

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



CP(2020)04

**Report submitted by the authorities of Italy
on measures taken to comply with
Committee of the Parties Recommendation
CP/Rec(2019)02 on the implementation
of the Council of Europe Convention
on Action against Trafficking in Human Beings**

Second evaluation round

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Presidenza del Consiglio dei Ministri
Dipartimento per le Pari Opportunità
Ufficio per le politiche delle pari opportunità
Il Direttore

Presidenza del Consiglio dei Ministri
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Ms. Petya Nestorova

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Dear Madame Executive Secretary, Ms. Nestorova,

It is my pleasure to give feedback to the Recommendation CP/Rec(2019) 02 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, adopted at the 24th meeting of the Committee of the Parties on 5 April 2019, requesting information about national measures undertaken since April 2019 up to now.

In this regard, I would like to enclose to this Note a detailed document, resulting from the contributions of Italian administrations involved in preventing and combating trafficking in human beings.

I'm also pleased to inform you that the Department for Equal Opportunities has released on 21 December 2018 the Call No. 3/2018 for the financing of local projects implementing the 15 months-Consolidated Programme with an allocation of 24 million euros. The selected projects are 21, located in different areas: 11 have been submitted by public bodies (Regions and Municipalities) and 10 by associations working in the field of countering trafficking. The time-limit to conclude the projects was May, 31st 2020.

However, with the outbreak of Covid-19, taking into account operational difficulties that affect all social interventions and the impossibility of activating partnerships with regional and local administrations to submit new proposals, representatives from associations asked the Department to postpone the issuing of the new call for proposals and to prolong the current activities for a period of no less than 6 months.

Due to the need to ensure constant protection and assistance to victims of trafficking, particularly in this extraordinary emergency, by Decree of the Head of the Department for Equal Opportunities of 28 May 2020 project activities in due course have been extended to December, 31st 2020 with additional funding amounting to € 11,192,740.00.

I also take this opportunity to announce the commitment of the Department for the compilation of the new National Action Plan against trafficking and serious exploitation of human beings 2020 – 2022, which will be released by the end of this year.

Finally let me express my appreciation for the attention deserved to Italy from the bodies of the Council of Europe, and I would like to confirm you that the Italian Government will endorse carefully GRETA and the Committee of the Parties comments and proposal for strengthening the implementation of the Convention on Action against Trafficking in Human Beings in our Country.

Laura Menicucci

A handwritten signature in black ink that reads "Laura Menicucci". The signature is written in a cursive style with a large initial 'L'.



Presidenza del Consiglio dei Ministri
Dipartimento per le Pari Opportunità

Recommendation CP/Rec(2019)02
on the implementation of the Council of Europe Convention
on Action against Trafficking in Human Beings
by Italy

The Italian Government is pleased to submit the present report on measures taken to comply with Committee of the Parties Recommendation CP/Rec(2019)02 on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings.

a. The institutional framework

1. Legislative Decree No. 24 of 4 March 2014, implementing EU Directive No. 36/2011, provides that the Department for Equal Opportunities at the Prime Minister's Office coordinates, monitors and evaluates the outcomes of prevention, law enforcement and social protection policies for victims of trafficking. Moreover the Legislative Decree provides:

- the adoption of a National Anti-Trafficking Plan (NAP) according to a multi-level governmental approach;
- the merging of the two previous paths of intervention in a Consolidated Programme of disclosure, assistance and social integration for victims of trafficking;
- compulsory training for all actors involved;
- compensation and support mechanisms for victims.

2. The first NAP, whose drafting process was based upon a long and complex analysis involving all anti-trafficking administrations and networks, was formally adopted by the Council of Ministers on 26 February 2016. The NAP was articulated according to the five key priorities identified by the EU Strategy:

- identify, protect and assist victims of trafficking;
- intensify the prevention of trafficking in human beings;
- strengthen the prosecution of traffickers;
- improve the coordination and policy coherence among key stakeholders;
- increase knowledge of emerging issues related to all forms of trafficking in human beings and provide an effective response.

Due to the complexity and the multi-sectoral nature of interventions, the NAP has provided for the establishment of a political/institutional Control Room, entrusted with the task of ensuring a multidisciplinary and integrated approach among institutional and private/social actors.

3. Since the adoption of the new Consolidated Programme for disclosure, assistance and social integration for victims of trafficking in 2014, the Department for Equal Opportunities has prepared special calls for proposals for the identification of projects submitted by accredited bodies to implement social assistance and integration programmes. These bodies are recorded in the second section of the Register of Bodies and Associations carrying out activities in favour of migrants, established at the Ministry of Labour and Social Policies, in relation to Calls No. 1/2016 (€ 15 million Euros) and No. 2/2017 (€ 22.5 million).

During 2018 the interventions of the Consolidated Programme were carried out with increased available financial resources. Projects started on 1st March 2019, following the selection procedure set out in the Call for Proposals No. 3/2018 published on 21 December 2018, amounting to € 24 million. Selected projects were 21 in several national territorial areas: 11 were submitted by public bodies (Regions and Municipalities) and 10 by associations working in the field of countering trafficking. The interventions should have been completed on 31 May 2020 to ensure full care of victims within the projects funded by the previous Call for Proposals No. 2/2017.

4. Due to the COVID-19 emergency, the Department for Equal Opportunities has decided to postpone the issuing of a new call for proposals and has provided for an extension of all projects, moving the deadline to 31 December 2020. At the same time it has intensified its relations with actors of the national anti-trafficking system (local administrations and NGOs) to examine the issues arising from the containment measures of COVID-19 and to mitigate its impact on victims' protection and emergency response activities.

5. As above mentioned the NAP 2016 - 2018 provided for the establishment of a Control Room to draft and compile a national anti-trafficking strategy. This body was rebuilt by Prime Minister's Decree of 9 April 2019 and was convened by the Minister for Equal Opportunities and the Family on 2 March 2020. It is supported by a Technical Committee (appointed by Prime Minister's Decree of 10 April 2019), composed of representatives of central and local governments, law enforcement agencies, trade unions and third sector bodies involved in the fight against trafficking in human being. The Technical Committee will be rebuilt and reconvened in short time.

All actors that have contributed to the implementation of the 2016-2018 NAP will be involved in the elaboration of a new national anti-trafficking strategic framework which will take into due account the developments recorded since 2016. To this scope the Department for Equal Opportunities is preparing the drafting process of the National Anti-Trafficking Plan 2020 – 2022: it will endorse the contents of the EU Strategy for the Eradication of Trafficking, the recommendations of the Committee of the Parties to the Council of Europe Convention on Action against Trafficking in Human Beings (GRETA) and the results of the implementation of the previous NAP 2016 - 2018.

5. In 2019 trafficking and serious exploitation in Italy were influenced by the decrease of migratory flows, in particular along the Mediterranean route.

Since 2015 assistance interventions have been affected by the massive presence of Nigerian women (80% of actions for taking care and assess the conditions of victims) who were trafficked and forced to prostitution to repay the debt with criminal organizations, particularly Nigerian mafias.

From 2015 to 2017, in fact, over 22,000 young Nigerian women landed on the Italian coasts. In the same period 80% of the Italian anti-trafficking projects assisted women

trafficked for sexual exploitation, while the other projects concerned labour exploitation, forced begging and forced involvement in illegal economies. These latter phenomena are characterized by a prevalent male presence.

During this time the phenomenon of trafficking and serious exploitation was strongly linked to the international protection system: almost all the beneficiaries of anti-trafficking interventions have submitted a request for international protection or have had a form of protection (humanitarian, subsidiary or the recognition of international protection status). Only in 2018 3353 persons were reported to anti-trafficking services by the Territorial Commissions in charge for applications for international protection made by potential victims of trafficking. Almost all of them were young Nigerian women. Against this background, the observations from Contact Units on street prostitution, as collected in the national mapping (2017/2019) promoted by the Anti-Trafficking Tool-Free Number, highlighted that 20% of prostitutes are transsexuals, 40% are Nigerian and the rest are women from Eastern Europe.

6. The most part of Italian anti-trafficking projects have been financially focused on contacts with populations at risk of trafficking and/or serious exploitation in places where prostitution is practised, in ghettos, in special reception facilities and in specific workplaces (especially in the agricultural sector). For 2019 through these intervention about 30,000 people have been contacted with the aim to inform them about fundamental rights, possibilities of access to health and social services, Italian legislation on migration, and to disclose situations of potential victims and/or requests for help.

Following a suspect or a report about a potential victim, the projects activated interventions with the purpose to assess conditions of trafficking and/or serious exploitation and the willingness of the concerned person to join a social protection programme. During 2019 3008 people benefited from this intervention as well as were advised about available services. Meanwhile 721 victims applied for admission to social protection programmes and benefited from assistance mechanisms provided for in the Single Call (reception in dedicated facilities).

In 2019 the number of people who have benefited from social inclusion programmes on literacy, professional training, job placement, regularisation, legal support and housing

research aimed at social integration, as provided for by the call for proposals, were 1975 (721 were revealed during 2019).

All proposed interventions within anti-trafficking projects were carried out according to a multi-agency system approach, i.e. through the collaboration of victims of trafficking with judicial authorities and other subjects, institutional or not, involved in the protection of victims and in the fight against criminal networks. Victims were assisted by linguistic mediators, who protected their human rights at every stage of the contact.

b. Data collection and statistics

1. The Department for Equal Opportunities at the Prime Minister's Office is in charge for the SIRIT (Sistema Informatizzato per la raccolta di informazioni sulla tratta) data collection system, managed and updated by the Municipality of Venice in the framework of the Agreement "Numero Verde Anti tratta". The SIRIT system is fed by the competent bodies managing the projects for the assistance and social protection of victims of trafficking and exploitation funded by the Department. It takes into consideration the wide range of actions foreseen by the projects, encompassing the contact with victims, the assessment of interventions, the care and social inclusion of assisted individuals, the evaluation of the results achieved through a follow up sheet. For 2019 and 2020 the collaboration agreement with the Municipality of Venice was renewed for the implementation and management of SIRIT in collaboration with the Ministries concerned, the Regions and local authorities as well as with the relevant associations in order to monitor the cases treated and the protection and prevention measures for victims' rights, also to allow Italy to fully fulfil the data collection and analysis function required by EU Directive No. 36/2011.

2. On the occasion of the above reminded recent meeting of Control Room for the prevention and fight against trafficking in human beings, convened by the Minister for Equal Opportunities and the Family, Elena Bonetti, on March 2, 2020, the establishment of an ad hoc working group involving all the competent Administrations to reflect upon and strengthening the collaboration for data collection has been approved.

c. Prevent THB for the purpose of labour exploitation

1. The establishment by Law Decree No. 119/2018 (converted into Law No. 136/2018) of the Operational Working Group for the definition of a new strategy to combat 'caporalato' and labour exploitation in agriculture, chaired by the Minister of Labour and Social Policies, should be mentioned. During its meeting of October 16, 2019, the three-year Plan against labour exploitation and labour exploitation in agriculture (2020-2022) was introduced. Following a mapping of territories and needs of agricultural workers, it provides for emergency interventions and systemic or long-term interventions, following four strategic axes: prevention; surveillance and contrast; protection and assistance; social and labour reintegration. Among the priority actions foreseen in the three-year plan an integrated reference system (referral) for the protection and first assistance of victims of labour exploitation in agriculture is included, to be implemented in coordination with the interventions of the forthcoming National Action Plan against trafficking and serious exploitation.

2. With regard to the phenomenon of trafficking, which encompasses labour exploitation and other forms of contemporary reduction into slavery, the Italian legislative framework provides for specific obligations of the employer towards its employees and for a special system of sanctions and supervision in charge of Labour Inspection Offices and the Carabinieri Corps Command for Labour Protection. In this framework a special register of employment agencies has been set up at the Ministry of Labour and Social Policies, to guarantee the conformity of their activities from an administrative and intermediation point of view and for personnel research and recruitment and support for professional relocation.

3. The Ministry of Labour and Social Policies has also implemented territorial projects aimed at promoting regular working conditions, taking charge the social and labour integration of victims, even potential victims, of exploitation. Just to mention an example, the SUPREME and PLUS SUPREME projects have been launched and implemented, with an allocation respectively of over 30,000,000 euros from the emergency resources of the Asylum, Migration and Integration Fund (FAMI) and 12,000,000 euros from the European Social Fund PON Inclusion, involving five Regions (Apulia, Campania,

Basilicata, Calabria and Sicily). The projects' activities include: emergency actions to overcome housing informal settlements and to support the social and labour inclusion of victims of labour exploitation; local surveillance and control, with the assistance of cultural mediators from IOM. The ALT CAPORALATO project, with an allocation of 3,000,000 euros from the National Fund for Migration Policies, extends the partnership between IOM and the National Labour Inspectorate to other Regions of the Centre-North Italy for inspection activities to combat labour exploitation and 'caporalato', also in sectors other than agriculture. Following the publication of the Notice 1/2019 for the submission of local projects involving social partners, aimed at taking charge of victims or potential victims of exploitation and their integration/reintegration into the labour market, 15 project proposals concerning Centre-North Italy Regions for about 31,000,000 euros from the FAMI, and 2 projects relating to Centre-South Italy Regions for 11,000,000 euros from the ESF-PON Inclusion, have been accepted for funding. These projects will be launched and implemented during 2020 and will result in concrete interventions throughout the whole national territory.

4. Moreover, to prevent trafficking and labour exploitation, especially in view of the current connection between trafficking and migration, also the projects aimed at strengthening the social and labour inclusion of vulnerable migrants, implemented by the Ministry of Labour and Social Policies are worth of mentioning. In particular the projects "Pathways for training, work and integration of young migrants" and "PUOI - Protezione Unita a Obiettivo Integrazione" could be mentioned: they aim to accompany and support foreign unaccompanied minors in transition to adulthood and young foreigners who have entered Italy as unaccompanied minors and have followed the majority age exiting out from the reception system for their regular stay on the national territory and the prevention of the risk of their involvement in exploitative activities. The projects, which are underway, foresee personalised intervention plans, involving a 5/6-month internships and an 'individual dowry' system, under which a contribution is paid to the applicant, an attendance allowance to the recipient and a contribution to the host of the internship.

d. Trafficking in children

1. Since 1st January 2007 the Ministry of the Interior has co-financed the ADITUS project with resources from the Asylum and Integration Fund (FAMI), in collaboration with OIM. The project encompasses several actions: information at disembarkation/hotspot locations and identification of vulnerabilities (especially victims of trafficking and unaccompanied foreign minors - UAMs); support and capacity building of operators working in centres for UAMs on issues such as trafficking, serious exploitation and family reunification; training of operators on trafficking and serious exploitation. Through the ADITUS project, IOM had the opportunity to participate in 812 disembarkation events, providing preliminary legal information and assistance to 134,068 migrants, 10,398 unaccompanied minors and 8,981 possible victims of trafficking; since the beginning of the project, over 14,000 migrants and applicants for international protection have been informed in reception, detention and transit centres. Over 800 operators of UAMs reception centres have been informed about trafficking and labour exploitation and family reunification in the three-year period 2017-2019. The training was focused particularly on children victims of trafficking in persons: indeed it was aimed at strengthening the prevention of and fight against trafficking in children through the development of collaborations between public and private actors and good practices for the identification and support of children victims or at risk of trafficking and serious exploitation in Europe, especially in the concerned States.

2. An ad hoc methodology based on children's rights has been developed, identifying indicators about children victims of trafficking and serious exploitation, including specific subjective profiles in order to monitor the phenomenon and define best practices, to be adopted in the first assessment for identification and taking charge of victims.

3. Training handbooks based on a shared methodology and addressed to law enforcement, judiciary and private actors have been developed, as well as standard operating procedures (SOPs) for the development of best practices for identification, support and assistance for children's protection.

e. Identification of victims of THB

1. As above recalled, due to the complexity and multi-sectoral nature of interventions, the first NAP against trafficking and serious exploitation of human beings for the years 2016-2018 has provided for the establishment of a political/institutional Control Room, which guarantees the adoption of a multidisciplinary and integrated approach involving public and private actors. In the Control Room a constant exchange of information takes place among its members on the activities carried out, the results achieved and in progress, and further measures that will be adopted.

2. As already said, on March, 2 2020 the Minister for Equal Opportunities and the Family, Elena Bonetti, has convened the Control Room for the prevention and fight against trafficking in human beings. During the meeting, which was attended by representatives of competent Ministries, Police Forces and the Conference of Regions together with the National Anti-Mafia and Anti-Terrorism Prosecutor, there was full convergence on the actions proposed by the Minister, starting from the re-establishment of the Technical Committee and the drafting of the new National Anti-Trafficking Strategic Plan by 2020. The meeting was an opportunity to take stock of some actions - collection and sharing of data for the identification of victims, with particular attention to minors, protection and psychological support to victims, protection of relatives, training of operators and interpretation activities, strengthening of partnerships with Countries of origin – in relation to transnational crime and ‘caporalato’. “Trafficking requires collaboration and an effective partnership network for a multidimensional and organic action - explained Minister Bonetti -. In this sense, the adoption of a new National Strategic Plan responds to a strong request from operators but also from the Greta report of the Council of Europe. The Plan will be based on the following key priorities:

- Improve the reliability and availability of data on trafficking, as a prerequisite for proper monitoring of trafficking and better policy making;
- Intensify actions to address trafficking for sexual exploitation, forced marriages, begging, forced crime, trafficking in human organs and skins, sale of pregnant women infants, with a special focus on labour exploitation;

- Addressing trafficking within the new context of migratory crisis (indeed many victims of trafficking are involved in asylum application systems);
- Intensify training of professionals who, in different capacities, have contact with victims of trafficking, also in relation to traffickers evolving operational methods;
- Combating the impunity of those who knowingly use victims of trafficking;
- Strengthening efforts to prevent trafficking in children for different types of exploitation;
- Take further measures to improve the identification of trafficked persons;
- Facilitate and ensure access to compensation for trafficked persons;
- Continue to take measures to ensure that the return of trafficked persons is carried out with respect for their rights, safety and dignity and, in relation to children, fully respecting the principle of the best interests of the child;
- Improve the efficiency and effectiveness of investigation and prosecution activities.

The participants confirmed their common intent to work together, with an initial commitment on three fronts: an operational group, composed of competent actors for the collection and sharing of data; a focus on the interception of the phenomenon on an international scale; training of operators to seize personal situations of the victims. The Technical Committee will be created and convened in due time.

3. Among the most relevant aspects reported by international bodies on trafficking in human beings, the training of police forces involved to ensure an effective fight against trafficking and serious exploitation plays a central role. For example special attention has been devoted to the training of State Police officers through conferences and seminars, also with the participation of ad hoc professionals. Training courses were held on investigative techniques for combating trafficking and relating crimes for the staff of the “Specialized Sections” of the Mobile Squads. At the International School of Higher Education for the prevention and fight against organized crime in Caserta, since the academic year 2016/2017, a course on “Trafficking in human beings and smuggling of migrants” has been activated, in addition to those of specialization and updating already in place and involving officers from the National Anti-Mafia Directorate. The National Commission for the Right of Asylum, responsible for the training and updating of training officers at the Territorial Commissions, organized in 2019 specific courses on trafficking

in human beings in collaboration with UNHCR and EASO. In particular, courses were organised to enhance the expertise of the National Commission's training officers on identification of potential victims of trafficking among asylum seekers.

4. As per the identification of victims of trafficking and other forms of exploitation, the Territorial Commissions for the Recognition of International Protection carry out a pre-identification activity of potential victims of trafficking among asylum seekers and report individual cases to competent actors (anti-trafficking agencies, law enforcement agencies and/or Public Prosecutor's Offices). These actions are primarily aimed at protecting the potential victim, facilitating his/her taking charge by relevant assistance bodies and anti-trafficking organisations (as signatories of MoUs with the Territorial Commissions).

5. Meanwhile the National Commission on the Right of Asylum - which has recently drawn up a Report on the phenomenon of trafficking in human beings - promotes cooperation activities with all concerned actors for the protection of victims of trafficking and the fight against the phenomenon, in order to favour a greater exchange of information. Moreover at a territorial level several initiatives have been undertaken in favour of victims of trafficking by some Territorial Prefectures (Bari, Campobasso, Matera, Parma, Potenza, Venice): they have signed MoUs with private social actors to ascertain the phenomenon and the taking charge of victims. To the same scope MoUs have also been signed by some territorial Commissions for the recognition of international protection (Ancona, Bologna, Gorizia, Milan, Salerno, Turin).

6. Within the project "Coordination mechanisms for victims of trafficking", promoted by UNHCR and the National Commission on the Right of Asylum, the Guidelines on "Identification of trafficked persons among applicants for international protection and referral procedures" have been recently updated to guide the Territorial Commissions in the identification of the so-called "trafficking indicators".

7. On a more general note, due to the relevance of testimonies of trafficked persons and the acquisition of essential information on traffickers and methods of recruitment and transport of migrants from Africa and Balkan countries in order to start investigations,

the National Anti-Mafia Directorate has started a crucial collaboration with the National Commission and the Territorial Commissions for the recognition of international protection for the proper identification and referral of presumed victims of trafficking and serious exploitation. The collaboration with the National Commission for the Right of Asylum will be formalized in short time through a MoU to regulate the acquisition and use of information from the Territorial Commissions in order to start the pre-investigative activities and related acts to carry out local investigations.

f. Access to compensation to victims of THB

1. A victim of trafficking has the right to receive compensation for physical and psychological harm suffered and for wages not received through civil, criminal or administrative proceedings. The National Referral Mechanism provides for grievance procedures to effectively enable trafficked persons to make report and to benefit from the right to compensation in case of violation of their human rights at any stage of their identification and assistance process. Compensation can be obtained by offenders through judicial proceedings and civil actions and/or by the State through an ad hoc fund for victims. Compensation not only practically supports the social inclusion of victims, but also recognises that trafficking is a crime for which offenders must be punished and victims rewarded. Therefore, compensation must be seen as a means of remedying violations of the rights suffered by trafficked persons.

2. Article 12 of Law No. 228/2003 (as amended and supplemented by Legislative Decree No. 24/2014) establishes the Anti-Trafficking Fund for Anti-Trafficking Measures for the financing of assistance and social integration programmes in favour of trafficked persons and compensation for victims of trafficking offences. The value of the compensation is € 1,500.00 per victim.

g. Investigation and prosecution of THB offences

1. A clear exemplification of the functioning of the Referral Mechanism provided by the first National Action Plan against trafficking and serious exploitation of human beings

for the years 2016-2018 is presented by the collaboration between the National Anti-Mafia Directorate and the European Mission EUNAVFOR MED - Operation SOPHIA within the framework of a MoU signed in 2017 for an improved knowledge of the phenomenon of trafficking and trafficking in human beings for the benefit of the investigative activity and with the ultimate aim of identifying the criminal offenders.

2. The sharing of military data, acquired by EUNAVFOR MED during SAR interventions, and judicial data provided by the National Anti-Mafia Directorate concerning criminal proceedings managed by District Anti-Mafia Offices and Public Prosecutors' Offices involved in investigations on migration, led to the compilation of the First Report of the European Observatory on Migrant Smuggling and Trafficking in Human Beings.

3. Through the collection and analysis of this data a series of elements was found which proved useful for the knowledge of the migratory phenomenon and for the in-depth investigations, such as: trafficking routes; the nationality of traffickers and victims; the age of persons investigated and accused in Italy; the identification of places of departure used by the smugglers; methods used for trip payment; methods used for the identification of smugglers; crimes connected to the violation of the legislation on immigration (i.e. voluntary and pre-intentional homicide, trafficking in human beings). These elements could timely understand the evolution of smuggling of migrants and trafficking in human beings and, consequently, prepare precise investigative strategies such as, for example, those aimed at developing cooperation among judicial and police authorities of the Countries of origin, transit and destination. Two further MoUs were signed in November 2018 and December 2019 to extend data collection and analysis to all the information contained in the notes drawn up by the Central Operations Service of the State Police following the landing of migrants on Italian coasts.

4. Indeed to countering trafficking of human beings and related crimes by competent ordinary and district Prosecutor's offices, data should be considered complementary to the overall evaluation of crimes having as victims and suspects foreigners in Italy.