Genus

ORIGINAL ARTICLE

Open Access

A female advantage in asylum application decisions? a gendered analysis of decisions on asylum applications in Italy from 2008 to 2022

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Abstract

Women constitute over half of the global refugee population, yet they are underrepresented among asylum-seeker applicants in Europe. In this study, we analyse asylum application decisions in Italy between 2008 and 2022 using Eurostat data and a comprehensive set of indicators to assess political conditions and gender discrimination in the applicants' countries of origin. Our analysis unveils a limited 'female advantage' in asylum applications, revealing a complex relationship between gender, country of origin characteristics, and the asylum decision process. Interestingly, the observed advantage for women is contingent on the applicant's country of origin. In countries marked by war, autocracy, or severe discrimination towards women, the gender of the applicants does not significantly correlate with asylum decisions, as recognition rates are high for both men and women. Conversely, women from countries with moderate political and discrimination issues have higher chances of success than men in their asylum applications. The understanding of how gender intersects with other factors in asylum decisions is imperative for developing more equitable asylum policies and practices.

Keywords: Gender, Asylum seekers, Italy, Refugees

Introduction

As for the literature on migration studies, a gendered framework in asylum and refugee studies is relatively recent: concerns about women in forced migration only gained attention from academics and international organisations in the 1980s and a focus on women was slow to develop until the 1990s (Christou & Kofman, 2022; Indra, 1999). Women represent more than half of the 34.6 million refugees estimated worldwide at the end of 2022, and several reports by international and civil society organisations highlight how women are disproportionally affected in displacement situations (EUAA, 2023; UNHCR, 2023). However, just 29% of asylum applications were lodged by women in EU + countries in 2022 (EUAA, 2023), a persistent gap that indicates that women face higher obstacles than men to reach Europe and claim

asylum (Freedman, 2008). Due to the high cost of long-distance travel, the need to rely on smugglers, the elevated risk of physical and sexual violence throughout the journey, and disproportionately higher mortality rates among females at the borders, women find themselves constituting a minority among those seeking asylum in the Global North (Christou & Kofman, 2022; Freedman, 2016; Pickering & Cochrane, 2012). The composition of those seeking asylum also impacts the nature of protection provided by countries and the services needed. Women tend to form a significant proportion of adults classified as vulnerable, with likely implications for gendered mobilities and trajectories.

While there is a recent, predominantly qualitative, reflection on how gender shapes the experience of women refugees in the Global North (Demarchi & Lenehan, 2019; Kofman, 2019), differences by gender in asylum recognition in the European context have remained little noticed and hardly recently studied (Plümper & Neumayer, 2021). Many scholars have pointed out that international laws and conventions are based on a male model of asylum seeker and refugee, which has ignored typical grounds for women's persecution. Indeed, the available, although not recent, evidence suggests that gender-specific grounds for persecution, such as rape or other forms of sexual violence, or culturally based gender norms, are the basis of a minority of claims (Bhabha, 2004).

The impact of an applicant's gender on asylum decisions remains ambiguous, with mixed evidence overall. Some studies suggest that women are notably underrepresented among successful asylum seekers and that being a woman may contribute to the rejection of asylum claims (Keith & Holmes, 2009; Randall, 2002). Conversely, other research finds no discernible effects (Rodda, 2015). Moreover, research conducted in the early 2000s indicates that, despite their underrepresentation, female asylum seekers may have a relative advantage over males, as they are more likely to be granted asylum (Bhabha, 2004). Recent findings indicate that in Europe, women tend to be somewhat more successful than men in both their initial applications and subsequent appeals (EUAA, 2023). Plümper and Neumayer (2021), analysing data from Germany between 2012 and 2018, demonstrate significant variations in asylum recognition rates based on gender among asylum seekers from different countries of origin.

Despite some reflection on the lack of a gendered approach in procedures for asylum, for example, in terms of no common definition of gender-based persecution throughout the EU (UN Women, 2017), no extended reflection has been carried out on how gender is correlated to asylum seekers' rejection rates and a gendered analysis is usually absent from reports and commentaries.

This paper aims to fill this gap by analysing decisions on asylum applications in Italy between 2008 and 2022. Given its geographical position at the periphery of the European Union, this country has seen a surge in the number of asylum requests in the last decades (Busetta et al., 2021). The growing number of land and sea arrivals to Italy (ISMU, 2023) gave way to the spread of anti-asylum seeker sentiment that was accompanied by the harshening of migration policies and multiple changes in the legislation (Perocco & Della Puppa, 2023). While the effects of these changes regarding higher or lower overall acceptance rates are known, it is unclear if the impact has been different according to gender.

Does being a woman matter in asylum recognition?

Are women more advantaged in the process of asylum recognition compared to men? The question is highly debated, and findings are mixed depending on the ground of analysis and the context analysed. In general, while refugee legislation does not differentiate between male and female asylum seekers, specific historical and sociological factors have, in fact, advantaged men, while other gendered mechanisms related to asylum seekers' stereotyping and demographic characteristics could favour women.

Legislation

No distinct treatments or specific requirements in Italian and European refugee law can account for differences in rejection rates based on gender. However, critics have pointed out that laws related to asylum and refugees, though supposedly neutral, have historically undervalued the extent of persecution faced by women (Christou & Kofman, 2022; Freedman, 2008). The Refugee Convention was drafted at a time when there was "complete blindness to women, gender, and issues of sexual inequality" (Edwards, 2010, p. 22). Whilst women equally share belonging to social groups on which claims of oppression can be based, men are expected to face more political repression and persecution than women due to their higher political participation rate and involvement in public political opposition to regimes that violate human rights and persecutes opponents (Crawley, 2000). Indeed, asylum law typically favours male-dominated 'public' political activities over the activities of women, which mostly take place in the 'private' sphere (Coffé & Dilli, 2015; Crawley, 2000; Plümper & Neumayer, 2021; Rodda, 2015). Many instances of persecution considered to be of particular concern for women or historically viewed as belonging to the 'domestic' sphere are less clearly covered by international legal conventions (Rodda, 2015). Women are extremely more exposed than men to private forms of violence. Threats such as forced marriage, female genital mutilation, violence committed or related to women's behaviour, such as their refusal to adhere to specific dress codes, can be challenging to prove or not recognised as grounds for granting refugee status. Victims of spousal abuse and rape by authority figures often find difficulties in presenting their cases for asylum, even when they can expect no help or protection from the police or state authorities in their country of origin (Freedman, 2008). Within this framework, being a woman puts the individual at a disadvantage, possibly resulting in fewer instances of full asylum protection (Rodda, 2015).

Gendered mechanisms related to asylum seekers' stereotyping

Research has suggested that, at the same time, other gendered mechanisms related to asylum seekers' stereotyping may impact asylum recognition rates. Hyndman and Giles (2017) argue that individuals who stay in the Global South are often perceived positively as genuine, immobile, depoliticised, and feminised. In contrast, those who are on the move, particularly to reach the Global North, are often viewed in a negative light as potential liabilities and/or security threats, with young refugee men being particularly associated with this perception. Despite current legislation being based on a male idea of refugees, the gendered imagery has shifted the representation of refugees from heroic European men to depoliticised mothers and children from the Global South who are

depicted as victims of generalised violence and poverty (Christou & Kofman, 2022; Kofman, 2019). This imaginary might actively bias decision rates in favour of women. In this regard, a general preference for women emerged from recent experimental survey research. Bansak et al. (2016) conducted a conjoint experiment using vignettes of hypothetical asylum-seeker cases to assess European citizens' attitudes. Whilst not the main focus of their analysis, the results of Bansak et al. (2016) demonstrate that survey participants show a preference for female to male asylum-seekers that, if shared by members of asylum commissions, might bias their decisions. In addition, gendered stereotypes in asylum advocacy generate a widespread perception of female applicants as more 'vulnerable and dependent' and 'less adventurous'. They are perceived as more credible or are more likely to be given the benefit of the doubt. While many scholars have pointed out how the focus on women's vulnerability and their cultural stereotyping as pure victims without any agency is highly problematic and disempowering, often pushing them to perform vulnerability to be prioritised for the allocation of resources (Bhabha, 2004; Christou & Kofman, 2022; Zetter, 1991), this might still explain a gender gap in favour of women especially if they migrate with children and are underrepresented among asylum seekers from their country of origin.

The role of demographic characteristics and gender composition of the population seeking asylum

Some demographic characteristics more commonly found among women may affect asylum application success. Research has shown that being married or having children can increase the likelihood of being granted asylum. For example, Holzer et al. (2000) analysed approximately 180,000 asylum decisions in Switzerland and found that being married had a positive impact on recognition chances, with a more significant effect on men than on women. Similarly, Mascini and Van Bochove (2009) found that in the Netherlands, men had a lower success rate due to two demographic factors: they were less likely to be married or accompanied by children and less likely to follow their spouse for family reunification.

It has also been observed that the small proportion of women seeking asylum (minority status) may be a factor that works in their favour. Ecker et al. (2020) studied approximately 41,000 asylum cases in Austria; their research shows that female applicants have a higher chance of success when controlling for the regions of origin. They also found that the gender gap is even wider if the person deciding the case is male and has a large number of cases to attend to.

In her reflection, which was carried out about 20 years ago, Bhabha (2004) suggested that a relative advantage for women could be due to selection and stereotyping. Bhabha pointed out that women are selected in terms of fewer applicants, disproportionate origin from countries with high recognition rates, and greater severity of their claims. Selection may imply that only women with the strongest cases overcome the additional hurdles that women asylum seekers face in accessing asylum systems.

The concept of vulnerability also plays a crucial role in understanding gender-based differences in mobility experiences in Europe. While there are categories of vulnerable individuals that can apply to both men and women, such as people with disabilities, the elderly, and those with serious illnesses, women are more likely to be classified as

Table 1 Asylum application by gender in Italy of the applicant

Time	Total	Males	Females	Number of males over 100 females
2008	30,140	25,740	4400	585
2009	17,725	13,225	4505	294
2010	10,000	7460	2540	294
2011	40,315	35,370	4945	715
2012	17,335	14,895	2440	610
2013	26,620	22,965	3655	628
2014	64,625	59,695	4930	1211
2015	83,540	73,880	9660	765
2016	122,960	104,505	18,455	566
2017	128,850	108,215	20,635	524
2018	59,950	45,675	14,270	320
2019	43,770	32,080	11,690	274
2020	26,940	21,215	5725	371
2021	53,610	44,165	9445	468
2022	84,290	67,960	16,330	416
Total	810,670	677,045	133,625	507

Years 2008–2022. Source: Authors elaborations on Eurostat data migr_asyappctza last updated 27-10-23

vulnerable compared to men due to factors such as pregnancy and single parenthood (Christou & Kofman, 2022).

Italy as a country of asylum

Because of its geographical position and ties with countries situated along the main migration routes towards Europe, Italy received an unprecedented number of 447,600 asylum applications between 2014 and 2018 (Ortensi & Kingston, 2022), and the number of applications has risen again starting from 2021 after the COVID19 pandemic and the onset of the war in Ukraine[1] (Eurostat, 2023).

Despite being considered a relatively 'new country of asylum', Italy has received a high number of asylum applications in recent decades. Around 810,000 applicants claimed asylum in Italy between 2008 and 2022, 16.5% of whom were women (Eurostat, 2023: Table 1).

The highest number of female asylum seekers between 2008 and 2022 has been observed among Nigerians (37.3 thousand), Ukrainians (12.3 thousand) and Georgia (6.8 thousand). Among groups with at least 100 applicants, the lowest sex ratios are observed among those from Kyrgyzstan (23 male applicants for every 100 female applicants), Georgia (27) and the Philippines (62).[2]

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[1] However, the effects of the latter are only partially accounted for by this study. In fact, most Ukrainians were granted temporary protection, a type of permit that does not imply an actual decision, but only grants status based on nationality. Moreover, Eurostat (2023) enumerates the permits issued for temporary protection in a different database. Temporary protection is, therefore, not analysed in this study as it does not imply legal reasoning on the inclusion requirements of international protection.

[2] Authors elaborations on Eurostat data migr_asyappctza last updated 27-10-23.

The Italian legislation on asylum

For a long time, Italy had limited regulation regarding the recognition of refugee status, initially through the constitutional provision (Article 10, which remained inactive for decades) and then following the ratification of the Geneva Convention in 1954. While specific references to women as subjects of the right of asylum compared to men may be absent in these norms, Italy has demonstrated a proactive stance in combating gender discrimination and violence against women in all its manifestations. This commitment is also evident in the application of laws regarding international protection. Italy ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1985. This convention, promoted by the United Nations in 1979, does not explicitly address gender-based violence. However, the CEDAW Committee has broadened the convention's scope through general recommendations. Especially following the introduction of the Optional Protocol in 2000, which established monitoring and reporting mechanisms, efforts to address gender-based violence have been strengthened (Di Pascale, 2024).

Asylum law in Italy was mainly regulated by an administrative national procedure until the 2000s. However, this procedure was rarely applied due to the limited number of cases.[3] Between 2007 and 2008, national regulations on the subject were overridden by the mandatory transposition of European regulations. Specifically, Directive 2004/83/EC concerning the qualification of refugees and subsidiary protection, and Directive 2005/85/EC regarding procedures for the recognition and revocation of refugee status were incorporated into Italian law.[4] With the introduction of these two directives into the Italian legal system, the regulatory framework for asylum law changed radically. The term 'asylum' itself was redefined as the status of refugees and holders of subsidiary protection were united under the common umbrella of 'international protection.'

Subsequently, three primary directives were introduced and incorporated into Italian law: Directive 2011/95/EU on qualification, Directive 2013/33/EU on reception conditions, and Directive 2013/32/EU on asylum procedures. The main objective of these regulations was the European harmonisation of treatment standards. For our purposes, it is essential to emphasise that the law considers so-called "vulnerable" individuals, previously more broadly defined as "individuals with special needs". This category includes minors and unaccompanied minors, disabled individuals, the elderly, pregnant women, single parents with dependent minor children, individuals suffering from serious illnesses or mental disorders, and individuals who have experienced torture, rape, or other severe forms of psychological, physical, or sexual violence, such as victims of female genital mutilation or human trafficking for labour or sexual exploitation. In particular, the latter circumstance, falling within the scope of persecution and gender-based violence, can be the basis for a request for international protection. In the meantime, the gender dimension gained significant importance at the global level.

In 2011, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, commonly known as the 'Istanbul Convention,' was signed. This convention mandates parties to develop laws, policies, and support

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[3] Readers can find further information on the Italian legislation in a historical perspective in Petrović (2020).

[4] Readers can find further information in Hailbronner and Thym (2016).

services aimed at ending violence against women and domestic violence. Italy ratified the Convention in 2013, while the European Union ratified it only in June 2023. In Italy, stakeholders made significant efforts to combat human trafficking for sexual exploitation, particularly affecting women and girls from sub-Saharan Africa, primarily Nigeria and Cote d'Ivoire (Coppola et al., 2020; Malakooti, 2020). Efforts have also been directed towards understanding the legal rationale for granting refugee status to victims of trafficking.[5] The Italian Ministry of the Interior and UNHCR Italy's Guidelines for Territorial Commissions (first published in 2016 and updated in 2020) play crucial roles in facilitating effective identification and protection measures. In many instances, women are granted asylum, with a subsidiary or complementary protection provided, depending on the specific circumstances.

Another crucial aspect to consider in analysing the Italian legislative context is the presence of a complementary form of protection known as 'humanitarian protection', later renamed 'special protection', which has significantly influenced acceptance rates (Travaglino, 2022). This form of protection constitutes a residual provision under Italian law for individuals who do not qualify for refugee status or subsidiary protection but cannot be returned to their country of origin due to objective and/or complex personal circumstances. Over the years, several legislative changes have occurred regarding this form of protection. From 1998 to 2018, humanitarian protection was in force, providing a broad scope of protection for vulnerable individuals with "serious humanitarian reasons" warranting acceptance. In 2018, with the enactment of the 'security' decree, humanitarian protection was repealed in Italy. It was replaced by shorter-term specific permits addressing particular situations such as medical treatment, instances of labour exploitation, or cases of domestic violence. Additionally, a form of 'special protection' was introduced, aligning with the principle of non-refoulement, which prohibits the repatriation of individuals facing the risk of inhuman or degrading treatment in their country of origin. Subsequently, in 2020, amendments were made to the special protection permit, expanding its scope. This included considering migrants' integration, encompassing aspects such as housing, employment, and family ties in Italy.

In 2023, further changes were implemented, limiting again the scope of the national special protection. Integration requirements on the territory were excluded, with only the principle of non-refoulement retained as a basis for granting protection (see Table 2).

In recent years, the legislature has given great attention to national protection amidst numerous and rapid legislative changes. On the one hand, some policymakers aimed to restrict the scope of national protection; on the other hand, there's a need to uphold subjective and specific humanitarian considerations within the legal framework, particularly focusing on integrating asylum seekers into the territory. In this context, women undeniably represent a group with distinct needs and vulnerabilities. It can indeed be said that women have increasingly received special attention from both national and international legislators as bearers of specific vulnerabilities and needs. Despite legislative restrictions

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[5] UN Refugee Agency Guidelines n. 1 suggest that women fearing persecution or discrimination due to gender may be considered members of a specific social group for status determination (UNHCR, 2002). For this reason, it is crucial to identify female trafficking victims among international protection applicants. In these cases, persecution fears may arise from retaliation for cooperating with authorities or discrimination upon repatriation, especially for a woman with a history of sexual exploitation and the risk of re-trafficking.

Table 2 Main legislative changes on asylum and gender-based violence in Italy 1948–2023

1954	Ratification of the Geneva Convention on Refugees
1985	Ratification of Convention on the Elimination of All Forms of Discrimination Against Women
1998	Introduction of 'humanitarian national protection' as a complementary protection providing broad protection for vulnerable individuals with serious humanitarian reasons for acceptance
2002	UN Refugee Agency Guidelines n. 1 Gender-Related Persecution
2004	Introduction of the EU 'subsidiary protection' to protect people from serious harm
2007—2008	Transposition in the Italian legal system of the European Directives on qualifications and procedures
2011—2013	European harmonisation of treatment standards on qualifications, reception and procedures, with particular attention to vulnerabilities
2013	Ratification of the Istanbul Convention on Preventing and Combating Violence against Women and Domestic Violence
2016	UNHCR Italy's Guidelines for Territorial Commissions on identification and protection of vulnerable people
2018	Abrogation of the 'humanitarian protection' as an open residual catalogue replaced by shorter-term specific permits and the introduction of 'special protection' aligned with the principle of non-refoulement
2020	Enhancement of 'special national protection' through the requirements of integration in the territory and family ties
2023	Further revision limiting the scope of special national protection, excluding integration requirements and maintaining only the principle of non-refoulement
1948	Rights of asylum in the Italian constitution

For more details, Petrović (2020)

in 2018 and 2023, Italian asylum legislation has made concerted efforts to address the gender dimension. By ratifying relevant conventions and adhering to UNHCR guidelines while adopting best practices for identifying individuals in need, Italy has demonstrated a commitment to addressing gender-specific concerns within the asylum process. It is a plausible hypothesis that these conditions have contributed to the increasing recognition rate of international and national protection over the years.

Research hypotheses

Based on the literature discussed, we propose the following research hypotheses:

> RH1. Women are less represented among asylum-seeker applicants in Italy but have higher success rates compared to men.
> RH2. Women are more likely to be more successful in their application if they are less represented among applicants from their countries of origin (minority status).
> RH3. Women do not have an advantage over men if they come from countries where women face higher levels of discrimination.
> RH4. Women are more advantaged than men even in the light of recent restrictions in asylum legislation implemented in the Italian legislation.

Data and methods

Since 2008, the gender data gap on asylum applications and decisions in Europe has been filled, allowing for gendered analysis. We used Eurostat data (2023) on first-instance decisions by age, sex, citizenship and year of the decision [migr_asydcfsta] to recreate a database at the micro-level. The frequency of each combination of decision, age class, gender, year, and citizenship indicates individuals sharing these same characteristics.

By weighting each combination for the number of occurrences,[6] we could re-create the database of all first-instance decisions on asylum seeker applications from non-EU or EFTA citizens in Italy for 2008–2022. The final dataset includes information on 719,090 decisions.

As we focus on the application success rather than the type of permits eventually recognised to each successful applicant, we consider the *decision* a dependent variable with a binary outcome (1 = application accepted; 0 = rejected).

The applicants' characteristics, as provided by Eurostat, are:

- *Gender* (male, female)
- *Age* (0–13, 14–17, 18–34, 35–64, 65 +)
- *Year of the application* (2008–2022).

To acknowledge the gender compositional effect within each applicant's country of origin, we consider the *percentage of decisions on women's applications at the country level by year*.

To test our hypotheses and assess if gender discrimination in the applicant's country of origin is significantly associated with the application's outcome, we added a set of indicators related to the country of origin to the database. Each indicator is included in the models by country and year of the decision. To ensure comparability, we retrieved each indicator from the site Our Word in Data (https://ourworldindata.org/).

Gender-related indicators included in our analysis are:

- Gender Inequality Index (GII) (continuous)

The Gender Inequality Index (GII), calculated annually by the UNDP, reflects the disparity between female and male achievements in reproductive health, empowerment, and the labour market. The index is calculated using data on the maternal mortality ratio, the adolescent birth rate, the population share with at least some secondary education, and the labour force participation rate (UNDP, 2022). The GII varies between 0 (when women and men fare equally) and 1 (when men or women fare poorly compared to the other in all dimensions).

While a high Gender Inequality Index (GII) might suggest a scenario of female advantage in theory, empirical evidence indicates that no country has achieved full gender parity, with women consistently facing disadvantages compared to men (World Economic Forum, 2019). As such, the GII is commonly interpreted as an indicator of female disadvantage (UNDP, 2019).

- LGBT+ rights index (continuous)

The LGBT+ rights index is retrieved from the work of Velasco (2020). The index assesses the extent to which lesbians, gays, bisexuals, transgender and other non-traditional sexual and gender categories are recognised the same rights as heterosexual and cisgender individuals. It combines 18 individual policies, such as the legality of

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[6] The frequency of each combination is rounded at the 5th unit.

same-sex sexual acts, marriage, and gender marker changes. Higher values indicate more rights, and negative values regressive policies.

Finally, to address other political characteristics of the country, we build on the work of the V-Dem Institute of the University of Gothenburg (V-Dem) (Coppedge et al., 2023). We control for:

– Political regimes (closed autocracies, electoral autocracies, electoral democracies, liberal democracies)

The classification of political regimes is based on the criteria by Lührmann et al. (2018) and the assessment by experts of the V-Dem.

– Electoral democracy index (continuous)

This index measures electoral, liberal, participatory, deliberative, and egalitarian characterisations of democracy. The index relies on evaluations by around 3500 country experts and supplementary work by its V-Dem researchers to assess political institutions and the protection of rights. It captures the extent of voting rights in free and fair elections, and freedoms of association and expression are guaranteed. It ranges from 0 (least democratic) to 1 (most democratic).

– Number of deaths in armed conflicts (continuous)

The count includes deaths of combatants and civilians due to fighting in armed conflicts that were ongoing every year. The data sources is the Uppsala Conflict Data Program (2023). Data were retrieved and processed by Our World in Data.

Table 3 shows the main outcomes for countries of origin of asylum applicants in Italy between 2008 and 2022.

To test our research hypotheses, we developed the following analytic strategy. First, we fit a set of logistic regression models by country (for countries with at least 700 applications in 2008–2022) to understand if, conditional on the age of the applicant and the year of the application, being a woman is associated with application success (RH1).

As a second step, we run a full model (RH1) accounting for the characteristics of the country of origin and the proportion of women (RH2), the level of gender discrimination (RH3), the type of regime and LGBT + discrimination.

As a third step, we will focus on the association between gender and the year of the decision to account for the multiple legislative changes related to the so-called security decrees (RH4). We will fit a model that includes an interaction between gender and the year of the decision. All models fit on the entire sample allow standard errors intragroup (citizenship of birth) correlation, relaxing the requirement that the observations be independent.

The strategy of analysis is detailed in Table 4. Results for models 1.c will be presented in terms of odds ratios. In contrast, results for models 2 to 5 will be presented in terms of predicted probabilities (calculated by leaving all other variables at their means) (Mood, 2010). The coefficients for models 2–5 are reported in the Supplementary materials.

Table 3 Main outcomes by countries of origin of asylum applicants in Italy between 2008 and 2022

Country	Number of applications 2008–2022	% Women	% Positive decisions	Average electoral democracy index	Average annual GII	Average annual number of deaths in armed conflicts	LGBT+ rights index	Most restrictive political regime in the period observed
Afghanistan	30,570	10.2	92%	0.303	0.701	16,160	− 2.291	Closed autocracy
Albania	5350	32.4	31%	0.496	0.166	0	5.935	Electoral autocracy
Algeria	1890	9.8	18%	0.312	0.472	202	− 1.913	Electoral autocracy
Angola	25	20.0	40%	0.304	0.540	14	1.397	Closed autocracy
Argentina	40	50.0	13%	0.691	0.315	0	6.456	Electoral autocracy
Armenia	775	39.4	59%	0.534	0.273	22	2.340	Electoral autocracy
Azerbaijan	190	39.5	66%	0.196	0.312	1823	2.072	Electoral autocracy
Bahrain	5	0.0	100%	0.164	0.241	0	0.072	Closed autocracy
Bangladesh	54,880	0.8	23%	0.277	0.544	15	− 0.631	Electoral autocracy
Belarus	210	66.7	62%	0.202	0.106	0	0.035	Electoral autocracy
Benin	1165	3.9	33%	0.628	0.616	2	0.072	Closed autocracy
Bolivia	30	33.3	17%	0.585	0.446	0	6.536	Closed autocracy
Bosnia and Herzegovina	2730	48.4	38%	0.568	0.180	0	4.387	Electoral democracy
Brazil	1140	36.4	50%	0.707	0.400	1781	8.570	Electoral democracy
Burkina	5790	2.6	40%	0.589	0.610	332	1.072	Closed autocracy
Burundi	5	100.0	100%	0.180	0.505	76	− 1.376	Electoral democracy
Cameroon	6095	30.2	47%	0.299	0.685	681	− 1.386	Electoral autocracy
Central African Rep	130	11.5	85%	0.343	0.579	1165	2.072	Electoral autocracy
Chad	1185	5.9	66%	0.274	0.701	106	0.072	Closed autocracy
Chile	45	44.4	44%	0.828	0.198	0	3.953	Electoral democracy
China	2800	55.2	14%	0.078	0.209	11	1.950	Closed autocracy
Colombia	3075	43.3	50%	0.656	0.428	138	9.614	Electoral democracy
Comoros	30	16.7	0%	0.327	0.497	0	− 0.431	Electoral autocracy
Congo	755	35.8	70%	0.250	0.592	8	0.072	Electoral autocracy
Congo, Dem Rep.	1150	45.2	74%	0.337	0.631	2681	1.072	Electoral autocracy
Costa Rica	10	50.0	50%	0.897	0.272	0	3.072	Liberal democracy
Côte d'Ivoire	29,620	12.1	35%	0.512	0.637	70	0.072	Electoral autocracy

Table 3 (continued)

Country	Number of applications 2008–2022	% Women	% Positive decisions	Average electoral democracy index	Average annual GII	Average annual number of deaths in armed conflicts	LGBT+ rights index	Most restrictive political regime in the period observed
Cuba	950	40.5	38%	0.172	0.311	0	2.718	Closed autocracy
Dominican Rep.	115	65.2	26%	0.591	0.442	0	1.072	Electoral democracy
Ecuador	140	42.9	36%	0.613	0.375	83	8.575	Electoral democracy
Egypt	10,405	7.4	30%	0.178	0.478	347	0.449	Closed autocracy
El Salvador	9200	51.2	65%	0.567	0.372	10	3.053	Electoral autocracy
Equat. Guinea	25	0.0	40%	0.179	0.583	0	2.072	Electoral autocracy
Eritrea	10,440	24.1	85%	0.068	0.607	10	− 0.390	Closed autocracy
Eswatini	5	100.0	100%	0.131	0.559	0	0.564	Closed autocracy
Ethiopia	2285	35.0	76%	0.246	0.562	3859	− 0.390	Electoral autocracy
Gabon	75	6.7	33%	0.379	0.556	0	0.072	Electoral autocracy
Gambia	44,490	1.4	32%	0.383	0.618	0	− 0.518	Electoral autocracy
Georgia	5535	79.7	33%	0.640	0.296	3	3.918	Electoral autocracy
Ghana	28,770	4.9	33%	0.738	0.551	2	− 0.240	Electoral democracy
Guatemala	75	40.0	67%	0.505	0.484	1	2.072	Electoral autocracy
Guinea	19,470	2.6	30%	0.345	0.619	5	− 0.412	Closed autocracy
Guinea-Bissau	3810	0.5	29%	0.490	0.632	0	2.072	Closed autocracy
Haiti	60	83.3	100%	0.439	0.625	0	2.072	Electoral autocracy
Honduras	985	55.8	64%	0.400	0.440	13	3.041	Electoral autocracy
India	3835	12.6	14%	0.474	0.505	790	1.659	Electoral autocracy
Iran	3210	26.8	76%	0.194	0.494	103	− 2.271	Electoral autocracy
Iraq	10,525	12.6	85%	0.391	0.566	5504	0.072	Electoral autocracy
Jordan	60	25.0	33%	0.259	0.462	0	2.072	Electoral autocracy
Kazakhstan	55	63.6	36%	0.243	0.168	0	2.072	Electoral autocracy
Kenya	390	62.8	44%	0.444	0.562	212	− 0.133	Electoral autocracy
Kosovo	2830	22.1	34%	0.563	0.269	0	4.786	Electoral autocracy
Kuwait	10	0.0	50%	0.325	0.221	0	− 1.260	Electoral autocracy
Kyrgyz Rep	420	81.0	25%	0.429	0.380	11	1.971	Electoral autocracy
Lebanon	740	20.9	59%	0.469	0.447	85	− 2.337	Electoral autocracy

Table 3 (continued)

Country	Number of applications 2008–2022	% Women	% Positive decisions	Average electoral democracy index	Average annual GII	Average annual number of deaths in armed conflicts	LGBT+ rights index	Most restrictive political regime in the period observed
Liberia	1810	11.0	38%	0.639	0.655	0	− 0.336	Electoral democracy
Libya	2475	22.4	80%	0.280	0.262	1209	− 1.392	Closed autocracy
Madagascar	15	66.7	0%	0.407	0.571	0	0.072	Closed autocracy
Malaysia	5	100.0	0%	0.472	0.225	0	− 2.460	Electoral autocracy
Mali	43,920	1.3	44%	0.505	0.663	685	2.072	Closed autocracy
Mauritania	800	5.6	53%	0.754	0.642	0	− 1.617	Closed autocracy
Mauritius	35	57.1	43%	0.631	0.358	0	0.715	Electoral democracy
Mexico	40	37.5	13%	0.667	0.314	14,465	6.134	Electoral democracy
Moldova	510	56.9	43%	0.635	0.230	0	2.852	Electoral autocracy
Mongolia	5	0.0	0%	0.501	0.421	0	2.072	Electoral autocracy
Montenegro	330	54.5	23%	0.263	0.184	0	3.525	Closed autocracy
Morocco	10,130	16.3	21%	0.347	0.442	0	− 1.360	Closed autocracy
Myanmar	70	21.4	71%	0.675	0.516	712	− 0.439	Electoral democracy
Namibia	5	0.0	100%	0.638	0.456	0	0.582	Electoral democracy
Nepal	480	8.3	27%	0.253	0.467	0	4.725	Electoral autocracy
Nicaragua	150	50.0	53%	0.547	0.431	0	3.105	Electoral autocracy
Niger	2460	4.1	49%	0.524	0.653	211	− 0.928	Closed autocracy
Nigeria	131,325	28.7	28%	0.526	0.675	3630	− 3.395	Electoral autocracy
North Macedonia	430	41.9	36%	0.429	0.153	0	2.072	Electoral autocracy
Pakistan	84,045	2.0	32%	0.130	0.544	1344	− 0.321	Electoral autocracy
Palestine	1755	19.9	71%	0.603	0.113	17	6.834	Closed autocracy
Paraguay	30	50.0	17%	0.794	0.446	0	− 1.903	Electoral democracy
Peru	4450	46.4	27%	0.440	0.395	2	6.875	Electoral democracy
Philippines	525	64.8	23%	0.262	0.422	493	3.053	Electoral democracy
Russia	1000	57.0	52%	0.232	0.224	99	3.115	Electoral autocracy
Rwanda	5	0.0	100%	0.016	0.388	7	− 0.928	Electoral autocracy
Saudi Arabia	25	20.0	80%	0.721	0.274	43	− 3.490	Closed autocracy
Senegal	38,085	2.8	25%	0.402	0.534	0	− 0.458	Electoral democracy

Table 3 (continued)

Country	Number of applications 2008–2022	% Women	% Positive decisions	Average electoral democracy index	Average annual GII	Average annual number of deaths in armed conflicts	LGBT+ rights index	Most restrictive political regime in the period observed
Serbia	2260	44.5	44%	0.522	0.168	0	4.842	Electoral autocracy
Sierra Leone	2790	13.1	33%	0.172	0.641	0	− 0.394	Electoral democracy
Somalia	21,305	20.0	95%	0.181	0.601	1973	− 0.357	Closed autocracy
South Sudan	45	22.2	89%	0.578	0.593	795	− 0.431	Closed autocracy
Sri Lanka	2430	21.8	35%	0.221	0.390	1275	− 0.390	Electoral autocracy
Sudan	3575	8.7	70%	0.142	0.583	1166	− 2.431	Closed autocracy
Syria	5910	36.2	80%	0.434	0.474	44,082	− 1.338	Closed autocracy
Tanzania	35	14.3	14%	0.447	0.565	5	− 1.516	Electoral autocracy
Togo	3965	7.8	38%	0.572	0.599	1	− 0.273	Electoral autocracy
Tunisia	13,715	9.9	14%	0.391	0.275	8	− 1.280	Electoral autocracy
Turkey	7115	9.6	57%	0.317	0.349	638	1.072	Electoral autocracy
Uganda	105	61.9	57%	0.472	0.545	28	− 2.487	Electoral autocracy
Ukraine	17,460	58.0	51%	0.879	0.241	8336	2.047	Electoral autocracy
Uruguay	20	25.0	0%	0.214	0.239	0	10.881	Liberal democracy
Uzbekistan	20	50.0	50%	0.214	0.261	0	− 1.250	Closed autocracy
Venezuela	4600	57.2	92%	0.152	0.491	40	2.072	Electoral autocracy
Vietnam	5	0.0	0%	0.297	0.315	0	2.072	Closed autocracy
Yemen	165	21.2	97%	0.293	0.807	4166	− 2.588	Closed autocracy
Zimbabwe	55	63.6	18%	0.400	0.586	115	− 1.532	Closed autocracy
Total	719,090	15.3	39.9	0.400	0.562	2321	− 0.452	

Results

We first show results for the set of country-level logistic models controlling for the year and the age structure of the population (Tab. 4). Separate models for countries with at least 700 applications and at least 10 applications by year, show that for most countries women are significantly most likely to being recognised a form of protection compared to men. Only for Afghanistan, men are significantly more likely than women to have a positive decision to their application. At the same time, for Armenia, Bosnia and Herzegovina, China, Colombia, Eritrea, Liberia, Libya, Moldova, Niger, Palestine, Iran, Iraq, Russia, Somalia, Sudan, Syria and Venezuela, significant differences are not observed between man and women.

Table 4 Strategy of analysis

| Model	Hp tested	Level of analysis	Dependent variable	Independent variables	Control variables	Presentation of results
Models 1.c (1 model for each country c)	Hp1	Country level and all countries	Asylum application outcome	Gender	Age, year of the decision	Coefficients (Table 5)
Model 2	Hp1 Hp2 Hp3	All countries	Asylum application outcome	Gender, GII, percentage of women at the country level, LGBT+ rights index, political regime (each variable has an interaction with gender)	Age, year of the decision	Coefficients (Table A1 Supplementary materials) Predicted probabilities (Figs. 1, 2, 3)
Model 3 (robustness check)	Hp1 Hp2 Hp3	All countries	Asylum application outcome	Gender, GII, percentage of women at the country level, LGBT+ rights index, electoral democracy index (each variable has an interaction with gender)	Age, year of the decision	Coefficients (Table A2 Supplementary materials) Predicted probabilities (Fig. 2)
Model 4 (robustness check)	Hp1 Hp2 Hp3	All countries	Asylum application outcome	Gender, GII, percentage of women at the country level, LGBT+ rights index, number of deaths in armed conflicts (each variable has an interaction with gender)	Age, year of the decision	Coefficients (Table A3 Supplementary materials) Predicted probabilities (Figure A1 Supplementary materials)
Model 5	Hp4	All countries	Asylum application outcome	Gender, year of the decision and their interaction	Age, GII, percentage of women at the country level, LGBT+ Policy Index, political regime (each variable has an interaction with gender)	Coefficients (Table A4 Supplementary materials) Predicted probabilities (Fig. 3)
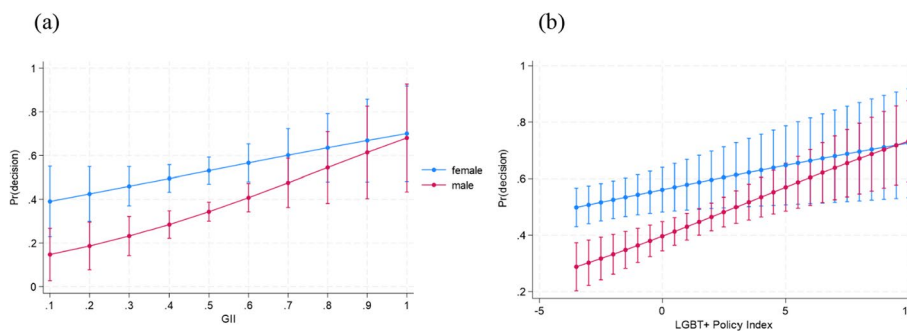
Fig. 1 Predicted probabilities of being recognised a form of protection by gender and Gender Inequality Index (**a**) and LGBT+ Right Index (**b**). Note: See Table 4 for details on variables included in Model 2

In general, no advantage for women is observed for applications from countries with ongoing conflicts or crises or countries where the proportion of women among the applicants is higher than the average. Therefore, if the model on all observations (last row of the right side of Table 5) shows a positive relationship (RH1) between being a woman and a positive asylum decision at the country of origin level, the female advantage is not observed for some countries.

To better assess results from Table 5, we aim to determine if the relative advantage of women holds once we control for variables related to gender discrimination and other country characteristics.

Model 2, adding to the applicants' characteristics information on the country of origin, shows that the odds ratio for women compared to men is no longer significant (OR $= 4.292$; $p = 0.076$).[7]

Hence, the predicted probabilities for the model including the interaction of gender and, respectively, the gender inequality index, the LGBT+rights index, the electoral democracy index and the proportion of women by citizenship and years, suggest that women per se do not have a systematic advantage over men (RH1).

When considering the level of gender discrimination in the country of origin as measured by the GII index (Fig. 1a), we see that women and men have a similar (low) probability of being recognised protection if they come from countries with a GII below 0.2 (low gender discrimination). Similarly, both men and women have a high probability of their application being recognised if they originate from countries with a GII above 0.6 (very high gender discrimination). However, women do have an advantage if they come from countries with medium–high gender discrimination. A similar pattern is observed if we consider LGBT+rights index (Fig. 1b): women have an advantage only when they originate from countries with a high or intermediate level of discrimination (LGBT+rights index < 1.5). RH3 is, therefore, only partially confirmed.

When focusing on the political regime of the country of origin, it emerges that men have a lower predicted probability of being accepted as asylum seekers compared to women only if they originate from electoral democracies (Fig. 2a).

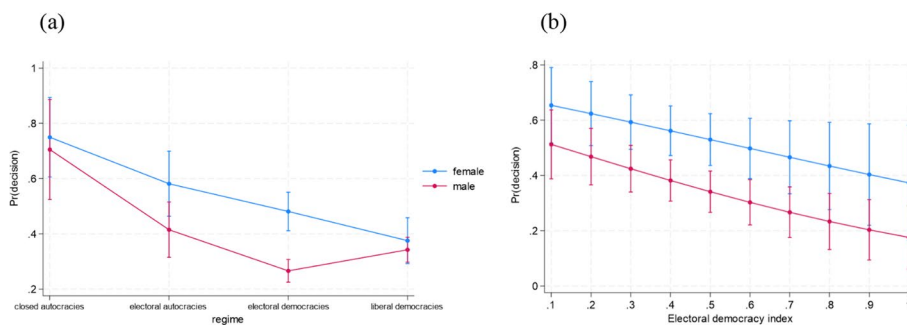[7] The full model is shown in the Supplementary materials.

Fig. 2 Predicted probabilities of being recognised a form of protection by gender and political regime (Model 2) (**a**) and electoral democracy index (Model 3) (**b**). Note: See Table 4 for details on variables included in Models 2 and 3
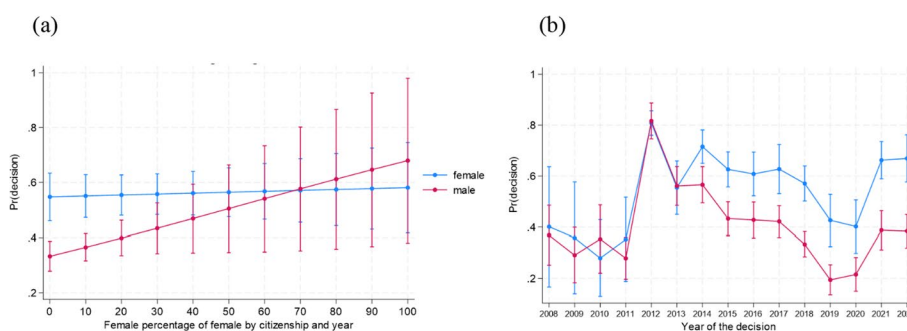

Fig. 3 Predicted probabilities of being recognised a form of protection by gender and percentage of female applicants at the country level (Model 2) (**a**) and year of the decision (Model 5) (**b**). Note: See Table 4 for details on variables included in Models 2 and 5

As a robustness check (Model 3, Fig. 2b), we assess the same dimension using the electoral democracy index. We observe that, similarly to previous results for the GII, women tend to have an advantage in asylum recognition when they originate from countries with intermediate situations (measured as an electoral democracy index between 0.4 and 0.6). A further robustness check, by using the number of deaths in armed conflicts as an indicator, (Model 4) shows that women have a higher predicted probability of being recognised as asylum seekers compared to men if they originate from countries with less than 2500 annual deaths. Results are reported in the Supplementary materials to avoid redundancy.

Considering the compositional effect (Fig. 3a), we observe that women's applications tend to be more recognised when women are less represented among applicants at the citizenship level (RH2).

The female advantage disappears for applicants from countries where women make up more than 20% of the total. We also see some tendencies in the opposite direction: men tend to have an advantage over women when men are 'rare'. However, the higher predicted probability observed for men is not significant due to the small number of applicants among those originating from countries where most applicants are women.

Finally, given the repeated changes in Italian asylum legislation, we want to assess if an eventual female advantage has been constant or changed over the years, especially

Table 5 Odds ratios (OR) from logistic regression models assessing associations between the gender of the applicant (Female, Ref. Male) and positive asylum application outcome

Citizenship	Freq	OR	Sig	% Female	Citizenship	Freq	OR	Sig	% Female
Afghanistan	30,570	0.757	**	10.2	Kosovo	2830	2.786	***	22.1
Albania	5350	2.732	***	32.4	Lebanon	740	5.376	***	20.9
Algeria	1890	4.630	***	9.8	Liberia	1810	1.215		11.0
Armenia	775	1.010		39.4	Libya	2475	1.344		22.4
Bangladesh	54,880	2.786	***	0.8	Mali	43,920	2.331	***	1.3
Benin	1165	2.604	*	3.9	Moldova	510	1.009		56.9
Bosnia and Herzegovina	2730	1.020		48.4	Morocco	10,130	4.587	***	16.3
Brazil	1140	0.451	***	36.4	Niger	2460	1.044		4.1
Burkina Faso	5790	3.012	***	2.6	Nigeria	131,325	2.950	***	28.7
Cameroon	6095	2.564	***	30.2	Pakistan	84,045	3.175	***	2.0
Chad	1185	4.219	**	5.9	Palestine	1755	0.873		19.9
China	2800	0.838		55.2	Peru	4450	1.418	***	46.4
Colombia	3075	1.073		43.3	Russia	1000	1.289		57.0
Congo, Dem. Rep	1150	2.141	***	45.2	Senegal	38,085	3.509	***	2.8
Côte d'Ivoire	29,620	3.215	***	12.1	Serbia	2260	1.678	***	44.5
Egypt	10,405	2.976	***	7.4	Sierra Leone	2790	2.625	***	13.1
El Salvador	9200	1.326	***	51.2	Somalia	21,305	0.991		20.0
Eritrea	10,440	1.026		24.1	Sri Lanka	2430	1.433	**	21.8
Ethiopia	2285	1.422	**	35.0	Sudan	3575	0.847		8.7
Gambia,	44,490	4.049	***	1.4	Syria	5910	1.081		36.2
Georgia	5535	1.618	***	79.7	Togo	3965	3.509	***	7.8
Ghana	28,770	2.309	***	4.9	Tunisia	13,715	3.745	***	9.9
Guinea	19,470	4.695	***	2.6	Turkey	7115	1.558	***	9.6
India	3835	5.405	***	12.6	Ukraine	17,460	1.350	***	58.0
Iran	3210	1.068		26.8	Venezuela	4600	1.079		57.2
Iraq	10,525	1.139		12.6	Total	719,090	2.141	***	15.3

Each model controls the age of the applicant and the year of the decision

P value: *$p < 0.005$, **$p < 0.01$, ***$p < 0.001$

when the security decrees were implemented (2018–2022). Figure 3b suggests that no systematic female advantage existed before the onset of the so-called refugee crisis in 2014. After the pressure on the reception system increased, we observed a significative and persistent female advantage over men despite normative changes confirming RH4.

Discussion and conclusions

The adoption of a gender-based approach within refugee studies represents a crucial step towards recognising and addressing the diverse needs, vulnerabilities, and experiences of individuals within asylum systems. At the core of a gender-based approach lies the commitment to ensuring equal treatment and non-discrimination for all asylum seekers and refugees, regardless of their gender identity or expression. Gender-based asylum policies necessitate the provision of specialised support services tailored to the unique needs of individuals, including access to healthcare, psychosocial support, legal assistance, and safe accommodation. These services are vital for addressing the trauma, vulnerabilities, and challenges experienced by survivors of gender-based violence and

persecution (Council of Europe, 2019). Integrating a gender-based perspective into asylum decision-making processes requires training asylum officers and decision-makers to recognise and understand gender-specific forms of persecution. This involves sensitising them to the nuances of gender dynamics, cultural norms, and the impact of discrimination on individuals' experiences.

Within this framework, the extent to which asylum decisions in European countries may be associated with the applicant's gender is currently a poorly understood mechanism. Some scholars have observed that legislation related to asylum and refugees in the Global North has historically been based on a male model of definition, which undervalues typical persecutions faced by women. However, despite legislation potentially favouring men, other gendered mechanisms, including stereotyping, marriage status, and aspects related to vulnerability, such as pregnancy status and the presence of children, might favour women. Additionally, being less represented among applicants may result in higher chances of being recognised for protection.

In this study, we analyse decisions on asylum applications in Italy between 2008 and 2022 using Eurostat data and a set of indicators to assess political conditions and gender discrimination in the country of origin, including LGBT+ discrimination.

Building on the existing literature, we developed a set of research hypotheses. We first wanted to assess if women have a systematic advantage over men in their asylum application outcomes in Italy (H1). Our data show that the answer to this question is complex. Women from most countries are more likely to receive a positive decision on their asylum claim than men, with one notable exception being Afghanistan, where men are observed to have an advantage.

However, if we assess how gender interacts with the characteristics of the country of origin, we get a more nuanced picture. We hypothesised that women might be favoured in their application trial when they are less represented among applicants at the country level (RH2) and, therefore, more selected (minority status). Data for Italy confirm this hypothesis and suggest that women hold an advantage if they represent less than 30% of the applicants from a country. Data indicate that a similar mechanism might work for men when they are a minority, but the number of observations is insufficient to support the claim solidly. However, this finding implies that strong gender selection might contribute to the female advantage.

As an additional point, building on literature that shows a possible disadvantage for women in terms of the limited possibility of gender discrimination being recognised as grounds for asylum, we hypothesised that women might not be advantaged compared to men if they come from countries where women are more discriminated (RH3). Our data support this hypothesis, showing that women coming from countries with very high levels of gender discrimination are not advantaged compared to men, therefore challenging the assumption that higher levels of gender discrimination universally translate to an increased likelihood of asylum recognition for women. However, our findings go further by showing that an advantage for women exists if they come from contexts with medium gender discrimination. Moreover, we tested the association with the political regime in the country of origin, and the presence of armed conflicts. We observe that women tend to have an advantage when originating from less critical contexts (low or no victims in armed conflicts, electoral democracies, and countries with intermediate scores in the

electoral democracy index). When the country of origin tends to show a very critical political situation or high discrimination, acceptance rates are high also for men. This pattern suggests that women's asylum claims are more favourably received compared to men's when they originate from contexts perceived as less extreme in terms of human rights violations. Only LGBT+ discrimination shows a different trend: women are advantaged compared to men when they come from countries with high discrimination.

Finally, we hypothesised that changes in the Italian legislation between 2018 and 2022 did not affect the female advantage. Our data support this hypothesis (RH4). However, our data show that no female advantage existed in Italy before the onset of the refugee crisis in 2014. A persistent gender advantage in the asylum process is observed since 2014, despite legislative evolutions.

Our data provide a first glimpse at what appears to be a complex reality. Analysing the legislation, we noticed that the structure of international and national legislation tends to emphasise the gender perspective only in specific claims (such as victims of trafficking for sexual exploitation, gender-based violence, pregnant women, etc.). The recent changes in Italian legislation, which have limited the possibility of accessing national complementary protection, have not provided a disadvantage for women seeking asylum, whose vulnerability, if present, is still acknowledged. Due to data limitations, we cannot assess if other applicants' characteristics highlighted by the literature may play a role (e.g. marriage status, presence of children of ongoing pregnancy, presence of signs of victimisation, level of education, sexual orientation, etc.). Despite improvement in data availability, there is still the need for socially disaggregated data (including information, for example, on marital status or the presence of children) that help us to better understand the changing flows and trajectories and the implications for policies concerning transit, reception and relocation (Kofman, 2019).

We can conclude that, for Italy, we do not see a systematic female advantage in asylum application decisions. When applicants originate from countries characterised by war, autocracy, or high discrimination towards women, no significant differences between decisions on applications by gender are observed. However, we observe a nuanced advantage that emerges among women from countries with limited—but existent— issues regarding political rights and gender inequality or high LGBT+ discrimination. Unobserved reasons for this advantage can be found in compositional aspects, vulnerability and stereotyping, as the literature suggests.

In conclusion, our research contributes to a more advanced understanding of the role of gender in asylum decisions in the EU. While it is evident that female applicants have higher overall acceptance rates in Italy, this is not a universal trend and is highly dependent on the interplay of gender with other factors like the country of origin's social and political context. Future research could expand on these findings, exploring differences in the types of protection granted and comparing these dynamics across different European countries.

Abbreviations

EU + Countries	EU + refers to the 27 European Union Member States, plus Norway and Switzerland
GII	Gender inequality index
LGBT+	Lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual and many other terms (such as non-binary and pansexual)
UNHCR	United Nations High Commissioner for Refugees (UNHCR)

Supplementary Information

The online version contains supplementary material available at https://doi.org/10.1186/s41118-024-00218-z.

> Supplementary Material 1.

Declarations

Competing interests
The authors declare that they have no competing interests.

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