

Italy – national procedures for transfer of sentenced persons  
Updated 05/09/2014

The information contained in this table should be updated on a yearly basis.

The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for the transfer of sentenced persons:	Ministero della Giustizia – Direzione generale Giustizia penale - Ufficio 2, via Arenula, 70 – 00186 Roma  Ph: +39.06.6885.2180  Fax: +39.06.6889.7528  e.mail: ufficio2.dgpenale.dag@giustizia.it
If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	NO
If different from the Central Authority, the Authority/ies in charge of coordinating and/or implementing the physical transfer of the person concerned (name of the institutions, address, telephone, fax and e-mail where available):	NO
Channels of communication for the request for the transfer of sentenced persons (directly, through diplomatic channels or other):	See article 5 of ETS112
Means of communication (e.g. by post, fax, e-mail <sup>1</sup> ):	Any, provided that gives assurances that comes from the competent authority

<sup>1</sup>Please indicate if encryption or electronic signature is required.


Language requirements:	English/French/Italian
Documentation required:	See Convention. However information on whether the detainee was granted with a reduction of penalty because of good conduct (which is important in order to know what is the actual penalty to be executed in Italy) is recommended.
Continued enforcement or conversion of the sentence <sup>2</sup> :	Italy applies the continuation system
General rules on early release:	<p>In general the Italian law provides for several alternative measure to detention. Their description is not easy to be given because it depends also on the crime for which the sentence was given; for that reason it is advisable to contact the Ministry of justice before or while making a request for transfer.</p> <p>In general Italian law provides for: conditional release (in general 2/3 of the penalty id to be executed; in case of life imprisonment 26 years); for early release (a certain number of days per year for good conduct); permits; possibility to execute the penalty at home instead of prison; possibility to work outside the prison and come back in prison at evenings etc.</p>
Scope of application with regard to transfer of mentally disordered persons:	

<sup>2</sup>In case the sentence is converted, please specify whether this is done before or after the transfer has taken place.

Scope of application with regard to nationals and/or residents:	Only nationals BUT also citizens of EU Member States (Agreement of the EC, Brussels 25 may 1987)
Other particularly relevant information (such as practice regarding time limits or revocation of consent):	

Links to national legislation, national guides on procedure:	<a href="http://www.giustizia.it">www.giustizia.it</a> and then click on “atti internazionali” – “conventions”.
Link to information about the Convention (according to Article 4) in the official language(s) of the State Party (see also Rec. R (84) 11 of the Committee of Ministers concerning information about ETS°112 and PC-OC INF 12):	See attached document
<b>For Parties to the Additional Protocol</b>	
Information on the implementation of Article 2 (e.g.interpretation of “by fleeing to”):	Italy is not Party to the Protocol

Information on the implementation of Article 3 (e.g. interpretation of the requirement of a consequential link between the decision on expulsion and the sentence):	
Documentation required:	
Other relevant information:	