

**Committee of the Parties  
to the Council of Europe Convention  
on Action against Trafficking in Human Beings**



**Recommendation CP/Rec(2024)05  
on the implementation of the Council of Europe Convention  
on Action against Trafficking in Human Beings  
by Italy**

*adopted at the 34th meeting of the Committee of the Parties  
on 21 June 2024*

The Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (hereinafter referred to as "the Convention"), acting under the terms of Article 38(7) of the Convention;

Having regard to the purposes of the Convention to prevent and combat trafficking in human beings, while guaranteeing gender equality, protect the human rights of victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, ensure the effective investigation and prosecution of the offences related to trafficking in human beings, and promote international co-operation;

Bearing in mind the provisions of Article 36(1) of the Convention concerning the monitoring role of the Group of Experts on Action against Trafficking in Human Beings (GRETA) in the implementation of the Convention;

Having regard to the Rules of Procedure of the Committee of the Parties;

Having regard to the instrument of ratification deposited by Italy on 29 November 2010;

Recalling Committee of the Parties' Recommendation CP/Rec(2019)02 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Italy and the report of the Italian authorities on measures taken to comply with this recommendation, submitted on 11 June 2020;

Having examined the third report concerning the implementation of the Convention by Italy, adopted by GRETA at its 49th meeting (13-17 November 2023), as well as the comments of the Italian Government received on 8 February 2024;

Bearing in mind the focus of the third evaluation round of the Convention on access to justice and effective remedies for victims of trafficking;

Considering the conclusions and proposals contained in Appendix I of GRETA's third report on topics related to the third evaluation round and follow-up topics specific to Italy;

Welcoming the measures taken and progress achieved by the Italian authorities in implementing the Convention, and in particular:

- the adoption of the second National Action Plan against trafficking and serious exploitation of human beings (2022-2025), which takes into account GRETA's previous recommendations;

- the efforts made to combat human trafficking for the purpose of labour exploitation, including the adoption of Guidelines on the identification, protection and assistance of victims of labour exploitation in agriculture and the National Plan to combat labour exploitation and illegal recruitment in agriculture, and the involvement of cultural mediators and specialised NGOs in labour inspections;
- the efforts made to identify victims of trafficking among asylum seekers, notably by the territorial commissions for the recognition of international protection;
- the increase in the funding provided to projects for the detection, assistance and social integration of victims of trafficking, and the availability of more places for victims in shelters, including for men and transgender persons;
- the adoption of Standard Operating Procedures for the identification of child victims of trafficking and exploitation;
- the steps taken to register unaccompanied foreign children and appoint guardians to them.

A. Recommends that the Government of Italy take measures to address the following issues for immediate action<sup>1</sup> identified in GRETA's report:

1. make efforts to guarantee effective access to compensation for victims of trafficking, in particular by:
  - informing victims, in a language they can understand, of the right to compensation and the procedures to be followed, building the capacity of legal practitioners to support victims to claim compensation and including victim compensation in the training programmes for law enforcement officials, prosecutors and judges;
  - making full use of the existing legal provisions and mechanisms of international co-operation to identify and seize perpetrators' assets with a view to securing compensation for victims of human trafficking;
  - ensuring that victims can obtain a decision on compensation from the offender as part of the criminal proceedings within a reasonable time;
  - making the state compensation scheme effectively accessible to victims of trafficking and reviewing the maximum amount of 1,500 Euros of compensation paid by the state in order to ensure that it corresponds to the actual harm suffered by victims (paragraph 92);
2. step up efforts to improve the criminal justice response to trafficking in human beings, and in particular:
  - ensure that human trafficking offences are prosecuted as such every time the circumstances of a case allow this, regardless of whether the case involved a criminal organisation, whether the victim consented to the exploitation, or whether there was no transnational element;
  - further develop the training of investigators, prosecutors and judges on the offence of trafficking in human beings, in particular on the different constituent elements on the crime, its differences with other related offences, and the specificities of trafficking for the purpose of labour exploitation (paragraph 116);

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<sup>1</sup> The number of the paragraph setting out GRETA's proposals in the report is indicated in brackets.

3. ensure compliance with Article 26 of the Convention on the principle non-punishment of victims of trafficking, in particular by:
  - adopting a specific legal provision ensuring the non-punishment of victims of trafficking for their involvement in unlawful activities, including administrative offences, to the extent that they were compelled to do so, and regardless of their co-operation with law enforcement authorities;
  - providing guidance and training to law enforcement officers, prosecutors and judges on the application of the non-punishment provision enshrined in the Convention (paragraph 128);
4. take measures to ensure that women victims of trafficking with children can effectively access justice for the protection of their right to family life, in accordance with the case-law of the European Court of Human Rights (Article 8 of the ECHR) (paragraph 161);
5. take additional measures to effectively prevent, detect and combat trafficking for the purpose of labour exploitation, taking into account Recommendation CM/Rec(2022)21 of the Committee of Ministers and GRETA's Guidance Note on combating trafficking for labour exploitation. This should include steps to:
  - ensure that sufficient resources are made available to labour inspectors to fulfil their mandate and carry out proactive and unannounced inspections, including in remote locations at risk of trafficking, without prior complaints from workers;
  - strengthen the monitoring of domestic work, recruitment and temporary work agencies and supply chains, as well as other risk sectors;
  - establish safe reporting and effective complaint mechanisms for workers, to ensure that victims of abuses or exploitative situations can refer their case without fear of repercussions;
  - put in place practical co-operation and data sharing agreements between labour inspectors and law enforcement in order to ensure that personal information of workers, whether collected in the course of labour inspections, joint inspections, reporting or complaints mechanisms, is not used for immigration enforcement purposes, but to tackle the perpetrators of trafficking offences;
  - guarantee that the living and working conditions of migrant workers, including in the agricultural sector, meet all the requirements laid down in the legislation with a view to preventing abuse and exploitation. Immediate action should be taken to close down informal settlements, provide durable living and working conditions for those living there and ensure that they are able to regularise their residence status (paragraph 204);
6. take measures to ensure that international co-operation in the area of border measures is used to prevent and detect trafficking, and to suspend the application of the Memorandum of Understanding with Libya (paragraph 218);
7. take measures to improve the identification of victims of trafficking, and in particular:
  - introduce into practice the National Referral Mechanism and develop Standard Operating Procedures for the establishment of effective procedures for the identification of victims of human trafficking;
  - strengthen efforts to proactively detect and identify victims of trafficking for different forms of exploitation, including among migrants at all borders (see also paragraph **Error! Reference source not found.**), in reception facilities and detention centres for migrants, and amongst Italian and EU nationals. This should include the provision of sufficient resources, capacities, guidance and training to all professionals concerned;

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- respect the principle of non-refoulement in particular by ensuring that pre-removal risk assessments prior to all forced removals from Italy fully assess risks of trafficking or re-trafficking on return. The Italian authorities should take full account of the UNHCR guidelines on the application of the Convention relating to refugee status to victims of trafficking, and their right to seek asylum, and to GRETA's Guidance Note on the entitlement of victims of human trafficking, and persons at risk of being trafficked, to international protection;
  - ensure that the rules applying to NGOs undertaking search and rescue operations enable them to detect potential victims of trafficking (paragraph 240);
8. take steps to ensure that presumed victims and victims of trafficking have access to health care, including to reproductive rights (safe and legal abortion) (paragraph 254);
  9. improve the identification of, and assistance to, child victims of trafficking, including by:
    - systematically applying the National Referral Mechanism and the SOPs for child victims of trafficking, and ensuring that relevant actors take a proactive approach and increase their outreach work to identify child victims of THB for different forms of exploitation;
    - ensuring that child victims of trafficking across the country, regardless of whether they seek asylum or not, benefit from the assistance measures provided for under the Convention, including appropriate accommodation, effective access to free legal assistance and psychological support (paragraph 265);
  10. enshrine in law the recovery and reflection period, as provided for in Article 13 of the Convention, and to ensure that it is systematically offered to all possible foreign victims of trafficking irrespectively of their co-operation with the authorities or their application for international protection, together with all the measures of protection and assistance envisaged Article 12, paragraphs 1 and 2, of the Convention during this period. Guidance and training courses should be provided to professionals (including law enforcement officers, prosecutors, judges, immigration officers) on the recovery and reflection period (paragraph 272).

B. Recommends that the Italian authorities take measures to implement the other proposals for action listed in Appendix 1 of GRETA's third evaluation report.

C. Requests the Italian Government to report to the Committee of the Parties on the measures taken to comply with this recommendation by **21 June 2026**.

D. Invites the Italian Government to continue the dialogue in progress with GRETA and to keep GRETA regularly informed of the measures taken in response to GRETA's conclusions.