46.6% of them, the relationship ended before arriving in Italy (ISTAT, La violenza contro le donne (2004 – 2014) funded by Dipartimento Pari Opportunit).



It is estimated that over 90% of migrant asylum seeker and refugee women who arrived in Italy through the Mediterranean route have suffered SGBV in Libya and during the journey: rape, kidnapping, segregation, forced labor, torture (UNHCR- Unhcr Desperate journeys (2017-2018)).

In 2018, according to the official statistics available, 893 victims of Trafficking in Human Being (THB) were assisted (mainly women and girls), of whom 711 were from Nigeria. The main countries of origin of the victims in 2017 and 2018 were Nigeria, Romania, Morocco, Bangladesh, Pakistan, Albania and Bulgaria. The high majority of the victims supported by the protection programs experienced sexual exploitation (78% in 2017, 90% in 2018). (Sources: Save 2019, GRETA 2019). Italy is a country of ending destination and intermediary transit for women victims of sexual trafficking coming from Sub-Saharan Africa, the high majority of them is not identified from relevant services: it is estimated that more than 80% of the Nigerian women and girls arriving in Italy are likely to be victims of trafficking for sexual exploitation in Italy or in other European countries (GRETA 2019).

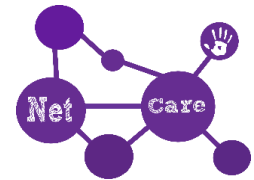
In Spain, of the total number of women murdered by gender-based violence, between 2003 and 2017, 32% were foreigners (294 in absolute numbers). This means that the murders of foreigners affect 30 women for every million foreign women in the country; while the murders of Spanish women affect 5 for every million.

In Greece, a survey conducted by the General Secretariat for Gender Equality mentions the results from the Consulting Centers and Shelters that received and helped women having faced violence for the period 2012-2018. During the aforementioned period, the consulting centers received more than 25,000 women. Only during the first 318 days of 2018, more than 1,350 women asked for help because of sexual and gender-based violence⁷. Among these cases, 22,183 were related to gender-based violence and more than 1,352 women have been accommodated in the 21 existing shelters. Regarding their demographic data, 20,289 of them were Greek (81%) and 406 (3%) were refugees.

According to the results from the SOS Helpline 15900, in 2018, 5,088 women called the helpline and in 81% of the cases, it was to report gender-based violence. From the above, 2,208 (77%) were Greek citizens and 206 (9%) migrants.

According to the data published by the General Secretariat for Gender Equality, in 2018, 1,518 women asked for accommodation in the Shelters, from which 1,125 asked for help due to

7 GENERAL SECRETARIAT FOR GENDER EQUALITY. 2019. *Gender-based violence*. Retrieved 25.03.2020 from: <http://www.isotita.gr/wp-content/uploads/2019/11/Παρατηρητήριο-ΓΓΟΠΙΦ-23ο-Ενημερωτικό-Σημείωμα-Έμφυλη-Βία.pdf>.



domestic violence and 46 cases due to rape. Among the women that stayed in the shelters 767 were Greek (51%) and 224 refugees (14%)⁸.

Data about SGBV victims' complaints

In Italy, according to data analyzed from 2004 to 2014, 6,788,000 women have suffered some form of physical or sexual violence in their lifetime: 652,000 women have suffered rape and 746,000 were victims of attempted rape (Italians and foreigners). Among them, just a small percentage lodged formal complaints to the police, law enforcement and specialized services. Despite the seriousness of the crimes perpetrated, 23.5% of the victims do not talk to anyone about the violence suffered by previous partners, a share that increases to 39.9% if the violence is perpetrated by the current partner. Formal complaints were also made to doctors or nurses (1.4%), first aid workers (1.2%), social workers (1.1%) (ISTAT, La violenza contro le donne (2004 – 2014) funded by Dipartimento Pari Opportunit).

In 2019 Di.RE and the national toll number of anti-violence, published a report collecting data from 2013 to 2019: in this period almost 60,000 women came in contact with support services. Among them 10,000 denounced the abusers, while 48,000 did not report the facts to the competent authorities.

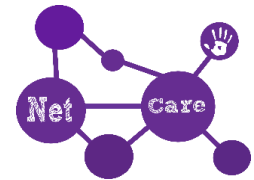
In Spain, 158,217 complaints for SGBV were reported during 2017⁹. Among the victims, 69.6% were Spanish (110,107) and 30.9% foreign (48,110). In the last years, around 30% of migrant women are involved in complaints of GBV. Statistics show 6 Spanish women complains for every thousand Spanish women, while there are 24 foreign women complains for every thousand foreign women residing in the country.

These are the official number managed by the Ministry of the Interior, but if we go through the *VioGen computer system*¹⁰, to which all the security forces have access, we get a different statistic. This system collects "cases of GBV". At the end of 2017, this system registered 429,220 cases of GBV, both active and inactive at that time. Of these cases, 65% corresponded to

⁸ ISOTITA. 2019. *Statistical data for violence against women in Greece*. Retrieved 25.03.2020 from: <https://www.psychologynow.gr/nea-psyxologias/epikairota/6127-ta-statistika-stoixeia-gia-ti-via-kata-ton-gynaikon-stin-ellada.html>.

⁹ Ministry of Equality. 66/5000 Secretary of State for Equality and Against Gender Violence (2019). *Deadly victims of gender violence who had filed a complaint. Request, grant and validity of protection measures in favor of the victim*. Retrieved from: <http://www.inmujer.gob.es/MujerCifras/Violencia/VictimiasMortalesVG.htm>.

¹⁰ Ministry of Interior (2019). *Statistical report of VIOGÉN System*. Retrieved from: <http://www.interior.gob.es/en/web/servicios-al-ciudadano/violencia-contra-la-mujer/estadisticas>.



Spanish women (279,882) and 35% to foreign women (149,338), a higher percentage than what was shown in previous statistics. Of the total number of cases collected as of December 2017, only 12.7% remained active on this date (54,793 in absolute numbers) and 72.5% corresponded to Spanish women and 27.4% to foreign women.

The increased number of complaints from immigrant women who reported their partner could be a positive indicator of these women's access to police resources. However, there is no information on how many times they withdrew their reports.

During 2017, entities providing service or care to women who are potential victims of trafficking and smuggling made 60,428 contacts in different areas (clubs, apartments, streets, etc.). Among these persons, they detected signs of sexual exploitation in 16,478 cases and signs of trafficking for sexual exploitation in 5,104 cases. Among those, 87 minors were detected, most of them from Nigeria and Romania, but only 766 of them filed a complaint¹¹. The data on sexual exploitation and trafficking showed the great vulnerability of their victims, who, despite being detected, neither initiated nor continued police or judicial proceedings.

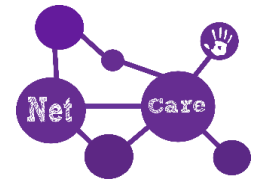
In Greece, according to a survey of the General Secretariat for Gender Equality, in 2017, 3,134 complaints for domestic violence have been lodged, a man being reported as the abuser in 2,395 cases. Furthermore, in 2017, 223 women lodged a complaint about rape and 7 cases of manslaughter against women due to domestic violence were recorded. Unfortunately, the result of the survey showed an extreme increase of 49% in the number of cases of gender-based violence for the period between 2012 and 2017¹².

It is also interesting to see how many of all these complaints reached the end of the judicial proceedings as most women withdraw before the final and definite decision of the competent court. In 2018, 33 men were imposed restrictive measures by the civil courts due to domestic violence and 785 definite decisions against men for abuse in the domestic environment were ruled. In addition, in 2018, there were 11 cases of men imprisoned due to a sentence imposed after committing abusive acts against a member of their family¹³.

¹¹ General Council of the Judiciary (2018). *Criminal, civil and labor data: trafficking in human beings*. Retrieved from: <http://www.poderjudicial.es/cgpj/es/Temas/Estadistica-Judicial/Estadistica-por-temas/Datos-penales--civiles-y-laborales/Trafico-de-seres-humanos/>.

¹² GENERAL SECRETARIAT FOR GENDER EQUALITY. 2019. *Gender-based violence*. Retrieved 25.03.2020 from: <http://www.isotita.gr/wp-content/uploads/2019/11/Παρατηρητήριο-ΓΓΟΠΙΦ-23ο-Ενημερωτικό-Σημείωμα-Έμφυλη-Βία.pdf>

¹³ *Idem*.



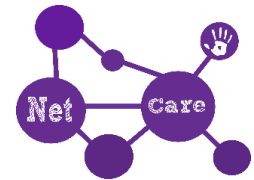
However, in Greece, unlike in Italy and Spain, the competent authorities and judicial public entities do not publish data regarding gender-based violence. Therefore, all the figures mentioned in the present analysis are informed by surveys conducted by NGOs and other private initiative entities. This gap should be addressed in Greece, and improved in the other partner countries, to allow service and care providers to be more precise in their awareness raising campaigns and to encourage women facing sexual and gender-based violence to lodge complaints against their abusers. On the contrary, it is interesting to point out that Spain is the partner country presenting extensive data from official sources concerning complaints lodged in cases of gender-based violence.

4. Legal framework for the protection of migrants and refugees against SGBV

In 2013, Italy ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), and the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention). The same year, the Italian legislature adopted the Decree Law No. 93 of 14 August 2013 (converted into Law No. 119 of 15 October 2013) with "Urgent provisions on safety and for the fight against gender-based violence, as well as on civil protection and compulsory administration of provinces." The law addressed gender-based violence, introduced the crime of stalking in the Italian legal system in 2009 and established the provision of a special residence permit for foreign victims of domestic violence (Art. 4). Furthermore, the article 18-bis in the consolidated text on migration entitled "residence permit for victims of domestic violence" states that if law enforcement officers ascertain a situation of ongoing violence against a foreign person, police headquarter can provide a residence permit for his/her protection, "to allow the victim to escape from the violence".

Another possibility of legal and social protection for migrant women victims of domestic violence is related to the procedure that can be activated by the welfare system (local social service bureau). A residence permit for violence through the social services report can be issued. However, the filing of a formal complaint is considered as a precondition to access protective measures, ignoring that migrant women are afraid to denounce offences to public authorities, since they are concerned of being expelled. As reported by Di.RE¹⁴ there are many

14 www.direcontrolaviolenza.it/permesso-di-soggiorno-per-le-vittime-di-violenza-domestica/.



cases of foreign women who turned to the legal service available in the CIE (Center for Identification and expulsion) of Rome who reported later on being expelled and jailed right after asking for protection from domestic violence to the police or because their irregularity on the territory was reported by the abusive man.

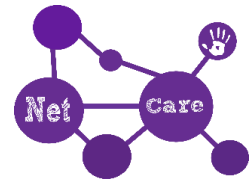
Request of asylum based on gender discrimination and violence is present in the regulatory framework of the Commissions in Italy in the decree 13/2017. SGBV can constitute a specific form of persecution and therefore can lead to the granting of refugee status for victims and survivors; Commissions recognizing serious damages can grant subsidiary protection, as defined by the Directive 2011/95/ EU.

Finally, according to the decree of 12/10/2013 on femicide: Victims of stalking, family abuse and female genital mutilation can be admitted to legal aid regardless of income, as it is the case for victims of sexual violence. Migrant and refugee women regularly present on the territory can also exercise this right.

According to the Italian law (updated on July 19, 2019) the police acquires the statement of the crime by the victim or by a public officer witnessing the crime: this complaint has to be considered as an emergency (red code – Codice rosso). The report of domestic violence, abuse and other forms of gender-based violence (stalking, sexual violence without the approval of the victims, physical violence, forced marriage, enslavement, forcing to prostitution, etc.) has to be sent to the public prosecutor.

The report of the crime should contain the essential elements of the case and other elements collected by the officers, indicating the sources of evidence and the activities carried out (investigation, disclosures, etc.). The police also communicates in the report some general information, the residence the person against whom the investigation is carried out. The report should also state elements related to the offended person and those who are able to report on relevant circumstances in order to understand the facts. The communication of the crime report has to be sent at latest within forty-eight hours from the completion of the registration of the offence from the police. However, many women are at risk of not having access to secure shelters due to lack of places and consequently, when a formal complaint is activated, remaining at home with the abusing partner can dramatically worsen the condition of the victim.

With regard to GBV in Spain, a residence permit for exceptional circumstances was created specifically for victims of GBV. Furthermore, a five-year permit can be granted after a conviction or a court decision stating that the person has been a victim of GBV. According to the law in



foreign matters, the administrative procedures about the irregular status of the victims are to be suspended in case they decide to file a complaint.

Between 2011 and 2017, 10,448 applications for temporary residence and work permits due to GBV were registered, of which around 20% were for minor and disabled children¹⁵.

It is also important to take into consideration the following data: among Spanish women murdered between 2006 and 2015¹⁶ (according to the Ministry of Equality, 2019, reaching the figure of 626 victims), 75% had not filed a complaint and 24% had done so. However, in the case of the murdered foreigners who were in a situation of legal regularity, 37.6% had previously reported an abuse. This corroborates the greater lack of protection of the foreign women who lodge reports. Active cases are classified according to the level of risk faced by the said victim (unappreciated, low, medium, high and extreme). Analyzing these levels, most of both Spanish and foreign women, were classified as having a non-appreciated or low risk. There is a small percentage, in both cases, classified as having a medium, high and extreme risk, and even less in the case of foreign women¹⁷.

What should be pointed out is that there are cases in which it is necessary to apply for a protection order for victims involved in legal proceedings. However, the ratio of protection orders to the total number of victims involved in complaints is only 24%, 38,501 in absolute numbers¹⁸. These data refer only to those issued by the Courts of Violence against Women, which are the majority and where most are granted. From them, 30.2% were denied and only 26,044 were adopted in the entire year. Of the protection orders requested during 2017, 71% were granted to Spanish women and 29% to foreign women. In relation to the population they represent, i.e. women victims of SGBV involved in legal proceedings through a complaint, the protection orders requested involving foreign women accounted for 23.4% of foreign victims in general, and Spanish victims accounted for 24.7%. In other words, both foreign and Spanish victims apply for and are granted protection orders in very similar proportions.

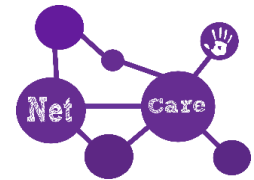
15 Ministry of Equality (2018). *Annual Report of the State Observatory on Violence against Women 2017*. Retrieved from:

https://violenciagenero.igualdad.gob.es/violenciaEnCifras/observatorio/informesAnuales/informes/X_Informe2017_Capitulos.htm.

16 Ministry of Equality. National Secretary for Equality and Against Gender Violence (2019). *Mortal victims according to nationality of the victim and to nationality of the aggressor*. Retrieved at: <http://www.inmujer.gob.es/MujerCifras/Violencia/VictimiasMortalesVG.htm>.

17 *Idem*.

18 Institute for women and for equal opportunities (2019). *Protection orders according to Autonomous Community*. Retrieved from: <http://www.inmujer.gob.es/MujerCifras/Violencia/AmbitoJudicial.htm>.



Taking into account the over-representation of migrant women victims of GBV (cf. chapter 3), the low rate of applications for protection orders among them could be indicating a lack of information about the appeal.

In addition, every year, around 10% of women give up from the obligation to testify as a witness in court proceedings¹⁹. Of these women, 10,212 were Spanish and 6,252 foreign (62% and 38% in relative numbers). Another data that we cannot know either, as it is not disaggregated by nationality, is how many judicial procedures finish in convictions and how many in acquittals.

Concerning the Greek legal framework on the protection of SGBV victims, it is important to point out the new legislation on substantive gender equality and SGBV (Law 4604/2019) aiming at the elimination of discrimination against women who should not be treated as “special categories”. This law was adopted by the Greek government in 2019 due to the ratification of the Convention of Istanbul in 2018. Through this law, the General Secretariat for Gender Equality and the Municipalities created the panhellenic SGBV network in order to fill the gap of SGBV victims’ protection. In 2019, the Greek government also modified the article 336 of the Greek Penal Code regarding rape inserting the “consent” and establishing that the person that “engages in sexual activity without the consent of the victim, is sanctioned with a 10-year imprisonment”.

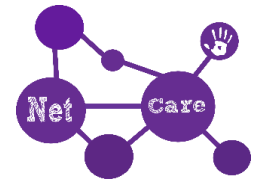
According to the Greek immigration system, victims of gender-based violence can be granted permanent residence permit on the grounds of humanitarian reasons and in conformity to the Law 3500/2006 on domestic violence²⁰ as it is the case in Italy and Spain.

The same provisions apply to migrants and refugees, victims of SGBV as Greece has created an important network through public entities and NGOs, helping them lodge complaints and receive psychological support in case of abuse. However, the effectiveness of this network is highly contested due to (a) the bureaucratic procedures that should be followed and discourage victims from lodging the complaints, (b) the fact that there are not enough interpreters neither in the police station, nor in the camps, (c) and that women are afraid due to their legal status and difficult economic situation.

As far as their protection is concerned, according to the Greek Code of criminal procedure and general practice, a person, migrant or refugee, should lodge a complaint at the closest police

¹⁹ General Council of the Judiciary (2019). *Violence against women in judicial statistics – Annual-2019*. Retrieved from: <http://www.poderjudicial.es/cgpj/es/Temas/Violencia-domestica-y-de-genero/Actividad-del-Observatorio/Datos-estadisticos/La-violencia-sobre-la-mujer-en-la-estadistica-judicial---Anual-2019>.

²⁰ HELLENIC REPUBLIC. (2020). *Granting permanent residence permit – conditions*. Retrieved 28.03.2020 from: <http://immigration.gov.gr/web/guest/anthropistikoi-logoi>.



station. Firstly, the potential victim should present the events mentioning as many facts and proofs as he/she can about the incriminated event. Then, he/she lodges a complaint, asks for the criminal prosecution of the abuser and signs the complaint. The migrant/refugee can also seek for interpretation if he/she does not know or feel comfortable expressing himself/herself in Greek. The second option consists in calling the existing Helplines (197, 1056 or 1107), through which the victim will get into contact with specialized services where he/she will be able to lodge a complaint and ask for legal assistance. National Authorities provide pro bono legal assistance, especially for damages brought before civil tribunals as well as for felonies. In order to demand pro bono legal assistance, the victim should submit an application to the public prosecution's office.

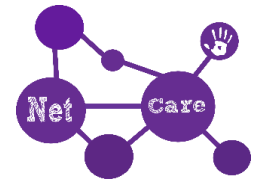
According to article 42 of the Code of criminal procedure, after a complaint is lodged at the police station, the investigative magistrate that is in charge of the case collects all proofs and information and directly sends them to the prosecutor who will be responsible for the criminal prosecution of the abuser. It is necessary to mention that physical or psychological acts of violence against a person belong to criminal acts for which police officers should intervene ex officio, without waiting for a complaint to be lodged.

The Center DIOTIMA provides legal aid for refugee survivors of gender-based violence, living in urban settings or refugee camps. Services provided include legal support for the asylum process as well as support to seek justice in matters concerning gender-based violence.

More than 60% of victims lodging complaints continue legal proceedings and bring their cases before competent Tribunals. However, neither Greek Tribunals, nor the Ministry of Justice, record the complaints that lead to definite decisions.

Unlike Italy and Spain, Greek jurisdictions do not provide data concerning the evolution of all the complaints that are lodged.

In light of the above, the European and human rights legislation constitutes the base of the Italian, Spanish and Greek legislation on SGBV survivors, migrants and/or refugees. The Spanish and Italian legislations contain more provisions regarding SGBV in comparison to the Greek legislation that seems to make the first steps forward to the imperative protection of victims' rights. However, in all the three partner countries, a temporary residence permit is granted to women SGBV victims according to their legislation. Furthermore, another element that is common among the three countries is the insufficient data for the complaints that are lodged by the victims and reach the end of all legal proceedings. Unfortunately, national jurisdictions of all three countries do not publish relevant information on the development of the cases



concerning gender-based violence. All researchers reach the conclusion that each country's present legal system should be more efficient as they should adopt measures that will encourage migrant and refugee women to lodge complaints about violence without being afraid of being deported of the country due to their irregular legal status. Furthermore, the competent authorities of every country should collect data to assess the real status of the problem in order to address the gaps of the judicial and legal protection system.

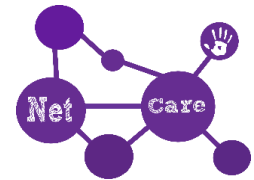
5. Existing organisations working with SGBV and/or migrants/ refugees

In Italy, Spain and Greece, there is an important number of public and private entities and organizations working with migrant/refugee women and children victims/survivors of SGBV. The initiatives are either public or private, implementing many strategies in order to protect victims/survivors. We will hereby present the most important organizations and strategies implemented in a non-exhaustive way. What it is important to point out, constituting the key element of all national protection strategies, is the establishment of an emergency tool number where SGBV victims can call for social/legal/psychological/medical support in case of violent incidents. This number is 1522 for Italy, 1056 and 15900 for Greece. The European number against SGBV violence is 116111.

In Italy, sexual and gender based violence against local and migrant population is detected and combatted by police, hospitals, anti-violence centres and anti-trafficking agencies. The Italian anti-violence centres are managed by private entities and associations.

The "Codice Rosa" pathway was established in Tuscany region with the objective of taking care of women, children and other vulnerable people victims of violence and ensure them a rapid and qualified response. The network Satis – Sistema antitratta toscano interventi sociali (Tuscan antitrafficking system and social intervention) is present in all Italian regions and is connected with local prefectures and commissions. It has a national helpline number and specific regional ones.

The following services are available in Italy for women and girls victims/survivors of SGBV: (a) the local welfare system including social services providing information, orienteering, counselling to women in case of violence and abuse; (b) anti-violence centres: social/legal info point and emergency shelter managed by professionals (mainly women) who provide advice, listening, support and housing to women who have been threatened or who have suffered violence; (c) health system/emergency rooms where obstetricians, gynecologists and



psychologists assist women victims of violence by providing first medical aid, care and support; and (d) the number 1522 for the prevention of SGBV used for the identification of family violence against women. In different regions, there are services to support and rehabilitate men perpetrators of violence in order to achieve a behavioral change and to end stereotypes and violence. In Tuscany, CAM (Centro Ascolto Uomini Maltrattanti) provides services addressed to migrant and refugee men and boys to support them in case of violence and abuse (as victims and/or perpetrators).

UNHCR supports at national level the work of anti-trafficking and anti-violence services by providing guidelines for the care and recovery of the victims (especially asylum seekers and refugees), referral procedures and upgrading training for the operators. MEDU (Medici per i diritti umani – Doctors for Human Rights) provides medical and psychological support to asylum seekers and refugees victims of torture and SGBV. Save the Children provides direct assistance and support to unaccompanied minors and minors victims of human trafficking. Oxfam Italia provide housing, legal, social and training services for migrants, refugees and asylum seekers

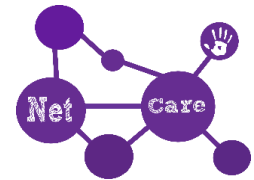
Spain has established shelter houses, collective residential, with specialized staff, that are designed to take in women victims of GBV and their children, without their own resources, for a specific period of time (medium-term stays). These establishments also offer individualized services of information, psychological care, legal advice and accompaniment.

Spain has also established the supervised and transit housing including state's houses where victims of GBV are housed along with their children on a temporary and independent basis while their personal and family situation is normalized and they achieve a greater degree of autonomy and social and occupational integration.

They are also spaces where, through multidisciplinary teams of specialized professionals, assistance is provided to women victims of GBV, with information, support and guidance in all areas (psychological, legal, social, labor, etc.). In this sense, we could say that the Women's Institute, apart from being a housing resource for women and their children, is considered a reference of public institutions who guaranteed legal defense.

It is important to point out the family meeting points, which are neutral and safe spaces designed to guarantee and facilitate compliance with the visiting regime established by judicial or administrative resolution in cases protection measures have been issued.

Another original and unique program implemented in Spain concerns the psychological therapy for older or younger men who have been or are at risk of becoming abusers of women



with whom they are or were in a relationship. The therapy can be preventive or re-educational. The program is implemented in the majority of penitentiary centers in Spain dependent on the General Secretary of Penitentiary Institutions (Ministry of Interior).

For minors who have been victims of gender or sexual violence, there is a whole network of public and private entities whose services will depend on the relationship between the minor and his or her aggressor, the intervention phase, etc. For these cases, the State always needs to be the main part of their defense and private entities should support the recovery process. We could name Fundación Márgenes y Vínculos as a psychological support network.

In Greece there is a great number of public and private organizations dealing with the protection of SGBV victims and survivors.

To begin with, GSGE is the first public organization in Greece that established and supervises Counseling Centers for violence against women. There are 41 Counseling Centers all over Greece from Athens to Thessaloniki and Crete. They also run 26 Counseling Centers in Municipalities and 19 Accommodation for women victims of violence, and for their children.

DIOTIMA is an NGO identifying the services needed, both in the centers of temporary accommodation and in the urban zones and making proposals to ensure the protection and the safety of the women refugees from every type of gender-based violence²¹.

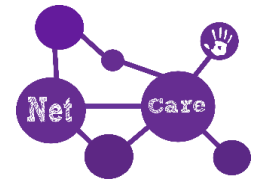
KETHI is a Research Centre for equality issues, private and supervised by the Ministry of Labour and Social Affairs. KETHI carries out programs concerning the function of the Counseling Centre in Athens and in Piraeus for the alleviation of violence. It provides psychosocial and legal support, it promotes employment, informs and raises awareness about prevention and alleviation of violence against women, and also creates a connection between local entities and organizations²².

The International Rescue Committee (IRC)²³ is collaborating with Greece's ministry of migration policy and local and international humanitarian organizations to address violence against women and girls and to meet the mental health and psychosocial needs of all refugees and

21 DIOTIMA. (2018). *The survivor project: Enhancing services for refugee and migrant GBV survivors*. Retrieved 01.04.2020 from <https://diotima.org.gr/en/cases/the-survivor-project-enhancing-services-for-refugee-and-migrant-gbv-survivors/>.

22 RESEARCH CENTRE FOR GENDER EQUALITY. (2019). *Programs/ Actions*. Retrieved 01.04.2020 from <https://kethi.gr/en/program/>.

23 IRC. (2019). *How does the IRC help in Greece? Information, protection and psychological support*. Retrieved 01.04.2020 from <https://www.rescue.org/country/greece#how-does-the-irc-help-in-greece>.



asylum seekers. These services, which include counseling and outreach, are provided in Athens, Thessaloniki and 4 camps on the mainland.

The Smile of the Child is a Greek NGO supporting every child victim of violence (Physical, Sexual & Psychological Abuse, Neglect, Bullying, Illegal Trafficking & Trafficking). The Smile of the Child established the national Helpline SOS 1056 for complaints for children that are in danger. The national Helpline 1056²⁴ is connected to the international Helpline 112 and can provide help to children immediately.

In Greece there is also a national Helpline SOS 15900²⁵ addressed to women victims of SGBV working 24/24, 7/7, 365/365 for lodging complaints, for psychological and legal support and for the provision of help in order to face serious violent incidents against women.

To conclude, there are services and special networks giving the possibility to victims/survivors of SGBV to ask for help at any moment in all countries. These services are connected to legal/psychological and medical support services in order to help victims in every possible way. Furthermore, all three countries provide to victims/survivors housing when they need it by creating shelter houses and other centers for the accommodation of women and children that want to get out of the abusive environments they live in. However, what it is crucial to point out is the effectiveness of all the aforementioned services. The existence of all these services constitutes the first step in order to help women and children that are in need. Access to these services constitutes the second step that is shadowed by the fear of women to lodge complaints and by the bureaucracy characterizing the procedural system in the partner countries²⁶.

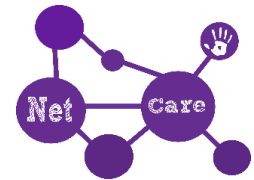
6. Existing good practices and failures to support migrant/ refugee victims of SGBV

In all three countries, many efforts are made in order to help women and children having faced gender-based violence through public and private initiatives and projects. Needless to say, however, that important failures to support migrant and refugee victims of SGBV are conceived

24 THE SMILE OF THE CHILD. (2020). *The National Helpline of the Child 1056*. Retrieved 01.04.2020 from : <https://www.hamogelo.gr/gr/el/paidia-thimata-vias:sos-1056/>.

25 WOMENSOS.GR. (2020). *National Helpline 15900*. Retrieved 01.04.2020 from : <http://womensos.gr/15900-24ori-tilefoniki-grammi/>.

26 The Manifold. (2018). *The children and the state- Part A: Those who knew*. Retrieved February 6, 2020, from : <https://dimosiografia.com/%CF%84%CE%B1-%CF%80%CE%B1%CE%B9%CE%B4%CE%B9%CE%AC-%CE%BA%CE%B1%CE%B9-%CF%84%CE%BF-%CE%BA%CF%81%CE%AC%CF%84%CE%BF%CF%82-%CE%BC%CE%AD%CF%81%CE%BF%CF%82-%CE%B1%CE%84-%CE%B1%CF%85%CF%84%CE%BF%CE%AF/>.



in all three countries. They mainly derive from the competent public authorities that do not take the necessary measures in order to prevent and address gender-based violence. One failure that we conceived and extensively described in the previous chapters, is the absence of data from the competent judicial authorities in regard to definite decisions rendered against the abusers. This situation is seen in Greece and in Italy, with more efforts made in Spain.

Consequently, in the present section, we will briefly present on one hand, the existing good practises and on the other hand, the failures to protect migrant/refugee victims of SGBV.

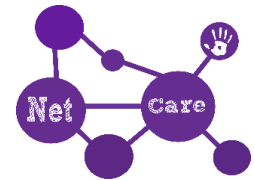
To begin with the good practises, in all partner countries, the national SOS helplines established in order to lodge complaints from children, women, their friends, their neighbours etc. proved to be very beneficial encouraging women to ask for help from the authorities.

Furthermore, in Greece, in 2016, Oxfam and UNFPA synthesized the assessments related to gender equality, gender based violence and women's rights and presented the key findings and recommendations in a briefing paper on the situation of refugee and migrant women in Greece. The briefing paper aimed at translating the recommendations of the paper into a Call to Action to Advance Women's Rights in the Greece Response in 2017. The Call to Action included the improvement of gender-based violence prevention and response as a life-saving intervention.

There are also co-founded programs that DIOTIMA leads or participates in such as the "Assisting Professionals to Empower Refugee and Migrant Women and Men" aiming at enhancing the ability of professionals to respond adequately to the needs of refugee and migrant women and men that have been subjected to GBV or are at high risk of GBV. Also, "The survivor project: Enhancing services for refugee and migrant GBV survivors" aiming at enhancing the quality and access to services for refugee and migrant GBV survivors in Greece. Another project is the "SPEAK II – Safety, Protection and women's Empowerment- expressing Agency and raising Awareness on Key Gender Based Violence issues" that aims to facilitate women's access to a life without violence and empower them.

In few provinces of Italy (Tuscany, Lombardy, Lazio) Prefectures and CSOs have carried out joint initiatives to respond to the special needs of asylum seekers and refugees who have suffered violence by opening reception centres for women and girls seeking asylum directly managed by anti-violence associations. The work experience of these organizations helped them to provide specialist support to asylum-seeking women and favour their social inclusion.

In 2016, anti-violence centres took part in the 2016 SAMIRA project (Di.Re, 2017). The project aimed at improving identification and the quality of the assistance made available to migrant



women and minors, victims of sexual and trafficking violence now living in selected reception centres (CAS and SPRAR facilities). In these centres, there are cultural mediators and social operators trained to identify signs of SGBV among asylum seekers and refugees and to refer them to anti-violence centers. There is also personnel of anti-violence centres in order to respond to their special needs.

INMP- National Institute to combat diseases caused by migration and poverty. This Institute takes care also of women and girls victims of SGBV in the context of migration through clinical activities. The objectives of this public Institute are (a) the early detection of risk conditions (at physical and mental level) of newly arrived migrant women (some of them potential victims of trafficking) and (b) the promotion of their health and integrated care through the work of doctors, nurses, lawyers, cultural mediators and psychologists.

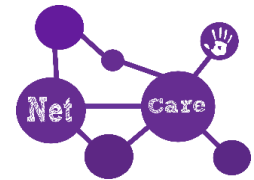
Among the good practises implemented by Spain, we should mention the media and network campaigns disseminated in the media and social networks, which create material in audiovisual format with a message or slogan focused on prevention²⁷. Furthermore, the Law for victims of GBV recognized immediate and free legal assistance in all proceedings, both judicial and administrative, relating to the situation of violence, including the filing of complaints. Regarding to employment, there are subsidies granted to victims of GBV in order to encourage self-employment or the creation of businesses as ways to contribute to their economic independence and their integration (Organic Law 1/2004, of December 28, on Protection Measures Comprehensive against Gender Violence)²⁸.

The failures that we conceive in Greece and in Spain are the following:

- There are no specific trainings to professionals working next to victims of SGBV violence. Even police asks for more training in order to be able to effectively deal with cases of SGBV.
- No information is provided by the police to victims of gender-based violence regarding their rights and other judicial proceedings.
- Poor psychological support provided by the competent services: more protection and support should be given to victims of SGBV by specifically trained personnel.

27 Ministry of Equality (2017). *Guide to regional resources on gender violence*. Retrieved from: https://violenciagenero.igualdad.gob.es/violenciaEnCifras/Recursos_Autonomicos/docs/Descripcion_Recursos_1.pdf.

28 Organic Law 1/2004, of December 28, on Protection Measures Comprehensive against Gender Violence. Retrieved at: <https://www.boe.es/buscar/pdf/2004/BOE-A-2004-21760-consolidado.pdf>.



- We should also mention the delay in asylum applications that can render potential victims even more vulnerable.

More specifically, another failure that Spain underlines is the State Pact against GBV, which has been ratified by all the Autonomous Communities and City Councils. The Pact includes more than 200 articulated measures, organized into 10 axes. Of the set of measures established, relating to the situation of migrant women, only axes 2 and 3 focus on trafficking for sexual exploitation. It recognizes the particular vulnerability of migrant women, but from the 292 measures, only 24 are specific to this group.

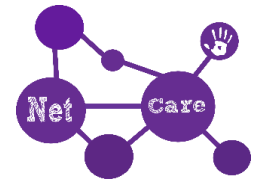
In Italy, even if there is an important number of good practices implemented, they reach a limited number of migrant and refugee people. Around 100 people contact the services every year, while a large majority remains excluded, especially those who do not have regular permits or who do not have access to information regarding their rights. After the Security Decree, it is estimated that over 700,000 asylum seekers/migrants will not be able to renew their permits and will remain outside the reception system and fulfilment of their fundamental rights²⁹.

Finally, in Greece, the failure of the system that applies especially to women victims of gender-based violence is the apathy of the Greek Police concerning the complaints that are being lodged. According to studies conducted by the NGO ActionAid, apart from the fact that victims are afraid to file complaints due to the pressure of the Greek society or the difficulties they are facing in a country far away from their homes as it is the case for migrant and refugee women, the Police does not inform them of all their rights, such as the fact that they can lodge a complaint with no judicial expenditure and that they should be examined by a doctor. Furthermore, it is also stated that there is not a common base where all the complaints of the Greek judicial system can be lodged. Consequently, the system is not as effective as it should be³⁰.

To conclude, in all partner countries we conceive the ineffectiveness of the public authorities that render the protection of SGBV victims more difficult. In Italy it is also underlined that there are not many refugee and migrant women that have access to this protection, a situation that can be highly seen in Greece. In the light of the above, important measures should be adopted in order, on one hand, to give access to judicial protection to more women and children that are in need and on the other hand, render this system more effective.

29 After the Security decree it is estimated that in January 2021 Italy will reach the number of 750 thousands irregular migrants on the National territory (www.vita.it/it/article/2019/11/02).

30 SOTIRCHOU I. (2018). *Women face violence whatever the law says*. EFSYN. Retrieved 05.04.2020 from: https://www.efsyn.gr/ellada/dikaionomata/173377_oi-gynaikes-bionoy-n-ti-bia-sto-petsi-toys-ki-leei-o-nomos.



7. Methodology

To promote initiatives in line with peoples' needs and in synergy with entities operating in the local context, the partner organizations carried out a qualitative analysis in order to understand how the phenomenon of SGBV is perceived by migrant and refugee population and how institutions prevent it.

In Italy (Tuscany Region), Oxfam Italia Intercultura, Alice Soc. Coop. and the Global Health Center organized 7 Focus groups with 80 people involved. In Spain, eight Focus Group have been conducted with a total of 65 participants. Finally, in Greece, 6 focus groups were conducted with a total of 57 participants.

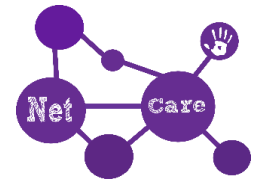
More specifically, in Italy, 17 people from the CSOs - representatives of associations and social cooperatives – participated in the first focus group. Five meetings were organized with the migrants and refugees (long-term migrant communities, asylum seekers, refugees: 45 people involved – 26 women, 7 young men, 12 men). A focus group was organized involving 18 representatives from the institutions in Tuscany. The meetings were held in the offices of the different Organizations (Alice and Oxfam) and in the seat of the Region.

Moreover, the focus groups involving more than 10 people were organized with the round table methodology, encouraging everyone's participation. Dialogues and interventions were facilitated by the project staff. The results of the focus groups gave the possibility to partners' organizations to have a deeper insight of the phenomenon especially from the migrant and refugee communities' point of view and to collect qualitative data.

In Spain, the Focus Group were articulated in three modalities: 1) public entities with 17 participants divided in three focal subgroups; (2) Private entities with 18 persons in two subgroups and (3) representatives of communities in which 30 persons participated in three subgroups: (a) immigrant women victims of GBV, (b) unaccompanied foreign minors and (c) refugees with asylum-seekers and immigrants.

The sampling procedure of the participants has been through the technique of "Snowball", thanks to the network of contacts established from previous investigations in intervention and assistance to refugees and victims of GBV of the team. In addition, many of the participants were selected after the Launch Event of the project in Spain held in December at the University of Jaén.

In Greece, (a) two focus groups were conducted with institutional stakeholders that gathered 14 professionals from 12 different institutions, (b) two focus groups with private sector



organizations gathering in total 20 persons from 15 organizations and (c) two focus groups with migrant and refugee community representatives gathering 23 people from 8 communities.

The guidelines for the discussion were developed by KMOP for the Net Care Consortium. In each national context, the questions defined have been adapted to the discussion and needs of the participants.

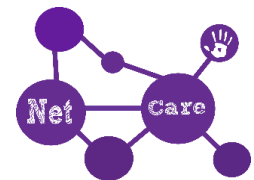
All participants in the focus groups signed prior to the discussion specific consent forms in order to confirm their free and voluntary participation, as well as to allow sound recording and a photographic record of the session. After the discussion, they also completed an evaluation questionnaire elaborated by KMOP and included in the research guidelines.

8. Findings of the focus groups with institutional stakeholders

Profile of the participants

In Italy, 18 representatives of the Institutions working in the Public health system, political and administrative department, Immigration department, welfare system, judicial (police) and international organizations (UNHCR), took part in the session. The existing networks on prevention and fight against SGBV were represented by professionals coordinating at Regional level the Codice Rosa and the SATIS. There were also professionals coming from the Women's Health Department, Equal Opportunities Department such as a gynaecologist, an obstetrician, an emergency doctor, a regional counsellor and the head of department.

In Spain, the participants were professionals working in the Foreign National Police, the Service against the GBV of the Government Sub Delegation in the Province of Jaén, the Orientation for the Employment Service of the Junta of Andalucía, the Social Service of the Social Unit of the Town hall, Security Forces and the Minors Center "Carmen de Michelena". The profile of these institutions varied: institutions giving attention to everybody (global citizenship), without making a difference between immigrants or national citizenship and specific institutions (specialized in immigration). In general, their work with migrant and refugee people consists in: 1) Police investigates in sexual working clubs and arrests people, 2) work orientation, coordination of social services, 3) they take personal information of victims of GBV who have reported abuses and they proceed with the deeper analysis of the case, 4) generate social policies (council), 5) Child Protection Service.



In Greece, among the 14 professionals that participated in the institutional stakeholders' focus group, there were representatives of the Municipality of Athens working at the ESTIA Program (aiming at the effective housing of migrants in Greece); representatives of the Centre for Integration of Migrants (providing information about migrant's rights); as well as the Department of Equality and Discrimination Policy (running a shelter for female victims of violence). Representatives of the UNHCR and other public institutions such as the Office of the Greek National Rapporteur on Trafficking in Human Beings of the Ministry of Foreign Affairs and the Greek Ombudsman also participated in the focus groups.

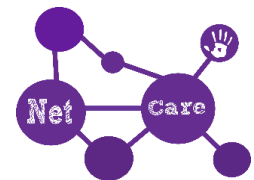
Needs of migrant and refugee victims

In Italy, participants underlined the importance of strengthening the nodes of the regional network in order to make them active, communicative and effective. To promote networking, it is necessary to communicate and meet frequently. Each entity that takes part in the network must have a clear role in order to be effective and to interact appropriately with the other subjects, distinguished by skills, responsibilities and field of action.

In Spain, they pointed out that the basic/emergency needs of refugee and migrant people seem to be covered, at a welfare level; however, an important part of this work is transferred to the NGOs because there are not specific services to immigrants (or enough budget of professional hired to support them). However, a lot remains to be done, because other needs are detected, such as shelter (shelter houses), administrative and bureaucratic access to documentation, support, adaptation to the education system, access to employment, language knowledge, greater confidence in the Security Forces and Corps.

In Greece on the other hand, professional globally stated that the female victims of SGBV need to be informed on their rights, empowered in order to report the acts of violence and get further integrated into the society. According to the Department of Equality and Discrimination Policy of the Municipality of Athens, the needs of migrants include legal assistance, interpretation services available in all institutions, access to public health services and diminution of the delays in processing the asylum claims.

Existing national policies for the protection of migrant and refugee victims of SGBV



In Italy, health facilities have started collaborating with anti-trafficking bodies and reception centres. They started supporting refugee women who have suffered different types of violence such as rape used as a form of torture and female genital mutilation (FGM). Some gynaecologists have also been trained on FGM. Furthermore, the National Association of Italian Provinces (ANCI) instituted a regional agreement with the aim of forming a register of cultural mediators and identifying standards for the professionals who will be engaged by the services. Local prefectures and welfare departments transposing and implementing the Istanbul convention (in line with law n.93 and art.18), issue temporary resident permit for MR women and girls victims of SGBV.

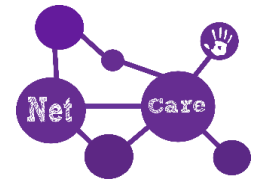
In Spain, in relation to the country regulations, the most important national policies are the following: 1) Istanbul Convention, 2) Organic Law 2004, 3) Immigration Law and the Regulations that develop it, 4) State Pact, 5) Statute of the Victim, 6) Law of the Minor that incorporates this into the Statute of the Victim, 7) Institutional Equality Plans. However, some participants, especially those who work with minors, comment that the child protection policy sometimes clashes violently with the opportunities that the Foreign Law can generate, so that minors between 16 and 18 are left without work.

In Greece, the Municipality of Athens presented the ESTIA Program, a national program which provides housing to migrants in Greece. The workers of the ESTIA Program are in direct contact with the victims of SGBV. It also runs shelters for female victims of violence and supports female migrant/refugee SGBV victims. Furthermore, the Research Centre for Gender Equality (KETHI) runs 14 counselling centres for female victims of SGBV aiming at their social inclusion. KETHI and the General Secretariat for Gender Equality also provide free legal assistance.

Gaps in service delivery to meet migrant and refugee victims of violence needs

In Italy, UNHCR officers reported that there is a lack of services aimed at men victims of violence as men who have suffered this type of violence may face difficulties in accepting psychological help. Forensic medicine itself encounters difficulties in working on the certification of torture and violence in particular with men and LGBT people. Many participants highlighted the need of psychological supervision for staff who work with women and men victims of SGBV, including cultural mediators who intervene in the services to support migrants and refugees.

Spain underlines in a more extensive way the gaps that need to be filled. Representatives participating in the Spanish focus groups mentioned, inter alia, that professionals working with



refugees and migrants have to face difficulties with the language, the bureaucracy, the coordination of programs, the knowledge of the real data, the absence of sufficient tools to deal with cases of forced marriages, female genital mutilation and sexual assaults as well as the lack of regulatory adaptation of the educational system. Moreover, at the national level, there is still no law against trafficking.

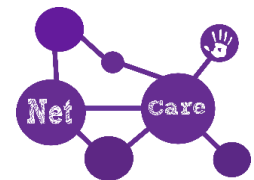
In Greece, like in Italy, importance was drawn to the psychological support of the staff as immigration personnel seems tired due to the ongoing rotation of the persons to different institutions, which prevents the establishment of a good cooperation. Furthermore, the participants underlined that there is a lack of interpretation and that the roles of the cultural mediators are not properly defined. The professionals also mentioned the need for further trainings of the cultural mediators in order to have an effective communication with the victims, which will result to their real integration. It was also stated that there is no centralization of data referring to victims of SGBV, just like in Spain, and that there are difficulties in identifying victims of SGBV that are accommodated in the Registration and Identification Centers in Greece because of the harsh living conditions and lack of trust to denounce such acts.

Cooperation with other organisations

In Spain, all the participants have stated that there is contact between all public and private institutions, especially collaborating with each other, recently beginning coordination although informal and unstructured. However, this contact is highly contingent on voluntary/personal contacts. There is no formal inter-institutional management protocol. There is also no database for sharing user files (between public and private administration) or resources/provisions.

In Italy, a doctor reported that health facilities have started collaborating with anti-trafficking bodies and with reception centres for asylum seekers and refugees. They started supporting refugee women who have suffered different types of violence such as rape used as a form of torture and female genital mutilation (FGM). Together with CAT (social cooperative) and Arcobaleno Progetto (anti-trafficking agency), the Health System of the Region has implemented the Persefone project in Florence: a specific multidisciplinary structure for victims of trafficking. It was stated that for a more effective networking, each entity that takes part in the network must have a clear role in order to be effective and to interact appropriately with the other subjects, distinguished by skills, responsibilities and field of action.

In Greece, the participants, apart from the need to enhance cooperation between organizations, mentioned their existing cooperation. For example, the Research Centre for



Gender Equality (KETHI) cooperates with the General Secretariat for Gender Equality on cases of social inclusion and free legal assistance. In addition, the representative of the General Secretariat for Gender Equality underlined that they are in direct contact with the Municipalities with the aim to address the needs of the victims in terms of proper housing. The same initiative is met in regard to the Greek Ombudsman who is in direct cooperation with the Greek authorities and NGOs in Greece. Consequently, we ascertain an important connection among the authorities that deal with cases of SGBV. However, as it was stated in the other partner countries, enforcing this network of cooperation constitutes a key role in better addressing the needs of SGBV victims.

9. Findings of the focus groups with private sector operators

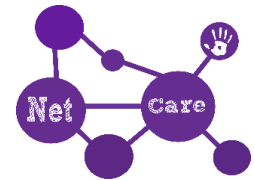
Profile of the participants

In Italy, the focus group involved 16 professionals: social operators, social workers, educators, cultural mediators, lawyers and psychologists from reception centres, legal offices, anti-trafficking bodies, anti-violence centres, associations working in mental health, human rights and migrant associations.

In Spain, there were 17 people representing 14 private entities. Regarding the profile of the participants, 14 were woman and 3 were men. Most of the attendants were technical personnel or volunteers (13). The rest of them were legal members of the organisation's board (4). About the entities, the majority are secular institutions, 13, and the remaining 2 are religious. They derived from Non-profit associations (NPO) that work with women, especially those more vulnerable and who experience high risk situations, humanitarian organizations that foster care and integration of beneficiaries of international protection and NGOs with programmes especially aimed at minors.

In Greece, two focus groups that gathered 20 persons from 15 organizations were conducted. The representatives that participated came from NGOs such as, Metadrasi, Praksis, Danish Refugee Council (DRC), Caritas Hellas, Greek Council for Refugees, Association for Regional Development and Mental Health, Solidarity Now and Diotima, directly working with migrants and refugees and more specifically, with SGBV victims.

Needs of migrant and refugee victims



According to the Spanish focus groups, the main needs of the migrant and refugee victims are the basic ones: work, a place to live and food. Moreover, having legalized their situation in the country is crucial. Only when these mentioned needs are covered, they ask about another problems such as GBV. They also need time to learn the language, to adapt to the host culture, to find a job and to recover from the hard process of fleeing their homes.

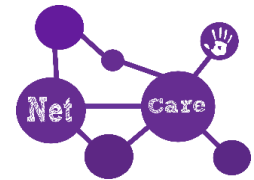
The representatives in Greece mentioned that what migrants and refugees victim of SGBV need is more information on their rights, psychological support and specific educational programs. Women need empowerment in order to enhance their integration process and it is essential that victims are able to choose the sex of their interpreters and cultural mediators because they feel ashamed to discuss violent incidents with male interpreters/cultural mediators. What is also needed is better structures and accommodation in order to provide more effective support to victims as well as the amelioration of the living conditions in the refugee camps.

The focus group of the CSOs representatives in Italy pointed out how SGBV made some victims suffer psychological and psychiatric distress: mental health services should be in charge of these cases in order to ensure their recovery and improve their social inclusion. Nevertheless, this process is difficult and still ineffective due to lack of training in the ethno-psychology of the professionals (doctors, psychologists). In these cases, the presence of a cultural mediator would be essential to talk with refugee survivors of SGBV and to assess their health, perception and feelings. They reported that due to lack of training, there are cases of refugee men and women who have been diagnosed of "cultural adaptation disorder", however, the true diagnoses should be linked to their traumatic experiences of violence. An effective therapeutic path can increase the living conditions of survivors in the hosting society.

Gaps in service delivery to meet migrant and refugee victims of violence needs

According to the Greek NGO Metadrasi, there is lack of interpretation on African languages as well as lack of knowledge on linguistic terminology. Representatives in Spain also ascertained that there are not enough specialized translators and this situations creates an important barrier for SGBV victims who have difficulty in expressing their feelings due to the fact that on one hand, they ignore the language and on the other hand, the interpreters do not know their languages. Consequently, a lot of important information is lost.

In Spain, participants also consider that another barrier for SGBV victims is the instability of their legal situation, which influences the decision to provide information to the participants.

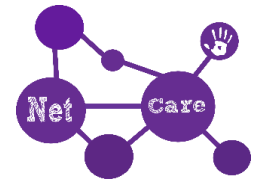


Importance was drawn on the competences of cultural mediators from the three partner countries. In Spain, private sector operators consider cultural mediators quite significant in their work. However, they recognize that their function is not plenty integrated an institutional level. Other gaps mentioned are the following: a) frequently, the use of the cultural mediation is limited to translation; b) the cultural mediation is not always carried out by a person specifically trained; c) there are not enough cultural mediators to cover all needs; d) there are not enough women cultural mediators; e) cultural mediators should have the knowledge and skills to manage complex situations (e.g., minors, sexual trafficking, SGBV). Most of these gaps were also identified by the representatives of the NGOs in Greece. The Greek NGO Praksis underlined the importance of establishing trainings of cultural mediators with the aim to build a relationship of trust with the traumatized victims and the Greek Council for Refugees mentioned the necessity to sensitize the cultural mediators on SGBV-related matters via seminars and trainings. In Italy, in relation to training for cultural mediators, the professionals underlined the importance of dealing with cross-cultural issues and aspects such as the definition of gender and SGBV and the importance of working in team. They also mentioned that the same type of training should be organized for social workers, doctors and other professionals who often do not know how to work with cultural mediators.

According to the Spanish representatives, in Andalucía there is a regional law aimed at providing prevention and protection in cases of GBV ("Ley de Medidas de Prevención Integral Contra la Violencia de Género, 2007"). The law aims to provide specific protection to women victims of GBV and their children. Despite having a legal framework on GBV, most migrant and refugee women cannot use any of their resources. This is due to many reasons: their irregular situation in the country, cultural pressure, social loneliness, excessive bureaucracy or cultural differences.

In Greece, the Greek Council for Refugees also stated that the Greek authorities do not have the competences to identify and recognize the victims of SGBV and consequently, the duplication of services need to be addressed as well as the better coordination among all actors.

In Italy it was stated that the Public services are unable to carry out a stable path of support with the most vulnerable users, the discontinuity in accessing services risks to fragmentize and make the process of recovery and social inclusion ineffective. The participants stated that this is not due to the lack of competences of the public services personnel, but to an overload of their work that prevents them to respond to the requests that come from vulnerable and marginalised groups.



Cooperation with other organisations

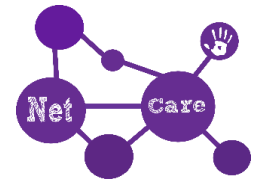
In Spain, all the participants underlined that the network among organizations is considered essential so that the access to the resources for the collective could be improved. NGOs collaborate with Child Protection Service ("Junta de Andalucía"), Women's Institute (Ministry of the Presidency, Relations with the Courts and Equality), Red Cross, "Jaén Acoge" (NGO, the collaboration is especially to request cultural mediators), "Oficina de Extranjería (Ministry of Territorial Policy and Public Function), health centres, community and specialized social services, Victim Assistance Service in Andalusia (SAVA, Ministry of Tourism, Regeneration, Justice and Local Administration), and other local entities.

In conformity to what the Spanish representatives underlined, in Greece, Caritas Hellas ascertained the necessity of cooperation with different stakeholders from public sector and health-care institutions. DIOTIMA also stated the importance of cooperation among different services and actors and NGO Babel underlined the lack of communication and coordination of different actors that are engaged with the provision of services to victims of SGBV.

The same situation is met in Italy where the establishment of a network among the actors that work with SGBV victims was ascertained. The associations and entities involved reaffirm the importance and the need for the involvement of public institutions that are considered as the first and final entities responsible for the protection of the population (including migrants and refugees who are victims of SGBV), their role is also considered important for the creation of a network and for not being self-referential. Representatives in Italy also mentioned the difficulty that Social Services and Mental Health System faced as they could not interact with the public sector and in particular with the Social Services and the Mental Health System. When a refugee or asylum seeker leaves the humanitarian project (reception facilities, secure house that are managed by private organizations) he/she is often unable to continue referring to the Public system (health, welfare, judicial etc.) without the intermediation of the organizations.

10. Findings of the focus groups with community representatives

Perception of SGBV



The focus group in Spain consisted of 6 women belonging to the Arab Community, 13 asylum applicants from Africa, Southern America and Eastern Europe, 7 young migrant men and 2 migrant men and 2 women from Southern America and Northern Africa.

In Italy, the focus groups were conducted with 11 women belonging to the Arab Community, 2 migrant women working as cultural mediators, 13 refugee women from Sub-Saharan Africa, 7 migrant young men (arrived in Italy as unaccompanied minors from Africa and from Eastern Europe), 9 asylum seeker and refugee men from Sub-Saharan Africa and 3 migrant men from Eastern Europe, Southern America and Northern Africa.

In Greece, the 2 focus groups gathered 23 people from 8 communities such as, the Albanian community, the Greek Forum for Refugees, the United African Women Organization, the Syrian-Greek Youth Forum, the Senegalese Community, the Colombian Community, the Afghan Community and the Cote d'Ivoire Community.

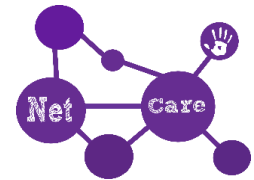
What it is essential to see in the present analysis is the way participants conceived the notion of SGBV.

In Italy, participants conceived the notion of SGBV in regard to cultural, relational and social aspects. Many people reported that in rural or so-called "traditional" contexts SGBV is still present. Moreover, migrant men who attend a supervision program to overcome anger and violence stated that sometimes, even women belonging to the family of the victim convince the wife to remain silent about the domestic violence. Some men stressed that the independence of women is often limited by their role in the family; they can only take care of the children and the house and this situation can lead to isolation, which can increase their dependence on the perpetrator.

Other participants described the phenomenon of human trafficking as a violent and traumatic process to which women are forced into since they have an "agreement" with their exploiters: their debt imprisons them.

Finally, asylum seekers and refugees stated that being undocumented exposes women and men to serious violence. Young adults pointed out that *"when you have so many problems and you are vulnerable, it is difficult to manage anger and aggression, this can lead to getting into trouble and repetitive bad behaviour with other people"*.

In Greece, the Syrian-Greek Forum mentioned that female victims are hesitating to report incidents of SGBV as they fear of being stigmatized. The Senegalese Community pointed out that the harsh living conditions in the refugees camps have increased the incidents of SGBV.



Needs of migrant and refugee victims of SGBV

All partner countries state that the best comprehension and use of the language of the state where a migrant/refugee lives is essential for the prevention of SGBV incidents. Furthermore, cultural mediators and trained translators can play a crucial role in the prevention of the aforementioned cases and help migrant and refugee women victims of SGBV.

Furthermore, in all three partner countries, it was also pointed out that there is a need in a more effective cooperation between the private and public sector.

In Spain, men participants who reported having faced incidents of SGBV also underlined the need of psychological assistance. They reported needing more security and protection from the police and competent national authorities.

In Greece, the Albanian community mentioned that SGBV victims need to have access to information about their rights and the commitment of the Greek State to provide them support and assistance. The Syrian-Greek Youth Forum also stated that the communities should be able to support and inform victims on their rights and yet the victims should be empowered and report acts of SGBV.

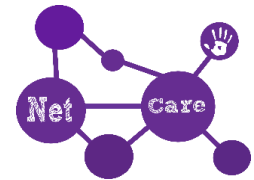
In Italy, representatives described the risks they face in living on the streets by not having access to legal and any kind of protection. Undocumented women are even more vulnerable to SGBV. Consequently, more effective legal and state protection seems essential. The same situation was also recorded in Greece.

Young adults also stated that they need to receive support from educators and guidance by reference people in order to understand the situations they are facing as well as to receive material support and protection.

Collaboration with cultural mediators: perception, difficulties and strong points

The role of cultural mediators can be crucial in the prevention of SGBV incidents.

In Italy, a cultural mediator reported that *"nowadays the use of mediators is wrong; our work is precarious, poorly paid and organized without holidays, only on call and emergency. Another weak point is the discontinuity between the migrant that needs to be translated and the cultural mediator: services always change cultural mediators over time, it is a huge waste of time, trust and resources. Furthermore, the services should offer cultural mediation to people that need it,*



users should not be the ones looking for it". However, it is very interesting to point out that not all migrant and refugee that participated in the Italian focus group declared to trust cultural mediators, due to their reliability, confidentiality and fear of passing information on their community of origin.

However, all of them mentioned that they needed interpretation, when they had newly arrived in order to be oriented and to understand the new context of their environment and its dynamics.

The Greek Forum of Refugees in Greece also shared the same approach regarding cultural mediators and interpreters and pointed out that the increase of the number of female interpreters/cultural mediators was necessary. They proposed to improve seminars and trainings attended by cultural mediators in order to be able to identify and assist the victims of SGBV.

In Spain, as there are no cultural mediators, the reception and protection of potential victims is done through official institutions with a translator without specific training in the field. It was reported that some victims of GBV have suffered sexist comments from males' translators who assisted them in their judicial process, felt defenseless facing a bad translation or were questioned by these same professionals about the truth of their statements.

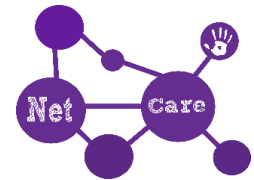
Gaps of the system and services in meeting migrant and refugee victims' and their community's needs

The first gap identified in Spain and in Greece was the insufficient legal framework for SGBV victims and survivors.

In Spain, participants reported a lack of information regarding the legislation to which they and their minor children are entitled. The judicial process can be very lengthy and they feel a double or triple re-victimization, so, many of them decide to withdraw.

In the same context, the United African Women Organization in Greece pointed out the need to establish a legal framework that will meet the needs of the victims.

In all three partner countries it was stated that a better and more effective collaboration between the public and the private sector is essential. They also stated that public authorities should support and help SGBV victims, something that does not happen all the time. The United African Women Organization proposed to enhance the cooperation among state



authorities, organizations and communities in order to support victims, a point of view shared by Spanish participants who reported maltreatment by the police.

Another gap that should be fulfilled according to participants in all partner countries concerns cultural mediators, who need more training (cf. above).

The Greek Forum of Refugees also mentioned the lack of funding in the communities to provide free legal aid services to victims.

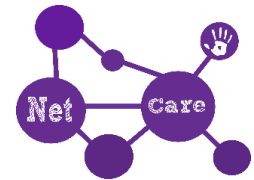
To conclude, it is interesting to point out that one of the most serious problems that young men who arrive in Spain as unaccompanied minors face, is the lack of safe entry routes, as they are at real danger of losing their lives when they try to cross the border. Once in Spain, despite the fact that the country enjoys a fairly competent child protection system, the child protection centers collapse. The young migrants report violence from other children and from the professionals and face the possibility of not obtaining a residence and work permit by the time they turn 18.

11. Conclusions

Through the desk and field research conducted by the three partner countries, Greece, Spain and Italy, we ascertained the general approach of every country in regard to SGBV violence against migrants and refugee women, children and men. Due to the extensive analysis of the legal framework and the focus groups' reviews of the three countries, it is important to resume the needs of the migrant and refugee population that should be covered by addressing the gaps identified during the present analysis.

To begin with, it was stated that refugee and migrant women and children should be better informed by the competent authorities regarding the protection of their rights as well as the legal procedures they should follow when they face sexual and gender-based violence. This role belongs either to the police of every country or other competent public authorities that are responsible for the protection of SGBV victims. It is underlined in all partner countries that important effort has been made by the private sector and the NGOs who provide pro bono legal assistance to victims of SGBV, however, the public sector should also encourage victims to report these incidents by informing them about their rights.

The need to better inform victims regarding their rights is linked to another gap identified that is related to the existing legal framework of all partner countries. More precisely, regarding the legal framework, it has been stated that there is an important legal basis for the protection of



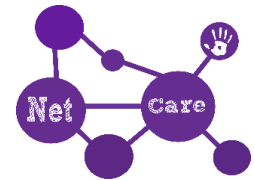
SGBV victims and survivors. This legal framework is based on international conventions that are very protective for those who are in need. So the substance of the legal framework for all three partner countries is assured. What is, however, not assured, is its effectiveness in correlation to the actions and measures adopted by each state as well as to the information provided to the victims concerning their rights and the legal proceedings that should be followed in case of SGBV. During the focus groups, many participants pointed out that even if the legal basis on SGBV exists, the migrant and refugee population do not know it in order to effectively use it against their abusers.

Another issue that should be raised concerns the role of cultural mediators and interpreters in the process of reporting SGBV cases. Many participants stated that refugee and migrant women are afraid to talk to them because either they do not know their language, or even when they do, they do not translate their sayings the way they should. Furthermore, due to the fact that most cultural mediators and interpreters are men, women don't feel comfortable about sharing their stories on SGBV with them.

Consequently, cultural mediators and interpreters should be trained so that they (1) learn the basic notions and the applicable judicial procedures concerning SGBV, (2) obtain a more professional attitude on how to manage SGBV cases especially in terms of confidentiality, (3) learn how to take into consideration the cultural background of every person and express in an accurate way what the victims want to share with the competent authorities and create a trustful environment. Furthermore, authorities and NGOs should integrate them into their structures and considering them as "real" team members.

Moreover, more women cultural mediators and interpreters to work in cases of SGBV are needed, as women victims feel more confident to share their stories with other women.

Heavy bureaucracy is another aspect that should be also taken into consideration. It was ascertained that the long lasting procedures regarding the reporting of SGBV incidents as well as the reluctance of irregular immigrants to report these incidents because they are afraid that they will be deported due to their irregular status, render their protection less effective. In the light of the above, less refugee and migrant women and children will be encouraged to report SGBV cases when they are afraid that they will be imprisoned or deported due to their irregular status or when they know that the procedure will last years until the punishment of their abuser. Consequently, the legal framework and the national procedures concerning SGBV complaints should be adapted to the needs of the migrant and refugee population in order to protect them and encourage them to report the violence they are facing.



It is indeed true that there is an important number of national policies put in place in order to assist and support victims of SGBV and there are also NGOs and public entities aiming at their protection. But all participants agree that more should be done in order to render the protection system more effective for all those who need it.

One national policy that should be implemented is the effort to teach the national language to migrants and refugees. Many participants identified the need for migrants/refugees SGBV victims to learn the national language in order to be more confident in reporting SGBV incidents and be able to better communicate with the national authorities.

Furthermore, more and more effective collaboration between the public and private entities regarding SGBV victims' support should be implemented as through the desk and field research, an important gap concerning the collaboration of the private and the public sector in each partner country was also identified.

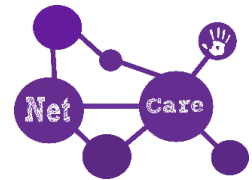
Participants in all partner countries mentioned that the State does not receive enough funding in order to support the public entities who work with migrants and refugees. Furthermore, public authorities do not have the competencies to identify cases of SGBV and help victims. Consequently, more funding to the State is needed in order to train the authorities, such as the police and the judicial bodies, to deal with cases of SGBV in a more effective way and to avoid re-victimization of the target group.

It was also identified that in Italy and Greece, there are not enough official data concerning the number of complaints lodged by the migrant and refugee women and children, victims of SGBV. It is highly recommended that the judicial authorities of every country establish an entity specialized in gathering data on SGBV cases as well as on the progress of these cases.

Finally, another key element for the support of SGBV victims is the awareness raising campaigns on SGBV that should be delivered in all partner countries. Through campaigns or national policies, nationals as well as refugees and migrants will get in touch with the phenomenon of SGBV and more women and children will be encouraged to report these incidents in the competent authorities that will be presented to the public through the aforementioned policies.

The list is not limited to what was mentioned above. There are many actions that are currently being carried out but there are also measures that should be adopted in the future. Actions are needed because SGBV victims are still in need of empowerment and support.

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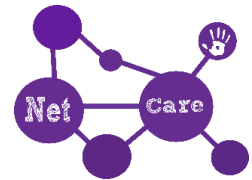
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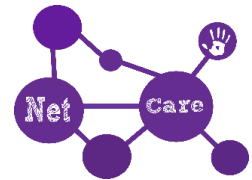
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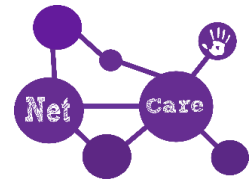
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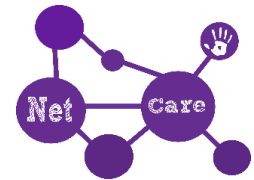
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