



*The Permanent Representative of Italy
to the International Organizations
Geneva*

Nr. 1749

Geneva, 30 November 2020

Dear Ms. Balbin,

Following UN letter (AL ITA/5/2020), dated October 1, 2020, I have the honor to submit Italy's reply to Joint Communication by five UN Special Procedures that have requested Italian Authorities to provide them with information about the situation of human rights defenders and along the Central Mediterranean.

By this reply, we take the opportunity to reiterate our firm willingness to continue full and extensive cooperation with all UN Special Procedures Mandate-Holders.

Should additional information be made available, allow me to ensure you that we will promptly share it with you.

Please accept, Ms. Balbin, the assurances of my highest consideration.

Sincerely yours,

Gian Lorenzo Cornado

To the attention of UN Special Rapporteur on the situation of human rights defenders, the Independent Expert on Human Rights and International Solidarity, the Special Rapporteur on Human Rights of Migrants, the Special Rapporteur on Violence Against Women, its causes and consequences, and the Working Group on Discrimination against women and girls.

ITALY



MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION
INTER-MINISTERIAL COMMITTEE FOR HUMAN RIGHTS

ITALY'S REMARKS,
IN RESPONSE TO UN JOINT COMMUNICATION (AL ITA 5/2020)

November 27, 2020

ITALY'S REMARKS

Further to letter, dated October 1, 2020 (AL ITA 5/2020) sent by UN Special Rapporteur on the Situation of Human Rights Defenders, UN Independent Expert on Human Rights and International Solidarity, UN Special Rapporteur on the Human Rights of Migrants, UN Special Rapporteur on Violence against Women, its Causes and Consequences, and the UN Working Group on Discrimination against Women and Girls), Italian Authorities are in a position to provide the following remarks:

Introduction

At the outset, we would like to thank UN Special Procedures for acknowledging that Italy replied to relevant Communications, including with regard to JAL ITA 2/2019, JAL ITA 4/2019, JAL ITA 6/2019.

Turning to the specific issues at stake

1. Ms C. R., in her capacity as commander of the NGO ship "Sea Watch", was arrested on June 29, 2019 *in flagrante delicto* of the crimes referred to in Article 337 of the Italian Criminal Code and Article 1100 of the Italian Naval Code, as she was forcing the blockade imposed by a *Guardia di Finanza* patrol boat and thus docking in the port of Lampedusa Island with 42 immigrants on board, rescued in the Sicilian Channel as part of a humanitarian action.

2. Ms. C. R., placed under house arrest, was required the measure to be banned from residency (*misura del divieto di dimora*). On July 2, the GIP (standing for judge for preliminary investigations) at the Tribunal of Agrigento did not validate the arrest of Ms. C.R. and ordered her immediate release, on the grounds that the suspect acted "in the performance of a duty" (Art. 51 of the Criminal Code).

3. Against the order of the GIP, the competent Public Prosecutor's Office challenged it before the Supreme Court, on July 16, 2019. On January

16, 2020, the Supreme Court rejected it. The relevant proceedings are still at the preliminary investigation stage.

4. With regard to criminal proceedings 4060/16 mod.21, registered against 26 suspects for Articles 81 and 110 of the Criminal Code, Articles 12, paragraph 3, lett. a), d), and 3bis of Legislative Decree No.286/98 and other crimes, the investigative hypothesis is that they transported foreigners and carried out other acts aimed at illegally procuring entry into the national territory, by transshipping migrants from the motor vessel *Iuventa* onto other boats of other non-governmental organisations, which then landed at the port of Trapani and other national places in 2016 and 2017.

5. In particular, the members of the crew of the motor vessel *Iuventa*, belonging to the NGO *Jugend Retter*, are accused of having embarked migrants from Libyan territorial waters, on several occasions, upon direct contacts with Libyan smugglers: and therefore, illegally, also in violation of the Navigation Code and without the involvement of the Italian Maritime Authority. The investigations, which were very thorough and complex, also involved other vessels.

6. The *Iuventa*, subjected to preventive seizure by order of the Judge for Preliminary Investigations (GIP) at the Tribunal of Trapani on August 2, 2017 and for these reasons, is still in custody at the Port of Trapani.

7. During the course of the investigation, a full discovery (*incidente probatorio*) relating to complex technical investigations on the computer content of numerous mobile phones, computers and other devices seized from some of the suspects (including foreigners and residents abroad) was carried out: this full discovery (*incidente probatorio*), requested by the lawyers of the persons under investigation, lasted from December 2018 through June 2020.

8. The entire investigative material is being examined by the Public Prosecutor, in order to define the proceedings and the individual criminal responsibilities of the persons under investigation.

9. With regard to the initiatives for the prevention of violence against women, gender-based violence is no longer considered something "private",

but has a "public" character; and the intervention of the state apparatus has helped to protect women's rights, including by relevant legislation, including Act No.38/2009, which has given criminal relevance to new types of crime (Art.612 bis of the criminal code, "persecutory acts").

10. Persecutory acts, or stalking, are a set of vexatious behaviours that induce a psychic and physical discomfort and a well-founded fear for one's own or a relative's safety.

11. The offence is aggravated when it is committed by the separated spouse, even if *de facto* separated, or divorced or by a person who is or has been linked by an affective relationship, or by computer or telematic means. The penalty is increased by up to half if the offence is committed against a child, a pregnant woman or a person with disabilities.

12. Act No.38/2009 also introduced an important prevention tool that allows the Quaestor, as a Provincial Public Security Authority, to intervene quickly to protect victims who request it, as an alternative to criminal proceedings: the warning for stalking is adopted by the Quaestor, upon request of the party concerned.

13. Act No.119/2013 subsequently introduced a warning for episodes of domestic violence, which can also be adopted by the Quaestor, also upon initiative, as a monitoring tool of preventive nature, in parallel with judicial proceedings. In these cases, there is an obligation to inform the victim about anti-violence centres and to put him/her in contact with them. The Quaestor also informs the person warned of the possibility of undergoing a prevention programme arranged by the local social welfare services.

14. To demonstrate that the attention and preventive interventions addressed to the perpetrator of violence are not "inconsistent" with those carried out in support of victims, it is important to read the data on the so-called "recidivism".

15. In fact, the persons who are reported to the judicial authorities following a warning for persecutory acts or mistreatment in the family are at 20% for the warning pursuant to Article 8, while they rise to 30% for the warning for

domestic violence. The percentages of recidivism of people warned during 2019, although around 13%, are not reported yet because the data is too recent and operational.

16. As mentioned earlier on, when the Police Quaestor proceeds with the warning, s/he must inform the perpetrator about the services available in the area responsible for the psychological assistance of domestic violence offenders, to prevent recidivism and to encourage the adoption of non-violent behaviours in interpersonal relationships.

17. Many Police Headquarters, on their own initiative, have taken steps to guide the person warned in the best possible way towards re-education.

18. In 2018, the Anti-Crime Division of the Milan Police Headquarters signed the Zeus Protocol with the Italian Centre for Promotion and Mediation (in Italiana, CIPM) in 2018: this is an agreement on Persecution and Ill-treatment that aims to intercept conducts at risk. The name of the project evokes the "first (known) abuser in history", whose modality of domination and verticalism in relationships is a warning to be taken: so that budding Zeus do not turn into despots, it is necessary to nip their inadequate and violent actions in the bud. The treatment aims at improving the management of emotions in the conviction that intervening at the beginning of the spiral of violence is crucial to prevent the degeneration of the first acts so that the one who committed them can "stop first". This Protocol provides for a special synergy between Police Headquarters and CIPM operators involved in prevention intervention.

19. The Quaestor, once warned the person concerned, "formally invites" him to contact the CIPM operators to access a path - free of charge - of reflection on his harassing behaviour, for example on the difficulty in controlling anger. Since the first year of life, almost 80% of the persons warned by the Quaestor of Milan have taken part in interviews at the Centre. Over time, the experience gained by police officers has grown, along with the percentage of those who accepted the invitation.

20. The data on crime recorded in the province of Milan, at present, appears to have been positively influenced by the use of the above-mentioned

precious tool. In one year, cases of stalking decreased by 26% and those of maltreatment in the family by 19%. Only 8% of the persons who turned to the Psychology Centre were subsequently reported to the Judicial Authority for violent conduct. Other similar agreements have led several Police Headquarters, to suggest therapeutic paths to the individuals warned by the relevant Quaestors.

21. More recently, Act No. 69/2019, known as the "Red Code", has innovated and amended the penal discipline, both substantively and procedurally, with regard to domestic and gender-based violence, accompanied it by more severe penalties. Among the novelties, it is provided an acceleration (*sprint*) for the initiation of criminal proceedings for certain offences: among others, mistreatment in the family, stalking, sexual violence, with the effect that any measures to protect victims will be adopted more quickly.

22. To the ban on approaching places where the offended person goes, the judge may add the use of electronic means such as the electronic bracelet. The crime of mistreatment of family members and cohabitants is included among those which allow the application of preventive measures.

23. In the Penal Code, the Act under reference includes four new offences:

- The offence of unlawful distribution of sexually explicit images or videos without the consent of persons displayed (the so-called revenge porn).
- The offence of deforming the person's appearance through permanent injury to the face;
- The offence of coercion or induction into marriage, the penalty of which is aggravated when the offence is committed to the detriment of children. It is also committed when perpetrated abroad, by or to the detriment of an Italian national or a foreigner residing in Italy;
- The violation of orders to leave the family's home and the prohibition to approach the places where the offended person goes.

24. Relevant legislation recognises that all these forms of violence not only limit woman's freedom and her inner personality but, above all, cause serious damage to her and her family members' physical and mental health,

leaving them with indelible and profound signs that make the violence suffered an appalling inheritance.

25. As for preventive strategies, Act No. 69/2019 also extended the category of the so-called necessary "qualified" danger for the application of special public security surveillance, introducing the crime of "mistreatment in the family" among those ones covered by Article 4, letter i-ter, of the Anti-Mafia Law Code (Legislative Decree No.159/2011).

26. The Central Anti-Crime Department has provided the Police Headquarters with useful indications on the operational practices that must be implemented in the prevention and fight against gender-based violence, borrowing rules and principles of criminal intervention in all circumstances in which the Police operator has contacts with the victim, particularly in vulnerable conditions, by a circular letter issued in 2018.

27. Following the entry into force of Act No.69/2019 - the so-called "Red Code" -, indications have been provided to the Police Headquarters, without any prejudice to compliance with the directives issued by the Public Prosecutors. The Quaestors were invited to develop specific protocols of intervention in agreement with local administrations, Local Health Authorities, Provincial Schools, Anti-Violence Centres and Associations dealing with the protection of women.

28. The circular letter on the "Red Code "contains specific indications on the importance of providing any useful information to the victim, in all circumstances in which staff interact with a presumed victim of abuse, and on the special attention that must be paid in the event of children involved in cases of domestic violence. The need to ensure timely training of staff has also been stressed, by planning specific compulsory courses for staff performing public security and judicial police functions. The Police Headquarters have planned training events, awareness-raising campaigns at a local level, and collaboration initiatives with NGOs and external bodies.

29. Preventive strategies also include dissemination of a culture of security and respect for oneself and the others and therefore the development of information and awareness-raising campaigns that have been added to the

"historical" legality-related education campaigns in schools, which the Police Headquarters carry out every year. There is a strong commitment by the State Police to provide knowledge tools to families, teachers and for children's empowerment, in order to raise awareness, especially among those ones who initiate reporting, such as, for example, those who work in the social fabric and can provide the Police Offices with an alert of possible situations of risk or abuse.

30. One cannot talk about child protection without thinking about the prevention of domestic violence, where children can become victims of maltreatment and witnessing violence. The "This is not love" campaign, launched in 2016, has become since 2017 a permanent initiative developed by the Police Headquarters. Its aim is to inform and above all help the emergence of situations of violence, thanks to a careful and proactive approach to the user, offering victims a contact with specialised personnel, aware of how important it is, in case of domestic and/or witnessing violence, to break the isolation and find the courage talking to someone about what is happening at home. This campaign envisages the presence in the squares or other gathering places, of a team made up of a physician /psychologist - from the State Police or the Anti-Violence Centres -, expert operators (from the local investigative Teams, Anti-Crime Division, U.P.G.S.P.), and a representative of the local Anti-Violence Network.

31. Within the framework of the above project, the Central Anti-Crime Directorate has produced three consecutive booklets, entitled "*Questo non è amore ...*" (This is not love ...), containing information on the phenomenon and useful tools for the prevention and fight against violence, disseminated on a large scale throughout the national territory and published on the website: www.poliziadistato.it.

32. The third edition of this booklet was published on the occasion of the International Day for the Elimination of Violence against Women, on 25 November 2019, as part of the commitments of the Operational Plan of the "National Strategic Plan on Male Violence against Women" (2017-2020).

33. The 2019 edition of the above brochure contains information on criminal phenomena related to gender-based violence - including femicides -

and useful tools to protect victims, with focus on the prevention measures implemented by the Public Safety Authority. This brochure contains several "stories" and real-life testimonies with the aim of encouraging victim's awareness of their experience of abuse and the possibility to ask for help and get out of violence.

34. Among the stories, one is dedicated to young victims and the importance of the State Police meetings and the efforts made to provide knowledge tools to families, teachers, young students. A leaflet, translated into several languages (including Chinese), has also been produced and distributed to the Police Headquarters, by the Central Anti-Crime Service portal.

35. In view of the events planned for 2020, the Central Anti-Crime Service has created a bookmark dedicated to the campaign, containing emergency and public utility phone numbers and a flyer highlighting the tools for the protection of vulnerable victims, as useful information tools to be distributed during events dedicated to the prevention of gender-based violence. The fourth edition of the information brochure entitled "This is not love", for the day of 25 November 2020, will be distributed as well.

36. From July 2016 until February 2020, approximately 136,000 contacts were registered, with a peak of 17,432 (including 3,931 children) on the occasion of the International Day for the Elimination of Violence against Women on 25 November 2019. The events scheduled for 14 February 2020 registered 9,100 contacts.

37. Since long time, the State Police has been launching initiatives to prevent those secondary victimisation factors that are sometimes linked to entry into criminal proceedings. As early as 1988, the Department of Public Security recommended to the Police Headquarters that qualified staff and reserved premises be dedicated to meet and receive reports of victims of sexual violence.

38. The initiatives have continued over the years, including through collaboration agreements between the Police Headquarters and external bodies and NGOs (e.g. Soroptimist), to set up protected hearing rooms. Protected hearing rooms are currently available in 60 Police Headquarters (in

some Police Headquarters, also at the detached police stations).

39. The strengthening of the multidisciplinary training of operators is a crucial point of every strategy and is a sector particularly cared for by the Central Anti-Crime Department, which has also set up a School in Neptune. In March 2019, at the Institute for Superintendents of Spoleto, the course "The monitoring measures of the Quaestor" was held by devoting attention, among other things, to the warning - including the warning for cyberbullying - and the reception of the victim.

40. It was attended by 110 police officers of the local Police HQs.. Experts from the State Police, psychologists, university lecturers, representatives of the Department for Equal Opportunities of the Presidency of the Council of Ministers collaborated.

41. For the first time, the operators of the Anti-Crime Divisions were trained on the best practices of approach - with regard to victims and abusers - in order to correctly assess the risk, with an in-depth examination of issues concerning gender-based violence. This initiative was implemented in the framework of the Cooperation Agreement signed between the Department of Public Security and the Department for Equal Opportunities of the Presidency of the Council of Ministers, on 28 December 2017.

42. A new impetus to the need to ensure the timely training of staff, by planning specific compulsory courses for staff performing public security and criminal police functions, was given by the Central Anti-Crime Department following the entry into force of Act No. 69/2019 (the so-called "Red Code").

43. The Police Headquarters have scheduled training events, including the initiative of the Rome Police Headquarters, which, in compliance with departmental instructions and following the directives issued by the Rome Public Prosecutor's Office, has launched "internships" at the Specialised Section of the Investigative Unit on gender-based violence-related crimes and crimes against children for all the referees of the peripheral Offices (Commissariats) on this issue, so as to establish a "network" of specialised personnel in every branch of the Police Headquarters.

44. In January 2020, in collaboration with the Central Directorate for Education Institutes, e-learning modules on gender-based violence were defined for the general updating of State Police personnel, currently available on the SISFOR platform.

45. The study of effective operational tools that allow the emergence of situations of violence in "first intervention" activities has been deepened, to give impetus to an in-depth analysis aimed at preventing the escalation of violence, taking due account of the need for a correct approach of the operators towards the victim.

46. Starting from 2018, a new development has been given to the Protocol of first intervention coordinated by the Territorial Control Service of the Central Anti-Crime Department as created in 2014 to highlight, in cases of intervention for domestic violence, the repetition of episodes in further projects to strengthen its effectiveness and allow the monitoring of "grey areas", namely those situations in which victims have not yet decided to take criminal or administrative action.

47. In terms of operational response, a Project was launched in 2019 and is currently underway, with the aim of recognising the victim of violence already identified when police officers respond to a call to the 112 NUE emergency number. For this purpose, a specific platform is being tested. In December 2019, the procedures described in the "processing card" of the intervention protocol were shared with the territory and updated in light of the changes made by Act No.69/2019.

48. The interventions described above are managed through the operational instruction called IO 05 - Rev.02 of the ISO 9001:2015 MQ03 quality manual: This is a procedure, which complies with ISO 9001:2015 quality, aimed at standardising the activities carried out by the Operations Centres of the Police Headquarters when they are coordinating operations related to episodes of domestic violence. With the aim at specialisation in territorial control, the above model is implemented through specific basic training modules.

49. Since 2018, targeted educational modules have been introduced in

two training courses for agent trainees and in eight training courses for territory control operators. The expected results, in the medium and long term, are a more effective fight against recidivist behaviour and an increasing confidence, on the part of women, to turn to the Police Force to report cases of violence.

50. In the overall framework of the strengthening of initiatives aimed at improving the prevention and fight against criminal phenomena affecting vulnerable victims, the YOUPOL IT application allows a direct request for assistance to the Police Headquarters' Operations Centres through the reporting of messages and images concerning bullying, drug trafficking and, since 27 March 2020, gender-based violence.

51. The YOUPOL APP is therefore an alternative channel of communication to traditional, indispensable emergency numbers. YOUPOL was launched in 2017 and can be activated on smartphones, tablets and computers. Through the APP, it is possible to call 112 NUE directly or transmit messages (including multimedia messages) in real time to State Police operators.

52. The reports, automatically geo-referenced, are received by the Operations Halls of the Police Headquarters responsible for the territory, but it is possible for the user to indicate the place where the events took place. Moreover, for those who do not wish to register and provide their data, it is possible to make reports anonymously.

53. As part of its activities to combat and prevent the phenomenon of gender-based violence, the Central Operations Department of the Central Anti-Crime Department has set up a specific Section, made up of specialised operators, which is continuously and incisively involved in the investigation of violence against vulnerable groups, availing itself, according to emerging needs, of the collaboration and support of all the units of the Central Department. In this context, it has also provided for *ad hoc* Investigation Sections within the Investigations Units of the national territory.

54. Criminal phenomena are analysed by the Criminal Analysis Service of the Central Directorate of the Criminal Police that makes strategic use of

this wealth of information, preparing targeted analysis documents for the National Public Security Authority, which can also be a reference in the daily operational activities of the Police Forces.

55. The aforesaid Service also carries out an accurate analysis of all criminal episodes that integrate cases attributable to gender-based violence. Particular attention is paid to voluntary homicides through the study and analysis of all the data acquired by the Police Force Database, which is compared with the information received from the territorial Police Headquarters and the Carabinieri Corps. The monitoring and examination of the information acquired makes it possible to reconstruct the dynamics of the event, the motive, the context in which the offence took place, and any family or sentimental relationships that linked the persons involved.

56. The activity of analysis on such complex issues, such as gender violence, requires constant dialogue with the most important institutions operating in the relevant sectors and with national, European and international research bodies, with which, among other things, the papers prepared by the Service under reference of the Ministry of Interior, on the relevant issues are shared.

57. In the current month, a document was produced to summarise the trend of some crimes introduced by the aforementioned Act No.69/2019, which expanded the system of protection for women victims of gender-based violence.

58. Specifically, the analysis of the trend in crimes can be a tool to assess how the new legislation has made protection measures in support of vulnerable victims more immediate and effective. Moreover, the report can be a useful tool, able to provide a framework for prevention and contrast strategies of the Police Forces, highlighting which are the areas most at risk or the most used means to commit certain types of crimes, such as the use of technologies and, in particular, of social media with regard to the perpetration of the crime of unlawful dissemination of sexually explicit images or videos (Art.612ter, penal code).

59. In terms of prevention, moreover, a study is currently underway aimed at implementing the inter-force database, created for operational purposes, in order to also acquire information on the victim and the relationship with the perpetrator of the crime, as well as on the contexts in which certain particular types of crimes are committed. This enrichment will benefit not only the criminal analysis and the Police Forces, but also all those institutional and private subjects involved in this field.

60. Since long time, the Postal and Communications Police of the Department of Public Security has launched functional operational strategies throughout the country, both with regard to the identification of web platforms used to convey such conduct, and with regard to the consequent identification of the perpetrators, with specific attention to juvenile victims.

61. In this context, a careful and continuous monitoring of the network, carried out 24 hours a day, by operators in the sector, is ensured in order to guarantee an effective containment of the various forms of online victimisation, also through an in-depth analysis of the numerous reports made by users of the network through the Online Public Security Commissioner. On the same portal, the Postal and Communications Police has generated specific alerts, through which it informs about the risks and dangers of the network and the consequences of illegal conduct.

62. In addition to the continuous monitoring of the web, the Postal and Communications Police is constantly engaged in the design and implementation of campaigns to raise awareness of the risks of the internet, aimed at students of all levels, parents and teachers, in the awareness that only through effective preventive action, characterized by the conveyance of correct information functional to a correct use of the web, it is possible to contain the particular phenomenology of crime: it is considered necessary, in fact, a training-based and informative approach that allows to achieve a concrete cultural transformation, especially in the younger generations, capable of leading to a responsible and conscious way of using the computer network.

63. Among the various initiatives to raise awareness and prevent the risks and dangers connected to the use of the Internet, we would like to

mention, "*Una vita da social*": the main national itinerant campaign, now in its 8th edition. This is in fact a dynamic and up-to-date project, aimed both at educating learners to an undistorted use of the Internet (exalting the opportunities it can offer) and at realising concrete opportunities for listening the new generations.

64. The recent cases concerning the participation of children in messaging groups in which violent and/or child pornographic material circulated are a current manifestation of the difficulty of the children to understand the real gravity of the digital actions: the experiences matured, in fact, show how in them there is not yet full awareness both of the durability of the computer trace and of the seriousness of the act of sharing material that represents the most aberrant and serious form of abuse against children.

- Also for this reason, in order to make the prevention action more and more effective with respect to such conducts, the operators of the Postal and Communications Police meet at schools, throughout the national territory, students, teachers and parents, with the aim of developing in young people the awareness that the web can be dangerous and to support teachers and families in guiding digital natives to have a balanced relationship with the devices they use.

65. As part of the action of containment and fight carried out by the Postal Police against online conduct, also related to gender discrimination area, particular attention is paid to the phenomenon of violence against women, which takes place through online conducts, too.

66. In these operational contexts, also with a view to effective containment, it is stressed the importance of promptly reporting the undue dissemination of multimedia content, formalizing as soon as possible, a complaint to the Police Offices, which is essential not only to allow the timely start of the investigation, but also to allow the immediate attempt to remove the images or videos published.

67. Furthermore, it should be noted that in the operational context of containing and combating this specific criminal phenomenology, particular attention is paid to the conducts that integrate the criminal offences of

"persecutory acts" (so-called stalking pursuant to Art.612bis of the Criminal Code) and "unlawful dissemination of sexually explicit images or videos" (so-called revenge porn, Art. 612ter of the Criminal Code).

68. With regard to the latter crime, the investigative experience has shown that the majority of victims are women, who experience the consequences of the dissemination of intimate images as a real sexual violence, also because in most cases, at the time the complaint is filed, the content published online has already become viral, with an important psychological impact on the victim.

69. At the same time when acquiring the complaint, the experts of the Postal Police immediately proceed to detect and document the images and videos reported by the victim, identifying the essential elements to be able to proceed, once the Judicial Authority has been informed, with the acquisition of the telematic data necessary to identify the origin of the file upload by the author. This first search for illicitly disseminated content is followed by a second more detailed search aimed at identifying any replicas of the aforementioned content on other web spaces (i.e. blogs, social networks), in order to determine the actual degree of dissemination.

70. The managers of the web spaces concerned are then involved in order to acquire the telematic data under reference and proceed with their removal in order to interrupt, when possible, the prejudicial effects linked to further public exposure of the victim. As in all computer-related investigations, the processing of the acquired data, being functional to the acquisition of the author, follows.

71. The intervention is even more complex in cases where the dissemination does not take place using traditional and more common social networks, but instant messaging applications are used for the specific criminal conduct, which, on the one hand, favour the rapid sharing of content on thousands of devices and, on the other hand, are characterised by the high levels of confidentiality offered to their users. This scenario facilitates the implementation of a further modality of violence against women: the phenomenon of so-called "virtual rapes", which takes place within closed groups in which, giving vent to violent fantasies and offensive behaviour,

photos of unsuspecting women portrayed in their daily lives, as found on social networks or copied from instant messaging contacts, are shared.

72. Also in an attempt to contain these criminal methods, in the awareness of the strategic importance of preventive action, the Postal and Communications Police organises information and awareness-raising campaigns to provide advice on how to prevent the so-called “revenge porn” and virtual rapes, recommending to avoid any forms of documentation of one's intimacy, as even a simple photo shot kept on the device of one of the partners, exposes to the potential risk of disclosure: sending intimate photos and videos even to the partner alone represents, in fact, a weak link in the "chain of custody" of such contents and exposes to possible blackmail or defamation.

73. In this context of prevention, given that the analysis of the criminal events under examination indicates conduct attributable to children, from the point of view of the strategy of active law enforcement on several levels, the above-mentioned information campaigns aimed at adolescents in an attempt to make them aware of the seriousness of behaviours which, in addition to causing often irreparable damage to victims, determine criminally relevant consequences for their perpetrators.

74. On numerous occasions of meetings, the importance of promptly reporting the undue dissemination of multimedia contents is highlighted, formalizing, as soon as possible, a report to the Police Offices, being a prerequisite, which is essential for both the start of the investigative activity and to allow the immediate attempt, where prosecutable, to remove the published images or videos.

75. It should also be noted that the current health emergency and the related need to contain the spread of the virus, which has been carried out for long periods of time, even with the suspension of school activities in person, has inevitably forced to raise the level of attention paid to the criminal phenomena relating to particular criminal conduct.

76. The increase in leisure time, not only for children, but also for many adults, combined with the inevitable increased use of computer systems, are

in fact, potentially useful factors that could lead to an increase not only in the offences of child pornography on the Internet, but also in sexual blackmail against women.

77. The impact of these factors, in terms of their contribution to the potential increase in the particular crime phenomenology, appears even more significant when we consider that they are found, by virtue of the current pandemic, in large portions of populations living in different areas of the planet: since the illegal sharing and dissemination of multimedia contents (pertaining to the most intimate sphere of people) is characterized by its transnational nature and the measures adopted worldwide to ensure the so-called social rarefaction contribute to raise the level of specific risk.

78. For this reason, since the beginning of the pandemic spread of the Sars-Cov2 virus, the Postal and Communications Police, with the use of all its territorial articulations, has: intensified the monitoring of the web, in order to prevent the increase in the number of relevant crimes; strengthened the connection of investigations in international police and judicial cooperation channels - a fundamental strategic prerequisite for disarticulating the illicit virtual communities characterised by an organised structure; raised, when possible, the level of collaboration with the most used social networks in Italy, with a view to synergy in the fight against the improper use of the web, defining preferential channels of communication and management of criminal cases. All this, in an attempt to adapt the response, also in terms of prevention, to the changing needs connected to the current health emergency.

79. Lastly, it is to be stressed the activity carried out by the relevant specialised operators in the fight against hate crimes on the ground of discriminatory conducts, including on the ground of gender.

80. As part of the activity to prevent and combat the relevant online conducts related to hate speech, since long time the Postal and Communications Police has been launching nationwide functional operational strategies, aimed at both identifying web platforms used to convey such conducts and the consequent identification of perpetrators. In this context, a careful and continuous monitoring of the network, 24 hours a day, is ensured by the operators in order to guarantee an effective containment of the various forms of online victimisation, also through an in-depth analysis of the numerous reports made by network users through the Online Public Security Commissioner. In the same direction is the action of the Postal and Communications Police, when investigating the reports, sent by UNAR (National Office against Racial Discrimination) at the Presidency of Council of Ministers and OSCAD (Observatory for Security against Discriminatory Acts) at the Department of Public Security, respectively.

Conclusion

Italian Authorities take this opportunity to reiterate their firm willingness to continue effective cooperation with all UN Special Procedures and will provide further additional information, once available.