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**Reply from Italy**  
**to the Questionnaire for the evaluation of the implementation of**  
**the Council of Europe Convention on Action against Trafficking**  
**in Human Beings by the Parties**  
**1st evaluation round**

Submitted on 4 June 2013

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**This reply has been made public at the request of the Italian authorities**



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## Preliminary Questions

### Question 1

**1.a. Please specify which State body/agency was responsible for co-ordinating and collecting the replies to this questionnaire.**

- Department for Equal Opportunities of the Italian Presidency of the Council of Ministers

**1.b. Please specify the name and professional title of the person heading this State body/agency.**

**Name**

Ms Patrizia De Rose

**Professional title**

Head of the Department for Equal Opportunities

**1.c. Please indicate if this person is the “contact person” appointed by your country to liaise with GRETA (or a different person).**

~~Yes~~ No

GRETA Contact person: Mr Michele Palma – Director General of the Office for General and International Affairs and Interventions in the Social Field – Department for Equal Opportunities

### Question 2

**2. Which State bodies/agencies contributed to responding to this questionnaire? Please indicate the main responsibilities and/or fields of competence of each of these bodies/agencies. State body/agency contributing to responding**

- Ministry of Justice – Juvenile Justice Department
- Ministry of Justice – Legislative Office
- Ministry of the Interior - *Guardia di Finanza* (Financial police) Headquarters – Office for International Cooperation - Economics
- Ministry of Labour and Social Policies – Directorate General for Inclusion and Social Policies
- National Anti-Mafia Directorate
- Lombardia Region
- Emilia Romagna Region
- Piemonte Region

### Question 3

**3.a. Did any non-governmental organisations (NGOs) or other entities of civil society contribute to responding to this questionnaire?**

Yes ~~No~~

**3.b. If so, please indicate the main activities of each of the NGOs and/or other entities of civil society which contributed**

Yes. The organizations and civil society entities which contributed to responding to the questionnaire are the following:

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**GRUPPO ABELE:** Gruppo Abele is an association founded in 1965 in Turin. It currently carries out about 40 activities including low threshold services, community services for drug addicts, counselling, projects to help victims of crimes and migrants, etc. The association implements development cooperation projects in Africa and Mexico and set up a social cooperatives consortium in Turin which employs people with difficult backgrounds.

**PENELOPE ITALIA:** Penelope Italia is a non-profit association which promotes social solidarity, personal dignity, peace, legality and social justice. It carries out a high number of activities and, inter alia,

- a) supports awareness-raising initiatives on missing persons at the national and international level;
- b) promotes and facilitates the creation and organization of tools for the collection and processing of data concerning missing persons in Italy and abroad;
- c) provides functional and operational coordination for local associations working at both the institutional and social level.

**PARSEC:** Parsec association was formally established in 1985 to coordinate the work of a group of operators and researchers having research and social work experiences. Parsec carries out analysis of social phenomena in general, local development and local welfare and its work is aimed at the definition of new policies, the development of innovative intervention systems and the identification of projects for sustainable and effective services. The association cooperates with other local and national bodies working in this field, such as Parsec Consortium, which gathers all structures providing social services and integration services for disadvantaged people in the field of social and employment issues; and CNCA – Coordinamento Nazionale Comunità d’Accoglienza (National Coordination of Host Communities). Parsec is member of the OASI (Osservatori Associati Immigrazione – Associate Observatories for Immigration) national network and participate in ESPANET\_Italia, the European network for the analysis of social policies.

All three associations are enrolled in the “Register of associations and bodies carrying out activities for the fight against discrimination” of the Ministry of Labour and Social Policies.

## I. Integration of the core concepts and definitions contained in the Convention in the internal law of the parties

### Section I.1. Integration of the Human Rights approach to action against trafficking in human beings

#### Question 4

**4. Please indicate if, in your internal law, THB is considered as a human rights violation (or only a criminal offence, see Section II.3. below)**

With reference to the Italian criminal law, trafficking in human beings is considered as an offence against the person, as is placed in Section I (Offences against human personality), Chapter III (Offences against individual liberty) of Title XII (Offences against the person) of the Criminal Code.

Article **600 of the Criminal Code** constitutes the linchpin around which the offence of trafficking in human beings pivots, in consideration of the express mention contained in the subsequent **articles 601 of the Criminal Code**, relevant to trafficking in human beings («Person who is in the conditions referred to in article 600»), and **602 of the Criminal Code**, relevant to the purchase and transfer of slaves («Person who is in the conditions referred to in article 600»).

Moreover, **article 13 of Law No. 228 of 2003**, establishes a special assistance programme for victims of the offences envisaged by articles 600 and 601 of the Criminal Code. The programme guarantees, on a temporary basis, adequate accommodation, food and healthcare.

Where the victim of any of the offences provided for by the mentioned articles 600 and 601 of the Criminal Code is a foreigner, there is in any case no prejudice to the provisions of article 18 of Legislative Decree No. 286 of 1998.

By **Law No. 108 of 2 July 2010 (Ratification and execution of the Council of Europe Convention on Action against Trafficking in Human Beings, made in Warsaw on 16 May 2005, and rules adjusting domestic law)**, the special aggravating circumstances were repealed and **article 602-ter of the Criminal Code was introduced. The said article:**

- 1) confirms the increase of penalties – by one-third to one-half – where the offences are committed to the detriment of minors, or aim at the sexual exploitation or the removal of organs;
- 2) Introduces the new aggravating circumstances related to the fact that a serious danger to the life or the physical or psychological integrity of the injured person is derived from the offence;
- 3) Introduces a new aggravating circumstance for all offences of forgery in deeds, if they are committed in order to carry out or facilitate the crimes of reduction to and maintenance in slavery, trafficking in human beings and purchase and transfer of slaves.

As a result of the **ratification of the Lanzarote Convention by Law No. 172 of 1 October 2012** on the protection of children against sexual exploitation and sexual abuse, also the offence of trafficking in human beings has been involved in connection with some related profiles, in particular the protection of victims of trafficking committed for the purposes of sexual exploitation of children:

As a result of the ratification law, the second sentence of paragraph 2 of article **602-ter** has been included in the Italian Criminal Code, providing further aggravating circumstances.

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#### **Article 600. Reduction to or maintenance in slavery or servitude.**

«Whoever exerts on any other person powers and rights corresponding to ownership; places or holds any other person in conditions of continuing enslavement, sexually exploiting him/her, imposing coerced labour or forcing said person into begging, or exploiting him/her in any other way, shall be punished by imprisonment from eight to twenty years.

Placement or maintenance in a position of slavery occurs when use is made of violence, threats, deceit, or abuse of power, or when anyone takes advantage of a situation of physical or psychic inferiority and poverty,

or when money is promised, payments are made or other kinds of benefits are promised to those who are responsible for the person in question.»

This article has replaced the previously existing one by article 11 of Law No. 228 of 11 August 2003.

#### **Article 601. Trafficking in persons.**

«Whoever carries out trafficking in persons who are in the conditions referred to in article 600, that is, with a view to perpetrating the crimes referred to in the first paragraph of said article, or whoever leads any of the aforesaid persons through deceit, or obliges such person by making use of violence, threats, or abuse of power, by taking advantage of a situation of physical or psychic inferiority, and poverty; or by promising money or making payments or granting other kinds of benefits to those who are responsible for the person in question, to enter the national territory, stay, leave it, or migrate to said territory, shall be punished by imprisonment from eight to twenty years.»

This article has replaced the previously existing one by Law No. 228 of 2003.

#### **Article 602. Purchase and sale of slaves.**

“Whoever, apart from the cases specified in article 601, purchases or transfers or sales any person who is in any of the conditions referred to in article 600, shall be punished by imprisonment from eight to twenty years”

#### **Article 602-ter Aggravating circumstances.**

The penalty for the offences provided for by articles 600, 601 and 602 shall be increased by one-third to one-half:

- a) where the injured person is under 18 years of age;
- b) where the facts aim at the exploitation of the prostitution or at subjecting the injured person for the removal of organs;
- c) where a serious danger to the life or the physical or psychological integrity of the injured person is derived from the offence.

Where the facts envisaged by Title VII, chapter III, of this Book are committed in order to carry out or facilitate the crimes envisaged by articles 600, 601 and 602, the penalties provided for therein shall be increased by from one-third to one-half. In the cases envisaged by articles 600-bis, paragraph 1, and 600-ter, the penalty shall be increased by from one-third to one-half where the fact is committed by violence or threat. In the cases provided for by articles 600-bis, paragraphs 1 and 2, 600-ter, paragraph 1, and 600-quinquies, the penalty shall be increased by one-third to one-half, where the fact is committed taking advantage of the minor's situation of need. In the cases provided for by articles 600-bis, paragraphs 1 and 2, 600-ter and 600-quinquies, as well as by articles 600, 601 and 602, the penalty shall be increased by one-half to two-thirds, where the fact is committed to the detriment of a person under 16 years of age. In the cases envisaged by articles 600-bis, paragraph 1, and 600-ter, as well as, where the fact is committed to the detriment of a person under 18 years of age, by articles 600, 601 and 602, the penalty shall be increased by one-half to two-thirds, where the fact is committed by an ascendant, an adoptive parent, or their spouse or live-in partner, by the spouse or by relatives by marriage within the second degree, by relatives up to the fourth collateral degree, the guardian or a person to whom the minor has been entrusted for purposes of treatment, education, instruction, supervision, custody, or work, or by public officials or persons otherwise charged with a public service in the exercise of their functions, or where the act is committed to the detriment of a minor in a state of disability or mental defect, occurred naturally or provoked. In the cases provided for by articles 600-bis, paragraph 1, and 600-ter, as well as by articles 600, 601 and 602, the penalty shall be increased by one-half to two-thirds where the act is committed administering alcoholic or narcotic substances, drugs, or substances in any case harmful for the physical and psychic health of the minor, or if it is committed against three or more persons. The extenuating circumstances other than those provided for by articles 98 and 114, concurring with the aggravating circumstances provided for by this section, cannot be considered equivalent or prevailing in respect of the latter and the reductions of penalty shall operate on the quantity of the same resulting from the increase following the aforesaid aggravating circumstances.



## Question 5

**5. Please indicate what special legal protection exists under your internal law (including case law, if any) in cases of violations of human rights, which would apply in cases of THB (For example, constitutional protection, positive obligation of the state, priority examination, etc.)**

The abovementioned laws – as well as the respective implementing regulations – provide for a coordinated series of interventions ranging from the identification of victims or potential victims of trafficking in human beings; social, health and legal assistance for them; specific forms of global protection of victims (including the possibility to be hosted in specialized shelters for a period of 6 months which can be extended for additional six months); and the implementation of social and work inclusion programmes (including literacy and vocational training programmes and interventions to facilitate victims' entry into employment).

### **Section I.2. Comprehensive approach to THB, co-ordination of all actors and actions to prevent and combat THB and to protect its victims, and international co-operation**

## Question 6

**6. Please indicate the titles of the main internal legal provisions and/or regulations containing measures to prevent THB, to protect and assist its victims, and to criminalise THB and prosecute traffickers**

- **Article 600.** Reduction or maintenance in slavery or servitude.
- **Article 601.** Trafficking in persons.
- **Article 602.** Purchase and sale of slaves.
- **Art 602ter.** Aggravating circumstances

The current wording of these articles is the result of the adoption of the following laws:

- **Law No. 228 of 2003** (Measures against trafficking in persons);
- **Law No. 108 of 2010** (Ratification and implementation of the Council of Europe Convention on action against trafficking in human beings made in Warsaw on 16 May 2005 and rules adjusting domestic law);
- **Law No. 172 of 2012** (Ratification of the Council of Europe Convention for the protection of children against sexual exploitation and sexual abuse, made in Lanzarote in 25 October 2007, and provisions for the adjustment of domestic law). Article 4 of the present law provides for the doubling of the statute of limitations for crimes under articles 601 and 602 of the Italian Criminal Code.

With regard to the protection and assistance measures for victims of these specific offences, these are the relevant laws:

**Legislative Decree No. 286 of 1998**, "Consolidated text of provisions regulating immigration and the rules relating to the status of foreign nationals" whose art. 18 provides for that a person who has suffered violence and serious exploitation, or whose safety is at risk, is entitled to special protection through a programme of assistance and social integration and the granting of a special residence permit for humanitarian reasons.

- **Decree of the President of the Republic of 31 August 1999 No. 394** (Regulation implementing Legislative Decree No. 286/1998. Article 25 provides for the implementation of programmes of assistance and social integration of aliens subject to trafficking in human beings.

- **Law No. 228 of 2003** - Measures against trafficking in human beings. **Art. 13** provides for special assistance programmes for victims of crimes, pursuant to art. 600 and 601 of the Italian Criminal Code.

Within this framework, it is essential to underline that Italian policymakers have committed to combating the practice of child exploitation for begging and have introduced Art. 600 octies of the Italian Criminal Code titled "Exploitation of children for begging". Law No. 94 of 15 July 2009 introduced such a type of exploitation as a crime against personal freedom.

In order to make the fight against labour exploitation more effective, Law No. 148/2011 introduced the crime of “Illicit brokering and labour exploitation” (Art. 603 bis of the Italian Criminal Code) providing for that “anyone who carries out organized brokering activities by recruiting workers or organizing their working activity with a view to exploiting them and exposing them to violence, threat or intimidation, or taking advantage of their vulnerable condition or state of need” shall be liable to a term of imprisonment of 5 to 8 years.

Furthermore, Legislative Decree No. 109/2012 introduced the possibility to grant an authorization to the foreign national who is victim of a particular form of labour exploitation (because he/she is aged less than 16 or is exposed to serious danger related to the characteristics of work and working conditions, etc.) and decides to report the employer to the police and cooperates with law enforcement agencies in the criminal proceedings against him/her.

All the abovementioned laws define a chain of interventions against trafficking in human beings at the national level. Regulation implementing Legislative Decree No. 286/1998 establishes not only the intervention model, but also the institutions responsible for policies to combat trafficking in human beings and the social protection of victims. Legislative action is based on an inter-institutional approach able to address all forms of trafficking in human beings and exploitation. In fact, an Inter-ministerial Commission evaluates projects submitted by the interested Municipalities or private entities cooperating with them and then the State contribution to the “assistance and social integration programmes” is managed by the Department for Equal Opportunities – Department for Equal Opportunities.

The Inter-ministerial Commission was established at the Department for Equal Opportunities of the Italian Presidency of the Council of Ministers and is composed of representatives of the Department for Equal Opportunities, Ministry of the Interior, Ministry of Justice, Ministry of Labour and Social Policies, Ministry of Family Affairs, the National Association of Italian Municipalities (ANCI) and the State-Regional Conference. Pursuant to Law No. 228/2003 (“Measures against Trafficking in Human Beings”) also the Ministry of Foreign Affairs plays an important role in strengthening preventive action through cooperation programmes with countries from which victims or potential victims of trafficking in human beings come from. The Inter-ministerial Commission performs guidance and surveillance functions and is responsible for the planning of resources in relation to the envisaged programmes. It also selects the projects to be funded.

## Question 7

**7. Does your country have a comprehensive national policy and/or a National Action Plan to combat THB? If so, please indicate its title, date of adoption and duration, main fields of action and the body/bodies responsible for its implementation.**

The Italian national anti-trafficking legislation has a system which provides for the implementation of social protection programmes for victims of trafficking, according to art. 18 of Legislative Decree 286/1998 and art. 13 of law 228/2003. The Italian social protection system for victims of trafficking in human beings is certainly one of the most advanced in Europe (and beyond) because it is based on a human rights-centered approach and ensures the opportunity to escape from exploiters and integrate in Italy or in the victim’s country of origin both in the social and employment sectors. Nevertheless, some problematic aspects still exist and need to be taken into consideration in order to improve the existing system and anti-trafficking policies in general. Italy has neither a National Action Plan on Trafficking in Human Beings nor a national institutional referral mechanism. All over the years, public and private bodies in charge of the “article 13” and “art.18” projects have created an informal referral system which has produced and still produces good results. In some other cases, **local referral mechanisms** have been set up through Memoranda of Understanding signed by the anti-trafficking stakeholders working in the same municipality, province or region. The conclusion of such Memoranda have allowed to define a coordination and cooperation system of interventions implemented at the local level as well as the adoption of common procedures for the identification and the referral of presumed victims to assistance services. The synergy between local authorities, associations, central government institutions has led to the development of models of intervention in the field that are considered best practices at the international level. The maintenance of an adequate level of resources is therefore a *sine qua non* condition to give appropriate responses and also maintain levels of excellence.

### Significant experience.

The experience in the field gained over the last 15 years in all Italian regions with respect to the exploitation and trafficking is essentially related to the following types of intervention:

- Assistance and reception in appropriate facilities;
- medical, psychological, linguistic and legal assistance;
- personalized courses, training and social inclusion programmes.

Specific areas of activity are also addressed to operators and citizens:

- advice for the identification of victims
- mapping and monitoring of the phenomenon;
- training and refresher courses for operators;
- information and awareness campaigns aimed at citizens to combat discriminatory and violent behaviour.

The instruments used at the central and local levels are also protocols for the sharing of procedures and the definition of roles and tasks between the various actors involved. At the level of central government an example of this is the "Memorandum of Understanding on the guidelines for the coordination of activities to combat trafficking in human beings", signed on 28 April 2010 by the Department of Public Security and the National Anti-Mafia Directorate. The purpose of the Protocol is to encourage the initiatives of inter-institutional collaboration and coordination between the judicial authorities, the police and the NGOs working in the field as part of the contrast of severe exploitation carried out against foreign nationals, also minors. At the local level, the initiative of the police headquarters in Agrigento, Palermo and Trapani is particularly worth mentioning, who joined in February 2010, to the organizational Memorandum of Understanding between the public prosecutors of the District of Palermo, police forces (police, state police, financial police, coastguard), IOM and the associations involved in programmes for foreign nationals working in the area, to coordinate the investigation of criminal offenses related to trafficking in human beings and for the management of victims of trafficking.

In this context, the Police Immigration Office is responsible for the training of operators and the identification of cultural mediators, while the Flying Squad are in charge of identifying possible victims of trafficking and the management of related investigations.

From the point of view of field projects, a specific example of aid provided to young and child victims is the "contract" of Tuscany. Launched in late December 2011, one of its objectives is the application of experience gained in different areas of the region and the dissemination of good practices. The contract is eligible for funding by the Department for Equal Opportunities, and gives full effect to the regional system against trafficking in human beings, which aims to consolidate and innovate all interventions in support of victims of trafficking and exploitation, enhancing and creating partnerships with all public and private social organizations.

The aim of the project is to ensure a comprehensive approach to the phenomenon in its various aspects, through the coordination of all public and private stakeholders who share rules, procedures and measurement and evaluation systems. The project envisages first aid and assistance programmes, social integration and reintegration of victims of trafficking, as well as training courses and refresher courses for professionals and information campaigns for all citizens. As for the victims, it ensures, *inter alia*, the reception in appropriate facilities, assistance in emergency situations and health care, psychological, linguistic and legal assistance. The "Contract" also includes the activation of a national anti-trafficking hotline (800 186 086), which is active every day, 24 hours a day, and is part of a network also including the national Anti-Trafficking Toll-Free Helpline (800 290 290). This provides a free service of counselling, guidance and information available at the request of victims of trafficking, operators, law enforcement agencies and, in general, of the citizens.

In Italy, assistance and support activities for victims of human trafficking are often complementary to national programmes and are funded by local bodies (Regions, Provinces and Municipalities) under EU funds. Such activities are implemented by them or by third-sector organizations and are usually aimed at providing vocational training, access and permanence in the labour market and the participation in social activities.

A fundamental contribution in this regard is given by the European Social Fund as an instrument which allows to adopt a specific approach aimed at promoting training. The Fund is particularly focused on the individual dimension and defines strategies and actions which can be implemented also in situations of discrimination and serious distress. Therefore, the European Social Fund is particularly suitable for the support to victims of trafficking, since it places anti-trafficking actions in a broad strategy to be applied at the European level and, at the same time, allows their implementation at the regional level. Thus, the fund is not only a support tool for particularly vulnerable people (victims of human trafficking), but also an instrument to create virtuous mechanisms at the local level.

In 2012, as a consequence of the problems related to the allocation of funds that have threatened the effective functioning of the system and sometimes its survival, the Department for Equal Opportunities started dialogue and cooperation with all public and private stakeholders working for the fight against trafficking in human beings and the protection of victims with a view to improving the intervention system and reflect on its effectiveness and sustainability. In fact, the Department for Equal Opportunities has considered that the shared and common adoption of a national intervention system on trafficking in human beings can increase its effectiveness and facilitate the identification of the necessary resources for its sustainability in the medium and long term.

To this aim, the Minister's Directive for the administrative action and the management of the Department for Equal Opportunities 2012-2013 identifies the definition of a National Action Plan against Trafficking in Human Beings as one of the top priorities to be implemented by the Department for Equal Opportunities in coordination with all other administrations involved. The future National Action Plan could envisage the organization of the activities in the following macro-areas, which are integrated but autonomous from the point of view of funding, specific objectives and operational methods:

- **COORDINATION SYSTEM – Activities and objectives:** Improvement of the governance of all anti-trafficking measures as well as of the effective coordination of all actors involved in the protection of victims and in the fight against human trafficking; adaptation of the national legal and administrative framework to the Plan; ensuring the system's sustainability and the participation of all administrations involved.
- **PREVENTION – Activities and objectives:** Increasing public awareness and spreading knowledge of the phenomenon; investment on cooperation with countries of origin; development of systematic awareness-raising activities;
- **ASSISTANCE AND PROTECTION OF TRAFFICKED PERSONS – Activities and objectives:** Identification and referral of victims to the competent services (Anti-trafficking Toll-Free helpline, operational local units of the "art. 13 projects"); identification, protection and provision of first aid to presumed victims of trafficking in human beings and serious exploitation (Assistance programme: "art. 13 projects"); provision of second-level assistance and social inclusion of victims (Assistance and social integration programmes: "art. 18 projects", assisted voluntary return to their country of origin); monitoring and evaluation with a view to giving impetus to the collection and processing of data on human trafficking; research on the evolution of the phenomenon; monitoring of interventions; assessment of the impact and the effectiveness of the implemented actions.
- **INVESTIGATION ACTIVITIES AND FIGHT AGAINST TRAFFICKING IN HUMAN BEINGS – Activities and objectives:** Improvement of the detection of the phenomenon; ensuring effective and coordinated response through the adoption of shared procedures; development of a multi-agency cooperation.

Therefore, all administrations should be committed to creating, adopting and ensuring the functioning of a cutting-edge national system which, besides guaranteeing the protection of trafficked and exploited persons, represents an investment in public security and the fight against organized crime.

## Question 8

**8. In your country are there persons or entities specialised in the fight against THB and the protection of victims? If so, please describe the type and the periodicity of the training provided for these persons or the staff of these entities. Please specify the financial resources (in euros) allocated to this training.**

From 1999, the Department for Equal Opportunities in cooperation with largest Regions, Provinces and Municipalities has been financing about 50 projects every year (in line with resources to be allocated pursuant to Art. 18 of Legislative Decree No. 286/1998 and Art. 13 of Law No. 228/2003) involving nearly 100 bodies working throughout the national territory as well as 200 small Municipalities surrounding the Municipalities which are the administrative centre of a district (Comuni capoluogo) such as Turin, Genoa, Milan, Venice; Bologna, Florence, Rome, Naples, Palermo, Bari, etc). Training of social operators is carried out at the local level, since each service/project receives small funds from municipalities to be allocated for the creation, building and maintenance of the city's anti-trafficking network. Training costs for the largest public administrations amount to about 500,000 Euros (including ordinary funds and ROP-ESF).

Furthermore, the size and evolution of trafficking and the increasing interest by transnational criminal groups in organizing and managing human trafficking led to strategic choices in the countering activity, that also affected the organization of the Department and local Offices of the Italian National Police.

With regard to the Italian National Police, on 12 January 2001, a reorganization of the Aliens' Office and Criminal Investigation Squads took place, by decree of the Chief of Police, envisaging the "Non-EU Crime and Prostitution Units" within the Criminal Investigation Squads. The Immigration Offices were entrusted with the task of exclusively guaranteeing "the performing of all instrumental administrative activities relating to the exercise of the powers concerning migrants' entry, stay, refoulement, expulsion, recognition of refugee status, granting of citizenship and all contentious cases by the public security central and local Authorities".

At the central level, within the Central Anti-crime Directorate of the National Police, the Central Operational Service performs a crime monitoring activity to boost and coordinate the investigations by the local services engaged in the fight against said crime.

In this connection, the need was felt to manage crime information and analysis as well as the investigative activities concerning illegal immigration and related criminal phenomena at a central level. Therefore, it was possible to guarantee, over the years, a joint and coordinated response to the security needs arising from a complex and manifold phenomenon that is often influenced by the social and political situations in the countries of origin.

The Central Operational Service significantly boosted the professional training of the National Police personnel on duty at the above mentioned local offices by envisaging workshops and seminars, also with the participation of experts in the field and within ad hoc European Projects, in cooperation with international organizations and NGOs (IOM, Save the Children Italia). Single-theme seminars on THB were also organized for the personnel of the special units of the Criminal Investigation Squads.

No data are available on the financial resources allocated to this training.

## Question 9

**9. Is there, within your governmental structure, a national body responsible for co-ordinating all national actors and actions against THB? (regardless of the denomination and whether it was set up for this specific purpose or whether this responsibility was assigned to an already existing governmental body). If so, please specify its name, administrative status, annual budget (in euros), human resources, composition and competences. If there is currently no such co-ordinating body, are there any plans to set one up in the near future? If so, please give details**

The coordination of the activities to combat trafficking in human beings at the national level is carried out by the Department for Equal Opportunities. Through an Inter-ministerial Commission it coordinates and manages the interventions implemented by private social entities within the framework of the "art.13" and "art.18" projects.

Pursuant to Article 51, paragraph 3-bis of the Code of Criminal Procedure, when the proceedings concern any of the offences - whether completed or attempted - referred to in Articles (...) 600, 601, 602, their investigation and prosecution at first instance level is the competence of the District Anti-Mafia Directorate and of the National Anti-Mafia Directorate. In respect of the criminal offences indicated in Article 51,

paragraph 3-bis of the Code of Criminal Procedure, the functions and coordination of the Anti-Mafia Investigation Directorate are entrusted to the National Anti-Mafia Prosecutor pursuant to Article 371-bis of the Code of Criminal Procedure. The official staff is composed of twenty Deputy National Anti-Mafia Prosecutors.

## Question 10

**10. Is this co-ordinating body also responsible for the co-ordination of the collection of administrative data or population survey data on THB? If not, please specify which body/entity has this responsibility**

The Department for Equal Opportunities is responsible for the coordination of the whole anti-trafficking system as well as of the collection of data on victims assisted every year within the framework of the protection programmes. Data is entered in a computerized system called SIRIT (Computerized system for the collection of information on trafficking in human beings) by the associations or bodies participating in the projects. Also the National Anti-Mafia Directorate has a national computerized system gathering all data concerning investigations and proceedings on trafficking in human beings.

## Question 11

**11. Do NGOs have full membership status in your national co-ordinating body? If so, how many? Please describe the criteria for NGO membership.**

No, they do not. Nevertheless, over 40 Italian social cooperatives and third-sector associations actively participate in the implementation of prevention, protection and assistance actions throughout the national territory in cooperation with the national coordinating bodies. In some cases, they are also full members of national *ad hoc* anti-trafficking bodies.

## Question 12

**12. Are there any other national or international entities or bodies participating in your national co-ordinating body? If so, please specify.**

The coordination of the anti-trafficking activity is carried out by the Department for Equal Opportunities in cooperation with the Inter-ministerial Commission, set up at the Department for Equal Opportunities of the Italian Presidency of the Council of Ministers. The Commission is composed of the representatives of several Italian Ministries: the Department for Equal Opportunities, Ministry of the Interior, Ministry of Justice, Ministry of Labour and Social Policies, Department for Family Affairs, the National Association of Italian Municipalities (ANCI) and the State-Regional Conference.

## Question 13

**13. Please describe the legal basis for international co-operation between your country and other countries in the fight against THB (please indicate the title of the legal instruments).**

**National legislation: title (s) and description)**

**International (bilateral and/or multilateral) instrument(s)/agreement(s): title(s) and description**

After a meeting for the presentation of an inter-regional project exploring social protection services held in Brussels on 30 November 2007, the Department for Equal Opportunities signed a bilateral Memorandum of Understanding with the Rumanian Government (in particular with the Rumanian National Agency against Trafficking in Persons and the Management Authority of ESF 2007-2013). As a result of the meeting, the project "Oltre il Confine" was developed, whose objectives were set in the subsequent Memorandum of Understanding, signed in Bucharest on 9 July 2008. 10 Italian Regions (and almost 10 operational bodies/social cooperatives specialized in social protection and social research took part in this 4-year project (2008-2012).

Three additional Memoranda of Understanding – providing for 3 programmes- were signed with Nigeria through the Italian Ministry of Foreign Affairs (Office for International Cooperation) concerning the coordination between Italian and Nigerian law enforcement agencies, the creation of networks and the provision of training to NGOs operators on the protection of victims. The first bilateral agreement was signed on 11 November 2003 by the Chief Public Prosecutor and Minister of Justice of the Federal Republic of Nigeria and the Italian Anti-Mafia Public Prosecutor in Abuja.

The second bilateral agreement was signed on 18 January 2009 by the Director of the Nigerian Police, the Director of the Italian Police and the Interpol Secretary General in Abuja. This agreement is aimed at strengthening the three abovementioned bodies' capacities to effectively combat not only trafficking in human beings, but also organized crime and illegal immigration in Italy. From the Nigerian authorities' point of view, the Memorandum of Understanding defines a reference framework to facilitate the protection of Nigerian nationals victims of human trafficking abroad as well as the repatriation of Nigerian citizens committing crimes in another country.

Finally, the third agreement was signed by NAPTIP (the Nigerian National Agency for Prohibition of Trafficking in Persons) and the Italian National Anti-Mafia Directorate in 2010 in Abuja. The programme is aimed at protecting victims and combat organized crime and provides for a special focus on training and data collection. It also envisages a strong commitment to the social reintegration of victims of human trafficking.

The abovementioned programmes have been implemented over the last decade. The international bodies involved are: IOM Italy (2001-2002), UNICRI Italy (2002-2004), UNICRI Italy (2008-2010) and IOM Mission in Abuja (2008-2011). In 2011 the Department for Equal Opportunities and the International Labour Organization – Mission in Abuja carried out a survey on labour exploitation in Italy (concerning Nigerian workers) and Nigeria. The Programme, titled *"Iniziativa contro la tratta: Sviluppo della politica nazionale per la protezione e l'assistenza alle vittime di tratta di esseri umani in Nigeria"* (Initiative against Trafficking in Human Beings: Development of the National Policy for the protection and assistance to victims of Trafficking in Human Beings in Nigeria) and started in March 2008, developed integrated network models among the different institutional stakeholders, especially NAPTIP, NGOs and Universities. The objective of the programme was to strengthen the capacities of social and economic protection of victims and to support primary prevention services in endemic areas for human trafficking. Particular attention was dedicated to monitoring models and evaluation mechanisms able to produce evolutionary trends for the analysis of the systemic change.

## Question 14

**14. What steps have been taken by your country to ensure that the requesting party is promptly informed of the final results of action taken in the framework of international co-operation on action against THB, as provided for in Article 34 of the Convention?**

No information is available for this question.

## Question 15

**15. Do the relevant authorities of your country have the possibility to spontaneously provide information, without prior request, to authorities of another country (if the disclosure of such information might assist the receiving country in initiating or carrying out investigations or proceedings concerning criminal offences established in accordance with the Convention?) If so, please indicate how such information is transmitted and which authorities are involved**

Yes, they provide information through the usual international cooperation channels and the *ad hoc* Europol and Interpol contact points. In particular, according to the new division of Europol AWF, data concerning trafficking in human beings in the EU Member States are gathered in one single Focal Point called *Phoenix*, which establishes a link between information coming from all law enforcement agencies in the European Union.

Furthermore, since addressing the threat resulting from trafficking in human beings is considered as a strategic priority for the EU Council, it is monitored also through EMPACT (the European Multidisciplinary Planning Against Crime Threat), in which also Italy takes part. ICPO-Interpol too provided several ad hoc tools such as the HST (Human Smuggling and Trafficking) standardized message format, the MIND/FIND project providing an updated framework of documents like lost or stolen passports, press reports and news reaching all 190 member States of the Organization on a real time basis.

## Question 16

**16. Do your police forces carry out joint actions, on a bilateral and/or a multilateral legal basis, with the police forces from other parties to fight THB? If so, please describe the action taken and provide an assessment of its impact**

Yes, they do. Some of the carried out joint actions are: the Viola operation; Foglie Nere operation; Gold fish 2 operation; Mughdam operation; and the PENTAMETRO operation (within the framework of G6).

## Section I.3. Definition of “THB” and of “victim” in the internal law of the parties

### Question 17

**17. Are all the elements of the three components (action, means and purpose) contained in Article 4a of the Convention included in the legal definition of THB established by your internal law? Please describe how they have been integrated in your internal law**

**ACTION:** Italian law considers the criminal offence of trafficking in human beings as the action of recruiting, transferring, making enter or stay in, or exit from the territory of the State, or displace internally, as well as providing accommodation and reception of any person who is in the conditions indicated in Article 600 of the Criminal Code, i.e. reduced or maintained in a state of continued subjection, forced into labour, sexual services or begging or in any event into services involving their exploitation, or who are subjected to forms of domination by means of the exercise of powers corresponding to those of ownership,

**MEANS:** violence, threats, deception, abuse of authority or taking advantage of a situation of physical or mental inferiority or of a situation of need, or through the promise or donation of a sum of money or other advantages to the individual who has authority over the victim of the offence

**PURPOSE:** exploitation of prostitution or sexual exploitation, forced labour or servitude, slavery or equivalent condition, removal of organs, as indicated in Article 602-ter of the Criminal Code.

For the definition of the articles of the Italian Criminal Code, see reply to Question 4.

### Question 18

**18. Please indicate which of the following forms of THB are recognised under your internal law:**

- national
- transnational
- linked to organised crime
- not linked to organised crime

All forms of trafficking mentioned in the question are recognized

### Question 19

**19.a. Under your internal law, is a “victim of THB” any natural person who is subject to THB as defined in Article 4e of the Convention? Please provide the definition of a “victim of THB” under your internal law. Please provide (a translation of) the legal text(s) in English or in French**

Victim of human trafficking - As indicated in Article 600 of the Criminal Code and referred to in Article 601, a victim of trafficking is a person reduced or maintained in a state of continued subjection, forced into labour, sexual services or begging or in any event into services involving its exploitation.

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Article 600. Reduction to or maintenance in slavery or servitude.

«Whoever exerts on any other person powers and rights corresponding to ownership; places or holds any other person in conditions of continuing enslavement, sexually exploiting him/her, imposing coerced labour



or forcing said person into begging, or exploiting him/her in any other way, shall be punished by imprisonment for from eight to twenty years.

Placement or maintenance in a position of slavery occurs when use is made of violence, threats, deceit, or abuse of power; or when anyone takes advantage of a situation of physical or psychic inferiority and poverty; or when money is promised, payments are made or other kinds of benefits are promised to those who are responsible for the person in question.»

Article 601. Trafficking in persons.

«Whoever carries out trafficking in persons who are in the conditions referred to in article 600, that is, with a view to perpetrating the crimes referred to in the first paragraph of said article, or whoever leads any of the aforesaid persons through deceit, or obliges such person by making use of violence, threats, or abuse of power, by taking advantage of a situation of physical or psychic inferiority, and poverty; or by promising money or making payments or granting other kinds of benefits to those who are responsible for the person in question, to enter the national territory, stay, leave it, or migrate to said territory, shall be punished by imprisonment for from eight to twenty years.»

## Question 20

**20. Does your internal law recognise as victims of THB**

- women
- men
- children

In the expression "any person" referred to in art. 601 of the Italian Criminal Code are included men, women and children.

## Question 21

**21. To what extent does the consent of a person to intended or actual exploitation determine if that person will be recognised as a victim of THB under your internal law? Please specify if your internal law contemplates the consent of the three categories of victims. Please provide examples.**

- women
- men
- children

The victim's consent does not decriminalize the criminal offence since such consent cannot be deemed as being validly given, in consideration of the victim's condition of slavery and consequently of trafficking. In addition, the consent of the victim cannot be deemed as being validly given since in this case it would concern an inalienable right such as the right to personal liberty.

## **II. Implementation by the parties of measures aimed to prevent THB, protect and promote the rights of victims of THB and prosecute traffickers**

### **Section II.1. Implementation of measures to prevent THB**

#### **Question 22**

**22. Has a national/regional/local campaign or programme to alert the potential victims of THB to the various forms of exploitation been carried out in your country during the last two years? If so, please provide the following details. (If more than one campaign or programme was carried out please provide the details for each of them.)**

***Was it based on research for determining effective prevention methods?***

***Was it addressed to a particular group of potential victims?***

***Which bodies, governmental or non-governmental, were in charge of implementing it?***

***Description of the material used for the campaign/programme and its dissemination***

***If possible, please provide an assessment of the impact of the campaign/programme***

***If there are currently plans for launching a new campaign or programme, please provide details.***

Over the last 2 years no institutional information campaigns on the risks of sexual or labour exploitation have been conducted. Nevertheless, the Department for Equal Opportunities entrusts implementing entities with programmes to protect victims. Such programmes also include awareness campaigns and prevention activities, through the advertisement of the Anti-Trafficking Toll-Free Helpline. Materials for awareness-raising campaigns include gadgets, multilingual information seminars, leaflets, posters, etc..

In the Emilia Romagna region, the last campaign promoted to alert potential victims of THB took place between late 2011 and early 2012.

The initiative - identified by the slogan: "Are you exploited in the workplace? Are you a victim of violence, threats, blackmail? Call us!" - was focused in particular on potential victims of severe labour exploitation, and its objective was the promotion of the national toll-free number for victims of trafficking, 800 290 290.

The institutions in charge of implementing the campaign were:

- The Emilia-Romagna Region
- Local authorities of the regional network (Municipalities of Piacenza, Parma, Reggio Emilia, Modena, Bologna, Ferrara, Cesena, Ravenna and Rimini USL);
- NGOs affiliated with the Local Authorities in the "Beyond the Street" Network, for the management of parts of the actions;
- FER, Emilia-Romagna Railways;
- Public local transport Companies: ATC Bologna, Bologna urban lines; ATC Bologna, Ferrara urban lines; ATCM, urban lines, Modena; TRAM SERVICES SPA, urban lines, Rimini; TIMES spa, urban lines Piacenza; ACT - urban lines Reggio Emilia; ATM - urban lines Ravenna.

The materials used for the campaign include:

- Radio ads in Italian and English;
- A4 front / rear cardboard flyers, which include the message in the following languages: Italian, English, Chinese, Arabic, Russian and Romanian, hang from the overhead compartments of trains of Emilia-Romagna;
- A4 front / rear cardboard flyers in Italian, English, Chinese, Arabic, Russian and Romanian, tied with a cord to the support bars of the passengers on buses operated by the public transport companies in Modena, Rimini, Ravenna;

- Flyers in Italian, English, Chinese, Arabic, Russian and Romanian, placed in suitable space in the booth behind the driver on buses operated by the public transport companies in Piacenza, Reggio Emilia, Bologna, Ferrara;
- Multi-lingual information leaflet (in English, Italian, Romanian, Russian, Arabic, Chinese, Spanish, French).
- Banners for website with one side in English and one part in a second foreign language for the dissemination on websites.

The dissemination of the materials was carried out, by the bodies involved, by:

- Radio broadcast by a network of local radio stations covering almost the entire region;
- arrangement of the flyer in each wagon of each FER trains (Ferrovie Emilia-Romagna)
- arrangement of the flyer (for varying periods of time, in different territories) in the city buses operated by the public transport companies in Piacenza, Reggio Emilia, Modena, Bologna, Ferrara, Rimini, Ravenna;
- Dissemination of information leaflet in territorial "low-threshold" points (union branches, offices aimed at foreigners and migrants, even in conditions of irregularity, dorms) frequented by the identified target groups.

The impact of the campaign was evaluated through the following indicators:

- the Number of calls to the Anti-THB Toll- Free Number during that period;
- the Number of relevant calls.

Similar initiatives and campaigns have been carried out also in many other regions of the country.

## Question 23

**23. Please describe the social and economic empowerment measures for disadvantaged groups vulnerable to THB which have been implemented or are planned.**

The only measures envisaged are those relating to access and implementation of outreach programs, social protection and integration of victims. These are programs that aim to autonomy and empowerment of the victim from the situation of exploitation and integration into society.

Within the framework of many projects implemented by civil society organizations, victims have been accommodated in safe facilities and have been taken care of throughout the duration of the programme for their reintegration in employment and society. Assisted people have also been helped from the economic point of view through the granting of small sums, as envisaged in the projects.

Since 2008, the Piemonte Region – Social and family policy Department - has been lead partner of "Piemonte in rete contro la Tratta" project, financed by the Department for Equal Opportunities and co-financed by the Piemonte Region and other local actors, in compliance with article 18 of Legislative Decree No. 286/1998 and article 13 of Law No.228/2003, for the assistance and job placement of victims of THB (sexual, labour exploitation and trafficking for begging).

The project promotes the following actions:

- Literacy and guidance for vocational training. The action includes: Italian language and culture courses to prepare beneficiaries to obtain accredited qualifications and to facilitate integration in the Italian context; analysis of local vocational training proposals in order to identify the best choices for beneficiaries, considering their different levels of knowledge and future perspectives.
- Job placement. The action includes: support in achieving social and economic autonomy, increasing opportunities for social and labour integration through individual counselling; skills assessment; CVs elaboration. Identification of individual training projects for skills acquiring aimed at the job search; identification of enterprises to activate paid internships; contact with Trade Unions and temporary employment agencies; tutoring for beneficiaries.
- Social inclusion. The action includes: empowerment and autonomy processes through the promotion of local health and social services, access to training agencies and participation in integration activities to facilitate social and cultural inclusion; measures and programs of housing support and facilitation to access

the private housing market, aimed at facilitating the achievement of autonomy housing; awareness of equal opportunities and overcoming discrimination against migrants.

The Education, vocational training and labour Department of the Piemonte Region promotes a specific call for proposal for specific actions for women victims of THB, funded under the ESF. The projects financed are promoted by private and public partnerships and they envisage specific actions on social and labour inclusion of victims of THB, in order to give them the opportunity to become autonomous.

In particular, the projects provide for the activation of supporting integrated programmes and empowerment and guidance actions, coordinated by a reference expert for all beneficiaries, namely: individual and group training and skill-strengthening activities, in order to promote internships aimed at facilitating their effective entrance in the labour market.

## Question 24

### **24. *What preventive measures to discourage demand leading to THB, as provided for in Article 6 of the Convention, has your country adopted or is considering adopting?***

Preventive measures have been adopted at the regional/local level. For instance, Emilia-Romagna has implemented, at different levels, measures to discourage the demand that can lead to severe forms of exploitation and human trafficking. With regard to the phenomenon of street prostitution, several local authorities have made use of the administrative tool of the "Mayor order" to counter the presence of street prostitutes, and to discourage the movement of potential customers.

This action proved to be limited in its effectiveness.

At another level, in the spirit of paragraph d of Article 6 of the Warsaw Convention, the "Beyond the Street" Project promoted by the Emilia-Romagna participated, between 2010 and 2012, in the transnational project "Sensitizing the people of Hungary, Sweden, Italy and Germany about the issue of trafficking in human beings as an obstacle to development ", organized by GVC Onlus of Bologna, on loan from the European Commission for the implementation of preventive measures based on education programs addressing boys and girls in the school years.

The project, started on March 2010 for a duration of 24 months, aimed at young people and students from Italy, Hungary, Sweden, Germany and Cambodia from 14 to 19 years, had as its objectives:

- the creation of a documentary on THB to illustrate the situation in Hungary, Italy, Sweden and Cambodia;
- the creation of an educational kit on the theme, to be used in the school;
- public events to raise awareness.

Between 2010 and 2011, the competent regional office participated in the production of "Human Trafficking. Knowing the new slavery", a book that deals with the phenomenon of trafficking in human beings in its interconnection with different areas: migration, gender relations, prostitution, illegal labour, the status of women and children, begging and illegal economies, and which is intended primarily for high school students, and young people between 14 and 19.

The book was presented in public events in various cities in Emilia-Romagna, and was circulated by local authorities implementing the regional project within the schools in its own territory.

The Lombardia Region guarantees a system of integrated interventions at the regional level and the development of interventions for victims of trafficking on the entire regional territory. These interventions support the victims in the various stages of social reintegration, from the granting of residence permit and protection, to the filing of the complaint to the police and the trial.

## Question 25

### **25. *Please specify the measures taken by your country to ensure quality, security and integrity of travel and identity documents in order to prevent their unlawful creation and issuance as well as to ensure that they cannot be easily forged***

Strict (air and sea)border controls. Fingerprint recognition.

## Question 26

**26. Please specify the measures taken by your country to detect cases of THB at its borders, inter alia, by means of border surveillance teams and intelligence measures**

Often investigative activities make use of wiretapping and maps of the criminal structures.

## Question 27

**27. Please describe any measures taken to provide information, through consulates and embassies, about legal entry and stay on the territory of your country in order to ensure informed and legal immigration**

Some measures are taken by embassies in cooperation with the national coordinating body and private associations.

## Question 28

**28. Please describe any measures taken to avoid issuing visas (tourist, working, student visas, etc.) when there are reasonable grounds to believe that a person may be a victim of THB or implicated in THB. In such cases, please describe any specific measures which your law enforcement authorities have instructions to apply**

In these cases, the police, which is the competent authority for issuing residence permits, conducts audits with the specific individuals in order to assess the actual condition of stay (housing, income, family, etc.)

## Question 29

**29. Do any specific measures exist for preventing national THB, including THB taking place on the territory of parties with special agreements establishing common borders (Schengen Agreement for example)? If so, please specify**

The only available data concerns the specific measures for preventing **national** THB, namely the management and promotion of the National Anti-Trafficking Toll-Free Helpline (800 290 290) in collaboration with the Municipality of Venice, and a set of awareness-raising activities implemented within the framework of "Art. 13" and "Art. 18" Projects. Unfortunately, no information is available on specific measures for preventing THB taking place on the territory of parties with special agreements establishing common borders.

## Question 30

**30. What funds have been allocated to the above-mentioned preventive measures in the state budget (central and/or regional/local)? (Please specify amounts in euros.)**

As for data on funds allocated to the above-mentioned preventive measures in the state budget, 300,000 Euros have been allocated for the management of the National Anti-Trafficking Toll-Free Helpline and about 200,000 Euros have been allocated for other awareness activities carried out in the framework of "Art.13" and "Art. 18" Projects, for a total amount of about 500,000 Euros.

## Question 31

**31. Has an assessment of the impact of the above-mentioned preventive measures taken by your country been carried out? If so, please specify the results of the assessment**

The Department for Equal Opportunities is currently planning to carry out an impact assessment also with a view to the next 2013 call for proposals for the funding of prevention and protection projects.

## **Section II.2. Implementation of measures to protect and promote the rights of victims of trafficking in human beings**

### **Question 32**

**32. At what moment and by whom is the process to identify a potential victim of THB initiated? (For example, declaration of the potential victim, statement by a police officer, statement by a NGO etc.)**

The abovementioned legislation provides for the identification of victims/potential victims through the National Anti-Trafficking Toll-Free Helpline (which can be called 24 hours a day), the monitoring activity carried out by the street Units or operators working directly with victims (local services), and the Police intervention (in their action of local surveillance). In Italy, both the Police and local services can gather the victims'/potential victims' declarations and check if they are in line with the criteria envisaged by the law. Pursuant to art. 18 of Legislative Decree No. 286/1998, the main criterion is the victim's condition of danger resulting from the victims' willingness and attempt to escape their exploiters.

The THB victim identification procedure is important with a view to properly implementing the protection measures envisaged by the law as well as, sometimes, to starting an investigation activity.

Because of their illegal status or other reasons, the victims are not usually willing to cooperate with police officers for fear of being put under investigation. Therefore, a crucial factor was the institutional cooperation among the various actors who, in performing their duties come into contact with the victim. Besides police officers, a crucial role is played by the NGOs operators, medical staff - notably the Emergency Room staff - labour office inspectors - who are particularly important with a view to detecting exploitation in work place - and border officers.

In many cases, the cooperation procedures developed "in the field" were subsequently included in Memoranda of Understanding. The latter, in addition to describing the various steps to identify and assist the victim and specifically indicating the role of each Institution, often envisage the so-called lists of "indicators". Based on the latter an analysis of the single case may be started in order to check any ongoing subjection status and the exploitation condition, considering the criminal and social context where the victim was found, the various factors relating to the "demand" in the destination countries and the issues underpinning migratory flows in the countries of origin.

Therefore, during the identification procedure, police officers act on the basis of "good practices" which are not envisaged by law but defined by means of formal cooperation agreements signed by the actors involved at the local level.

### **Question 33**

**33. Have any common criteria been defined in your internal law for granting the legal status of victim of THB? If so, please specify**

Article 18 of Legislative Decree No. 286/1998 envisages the granting of a special "residence permit for social protection" if violence or serious exploitation cases are detected in relation to illegal foreign nationals, and concrete risks to their safety emerge - as a consequence of their attempts to escape the influence of criminal organizations or of their declarations - during the preliminary investigations or criminal proceedings. The possibility granted to the residence permit's holder to access labour market and obtain permit renewals ensures the effectiveness of this legal tool.

### **Question 34**

**34. Which national authority(ies) grant(s) the legal status of victim of THB? (For example, police forces, public prosecutor, judge, etc.)? Can such a decision be appealed?**

The special residence permit provided for by Art. 18 of Legislative Decree No. 286/1998 is issued by the Questore (the Chief of Police), also upon proposal of the Public Prosecutor or upon favourable opinion by said Authority. Appeal may be lodged against denial of authorization.

### Question 35

**35. Can a person be removed from your country during the process of identification as a victim of THB? (For example, if he/she is present illegally)**

No. A person cannot be removed from the Italian territory during the process of identification and the recognition as a victim suspends the possibility of expulsion.

### Question 36

**36. Does your country recognise the status of victim of THB granted by another party when the victim is on your territory?**

There are no specific provisions in this regard.

### Question 37

**37. Please indicate which types of assistance described in Article 12 of the Convention are provided to victims of THB in your country. Please specify who provides the different types of assistance**

Assistance provided for by art. 12 of the Convention is guaranteed in our country by the implementation of protection projects envisaged by Art. 18 of Legislative Decree No. 286/1993 and Art. 13 of Law No. 228/2003 and coordinated by the Department for Equal Opportunities.

In particular, the projects include the provision of:

- safe accommodation;
- health care/medical assistance;
- psychological and material assistance;
- counselling;
- legal assistance;
- literacy courses and vocational training;
- job and social inclusion;
- cultural mediation;
- information on victims' rights and services.

### Question 38

**38. Please describe the differences in the assistance and protection measures envisaged for victims of transnational trafficking and those envisaged for victims of national trafficking**

There are no differences in the assistance and protection measures envisaged for victims of transnational trafficking and those envisaged for victims of national trafficking.

### Question 39

**39. Does your state budget allocate specific funding for these assistance and protection measures? Please indicate the amount (in euros), the criteria for receiving such funding and who receives it. Please specify the bodies/agencies/NGOs which actually cover the costs of the different types of assistance?**

The total amount of funding specifically allocated at the national and regional (including in the provinces and municipalities) level for protection projects for victims of trafficking in human beings are summarized in the Table below. The Table reports the amount of allocated resources in 2008-2011 from ordinary funds, funds for the "art.13" and "art.18" projects and the 2007-2013 structural funds, in particular the regional ROP-ESF. Considering the period 2008-2011, the annual average amount of resources is equal to about 12.500.000 Euros, 7,4 millions of which have been allocated under State funds related to Art. 13 of Law No. 228/2003 and Art. 18 of Legislative Decree No. 286/1998.

Regions	Funds for the "art. 13" and "art. 18" projects			Other regional funds			Total amount for 2008-2011	%
	Department for Equal Opportunities share	Bodies' share	Total amount	Ordinary funds	ROP-FSE	Total amount		
Val d'Aosta	33.850	8.462	42.312				<b>42.312</b>	0,1
Piemonte	2.583.507	1.560.051	4.143.558	359.153	981.870	<b>1.341.023</b>	<b>5.484.581</b>	11,0
Liguria	1.435.582	1.004.631	2.440.213				<b>2.440.213</b>	4,9
Lombardia	4.510.744	1.616.315	6.127.059				<b>6.127.059</b>	12,3
Friuli	842.491	276.613	1.119.104				<b>1.119.104</b>	2,3
Veneto	2.927.534	1.045.451	3.972.985				<b>3.972.985</b>	8,0
Bolzano	287.741	180.227	467.968	1.300.374	304.315	<b>1.604.689</b>	<b>2.072.657</b>	4,2
Trento				932.665	41.363	<b>974.028</b>	<b>974.028</b>	2,0
E. Romagna	3.339.001	1.119.878	4.458.879	2.557.000	600.000	<b>3.157.000</b>	<b>7.615.879</b>	15,3
<b>Northern Italy</b>	<b>15.960.450</b>	<b>6.811.628</b>	<b>22.772.078</b>	<b>5.149.192</b>	<b>1.927.548</b>	<b>7.076.740</b>	<b>29.848.818</b>	<b>60,1</b>
Marche	200.252	191.862	392.114		150.000	<b>150.000</b>	<b>542.114</b>	1,1
Toscana	1.803.829	702.330	2.506.159				<b>2.506.159</b>	5,0
Umbria	505.510	274.932	780.442				<b>780.442</b>	1,6
Lazio	1.598.051	646.750	2.244.801				<b>2.244.801</b>	4,5
<b>Central Italy</b>	<b>4.107.642</b>	<b>1.815.874</b>	<b>5.923.516</b>		<b>150.000</b>	<b>150.000</b>	<b>6.073.516</b>	<b>12,2</b>
Campania	1.415.681	574.857	1.990.538				<b>1.990.538</b>	4,0
Abruzzo e Molise	2.258.229	800.695	3.058.924				<b>3.058.924</b>	6,2
Puglia	2.670.883	892.821	3.563.704	211.423	331.067(1)	<b>542.490</b>	<b>4.106.194</b>	8,3
Basilicata	192.204	55.478	247.682				<b>247.682</b>	0,5
Calabria	658.467	236.032	894.499	188.295		<b>188.295</b>	<b>1.082.794</b>	2,2
Sicilia	1.435.615	573.622	2.009.237				<b>2.009.237</b>	4,0
Sardegna	941.167	316.413	1.257.580				<b>1.257.580</b>	2,5
<b>Southern Italy</b>	<b>9.572.246</b>	<b>3.449.918</b>	<b>13.022.164</b>	<b>399.718</b>		<b>730.785</b>	<b>13.752.949</b>	<b>27,7</b>
<b>Total</b>	<b>29.640.338</b>	<b>12.077.420</b>	<b>41.717.758</b>	<b>5.548.910</b>	<b>2.408.615</b>	<b>7.957.525</b>	<b>49.675.283</b>	<b>100,0</b>
%	<b>59,7</b>	<b>24,3</b>	<b>84,0</b>	<b>11,2</b>	<b>4,8</b>	<b>16,0</b>	<b>100,0</b>	

We are unable to specify the amount of allocated resources for each macro-area identified in the EU legislation. We are currently carrying out an *ad hoc* survey in this regard which will end at the end of July 2013.



## Question 40

**40. Please describe how the recovery and reflection period provided for in Article 13 of the Convention is defined in your internal law. Please indicate the minimum and maximum duration of the recovery and reflection period and how your internal law foresees it being adapted to the particular circumstances of victims**

The reflection period is provided for by Article 13 of Law 228/2003. Its minimum duration is three months.

## Question 41

**41. What are the grounds (personal situation and/or co-operation with the law enforcement authorities) for issuing residence permits to victims of THB provided for in Article 14 of the Convention? Please indicate the different types of residence permits which can be issued to victims of THB, their minimum and maximum duration, if any, and the grounds for their renewal.**

In Italy, victims or presumed victims of trafficking are issued a residence permit only if they participate in a social protection programme (social procedure) or cooperate with law enforcement agencies (judicial procedure). The residence permit has a minimum duration of 6 months, renewable for further 6 months or all the time necessary to complete the criminal proceedings against perpetrators.

In particular, Art. 18 of Legislative Decree No. 286/1998 envisages the granting of a special residence permit for victims of trafficking for reasons of social protection.

The main objective of this law is to allow trafficked or exploited persons to escape from the conditioning of the criminal organization or individual exploiters they are subjected to and to offer them the possibility to start a new life in Italy or in their country of origin. The granting of the special residence permit is independent from reporting the traffickers/exploiters to the law enforcement authorities by the victim. The only necessary condition to obtain the permit is to meet the requirements provided for by the law, to participate in the "article 18" assistance programme and complete it. The residence permit can be issued on the basis of two procedures:

- The "judicial path", when a report to the police has been made or when criminal proceedings have been started. It implies that the victim will co-operate with the police and public prosecutor. They will be instrumental in bringing charges against the perpetrator;
- The "social path", when the NGOs or public social service assisting the trafficked persons consider that they are in immediate danger. The trafficked person is not obliged to report traffickers to the police, but is expected to give extensive information ("statement") to law enforcement agencies through the public social services or the private sector accredited NGOs.

The requirements for the issuing of a residence permit can be summarized as follows:

- existence of situation of violence or serious exploitation and of concrete danger for the personal safety of the foreigner; because of his/her attempt to escape from the criminal organisation;
- the aforementioned situation can be identified during police operations, investigations or proceedings, or in the course of social service assistance provided by local authorities or NGOs;
- the proposal for granting a residence permit can be made both by the District Attorney – if a prosecution has already been started – and by the Local Authorities' social services or NGOs in charge of social protection projects.

The permit is issued for 6 months and may be renewed for an additional year; it does not oblige the person to go back home once the programme is over. Furthermore, the residence permit for humanitarian reasons can be converted into a residence permit for education or for work, allowing the foreigner to remain in Italy in accordance with the regulations governing the presence of foreigners on the national territory.

## Question 42

**42. Please describe how your internal law provides for the right of victims of THB to compensation. (Please specify if your country has adopted any specific measures to guarantee compensation for victims of THB as provided for in Article 15 of the Convention.)**

The Italian internal law provides for the right of victims of crime (in general) to compensation. However, this is difficult to be applied to victims of THB.

## Question 43

**43. Please describe the procedure established under your internal law for the repatriation and return of victims of THB**

Assisted voluntary return is carried out by NGOs in line with the internal law and through assistance projects funds. The current voluntary return procedure provides for a risk assessment and case-by-case evaluation that takes place prior to the return and a follow-up after six months to verify the ongoing assistance programme in the country of origin.

A project for the reintegration of victims of trafficking in their country of origin has been implemented by IOM and funded by the Ministry of the Interior. The project started in July 2001 and assisted over 200 people. Such projects give victims the opportunity to safely return and be reintegrated in their country of origin, by providing them with information, counselling and travel arrangements in order to reduce their vulnerability to being trafficked again.

## Question 44

**44. Does a person, repatriated to your country as a victim of THB, continue having victim status? If so, please specify on which grounds such recognition is made (for example, declaration of the victim). What assistance measures are envisaged for such persons after repatriation?**

Currently, there are no available data on Italian nationals trafficked abroad and repatriated to our country.

## Question 45

**45. What are the grounds for the victim status to come to an end?**

- **victim status claimed improperly;**
- **victim's refusal to co-operate with the authorities;**
- **return to the country of origin;**
- **request of the victim;**
- **other, please specify.**

Residence permit is withdrawn if there is interruption by the foreign national of the assistance and social integration programme, in cases of behaviour inconsistent with the aims of the programme, or when the other conditions which justified the issue of the permit are not met.

### **Section II.3. Implementation of measures concerning substantive criminal law, investigation, prosecution and procedural law**

#### **Question 46**

**46. Is THB subject to a single criminal offence in your internal law? If so, please provide (a translation of) the legal text(s) in English or French. If not, please specify the combination of criminal offences, covering as minimum all conducts falling within the definition of THB as contained in Article 4 of the Convention, used under your internal law to prosecute for THB.**

The Italian legislation provides for a single criminal offence for THB. Italian Penal Code has been reformed in 2003 with the introduction of art. 601.

#### **Article 601. Trafficking in persons.**

«Whoever carries out trafficking in persons who are in the conditions referred to in article 600, that is, with a view to perpetrating the crimes referred to in the first paragraph of said article, or whoever leads any of the aforesaid persons through deceit, or obliges such person by making use of violence, threats, or abuse of power, by taking advantage of a situation of physical or psychic inferiority, and poverty; or by promising money or making payments or granting other kinds of benefits to those who are responsible for the person in question, to enter the national territory, stay, leave it, or migrate to said territory, shall be punished by imprisonment from eight to twenty years.»

This article has replaced the previously existing one by Law No. 228 of 2003.

#### **Question 47**

**47. Does your internal law establish as a criminal offence the use of services of a victim of THB with the knowledge that the person is a victim of THB as provided for in Article 19 of the Convention? (Article 19 of the Convention does not concern using the services of a prostitute as such and the criminalisation of her/his client - see paragraphs 229 to 236 of the Explanatory Report of the Convention.)**

With regard to the use of the services of a person who is a victim of trafficking by third persons who are aware of that person's condition, Italian law does not establish this as a single specific criminal offence, although in some cases it could constitute participation in the criminal offence of trafficking.

#### **Question 48**

**48. Does your internal law establish as a specific criminal offence retaining, removing, concealing, damaging or destroying a travel or identity document of another person committed intentionally and for the purpose of enabling THB? (As provided for in Article 20c of the Convention.)**

First of all, every kind of counterfeiting of ID is a violation for our domestic law, (it can be considered as an administrative violation or a criminal offence) not only if there is the purpose to enabling THB, but in any case. If there is a case of counterfeiting to facilitate THB, it is considered an "instrumental" criminal offence with the intention to obtain the subjection or the control over the victims, usually with the purpose to facilitate criminal offence during the travelling/transferring phase or, with purpose of limiting the victim's freedom of movement during the exploitation phase in the country of destination (retaining, removing or concealing documents).

## Question 49

**49. Does your internal law ensure that a legal person can be held liable for criminal offences established in accordance with the Convention as provided for in its Article 22? What types of legal persons are subject to corporate liability for such offences?**

The Italian law provides for the administrative liability of legal persons, corporations and associations even without legal personality, with reference to the criminal offences under Articles 600, 601 and 602 of the Criminal Code, whereby the relevant undertaking is liable to a fine.

## Question 50

**50. Which sanctions does your internal law provide for criminal offences established in accordance with the Convention? Please specify the criminal, civil and administrative sanctions**

The criminal sanctions for the basic criminal offence are indicated in Articles 600, 601 and 602 of the Criminal Code (imprisonment from eight to twenty years).

The person who is the victim of the trafficking may bring a civil action in the criminal proceedings for the purpose of obtaining, upon conviction, compensation for the damage resulting from the criminal offence, in accordance with Article 74 and following of the Code of Criminal Procedure (civil liability of the offender).

Moreover, accessory sanctions are also provided, i.e. disqualification from holding public offices, either permanently or for five years according to whether the conviction is to imprisonment for a period respectively exceeding or less than three years.

## Question 51

**51. Does your internal law provide for the possibility to take into account previous convictions in another party when determining the penalty in relation to offences established in accordance with the Convention?**

Concrete measures have been adopted at the European level which enable Member States to exchange effectively information on criminal convictions. To this end, a computerized system called ECRIS (European Criminal Records Information System) has been set up and has been effective since April 2012.

In addition, the Italian government enacted Legislative Decree No. 161 of 7 September 2010, in order to conform Italy's internal law to Framework Decision 2008/909/JHA on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in Italy.

## Question 52

**52. Please describe how your internal law provides for the possibility of not imposing penalties on victims of THB for their involvement in unlawful activities, to the extent that they were compelled to do so. (As provided for in Article 26 of the Convention.)**

The Italian law provides, in Article 54 of the Criminal Code, that one of the grounds for a person's non-punishability for a criminal offence is his/her the state of necessity, that is to say that the person who has been forced to commit a criminal offence is not criminally liable for it and that the criminal liability for the offence committed by a person who is the victim of violence or threats falls on the person who has forced that victim to commit that offence.

In addition, Article 111 of the Criminal Code provides for that anyone who makes a person - who is not criminally liable or not punishable - commit a criminal offence, is criminally liable for the criminal offence committed and that the additional aggravating circumstances provided for in Article 112 of the Criminal Code can also be applied.

Finally, Article 611 of the Criminal Code punishes anyone who uses violence or threats against someone to compel it or make it commit a criminal offence.

If the victim is obliged or compelled to do something illegal during the exploitation phase, according domestic law, he/she could be under a “state of necessity” and for this reason he/she is not punishable.

### **Question 53**

**53. Does your internal law provide for the initiation of legal proceedings by the victim and/or ex officio (for example, by the public prosecutor)?**

In Italy in case of criminal offences relating to THB, law enforcement agencies initiate legal proceedings ex officio: articles 600 and 601 of the Italian Criminal Code provide that public prosecutor (in Italy the Anti-mafia prosecutor has competence for prosecution of criminal offences linked to the THB) starts with investigation, ensuring, first of all, the protection of victims.

### **Question 54**

**54. Please describe how your internal law allows for NGOs or associations/groups assisting or supporting victims to participate in legal proceedings (for example, as third parties)? (Please specify the conditions for this participation as well as their legal status during these proceedings.)**

In Italy there is the possibility to participate as a civil party in criminal proceedings for non-governmental organizations that have as their primary purpose the promotion of human rights as well as the protection of victims of trafficking, pursuant to Articles 91 and following of the Code of Criminal Procedure. The exercise of the rights and powers belonging to said bodies and associations is subject to the consent of the victim of the criminal offence, and requires that a “notice of intervention” is submitted to the prosecuting authorities before the obligations on the regular appearance of the parties at the opening of the trial are fulfilled. NGOs may participate in legal proceedings as third parties.

### **Question 55**

**55. Please describe the measures taken in your internal law to protect the identity and safety of victims before, during and after investigations and legal proceedings.**

In case of THB, through protection programmes, victims obtain accommodation in shelters managed by NGOs or Local Authorities, with the aim to protect victims against acts of revenge or violence of perpetrators/exploiters. During the investigation, but even during the trial for THB, Anti-Mafia public prosecutor, if considers it necessary, can apply all the tools of anti-mafia legislation with the same protection as that provided for witnesses: armed escort against every kind of threat, hearing of witness from another place through a video-conference link, trial without public in case of minors as victims, until their identity is changed if there is a major risk for the victim.

## **Comments concerning your Reply to this Questionnaire**

***Please use this area to add any comments concerning your Reply to this Questionnaire***

No further comments were submitted with the reply.

## Statistics on THB (remark concerning 'absent' statistics: The Department for Equal Opportunities does not currently have available information.)

Question	Table 1: Victims of THB Data from the Ministry of the Interior	2010				2011				2012			
		women	men	children <sup>1</sup>	total	women	men	children <sup>1</sup>	total	women	men	children <sup>1</sup>	total
	<b>Article 10 – Identification of the victims</b>												
T1	Number of victims identified <sup>2</sup> during the year												
T2	Types of exploitation identified victims of THB were subject to:												
	- sexual exploitation	22	4	140	166	12	4	104	120	4	1	77	82
	- forced labour or services												
	- slavery or practices similar to slavery	57	18	7	82	48	17	13	78	63	34	4	101
	- servitude												
	- removal of organs												
	- other, please specify: Sale and purchase of slaves	0	0	0	0	0	0	0	0	0	0	1	1
	- other, please specify: Trafficking in persons	6	2	6	14	3	8	2	13	9	2	1	12
T3	Number of persons whom the competent authorities had reasonable grounds to believe were victims of:												
	- national trafficking												
	- transnational trafficking												
	<b>Article 12 – Assistance to victims</b>												
T4	Number of victims of THB who received assistance of any type												
T5	Number of victims of THB who refused assistance which was offered to them												
T6	Number of shelters for victims of THB in your country												
T7	Total number of places in shelters for victims of THB												
T8	Number of victims of THB accommodated in shelters												

<sup>1</sup> "Child" shall mean any person under eighteen years of age (Article 4-d of the Convention).

<sup>2</sup> "Identified" within the meaning of the Convention.

Question	<b>Table 1: Victims of THB                      Social protection projects                      (implemented in compliance with Art. 18                      of Legislative Decree No. 286/1998)</b>	2010				2011				2012			
		women	men	children <sup>3</sup>	total	women	men	children <sup>1</sup>	total	women	men	children <sup>1</sup>	total
<b>Article 10 – Identification of the victims</b>													
T1	Number of victims identified <sup>4</sup> during the year					1417	446	63	1926	1094	420	114	1628
T2	Types of exploitation identified victims of THB were subject to:												
	- sexual exploitation					1293	18	48	1359	962	13	92	1067
	- forced labour or services					78	299	0	377	89	207	0	296
	- <del>slavery or practices similar to slavery</del>												
	- servitude (illegal economies*)					45	70	12	127	42	57	17	116
	- removal of organs					1	2	0	3	1	2	0	3
	- other (unknow)					0	57	3	60	0	141	5	146
T3	Number of persons whom the competent authorities had reasonable grounds to believe were victims of:												
	- national trafficking (Italy as the country of destination)					138	430	63	631	1073	409	111	1593
	- transnational trafficking (Italy as the country of transit)					30	16	0	46	17	9	3	29
<b>Article 12 – Assistance to victims</b>													
T4	Number of victims of THB who received assistance of any type					1397	407	58	1862	1031	407	47	1485
T5	Number of victims of THB who refused assistance which was offered to them					62	13	11	86	62	12	2	76
T6	Number of shelters for victims of THB in your country								40				27
T7	Total number of places in shelters** for victims of THB								1791				1516
T8	Number of victims of THB accommodated in shelters					970	151	56	1177	737	152	45	934

\*Forced begging, retail trade, theft/fraud, robbery/pickpocketing, drug peddling.

\*\*Neither shelters, nor places in them are divided by gender.

2011: The total number of assisted victims is 1955, 29 of whom are transsexual adults and 63 are children (54 girls and 9 boys)

2012: The total number of assisted victims is 1650, 23 of whom are transsexual people (22 adults and one child) and 114 are children (104 girls and 9 boys)

<sup>3</sup> "Child" shall mean any person under eighteen years of age (Article 4-d of the Convention).

<sup>4</sup> "Identified" within the meaning of the Convention.

Question	<b>Table 1: Victims of THB</b> <b>Social protection projects</b> <b>(implemented in compliance with Art. 13)</b>	2010				2011				2012			
		women	men	children <sup>5</sup>	total	women	men	children <sup>1</sup>	total	women	men	children <sup>1</sup>	total
<b>Article 10 – Identification of the victims</b>													
T1	Number of victims identified <sup>6</sup> during the year					443	201	48	692	605	285	69	959
T2	Types of exploitation identified victims of THB were subject to:												
	- sexual exploitation					347	1	29	377	481	9	31	521
	- forced labour or services					43	62	0	105	81	146	5	232
	- <del>slavery or practices similar to slavery</del>												
	- servitude (illegal economies*)					28	27	14	69	41	37	20	98
	- removal of organs					0	0	0	0	0	1	0	1
	- other (unknown)					25	111	5	141	2	92	13	107
T3	Number of persons whom the competent authorities had reasonable grounds to believe were victims of:												
	- national trafficking (Italy as the country of destination)					418	194	47	659	591	276	69	936
	- transnational trafficking (Italy as the country of transit)					12	7	1	20	9	7	0	16
<b>Article 12 – Assistance to victims</b>													
T4	Number of victims of THB who received assistance of any type					428	190	48	666	593	282	69	944
T5	Number of victims of THB who refused assistance which was offered to them					36	10	6	52	68	13	20	101
T6	Number of shelters for victims of THB in your country								27				22
T7	Total number of places in shelters** for victims of THB								1030				1135
T8	Number of victims of THB accommodated in shelters					367	72	47	486	481	88	63	632

\*Forced begging, retail trade, theft/fraud, robbery/pickpocketing, drug peddling.

\*\*Neither shelters, nor places in them are divided by gender.

2011: The total number of assisted victims is 700, 8 of whom are transsexual adults and 48 are children (38 girls and 10 boys)

2012: The total number of assisted victims is 971, 13 of whom are transsexual people (12 adults and 1 child) and 69 are children (59 girls and 9 boys)

<sup>5</sup> "Child" shall mean any person under eighteen years of age (Article 4-d of the Convention).

<sup>6</sup> "Identified" within the meaning of the Convention.



Question	Table 1: Victims of THB (continued)	2010				2011				2012			
		women	men	children <sup>7</sup>	total	women	men	children <sup>1</sup>	total	women	men	children <sup>1</sup>	total
	<b>Article 13 – Recovery and reflection period</b>												
T9	Number of victims of THB (including persons whom the competent authorities had reasonable grounds to believe were victims of THB) who were granted a recovery and reflection period												
	<b>Article 14 – Residence permit</b>												
T10	Number of victims of THB who were issued a residence permit												
	- owing to their personal situation												
	- for the purpose of their co-operation with the competent authorities												
	<b>Article 15 – Compensation and legal redress</b>												
T11	Number of victims of THB who obtained compensation												
T12	Compensation awarded to victims of THB:												
	- minimum amount awarded to a victim (in euros)												
	- maximum amount awarded to a victim (in euros)												
	<b>Article 16 – Repatriation and return of victims</b>												
T13	Number victims of THB who were repatriated to your country												
T14	Number of victims of THB who were repatriated from your country to another country												

<sup>7</sup> “Child” shall mean any person under eighteen years of age (Article 4-d of the Convention).

Question	<b>Table 2: Criminal Proceedings and Sanctions</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Article 18 – Criminalisation of trafficking in human beings</b>				
T15	Number of criminal proceedings initiated on grounds of THB	36		
T16	Number of convictions for THB	14	9	
<b>Article 19 – Criminalisation of the use of services of a victim</b>				
T17	Number of convictions for the use of services of a victim of THB			
<b>Article 23 – Sanctions and measures</b>				
T18	Number of convictions for THB resulting in penalties involving deprivation of liberty	14	9	
T19	Duration of penalties on grounds of THB involving deprivation of liberty			
	- minimum duration	1335	2065	
	- maximum duration	4620	5110	
T20	Number of judgements resulting in the confiscation of assets	3	9	
T21	Number of judgements resulting in the closure of a business or an establishment which was being used to carry out THB	0	0	
<b>Article 26 – Non-punishment provision</b>				
T22	Number of victims of THB who benefitted from the non-punishment provision			

Question	<b>Table 3: Country of origin of victims of THB Data from the Ministry of the Interior</b>		2010	2011	2012
T23	<b>Number of victims of THB originating from:</b>				
	<b>- Council of Europe Member States:</b>	Albania	2	0	4
Andorra					
Armenia					
Austria					
Azerbaijan					
Belgium					
Bosnia and Herzegovina		0	0	2	
Bulgaria		4	8	14	
Croatia		0	1	0	
Cyprus					
Czech Republic					
Denmark					
Estonia					
Finland					
France					
Georgia					
Germany					
Greece					
Hungary		0	1	0	
Iceland					
Ireland					
Italy		110	72	45	
Latvia					
Liechtenstein					
Lithuania					
Luxembourg					
Malta					
Republic of Moldova					
Monaco					
Serbia- Montenegro		1	3	1	
Netherlands					
Norway					
Poland		0	3	1	
Portugal	0	0	1		
Romania	102	92	98		
Russian Federation					
San Marino					
Serbia					
Slovak Republic					
Slovenia					
Spain					
Sweden					
Switzerland					
"the former Yugoslav Republic of Macedonia"	0	1	2		
Turkey	0	1	0		
Ukraine	1	1	1		
United Kingdom					
	<b>- other (specify)</b>	Nigeria	13	3	6
		Morocco	3	5	1
		Brazil	0	3	3
		Côte d'Ivoire	1	4	1
		Dominican Republic	4	0	2
		Ghana	3	0	2
		Egypt	3	0	1

## Reply to the Questionnaire from Italy

	Senegal	2	1	1
	People's Republic of China	1	1	1
	Ecuador	2	1	0
	Peru	3	0	0
	Slovak Republic	0	0	3
	Algeria	0	0	2
	Bosnia and Herzegovina	0	0	2
	Burkina Faso	2	0	0
	India	1	1	0
	Kosovo	2	0	0
	Niger	0	2	0
	Pakistan	0	2	0
	Afghanistan	1	0	0
	Bangladesh	0	0	1
	Chad	0	1	0
	National Republic of China	0	0	1
	Colombia	0	0	1
	Cuba	0	1	0
	Dominica	0	0	1
	Yugoslavia – Kosovar ethnic group	0	1	0
	Mali	0	1	0
	Moldova	0	1	0
	Tunisia	1	0	0

Question	<b>Table 3: Country of origin of victims of THB</b>			
	<b>Social protection projects implemented in compliance with Art. 18 of Legislative Decree 286/1998</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
T23	<b>Number of victims of THB originating from:</b>			
<b>- Council of Europe Member States:</b>	Albania		38	34
	Andorra			
	Armenia			
	Austria			
	Azerbaijan			
	Belgium			
	Bosnia and Herzegovina		4	9
	Bulgaria		12	9
	Croatia		1	1
	Cyprus			
	Czech Republic		1	1
	Denmark			
	Estonia			
	Finland			
	France			
	Georgia		1	1
	Germany			
	Greece		1	1
	Hungary		4	4
	Iceland			
	Ireland			
	Italy		1	3
	Latvia			1
	Liechtenstein			
	Lithuania			
	Luxembourg			
	Malta			
	Republic of Moldova		32	23
	Monaco			
	Montenegro		2	2
	Netherlands			
	Norway		2	
	Poland		1	1
	Portugal			
Romania		197	145	
Russian Federation		19	13	
San Marino				
Serbia		8	5	
Slovak Republic		1		
Slovenia				
Spain				
Svezia				
Switzerland				
“the former Yugoslav Republic of Macedonia”				
Turkey		1	3	
Ukraine		14	12	
United Kingdom				

<b>- Other (specify)</b>	Nigeria	952	765
	Morocco	130	136
	Egypt	137	68
	China	105	93
	Brazil	62	41
	Pakistan	35	22
	Ghana	27	60
	Tunisia	27	37
	Senegal	19	27
	Bangladesh	18	33
	India	17	13
	Cameroon	8	5
	Algeria	7	4
	Bolivia	5	7
	Thailand	5	2
	Cuba	5	6
	Côte d'Ivoire	4	5
	Kenya	4	4
	Afghanistan	4	3
	Peru	4	5
Colombia	3	6	
El Salvador	1	12	
Mali	1	3	

Question	Table 3: Country of origin of victims of THB		
	Social protection projects implemented in compliance with Art. 13 of Law No. 228/2003		
	2010	2011	2012
T23	<b>Number of victims of THB originating from:</b>		
<b>- Council of Europe Member States:</b>	Albania		33
	Andorra		
	Armenia		
	Austria		
	Azerbaijan		
	Belgium		
	Bosnia and Herzegovina		4
	Bulgaria	15	25
	Croatia		1
	Cyprus		
	Czech Republic		
	Denmark		
	Estonia		
	Finland		
	France		
	Georgia	1	1
	Germany		
	Greece	3	
	Hungary	2	10
	Iceland		
	Ireland		
	Italy	1	8
	Latvia	3	1
	Liechtenstein		
	Lithuania		1
	Luxembourg		
	Malta		
	Republic of Moldova	12	8
	Monaco		
	Montenegro		2
	Netherlands		
	Norway		
	Poland	1	3
	Portugal		
	Romania	102	166
	Russian Federation	7	8
	San Marino		
	Serbia	3	7
	Slovak Republic		
	Slovenia		
Spain			
Sweden			
Switzerland			
“the former Yugoslav Republic of Macedonia”	1		
Turkey	3	5	
Ukraine	7	15	
United Kingdom			

	<b>- other (specify)</b>			
		Nigeria	236	308
		Morocco	83	91
		Egypt	33	21
		China	29	25
		Brazil	12	21
		Pakistan	19	7
		Ghana	21	33
		Tunisia	30	28
		Senegal	10	13
		Bangladesh	9	52
		India	7	7
		Algeria	0	4
		Bolivia	0	5
		Cuba	3	4
		Côte d'Ivoire	3	4
		Kenya	9	3
		Afghanistan	2	6
		Peru	1	2
		Colombia	2	3
		El Salvador	3	11
		Mali	1	2