

COUNCIL OF EUROPE



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G R E T A

Group of Experts on Action
against Trafficking in Human
Beings

GRETA(2018)26_ITA_rep

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

Third evaluation round

**Thematic focus: Access to justice and effective
remedies for victims of trafficking in human beings**

Reply submitted on 5 October 2022

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December 2018

Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings ("the Convention"), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by State Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking.

GRETA has decided that the third evaluation round of the Convention will focus on trafficking victims' **access to justice and effective remedies**, which is essential for victims' rehabilitation and reinstatement of rights and reflects a victim-centred and human-rights based approach to the fight against human trafficking. A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. Moreover, victims of trafficking, by virtue of their status as victims of human rights violations, are entitled to effective remedies under the European Convention on Human Rights. Access to justice and effective remedies must be guaranteed, in a gender- and age-sensitive manner, to all victims of trafficking subject to the jurisdiction of State Parties, irrespective of their immigration status or presence on the national territory and notwithstanding their capacity or willingness to co-operate in any criminal investigation.

Access to justice and effective remedies is contingent on the fulfilment of a number of preconditions, including prompt and accurate identification of victims of trafficking, the provision of a recovery and reflection period, the availability of material, psychological, medical and legal assistance, regularisation of the victim's stay, the right to seek and enjoy asylum, and the application of the principle of *non-refoulement*. These preconditions, corresponding to different provisions of the Convention, have been examined at length during the first and second evaluation rounds of monitoring of the Convention. Consequently, GRETA has decided to ask each State Party for an update on the implementation of GRETA's previous recommendations on selected topics, through a separate country-specific part of the questionnaire, rather than including once again questions related to the same provisions in the general questionnaire for the third evaluation round.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's second evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

Part I - Access to Justice and Effective Legal Remedies

1. Right to information (Articles 12 and 15)

1.1 How, at what stage and by whom are presumed victims and victims of THB informed of their rights, the relevant judicial and administrative proceedings, and the legal possibilities for obtaining compensation and other remedies, in a language that they can understand? Please provide copies of any information materials developed to inform victims of THB, including any materials specifically developed for child victims, in the languages in which they exist.

1.2 How is the obligation to provide translation and interpretation services, when appropriate, met at different stages of the legal and administrative proceedings by different agencies?

By Legislative Decree No. 212/2015, Italy endorsed Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012, establishing 'minimum standards on the rights, support and protection of victims of crime', outlining a new statute for victims, enhancing their space for action within criminal proceedings and introducing new provisions to ensure an adequate level of protection and assistance.

On a general note, once criminal proceedings have been instituted, Article 90 bis of the Code of Criminal Procedure, introduced by Article 1(1)(b) of Legislative Decree No. 212/2015 (information to the offended person), provides that the offended person must be guaranteed, in a language known to him or her, effective knowledge of his or her rights and capabilities and appropriate measures for his or her support and protection; in particular, the rule refers to complete information concerning the procedures for filing complaints or lawsuits, the right to receive information on the status of the proceedings, the possibility of access to legal aid, protection measures, and the assistance facilities available in the territory.

In addition, where the offended person is a foreign national, the new Article 143-bis of the Code of Criminal Procedure (other cases of appointment of an interpreter) establishes the right to the appointment of an interpreter and the translation of documents.

Even at the stage of filing a complaint, the party has the right to use a language known, according to Art. 107-ter of the Implementing Provisions of the Code of Criminal Procedure (Assistance of an Interpreter in Making or Filing a Complaint).

For unaccompanied foreign child victims of trafficking, the information to be provided must include possible access to international protection measures, and a representative of social services, together with the appointed guardian, must always be involved.

Accredited local and national anti-trafficking facilities, which host the presumed trafficked person following the activation of the initial referral mechanism, provide adequate counselling to the presumed victims in their language of origin, either through material intended to inform victims about opportunities offered by the law in Italy or through the intervention of interpreters and/or cultural mediators.

Interpreters, within the framework of judicial proceedings, are appointed by the judicial authority and are selected from among those listed in a special register; within the administrative sphere, both local authorities and public or private associations that provide services to victims use cultural mediators who also act as interpreters.

To date, there is no official register of mediators at regional level. However, all organisations that come into contact with foreign trafficked persons must include in their staff or have a reference list of qualified and trusted interpreters and mediators. These sign a declaration concerning the reliability of the interpretation and commit themselves to the confidentiality of the information they acquire.

The Department of Public Security, on 12 January 2001, with a decree of the Chief of Police, entrusted the Immigration Offices of the Police Headquarters with the task of ensuring, on an exclusive basis, 'the performance of all the administrative activities instrumental - or in any case connected - to the exercise of the powers of the central and local Public Security Authorities having as their object the entry, stay, rejection, expulsion, recognition of refugee status, the conferment of citizenship and the relative litigation'.

In exercising this function, these offices inform THB victims of the rights and protections provided by their condition also through the participation in 'interviews' of cultural and linguistic mediators employed for these needs.

The Ministry of Health, through the 'Istituto Nazionale per la promozione della salute delle popolazioni Migranti e per il contrasto delle malattie della povertà' (National Institute for the Health Promotion of Migrant Populations and for the Fight against Poverty-related Diseases - NIHMP), also provides specialised legal counselling to women who access the outpatient clinic and have been identified as potential victims of trafficking, with the aim of providing them with the legal information they needed to free themselves from exploitation and protect their rights.

The contents are conveyed, thanks to the presence of cultural mediators, in a language and with expressions that respect each woman's cultural background and literacy level.

Again with regard to the protection of the most vulnerables, the United Nations emphasised how the COVID-19 pandemic, first, and the conflict in Ukraine, later, amplified the risks of trafficking and sexual exploitation of vulnerable children and women ¹.

UNICEF therefore raised awareness about anti-trafficking services among migrants and refugees in Italy through the development and dissemination of several materials and the organisation of dedicated initiatives.

In cooperation with UNHCR and IOM, UNICEF developed a campaign providing useful tips for staying safe, available in English and Ukrainian, as well as multilingual promotional material disseminated online and in border areas.

UNICEF, in cooperation with IOM and UNHCR, adapted to the Italian context ² a Pocket Guide on how to support survivors of gender-based violence ³, including THB, which was disseminated by the Italian Ministry of the Interior through all Italian Prefectures and is now available in both Italian and Ukrainian.

UNICEF has also developed a chatbot to provide support and basic information to refugees fleeing the conflict in Ukraine and the chatbot has a specific session on the risks of human trafficking and available services. In addition, several videos, leaflets and online fact sheets on consent and sexual violence have been produced in different languages over the past two years.

All materials are available at this link (<https://www.facebook.com/UreportOnTheMove>).

Moreover, in 2020, UNICEF organised an 'Activate Talk at the conclusion of the '16 Days of Activism against Gender Violence' campaign⁴, promoting dialogue between young women activists and Italian institutions dealing with the prevention of violence against women, including the Parliamentary Commission of Inquiry on Femicide and Gender Violence.

In 2021, on the occasion of World Anti-Trafficking Day, UNICEF organised a Live Chat to discuss the definition and key elements of human trafficking and available response services. Live Chats are expert-led information sessions on various topics relevant to adolescents and young refugees and migrants registered on U-Report on the Move, an online messaging platform created by UNICEF entirely dedicated to young refugees and migrants living in Italy, which aims to strengthen their participation and level of awareness of their rights.

The key messages discussed during the Live Chat were turned into an informative video published in English, French and Italian. Prior to the Live Chat, UNICEF also developed a short survey to understand young refugees and migrants' knowledge about human trafficking and related response services, reaching out to over 200 young migrants and refugees. Respondents then received key messages on forms of protection for survivors of trafficking, current Italian legislation and practical information on how to seek help.

In response to the crisis in Ukraine, UNICEF developed and disseminated Guidelines for the Protection of Migrant and Refugee Children 5.

In 2021, UNICEF launched a survey on the U-Report on the Move platform involving 207 participants, including migrant and refugee boys and girls. The survey shows that 1 in 4 people

1 <https://www.ohchr.org/en/documents/thematic-reports/ahrc4631-impact-coronavirus-disease-different-anifestations-sale>

2 <https://gbvguidelines.org/en/pocketguide/>

3 <https://www.unhcr.org/it/wp-content/uploads/sites/97/2020/11/GBV-Pocket-Guide.pdf>

4 <https://www.activatetalksitalia.com/activate-talk-2-2020>

5 <https://www.unicef.it/emergenze/ucraina/linee-guida-per-la-protezione-dei-bambini-sfollati-e-rifugiati/>

Believe that the risks associated with human trafficking and exploitation have increased since the start of the COVID-19 pandemic. The same survey reports that only 1 in 4 said they were able to refer a potential victim of trafficking to a support service, despite the fact that 6 in 10 said they had already heard of trafficking. Among survey respondents, 4 in 10 believe that sexual exploitation is the most risky form of exploitation for women and girls, while for 3 in 10, labour exploitation is the most risky for boys and men.

Moreover, between 2017 and 2019, during the implementation of the Aditus project, financed by the Italian Ministry of the Interior through the AMIF Fund, IOM staff were present at landings, Hotspots, reception centres (including for unaccompanied minors) and detention centres, informed more than 9,000 potential victims of trafficking and exploitation risks and referred 495 of them to the relevant authorities for further support and assistance (including referral to the anti-trafficking hotline and the national anti-trafficking protection system).

The extensive fieldwork carried out by IOM cultural mediators during labour inspections and awareness-raising activities contributed to raising awareness among migrant workers of their rights and obligations. As a result, being more aware of their plight and the protection mechanisms available to victims of labour exploitation, they felt more confident in coming forward and actively sought assistance from the relevant institutions.

Between February 2020 and May 2022, IOM assisted 489 migrant workers with individual support and counselling, of whom 147 victims of labour exploitation were referred to the Anti-Trafficking Network and/or *the Sistema di Accoglienza e Integrazione* (SAI as its Italian acronym).

On 15 June 2021, the multi-agency Help Desk against *Caporalato* (for information and access to services) was launched for third-country nationals who are victims of labour exploitation and illegal working conditions. Its main objectives are:

- 1) helping migrants out of exploitative labour conditions;
- 2) facilitate their access to local information and services;
- 3) inform citizens, potential victims and institutions about the actions carried out by the P.I.U.Su. Pr.Eme. and Su. Pr.Eme.

The Help Desk is multi-channel: it can be accessed through a dedicated toll-free telephone line, social media, e-mail and an integrated multilingual website where legal and labour exploitation experts, as well as intercultural mediators, offer multilingual counselling and support in Italian, English, French, Arabic, pidgin English, edo/benin, fula, pular, mandinka and wolof.

Although this service is more specifically aimed at victims of labour exploitation, it receives and handles contacts on all kinds of migration-related issues. It informs users about other specialised services, if available, or otherwise handles enquiries directly.

The Helpdesk has signed 147 formal Memoranda of Understanding with all types of services, which facilitate the referral of victims and other users.

Legislative Decree No. 212 of 15 December 2015, implementing Directive 2012/29/EU, stipulated that information provided to crime victims at first contact with the judicial authority must be in a language that the victim understands, and cultural and linguistic mediation is almost available at different stages of the legal and administrative proceedings.

In Italy, the presence of cultural mediators and mediators of various origins and with expertise in different language areas (mostly English, French, Arabic, Tigrigna, Amharic, and Nigerian and sub-Saharan dialects) is considered essential at all stages of the process, and the agencies operating in the country are usually staffed with trained and available personnel.

The work of the mediator is crucial as he or she collects the victim's personal experience narrative and also does so by reading physical and psychological-behavioural indicators.

From this point of view, the presence of female staff is a key element in order to facilitate the sharing of stories about trauma inflicted by the trafficker and the presence of mediators (in addition to medical and paramedical staff), especially during the disembarkation phase, dedicated to the identification of vulnerabilities during in-depth interviews seems important in order to allow for specific work tailored to the individual profile of each person.

In the Italian experience, the role of female mediators with Arabic-speaking and Nigerian backgrounds and language skills is particularly important.

The presence of Nigerian cultural mediators, particularly those with trafficking experience, in the very first reception phase is important insofar as the emergence of trafficking experiences within groups of Nigerian women is usually emerge scarcely.

Nigerian women and girls frequently present themselves as a compact group, more reluctant to interact with staff, and often in a clear condition of suppression and control.

In these cases, talking to a person who speaks the same dialect, has the same skin colour and reassures the victims with a familiar and caring attitude facilitates the reporting of individual stories.

Precisely with regard to the phase and context of disembarkation and reception at the front line, difficulties still exist in the country as the presence of cultural mediators in specialised services or of operators trained to read the different cultural and social codes and perceptions of migrant and refugee women and girls, has varying quality standards in the various anti-trafficking programmes in force at the regional level.

Indeed, although there is a single national referral mechanism, unevenness in the efficiency and effectiveness of the current referral process persists between regions and the availability of trained linguistic and cultural mediators is not always homogeneous.

In order to assign uniform quality standards among the various anti-trafficking programmes at the regional level, the new NAP 2022-2025, which is being finalised, envisages a greater and more active involvement of local and regional authorities with strategic action programmes aimed at ensuring uniform standards across the country.

2. Legal assistance and free legal aid (Article 15)

2.1 How, by whom and from what moment is legal assistance provided to victims of trafficking? How is legal assistance provided to children?

2.2 Do all presumed victims of THB have access to legal assistance, irrespective of immigration status or type of exploitation?

2.3 What are the conditions for access to free legal aid for victims of THB, including children? For which types of proceedings is free legal aid available? Is free legal aid available to help victims claim compensation and execute compensation orders? Please provide the text of the relevant provisions.

2.4 Are there lawyers specialised to provide legal aid and represent victims of THB in court? What regulations, if any, are applicable to the provision of such legal aid/representation?

2.5 How is the provision of legal assistance and free legal aid for victims of THB funded? Do victims have to pay a fee to obtain legal assistance or start a procedure, or are there other financial barriers in place? If yes, please specify the amount(s).

As for legal information, it should be emphasised that coordination among various institutional bodies, private associations, international organisations and in general concerned stakeholders, ensures that the victim has adequate and correct legal information from the initial stages. These are provided by dedicated 'legal desks', which may represent autonomous points in the network or be operational in the same associations.

Some associations have legal desks present throughout the country.

It should also be noted that the calls for tenders published by the Department for Equal Opportunities of the Presidency of the Council of Ministers for the funding of projects implemented at territorial level aimed at ensuring assistance and social integration for victims also allow the funding of projects related to the provision of information on activities carried out by legal practitioners or lawyers specialised in the matter.

Legal counselling is provided just after the emergency has passed, once the victim has been placed in a stable psycho-physical condition so that a judicial process can be considered.

How is legal assistance provided to children?

Legislative Decree No. 142 of 18 August 2015 ('Reception Decree') of Implementation of Directive 2013/33/EU laying down rules on the reception of applicants for international protection and Directive 2013/32/EU on common procedures for granting and withdrawing international protection status, provides for specific 'Provisions on minors' (Art. 18) and 'Reception of unaccompanied minors' (Art. 19). These regulations were supplemented by Law No. 47 of 17 April 2017, containing 'Provisions on the protection of unaccompanied foreign minors (known as the Zampa Law), which came into force on 6 May 2017.

According to Law No 47/2017, an unaccompanied foreign minor (MSNA) is 'a minor who is not a citizen of Italy or the European Union and who is for any reason in the territory of the State or who is otherwise subject to Italian jurisdiction, without the assistance and representation of his parents or other adults legally responsible for him/her under the laws in force in the Italian legal system (Art.2).

Article 3 of the law introduced an absolute ban on rejecting MSNAs at the border, amending the Consolidated Immigration Act (Legislative Decree No286/98), but the measure of expulsion of a foreign minor for reasons of public order or State security remains in place, which can be adopted by the Juvenile Court, at the request of the Questore, 'provided, however, that the measure does not entail a risk of serious harm to the minor'.

Guarantees are provided for in Art. 15 (Right to listen to unaccompanied foreign minors in proceedings), where it is reaffirmed that "The affective and psychological assistance of unaccompanied foreign minors is ensured at every stage and level of the proceedings, by the presence of suitable persons indicated by the minor, groups, foundations, or non-governmental organisations with proven experience" and in Art. 16 (Right to legal assistance), whereby 'An unaccompanied foreign minor involved in legal proceedings in any capacity whatsoever shall have the right to be informed of the opportunity to appoint a lawyer through the appointed guardian or the person who has parental responsibility (. . .) and to avail himself or herself of free legal aid, in accordance with the legislation in force, at every stage and level of the proceedings'.

Article 17 of this law, entitled 'Trafficked minors,' provides for the establishment of a specific programme for the assistance of trafficked minors, which grants assistance beyond the age of 18, and an annual fund of 138/mil/€ (year 2022) to make payments to minors seeking compensation.

In addition, the law reduced the maximum period of detention of minors in a reception centre from 60 to 30 days and specified that unaccompanied minors must be kept in separate facilities from

All presumed victims of trafficking have access to legal assistance, unless they specifically refuse and regardless of their immigration status and type of exploitation.

According to the provisions of Law No 217/1990 and subsequent amendments, concerning legal aid, in order to be represented in court both to act and to defend oneself, the non-poor person may request the appointment of a lawyer and his/her assistance, provided that his/her claims are not unfounded.

The conditions for admission are specified in Article 76 of Presidential Decree No 115 of 30 May 2002, as amended, as follows.

With regard to the application for legal aid in civil and administrative matters, the following is noted.

The application, on plain paper and signed by the interested party, must be submitted to the Secretariat of the Bar Association Council of the place where the Magistrate in charge works, or where the Magistrate competent to hear the case on the merits is located if the trial has not started, or where the judge who issued the decision in the case of an appeal to the Court of Cassation, Council of State, Court of Auditors has its seat.

The application must be submitted in person by the interested party enclosing a photocopy of an identity document in force or by the defence lawyer who must authenticate the applicant's signature, but it may also be submitted by registered mail with return receipt enclosing a photocopy of the document (and now also by pec or by deposit on the telematic systems of the Courts by the defence lawyer with digital signature).

After the application has been filed, the Bar Association Council assesses the validity of the claims and, if the conditions for admissibility are met, it issues within 10 days a ruling either granting the application or rejecting it, and sends a copy of the ruling to the person concerned, to the competent judge and to the Income Revenue Authority, for verification of the declared income.

After the decision of admission (but also before) the person concerned may appoint a lawyer, choosing the name from the List of Lawyers qualified to defend for legal aid specially prepared by the Councils of the Bars and Law Societies of the district of the competent Court of Appeal. In cases where the application is not granted, the person concerned may submit a request for admission to the competent court, which decides by decree.

The categories admitted to civil legal aid are Italian citizens, foreigners lawfully residing at the time of the relationship or the event that is the subject of the proceedings, stateless persons, applicants for international protection, non-profit-making bodies and associations not engaged in economic activity.

It should be noted, for the sake of completeness, that for proceedings concerning foreigners affected by an expulsion order pursuant to Art. 14 of the Legislative Decree No. 286/98, paragraph 4 provides for the *ex lege* admission of the foreigner to legal aid, i.e. it operates automatically regardless of income requirements and the merits of the claims of the beneficiary party, furthermore there is no express requirement for the detained foreigner to submit a specific application, and it is however advisable, especially in the case of fiduciary defence, that the foreigner expressly declares his/her willingness to avail himself/herself of legal aid, to which he/she is entitled by law, by means of a declaration which may be included in the minutes of the hearing to validate or extend the detention, or in the special power of attorney, or at the foot of the appeal against the deportation decree, or in a separate deed. The payment of fees to the lawyer, whether appointed or *ex officio*, of the foreigner detained at the CPR, although not expressly provided for by Presidential Decree No. 115/2002, is carried out according to the modalities provided for by Arts. 82 and 83 of Presidential Decree No. 115/2002.

With reference to the request for legal aid in criminal matters, the following is noted:

Admission to legal aid may be requested at any stage and level of the proceedings and for all related derivative and incidental proceedings.

An independent request for admission must be submitted at certain stages of the trial: execution of the sentence, review proceedings, in revocation and third-party proceedings, in trials for the application of security and prevention measures and in those under the competence of the supervisory magistrate.

The benefit is excluded in criminal proceedings for tax evasion offences, if the applicant is assisted by more than one defence counsel, and for persons convicted by a final judgment for mafia association offences or offences related to tobacco and drug trafficking.

The same conditions of access relating to income limits set out in special legislation below (Presidential Decree No 115 of 30 May 2002, as amended) also apply to legal aid requested for criminal proceedings.

The categories admitted to legal aid in criminal matters are Italian citizens, foreigners and stateless persons, applicants for international protection and, in general, suspects, defendants, convicted offenders and injured parties who intend to bring civil action for damages or restitution arising from the offence, civil defendants or those who are civilly liable for the fine.

The application for admission is filed at the office of the magistrate before whom the proceedings are pending, i.e. at the clerk's office of the judge in charge if the proceedings are at the preliminary investigation stage, at the clerk's office of the judge who is prosecuting, at the clerk's office of the judge who issued the order in the event of an appeal to the Court of Cassation.

If the applicant is a prisoner, the application may be submitted to the director of the prison, who will forward it to the prosecuting Magistrate in charge.

If the applicant is under house arrest or subject to a security measure, the application may be submitted to a judicial police officer who will forward it to the prosecuting Magistrate in charge

If the applicant is a foreigner (non-EU), the application must be accompanied by a certification (for income earned abroad) from the competent consular authority attesting to the truth of what is declared in the application, and if this is not possible, the certification may be replaced by self-certification (this condition also applies to civil or administrative applications made by non-EU foreigners).

If the applicant is a foreigner and is detained, interned for the execution of a security measure, under house arrest or under house detention, the consular certificate may be produced within twenty days since the date of submission of the application, by the person's lawyer or a member of the person's family (or it may be replaced by self-certification).

Within 10 days after the application is filed or received, the competent court verifies admissibility and decides by declaring the application inadmissible, granting or rejecting it.

The court decides on the application by reasoned decree, which is deposited in the registry and notice of the deposit is given to the person concerned or his/her lawyer; if he/she is detained, the decree is notified to him.

In any case, a copy of the application and of the decree deciding on admission to the benefit are forwarded to the local competent Income Revenue Office for verification of the declared income.

The person concerned may choose a defence counsel of his/her choice from among those entered in the lists of lawyers for legal aid at the Bar Council of the district of the competent Court of Appeal and, in the cases provided for by law, may appoint a technical consultant and an authorised private investigator. Against the rejection decision, the person concerned may appeal to the president of the court or the court of appeal within 20 days since the decision's notification.

The appeal is notified to the Income Revenue Office. The order over the appeal is notified within 10 days to the person concerned and to the Income Revenue Office, which, within the following 20

days, may lodge an appeal in cassation. The appeal does not suspend the execution of the contested order.

The regulation in force is reported as follows:

- Law No 217 of 30 July 1990 instituting legal aid;
- Law No. 134 of 29 March 2001 - Amendments to Law no. 217 of 30 July 1990, establishing legal aid for indigents (Italian Official Gazette no. 92 of 20-4-2001)
- Law No 25 of 24 February 2005 - Amendments to the consolidated text of the laws and regulations on legal expenses, referred to in Presidential Decree No 115 of 30 May 2002;
- Presidential Decree No 115 of 30 May 2002 - Consolidated text of the legislative and regulatory provisions on legal expenses. (Official Gazette no. 139 of 15-6-2002 – Ordinary Suppl. No. 126);
- Law no. 125 of 24 July 2008 - Conversion into law, with amendments, of Decree-Law No. 92 of 23 May 2008, containing urgent measures on public security. (OJ No 173 of 25-7-2008);
- Articles 38 and 46(o) Presidential Decree No 445 of 28 December 2000 - Consolidated text of laws and regulations on administrative documentation. (OG n. 42 del 20-2-2001 - Ordinary Suppl No 30).

All information concerning the application for admission to the institute can be found on the website of the Consiglio Nazionale Forense (<https://www.consiglionazionaleforense.it/web/cnf/legislazione>), in a special section.

More specifically, Presidential Decree No 115 of 30 May 2002, as amended, provides the following rules on legal aid:

ART. 74 (Institution of legal aid) :

1. Legal aid in criminal proceedings shall be provided for the defence of citizens without means, suspects, defendants, convicted offenders, injured parties wishing to become civil parties, civilly liable or civilly obliged to pay a fine.
2. Legal aid shall also be provided in civil, administrative, accounting, tax and voluntary jurisdiction proceedings for the defence of indigent citizens when their reasons are not manifestly unfounded.

ART. 75 (Scope of applicability)

1. Admission to legal aid is valid at every level and for every stage of the proceedings and for all proceedings, derivative and incidental, however connected.
2. The rules on legal aid shall also apply, in so far as compatible, at the execution stage, in revision proceedings, in revision and third-party proceedings, as well as in proceedings relating to the application of security and prevention measures and in proceedings under the competence of the supervisory court, provided that the person concerned must or may be assisted by a defence counsel or technical adviser.

ART. 76 - Conditions for admission.

1. Anyone who has a taxable income for personal income tax purposes, resulting from the last declaration, not exceeding €11,746.68 (figure updated to the year 2022) may be admitted to legal aid.

2. Subject to the provisions of Article 92, if the person concerned cohabits with his spouse or other family members, the income shall be the sum of the incomes earned during the same period by each member of the family, including the applicant.

3. For the purpose of determining the income limits, account shall also be taken of income which is exempt from personal income tax (IRPEF) by law or which is subject to withholding tax or substitute tax.

4. Only personal income is taken into account when personality rights are at issue in the case, or in cases where the applicant's interests conflict with those of other members of the household living with him.

4-bis. For persons already convicted with final sentence for the offences referred to in Articles 416-bis of the Criminal Code, 291-quater of the Consolidated Act referred to in Presidential Decree No. 43 of 23 January 1973, 73, limited to the aggravated cases pursuant to Article 80, and 74, paragraph 1, of the Consolidated Act referred to in Presidential Decree no. 309 of 9 October 1990, as well as for offences committed by availing oneself of the conditions provided for in the aforementioned Article 416-bis or for the purpose of facilitating the activities of the associations provided for in the same Article, for the sole purposes of this Decree, the following shall apply 309 of 9 October 1990, as well as for offences committed by availing oneself of the conditions provided for by the aforementioned Article 416-bis or with the aim of facilitating the activity of the associations provided for by the same Article, for the sole purposes of this Decree, the income is deemed to exceed the limits provided for.

4-ter. The person offended by the offences referred to in Articles 609-bis, 609-quater and 609-octies, as well as, when committed against minors, by the offences referred to in Articles ((572, 583-bis, 612-bis)) 600, 600-bis, 600-ter, 600-quinquies, 601, 602, 609-quinquies and 609-undecies of the Criminal Code, may also be admitted to legal aid in derogation of the income limits provided for in this decree.

ART. 78 (Application for admission)

1. An interested party who finds himself in the conditions laid down in Article 76 may apply for legal aid at any stage and level of the proceedings.

2. The application shall be signed by the interested party under penalty of inadmissibility. The signature shall be authenticated by the lawyer or in the manner referred to in Article 38(3) of Presidential Decree No. 445 of 28 December 2000.

ART. 79 (Content of the application)

1. The application shall be drawn up on plain paper and, under penalty of inadmissibility, shall contain:

(a) the request for admission to legal aid and the indication of the trial to which it relates, if already pending;

(b) the personal details of the person concerned and of the members of the registered family, together with their tax codes;

(c) a declaration in lieu of certification by the interested party, pursuant to Article 46(1)(o) of Presidential Decree no. 445 of 28 December 2000, certifying the existence of the income conditions

laid down for admission, with specific determination of the total income assessable for these purposes, determined in accordance with the procedures set out in Article 76;

(d) an undertaking to disclose, until the process is finalised, any material changes in income limits, which have occurred in the preceding year, within 30 days of the expiry of a period of one year, from the date of submission of the application or of any previous notice of change.

2. In the case of income earned abroad, nationals of non-European Union States shall complete the application with a certificate from the competent consular authority attesting to the truthfulness of what is stated therein.

3. The persons concerned shall, if so requested by the referring court or the council of the bar association competent to make an advance ruling, be obliged, on pain of inadmissibility of the application, to produce the documentation necessary to establish the truthfulness of what is stated therein.

It should also be noted that in addition to the hypotheses provided for in Art. 76 of Presidential Decree No. 115/2002, the regulatory provision extends legal aid to victims of a series of serious crimes against the person, including victims of trafficking subjected to serious violence or genital mutilation, also as an exception to the income limits.

In fact, the following can be admitted to legal aid, without income limits: the person offended by the offence of ill-treatment in the family (Art. 572 of the Criminal Code), female genital mutilation practices (583-bis), sexual violence, also to the detriment of minors (609-bis, 609-quater, 609-octies), persecutory acts (612-bis), as provided for in Article 76 c. 4 ter of the Presidential Decree No. 115/2002.

In addition, victims of the offences of enslavement (Art. 600), child prostitution (Art. 600-bis), child pornography (Art. 600-ter), tourist initiatives aimed at the exploitation of child prostitution (600-quinquies), trafficking in persons and purchase of slaves (Arts. 601 and 602), and corruption of minors (609-quinquies), and solicitation of minors (609-undecies), can also have access to the institute if they are minors.

In this regard, it should be noted that the Constitutional Court, in judgement No. 1/2021, declared "the question of the constitutional legitimacy of Art. 76, paragraph 4-ter, of Presidential Decree No. 115 of 30 May 2002, concerning the "Consolidated text of the laws and regulations on legal costs (Text A)" to be unfounded, in so far as it determines the automatic admission to legal aid of the person injured by the offences indicated in the same provision, raised, with reference to Arts. 3 and 24, third paragraph, of the Constitution, by the Judge for Preliminary Investigations of the Ordinary Court of Tivoli, with the order indicated in the epigraph[^]. The rule declared legitimate by the Consulta therefore provides for the automatic admission - regardless of income limits - to legal aid of persons offended by crimes of violence.

Legal aid applies in criminal proceedings, military criminal proceedings, in civil proceedings, in voluntary proceedings (consensual separations, joint divorces, etc.), in administrative, accounting and tax proceedings.

Is free legal aid available to help victims seek compensation and enforce compensation orders? Please provide the text of the relevant provisions It is also possible to request admission to legal aid for monitory proceedings and the subsequent enforcement phase: in the latter case, a procedure for the compulsory recovery of the sums awarded by the court by way of compensation to the victim is set in motion, whereby capital and assets of the offenders are attacked, with the enforcement title

deriving from the conviction, in order to execute the compensation orders established by the judge (Article 474 of the Code of Civil Procedure).

In Italy, the authorisation to practise the legal profession entitles lawyers to represent clients in court in most branches of law, without further specialisation, even though, traditionally, the defence and representation in criminal proceedings of both the defendant and the person offended by the crime who intends to bring a civil action in criminal proceedings, and thus among others also victims of trafficking, are assisted by criminal lawyers.

The title of specialist in criminal law may, moreover, be obtained, subsequent to the license, at the end of a two-year training course and for proven experience in the field, according to Ministerial Decree No. 163 of 2020 (Regulation concerning amendments to the Decree of the Minister of Justice No. 144 of 12 August 2015, laying down provisions for the attainment and maintenance of the title of specialist lawyer, pursuant to Art. 9 of Law No. 247 of 31 December 2012) and the requirements of which are set out below:

- successful attendance, within the last five years, of specialisation courses pursuant to Art. 7 of the Decree, or proven experience in the field of specialisation pursuant to Art. 8 of the Decree;
- have not, during the three years preceding the submission of the application, suffered a final disciplinary sanction, other than a warning, as a result of conduct in breach of the duty of professional competence or professional update;
- have been a member of the Bar (uninterrupted and without suspensions) for at least 8 years and have exercised, over the last 5 years, in an assiduous, prevalent and continuous manner, professional activity in one of the areas of specialisation provided for by the Ministerial Decree.
- experience proven by means of a report and by attaching suitable and adequate documentation, judicial and/or extrajudicial: for each year, the petitioner must prove that he/she has received and dealt with professional fiduciary assignments relevant in quantity and quality, at least equal to 10 per year, for a total of at least 50 fiduciary assignments and already Art. 5 of the Ministerial Decree of 2015, stipulated that the Bar Councils should form and update the lists of specialist lawyers on the basis of the sectors of specialisation and make them accessible to the public also by telematic consultation.

The current areas of criminal law are criminal law of public administration, criminal law of the environment, town planning and construction, criminal law of the economy and business, criminal law of organised crime and preventive measures, criminal enforcement law, criminal law of information, the internet and new technologies, and criminal law of the individual.

It is also noted that Art. 3 of Ministerial Decree No. 163 of 2020, letters m) and n) refer to other important specialisations for the protection of victims, which are outside the scope of criminal law, but are an aid to it: m) law of the person, family relations and minors; n) protection of human rights and international protection.

With regard to offences related to human trafficking, they are transversal to almost all the above-mentioned categories of criminal specialisation. However, given the importance and delicacy of the discipline and the need for defence lawyers to carry out their office in a detailed and vigilant manner with regard to the legality of the trial in order to protect the victim, the National Forensic Council and local Bar Associations further organise advanced training, refresher and specialisation courses on all topics related to trafficking and human rights in general, either free of charge or by setting up scholarships to attend courses in Italy and abroad.

Universities also have master's and postgraduate schools for jurists, legal practitioners and lawyers on the various subjects related to human trafficking, and the *Scuola Superiore della Magistratura* offers training open to lawyers.

In addition to specific knowledge of the rules of procedure, the defence lawyer is entrusted with the delicate task of examining the offended person and, given the vulnerability of the victim of such crimes, is crucial to know the best cross-examination techniques so as not to worsen the witness's condition; therefore, especially in the case of minors and female victims, the training also includes the study of psychology and methodologies and techniques for hearings.

On this point, the criminal chambers organise technical and ethical training courses for criminal lawyers.

It is also worth mentioning the specialisation in anti-discrimination law offered by the National Bar Council and other public or private trainers in recent years.

If the victim is admitted to legal aid, the funds through which legal aid is financed fall under an expenditure chapter managed by the Ministry of Justice.

Do victims have to pay a fee to obtain legal assistance or initiate proceedings, or are there other financial obstacles in place? If yes, please specify the amount(s).

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3. Compensation from the perpetrators (Article 15)

3.1 What measures are in place to enable courts to award compensation to victims of THB, including children, from the perpetrators as part of criminal proceedings? What is the role of prosecutors in this respect?

3.2 How is the amount of compensation calculated and are there specific criteria or models for calculating it? What types of injury/damage and costs are covered? Are there any circumstances/conditions that would lead to a reduction of the amount of compensation?

3.3 How are compensation orders/verdicts enforced? What measures are in place to guarantee and ensure effective payment of compensation?

3.4 When foreign victims of THB are removed from or choose to leave the country where the exploitation took place, what measures are in place to enable them to obtain compensation and other remedies?

3.5 What procedures are in place to ensure effective access to compensation for victims of THB for the purpose of labour exploitation? Can such victims bring civil claims for compensation and/or recovery of unpaid wages and social contributions on the basis of tort, labour, employment or other laws? Please specify the relevant measures. Can victims of THB working in irregular employment or without a contract claim unpaid wages and other compensation and if yes, how is the amount of unpaid wages and other compensation established?

3.6 What training is provided to build the capacity of relevant professionals, such as lawyers, law enforcement officers, prosecutors and judges, to enable victims of THB to obtain compensation and other remedies?

In the event that the trafficking victim has lodged a civil action, and a judgement of liability is reached, the judge in the judgement establishes the extent of the damage suffered, and sentences the person responsible to pay compensation.

This compensation covers moral and material damage. The criminal court sets a provisional compensation and then refers the actual quantification of the damage suffered to the civil court, which is assessed on an equitable basis.

If the convicted person has assets, whether in cash or in another form, coercive proceedings may be brought against his/her assets, up to the amount of the sums due. The role of the prosecutor in the trial is to prove the prosecution's case.

When the criminal court sentences the defendant to pay damages and reimbursement of the legal costs incurred by the civil party, the defendant shall comply with the payment of the sums, whose amount shall be determined by the criminal court issuing the conviction.

If the evidence acquired during the trial is insufficient for the exact quantification of the sums, the criminal judge issues a general sentence of compensation and refers the parties to the civil judge who will carry out - after a proper civil case aimed at reaching that proof of the amount of compensation not reached during the criminal trial - the concrete monetary quantification of the damage.

In order to avoid the concrete disadvantage of having to file a civil lawsuit after the civil plaintiff has been established in the criminal trial for the purpose of quantifying all the damages, the civil plaintiff may request - always in a timely manner or in its written conclusions at the end of the trial - that the defendant, precisely in the event of a general sentence for damages, be ordered by the criminal court to pay a provisionally enforceable sum, known as a provisional sum.

In the event that the so-called provisional provision is granted, there are two consequences:

1) the civil plaintiff may act immediately after the first instance criminal judgment (with a considerable saving of time) by formally requesting the convicted party to pay the provisional award.

If he refuses, the plaintiff may immediately obtain from the civil judge (i.e. without filing an ad hoc lawsuit) an enforcement order to proceed with the compulsory attachment of the convicted debtor's assets in either case (whether or not the convicted party cooperates) without having to wait for the judgment to become final, i.e. for the time for any appeals (appeal and cassation) to have elapsed or for these appeals to have been 'completed';

(2) the civil party may bring an action before the civil court to obtain the exact quantification of damages in addition to the sum awarded by way of provisional relief. If, on the other hand, the criminal court considers that it can directly settle the entire damages claimed by the victim, it will do so through the conviction, 'sparing' the civil plaintiff from having to bring further proceedings.

In the case of liquidation by the criminal court of the entire compensation requested by the civil party (without the intervention of the civil judge) the judge may - at the request of the civil party's lawyer - declare the sentence to pay damages (or restitution) provisionally enforceable, when justified reasons exist that are not listed in the law, but are related to the certainty of the execution of the sentence from a civil law point of view and to the objective possibility that the delay will aggravate the consequences of the crime for the injured party.

The award of damages is also followed by an order to pay the costs incurred and advanced by the civil party to participate in the criminal trial (essentially the costs of legal aid when not benefiting from legal aid, if it meets the requirements).

Compensable damage means both pecuniary and non-pecuniary damage, including non-pecuniary damage, resulting from the crime.

Pecuniary damage consists in the deprivation or diminution of assets (e.g. expenses incurred to treat wounds or to repair an asset, or the loss of profit resulting from the fact that, for example, due to the crime the person has suffered a physical injury - disability - that does not allow him/her to work and, therefore, to earn) and is quantified 'in equivalent' to restore an economic and property situation of the injured party that existed before the crime and that would have continued if the crime had not been committed.

Traditionally, this type of damage is articulated by doctrine and jurisprudence into actual damage and loss of profit. Emerging damage is the damage that a person suffers when he has to draw on his/her assets to remedy the situation that caused the damage.

Loss of profit, on the other hand, is the loss that occurs when the subject sees a future situation of lost earnings or loss of future job opportunities. In this case, the subject is obliged to provide strict proof of the loss and its consequences. The prerequisite is, therefore, damage that arises from wrongful conduct, whether contractual or non-contractual, and this prerequisite gives rise to compensation for damages, whether pecuniary or non-pecuniary in nature.

There is, in the calculation of damages, the so-called biological damage, i.e. the first type of non-asset damage, consisting of injury to the psychophysical integrity of the person.

Criteria provided by law for the liquidation of biological damage refer only to micro-permanent damage, i.e. injuries that do not exceed the 9-point threshold.

The above criterion, however, only applies in cases of traffic accidents or medical liability. For the calculation of other types of biological damage, tables drawn up by the various Italian courts must be consulted (the 'Milan' tables are the current model).

The Insurance Code provides some criteria for calculating biological and micro-permanent damage. In particular, it is necessary to know the subject's age, the permanent invalidity points attributed by the medical-legal report (no more than 9), the days of temporary biological damage, any associated moral damage (only in the case of permanent damage), and the expenses incurred for treatment.

Non-asset damage, on the other hand, is a broad category in which moral damage must be included.

Non-pecuniary damage consists of the physical or psychological suffering inflicted on the victim, depending upon the infringement of personal rights and having no economic significance. Within the category of non-asset damage, the first item is the so-called 'moral damage', i.e. that type of damage that concerns the psychological or physical suffering suffered by a person as a result of the wrongful conduct of others, which may relate to physical damage, and in this case moral damage goes hand in hand with biological damage, or psychological damage, such as discomfort felt due to a long stay in hospital.

There are numerous judgments of the Supreme Court of Cassation concerning moral damage, where the judge must take into account the suffering of the injured party, the seriousness of the tort and other elements of the case, and all these data must allow the judge to issue adequate compensation.

There is also, in the calculation of the compensation, the so-called 'existential damage', a special type of damage that cannot be ascribed to the two categories above mentioned, i.e. biological and moral, but which has an autonomous relevance and results in the deterioration of the subject's quality of life, is not ascribable to psychophysical damage and concerns, rather, the impairment of the values of the subject's existence that undermines his or her personality.

Jurisprudence has long debated the legitimacy of existential damage, considered necessary since its category includes certain rights protected by constitutional norms, and the 'twin' sentences of 2003 (sentences Nos. 8827 and 8828), pronounced by the judges of legitimacy, affirmed the compensability of existential damage, bringing it in the category of non-asset damage, with reference to Art. 2059 of the Civil Code.

Subsequently, the United Sections of the Supreme Court of Cassation intervened to resolve all questions and interpretative doubts in this regard, and in Judgement No. 6572/2006 identified existential damage as 'any prejudice (not merely emotional and internal in nature, but objectively ascertainable) caused to the subject's lifestyle, which alters his/her habits and relational structures, inducing him/her to make different life choices as regards the expression and realisation of his personality in the outside world'.

Existential damage, therefore, differs from moral damage in that it does not consist in "mere suffering", which remains within the inner sphere of the injured party, but must have determined "concrete changes in a deteriorating sense in the quality of life" (Cass. Sez. Un. No. 6572/2006); while it differs from biological damage in that, unlike the latter, it remains integrated regardless of ascertainability in a medical-legal sense.

Are there circumstances/conditions that would lead to a reduction of the compensation amount?

Compensation for damages finds an explicit legal basis in criminal law – i.e. in Art. 185 of the Criminal Code, and every offence obliges the offender to make restitution and compensation for the damage, whether pecuniary or non-pecuniary, caused.

Compensation means the reparation of the harm caused to the victim by the payment of a sum of money equivalent to the damage (full compensation) or of a compensatory nature.

Restitution, on the other hand, consists in the reinstatement of the *status quo ante* the offence and is the return, real or symbolic, of things taken away by reason of the offence, or the material restoration of the condition prior to its commission, as in the case of the suppression of the proceeds of crime.

The Criminal Code refers to civil law for this relief: Art. 2043 of the Civil Code governs the so-called Aquilian liability, i.e. liability for breach of the duty of *neminem laedere*: any fact, whether intentional or negligent, that causes unjust damage to others obliges the perpetrator to compensate the damage.

In addition to damages, criminal law also provides for various forms of restorative conduct.

If the offender avoids, or merely mitigates, the harmful consequences of the offence by promptly compensating the victim, even irrespective of any procedural finding of liability, he/she obtains advantages in the form of a reduction or suspension of the penalty, or in the extinction of the offence itself.

Such conduct, therefore, corresponds to the reward offered to the offender by the legal system in order to promote the solution of the conflict generated by the crime.

Among the above-mentioned restorative conduct is that provided for in Art. 62(6) of the Criminal Code: anyone who commits an offence, but before trial takes steps to fully repair the damage, is recognised the mitigating circumstance *de qua*, which implies a decrease in the penalty imposed of up to one third compared to that provided for the basic offence.

Among the benefits provided for the offender is the suspended sentence, which finds its ordinary legal basis in Art. 163 of the Criminal Code.

The rule provides that, when pronouncing a sentence for a period not exceeding two years, the judge may order that its execution is suspended for a period of five years if the conviction is for a crime; two, in the case of a contravention.

The aforementioned provision, read jointly with Art. 165 of the Criminal Code, allows the judge to make suspension conditional on the fulfilment of the obligation to return, or the payment of a sum determined by way of compensation for damages or provisional provision.

The further provision contained in the fourth paragraph of Art. 163 of the Criminal Code introduces a different hypothesis of conditional suspension of the sentence, called short, subordinated to the repair - integral - of the damage, prior to the first degree sentence. The integration of these structural requirements allows the freezing of the sentence to a term not exceeding one year.

Similarly to what happens in the aforementioned Art. 62(6) of the Criminal Code, the benefit may be granted where the offender provides, alternatively, for the efficient and spontaneous activation of the offence, aimed at eliminating or mitigating the harmful or dangerous consequences of the offence.

In the different case of Art. 162-ter of the Criminal Code, introduced in 2017, an additional cause of extinction of the offence for reparatory conduct is provided for in relation to offences prosecuted on remissible complaint.

This is an instrument by means of which the judge, having heard the parties and the injured party, declares, i.e. must declare, the extinction of the offence where the conditions indicated in Art. 162-ter of the Criminal Code are met.

In this regard, it is appropriate to make a few clarifications, first of all that trafficking offences are irreparable crimes, for which there is no form and amount of compensation valid to avoid the physical and psychological repercussions of the victims, and that often the severity of sentences for the offender does not allow the acceptance of offers of reparation; it should also be specified that rehabilitation of the convicted person under Art. 27 Constitution (in cases where it is possible) and therefore restorative justice is a key-approach, provided for by EU legislation and in particular by Directive 2012/29 on the protection of victims under implementation in Italy and by virtue of which the victim and offender are allowed to participate actively and freely in the resolution of the consequences determined by the crime, with the help of an impartial third party, in a path aimed at alleviating the suffering of victims, to recover offenders by avoiding recidivism, including criminal mediation as a relevant tool, but not the only one.

In the Italian criminal system, in fact, although there is no general rule regulating it, restorative justice has long been applied in the juvenile justice system and, for adults, it can be used in the form of 'messa alla prova', an institution introduced in 2014 that allows suspects and defendants for less serious offences (punished with a fine or imprisonment of up to four years) who request it to avoid trial and achieve the cancellation of the offence, if they agree to follow a 'treatment programme'. It is in this programme that, in addition to compulsory activities such as community service, compensation for damages and elimination of the harmful consequences of the offence, mediation with the victim may enter, if possible.

It should be also recalled that in human trafficking offences there is no possibility of applying the institution of probation, which works in cases of milder sentences than those provided for by the

trafficking rules; in any case reduction of the offence or other exceptional case could be applied, provided that the size of the sentence is reduced to that provided for access to the MAP.

Compensation verdicts are enforced through judgments, which are already titles to enjoin payment and proceed to forced execution on the convicted person's property.

What measures are in place to guarantee and ensure the effective payment of compensation?

The civil plaintiff has a particularly useful tool for effective satisfaction of damages claims that may arise from the criminal trial: this is the attachment (see 5.1).

This type of seizure - which should not be confused with evidentiary seizure and preventive seizure - allows a legal lien to be placed on a defendant's movable or immovable property when there is a well-founded fear that during the course of the trial the guarantees for the effective enforcement of the civil (i.e. compensation) provisions of the conviction will be lacking or dissipated.

The precautionary measure *in rem* (which takes the form of a legal lien on the assets of the accused person against whom the trial will be held) may be requested at any stage and level of the trial, but not during the preliminary investigation.

Therefore, at the end of the preliminary investigations, when the prosecutor has formulated the charge and there has been a request for committal for trial with the scheduling of the preliminary hearing, the person harmed by the crime will be able to join the civil action and at the same time - given the time required to conduct even only the first level of the trial - will be able to apply to the Judge for precautionary seizure; this latter, if granted, will prevent the defendant from selling his/her assets and squandering his/her wealth so as not to be obliged to compensate the civil party in the event of conviction.

However, if the defendant or the civil liable party (the latter, let us recall, is the party that is obliged by law to indemnify the damage caused by other parties) offers security suitable to guarantee the claim for which the attachment is ordered, the Judge orders that the attachment shall not be made, establishing the manner in which way the security must be provided.

It is clear that the purpose of the attachment is not to seize a particular asset because it is dangerous, or because it is the result/outcome/profit of the offence, but solely and exclusively to ensure the effectiveness of the possible award of damages. If the bail is granted before the attachment is ordered, the attachment does not take place; if it is granted afterwards, the attachment is revoked.

When the trafficked person voluntarily decides to return home or relocate to a third country, facilitated return and social inclusion programmes are foreseen to avoid the risk of re-victimisation.

With regard to compensation for damages, victims who have left the country may also complain an action in Italy to obtain compensation through the courts, by issuing a special power of attorney to a lawyer. There is no provision for cooperation with the victims' countries of origin to proceed with compensation in the victims' country of origin.

With regard to labour exploitation, under current legislation, workers who are victims of labour exploitation can obtain compensation - following the conviction of the perpetrators in criminal proceedings - through a civil action aimed at repairing moral and material damage.

European Directive 2009/52/EC imposes an obligation on Member States to prohibit the employment of illegally staying third-country nationals. However, if they are granted a residence permit for special reasons, they can access the labour market, whether self-employed or employed.

Can such victims bring civil actions for compensation and/or recovery of unpaid wages and social contributions based on tort, labour, employment or other laws? Please specify the relevant measures.

Victims may also start labour court proceedings for payment of unpaid wages.

Our legal system has provided for a special procedure - introduced by Law No. 533 of 11 August 1973 - for the handling of all disputes relating to labour relations and social security and compulsory assistance.

The labour trial represents the most efficient civil proceedings, characterised by orality (only the introductory acts must be in writing, while the further filing of defence notes must be expressly ordered by the judge) and immediacy (the time limits are ruled according to strict time limits and the incorporation of acts).

The special procedure, governed by Arts. 409 et seq. of the Code of Civil Procedure, differs from the ordinary procedure in that it is faster, has broader investigative powers granted to the labour judge, and favours the conciliation of the dispute.

Labour law in Italy was created in favour of the employee, as the weaker party in the relationship, and maintains its enhanced protection.

Therefore, disputes may refer to any subordinate employment relationship, even if not yet constituted or already concluded, as well as to all aspects of the relationship, and finally, even in the case of 'illegal' employment, in order to protect himself/herself, the worker may issue a labour dispute, a dispute brought against the company that has employed him irregularly, i.e. without a contract, without having paid him/her contributions for pension purposes and without having insured him with Inail for accidents.

In addition to normal wage claims and appeals against dismissals, labour law also covers disputes concerning, for example, the establishment of the employment relationship, the application of disciplinary sanctions, compensation for damages resulting from violations of mandatory rules (failure to take holidays, damages from accidents, failure to pay social security contributions, etc.), the classification of the employee (assignment to superior or inferior duties, demotion, etc.), mobbing, and sexual harassment.

The special procedure also applies to disputes outside the scope of private subordinate employment relationships, such as, for example, those relating to agency and trade representation relationships, if characterised by continuous and coordinated and predominantly personal work (Art. 409 no. 3 of the Code of Civil Procedure) and to coordinated and continuous collaboration relationships, project workers, business brokers, directors of corporations, condominium directors.

The amount of unpaid wages is determined by the court on the basis of parameters provided for in the sectoral labour contracts.

Within the Public Prosecution Service, the phenomenon of trafficking is entrusted to the highly specialised magistrates of the District Anti-Mafia Directorates. In addition, the *Scuola Superiore della Magistratura* includes the topic of trafficking and labour exploitation in its annual training and professional development meetings, some of which are also open to the legal world.

Specific training modules on human trafficking issues are foreseen for relevant public officials within training courses implemented by the administrations.

In the police corps there are, especially in larger territories, specialised sections for combating trafficking and labour exploitation.

The National Forensic Council and the territorial Bar Associations organise training, refresher and highly specialised courses on all issues related to trafficking and human rights in general, either free of charge or by setting up scholarships to attend courses in Italy and abroad (for example, the CNF provides funds for training through the 'Cassa Forense').

Universities also have master's and postgraduate schools for jurists, legal practitioners and lawyers on the various subjects related to human trafficking.

Various associations provide paid training courses for lawyers, jurists and social workers involved in the reception and protection system.

Training initiatives include one organised at the Vicenza COeSPU in cooperation with the OSCE.

In this context, Training Courses with Live Simulation to Combat Human Trafficking in Mixed Migration Flows' take place.

The collaboration stems from the strategy adopted within the Steering Committee to Combat Trafficking in Human Beings (as part of the National Anti-Trafficking Plan), which requires tackling the phenomenon through a holistic approach.

The peculiar modality of the 'simulation' can be considered unique in the framework of the training activities carried out so far, and is aimed at developing a proactive approach to the phenomenon, based on multi-agency work and human rights oriented, in which the participants had to ensure that all activities (simulations) are carried out, observing international human rights standards, respecting the principle of non-discrimination, adopting interventions with a specific gender perspective and taking due account of the age of the victims, focusing on the principle of the best interests of the child and taking into primary consideration the safety of presumed and identified victims as well as their consent consistent with ongoing activities and data protection.

The main objectives of the programme are:

- define/use key indicators for identifying victims of human trafficking among mixed groups of people;
- apply a human rights-oriented multi-agency approach in the detection of human trafficking and the identification of victims;
- applying standard operating procedures when reporting presumed or identified trafficked persons to the assistance and support services;
- use financial investigations as well as international judicial and police cooperation.

As part of the police forces engaged in investigating the phenomenon in question, staff attended training courses on investigative techniques for combating these crimes. Participation in conferences and seminars on the subject was also encouraged.

The training of police forces in charge of investigating trafficking in persons also covered a specific profile: that of child victims, to strengthen the prevention of and fight against trafficking through the development of partnerships between public and private actors and of good practices in the identification and support of child victims or those at risk of trafficking and serious exploitation in Europe, especially in the Member States.

A methodology based on the rights of minors has been developed, identifying criteria for recognising ('indicators') underage victims of trafficking in human beings and serious exploitation, also setting

up specific profiles with the aim of monitoring the phenomenon and defining common solutions (best practices) to be adopted for the first assessment for identification purposes and the first 'taking charge' of victims, also involving a number of other actors active on the territory.

Training handbooks based on a shared methodology were developed, as well as standard operating procedures for the development of good practices for the identification, support and assistance aimed at child protection, available to all institutions involved (law enforcement, judiciary and private actors).

Another good practice in the field of training is the Rightway project, which saw the collaboration of the Pope John XXIII Association with various partners in Belgium and France, as well as Caritas of Trieste and the Juvenile Courts, culminating in training for social workers, lawyers and judges. The model that proved particularly effective will be repropounded in other territories.

4. State compensation (Article 15)

4.1 Do the eligibility criteria for State compensation schemes for victims of crimes exclude some victims of THB (e.g. due to irregular residence status, nationality, nature of the offence)? Does access to State compensation depend on the outcome of the criminal case and on failure to obtain compensation from the offenders?

4.2 How is the amount of State compensation calculated so as to address the gravity of the harm endured by the victim?

4.3 Is it possible for foreign victims of trafficking to submit claims for State compensation in your country after being returned or repatriated to their countries of origin? Please provide examples of any such cases and indicate the measures stipulating such a possibility.

4.4 Are victims seeking State compensation liable for lawyers' costs and fees? Are State compensation awards subject to taxation? Does the receipt of compensation have consequences for access to social security or other benefits?

A victim of trafficking has the right to receive compensation for the physical and psychological harm suffered and for unearned wages through civil, criminal or administrative proceedings.

The National Referral Mechanism provides grievance procedures to effectively enable victims of trafficking to issue a complaint and benefit from the right to compensation in case of violation of their human rights at any stage of the identification and assistance process, and there is no discrimination in accessing the compensation scheme.

Does access to state compensation depend on the outcome of the criminal proceedings and the failure of the offenders to obtain it?

In order to obtain compensation, the victim must prove that they have unsuccessfully pursued legal action against the offender and have failed to obtain compensation.

Compensation can be obtained by hitting the offenders' assets through court proceedings and civil actions and/or by the State through an ad hoc fund for victims.

Article 12 of Law No. 228/2003 (as amended and supplemented by Legislative Decree No. 24/2014) establishes the Fund for Anti-Trafficking Measures for the financing of assistance and social integration programmes in favour of victims of trafficking and for the compensation of victims of trafficking offences and provided for compensation of €1,500 for each victim of trafficking 'after

deducting the sums paid to the victims, for whatever reason, by public entities' and 'within the limits of the availability of the Fund for Anti-Trafficking Measures.

In the event of a shortfall in the Fund's annual financial resources, successful and unsatisfied claims shall be charged to the following financial year and shall take precedence over claims submitted in the same year.

The Fund is financed with sums allocated for assistance programmes related to the granting of social protection permits, and also from confiscation of assets of persons convicted of the crime of trafficking.

Compensation is also due in cases where the perpetrator of the offence remains unknown, and the application for access to compensation must be submitted within five years from the last phase of the conviction, or - if the perpetrator of the offence is unknown - within one year from the filing of the dismissal issued (Art. 12, paragraph 2-sexies -'After sixty days from the submission of the application, to which an authentic copy of one of the sentences referred to in paragraph 2-quater is attached together with the documentation certifying the unsuccessful civil action and enforcement procedures or the dismissal order, without any communication of acceptance, the victim may take action against the Presidency of the Council of Ministers in order to obtain access to the Fund').

The fact that the applicant is under investigation or convicted for one of the serious offences referred to in Art. 407(2)(a) of the Code of Criminal Procedure is an obstacle to receiving compensation.

Victims of labour exploitation, in cases where it is not possible to obtain compensation from the offender, or if the offender is unknown, may also apply for compensation under Decree No. 24/2014, which established the 'fund for anti-trafficking measures', but in this case victims may also join another fund, referred to below.

In fact, the following aspects should be pointed out on this point.

The national legislator by approving Law No. 122 of 23 July 2016, whose Arts. 11 to 16 implement Directive 2004/80/EC, had established a 'Rotation Fund for solidarity of victims of mafia-type crimes, extortion demands, usury and violent intentional crimes', into which victims of trafficking and exploitation should have been included from the outset, but the list of conducts entitling them to access the Fund (murder, sexual violence, personal injury) had led to an implicit exclusion of trafficking victims from the regulatory provision.

The rules were recently amended by European Law 2017 (Law No. 167 of 2017) and the combined provisions of these two provisions has ruled the access to the Fund and therefore the right to state compensation 'to the victim of a wilful crime committed with violence to the person and in any case of the crime referred to in Art. 603-bis of the Criminal Code [*caporalato*]'.

The amounts of compensation to victims of violent intentional crimes were determined by the decree of 22 November 2019, which provided, specifically, in Art. 1, paragraph 3 that 'For crimes other than those referred to in paragraph 1 (in which the case of Art. 603 bis is included), compensation is provided only for the reimbursement of documented medical and welfare expenses, up to a maximum of EUR 15,000.00.

Thus, the crime of illicit labour brokering is the only crime considered as violent and heinous on a par with the crimes under Law No. 122 of 2016 and the only one that can be compensated with a higher sum than that one for other crimes related to human trafficking not under the regulatory provision and aspiring only to the victims of trafficking fund in the fixed amount of €1,500.00.

Legislative interventions increasingly tend to offer higher compensations, also through other mechanisms, such as the inclusion of Art. 603 bis within the above-mentioned 'fund for victims of violent intentional crimes' and also the territorial courts facilitate the victim by providing, through the sentences of traffickers, measures aimed at seizing and confiscating the convicted person's assets.

With regard to compensation for damages, victims who have left the country may also take legal action in Italy to obtain compensation by issuing a power of attorney to a lawyer. There are no plans to cooperate with the victims' countries of origin in order to compensate victims in their country of origin

If the party has been admitted to legal aid, the lawyer's fee will be advanced by the State.

Pleas refer also to section 2.3, concerning the exceptions provided for in Article 76 of Presidential Decree No 115 of 30 May 2002, as amended

They are not subject to taxation.

There are no consequences or limitations to accessing welfare benefits.

5. Sanctions and measures (Article 23)

5.1 Please describe the legislative and other measures adopted by your country which allow to: i) confiscate or otherwise deprive perpetrators of the proceeds of criminal offences, or property of an equivalent value to those proceeds; and ii) identify, trace, freeze or seize rapidly property which is liable to confiscation, in order to facilitate the enforcement of a later confiscation. Do these measures allow the identification, tracing and seizure of property into which the proceeds of illicit activities have been converted?

5.2 In what way do victims of THB benefit from seized and confiscated assets of perpetrators of THB? Do the confiscated assets go directly to victims, to a compensation fund or scheme for victims of trafficking or to other programmes for the assistance or support of victims of THB? Please provide information on seizures and confiscations of assets in THB cases and how they were used.

5.3 Is it possible to use plea bargaining or some other form of settlement in cases of THB? If yes, please provide the relevant provisions. What protections are in place for victims of THB to ensure that their right of access to justice and effective remedies is not compromised by the plea bargaining or settlement in the legal process?

5.4 What is the average duration of court proceedings in THB cases? In which circumstances are such cases given priority? Do you have a system to fast-track human trafficking-related prosecutions in order to improve the trial process and reduce the burden on victims and witnesses, including children? What safeguards are in place to ensure that judges deal with cases of THB without undue delay?

5.5 How do you ensure that sanctions for THB offences are effective, proportionate and dissuasive?

Do these measures allow for the identification, tracing and seizure of assets into which the proceeds of illegal activities have been converted?

In order to enable the identification, tracing and freezing of assets of unlawful origin, real precautionary measures have been adopted, i.e. measures typically used by the Public Prosecutor and the judicial police, through which (under the conditions of the law and by virtue of a special order which, similarly to personal measures, must always be ordered by a judge) temporary or definitive constraints are placed on the free availability of a *res*.

Depending on the specific purposes, we can distinguish two types of seizure:

-conditional attachment (governed by Art. 316 et seq. of the Code of Criminal Procedure) specifically aimed, as indicated in paragraph 3.3, at placing a lien on the assets of the defendant or of the civilly liable person in order to guarantee the payment of the sums due for the pecuniary penalty, the costs of the proceedings and any other sum due to the State Treasury (paragraph 1), as well as the guarantees of civil obligations arising from the offence (paragraph 2);

-preventive seizure (governed by Arts. 321 et seq. of the Code of Criminal Procedure), which is ordered on things pertaining to the offence, whenever there is a danger that their free availability may aggravate or prolong the consequences of the offence, or facilitate the commission of other offences.

Of these two seizures, only one can also be ordered on request of the judicial police, being provisional and liable and therefore ineffective if not validated within the strict time limits provided for by law: it is the preventive emergency seizure.

The rationale of attachment is to protect the satisfaction of obligations arising from crime, whether of a private or public nature.

There are two prerequisites for this constraint:

- the *fumus boni iuris* arising from the fact that the legislature has provided that such a measure may be ordered 'at any stage and level of the trial on the merits' and against a person who has already assumed the status of a defendant; this means that it is not possible to order the attachment neither at the preliminary investigation stage nor at the cassation stage: both, in fact, do not fall within the scope of the trial on the merits;

-the *periculum in mora* consisting of the 'well-founded reason to believe that guarantees are lacking or will be lost' required by law in Art. 316(1) of the Code of Criminal Procedure.

In this regard, the Supreme Court has had occasion to state that the attachment must be ordered on the basis of a negative preventive judgment as to the preservation of the debtor's assets, being irrelevant that the same may be dispersed as a result of the debtor's activity, or for reasons independent of his/her conduct, and transactions that simply make recovery of the claim more difficult must also be assessed in a negative sense (Cass. 23/09/2016, No. 39524).

The Public Prosecutor (to secure payment of the pecuniary penalty, court costs and any other sum due to the state treasury) and the civil party (to protect the satisfaction of obligations arising *ex delicto*) are entitled to apply for seizure.

On the other hand, the Public Prosecutor or the injured party who is not a plaintiff does not have standing to apply for attachment.

The seizure ordered at the request of the Public Prosecutor also benefits the civil plaintiff, in the sense that on those assets the civil plaintiff may, in turn, request the precautionary measure for the satisfaction of its own reasons, subject, however, to those of the State Treasury.

The attachment may refer to either the property, movable or immovable, of the defendant or of the civil liable party, or sums or things owed to the former, but only to the extent that the law permits their attachment.

Consequently, assets that are absolutely seizable will not be seizable.

Recipient of the seizure will be:

- the defendant alone, if the applicant is the Public Prosecutor;
- also the civil liability, if the plaintiff so requests.

The assets of the civil defendant, however, may only be subject to precautionary measures if those of the defendant are insufficient or inadequate to secure the obligations arising from the tort.

At the request of the Public Prosecutor or the civil party, the seizure measure is adopted by order of the prosecuting Judge, who is identified by the legislator in the provisions of Art. 317(2) of the Code of Criminal Procedure:

- by the judge who delivered the judgment, before the documents are transmitted to the appeal court;
- from the one that has to decide on the appeal afterwards.

After the order asking for the committal for trial but before the documents are forwarded to the competent judge, the judge for preliminary investigations takes over.

Execution is carried out, as ruled by the Code of Civil Procedure, by the judicial officer.

The defendant or the civilly liable person may avoid the seizure by offering security to guarantee the claims referred to in Art. 316 of the Code of Criminal Procedure; in this case, the judge shall order by decree that the seizure shall not take place, at the same time prescribing the manner to provide security measures.

Enforcement will take place as ruled by the Code of Civil Procedure by way of damages and court costs, fines, costs of proceedings and any other sum due to the Treasury (art. 320 Code of Civil Procedure).

The effects of the seizure cease in the presence of a judgment of acquittal or non-prosecution that is no longer subject to appeal; the cancellation of the transcription of the seizure on real estate will be carried out by the Public Prosecutor and, in the event of inaction, the interested party may bring an action for execution.

The preventive sequestration is the constraint imposed:

- on things pertaining to the offence, when there is a danger that their free availability may aggravate or prolong the consequences of the offence (Art. 321(1) of the Code of Criminal Procedure, so-called seizure for prevention purposes);
- seizure for confiscation (Art. 321(2) of the Code of Criminal Procedure).

The prerequisite for its attachment is twofold:

- the *fumus boni iuris*, not to be confused with serious suspicion of guilt pursuant to Art. 273 of the Code of Criminal Procedure, consists in the need for a prior identification of a case of the offence, identifying the pertinency of the *res*, which may also belong to a third party not involved in the proceedings;

-the *periculum in mora*, coinciding with the purpose that the legislature had in mind, namely to prevent the continuation of harmful consequences resulting from the offence, that of preventing the commission of further offences.

The subject of the seizure is the property pertaining to the offence, which also includes property that can be shaped as the body of the offence.

Seizure for confiscation, which is autonomous and distinct from the former, although provided for in the same rule in paragraph 2, actually refers to various seizure hypotheses that are autonomous as for preventive seizure, functional firstly to cases of confiscation pursuant to Art. 240 of the Criminal Code (and, today, also pursuant to Art. 240-bis), and, secondly, to all those other cases governed from time to time by the Code or special rules.

It is evident that the 1988 legislature, in introducing this provision, had as its exclusive reference the traditional classification of Art. 240 of the Criminal Code; however, the choice of a formulation with a so-called open reference, both to Art. 240 and to all the other hypotheses of confiscation provided for by special rules, was destined to produce a progressive extension of this case, along with the extension of the cases of confiscation.

This is, for example, the one foreseen:

-in urban planning matters, by Art. 44, Presidential Decree No. 380/2001 for the case of unauthorised allotment;

-on the subject of administrative liability of the entity, pursuant to Art. 19, Legislative Decree No. 231/2001;

- Art. 322-ter of the Criminal Code, under which, in the event of conviction or application of penalty pursuant to Art. 444 of the Code of Criminal Procedure, for one of the offences referred to in Arts. 314 to 320 of the Criminal Code, even if committed by the persons indicated in Art. 322-bis of the Criminal Code the confiscation of the goods constituting the profit or the price shall always be ordered, unless they belong to a person not involved in the offence, or, when this is not possible, the confiscation of the goods, at the offender's disposal, for a value corresponding to the price or the profit; or, in the case of conviction or application of penalty pursuant to Art. 444 of the Code of Criminal Procedure for the offence referred to in Art. 321 of the Criminal Code, even if committed pursuant to Art. 322-bis(2) of the Criminal Code, the confiscation of the assets constituting the profit is always ordered, unless they belong to a person not involved in the offence, or, when this is not possible, the confiscation of the assets, in the offender's possession, for a value corresponding to that of the profit, and, in any case, not less than that of the money or other benefits given or promised to the public official or to the person in charge of a public service or to the other persons indicated in Art. 322-bis, paragraph 2;

-in traffic matters, pursuant to Art. 186 of the Road Traffic Code, with regard to the vehicle with which the offence was committed, unless it belongs to a person not involved in the offence;

-in criminal-tax matters, pursuant to Art. 12-bis, Legislative Decree No. 74/2000, according to which, in the event of conviction or application of penalty pursuant to Art. 444 of the Code of Criminal Procedure, the confiscation of assets constituting the profit or the price is always ordered, unless they belong to a person not involved in the offence, or, when this is not possible, the confiscation of assets in the offender's possession, for a value corresponding to such price or profit.

Lastly, it is worth mentioning Art. 240-bis of the Criminal Code, inserted by Legislative Decree No. 2 of 1.3.2018, by virtue of which, in the event of conviction, or application of penalty pursuant to Art.

444 of the Code of Criminal Procedure for any of a series of serious offences, the confiscation of the assets, money and other utilities of which the convicted person cannot justify the provenance and of which, also through a third party, he/she is the owner or has the availability for any reason in a value disproportionate to his/her declared income, or to his economic activity, is always ordered.

In the cases provided for in paragraph 1, where it is not possible to confiscate the money, goods or other assets, the judge shall order the confiscation of other sums of money, goods or utilities of lawful provenance of equivalent value, which the person has at his disposal, even through a third party.

The only prerequisite required is *fumus delicti*; however, *periculum in mora* is not necessary, since items to be confiscated are to be considered dangerous *ex se*.

Consequently, the only assessment that the judge will have to make (apart, of course, from the unavoidable assessment of the *fumus*) will be, on the one hand, to ascertain that the goods fall within the category of those that can be confiscated and, on the other hand, to ascertain the existence of a non-occasional instrumental link between the goods and the offence.

Equivalent confiscation, referred to in Art. 322-ter of the Criminal Code, refers to a particular form of confiscation that can be ordered only for certain offences, concerning not the profit or the price of the offence, but the value corresponding to it.

That is, it does not have to be the same amount of money from the crime, but simply the *tantundem* found in the suspect's possession.

The request for seizure is submitted by the Public Prosecutor to the judge competent to rule on the merits, i.e. to the judge of first instance, to the judge of appeal and, before the criminal prosecution has been exercised, to the judge for preliminary investigations.

The judge will issue a reasoned decree under penalty of nullity (Art. 125), by which he may grant or reject the request, stating the reasons both of *fumus boni iuris*, of the case even to the matter a legal qualification different from that indicated by the Prosecutor, and of *periculum in mora*, demonstrating the clear link between the request and the *res*.

The request is always granted where proceedings are brought for certain offences committed by public officials against the Public Administration (Art. 321(2-bis) of the Code of Criminal Procedure).

If issued, the decree will be immediately forwarded to the body that will concretely take care of its execution; if the *res* is a company, the judge will have to appoint a judicial administrator at the same time.

Seizure is immediately revoked, at the request of the Public Prosecutor or the person concerned, when the conditions legitimating its issuance are no longer met, also due to facts that have arisen.

At the preliminary investigation stage, the Public Prosecutor decides on the revocation by reasoned decree to be notified to those entitled to appeal. If, on the other hand, the Public Prosecutor does not consider that he can accede to the request made by the person concerned, he must send (no later than the day following that on which it is lodged with the secretariat) his opinion to the judge in charge of the proceedings, together with the elements on which his assessments are based.

The seizure loses its effectiveness *ex lege* (Art. 323 of the Code of Criminal Procedure), with the acquittal or acquittal not to prosecute, even if subject to appeal, and, in the case of dismissal when confiscation is not to be ordered pursuant to Art. 240 of the Criminal Code, the measure is immediately enforceable.

If a conviction is pronounced, the effects of the seizure shall continue when confiscation is ordered; restitution shall not be ordered if the judge, at the request of the Public Prosecutor or of the civil plaintiff, orders that the property belonging to the defendant or to the civil plaintiff be preserved as security for the claims referred to in Art. 316 of the Code of Criminal Procedure.

A special case is that provided for in paragraph 3-bis of Art. 321; there, in fact, the legislator has provided that, in the event of urgency, the seizure may be carried out directly either by the Public Prosecutor or by the judicial police, who must forward the execution report within 48 hours to the Public Prosecutor of the place where the seizure was carried out.

The latter, if it's not necessary to return the items, must in turn submit a request for validation to the judge for preliminary investigations, forwarding the appropriate request and stating the reasons, within 48 hours from the issuance of the seizure, or from the receipt of the report, if the seizure was made by the judicial police.

The measure loses its effectiveness if the aforementioned deadlines are not met, or if the judge does not issue a validation order within 10 days of receipt of the request.

The order by which the seizure is ordered shall be notified immediately to the person from whom the bones have been seized.

For completeness, we mention the preventive measure of judicial administration, introduced by Art. 5, Law No. 161 of 17 October 2017 and governed by Art. 34, Legislative Decree No. 159/2011; the rule is applied when there are "sufficient indications" that the free exercise of a business activity "may in any case facilitate the activity of persons [...] subject to criminal proceedings" for the crime of illegal intermediation and exploitation of labour, originally designed to counter the penetration of mafia organisations within the legal market, and which today finds the connection between the phenomenon of *caporalato* and that of organised crime.

The National Agency for the Administration and Destination of Property Seized and Confiscated from Organized Crime (ANBSC) manages, in collaboration with the judicial authority, the entire process aimed at the destination of property seized and then definitively confiscated, so that it is returned to communities and territories through its use for social or institutional purposes.

Established in 2010, the ANBSC is an entity with legal personality under public law, supervised by the Minister of the Interior. It is headquartered in Rome with branch offices in Reggio Calabria, Palermo, Naples and Milan.

Through its activities, the Agency facilitates the collection and exchange of information on assets and the overcoming of any critical issues related to their destination, from the seizure phase during which it assists the judicial administrators to the direct management phase of the assets, after their confiscation, until their destination.

Among the activities functional to the destination of the confiscated assets - it is one of the priorities of the ANBSC - is the organization, in collaboration with prefectures and local authorities, of service conferences involving the local administrations of the territory which are interested in the acquisition of assets whose destination is decided by the board of the Agency.

Victims of the crime of trafficking do not benefit directly from the confiscated sums or assets, but these contribute to the anti-trafficking fund under Law No. 122 of July 23, 2016.

On June 21, 2022, the Permanent Observatory on the Collection of Data on Seized and Confiscated Assets was established in Italy, created following the Protocol signed by the Chief of the Cabinet of the Ministry of Justice and the Director of the ANBSC, whose purpose is to monitor and develop the

respective IT platforms, identifying possible corrective measures that allow for a complete and correct exchange of information, thus implementing the provisions of Article 110 of the Anti-Mafia Code.

For the purpose of an in-depth study of the historical evolution of the special legislation, the mapping of confiscated assets and the ways in which they are reused, the new national strategy and the trends prospects for the management of assets confiscated from mafias and other forms of crime, including trafficking in human beings, please refer to the publication of the "Report on the analysis of the procedures for the management of seized and confiscated assets" by the "Parliamentary Commission of Inquiry into the phenomenon of mafias and other criminal associations, including foreign ones" of 2021 (https://www.agenziacoessione.gov.it/wpcontent/uploads/2021/11/Rel_Parliamentary_management_goods_confiscated_mafia.pdf), as well as to the dossier published by the association 'Libera, Associations, names and numbers against mafias' (https://www.libera.it/documenti/schede/fattiperbene2_1.pdf). The numbers reported in the latest dossier represent historical data starting in 1982 following the approval of Law No. 646, Rognoni-La Torre.

Specifically, it emerges from the documents that as of February 2022, 947 different entities engaged in the management of real estate confiscated from organized crime, obtained in concession by local authorities, in as many as 18 out of 20 Regions, in more than 350 municipalities.

Data collected through the territorial action of the Libera network shows that more than half of the social entities are associations of different types (505) while there are 193 social cooperatives (with 5 cooperatives of workers from confiscated companies and 16 consortia of cooperatives).

Among other third-sector managing entities, there are 15 amateur sports associations, 33 public entities (including health care companies, park authorities and consortia of municipalities that offer subsidiary welfare services given to third-sector entities), 40 temporary purpose associations or networks of associations, 58 entities from the religious world (dioceses, parishes and Caritas), 26 private and community foundations, 16 scouting groups and finally 27 educational institutions of different types and levels.

Statistical tables included in the June 2022 Semi-Annual Report to Parliament on Seized or Confiscated Assets, (https://www.gnewsonline.it/wpcontent/uploads/2022/08/beni_sequestrati_confiscati_relazione_giugno_2022.pdf) reveal further results in the area of proceedings related to prevention measures: proceedings related to property prevention measures - as of June 30, 2022 - amounted to 10,933, an increase of 433 compared to the 10,500 recorded as of June 30, 2021.

As for the geographical distribution, the judicial districts of Naples (174), Palermo (153) and Reggio Calabria (108) are those with the largest number of new proceedings registered over the three-year period.

Also as of June 30, 2022, assets affected by prevention proceedings registered in the central database Bank total 230,517, an overall increase of 9,579 compared to the survey conducted a year earlier, as of June 30, 2021.

In the two-year period 2020-2021, a total of 21,785 assets are registered, including 11,407 in the first year and 10,378 in the second.

As for the type of assets in question, a prevalence of real estate (which makes up almost half of the total) is confirmed, compared to movable and movable registered assets (a total of about 34 percent), financial assets (about 12 percent) and companies (about 7 percent).

During 2021-2022, districts in Sicily registered 4,169 assets, accounting for 28 percent of the national total (Palermo registered 2,181 assets, Catania 1,136). Districts in Campania have registrations for 2,781 assets (1,284 of them in Salerno and 1,145 in Naples); those in Calabria registered 1,885 assets (1,071 in Reggio Calabria). For Lazio, 1,007 assets were recorded, all of which were attributable to the Rome office.

As of June 30, 2022, seized assets in the central database equal to 6,934 and still represented a very limited percentage, 3 percent, of the overall total.

In the last three-year period, 2020-2022, the records of assets under seizure are slightly higher than the overall percentage: their number amounts to 2,011, 4 percent of the total of 50,205 assets affected by a court order. Of these, a large part, or 761, concern assets seized in the region of Sicily.

At the end of the survey, confiscated assets total 96,768 and represent 42 percent of the total assets surveyed in the database.

As for Net of assets subject to a decree of destination by ANBSC, there are 88,303 confiscated assets, accounting for 38.3 percent of the total assets registered in the Central Database.

Particularly relevant is the amount of assets subject to final confiscation - a total of 35,115 assets, or 15.2 percent of the total registered assets - and their traceability to the types of real estate or companies: in fact, it emerges that there are 11,712 real estate assets that have been definitively confiscated, while companies turn out to be 1,998. The aggregate total of "destined" assets is therefore 13,710 total assets.

As for reuse examples, mention may be made of Casa Chiaravalle, Milan, <https://www.retepasspartout.en/casa-chiaravalle/>, the largest confiscated property in Lombardy, owned by the 'ndrangheta boss' Molluso, now converted to Temporary Social Housing projects, and 'La Romanina', in Rome, territory under the control of the Casamonica a family of Sinti origin that holds a share of drug dealing and other illegal trafficking in the capital, with villas converted into a family home for young people, a branch of ANGSA Lazio, the association of parents of autistic children, and a multipurpose park, the Park of Legality, run by the Neighbourhood Committee.

On the other hand, the association 'Libera, Associations, Names and Numbers against the Mafia' has managed a number of confiscated properties from which several social cooperatives have sprung, such as the 'Placido Rizzotto' Cooperative in November 2001, the first cooperative of young people established for the management of land confiscated from mafia that carries out the job placement of disadvantaged people, creating employment opportunities inspired by the principles of solidarity and legality with an organic cultivation method and products that preserve the ancient flavour of Sicilian tradition.

The seriousness of the offense excludes the accused from having access to the plea agreement referred to in Article 444 of the Criminal Code or any other form of 'transaction'.

It is not possible to report an average length of proceedings for trafficking. However, it can be pointed out that these are complex proceedings, often involving many people and very often requiring international cooperation.

The time depends on the courts where the trials are held and whether or not the investigations are complex, whether or not the defendant is on call, and whether or not he or she accesses any alternative rites. Typically it can take from 3 to 10 years considering up to the third instance.

There is no "fast track" in our system for prosecutions of particularly serious crimes such as trafficking.

In the case of delays in the conduct of a trial, it is possible to bring an action for compensation through Law No. 89/2001 known as the Pinto Law, which protects citizens from the excessive length of trials, recognizing that those who have had to deal with an excessively long trial have the possibility of requesting equitable reparation for the pecuniary and non-pecuniary damages suffered.

This procedure provides compensation of an indemnity nature, which places an ex law obligation on the state, with the aim of combating the phenomenon of excessive trial length.

The Pinto Law has the merit of having introduced into our legal system a procedure aimed at remedying the excessive length of trials, in violation of Article 6 of the ECHR and Article 111 of our Constitution, which enshrines the principle of the "reasonable duration of the trial," which at the EU and national levels, also covers the procedure of equitable reparation for unreasonable length of trial.

In fact, the same judgment should not last more than two years, so much so that, as stated by SSU No. 6312/2014, if even this term is violated, the plaintiff can file a new lawsuit to seek compensation resulting from the violation of the reasonable duration of the Pinto Law itself.

The Pinto Law has introduced into our legal system a procedure aimed at remedying the excessive length of trials, in violation of Art. 6 of the ECHR and Art. 111 of our Constitution, which enshrines the principle of the "reasonable duration of the trial," which at the EU and national levels also covers the procedure of equitable reparation for unreasonable length of trial.

In fact, the same judgment should not last more than two years, so much so that, as stated by SSU No. 6312/2014, if even this term is violated, the plaintiff can file a new lawsuit to seek compensation resulting from the violation of the reasonable duration of the Pinto Law itself.

The Pinto Law applies in the case of violation of the time limits of civil, criminal, administrative, bankruptcy and tax proceedings (excluding proceedings held before private justice bodies), and on the concept of reasonable duration of a trial the key-criteria are the following ones.

Three years is considered reasonable for the first instance, two years for the second instance, and one year for the legitimacy instance.

In criminal trials, on the other hand, the time limit runs from the time when the suspect becomes aware of the criminal proceedings against him/her through an act of the judicial authority. The time limit should not include the period of suspension of the trial and the period between the day when the time limit for filing an appeal begins to run and the day when the appeal is filed.

As of October 31, 2016, the procedure under the Pinto Law can be activated, under penalty of inadmissibility of the application, only after having exhausted the so-called "preventive remedies".

The remedies are not always the same; they vary depending on the type of trial.

Specifically, in civil proceedings, the preventive remedy is represented by the filing of the summary judgment or the request to switch from the ordinary to the summary procedure made by the hearing of the case and, in any case, at least six months before the three years of the first instance have elapsed. Where summary proceedings are not possible, even in the second instance, the preventive remedy is represented by the request for a decision following an oral hearing pursuant to Art. 281-sexies of the Code of Civil Procedure, to be made six months before the expiration of the reasonable term of the trial and even if the jurisdiction is that one of the court.

In criminal proceedings, the preventive remedy is represented by an application for acceleration to be made at least six months before the expiration of the reasonable period of time.

In administrative proceedings, the preventive remedy is represented by a petition to indicate the urgency of the appeal.

Finally, in accounting and pension trials before the Court of Accounts and the Court of Cassation, the preventive remedy is represented by an application for acceleration to be made at least six months or at least two months, respectively, before the expiration of the reasonable duration period.

The appeal, pursuant to the Pinto Law, is to be filed by the person who suffered the damage assisted by a lawyer with special power of attorney with an appeal to the President of the Court of Appeal of the district where the judge before whom the first instance of the contested trial was held is located.

Under penalty of forfeiture, the time limit for doing so shall be six months from the time when the decision that concluded the proceedings became final.

The opposing party is the Minister of Justice if the underlying proceeding is an ordinary proceeding, the Minister of Defense if the underlying proceeding is a military proceeding, and the Minister of Economy and Finance in all other cases.

The appeal must always be accompanied by certified copies of the summons, appeal, pleadings and briefs relating to the presupposed proceeding, the relevant minutes of the case and orders of the court, and the order that settled the case, if it is an irrevocable judgment or order.

The maximum time limit for filing an appeal under the Pinto Law is six months from the time the decision by which the proceedings charged with excessive duration were concluded became final.

However, following a recent ruling of the Constitutional Court, it is still possible to bring the aforementioned appeal even before the final closure of the proceedings.

In fact, the Constitutional Court, in its ruling March 21-April 26, 2018, No. 88, declared the constitutional unlawfulness of the Pinto Law "in the part in which it does not provide that the application for equitable reparation may be brought during the pendency of the proceedings presupposed."

In order to issue proceedings for equitable reparation, it is necessary that the term of reasonable duration of the trial has been violated, that pecuniary or non-pecuniary damage has resulted from the same, that there is a causal link between the violation and the damage, and that the person, as specified above, has exhausted preventive remedies required by law under penalty of inadmissibility of the application.

After the application for equitable reparation has been filed, the President of the Court of Appeal or a Magistrate designated for this purpose shall do so within thirty days by a reasoned executive decree.

It is, therefore, a monocratic judgment, without a hearing.

If the appeal is successful, the judge orders the defendant ministry to pay the liquidated amount without deferment and authorizes provisional enforcement. The same decree also settles the costs and orders their payment.

At this point, it will be the party's responsibility, under penalty of ineffectiveness of the decree without the possibility of reapplication, to notify the Ministry of Justice of both the appeal and the decree within thirty days of the filing of the order in the clerk's office.

If, on the other hand, the appeal is dismissed, the appellant will not be able to resubmit it, although he or she may oppose the decision.

Moreover, if the application is declared inadmissible or manifestly unfounded, our system provides for procedural sanctions against the appellant.

In any case, against the decision on the appeal, it is possible to file an opposition before the same Court of Appeals within the peremptory term of thirty days from the communication or service of the relevant decision.

Such opposition shall not suspend the execution of the order except in cases where the panel does so by an order that cannot be appealed for the presence of serious reasons.

The Court of Appeal shall rule on it by decree within four months of the filing of the appeal. The decree shall be immediately enforceable and appealable by Cassation.

The compensation liquidated by the court as equitable reparation shall be in an amount not less than four hundred euros and not more than eight hundred euros for each year or fraction thereof in which the trial exceeded reasonable duration.

However, provision may be made in certain cases for a higher or lower amount not to exceed, however, the value of the case or the value of the right established by the court if lower.

In determining the measure of compensation pursuant to Art. 2056 of the Civil Code, the outcome of the judgment that resulted in the violation of reasonable duration, the behaviour of the parties, the nature of the interests involved, the value and relevance of the case, including with respect to the conditions of the party, shall be taken into account.

In order to recover the sums awarded as compensation, the creditor party may proceed with the forms of compulsory execution, but within the limits and in the manner provided by Art. 5d of Law No. 89/2001.

Having obtained recognition of the indemnity, the creditor, in order to receive payment of the sums due, must issue a statement to the debtor administration, pursuant to Arts. 46 and 47 of Presidential Decree No. 445/2000, certifying the failure to collect the sums for the same title, the exercise of legal action for the same claim, the chosen method of collection and the amount that the administration has yet to pay.

The statement must be issued using the templates prepared by the Ministry and which, for condemnation decrees filed as of January 1, 2022, must be submitted through the Pinto digital IT platform.

6. Ex parte and ex officio applications (Article 27)

6.1 What is the procedural position of a victim of THB in criminal proceedings? What steps are taken to assist victims of THB, including children, to enable their rights, interests and views to be presented and considered during the criminal proceedings against offenders? Who is entitled to assist victims of THB in court? Can victims of THB be represented by NGOs in criminal proceedings?

6.2 If the authorities fail to discharge their obligation to effectively investigate and prosecute suspected cases of trafficking, what possibilities for redress exist for victims of THB and their families? To what extent have victims of trafficking, including children, access to complaint mechanisms, such as Ombudsman institutions and other national human rights institutions?

6.3 What reporting and complaint mechanisms are in place for victims of trafficking who are in an irregular migration situation and/or in detention?

6.4 Can victims of THB bring claims against the State or its officials for: i) direct involvement in THB; ii) failure to prevent THB or protect them from THB? Have there been cases where State agents or persons acting on behalf, or at the direction, of the State were found responsible for engagement in THB and/or failure to prevent it or protect victims from THB by third parties? Please provide information on any prosecutions against diplomatic and consular staff for alleged involvement in THB.

6.5 What steps have been taken to strengthen and maintain the capacity of prosecutors to effectively prosecute trafficking cases?

The victim of trafficking becomes a person aggrieved by the crime in criminal proceedings against traffickers/defendants for crimes related to trafficking, assuming the quality of civil party, if, in that same proceeding, he/she intends to act as a civil party claiming damages from the offender; from that moment the law assigns every protection so that the victim of the crime can exercise his/her rights in court, can express through verbal statements and defense briefs to illustrate the case, can appoint experts and consultants in order to support and prove accuses against the trafficker, can be excused during the trial and also can request the examination of witnesses. Regarding measures in favor of minors, see Section 8.6.

The victim of trafficking in criminal proceedings acts as injured party or civil party if he/she chooses to join the proceedings. He/she has the right to be assisted free of charge by a defense counsel according to the rules of legal aid mentioned above.

In the case of a minor victim, he/she is represented by a guardian who appoints a defense counsel whose fee is always borne by the State.

The offended person who intends to act as a civil party may be represented by an NGO in court: in Italy entities and associations, non-profit and with purposes - recognized by law - of protecting the collective or widespread interests compromised by a criminal offense, may exercise the rights and faculties due to the offended person - subject to his/her consent - by an intervention whose content is described in Art. 93 of the Code of Criminal Procedure.

Thus, the rule is that such persons act in the criminal proceedings in the capacity of private accusers, flanking the person offended by the crime in the pursuit of the purely public interest of criminal repression.

Nonetheless, where they are directly harmed by the crime, the possibility of bringing civil action in the form and manner provided for in Arts. 74 ff. of the Code of Criminal Procedure remains guaranteed.

That being said, the right to bring a civil action is always subject to the acceptance of the petition by the judge, who, as happens with the physical person who is the victim of the crime, could, in case of irregularity of the constitution or if he does not recognize 'the injury of a subjective right inherent in the personality or identity of the entity' declares it is inadmissible or could reject it.

Italian law does not provide specific complaints for omissions or anomalies in trafficking proceedings. Of course, it is possible to proceed against law enforcement agencies as well as magistrates where criminal conduct, including omissions, is alleged against them.

Likewise, it is possible to proceed against public officials where their direct involvement in human trafficking emerges. The complaint or grievance mechanisms available to victims of trafficking are those provided for legal persons on the territory.

The legislation gives full attention to crimes of trafficking and enslavement, entrusting them to particularly experienced Magistrates who also deal with mafia crimes.

There is an equivalence, in some procedural respects, with trials against mafia associations.

Although Italy does not yet have an independent national human rights institution, the Italian Parliament established the National Ombudsman for the Rights of the Child and Adolescent by Law No. 112 of July 12, 2011: among the most relevant tasks and functions of its mandate is the ability to collect complaints regarding violations of the rights enshrined in the UN Convention on the Rights of the Child and to refer alleged victims to the appropriate authorities.

Italy has also ratified the Third Additional Protocol to the UN Convention on the Rights of the Child: children who allege that their rights have been violated can submit complaints to the Committee on the Rights of the Child once they, or their representatives, have exhausted all domestic complaint mechanisms. Although the recommendations that the CRC Committee may make to the concerned State are not legally binding, the State is however recommended to ensure that they are implemented and that the child victim receives appropriate redress.

The same guarantee is provided for trafficking victims over the age of majority, who are in any case protected by the judicial authorities during the path that leads them to denounce the trafficker, and put in a position to be able to expose their stories, being able to count on specialized listening personnel.

Ombudsmen, equality counselors, privacy and detainee guarantors work alongside the authorities in order to implement safeguards; there are groups within the Courts and Parliament set up to monitor the 'human rights' issue.

Often, especially in the context of access to Italian territory, THB victims may not be identified among irregular migrants, asylum seekers, and unaccompanied minors due to inconsistent use of identification criteria; the system is complex and sometimes suffers from a lack of resources, including an adequate number of shelters.

Despite this, Italy has made important strides in the fight against human trafficking (THB) through the adoption of laws and the establishment of social assistance and integration projects, and the new NAP provides for a strengthening of the institutional framework for action against THB, in order to ensure more effective involvement of all relevant public bodies and civil society organizations and with the aim of identifying victims more extensively.

7. Non-punishment provision (Article 26)

7.1 Please indicate what measures are taken to ensure that victims of THB, including children, are not punished for their involvement in unlawful activities (criminal, civil, administrative offences), to the extent they were compelled to do so, providing any concrete examples of their implementation.

7.2 Can persons who have breached national laws in the course, or as a consequence, of being trafficked have access to remedies for victims of trafficking, including State compensation?

In many cases, the victim of trafficking is employed by the criminal organization to carry out illegal activities, which are "forced" as they are committed due to the state of need in which the subject finds himself.

Art. 8 of Directive 2011/36 EU commits Member States to introduce provisions not to prosecute or impose criminal sanctions on victims of trafficking involved in criminal activities for having been forced into them in their conditions of subjection.

In the Italian legal system, in the absence of a specific provision, state of necessity provided for by Art. 54 of the Criminal Code is applied as a discriminating cause.

This rule provides for the non-punishment of those who have committed a crime for having been forced to do so by the need to save themselves or others from the current danger of serious personal harm, a danger not voluntarily caused or otherwise avoidable.

If this cause of non-punishment is recognized, the victim can also access compensation from the State.

8. Protection of victims and witnesses (Articles 28 and 30)

8.1 How are victims of THB protected in practice against potential retaliation or intimidation before, during and after legal proceedings? How is the assessment of the needs for protection performed and who recommends the application of the protection measures? Who is responsible of the implementation of the protection measures?

8.2 How do you ensure that victims are provided with realistic and practical information about the progress of the case and whether the perpetrator has been detained or released?

8.3 How do you ensure respect for the victims' right to safety, privacy and confidentiality during court proceedings?

8.4 In how many cases were witness protection measures used for the protection of victims and witnesses of THB, including children? If witness protection measures/programmes are not applied to victims of trafficking, what are the reasons?

8.5 When victim protection is provided by NGOs, how are NGOs resourced and supported to perform this function and how do the police and the prosecution co-operate with NGOs?

8.6 How do you ensure that child victims of THB are treated in a child-sensitive way and are provided with protection before, during and after judicial proceedings in accordance with the Council of Europe Guidelines on Child Friendly Justice? Are interviews with children conducted in specially designated and adapted spaces by professionals trained to interview children? What measures are taken in order to ensure a limited number of interviews?

According to the single social protection program, victims of trafficking who at any time recognize situations of risk, can ask for help from the Police or call the toll-free anti-trafficking number (800290290).

The operators of reception structures are required to monitor the progress of the program to which the victim has adhered, and can also contact the Prosecutor's Office directly to promptly report risks of dangers.

As part of the criminal trial, to protect victims and prevent them from being subjected to intimidation, precautions already provided for minors have also been extended to adults (see point 8.6).

Furthermore, in our legal system, Art. 18 of Legislative Decree No. 286/1998 provides for the possibility of issuing a special residence permit for irregular foreigners where they are subjected to violence or severe exploitation, when there is danger to their safety due to the attempt to escape the constraints of criminal association or statements made in criminal proceedings.

This residence permit can be issued either following a complaint from the victim (so-called judicial process, upon proposal or with the opinion of the Public Prosecutor) or in the absence of this (so-called social path). In the latter case, the victim relies on a body responsible for assisting victims of trafficking and adheres to the single program of emergence, assistance and social integration. This program guarantees the victim, on a transitional basis, adequate conditions of food, accommodation

and health care and, subsequently, support for the achievement of housing, work and social integration.

The permit, which has an initial validity of 6 months, can be renewed upon expiry for work or study reasons, thus allowing the complete integration of the foreigner in the social context.

The victims of trafficking, persons offended by the crime, subsequently acting as civil parties, through the help of the defender, can obtain all the information relating to the judicial procedure, both during the investigation phase (through a specific request to the investigating judicial authority or by carrying out defensive investigations ex Art. 327 bis of the Code of Criminal Procedure, Law 7 December 2000, No. 397), both during the trial and after it.

The victims of trafficking have never been proposed by the district anti-mafia directorates as "witnesses of justice", therefore special protection measures provided pursuant to Art. 10 Decree-Law 8/1991 have never been applied to them by the Central Commission .

This is a consequence of the deemed adequacy of ordinary protection measures which can be adopted directly by the public security authorities.

The current Code of Criminal Procedure provides for the following safeguards for the protection of minors as victims:

- the possibility of avoiding the psychological stress of the cross-examination of the parties to the minor witness, through the witness examination carried out directly by the chairman, albeit "on questions and disputes proposed by the parties" (Art. 498, paragraph 4 of the Criminal Code), with the right to "make use of the help of a family member of the minor or of an expert in child psychology";
- applicability, at the request of a party or at the disposal of the chairman who deems it necessary, of the so-called protected hearing governed by Art. 398, paragraph 5-bis of the Criminal Code, which consists in "carrying out the deed in a place other than the court with the aid of specialized assistance structures or, in the absence of them, also at the home of the minor";
- examination of the minor victim of the crime, in cases provided for by paragraph 4-ter of Art. 498 of the Code of Criminal Procedure (introduced, together with paragraph 4-bis, by Art. 13 of Law No. 269 of 3 August 1998, then amended by Art. 15 of Law No. 228 of 11 August 2003), "carried out, at your request or of the defender, through the use of a mirror glass together with an intercom system".

In the same perspective, the possibility, expressly granted to the injured party, to request the Public Prosecutor to promote the request for an evidentiary incident (which still remains entrusted to the initiative of the latter and of the person under investigation), appears worthy of importance; the judge who issued the measures referred to in Arts. 282-bis of the Criminal Code (Removal from the family home) and 282-ter of the Code of Criminal Procedure (Prohibition of approaching the places frequented by the injured person) has the duty to communicate this possibility to the injured party, to social welfare services of the territory and above all to the competent public security authority, for the purpose of possibly adopting measures regarding weapons and ammunition, measures in support of the victims of the crime of persecutory acts (duty of law enforcement, health centers and public institutions to inform the victim about the anti-violence centers present on the territory, also in order to promote, at the request of the victim, contacts with the latter), the establishment of a toll-free number at the Presidency of the Council of Ministers - Department for Equal Opportunities, in favour of the victims of persecutory acts for initial psychological and legal assistance, the possibility offered to the person offended by crimes of sexual violence (Art. 609-bis of the Criminal Code),

sexual acts with a minor (Art. 609 -quater of the Criminal Code), group sexual violence (Art. 609-octies of the Criminal Code) to be admitted to legal aid at the expense of the State also in derogation of the income limits provided for by Art. 76 of the consolidated text of the legislative and regulatory provisions on legal expenses (Presidential Decree 30 May 2002, No. 115).

The national referral mechanism also provides forms of assistance to the victim called to testify.

In fulfilment of the obligations established by Directive 2011/36/EU, our legal system provides for enhanced protection against unaccompanied minors who are victims of trafficking.

Therefore, it is essential to quickly identify them as victims of trafficking from the moment they arrive on Italian territory and to immediately place them in a protected structure where they can receive assistance. This is in order to avoid an escape from the reception system and, consequently, the continuation of the exploitation to their detriment.

Minors must be adequately informed about their rights, including any access to the procedure for determining international protection. All decisions concerning the participation, collaboration and assistance in criminal and judicial proceedings of the unaccompanied minor are taken by the guardian.

The first reception is ensured in centers activated by the Ministry of the Interior, also managed in agreement with local authorities which ensure, for a period not exceeding 30 days, specialized services aimed at transferring to second-level centers, where minors they can remain until reaching the age of majority, where specific projects are activated, aimed at achieving professional, social and cultural independence.

Minors are issued with a residence permit "for minor age" or "for family reasons" (Art. 10 of Law No. 47/2017) and in no case can the rejection of unaccompanied foreign minors at the border be ordered, nor can expulsion except and for reasons of public order and state security.

It is urgent to strengthen referral mechanisms to facilitate timely and effective care of victims of trafficking (in particular children, girls and women), taking into account the specific needs of women and children, supporting the best interests of the child in every situation as a primary consideration, as sanctioned by the UN Convention on the Rights of the Child and as stated both in the recommendations addressed to Italy in the third cycle of the United Nations Universal Periodic Review (point 148.167) and in the Concluding Observations addressed to Italy by the CRC Committee on children's rights in 2019 (point 22).

To comply with the latter, the new National Action Plan on the Rights of the Child, which entered into force in April 2022, provided for a series of actions to ensure a public and integrated child protection system in order to protect children and adolescents from the risk of exploitation and abuse¹; it would be useful to increase the number of reception places, with particular reference to women, girls and minors, especially in the places of arrival and at the border, by strengthening the already existing reception structures or by creating protected transit structures that host women and minors who are potential victims of trafficking, ensuring the adequacy of reception systems based on the sex and age of irregular migrants and women with minor children.

To this end, the new NAP against trafficking and serious exploitation 2022-2025, currently being prepared, provides to:

¹ <https://www.gazzettaufficiale.it/eli/id/2022/04/13/22A02358/sg>

- develop specific plans for the reception and assistance of women victims of trafficking with children, with adequate paths and services that take into account the needs of the family unit;
- guarantee foreign citizens access to information on their rights and on how to use the counselling assistance, in a language they understand and is suitable for their age and gender;
- confirm the efforts already supported by the Department for Equal Opportunities in the field of training, ensuring that training programs are organized in a systematic and harmonized way throughout Italy for all officials concerned, in particular for the police, cultural mediators, frontline operators working in the landing and first reception points of migrants and refugees, social workers, labour inspectors, lawyers, health workers, members of territorial commissions, prosecutors, judges, including judges operating in the second instance of international protection recognition procedures, child specialists, guardians and adoptive families.

9. Specialised authorities and co-ordinating bodies (Article 29)

9.1 What budget, staff and resources, including technical means, are put at the disposal of law enforcement bodies specialised in combating and investigating THB?

9.2 If your country has specialised units for financial investigations, financial intelligence units and asset and recovery units, please describe whether and how are they used in investigating and prosecuting THB cases. Which special investigation techniques do these units use? Which public and/or private bodies do these specialised financial investigation units co-operate with in relation to THB cases?

The National Anti-Mafia Directorate (DNA), in the belief that an overall strategy is the right way to counter a criminal phenomenon in rapid evolution and expansion, since the year 2018 has set up a working group that analyzes and systemizes information coming from all the forces involved in the fight of trafficking. The Anti-Mafia Investigation Department (DIA) and the Central Operational Service of the State Police (SCO) are also part of the aforementioned working group.

In addition, there is the special operational grouping (more often referred to simply with the acronym ROS), the only investigative body of the Carabinieri Corps with competence both on organized crime and on terrorism, whose head office is divided into four direct departments of the ROS commander: Antiterrorism Department, to counter terrorist and internal and international subversive activity; Violent Crimes Department, to investigate the most heinous crimes that arouse particular social alarm; Technical Investigations Department; Telematic Investigations Department.

Specifically, there are no investigative bodies specialized only in the fight and investigations on trafficking in human beings but the central groups specialized in dealing with international terrorism and heinous crimes often deal with phenomena related to trafficking and moreover the larger police offices have sections that work specifically on crimes against fragile subjects and therefore also on trafficking.

Lastly, training courses on investigative techniques for combating these crimes were held for the personnel of the "Specialized Sections", set up within the Mobile Teams, and their participation in conferences and seminars was also facilitated, including with figures particularly qualified professionals in this area.

It is noted that most of the work relating to national and international operations against human trafficking is first handled by the secret and intelligence services of the Italian Republic, which have the task of ensuring information activities aimed at safeguarding the republic from dangers and

threats coming from both inside and outside and which are often found to refer to these phenomena within operations to combat international terrorism or illegal immigration.

Among specialized units in the field of countering the financing of terrorism, intelligence systematically carries out its action by aiming at the acquisition of information relating to the following operational contexts:

- a. economic-financial dynamics (investments and / or re-use of funds) attributable to Islamic communities which, on the national territory, manifest critical profiles in relation to real underlying purposes;
- b. subjects deemed at risk who manage alternative money transfer systems to banking networks;
- c. money transfers made by individuals belonging to countries most exposed to Islamic fundamentalism, through:
 - money transfer circuits (increasingly used for its ability to reach the most remote areas of the world, unlike traditional financial circuits);
 - formal and informal channels (e.g. the hawala system²);
 - banking channels (relationships, current accounts, wire transfers, extra-account transactions);
 - electronic money (credit and / or debit cards, prepaid / rechargeable);
 - non-profit organizations and / or associations which, apparently, pursue institutional purposes (charitable organizations).

In order to make the aforementioned activity more effective, intelligence collaborates with the Financial Intelligence Unit (UIF) of the Bank of Italy, with the Police Forces, in particular with the Finance Police, and it has created an operational protocol with the main national and international credit / debit card issuers and / or management companies.

Lastly, with regard to the subsequent movement abroad of illicit proceeds, the use of couriers and "money transfer" circuits (in which evasive control techniques are highlighted, such as the splitting of the amounts to be transferred), or abusive systems for the collection and sending of money ("hawala" highlighted above or "euro to euro"³) is recorded.

²So-called "hawala" system constitutes an informal and clandestine banking system based on absolute secrecy and the utmost trust between customer and banker that allows you to transfer financial resources between different countries, without any written registration and at significantly lower costs than the international banking system. Anyone who wants to transfer money abroad turns to an intermediary (hawaladar) to whom he delivers the sum including commissions, in local currency and receives in exchange an alphanumeric code or a receipt (for example a playing card or a banknote cut to half). The hawaladar of the country of origin contacts, providing the details of the operation, the correspondent of the country of destination who will deliver, to the person who proves to be the beneficiary (the holder of the code or receipt), the sum of money in local currency. This system, therefore, operates in a similar way to the regular channels of money transfer and in some areas of Asia and Africa it is almost entirely superimposed on the official financial circuits, finding its basis, mainly, in the remittances of emigrated foreign workers.

³ It is a system that facilitates the transfer of money between Italy and Nigeria, without the possibility that the competent authorities can carry out the required checks. Basically, it consists of an illegal agreement between Nigerians present in Italy and Nigeria respectively. In particular, in the African state there are (clandestine) agencies that collect money from Italy transported by "carriers" for this purpose who hide it in corpore (collected in cylinders) or in personal effects or in the double bottoms of suitcases : with this methodology there is an incessant feeding of the agency's coffers. People who intend to send money home from Italy, contact the aforementioned clandestine agencies by ordering the delivery of a sum of money to another compatriot. The

For the transfer of money in Italy, the frequent use of prepaid "postepay" cards is reported.

10. International co-operation (Article 32)

10.1 How does your country co-operate with other countries to enable victims of THB to realise their right to redress and compensation, including recovery and transfer of unpaid wages after they leave the country in which the exploitation occurred?

10.2 Has your country co-operated with other countries in the investigation and prosecution of THB cases through financial investigations and/or Joint Investigation Teams? Please provide statistics on such cases and examples from practice.

10.3 How many mutual legal assistance requests and/or European Investigation Order have you made in THB cases and what was their outcome?

10.4 What forms of international co-operation have proven to be particularly helpful in upholding the rights of victims of trafficking, including children, and prosecuting alleged traffickers?

10.5 What international co-operation measures are in place to ensure protection and assistance to victims on return from your country to their countries of origin following their participation in criminal proceedings?

10.6 What international co-operation measures are in place to protect and assist victims of THB for the purpose of sexual exploitation through online streaming where the perpetrator is a national or habitual resident of your country and elements of the crime have occurred in your country's jurisdiction?

For Italy, international development cooperation is "an integral and qualifying part of foreign policy", as envisaged by Law No. 125/14. In 2021 the Ministry of Foreign Affairs and International Cooperation adopted the revision of the Guidelines of the Italian Development Cooperation on the Rights of the Child: which also include among the main objectives the fight against human trafficking in various contexts (children on the move, children without parental care, children in street situations, children in emergency situations and armed conflicts).

The judicial experience gained in relation to transnational phenomena has suggested to following a complex strategy which, starting from the acquisition of data and information from all the national investigative bodies and the countries of origin of the victims as well as from those who, despite not having police duties judicial, establish direct contact with migrants and suspected victims of trafficking at an institutional level, then concentrate on their analysis and processing.

An overall evaluation of investigations and the collaborative relationships with the Balkan countries and Nigeria suggested to direct the resources of the working group on the trafficking of Nigerian and Albanian women also to implement the agreements and protocols signed.

economic operator (in Nigeria) provides an alphanumeric code to the requesting person, who - subsequently - communicates it to the person who must present himself there to receive the money. At the same time, the person who placed the order in Italy quickly delivers the money (equal to the amount to be transferred, plus a derisory amount as a commission) to a "shoulder" who has the task of collecting the money to Italy and transport it to Nigeria.

Furthermore, the working group set up in DNA has the task of analyzing numerous statements made by African justice collaborators who for some years have been providing a significant contribution for the reconstruction of foreign mafias of African origin and for the assessment of the main activities criminals including trafficking in human beings.

In particular, the working group, in the various "information exchange" meetings between the parties, with a view to identifying elements worthy of further study on the subject of Nigerian organized crime, shared the opportunity to thoroughly analyze the structures of the various criminal groups, their *modi operandi*, the nature of the links between the cult operating in Italy and in the rest of Europe - with possible specification of predominant positions of one group with respect to the other - as well as the relationships between Nigerian cult and the "mafias traditional", in relation to a possible coexistence tolerated on the territory or based on mutual interests.

The opportunity to create a "knowledge platform" was also evaluated, both for criminal groups operating on the national territory and beyond the border, to be constantly implemented through the inclusion of constantly updated data, as a useful tool for immediate use for all sector operators. From this absolutely privileged point of observation, the working group came to the decision to bring together all the documentary elements collected in the DNA "information assets" which could constitute a valid pre-investigative support also for other State bodies.

During 2020 and 2021 the working group also launched, in collaboration with the penitentiary administration, a screening of Nigerian nationals who are confined to Italian prisons.

The intent is to carry out a monitoring of the Nigerian prison population to identify those inmates who, due to personal conditions and criminal backgrounds, could provide collaboration to the investigating authorities.

Monitoring is still ongoing and focused in particular on thirteen detainees who, due to past top crimes, appeared worthy of further investigation.

The *modi operandi* of these criminal organizations are so complex that they require, for an effective fight, the use of considerable investigative resources and the essential use of international cooperation mechanisms, both police and judicial, between the states involved in the criminal chain.

In fact, in most cases, the exploiter of human beings is part of a transnational "network" made up of groups of people or individuals with a different degree of specialization, each of which, in general, guarantees the functioning of one of the different phases of the entire route of the route.

It follows that the methods of prevention and contrast to this phenomenon must be constantly updated to face the multiform expressions of a criminal reality that is constantly evolving.

In this perspective the proactive and multi-agency approach, which involves collaboration between the various actors, institutional and non-institutional, who come into contact with a victim of trafficking in various ways, has often proved decisive for effectively starting and continuing an investigation into trafficking in human beings.

As regards judicial repression, the dysfunctions reported by the Italian judiciary and law enforcement agencies are represented and in particular the scarce and inadequate collaboration in investigations provided by the officials of the countries of origin and transit of traffickers in the face of criminal networks always more sophisticated and violent, including the Nigerian teams Black Ax, Supreme Viking Confraternity and Eije.

It is undeniable that this lack, or in any case scarce collaboration, affects the overall results of the conflict that our country puts in place, it being evident that often the absence of the information required from the countries of origin leads to an evidential framework that is not entirely complete.

11. Cross-cutting questions

11.1 What steps are taken to ensure that victims of THB have equal access to justice and effective remedies, irrespective of their immigration status and the form of exploitation?

11.2 What steps are taken to ensure that criminal, civil, labour and administrative proceedings concerning victims of THB are gender-sensitive?

11.3 What steps are taken to ensure that procedures for obtaining access to justice and remedies are child-sensitive, readily accessible to children and their representatives, and give weight to the child's views?

11.4 What steps are taken to ensure that private entities take steps to prevent and eradicate trafficking from their business or supply chains and to support the rehabilitation and recovery of victims? What options exist for victims of trafficking to access effective remedies from businesses implicated in human trafficking?

11.5 What legal, policy and practical measures are taken in your country to prevent and detect situations where corruption facilitates human trafficking and infringes the right of victims of THB of access to justice and effective remedies? Please provide information on any known or proven cases of corruption or related misconduct of public officials in THB cases and any sanctions issued.

In the National Strategy for gender equality issued by the Italian Government, emphasis is placed on five priorities concerning work, income, skills, time and power; the latest approved Law No. 162/2021 for equal opportunities in the workplace has further expanded the guarantees for the protection of gender, introducing monitoring mechanisms and sanctions for companies that do not respect the certification of equality and equal pay.

There is no specific measure to 'oblige' the authorities and all those who operate in the judicial manner to use the gender sensitive approach, but there are various civil and criminal law regulations that criminalize, judging them discriminatory, conducts in violation respect for gender and which allow to report the incident and request compensation for damages.

The new NAP 2022-2025 has dedicated a specific paragraph to the topic in order to emphasize the importance of respect for gender in the context of the identification and assistance of victims and requires specialized training for all operators in the sector.

In general, moreover, it is always possible for discriminatory reasons to resort to guarantors, in particular to the 'Equality Councillors' present at the local level.

The rights of minors are supervised by both the judicial authorities (in particular the Juvenile Court and the tutelary judges) and the National Authority for children and adolescents, as well as the trustees of minors appointed in the cases provided for by law, lawyers of minors and the social services of the municipalities, which have the right to 'solicit' the intervention of justice to protect minors, in cases of delays or omissions.

In December 2021 the Interministerial Committee for Human Rights, based at the Ministry of Foreign Affairs and International Cooperation, adopted its second National Action Plan on Business and Human Rights: the Plan also provides for ongoing activities and future commitments against all

forms of exploitation, including forced labour, child labour, slavery and irregular work, with particular attention to migrants and victims of trafficking.

In addition to a series of regulations in the civil and criminal sector, to protect the transparency of the work of the NAP in Italy there is the National Authority against corruption (ANAC), an independent administrative body whose institutional mission is identified in the prevention of corruption in all administrative areas and which is carried out through supervision on various fronts: application of anti-corruption legislation and compliance with transparency obligations, conferral of public offices, conflicts of interest of officials, assignment and execution of contracts public.

ANAC monitors the transparent performance of public contracts as part of its fight against corruption, stipulates memoranda of understanding with the contracting authorities, carries out regulatory functions, through the adoption of guidelines, standard tenders, standard specifications, standard contracts and other flexible regulatory tools, manages the register of administrations and entities that rely on in-house, processing of standard costs of works and reference prices of goods and services, has inspection functions through the request for information or the presentation of documents and data and sanctioning powers of a pecuniary and / or disqualifying nature towards subjects who refuse or fail to transmit the requested information, and towards economic operators in the event of false declaration or documentation during the tender.

Part II – Country-specific follow-up questions

12. Please provide information on new developments in your country since GRETA's second evaluation report concerning:

- emerging trends of trafficking in human beings (new forms of exploitation, new recruitment methods, vulnerable groups, gender-specific aspects of trafficking, child trafficking);
- the legislation and regulations relevant to action against THB (e.g. criminalisation of THB, identification and assistance of victims of THB, recovery and reflection period, residence permit, supply chains, public procurement);
- the institutional and policy framework for action against THB (bodies responsible for coordinating national action against THB, entities specialised in the fight against THB, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);
- the current national strategy and/or action plan for combating trafficking in human beings (objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results);
- recent case law concerning THB for different forms of exploitation.

According to what emerged during recent investigations, coordinated by various District Prosecutors, the "trafficker" of the victims is part of a transnational criminal "network" rooted in the countries of origin of the migratory flows, where situations characterized by extreme poverty or unstable socio-political contexts become factors of attraction for criminal organizations engaged in such illicit activities.

These associations are structured in "cells" operating in each country affected by the criminal "chain", each of which intervenes when necessary, dealing with a specific "phase" that characterizes the trafficking:

- recruitment in the country of origin;
- organization of the trip to Libya, after crossing the sub-Saharan area;
- concentration in safe places waiting to reach the departure sites / ports;
- transport by sea to the Italian coasts;
- sorting and exploitation in the country of final destination.

The criminal networks in question are not always belonging to the same centralized organization; the various "cells" interact with each other only when necessary, operating differently depending on certain factors, such as:

- the economic possibilities;
- the place of departure;
- the laws of the transit States;
- the methods of control by the Police.

The transnational criminal cells in question were particularly active on the Mali-Niger-Libya route, as well as on the Nigeria-Niger-Libya axis.

The investigations carried out have shown that the members of these associations, based mostly in Nigeria and Libya, usually recruit young Nigerians, even minors, directly with false promises of work, in their small villages of origin, but also through offers published on the internet.

The victims, after reaching Libya, are smuggled into Italy and forced, with threats and physical and psychological violence, frequently consisting of voodoo rites, to practice prostitution along the roads of various provinces, under the strict control of the members of the organizations.

Young Nigerians, often forced to take drugs or alcohol, are prevented from repatriating or from resorting to the police authorities or assistance services.

Besides physical and psychological violence, criminal associations usually force victims, if they become pregnant, to abort clandestinely and in a non-consenting manner.

In addition to the aforementioned voodoo rites, the psychological violence on which the "possession" of victims by organizations is based is exercised through family blackmail and brain-washing (a sort of "brainwashing"), in which young women are convinced that recourse to the police authorities could cause them serious prejudices, not only on the part of the criminal association, but also on the judicial level by the police forces.

During some investigations it emerged that sometimes young women have been "sold" from one criminal organization to another, often in another city, and moreover, at the end of their "operational career" they could become "commodities" for weddings of convenience.

It is necessary, on the phenomenon of the 'loverboy', to make some considerations.

The legislation on trafficking has undergone five different legislative changes which occurred in a short time (from 2003 to 2018) which led to a detailed regulatory description over the phenomenon according to different indices linked both to the international matrix and to the conduct put in place, as to means used and the illicit purpose of exploitation.

In this way, the legislator has tried to target all possible forms of participation in the trafficking of human beings, carrying out investigations in the most different contexts, from large organized crime to the single trafficker, also crossing the cybercrime channels and using, as proof of severe legal means in force and wide protection assigned to victims, a common high sanctioning treatment, despite the fact that the incriminating conducts falling within the scope of trafficking offenses are very different from each other.

The rationale for the rigidity of rules is to guarantee the human being the right to express his or her personality without any interference or exploitation by third parties: at the core of this approach there is the person and his/her life in a State that protects individual dignity by every means, in order to avoid forms of limitation or injury to personal integrity, such as slavery or exploitation, which reduce the subject to mere *res*.

Proof of the legislator's intent is the location of the crimes related to trafficking referred to in Art. 601 of the Criminal Code, among the crimes against the person, and specifically within Section I (crimes against the individual) of Chapter III (crimes against individual freedom) and the three main illegal reference markets are contained in Art. 600 of the Criminal Code, which punishes the conduct of those who place the victim in a state of continuous subjection by forcing him/her into various illegal activities, in Art. 601-bis of the Criminal Code on trafficking in organs and in Art. 603-bis of the Criminal Code, which governs cases of serious labour exploitation (the so-called *caporalato*).

The rules show, right from their placement in the code system, criticalities both on the interpretative and implementing level.

One of the first problems identified concerned, for example, the differentiation of conducts of slavery and servitude, which is difficult to identify: servitude is considered subsidiary to slavery and if retained as less serious hypotheses this would not be consistent with the identity of the penalty imposed; as for cases other than those of slavery, it would not be easy to identify them autonomously in the face of the wide spectrum of the hypotheses of slavery, so the problem was solved with the non-distinction between the facts falling within one and the other cases.

Already before the 2003 reform, an attempt was also made to bring back to the criminal discipline of slavery situations of "similar conditions or practices" (according to Art. 600 of the Criminal Code in the original version of the Rocco Code) in relation to conducts lacking legal requirements and referring to factual situations but worthy of protection by the legal system: the relevant jurisprudence had, for example, recognized the "condition analogous to slavery" as for the so-called 'argued minors'.

Over time, by virtue of the international commitments undertaken by Italy on the subject, the aim of exploitation in trafficking crimes has increasingly been made relevant in the legal system, considering that it is not just slavery to the trafficker that marks the negligence of the conduct and the need to repress it in constant protection of human rights and freedoms.

The novelty of the reform refers precisely to this concept of 'de facto slavery', since the 'reduction or maintenance in slavery or servitude' is defined by the current Art. 600 of the Criminal Code as a "continuous subjection, which forces one to work or sexual services or to begging or in any case to services that involve exploitation".

The jurisprudence has identified two elements for the existence of the continuous state of subjection that characterizes the case:

1. a position of supremacy of the offender such as to result in a significant impairment of the victim's ability to self-determination (because the compromise of the will of the taxable person is considered absolute, the person must not have valid existential alternatives);
2. the state of subjection must have an appreciable duration in time such as to determine the state of dependence of the victim.

The condition of subjection must also be the result of "violence, threat, deception, abuse of authority or taking advantage of a situation of physical or mental inferiority or a situation of necessity" or still the result of "promise or the giving of sums of money or other advantages to those who have authority over the person".

As regards the tax liability relevant for the integration of Art. 600 of the Criminal Code the absolute and continuous annulment of the personality of others does not seem to be required (in fact, the reference to the "total state of subjection" as was the case in Art. 603 of the Criminal Code): it will imply the granting to the victim of spaces of 'pseudo-freedom' to be able to carry out productive performances: therefore the reduction into slavery could take place even if the subjection is temporarily relaxed, alternating moments of freedom aimed at overcoming the resistance of the victim.

To conclude, for the purposes of integrating the case, forced exploitation of a person and the condition of constant subjugation of the exploited subject are therefore required cumulatively.

It follows that not any enslavement assumes relevance, but only that in which coercion 'turns' towards exploitation or can already be defined as such.

According to a position of the Court of Cassation and by the prevailing jurisprudence, the qualifying element of slavery and servitude would in fact be the exploitation of the victim and / or his/her services and it is this point that distinguishes these figures from other cases depriving personal liberty but not falling under the conducts of trafficking; this is, as already highlighted, a problem of hermeneutics and application of the rules in question to some cases (loverboy recruitment method, often considered as a crime of exploitation of prostitution referred to in the Merlin Law (Art. 3 no. 3-8 of Law No. 75/1958) rather than the crime of trafficking in human beings.

The hypothesis of "taking advantage of a situation of necessity" refers to an absolute need for assistance from third parties; therefore the subject is obliged to choose to surrender himself/herself to his/her tyrant / tormentor / master and the requirement of necessity, according to the jurisprudence, must be interpreted not in the sense of Art. 54 of the Criminal Code but having regard to the "state of need" according to the meaning used for the crime of aggravated usury (Art. 644, paragraph 5, no. 3, of the Criminal Code) or to the "state of need" according to the meaning used for the termination of the contract for injury (Art. 1448 of the Civil Code), therefore in line with civil and criminal semantics more familiar to domestic law, which has evolved to include the vulnerability of the victim and his/her abuse, as mentioned in Art. 601 of the Criminal Code, which adds it to the traditional forms of illicit power over other individuals, consisting of violence, threat, deception, abuse of power, psychic or physical inferiority.

In the formulation of the case referred to in Art. 601 of the Criminal Code, the legal system was intended to align with the "abuse of a position of vulnerability" envisaged by international instruments, which imposes obligations on States to penalize exploitation conducts carried out in different contexts; the term has thus also been acquired in domestic law, but unfortunately the content is marked (already the European one in truth) by extreme indeterminacy, which makes both the meaning of the conduct of those who take advantage / abuse and the state of need uncertain and vague / vulnerability.

Consequently, there could be an expansion of the spectrum of protection of victims with the risk of excessive expansion of the case or very large meshes in terms of jurisprudential interpretation, and therefore little space in terms of crime repression, so that effective investigative contributions but a small number of convictions result. Due to the lack of a valid accusatory system, also and above all with respect to the key-principle of *nullum crimen sine lege*, a bulwark of guarantee of legality in the criminal trial.

From the definition of exploitation therefore derives the application of anti-trafficking legislation or that relating to other cases and so far the definition of victim of the crime.

In fact, the first paragraph of Art. 601 of the Criminal Code provides for two different abstract cases that differ in terms of the qualities of the victim: the first sentence of Art. 601 of the Criminal Code is aimed at protecting those who are in the conditions referred to in Art. 600 of the Criminal Code; the second is aimed at a broad audience of subjects and finally the second paragraph provides for a different criminal offense to minors: this qualification that justifies a different formulation of the criminal offense that does not require the use of particular coercive means, extending the punishment, according to the provisions of the second paragraph of Art. 601 of the Criminal Code, to all conducts identified in the first sentence of the article even if without the specific methods of coercion.

Beyond enhanced protection relating to minors, the limit of the legislator is that of not having identified in all other cases the exploitation with the abuse of a situation of need, requiring the victim or the Prosecutor the burden of proving that the agent took advantage of or abused the victim's vulnerability.

The consideration has resulted in a series of cases of serious social alarm, such as that of the aforementioned loverboys, in which is difficult to demonstrate both the vulnerable condition of the exploited subject (given that the person to whom promises are made by the lover is of usually linked to him/her sentimentally), and, in evidence, the link between vulnerability, in the form of psychological dependence and exploitation, indeed serious exploitation, which would subject these hypotheses more to crime of trafficking than to other cases such as exploitation of prostitution.

In this context, therefore, the recruitment of victims in the form of solicitation with the loverboy method would not constitute a crime of trafficking, if the subjecting to conditions of exploitation (which in the case of these victims-companions, as highlighted, involves total annihilation of the personality, depressive syndromes, forced maternity, sexual violence and forced intake of drugs and drugs) is not accompanied by taking advantage of a state of need, referred to serious conditions, as highlighted above, of existential difficulties (need / vulnerability) due to the lack of alternative.

In such cases, therefore, the loverboy who forces the victim to behave among those foreseen in the conducts relating to the crime of trafficking would not even be punishable, because it is complex to identify both the wilful misconduct of the agent and to recognize a conduct of abuse different and further than exploitation.

We refer in particular to that set of illicit behaviours and responsive to emotional manipulation techniques that cause psychological dependence, unfortunately not recognized by our legal system, if not in correlation with other types of maltreatment and in any case hardly disconnected from the physical component of the violence suffered, or in the form of plagiarism pursuant to Art. 603 of the Criminal Code (a provision declared unconstitutional and therefore repealed by law in 1981 because it was deemed 'indeterminate' with respect to the principle of mandatory nature that characterizes criminal law).

In conclusion, neither the crimes referred to in Art. 600 of the Criminal Code nor does the Law No. 75/58, refer to highlighted conducts, so that it is difficult to include the exploitation related to forced prostitution by loverboys within the cases referred to in the rules on trafficking in human beings, because some elements would be missing - including coercion, taking advantage of the state of need, and above all the lack of consent since the choice to prostitute oneself apparently free, valid and aware.

Even in the case of imposition of a sentence, the sanctions are not congruous with respect to the seriousness of the conduct and, moreover, since the exploitation is not considered 'serious', in rare cases of conviction and imprisonment the lover boy, as there are no measures that force him/her to interrupt relations with the victim, continues to exert psychological pressure on the victim even while in custody.

However, on the subject of the recognition of addictions and emotional abuse as elements that undermine the victim's will to self-determination, there is a recent change in the orientation both by the jurisprudence of merit and legitimacy, including the rulings of Cass. No. 9741 / 2022, 11533/2022, 14963/2022, 15907/2022, even a Court of Auditors No. 21 / 2022 and, although the cases are not related to the trafficking channel but to crimes of sexual violence or maltreatment in the family, it seems useful to highlight the link between these two categories of cases, and the openness of the courts towards the recognition of emotional dependence as a form of vulnerability, not necessarily linked to physical violence but equally harmful (see post traumatic disorder from stress) because it is based on the condition of psychological domination of the trafficker over the victim.

With regard to the most vulnerable groups, the programs in border and landing areas of Italy have highlighted the growing insecurity of migrant women, girls and minors, due to the difficulty of identifying and isolating exploiters and / or traffickers of human beings from victims.

These mixed conditions increase the vulnerability and the risk of falling into exploitation mechanisms, in particular of women and minors.

The results of the study by UNICEF in 2021 on the impact of COVID-19 on the risks of sexual violence for migrant and refugee women and girls in Italy also highlighted some elements and trends related to human trafficking. Since the onset of the pandemic, many young women have started engaging in sex work as a last resort to generate income, given the lack of other economic opportunities, with the high risk of being trapped in human trafficking networks. Refugee and migrant girls and sexually trafficked or exploited women have been described as particularly vulnerable to violence since the start of the pandemic. Qualified whistle-blowers reported that this group faced increased insecurity due to a more violent atmosphere and lack of protection for street workers.

Some service providers consulted also reported that sexually trafficked or exploited women faced an increased level of insecurity, especially during the closure, as the streets were empty and sex work had moved indoors.

This has increased their vulnerability and the already high risks of exposure to violence, given the greater invisibility and constant presence of exploiters.

Children and women fleeing war in Ukraine are at greater risk of human trafficking and exploitation. Traffickers often try to exploit the chaos of large-scale population displacements and, as most of the displaced are women and children, this must be taken into account. Although the phenomenon is still difficult to document, risks are present and cases are emerging through programming.

The structures of the anti-trafficking network appear in general to be virtuous and well-structured realities.

There is also an increase, also due to the COVID-19 pandemic, of forms of recruitment and sexual exploitation through the web, which also involve minors and trafficking for the purpose of labour exploitation, in particular as regards migrants from Pakistan (IOM supported 67 migrants from Pakistan, 70% of whom were victims of trafficking and / or severe labour exploitation, mainly in the north-eastern Regions (e.g. Emilia-Romagna and Veneto).

- legislation and regulations relevant to action against trafficking in human beings (e.g. criminalization of trafficking in human beings, identification and assistance of victims of trafficking in human beings, recovery period and reflection, residence permit, supply chains, public procurement);

The complexity of the matter and the Italian legislation demand for an overview of the phenomenon and the consequent commitment of Italy in contrasting its criminal manifestations based not only on data over trafficking in human beings and related crimes but also on equally significant data relating to other crimes in the national legislation concerning exploitation in a broad sense.

Italy, in fact, pursues the crimes of exploitation through different hypotheses of crime under the competence of ordinary and district prosecutors and, therefore, the counter-action cannot be derived exclusively from data on trafficking in human beings or from the crimes of reduction to slavery but must be based on an overall assessment of crimes involving subjects of foreign nationality in Italy as victims and suspects who punish the exploitation of the person.

The plurality of offenses concerning the exploitation of the person as a whole must be positively evaluated and not, as is believed in the Report, with a negative meaning.

Indeed, not all conducts of exploitation and manipulation of a person can rise to the rank of crimes of trafficking or reduction into slavery according to the Criminal Code and the jurisprudence of legitimacy gradually, even if these conducts amount to a true and own annulment of the person.

On the other hand, there are conducts that, while not achieving the above characteristics, still determine an exploitation of the human being that must be pursued.

Therefore offenses are framed (some falling within the competence of the ordinary prosecutors) that punish such exploitation that could be defined as "intermediate", since if these cases were not provided, a series of serious conduct would remain without criminal sanctions.

To this scope the extraordinary collection of judicial data relating to the year 2021 promoted by the DGSTAT (Directorate-General for Statistics) of the Ministry of Justice is an effective response, providing for an overall in-depth analysis of the criminal phenomenon in question through a grid of crimes, specifically identified by this National Directorate, which embraces any form of exploitation of human beings in a broad sense.

The offenses identified above are the following:

- Art. 600 of the Criminal Code (reduction or maintenance in slavery);
- Art. 600 bis of the Criminal Code (child prostitution);
- Art. 601 of the Criminal Code (human trafficking);
- Art. 601 bis of the Criminal Code (trafficking in organs taken from a living person);
- Art. 602 of the Criminal Code (purchase and sale of slaves);

- Art. 603 bis of the Criminal Code (illegal intermediation and exploitation of labour: so-called hiring);
- Art. 3 and 4 of Law No. 75/1958 (aiding and abetting, exploitation, induction into prostitution, if foreigners are involved - suspects and offended persons);
- Art. 12 of Legislative Decree No. 286/1998 (facilitation of illegal immigration).
- Art. 416 paragraph 6 of the Criminal Code (criminal association aimed at committing the offenses indicated in the aforementioned paragraph).

Specifically, the trafficking of human beings is expressly punished in the Italian legal system by the entry into force of Law of 11 August 2003, No. 228 which rewrote the provisions of the Criminal Code already relating to reduction to slavery (Arts. 600, 601 and 602). The circumstances that lead to an increase in penalties in the event of the commission of these crimes were then modified by Law No. 108 of 2010 which inserted Art. 602-bis.

The 2003 law already provided for the establishment of a Fund for anti-trafficking measures (Art. 12) and a special assistance program for victims of trafficking (Art. 13).

The regulation of human trafficking in our country is mainly the result of the implementation of European-derived legislation (framework decision 2002/629/JHA and then Directive 2011/36/EU) and international conventions.

About the latter, with the aforementioned Law of 2 July 2010, No. 108, the Italian Parliament ratified the 2005 Council of Europe Convention on the fight against trafficking in human beings, commonly known as the Warsaw Convention.

The definitions of conducts punishable by way of trafficking were then first expanded by Law of 16 March 2006, No. 146 on "Ratification and execution of the United Nations Convention and Protocols against transnational organized crime, adopted by the General Assembly on November 15, 2000 and May 31, 2001" and subsequently through the adoption of Legislative Decree No. 24, which implemented in our legal system Directive 2011/36/EU concerning the prevention and repression of trafficking in human beings and the protection of victims and also provided for the seizure and confiscation of instruments and proceeds of the crime of trafficking (Art. 7) and the possibility of granting international protection to victims (Art. 11, par. 6); particular attention is paid to minors (Arts. 13-16), since the decree derives from the Decree of the President of the Council of Ministers No. 234/2016 or the "Regulation defining the mechanisms for determining the age of unaccompanied minors victims of trafficking".

Lastly, two further laws have strengthened the protection of trafficked persons: Law No. 199 on the new crime of 'illegal hiring' which introduced Art. 603 bis (illegal intermediation and labour exploitation) and Law of 7 April 2017, No. 47 (so-called Zampa Law).

The new NAP 2022-2025, provided for by Art. 13 of Law 11 August 2003, No. 228, containing measures against trafficking in persons, aims to define 'multi-year intervention strategies for the prevention and contrast of the phenomenon of trafficking and the serious exploitation of human beings, as well as actions aimed at raising awareness, social prevention, emergence and social integration of the victims'.

The strategic objective of the new NAP is to improve - in line with a common approach at European level - the national response to the phenomenon of trafficking, acting in compliance with human rights and the principle of non-discrimination, with a view to gender mainstreaming, to protect the rights of minors, women and more generally of vulnerable categories.

The NAP will be an integral part of a comprehensive strategy of interventions that contribute to the definition of a strong supervision of the condition of the victims, in particular women and children, also in connection with what is defined in the context of the National Strategy for Gender Equality and the Plan of Allocation of resources of the «Fund for policies relating to rights and equal opportunities», in continuity with the provisions of Law of 15 October 2013, No. 119, containing "Urgent provisions on safety and the fight against gender-based violence, as well as on the subject of civil protection and the commissioner of the provinces", of the National Strategic Plan on male violence against women 2021-2023, of the new National Plan of prevention and contrast to the sexual abuse and exploitation of minors, of the 5th National Action Plan and interventions for the protection of the rights and development of subjects in developmental age 2022-2023 (so-called National Childhood Plan) and the Plan approved by the European Commission in favour of Ukrainian refugees.

In parallel, the NAP will work in synergy with the National Plan for the integration of holders of international protection and the three-year Plan to combat labour exploitation in agriculture and illegal hiring 2020-2022.

The elaboration of the NAP 2022-2025 was set up in line with the four guidelines (so-called four Ps) on which the strategies for the fight against trafficking in human beings are based at an international level, i.e. prevention, prosecution of crime, protection and social integration, cooperation (prevention, prosecution, protection, partnership) and the reference time frame of the Plan, aligned with the European strategy on the fight against trafficking 2022-2025, resumes the same guidelines when identifying four aspects on which to focus the attention of Member States:

1. Reduce the demand that favours human trafficking (prevention);
2. Dismantle the commercial model of traffickers, online and offline (prosecution);
3. Protect, support and empower victims, with particular attention to women, minors and vulnerable categories (protection);
4. Promote international cooperation (partnership).

Identification currently takes place in Italy according to the referral mechanism and the Guidelines updated to 2020 for "The identification of victims of trafficking among applicants for international protection and referral procedures" developed as part of the project carried out by UNHCR and the National Commission for the Right to Asylum, and also the identifications with outreach methods of anti-trafficking bodies, mainly based on street units, which allow to reach a considerable number of victims, especially sexually exploited women. For unaccompanied foreign minors, as a visa, there is a specific assistance program referred to in Law No. 47/ 2017. The subjects authorized to carry out these programs can alternatively be the social services of local bodies or associations, bodies and / or other private bodies. The latter must compulsorily be registered in the appropriate section (second) of the National Register of associations and entities that carry out activities in favour of migrants.

Legislative Decree No. 24/2014 assigned to the Department for Equal Opportunities of the Presidency of the Council of Ministers tasks of direction and coordination with regard to the social prevention interventions of the phenomenon of trafficking in human beings and assistance to victims, identifying the "national contact point" (Art. 7), also for the evaluation of the trends of the phenomenon, for the monitoring and elaboration of statistics and periodic reports on the results.

The Department is taking care, together with all administrations and stakeholders, of the preparation of the new NAP against trafficking in human beings and serious exploitation 2022-2025.

The interinstitutional cooperation governance conceived in the NAP 2022-2025 aims to guide and encourage the synergistic collaboration of the various public and private subjects involved.

At the national level, the structure is structured as follows:

- a) a Control Room which, for the political orientations, involves competent political authorities of all central and local administrations, involved on the issue of trafficking and the serious exploitation of human beings;
- b) a Technical committee in support of the Control Room for the drafting and implementation of the NAP against trafficking and the serious exploitation of human beings.

The coordination role of the national level is ensured by the Department for Equal Opportunities at the Presidency of the Council of Ministers.

It is possible to set up tables or working groups in order to investigate specific issues.

In addition, added value to governance is given by the relationship with social partners, associations and third sector entities, international organizations involved, together with local public entities, in the implementation of regional, national and European projects.

The NAP is the result of a joint work, which saw the involvement of the National Control Room (central administrations, Regions and local autonomies), the Technical Committee in support of the Control Room, the Social Parties and of the main associations active in the sector of preventing and combating trafficking in human beings, including the competent UN agencies.

At the territorial level, the governance envisages a role of promotion, planning and coordination of interventions by Regions and Autonomous Provinces, also in collaboration with local authorities to guarantee operational coordination functions and exchange of specialized skills on trafficking with neighbouring systems (unaccompanied foreign and EU minors, SAI, child protection, offices of social services for minors of the Ministry of Justice, Penal Institutes for Minors).

In particular, the territorial governance will be ensured in each Region and Autonomous Province by an interinstitutional political-technical committee for the coordination of regional interventions over serious exploitation and trafficking of human beings to which, consistently with the European and national regulatory guidelines, the representatives of all public institutions and bodies, local authorities, third sector subjects and civil society involved in various ways in combating the phenomenon and protecting victims participate.

With a view to synergic and institutional collaboration, in order also to use resources in a targeted and effective manner, the Technical committee will also evaluate the methods of integrating the activities of the NAP with those provided for by:

- the National plan for the integration of holders of international protection (being updated) (hereinafter the Integration Plan).
- the Three-year plan to combat labour exploitation in agriculture and illegal hiring 2020-2022 (hereinafter Plan of the *caporalato*) and Guidelines on identification, protection and assistance to victims of labour exploitation in agriculture, approved in the Unified Conference on 7 October 2021.
- the National Strategic Plan on male violence against women 2021-2023;
- the 5th National plan of action and interventions for the protection of the rights and development of subjects in the developmental age 2022-2023;
- the National plan for the prevention and contrast of the sexual abuse and exploitation of minors.

Trafficking in human beings is a complex phenomenon that can only be attacked and opposed by acting simultaneously on several levers, which take into account, individually and as a whole, along a comprehensive and coordinated approach, multiple aspects of the phenomenon. In other terms, trafficking requires multilevel and multi-agency governance.

The offer of services that has been built up in our country through the use of various financing channels, in particular those deriving from the application of Art. 13 of Law 11 August 2003, No. 228 and Art. 18 of Legislative Decree 25 July 1998, No. 286, and following by the Prime Minister's Decree of May 16, 2016, reflects the social welfare protection system outlined by the national rules for the protection and fight against trafficking, and is divided into 4 main phases, to which all the implementing actors operating in the different territories refer to:

- Phase of contact, emergence and protection of the person;
- First assistance phase, preliminary to social inclusion processes;
- Professional training and job placement phase;
- Phase of social inclusion and start of housing autonomy.

Actions to combat trafficking in human beings for the purpose of serious exploitation essentially move along two channels, which retrace the "double track" of the Italian law.

Our legal system, in fact, has since 1998 equipped itself with an important instrument for the protection of victims, Art. 18 of the Consolidated Immigration Act, adopted by Legislative Decree No. 286 of 25 July 1998, which provides for the possibility of issuing a special residence permit to a foreigner subjected to violence or serious exploitation, when there is danger to his/her safety due to an attempt to escape the constraints of a criminal association or due to statements made in criminal proceedings against traffickers.

The residence permit for "special cases", mentioned above, can be issued either following a complaint from the victim (so-called judicial process, upon proposal or after the opinion of the Public Prosecutor) or in the absence of this (so-called social path); precisely in reference to the "social path" a 'double track' of protection is envisaged because the exploited person is free to decide whether or not to expose himself/herself to the risk of retaliation following a complaint and, regardless of the choice, the State guarantees the full assistance.

Taking up this point, the legal and operational anti-trafficking instruments also work along two perspectives.

The first concerns more properly the fight against and the repression of crimes related to exploitation of human beings, a task entrusted to all law enforcement agencies.

The second concerns the prevention of trafficking and the protection of victims, and is obviously the responsibility of public social services and private social entities accredited by registering in the appropriate section (section II) of the register of associations and of bodies that carry out activities in favour of migrants, established by Art. 52 of Presidential Decree No. 334/2004 (Regulation for the implementation of the consolidated act on immigration).

The migratory context, in fact, is one of the preferential channels where the phenomenon of trafficking is most evident: it is conditioned by various factors and in recent years has undergone significant changes (geographical origin, reasons for migration, routes travelled, etc.).

In the context of the fight against and the repression of crime, absolute importance should be attributed to the Police and the judiciary.

State Police, Carabinieri Corps, Finance Police, Port Authority Corps - Coast Guard, carry out a significant preventive and repressive action through judicial police investigations at national level, with particular reference to the search and capture of the most fugitives, dangerous and mafia-type criminal organizations linked to trafficking and smuggling, to the collection, analysis and processing of data and information related to the most relevant criminal phenomena, to international cooperation with foreign countries in the fight against organized crime through mutual exchange of information and operational strategies and procedures aimed at combating transnational criminal phenomena, supporting, at a technical-scientific level, the investigative bodies and the judicial authority in carrying out investigations that require the use of specific professional skills.

For its part, the judicial authority works through the National Anti-Mafia Directorate, which has the task of coordinating and giving impetus to all investigations carried out by the District Anti-Mafia Directorates, i.e., to all investigations against Italian or transactional organized crime, and therefore also to investigations into Trafficking and Smuggling.

As for assistance and protection, it should also be emphasized the role that the Department for Civil Liberties and Immigration of the Ministry of the Interior plays and has carried out over the years through the efforts made via: the activities of the Inter-ministerial Commission for the support of victims of trafficking, violence and serious exploitation, as well as in the implementation of the action and system of the Assisted Voluntary Repatriation also of the victims of trafficking; during 2021, the establishment of an inter-ministerial and inter-agency working group for the promotion of an effective governance model for the prompt identification and taking charge of people with specific needs, including people victims of trafficking, from the moment of arrival on the national territory and for all phases of reception.

In greater detail, the group's goal is to promote central coordination and governance between key players in the management of arrivals and, in particular, the detection of cases of people with specific needs.

Still within the Department for Civil Liberties and Immigration, the activity of the National Commission for the Right of Asylum should also be noted, which coordinates the work of the Territorial Commissions and Sections for the recognition of international protection, as main authorities reporting cases of potential victims of trafficking through a consolidated referral mechanism to the bodies responsible for their protection.

The Ministry of Labour and Social Policies and the Ministry of Health also participate in the protection of victims of trafficking and exploitation.

The Ministry of Labour contributes to the protection of victims of trafficking and exploitation both with a view to prevention and contrast and reintegration of victims in relation to its skills in terms of flow planning, also in bilateral cooperation with the countries of origin, promotion of initiatives relating to active policies and the involvement of the competent services in the activities of insertion and reintegration of foreign workers, coordination of policies for the social and labour integration of migrant foreigners and initiatives aimed at preventing and combating discrimination, xenophobia and the phenomenon of racism.

In addition, the Directorate General for Immigration takes care of keeping the Register of associations and entities that carry out activities in favour of migrants (pursuant to Art. 42 of the Consolidated Law on Immigration) and coordinates the activities relating to the protection policies of foreign minors, methods of stay of unaccompanied foreign minors present in Italy and of foreign minors temporarily accepted and, with reference to unaccompanied minors, their census and

monitoring through the use of the National Information System for unaccompanied minors, pursuant to Art. 9 of Law of 7 April 2017, No. 47.

It also coordinates, with secretarial functions, the activities of the operational committee for the definition of a new strategy to combat illegal hiring and labour exploitation in agriculture, and the activities of related working groups, also taking care of the management and monitoring of the financed interventions in the implementation of the three-year Plan to combat labour exploitation in agriculture and illegal hiring.

Finally, the Ministry of Health plays a guiding role aimed at making the assistance to victims of trafficking uniform throughout the national territory with regard to medical treatments provided, with particular attention to vulnerable subjects and taking into account gender issues (e.g. pregnant women or victims of violence, minors ... - Legislative Decree No. 286/98, Art. 35, paragraph 3).

Regions, Autonomous Provinces and local bodies have also consolidated social and health policies over time in favour of various categories of disadvantaged people, and their direct participation in the national system of anti-trafficking interventions has also grown over the years, in particular their role of promoting bodies of projects for the implementation of the single program of emergence, assistance and social integration referred to in the Prime Minister's Decree of 16 May 2016, financed with Calls adopted by the Department for Equal Opportunities.

Regions are also directly involved in projects financed under the National Plan to combat illegal hiring and exploitation in agriculture.

While some Regions have already consolidated their expertise in this area in recent years, starting from 2022 all the Regions and Autonomous Provinces will be crucial actors in the implementation of the "National Guidelines on identification, protection and assistance to victims of labour exploitation in agriculture" approved at the Unified Conference on 7 October 2021, which assign a decisive role (formal identification of victims) to operating systems involved in the implementation of the Assistance and social integration programs for victims of trafficking and exploitation pursuant to Art. 18 of Legislative Decree No. 286/98 and pursuant to Art. 13 of Law No. 28/2003.

In the new NAP importance was also given to the competence of Regions and Autonomous Provinces in the planning of social, health, work and professional training interventions, because it is a decisive factor in relation to the integration of the various actions and different financing lines of in favour of the most vulnerable categories of users.

In the same way, the coordination of interventions is crucial to favour the definition of multi-agency systems in connection with other institutional subjects (Public Prosecutors, Prefectures, Police Headquarters, Labour Inspectorates, supervisory bodies of the Court - Protection Section International and Labour Section - Territorial Commissions for International Protection) as well as with local authorities, with other actors on the territory, and with the third sector.

Finally, the SAI reception, inclusion and integration network, which mainly includes local authorities as project owners, has involved in recent years a significant number of municipalities, especially large cities, in which, thanks also to the widespread work of ANCI (National Association of Italian Municipalities), various activities were carried out, guaranteeing, in addition to the material reception (board and lodging), social support activities aimed at accessing local services for beneficiaries.

The projects are calibrated on the basis of vulnerability (people with disabilities or health problems, victims of torture or violence, single parent families, pregnant single women, individuals belonging to the LGBTIQ + world) and much attention is paid to unaccompanied foreign minors.

In implementing the Prime Minister's Decree of 16 May 2016, containing "Definition of the single program of emergence, assistance and social integration in favour of foreigners and citizens referred to in paragraph 6 bis of Art. 18 of Legislative Decree 25 July 1998, No. 286, victims of the crimes provided for by Arts. 600 and 601 of the Criminal Code, or who are in the cases referred to in paragraph 1 of the same Art. 18", from 2017 to date 21 Anti-trafficking projects have been managed by the private social sector or in collaboration between public / private sectors, financed by tenders adopted by the Department for Equal Opportunities.

Over the years these projects have created and consolidated a profitable network of collaborations, the so-called National Anti Trafficking Network. Trait d'union of the whole territorial structure of the projects is the Anti-trafficking toll-free number, 800 290 290, established in 2000 by the above mentioned Department, active 24 hours a day, 365 days a year, free, anonymous and allows you to get in touch with specialized multilingual staff. As part of the interventions, the toll-free number, funded entirely by the Department, is a national platform of civil society, which, convened periodically, constitutes an institutional public forum for discussion and exchange of information and information. As a national station, the toll-free number must carry out the following actions:

- collection of telephone calls from all over the national territory;
- first reading of the request;
- action of "filter", consisting in the identification of irrelevant phone calls;
- diversion of phone calls relevant to projects under territorial competence with respect to the geographical area of origin of the call;
- coordination of the "national networking" of the reception and transfers of victims between the various projects;
- monitoring of the emergence activity at national level.

The platform in question, by structuring practices and procedures for data collection, notification and activation of networks, sending and transfer of users to territorial projects, is the only device that allows operations of territorial networks while preserving their autonomy and operational and methodological specificity and operating within a framework and a single strategy aimed at protecting human rights as a multi-agency network.

In addition to emergence monitoring and reporting, the toll-free number has a public function of management and data collection also by means of the possession and development of information, today increasingly committed, acting as third party with respect to the projects in progress, to carry out system action, collecting particularly data and interventions via the so-called SIRIT (Computerized System for the collection of information on trafficking) on evidence that needs to be strongly implemented and developed also in the light of the solicitations coming from the GRETA and by the monitoring bodies of the Council of Europe and other international bodies such as OSCE.

The monitoring of the NAP will take place through the establishment of working groups to be set up within the Technical Committee.

Specifically, the monitoring objectives will be:

- comprehensively examine the results achieved in the implementation of the actions envisaged by the NAP, as for results achieved and interventions carried out at national, regional and local level also in relation to the needs and emerging phenomena defined in the NAP;

- collect quantitative and qualitative data to have useful information for an analysis of the conditions of victims of trafficking;
- identify significant experiences and areas of greatest criticality in relation to the different types of actions identified in the NAP;
- give support to decision-making activities, at whatever level they are located.

From a methodological point of view, working groups will be envisaged for each of the guidelines of the NAP. The working groups will collect qualitative and quantitative information on planned interventions (also through the hearing of key witnesses or representatives of institutions and associations deemed useful for framing the topics), will examine information available, will share results identifying critical issues and development prospects and will develop plans for monitoring the NAP.

It will be necessary to trace, on the one hand, the institutional work and, on the other, the results as provided for by each action.

The analysis of various actions and their impact will make possible to identify the fundamental strategic lines and concrete commitments that the Government must pursue to develop an adequate policy for the protection of victims of trafficking and to effectively combat the phenomenon. The monitoring of the NAP will therefore represent a valid path for the examination of critical issues affecting the fight against human trafficking, the identification of strengths and the formulation of proposals for the areas of interest to be placed at the core of the NAP.

As for the collection, organization and systematization of statistical reference data, the monitoring envisaged by Art. 7 paragraph 2, letter b) of Legislative Decree 4 March 2014, No. 24 by the Department for Equal Opportunities at the Presidency of the Council of Ministers, makes use of data not only of the entities that carry out the assistance programs pursuant to Art. 18 of Legislative Decree No. 286/98, but also, as indeed expected, of those of the various administrations involved, such as the Ministry of the Interior, Justice, Health and ISTAT (National Institute of Statistics).

An overall data warehouse system will be put in place that will collect information relating to the production of qualitative analysis reports on trafficking in order to monitor the analysis of changes of the phenomenon, recruitment mechanisms, to understanding the different role of the victim over time, to review policies in place, including awareness campaigns to discourage demand and the use of the referral mechanism, to analyse possible exit paths from trafficking through data of associations and permits residence, businesses, offices suitable for the intersection of supply and demand, to prepare tools to monitor the legislative, operational, political actions taken, useful for the stakeholders for the purpose of evaluating the effectiveness of actions.

- recent THB jurisprudence for different forms of exploitation.

Crime referred to in Art. 603-bis Criminal code -

Criminal Court, Section V, 03/16/2022, No. 17095

Criminal Court, Section IV, 10.3.2022, No. 24388

Criminal Court, Section IV, 18.1.2022, No. 3554

Criminal Court, Section IV, 11.11.2021, No. 7861

Criminal Court, Section IV, 11.11.2021, No. 7857

Cass. pen., Section IV, 11/11/2021, No. 45615
Criminal Court, Section IV, 12.05.2021, No. 25756
Criminal Court, Section IV, 12.5.2021, No. 25083
Criminal Court, Section IV, 16.3.2021, No. 24441
Criminal Court, Section IV, 09.03.2021, No. 10554
Milan Court, Section work, 20.4.2022. No. 1018
Crimes referred to in Arts 600-601-601 bis-602 Criminal code:
Criminal Court, Section V, 21.3.2022, No. 18726
Criminal Court, Section III, 21.1.2022, No. 20710
Criminal Court, Section I, 14.12.2021, No. 7140
Criminal Court, Section I, 7.2.2022, No. 1025
Cass. pen., Section I, 25.06.2021, No. 33708
Criminal Court, Section I, 7.4.2021, No. 28101

13. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's second evaluation report:

- develop and maintain a comprehensive and coherent statistical system on trafficking in human beings by compiling reliable statistical data on measures to protect and promote the rights of victims as well as on the investigation, prosecution and adjudication of human trafficking cases;
- adopt legislative, administrative, educational, social, cultural or other measures to discourage demand for the services of trafficked persons, for all forms of exploitation ;
- adopt as a matter of priority a National Referral Mechanism for child victims of trafficking which takes into account the special circumstances and needs of child victims, involves child specialists and ensures that the best interests of the child are the primary consideration in all proceedings relating to child victims and children at risk;
- evaluate the funding needs of victim assistance programmes and adapt the respective resources, ensuring that there are sufficient accommodation places for female, male and victims of trafficking;
- review the legislation in order to ensure that the recovery and reflection period is specifically defined in law as provided for in Article 13 of the Convention, and that all possible foreign victims of trafficking are offered a recovery and reflection period;
- ensure that the return of victims of human trafficking is conducted with due regard to their rights, safety and dignity, including the right to non-refoulement (Article 40(4) of the

Convention), and in the case of children, by fully respecting the principle of the best interests of the child.

Considering namely the *caporalato* phenomenon, in recent years Italy has been strongly committed to combating labour exploitation and undeclared work and to promoting decent work. Overcoming working conditions that are harmful to human dignity and prevention are the main priorities of this strategy. These efforts can also be read for their effects on the discouragement of the demand for services of trafficked persons, which has increased significantly in the long run.

Coherent policies, initiatives and legislative measures in which the Ministry of Labour and Social Policies (MLPS) is involved are reported below.

The three-year Plan to combat labour exploitation and illegal hiring in agriculture (2020 - 2022), approved on 20 February 2020, defines the national strategy to combat labour exploitation and illegal hiring in agriculture. It is the result of coordinated action between institutional actors at national and local level, as well as dialogue with representatives of employers 'and workers' organizations in the agricultural sector and non-governmental organizations which, together, are part of the "Operational Committee for the definition of a new strategy to combat illegal hiring and labour exploitation in agriculture" (Caporalato Committee).

The body - established in December 2018 and chaired by the Minister of Labour and Social Policies - has a coordination role at national level for guiding, planning institutional activities, and for monitoring the implementation of the interventions envisaged by the Three-year Plan.

To support its activities, a Technical Secretariat was set up at the Directorate General for Immigration and Integration Policies of the Ministry of Labour and Social Policies. This structure avails itself of the technical assistance of the International Labour Organization and the European Commission.

The Plan is based on various lines of action, brought back into a common document that translates into a synergic and transversal action, based on interinstitutional cooperation, on the legality and dignity of work, as well as on the strengthening of investments in food supply chains.

The implementation strategy of the Plan is divided into three phases: the first focuses on the analysis of causes and effects of labour exploitation in agriculture; the second phase focuses on emergency interventions in the geographical areas most at risk of exploitation, while the third and final phase includes systemic political actions that cover the whole national territory.

This last phase is organized around four priorities: prevention, supervision and fight against the phenomenon, protection and assistance and work and social reintegration.

For each priority, the Plan outlines strategic actions (ten actions in total, seven of which are dedicated to prevention), which involve, in a multilevel governance model, various administrations at central, regional and local level.

For the implementation of the policies of the Plan, six working groups were initially established by law. Each group is chaired by a lead institution with a mandate on a specific political area and includes representatives from other institutions, social partners, international organizations and non-governmental organizations. Each group made its own contribution to the Plan, analysed the critical issues with respect to its area of competence, proposed priority intervention actions and identified the means to deal with them. In particular, the activities of the group coordinated by the National Labour Inspectorate and the Carabinieri Corps Labour Protection Command focused on the prevention, supervision and contrast of the phenomenon of labour exploitation and illegal hiring; the

group coordinated by the Ministry of Agricultural and Food Policies and Forest Policies has dedicated its activities to interventions on the agri-food production chain and on the prices of agricultural products; the activities of the group coordinated by the National Agency for Active Labour Policies have focused on intermediation of work and in particular on strengthening the role of Employment Centers.

Through the involvement of the National Institute for Social Security and representatives of the Control Room, the topic of the Network of quality agricultural work was dealt with. Two working groups respectively dealt with transport - coordinated by the Basilicata Region, as the Regions have an exclusive competence in this sector - and housing construction, coordinated by the National Association of Italian Municipalities, in light of the role that local authorities they cover in the field of reception.

During 2021, two other working groups were activated directly by the Immigration and Integration Policies General Directorate of the Ministry of Labour and Social Policies to address issues relating to the protection and assistance of victims of labour exploitation and their social and labour reintegration. As part of the work of the group dedicated to the protection and assistance of victims, the first "National guidelines for the identification, protection and assistance of victims of labour exploitation in agriculture" were developed.

They were elaborated by a multidisciplinary group, coordinated by the above mentioned General Directorate, composed of representatives of the national and regional administrations, the Authority for the National Anti-Trafficking Plan, the National Labour Inspectorate, international organizations, the managing body of the Reception System for asylum seekers, refugees and holders of humanitarian protection and civil society organizations involved in the protection and support of victims. In October 2021, the Guidelines were approved by the Unified Conference (Conference of Representatives of the Government, Regions and Local Authorities).

The Guidelines recommend the adoption of a multilevel referral mechanism in this field, provide a definition of victim of labour exploitation based on the legal framework, identify a minimum set of common procedures and standards for all phases (from identification, to protection and assistance), focus on specific vulnerable groups, represented by migrant workers, including those with irregular residence conditions, recommend a national information and training campaign aimed at all public services and interested stakeholders.

In 2022, the activities carried out by the two working groups promoted by above mentioned General Directorate were officially recognized and unified by law in a single working group focused on "protection, assistance, labour and social inclusion of victims of labour exploitation".

Several projects are being implemented as part of the three-year Plan to combat labour exploitation:

- SU.PRE.ME (€ 30 million from the FAMI (Asylum, Migration and Integration Fund) emergency funds 2014 - 2020) which provides for emergency interventions in the five southern regions most affected by the phenomenon (Puglia, Basilicata, Campania, Calabria and Sicily).

- PIU 'SUPREME (€ 20 million from the PON (National Operational Program) Inclusion – ESF (European Social Fund) 2014 - 2020) which provides support paths to autonomy for third country citizens, victims of exploitation, in the same target regions of the SU.PRE.ME.

- ALT CAPORALATO (€ 3 million from the National Fund for Migration Policies) which intervenes in the central and northern regions. The project activities were based on a stable collaboration between the National Labour Inspectorate and the International Organization for Migration-IOM, strongly supported by the Immigration and Integration Policies General Directorate of the Ministry of Labour.

IOM qualified intercultural mediators were involved during the labour inspection visits to facilitate communication and encourage the establishment of relationships of trust with workers and potential victims. The multi-agency model provides for coordination with local authorities (prosecutors and prefectures) and other control bodies (National Institute of Social Security, National Institute for Insurance against Accidents at Work, Carabinieri, State Police, Finance Police, Local Health Authority ...).

Furthermore, following the publication, in 2019, of a Notice by the Directorate General of Immigration of the Ministry of Labour and Social Policies (Public Notice 1/2019), 16 projects with activities in the field of prevention, social inclusion and work of the victims or potential victims of labour exploitation, promoting partnerships at local level with the social partners, institutional actors and the third sector. The main activities carried out are: outreach (One Stop-Shop, mobile units, info point); vocational training and job placement, platforms for matching labour supply and demand, intercultural mediation, legal assistance and case management; awareness-raising campaigns for the main actors / stakeholders in the field of combating labour exploitation.

In 2021 the National Labour Inspectorate promoted a transnational action in the transport sector supported by the European Labour Authority (ELA), both in terms of logistics and interpreting services and in terms of relations between the various Member States involved.

In particular, the inspection activity - which resulted from a report presented to the Inspectorate by the Romanian Embassy in Italy and whose investigations are still being defined - involved the Italian, Romanian, Belgian and Slovak Inspectorates, as well as the Finance and the Italian Traffic Police.

Starting in 2020, the planning and management of entry quotas in Italy for seasonal workers in the agricultural sector is involving employer associations more actively.

In particular, some quotas are managed directly by the employers' representatives, which monitor the workforce and ensure controls to prevent irregular situations.

The European Directive 633/2019 on unfair commercial practices in relations between companies in the agricultural and food sector was implemented by Legislative Decree No. 198/2021; this decree prohibits double-discount bids in auctions on electronic platforms that diminish the value of agricultural assets and strengthens surveillance to avoid the marketing of agricultural and food products at prices well below the cost of production.

The incentives for supply chain contracts are accompanied by measures to facilitate the access of agricultural enterprises to the resources available under the National Business Plan 4.0, also through consortia involving enterprises.

The current objective in the fight against labour exploitation is to extend efforts to all sectors, in particular to those with the highest rates of irregularities (e.g., domestic and care work, construction, tourism and the work that takes place on online platforms -gig economy). To this end, in 2021, the Directorate General launched a Notice aimed at supporting regional and trans-regional interventions to address the exploitation of labour, in all economic sectors. The call was open to the Central and Northern Regions.

The initiative is supported by the ESF PON Inclusion 2014-2020 and by the Complementary Operational Program (POC) for a total amount of € 45 million. The eligible projects will carry out the following actions: capacity building and training of local institutions in the field of identification, protection and assistance to victims of labour exploitation, measures to facilitate the labour integration of victims, social inclusion and welfare services (personalized assistance paths, accommodation, transport, etc;).

In 2022 the Technical Roundtable for the design of the national Plan to combat undeclared work was set up at the Ministry of Labour and Social Policies. It is made up of representatives of institutions, at central and local level, of law enforcement agencies and experts with proven experience in the sector.

The National Plan for Combating Undeclared Work, which will be officially approved by the end of 2022, is one of the strategic priorities of the National Recovery and Resilience Plan-PNRR. This document will outline an adequate strategy to qualify and increase inspection activities; proposes concrete measures and methods to identify and assist workers in irregular working conditions; it will foster dialogue and cooperation with the social partners.

- adopt as a matter of priority a national reporting mechanism for child victims of trafficking which takes into account the particular circumstances and needs of child victims, involves child specialists and ensures that the best interests of the child are the primary consideration in all proceedings relating to child victims and minors at risk;

The training of police personnel responsible for the investigation of human trafficking also concerned a peculiar profile: that of minors as victims. It was, in fact, aimed at strengthening the prevention and fight against child trafficking through the development of collaborations between public and private actors and good practices in identifying and supporting child victims or at risk of trafficking and serious exploitation in Europe, especially in Member States.

A methodology based on the rights of minors was developed, identifying the recognition criteria ("indicators") of the minors as victims of trafficking in human beings and serious exploitation, also configuring specific subjective profiles, in order to monitor the phenomenon and define common solutions (best practices) to be adopted for the first assessment for identification purposes and the first "taking charge" of the victims, also involving a series of other subjects active in the area.

Training manuals were developed based on a shared methodology, as well as standard operating procedures for the development of good practices for the identification, support and assistance aimed at the protection of minors, available to all the institutions involved (judiciary, police and private actors)⁴.

Part III - Statistics on THB

14. Please provide the following statistics, per year starting with 2015, where available disaggregated as indicated below:

- Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).
- Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation).

⁴https://s3.savethechildren.it/public/files/uploads/pubblicazioni/procedure-operative-standard-identification-di-minori-vittime-di-tratta-e-sfruttamento_0.pdf

⁵<https://s3.savethechildren.it/public/files/uploads/pubblicazioni/saper-ri-conoscere-minorenni-vittime-di-tratta-e-sfruttamento-italia.pdf>

- Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).
- Number of child victims of THB who were appointed legal guardians.
- Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).
- Number of victims of THB granted a residence permit, with an indication of the type of the permit and its duration (disaggregated by sex, age, nationality, form of exploitation).
- Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation).
- Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).
- Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.
- Number of victims of THB who received free legal aid.
- Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).
- Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).
- Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).
- Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation).
- Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.
- Number of judgments in THB cases resulting in the confiscation of assets.
- Number of convictions of legal persons for THB.

➤ SOURCE ANTI-TRAFFICKING OBSERVATORY

OSSEVATORIO INTERVENTI TRATTA.it (800-282290)



3) Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandate NGO as bearers of rights to services provided for by the Convention

2017		
SEX	number	%
Female	1352	85,2
Male	225	14,2
Transsexual	9	0,6
TOTAL	1586	100,0

2018		
SEX	number	%
Female	2626	89,5
Male	283	9,6
Transsexual	25	0,9
TOTAL	2934	100,0

2019		
SEX	number	%
Female	2639	83,9
Male	470	14,9
Transsexual	37	1,2
TOTAL	3146	100,0

2020		
SEX	number	%
Female	1392	79,7
Male	302	17,3
Transsexual	52	3,0
TOTAL	1746	100,0

2021		
SEX	number	%
Female	1296	72,0
Male	458	25,5
Transsexual	45	2,5
TOTAL	1799	100,0

2017		
AGE	number	%
Adults	1391	87,7
Minors	195	12,3
TOTAL	1586	100,0

2018		
AGE	number	%
Adults	2761	94,1
Minors	173	5,9
TOTAL	2934	100,0

2019		
AGE	number	%
Adults	3076	97,8
Minors	70	2,2
TOTAL	3146	100,0

2020		
AGE	number	%
Adults	1710	97,9
Minors	36	2,1
TOTAL	1746	100,0

2021		
AGE	number	%
Adults	1737	96,6
Minors	62	3,4
TOTAL	1799	100,0

2017		
NATIONALITY	number	%
Nigeria	1224	77,2
Bangladesh	53	3,3
Romania	49	3,1
Morocco	32	2,0
Ivory Coast	28	1,8
China	17	1,1
Ukraine	17	1,1
Senegal	16	1,0
Albania	15	0,9
Gambia	15	0,9
Ghana	14	0,9
Pakistan	13	0,8
Camerun	13	0,7
Guinea	8	0,5
Mali	8	0,5
Brazil	7	0,4
Bulgaria	6	0,4
Somalia	6	0,4
Colombia	4	0,3
India	4	0,3
Tunisia	4	0,3
Italy	3	0,2
Moldova	3	0,2
Afghanistan	2	0,1
Cuba	2	0,1
Egypt	2	0,1
Guinea-Bissau	2	0,1
Paraguay	2	0,1
Czech Republic	2	0,1
Serbia	2	0,1
Hungary	2	0,1
Bosnia Herzegovina	1	0,1
Ecuador	1	0,1
Eritrea	1	0,1
Philippines	1	0,1
Iraq	1	0,1
Kirghizistan	1	0,1
Libia	1	0,1
Peru	1	0,1
Poland	1	0,1
Congo Republic	1	0,1
Russia	1	0,1
Sierra Leone	1	0,1
Venezuela	1	0,1
TOTAL	1586	100,0

2018		
NATIONALITY	number	%
Nigeria	2414	82,3
Ivory Coast	62	2,1
Morocco	55	1,9
Bangladesh	44	1,5
Romania	43	1,4
Camerun	27	0,9
Albania	24	0,8
Pakistan	24	0,8
Senegal	23	0,8
Gambia	21	0,7
Romania	20	0,7
Bulgaria	17	0,6
Colombia	13	0,4
China	13	0,4
Tunisia	12	0,4
Albania	11	0,4
Guinea	9	0,3
Ukraine	9	0,3
China	8	0,3
Burkina Faso	7	0,2
India	7	0,2
Peru	7	0,2
Sierra Leone	7	0,2
Somalia	5	0,2
Liberia	4	0,1
Thailandia	4	0,1
Togo	4	0,1
Italy	3	0,1
Moldova	3	0,1
Niger	3	0,1
Serbia	3	0,1
Egypt	2	0,1
Eritrea	2	0,1
Ethiopia	2	0,1
Philippines	2	0,1
Kenya	2	0,1
Venezuela	2	0,1
Algeria	1	0,0
Benin	1	0,0
Poland	1	0,0
Democratic Republic of Congo	1	0,0
Czech Republic	1	0,0
Congo Republic	1	0,0
Dominican Republic	1	0,0
Hungary	1	0,0
Uruguay	1	0,0
TOTAL	2934	100,0

2019		
NATIONALITY	number	%
Nigeria	2385	75,8
Ivory Coast	100	3,2
Bangladesh	71	2,3
Senegal	48	1,5
Gambia	47	1,5
Pakistan	43	1,4
Morocco	41	1,3
Camerun	39	1,2
Ghana	37	1,2
Mali	31	1,0
Romania	30	1,0
Brazil	24	0,8
Guinea	23	0,7
Colombia	16	0,5
Philippines	15	0,5
Albania	15	0,5
Tunisia	15	0,5
Ukraine	13	0,4
Egypt	12	0,4
Bulgaria	10	0,3
China	10	0,3
India	9	0,3
Sierra Leone	9	0,3
Burkina Faso	8	0,3
Italy	8	0,3
Kirghizistan	8	0,3
Somalia	8	0,3
Kenya	7	0,2
Moldova	7	0,2
Burkina Faso	7	0,2
Peru	4	0,1
Togo	4	0,1
Liberia	3	0,1
Congo Republic	3	0,1
Russia	3	0,1
Algeria	2	0,1
Angola	2	0,1
Cuba	2	0,1
Iran	2	0,1
Niger	2	0,1
Congo Republic	2	0,1
Dominican Republic	2	0,1
Serbia	2	0,1
Sri Lanka	2	0,1
Guinea Equatoriale	1	0,0
Iran	1	0,0
Montenegro	1	0,0
Nepal	1	0,0
Turchia	1	0,0
TOTAL	3146	100,0

2020		
NATIONALITY	number	%
Nigeria	1228	70,3
Pakistan	59	3,4
Ivory Coast	38	2,2
Brazil	35	2,0
Senegal	33	1,9
Gambia	28	1,6
Bangladesh	27	1,5
Romania	24	1,4
China	22	1,3
Morocco	22	1,3
Tunisia	22	1,3
Mali	18	1,0
Bulgaria	16	0,9
Albania	15	0,9
Peru	15	0,9
Camerun	14	0,8
Colombia	14	0,8
China	9	0,5
Moldova	9	0,5
Ukraine	9	0,5
Guinea	8	0,5
Venezuela	7	0,4
Philippines	6	0,3
India	6	0,3
Togo	5	0,3
Algeria	4	0,2
Kenya	4	0,2
Democratic Republic of Congo	4	0,2
Somalia	4	0,2
Argentina	3	0,2
Burkina Faso	3	0,2
Cuba	3	0,2
Congo Republic	3	0,2
Dominican Republic	3	0,2
Egypt	2	0,1
Guinea-Bissau	2	0,1
Liberia	2	0,1
Spain	2	0,1
Thailandia	2	0,1
Angola	1	0,1
Armenia	1	0,1
Cile	1	0,1
Ecuador	1	0,1
Etiopia	1	0,1
Grecia	1	0,1
Kirghizistan	1	0,1
Libia	1	0,1
Mauritania	1	0,1
Mauritius	1	0,1
Nicaragua	1	0,1
Niger	1	0,1
Serbia	1	0,1
Sierra Leone	1	0,1
Sri Lanka	1	0,1
Swaziland	1	0,1
TOTAL	1746	100,0

2021		
NATIONALITY	number	%
Nigeria	1077	59,9
Pakistan	130	7,2
Ivory Coast	68	3,8
Bangladesh	46	2,6
Tunisia	46	2,6
Morocco	44	2,4
Senegal	41	2,3
Brazil	32	1,8
Gambia	31	1,7
Romania	27	1,5
Mali	22	1,2
Albania	20	1,1
Camerun	18	1,0
Colombia	17	0,9
Ghana	17	0,9
Moldova	17	0,9
China	16	0,9
Guinea	15	0,8
Somalia	14	0,8
India	9	0,5
Bulgaria	8	0,4
Peru	8	0,4
Venezuela	8	0,4
Serbia	4	0,2
Benin	3	0,2
Iraq	3	0,2
Italy	3	0,2
Ukraine	3	0,2
Georgia	2	0,1
Liberia	2	0,1
Niger	2	0,1
Democratic Republic of Congo	2	0,1
Russia	2	0,1
Turchia	2	0,1
Alghania	1	0,1
Argentina	1	0,1
Bosnia Herzegovina	1	0,1
Burkina Faso	1	0,1
Eritrea	1	0,1
Philippines	1	0,1
Guinea-Bissau	1	0,1
Kenya	1	0,1
Montenegro	1	0,1
Namibia	1	0,1
Nepal	1	0,1
Norvegia	1	0,1
Paraguay	1	0,1
Czech Republic	1	0,1
Congo Republic	1	0,1
Sierra Leone	1	0,1
Siria	1	0,1
Sri Lanka	1	0,1
Sudafrica	1	0,1
Uganda	1	0,1
Vietnam	1	0,1
TOTAL	1799	100,0

2017		
FORM OF EXPLOITATION	number	%
Sexual	745	47,0
Destined to exploitation	439	27,7
Labor exploitation	136	8,6
Potential victims of trafficking	20	1,3
Forced criminal economies	17	1,1
Domestic servitude	16	1,0
Forced begging	16	1,0
Collaborator of justice	11	0,7
Victim of domestic violence	6	0,4
Forced marriages	6	0,4
Other	44	2,8
Data not available	130	8,2
TOTAL	1586	100,0

2018		
FORM OF EXPLOITATION	number	%
Sexual	1123	38,3
Destined to exploitation	1109	37,8
Potential victims of trafficking	168	5,7
Labor exploitation	140	4,8
Forced begging	22	0,7
Forced marriages	17	0,6
Victim of domestic violence	15	0,5
Collaborator of justice	12	0,4
Forced criminal economies	12	0,4
Domestic servitude	4	0,1
Other	263	9,0
Data not available	49	1,7
TOTAL	2934	100,0

2019		
FORM OF EXPLOITATION	number	%
Sexual	955	30,4
Potential victims of trafficking	860	27,3
Destined to exploitation	859	27,3
Labor exploitation	235	7,5
Victim of domestic violence	21	0,7
Forced criminal economies	21	0,7
Collaborator of justice	15	0,5
Domestic servitude	10	0,3
Forced begging	6	0,2
Forced marriages	6	0,2
Illegal international adoptions	1	0,0
Other	157	5,0
TOTAL	3146	100,0

2020		
FORM OF EXPLOITATION	number	%
Sexual	588	33,7
Potential victims of trafficking	464	26,6
Destined to exploitation	390	22,3
Labor exploitation	198	11,3
Victim of domestic violence	18	1,0
Forced criminal economies	15	0,9
Forced begging	9	0,5
Collaborator of justice	6	0,3
Domestic servitude	5	0,3
Forced marriages	3	0,2
Other	50	2,9
TOTAL	1746	100,0

2021		
FORM OF EXPLOITATION	number	%
Sexual	584	32,5
Potential victims of trafficking	407	22,6
Destined to exploitation	334	18,6
Labor exploitation	315	17,5
Victim of domestic violence	41	2,3
Forced criminal economies	12	0,7
Forced begging	11	0,6
Domestic servitude	10	0,6
Forced marriages	5	0,3
Collaborator of justice	3	0,2
Other	77	4,3
TOTAL	1799	100,0

2) Number of victims of THB identified as part of the asylum procedure

2017		
SEX	number	%
Female	303	87,3
Male	42	12,1
transsexual	2	0,6
TOTAL	347	100,0

2018		
SEX	number	%
Female	398	93,2
Male	29	6,8
transsexual	0	0,0
TOTAL	427	100,0

2019		
SEX	number	%
Female	338	83,7
Male	64	15,8
transsexual	2	0,5
TOTAL	404	100,0

2020		
SEX	number	%
Female	218	79,0
Male	56	20,3
transsexual	2	0,7
TOTAL	276	100,0

2021		
SEX	number	%
Female	188	77,0
Male	56	23,0
transsexual	0	0,0
TOTAL	244	100,0

2017		
AGE	number	%
Adults	320	92,2
Minors	27	7,8
TOTAL	347	100,0

2018		
AGE	number	%
Adults	413	96,7
Minors	14	3,3
TOTAL	427	100,0

2019		
AGE	number	%
Adults	399	98,8
Minors	5	1,2
TOTAL	404	100,0

2020		
AGE	number	%
Adults	275	99,6
Minors	1	0,4
TOTAL	276	100,0

2021		
AGE	number	%
Adults	240	98,4
Minors	4	1,6
TOTAL	244	100,0

2017		
NATIONALITY	number	%
Nigeria	302	87,0
Bangladesh	11	3,2
Pakistan	7	2,0
Ghana	5	1,4
Ivory Coast	4	1,2
Gambia	4	1,2
Camerun	2	0,6
Cuba	2	0,6
Somalia	2	0,6
Brazil	1	0,3
China	1	0,3
India	1	0,3
Morocco	1	0,3
Romania	1	0,3
Senegal	1	0,3
Tunisia	1	0,3
Ukraine	1	0,3
TOTAL	347	100,0

2018		
NATIONALITY	number	%
Nigeria	381	89,2
Ivory Coast	12	2,8
Camerun	6	1,4
Bangladesh	5	1,2
Pakistan	4	0,9
Somalia	3	0,7
Mali	2	0,5
Morocco	2	0,5
Senegal	2	0,5
Burkina Faso	1	0,2
Gambia	1	0,2
Ghana	1	0,2
Guinea	1	0,2
Liberia	1	0,2
Niger	1	0,2
Serbia	1	0,2
Sierra Leone	1	0,2
Tunisia	1	0,2
Venezuela	1	0,2
TOTAL	427	100,0

2019		
NATIONALITY	number	%
Nigeria	327	80,9
Bangladesh	15	3,7
Ivory Coast	11	2,7
Gambia	11	2,7
Ghana	7	1,7
Mali	7	1,7
Senegal	6	1,5
Camerun	5	1,2
Pakistan	4	1,0
Morocco	3	0,7
Togo	3	0,7
Brazil	2	0,5
Guinea	1	0,2
Guinea-Bissau	1	0,2
Peru	1	0,2
TOTAL	404	100,0

2020		
NATIONALITY	number	%
Nigeria	206	74,6
Pakistan	19	6,9
Ivory Coast	9	3,3
Mali	7	2,5
Gambia	6	2,2
Bangladesh	4	1,4
Senegal	4	1,4
Colombia	4	1,4
Camerun	3	1,1
Albania	2	0,7
Ghana	2	0,7
Guinea	2	0,7
Armenia	1	0,4
Cuba	1	0,4
Egypt	1	0,4
Ethiopia	1	0,4
Kenya	1	0,4
Morocco	1	0,4
Congo Republic	1	0,4
Venezuela	1	0,4
TOTAL	276	100,0

2021		
NATIONALITY	number	%
Nigeria	163	66,8
Pakistan	22	9,0
Ivory Coast	12	4,9
Camerun	7	2,9
Senegal	7	2,9
Gambia	6	2,5
Bangladesh	5	2,0
Mali	3	1,2
Somalia	3	1,2
Guinea	2	0,8
Morocco	2	0,8
Tunisia	2	0,8
Albania	1	0,4
Nigeria	1	0,4
Benin	1	0,4
Colombia	1	0,4
Eritrea	1	0,4
Morocco	1	0,4
Montenegro	1	0,4
Serbia	1	0,4
Siria	1	0,4
Togo	1	0,4
TOTAL	244	100,0

2017		
FORM OF EXPLOITATION	number	%
Sexual	155	44,7
Destined to exploitation	144	41,5
Labor exploitation	30	8,6
Forced begging	7	2,0
Forced criminal economies	5	1,4
Domestic servitude	3	0,9
Collaborator of justice	1	0,3
Other	2	0,6
TOTAL	347	100,0

2018		
FORM OF EXPLOITATION	number	%
Sexual	222	52,0
Destined to exploitation	169	39,6
Labor exploitation	16	3,7
Collaborator of justice	4	0,9
Forced criminal economies	2	0,5
Victim of domestic violence	2	0,5
Forced begging	1	0,2
Liberia	1	0,2
Forced marriages	1	0,2
Potential victims of trafficking	1	0,2
Venezuela	1	0,2
TOTAL	427	100,0

2019		
FORM OF EXPLOITATION	number	%
Sexual	215	53,2
Destined to exploitation	122	30,2
Labor exploitation	56	13,9
Potential victims of trafficking	4	1,0
victim of domestic violence	3	0,7
Collaborator of justice	1	0,2
Forced begging	1	0,2
Forced criminal economies	1	0,2
Domestic servitude	1	0,2
TOTAL	404	100,0

2020		
FORM OF EXPLOITATION	number	%
Sexual	130	47,1
Destined to exploitation	77	27,9
Labor exploitation	51	18,5
Potential victims of trafficking	10	3,6
victim of domestic violence	2	0,7
Collaborator of justice	1	0,4
Forced marriages	1	0,4
Domestic servitude	1	0,4
Other	3	1,1
TOTAL	276	100,0

2021		
FORM OF EXPLOITATION	number	%
Sexual	110	45,1
Destined to exploitation	54	22,1
Labor exploitation	44	18,0
Potential victims of trafficking	20	8,2
victim of domestic violence	6	2,5
Forced criminal economies	4	1,6
Forced begging	2	0,8
Domestic servitude	2	0,8
Forced marriages	1	0,4
Other	1	0,4
TOTAL	244	100,0

3) Number of victims of THB who received assistance

2017		
SEX	number	%
Female	1310	85.1
Male	222	14.4
transsexual	8	0.5
TOTAL	1540	100.0

2018		
SEX	number	%
Female	1567	89.0
Male	449	27.1
transsexual	25	0.9
TOTAL	2041	100.0

2019		
SEX	number	%
Female	2562	84.7
Male	449	14.3
transsexual	33	1.0
TOTAL	3144	100.0

2020		
SEX	number	%
Female	1436	79.9
Male	307	17.1
transsexual	55	3.1
TOTAL	1798	100.0

2021		
SEX	number	%
Female	1330	72.3
Male	466	25.3
transsexual	44	2.4
TOTAL	1840	100.0

2017		
AGE	number	%
Adults	1379	89.5
Minors	161	10.5
TOTAL	1540	100.0

2018		
AGE	number	%
Adults	1708	99.9
Minors	27	0.8
TOTAL	2041	100.0

2019		
AGE	number	%
Adults	3074	97.8
Minors	70	2.2
TOTAL	3144	100.0

2020		
AGE	number	%
Adults	1780	99.0
Minors	18	1.0
TOTAL	1798	100.0

2021		
AGE	number	%
Adults	1803	98.0
Minors	37	2.0
TOTAL	1840	100.0

2017		
NATIONALITY	number	%
Nigeria	1180	76.6
Romania	50	3.2
Bangladesh	44	2.9
Marocco	38	2.5
Costa d'Avorio	30	1.9
China	17	1.1
Senegal	17	1.1
Gambia	15	1.0
Ukraine	15	1.0
Ghana	14	0.9
Pakistan	13	0.8
Albania	12	0.8
Cameroon	10	0.6
Guinea	8	0.5
Mali	8	0.5
Brazil	7	0.5
Spain	7	0.5
Bulgaria	6	0.4
Colombia	4	0.3
Egypt	3	0.2
India	3	0.2
Italy	3	0.2
Moldova	3	0.2
Tunisia	3	0.2
Alghantistan	2	0.1
Bosnia Herzegovina	2	0.1
Cuba	2	0.1
Guinea-Bissau	2	0.1
Paraguay	2	0.1
Czech Republic	2	0.1
Serbia	2	0.1
Hungary	2	0.1
Algeria	1	0.1
Guatemala	1	0.1
Eritrea	1	0.1
Philippines	1	0.1
Iraq	1	0.1
Kirghizistan	1	0.1
Libia	1	0.1
Peru	1	0.1
Poland	1	0.1
Congo Republic	1	0.1
Russia	1	0.1
Sierra Leone	1	0.1
Sri Lanka	1	0.1
Venezuela	1	0.1
TOTAL	1540	100.0

2018		
NATIONALITY	number	%
Nigeria	2359	81.8
Costa d'Avorio	58	2.0
Marocco	53	1.8
Bangladesh	52	1.8
Romania	40	1.4
Albania	27	0.9
Cameroon	27	0.9
Pakistan	23	0.8
Senegal	23	0.8
Gambia	21	0.7
Ghana	20	0.7
Bulgaria	18	0.6
Mali	13	0.5
Tunisia	13	0.5
Brazil	12	0.4
Colombia	12	0.4
Ukraine	10	0.3
Guinea	9	0.3
Bulgaria	8	0.3
India	8	0.3
Burkina Faso	7	0.2
Peru	7	0.2
Sierra Leone	6	0.2
Liberia	4	0.1
Somalia	4	0.1
Thailandia	4	0.1
Togo	4	0.1
Moldova	3	0.1
Niger	3	0.1
Serbia	3	0.1
Togo	2	0.1
Egypt	2	0.1
Eritrea	2	0.1
Etiopia	2	0.1
Philippines	2	0.1
Italia	2	0.1
Kenya	2	0.1
Venezuela	2	0.1
Algeria	1	0.0
Croatia	1	0.0
Dominica	1	0.0
El Salvador	1	0.0
Estonia	1	0.0
Gabon	1	0.0
Georgia	1	0.0
Libia	1	0.0
Malawi	1	0.0
Myanmar (Birmaniam)	1	0.0
Poland	1	0.0
Democratic Republic of Congo	1	0.0
Czech Republic	1	0.0
Congo Republic	1	0.0
Hungary	1	0.0
Uruguay	1	0.0
TOTAL	2884	100.0

2019		
NATIONALITY	number	%
Nigeria	2401	76.4
Costa d'Avorio	100	3.2
Bangladesh	68	2.2
Brazil	47	1.5
Pakistan	44	1.4
Marocco	42	1.3
Cameroon	40	1.3
Gambia	40	1.3
Ghana	37	1.2
Romania	31	1.0
Mali	28	0.9
Guinea	23	0.7
Brazil	21	0.7
Colombia	18	0.6
Philippines	16	0.5
Albania	15	0.5
Tunisia	15	0.5
Ukraine	14	0.4
Colombia	12	0.4
Bulgaria	10	0.3
China	10	0.3
Egypt	10	0.3
India	10	0.3
Sierra Leone	10	0.3
Italia	8	0.3
Kirghizistan	8	0.3
Somalia	8	0.3
Burkina Faso	7	0.2
Kenya	7	0.2
Moldova	7	0.2
Guinea-Bissau	5	0.2
Togo	4	0.1
Liberia	3	0.1
Peru	3	0.1
Democratic Republic of Congo	3	0.1
Dominica Republic	3	0.1
Russia	3	0.1
Algeria	2	0.1
Angola	2	0.1
Algeria	2	0.1
Cuba	2	0.1
Iraq	2	0.1
Niger	2	0.1
Congo Republic	2	0.1
Serbia	2	0.1
Sri Lanka	2	0.1
Uganda	2	0.1
Venezuela	2	0.1
Armenia	1	0.0
Benin	1	0.0
Bosnia Herzegovina	1	0.0
Burundi	1	0.0
Costa Rica	1	0.0
Ecuador	1	0.0
El Salvador	1	0.0
Guinea Equatoriale	1	0.0
Iran	1	0.0
Nepal	1	0.0
Turchia	1	0.0
TOTAL	3144	100.0

2020		
NATIONALITY	number	%
Nigeria	1276	70.9
Pakistan	47	2.6
Costa d'Avorio	37	2.1
Brazil	36	2.0
Gambia	35	1.9
Senegal	33	1.8
Bangladesh	30	1.7
Marocco	23	1.3
Romania	23	1.3
Ghana	22	1.2
Tunisia	22	1.2
Mali	21	1.2
Colombia	18	1.0
Bulgaria	16	0.9
Peru	16	0.9
Albania	14	0.8
Cameroon	14	0.8
China	9	0.5
Moldova	9	0.5
Ukraine	8	0.4
Guinea	7	0.4
Venezuela	7	0.4
Philippines	6	0.3
India	6	0.3
Togo	5	0.2
Algeria	4	0.2
Burkina Faso	4	0.2
Egypt	4	0.2
Kenya	4	0.2
Democratic Republic of Congo	4	0.2
Somalia	4	0.2
Argentina	3	0.2
Cuba	3	0.2
Dominican Republic	3	0.2
Guinea-Bissau	2	0.1
Liberia	2	0.1
Congo Republic	2	0.1
Spagna	2	0.1
Thailandia	2	0.1
Angola	1	0.1
Armenia	1	0.1
Gile	1	0.1
Ecuador	1	0.1
Grecia	1	0.1
Kirghizistan	1	0.1
Libia	1	0.1
Mauritania	1	0.1
Mauritius	1	0.1
Nicaragua	1	0.1
Niger	1	0.1
Serbia	1	0.1
Sierra Leone	1	0.1
Sri Lanka	1	0.1
Swaziland	1	0.1
TOTAL	1799	100.0

2021		
NATIONALITY	number	%
Nigeria	1110	60.3
Pakistan	140	7.6
Costa d'Avorio	73	4.0
Bangladesh	69	3.8
Tunisia	45	2.4
Marocco	43	2.3
Senegal	39	2.1
Brazil	31	1.7
Gambia	29	1.6
Romania	27	1.5
Mali	21	1.1
Albania	19	1.0
Cameroon	17	0.9
Colombia	17	0.9
Ghana	17	0.9
Moldova	17	0.9
Guinea	16	0.9
China	15	0.8
Somalia	13	0.7
Algeria	11	0.6
India	9	0.5
Bulgaria	8	0.4
Venezuela	8	0.4
Peru	7	0.4
Egypt	6	0.3
Serbia	4	0.2
Ukraine	4	0.2
Benin	3	0.2
Iran	3	0.2
Italia	3	0.2
Georgia	2	0.1
Liberia	2	0.1
Montenegro	2	0.1
Niger	2	0.1
Democratic Republic of Congo	2	0.1
Congo Republic	2	0.1
Russia	2	0.1
Togo	2	0.1
Turchia	2	0.1
Afghanistan	1	0.1
Argentina	1	0.1
Bosnia Herzegovina	1	0.1
Burkina Faso	1	0.1
Eritrea	1	0.1
Etiopia	1	0.1
Philippines	1	0.1
Guinea-Bissau	1	0.1
Kenya	1	0.1
Namibia	1	0.1
Nepal	1	0.1
Norvegia	1	0.1
Paraguay	1	0.1
Czech Republic	1	0.1
Sierra Leone	1	0.1
Siria	1	0.1
Sri Lanka	1	0.1
Sudafrica	1	0.1
Uganda	1	0.1
Vietnam	1	0.1
TOTAL	1840	100.0

2017		
FORM OF EXPLOITATION	number	%
Sexual	712	46.2
Destined to exploitation	432	28.1
Labor exploitation	135	8.8
Potential victims of trafficking	18	1.2
Domestic servitude	16	1.0
Forced begging	15	1.0
Victim of criminal economies	15	1.0
Collaborator of justice	11	0.7
Forced marriage	6	0.4
Victim of domestic violence	5	0.3
Other	46	3.0
Data not available	129	8.4
TOTAL	1540	100.0

2018		
FORM OF EXPLOITATION	number	%
Sexual	944	30.2
Destined to exploitation	1079	37.4
Potential victims of trafficking	164	5.7
Labor exploitation	145	5.0
Forced begging	24	0.8
Forced marriage	17	0.6
Victim of domestic violence	15	0.5
Forced criminal economies	12	0.4
Collaborator of justice	12	0.4
Domestic servitude	4	0.1
Other	261	9.1
Data not available	48	1.7
TOTAL	2883	100.0

2019		
FORM OF EXPLOITATION	number	%
Sexual	944	30.0
Destined to exploitation	902	28.7
Potential victims of trafficking	848	27.0
Labor exploitation	221	7.0
Victim of domestic violence	21	0.7
Forced criminal economies	20	0.6
Collaborator of justice	12	0.4
Domestic servitude	8	0.3
Forced marriage	6	0.2
Forced marriages	6	0.2
Illegal international adoptions	1	0.0
Other	155	4.9
TOTAL	3144	100.0

2020		
FORM OF EXPLOITATION	number	%
Sexual	628	34.9
Destined to exploitation	448	24.9
Potential victims of trafficking	414	23.0
Labor exploitation	196	10.9
Victim of domestic violence	19	1.1
Forced criminal economies	16	0.9
Forced begging	9	0.5
Collaborator of justice	8	0.4
Domestic servitude	6	0.3
Forced marriages	2	0.1
Other	52	2.9
TOTAL	1798	100.0

5) Number of victims of THB granted a recovery and reflection period

2017		
SEX	number	%
Female	909	85,8
Male	144	13,6
transsexual	6	0,6
TOTAL	1059	100,0

2018		
SEX	number	%
Female	846	86,5
Male	100	10,5
transsexual	10	1,0
TOTAL	956	100,0

2019		
SEX	number	%
Female	759	81,8
Male	158	17,0
transsexual	11	1,2
TOTAL	928	100,0

2020		
SEX	number	%
Female	536	74,1
Male	153	21,2
transsexual	34	4,7
TOTAL	723	100,0

2021		
SEX	number	%
Female	482	68,3
Male	204	28,9
transsexual	20	2,8
TOTAL	706	100,0

2017		
AGE	number	%
Adults	937	88,5
Minors	122	11,5
TOTAL	1059	100,0

2018		
AGE	number	%
Adults	878	91,8
Minors	78	8,2
TOTAL	956	100,0

2019		
AGE	number	%
Adults	905	97,5
Minors	23	2,5
TOTAL	928	100,0

2020		
AGE	number	%
Adults	716	99,0
Minors	7	1,0
TOTAL	723	100,0

2021		
AGE	number	%
Adults	688	97,5
Minors	18	2,5
TOTAL	706	100,0

2017		
NATIONALITY	number	%
Nigeria	799	75,4
Romania	45	4,2
Morocco	32	3,0
Bangladesh	25	2,4
Senegal	14	1,3
Ukraine	14	1,3
Ivory Coast	13	1,2
Ghana	12	1,1
Pakistan	12	1,1
Albania	10	0,9
China	8	0,8
Gambia	7	0,7
Brazil	6	0,6
Bulgaria	6	0,6
Mali	6	0,6
Camerun	4	0,4
Colombia	4	0,4
Somalia	4	0,4
Egypt	3	0,3
Italy	3	0,3
Tunisia	3	0,3
Afghanistan	2	0,2
Bosnia Herzegovina	2	0,2
Cuba	2	0,2
Guinea	2	0,2
India	2	0,2
Paraguay	2	0,2
Serbia	2	0,2
Hungary	2	0,2
Algeria	1	0,1
Ecuador	1	0,1
Iraq	1	0,1
Kirghizistan	1	0,1
Libia	1	0,1
Moldova	1	0,1
Poland	1	0,1
Czech Republic	1	0,1
Congo Republic	1	0,1
Russia	1	0,1
Sierra Leone	1	0,1
Sri Lanka	1	0,1
Venezuela	1	0,1
TOTAL	1059	100,0

2018		
NATIONALITY	number	%
Nigeria	737	77,1
Romania	28	2,9
Bangladesh	20	2,1
Albania	19	2,0
Bulgaria	16	1,7
Ivory Coast	13	1,4
Morocco	13	1,4
Brazil	9	0,9
Tunisia	9	0,9
Pakistan	8	0,8
Camerun	7	0,7
India	7	0,7
Burkina Faso	6	0,6
Pero	6	0,6
Ukraine	6	0,6
Ghana	5	0,5
Senegal	5	0,5
Mali	4	0,4
China	3	0,3
Serbia	3	0,3
Thailandia	3	0,3
Philippines	2	0,2
Gambia	2	0,2
Italy	2	0,2
Moldova	2	0,2
Somalia	2	0,2
Benin	1	0,1
Colombia	1	0,1
Croazia	1	0,1
Egypt	1	0,1
Estonia	1	0,1
Georgia	1	0,1
Guinea	1	0,1
Kenya	1	0,1
Armenia	1	0,1
Liberia	1	0,1
Libia	1	0,1
Urbia	1	0,1
Malawi	1	0,1
Niger	1	0,1
Poland	1	0,1
Czech Republic	1	0,1
Congo Republic	1	0,1
Togo	1	0,1
Hungary	1	0,1
Uruguay	1	0,1
Venezuela	1	0,1
TOTAL	956	100,0

2019		
NATIONALITY	number	%
Nigeria	619	66,7
Romania	29	3,1
Ivory Coast	23	2,5
Morocco	23	2,5
Bangladesh	19	2,0
Senegal	18	1,9
Colombia	18	1,9
Philippines	16	1,7
Pakistan	15	1,6
Ghana	13	1,4
Brazil	12	1,3
Ukraine	12	1,3
Gambia	11	1,2
Mali	11	1,2
Bulgaria	10	1,1
Camerun	10	1,1
India	10	1,1
Tunisia	9	1,0
Albania	8	0,9
Kirghizistan	8	0,9
Italy	6	0,6
Burkina Faso	5	0,5
China	4	0,4
Moldova	4	0,4
Colombia	3	0,3
Egypt	3	0,3
Russia	3	0,3
Togo	3	0,3
Dominican Republic	2	0,2
Serbia	2	0,2
Sierra Leone	2	0,2
Somalia	2	0,2
Sri Lanka	2	0,2
Algeria	1	0,1
Armenia	1	0,1
Cuba	1	0,1
Ecuador	1	0,1
Guinea	1	0,1
Guinea Equatoriale	1	0,1
Guinea-Bissau	1	0,1
Iraq	1	0,1
Peru	1	0,1
Democratic Republic of Congo	1	0,1
Uganda	1	0,1
TOTAL	928	100,0

2020		
NATIONALITY	number	%
Nigeria	445	61,5
Gambia	26	3,6
Pakistan	25	3,5
Brazil	19	2,6
Mali	17	2,4
Colombia	15	2,1
Ivory Coast	15	2,1
Morocco	15	2,1
Romania	15	2,1
Senegal	13	1,8
Bulgaria	10	1,4
Albania	9	1,2
Bangladesh	9	1,2
Bulgaria	7	1,0
Moldova	7	1,0
Peru	7	1,0
Ukraine	7	1,0
China	6	0,8
Philippines	6	0,8
Ghana	6	0,8
Guinea	5	0,7
Tunisia	5	0,7
Venezuela	5	0,7
Egypt	4	0,6
Argentina	3	0,4
Burkina Faso	3	0,4
Camerun	3	0,4
Dominican Republic	3	0,4
Cuba	2	0,3
Algeria	1	0,1
Cile	1	0,1
Ecuador	1	0,1
India	1	0,1
Kenya	1	0,1
Liberia	1	0,1
Libia	1	0,1
Mauritania	1	0,1
Mauritius	1	0,1
Nicaragua	1	0,1
Niger	1	0,1
Democratic Republic of Congo	1	0,1
Serbia	1	0,1
Somalia	1	0,1
Spagna	1	0,1
Sri Lanka	1	0,1
Swaziland	1	0,1
Thailandia	1	0,1
TOTAL	723	100,0

2021		
NATIONALITY	number	%
Nigeria	384	54,4
Pakistan	59	8,4
Morocco	28	4,0
Ivory Coast	26	3,7
Senegal	23	3,3
Gambia	18	2,5
Romania	16	2,3
Bangladesh	15	2,1
Brazil	15	2,1
Albania	13	1,8
Mali	12	1,7
China	9	1,3
Ghana	8	1,1
Guinea	8	1,1
Camerun	7	1,0
India	7	1,0
Bulgaria	6	0,8
Somalia	6	0,8
Colombia	4	0,6
Tunisia	4	0,6
Venezuela	4	0,6
Iraq	3	0,4
Moldova	3	0,4
Egypt	2	0,3
Georgia	2	0,3
Montenegro	2	0,3
Russia	2	0,3
Serbia	2	0,3
Togo	2	0,3
Afghanistan	1	0,1
Algeria	1	0,1
Benin	1	0,1
Burkina Faso	1	0,1
Eritrea	1	0,1
Etiopia	1	0,1
Italia	1	0,1
Kenya	1	0,1
Namibia	1	0,1
Niger	1	0,1
Norvegia	1	0,1
Congo Republic	1	0,1
Siria	1	0,1
Sri Lanka	1	0,1
Ukraine	1	0,1
Vietnam	1	0,1
TOTAL	706	100,0

2017		
FORM OF EXPLOITATION	number	%
Sexual	590	55,7
Destined to exploitation	287	27,1
Labor exploitation	111	10,5
Domestic servitude	16	1,5
Forced criminal economies	15	1,4
Forced begging	12	1,1
Collaborator of justice	10	0,9
Victim of domestic violence	5	0,5
Forced marriages	5	0,5
Other	8	0,8
TOTAL	1059	100,0

2018		
FORM OF EXPLOITATION	number	%
Sexual	578	60,5
Destined to exploitation	234	24,5
Labor exploitation	75	7,8
Victim of domestic violence	13	1,4
Forced begging	12	1,3
Collaborator of justice	8	0,8
Forced criminal economies	8	0,8
Forced marriages	8	0,8
Domestic servitude	3	0,3
Other	17	1,8
TOTAL	956	100,0

2019		
FORM OF EXPLOITATION	number	%
Sexual	455	49,0
Destined to exploitation	263	28,3
Labor exploitation	154	16,6
Victim of domestic violence	16	1,7
Forced criminal economies	12	1,3
Collaborator of justice	9	1,0
Forced marriages	4	0,4
Domestic servitude	4	0,4
Forced begging	3	0,3
Illegal international adoptions	1	0,1
Other	7	0,8
TOTAL	928	100,0

2020		
FORM OF EXPLOITATION	number	%
Sexual	357	49,4
Destined to exploitation	163	22,5
Labor exploitation	146	20,2
Victim of domestic violence	16	2,2
Forced criminal economies	9	1,2
Collaborator of justice	8	1,1
Domestic servitude	6	0,8
Forced begging	5	0,7
Collaborator of justice	4	0,6
Forced marriages	1	0,1
Other	12	1,7
TOTAL	723	100,0

2021		
FORM OF EXPLOITATION	number	%
Sexual	280	39,7
Destined to exploitation	183	25,9
Labor exploitation	178	25,2
Victim of domestic violence	30	4,2
Forced criminal economies	9	1,3
Forced begging	7	1,0
Domestic servitude	6	0,8
Collaborator of justice	4	0,6
Forced marriages	4	0,6
Other	5	0,7
TOTAL	706	100,0

13) Number of victims of THB who were returned or repatriated to/from your country

2017			2018			2019			2020			2021		
SEX	number	%	SEX	number	%									
Female	19	73,1	Female	22	75,9	Female	11	78,6	Female	12	70,6	Female	7	77,8
Male	6	23,1	Male	4	13,8	Male	1	7,1	Male	4	23,5	Male	2	22,2
transsexual	1	3,8	transsexual	3	10,3	transsexual	2	14,3	transsexual	1	5,9	transsexual	0	0,0
TOTAL	26	100,0	TOTAL	29	100,0	TOTAL	14	100,0	TOTAL	17	100,0	TOTAL	9	100,0

2017			2018			2019			2020			2021		
AGE	number	%	AGE	number	%	AGE	number	%	AGE	number	%	AGE	number	%
Adults	26	100,0	Adults	28	96,6	Adults	15	100,0	Adults	16	94,1	Adults	9	100,0
Minors	0	0,0	Minors	1	3,4	Minors	0	0,0	Minors	1	5,9	Minors	0	0,0
TOTAL	26	100,0	TOTAL	29	100,0	TOTAL	15	100,0	TOTAL	17	100	TOTAL	9	100,0

2017			2017			2017			2017			2017		
NATIONALITY	number	%	NATIONALITY	number	%	NATIONALITY	number	%	NATIONALITY	number	%	NATIONALITY	number	%
Romania	9	34,6	Bulgaria	9	31,0	Bulgaria	6	42,9	Bulgaria	4	23,5	Bulgaria	4	44,4
Nigeria	7	26,9	Romania	8	27,6	Romania	5	35,7	Romania	4	23,5	Russia	2	22,2
Albania	2	7,7	Peru	3	10,3	Brazil	2	14,3	Nigeria	3	17,6	Albania	1	11,1
Brazil	2	7,7	Brazil	2	6,9	Nigeria	1	7,1	Brazil	1	5,9	Montenegro	1	11,1
Ukraine	2	7,7	Moldova	2	6,9	China	1	5,9	China	1	5,9	Serbia	1	11,1
Bulgaria	1	3,8	Albania	1	3,4	Nicaragua	1	5,9	Nicaragua	1	5,9	TOTAL	9	100,0
Czech Republic	1	3,8	Estonia	1	3,4	Pakistan	1	5,9	Pakistan	1	5,9			
Serbia	1	3,8	Czech Republic	1	3,4	Dominican Republic	1	5,9	Dominican Republic	1	5,9			
Hungary	1	3,8	Thailandia	1	3,4	Spagna	1	5,9	Spagna	1	5,9			
TOTAL	26	100,0	TOTAL	29	100,0	TOTAL	14	100,0	TOTAL	17	100,0			

2017			2018			2019			2020			2021		
FORM OF EXPLOITATION	number	%	FORM OF EXPLOITATION	number	%	FORM OF EXPLOITATION	number	%	FORM OF EXPLOITATION	number	%	FORM OF EXPLOITATION	number	%
Sexual	16	61,5	Sexual	18	62,1	Sexual	11	78,6	Sexual	7	41,2	Sexual	6	66,7
Labor exploitation	7	26,9	Labor exploitation	7	24,1	Victim of domestic violence	1	7,1	Labor exploitation	6	35,3	Forced begging	2	22,2
Destined to exploitation	3	11,5	Destined to exploitation	2	6,9	Destined to exploitation	1	7,1	Victim of domestic violence	2	11,8	Labor exploitation	1	11,1
TOTAL	26	100,0	TOTAL	29	100,0	TOTAL	14	100,0	TOTAL	17	100,0	TOTAL	9	100,0

The evaluation of the data that emerged must necessarily take into account a factor that strongly influenced the two years that have just passed.

Here we intend to refer to the COVID-19 pandemic which, after affecting a good part of the year 2020 (at least 10 months, from March to December), dramatically reappeared also in the year 2021, effectively preventing the carrying out of investigative activities, carrying out precautionary measures and regularly holding trials.

These objective obstacles did not, however, lead to an overall decrease in the data compared to those of the previous year, but rather it is possible to highlight that for numerous items it was possible to record an increase in data collected.

It must be acknowledged that some decreasing voices are attributable to causes of *force majeure* determined by the pandemic and certainly not to a decrease in our country in contrasting the phenomenon of exploitation: indeed in this period several authorities responsible in countering the phenomenon (judiciary, law enforcement, administrative staff) put their maximum effort into carrying out their institutional activities, despite having to deal with the tragic consequences of the pandemic.

As for the statistical - comparative data, DGSTAT has already examined in detail data relating to year 2021 comparing them with those of the previous year for which observations are reported in italics below for convenience, remembering, however, that data relating to the precautionary measures and procedures defined and sentenced during the year 2021 also include the proceedings that were registered in previous years.

The investigation activity

The registered proceedings

From the analysis of the data found in the register of crime reports against known persons of the prosecuting offices, with reference to the "primary" offenses or related to the conduct punished pursuant to Arts. 600, 601 and 602 of the Criminal Code, it appears that in 2021 74 proceedings containing the crime of reduction into slavery (Art. 600 of the Criminal Code), 44 containing the crime of Trafficking in Persons were registered with the public prosecutors (Table 1) (Art. 601 of the Criminal Code) while no proceedings containing the crime of alienation and purchase of slaves have been entered (Art. 602 of the Italian Criminal Code). There were 122 people under investigation for

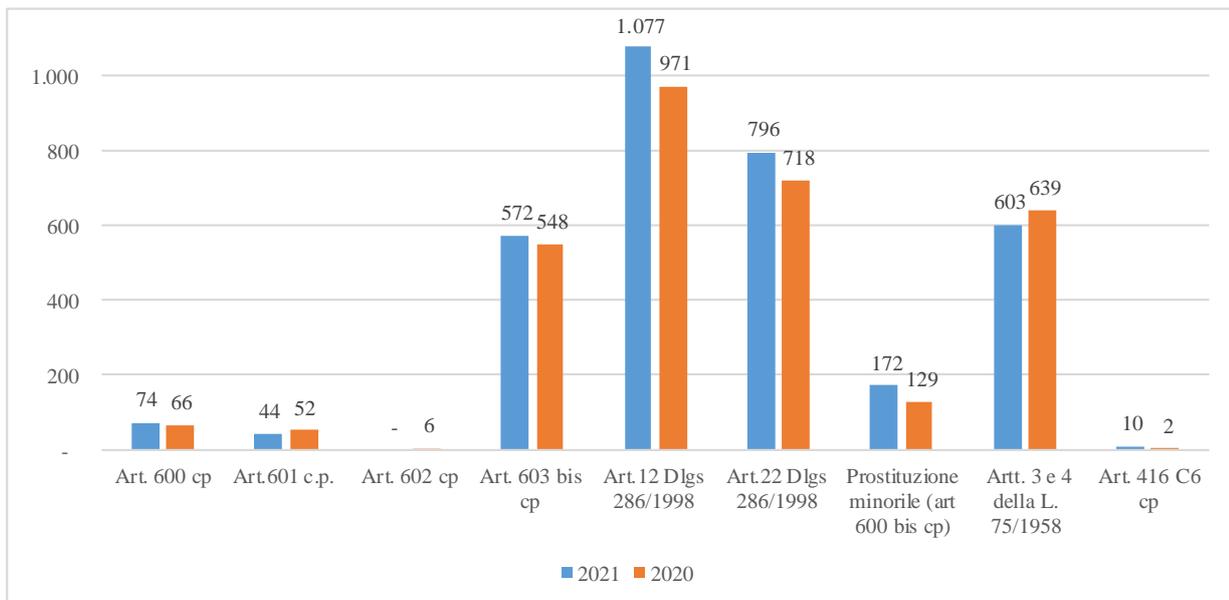
the crime inherent in Art. 600 of the Criminal Code and 92 for the crime referred to in Art. 601 of the Criminal Code.

The reading of these data cannot be separated from that of data relating to other alternative crime figures with respect to the three cases considered above as they aim to prevent phenomena of slavery and trafficking in human beings, such as illicit intermediation and exploitation of labour (Art. 603 bis of the Criminal Code), the facilitation of illegal immigration (Arts 12 and 22 of Legislative Decree No. 286/1998) and, lastly, the exploitation of the prostitution of others (Arts. 3 and 4 of Law No. 75/1958).

The analysis shows that in 2021 for the crime of illicit intermediation and exploitation of labour (Art. 603 bis of the Criminal Code) 572 proceedings were entered in the register of crime reports against known persons; for the crime of aiding and abetting illegal immigration (Legislative Decree No. 286/1998), 1,077 proceedings for Art. 12 and 796 proceedings for Art. 22; 603 proceedings for the crime of exploitation of prostitution (Arts. 3 and 4 of Law No. 75/1958). 1,170 people were investigated for the crime referred to in Art. 603 bis of the Criminal Code, 2,379 for the crime relating to Art. 12 of Legislative Decree No. 286/1998, 951 for the crime inherent in Art. 22 of Legislative Decree No. 286/1998 and 1.036 for the offenses of Arts. 3 and 4 of Law No. 75/1958 (Table 1).

The comparison with 2020 shows an increase in enrolments, which involved almost all the types of offenses considered (Figure 1). In particular, the registered proceedings increase due to Art. 600 of the Criminal Code (from 66 to 74), for Art. 603 bis of the Criminal Code (from 548 to 572), for Art. 12 of Legislative Decree No. 286/1998 (from 971 to 1077) and for Art. 22 of Legislative Decree No. 286/1998 (from 718 to 796), against a decrease in the proceedings registered for Art. 601 of the Criminal Code (from 52 to 44), for Art. 602 of the Criminal Code (from 6 to 0) and for Arts. 3 and 4 of Law No. 75/1958 (from 639 to 603).

Fig. 1 - Requiring Offices. Number of known cases entered in the register. Years 2020-2021



In comparison with 2020, the number of persons investigated assumes a growing trend for the crime of art. 600 of the Criminal Code (from 102 to 122), for the offense inherent in art. 601 of the Criminal Code (from 89 to 92), for the crime referred to in art. 603 bis of the Criminal Code (from 1,138 to 1,170) and for the offense of art. 22 Legislative Decree 286/1998 (from 828 to 951); it

shows a decrease, however, for the crime relating to art. 12 of Legislative Decree 286/1998 In comparison with 2020, the number of persons investigated assumes a growing trend for the crime of Art. 600 of the Criminal Code (from 102 to 122), for the offense inherent in Art. 601 of the Criminal Code (from 89 to 92), for the crime referred to in art. 603 bis of the Criminal Code (from 1,138 to 1,170) and for the offense of Art. 22 Legislative Decree No. 286/1998 (from 828 to 951); it shows a decrease, however, for the crime relating to Art. 12 of Legislative Decree No. 286/1998 (for which it drops from 2,520 to 2,379), for the offenses of Arts. 3 and 4 of Law No. 75/1958 (from 1,110 to 1,036) and for the crime referred to in Art. 602 of the Criminal Code (9 to 0).

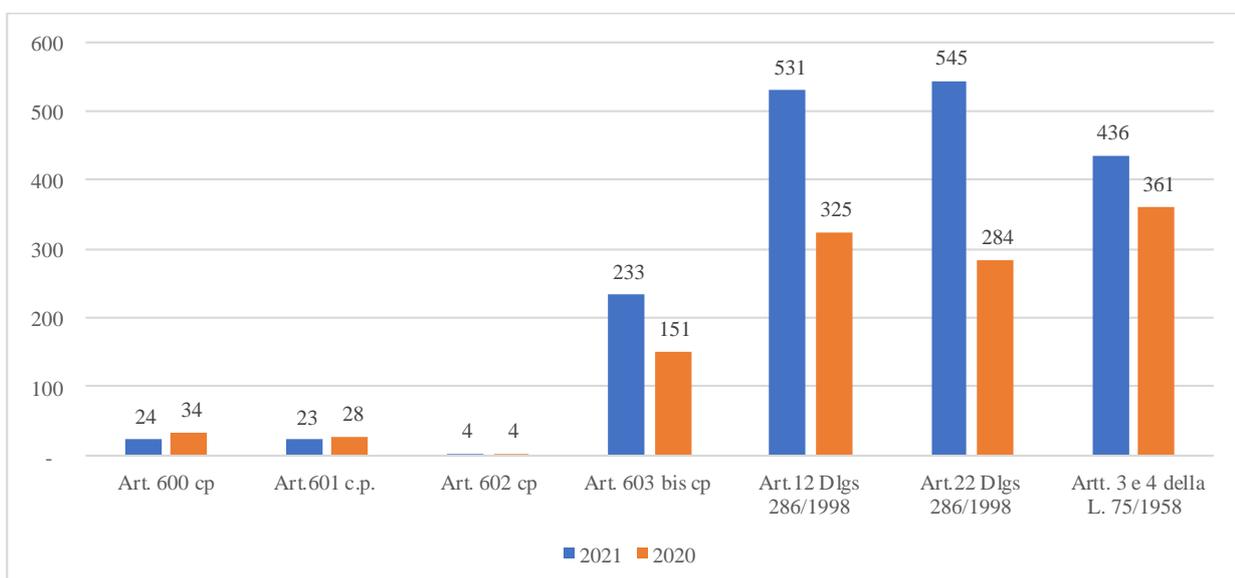
The procedures defined with the exercise of criminal action

In 2021, the procedures defined with the exercise of criminal action containing the crime of reduction into slavery (Art. 600 of the Criminal Code) were 24; those containing the crime of trafficking in persons (Art. 601 of the Italian Criminal Code) were 23; the proceedings containing the crime of Alienation and purchase of slaves (Art. 602 of the Criminal Code) were 4. Furthermore, 233 proceedings containing the crime of illegal intermediation and exploitation of labour were defined with the exercise of the criminal action (Art. 603 bis of the Criminal Code); 531 proceedings for Art. 12 relating to the crime of Aiding in illegal immigration (Legislative Decree No. 286/1998); 545 proceedings for Art. 22 of the crime of Aiding in illegal immigration (Legislative Decree No. 286/1998); 436 proceedings for the crime of exploitation of the prostitution of others (Arts. 3 and 4 of Law No. 75/1958) (Table 1).

The comparison with 2020 signals a substantial increase in the number of proceedings defined with the exercise of criminal action for all the crimes of the second group (for Art. 603 bis the proceedings increase from 151 to 233, for Art. 12 of Legislative Decree No. 286/1998 from 325 to 531, for Art. 22 of Legislative Decree No. 286/1998 from 284 to 545 and for Arts. 3 and 4 of Law No. 75/1958 from 361 to 436), while there was a reduction for those relating to primary cases (Figure 2).

Fig. 2 - Requiring Offices. Number of proceedings defined with the exercise of criminal action.

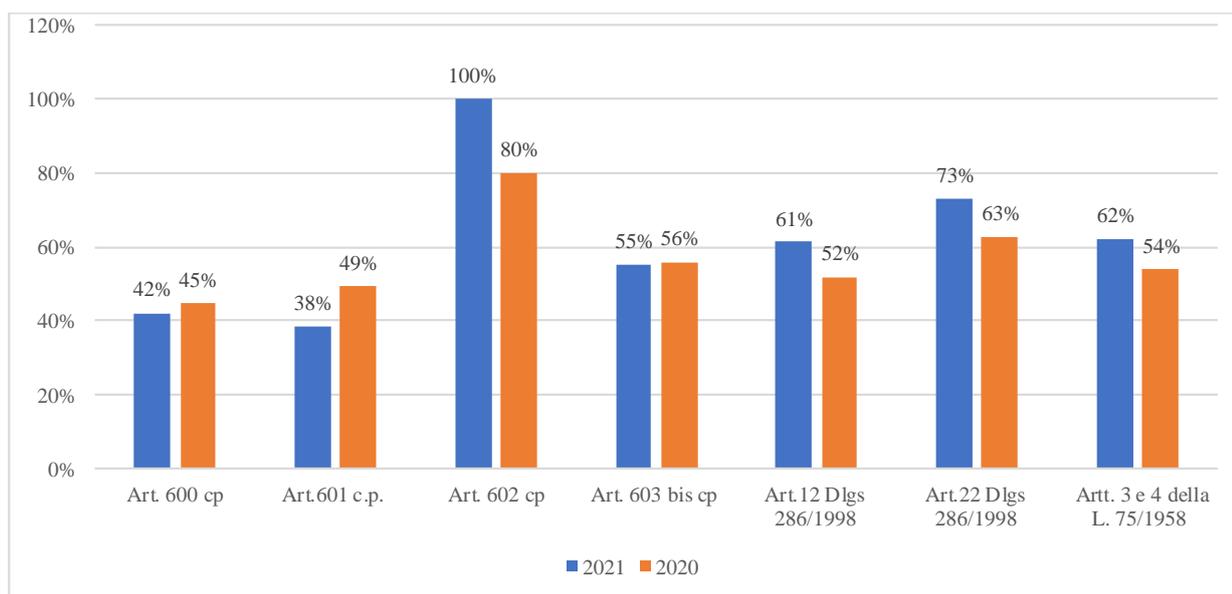
Years 2020-2021



For 5 of the 7 cases considered, the exercise of criminal action is the prevailing method of definition: 100% for Art. 602, 55% for Art. 603 bis of the Criminal Code, 61% for Art. 12 of Legislative Decree 286/1998, 73% for Art 22 of Legislative Decree No. 286/1998 and 62% for Arts. 3 and 4 of Law No. 75/1958. For 4 of these cases, the incidence of those defined with the exercise of criminal action on the total of those defined in 2021 is higher than that recorded in 2020 (Figure 3).

Fig. 3 - Requiring Offices. Incidence of the proceedings defined with the exercise of the criminal action.

Years 2020-2021



The number of people for whom the criminal action was exercised was equal to 54 for Art. 600 of the Criminal Code, 60 for Art. 601, 7 for Art. 602 of the Criminal Code, 523 for Art. 603 bis, 1,239 for Art. 12 of Legislative Decree No. 286/1998, 607 for Art. 22 Legislative Decree No. 286/1998 and 789 for Arts 3 and 4 Law No. 75/1958.

On the other hand, the persons for whom criminal action has been exercised increase for all the types of offenses considered and, for this aggregate, rather substantial increases are observed for the crimes of the second group (for the art. persons increase from 271 to 523, for Art 12 of Legislative Decree No. 286/1998 from 710 to 1,239, for Art. 22 of Legislative Decree No. 286/1998 from 300 to 607, for Arts. 3 and 4 Law No. 75/1958 from 563 to 789).

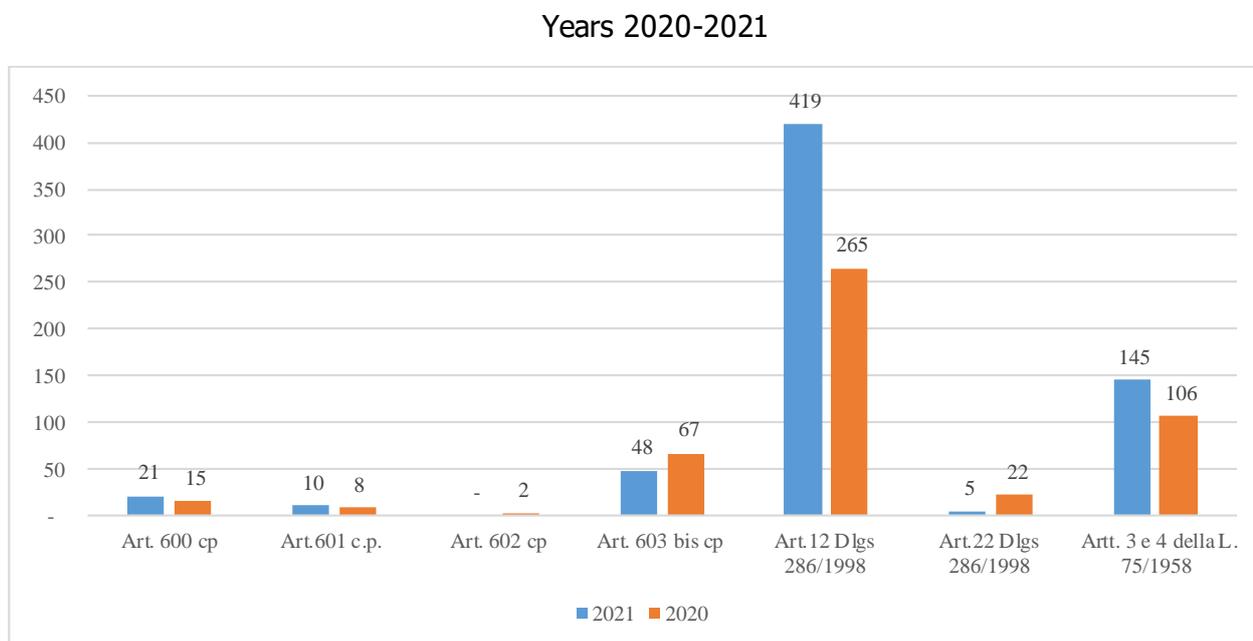
People subjected to precautionary measures

In 2021, 21 people were subjected to precautionary measures for the crime referred to in Art. 600 of the Criminal Code, 10 for Art. 601 of the Criminal Code, none for the crime identified by Art. 602 of the Criminal Code, 48 for Art. 603 bis, 419 for Art. 12 of Legislative Decree No. 286/1998, 5 for Art. 22 Legislative Decree No. 286/1998 and 145 for Arts. 3 and 4 Law No. 75/1958.

In comparison with 2020, for persons subjected to precautionary measures, an increasing trend can be seen for the types of offenses governed by Art. 600 of the Criminal Code (from 15 to 21), 601

of the Criminal Code (from 8 to 10), by Art 12 of Legislative Decree No. 286/1998 (from 265 to 419) and by Arts. 3 and 4 Law No. 75/1958 (from 106 to 145), while a downward trend is outlined for crimes relating to other types of offense (Figure 4).

Fig. 4 - Requiring Offices. Number of people subjected to precautionary measures.



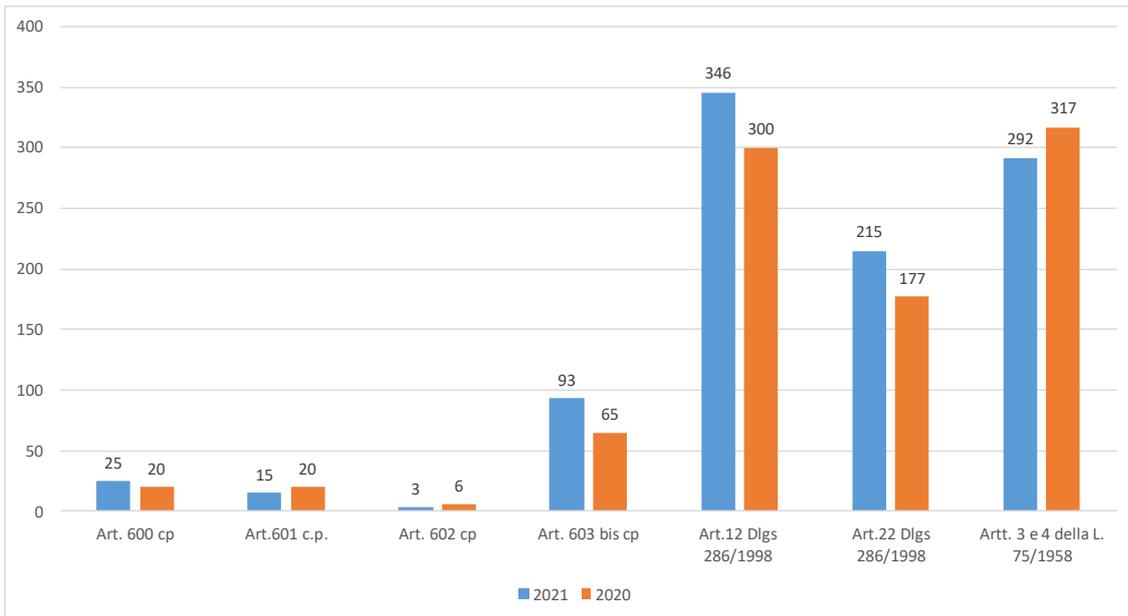
The defining activity

Sentences and people convicted in the first instance

Tables 3 and 4 show, for the years 2021 and 2020 respectively, the data relating to the sentences of conviction and acquittal of first degree and to the persons convicted and acquitted at first degree, for all the offenses considered.

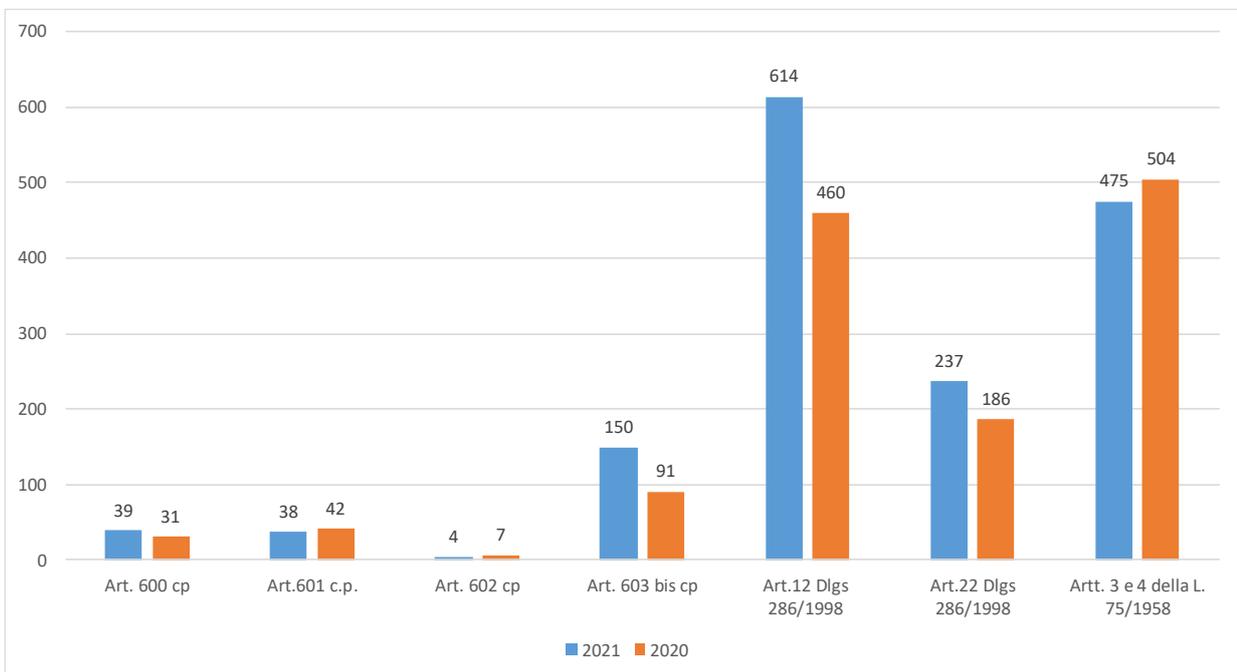
As can be seen from the graph on convictions (Figure 5), by aggregating the GIP (Judge of Preliminary Investigations) and trial sections, there is an increasing trend in the number of convictions for Reduction into slavery (Article 600 of the Criminal Code), for illicit intermediation and exploitation of labour (Article 603 bis of the Criminal Code) and for the Favours of illegal immigration (Articles 12 and 22 of Legislative Decree 286/1998); on the other hand, there was a decrease in sentences for the crime of trafficking in persons (Article 601 of the criminal code), the crime of alienation and purchase of slaves (Article 602 of the criminal code) and the crime of aiding and abetting prostitution (Articles 3 and 4 of Law 75/1958).

Fig. 5 - First degree judging offices. Sentences of conviction. Years 2020-2021



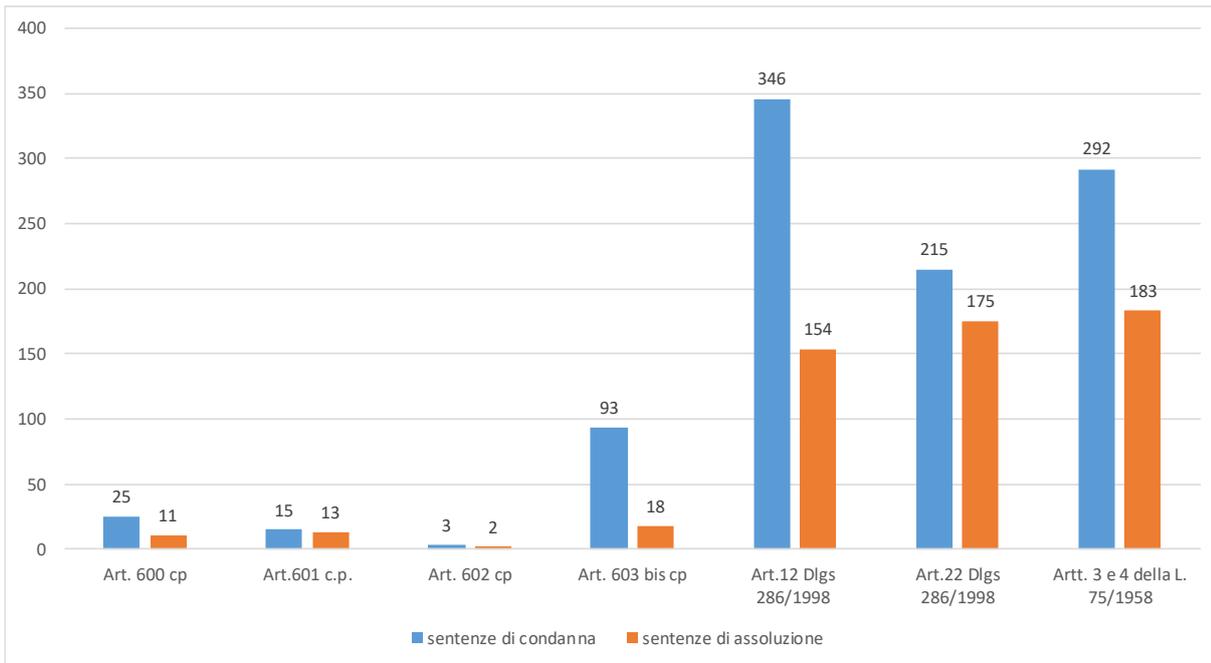
A similar dynamic is also observed for convicted persons (Figure 6).

Fig. 6 - First degree judging offices. Condemned people. Years 2020-2021



Also for 2021, as already found in 2020, convictions are prevalent compared to acquittals for all the offenses considered (Figure 7)

Fig. 7 - First degree judging offices. Sentences of conviction and acquittal. Year 2021



Sentences and people convicted in the second degree

Tables 5 and 6 show, for the years 2021 and 2020 respectively, the data relating to the second degree sentences of conviction and acquittal and to the persons convicted and acquitted in the second degree for all the offenses considered.

The comparison with 2021 shows an increase in the number of convictions issued for almost all types of offenses, with the exception of those relating to the exploitation of labour (Art. 603 bis of the Criminal Code and Art. 22 of Legislative Decree No. 286/1998) (Figure 8). A similar dynamic is also observed for convicted persons (Figure 9).

Fig. 8 - Second degree judging offices. Sentences of conviction. Years 2020-2021

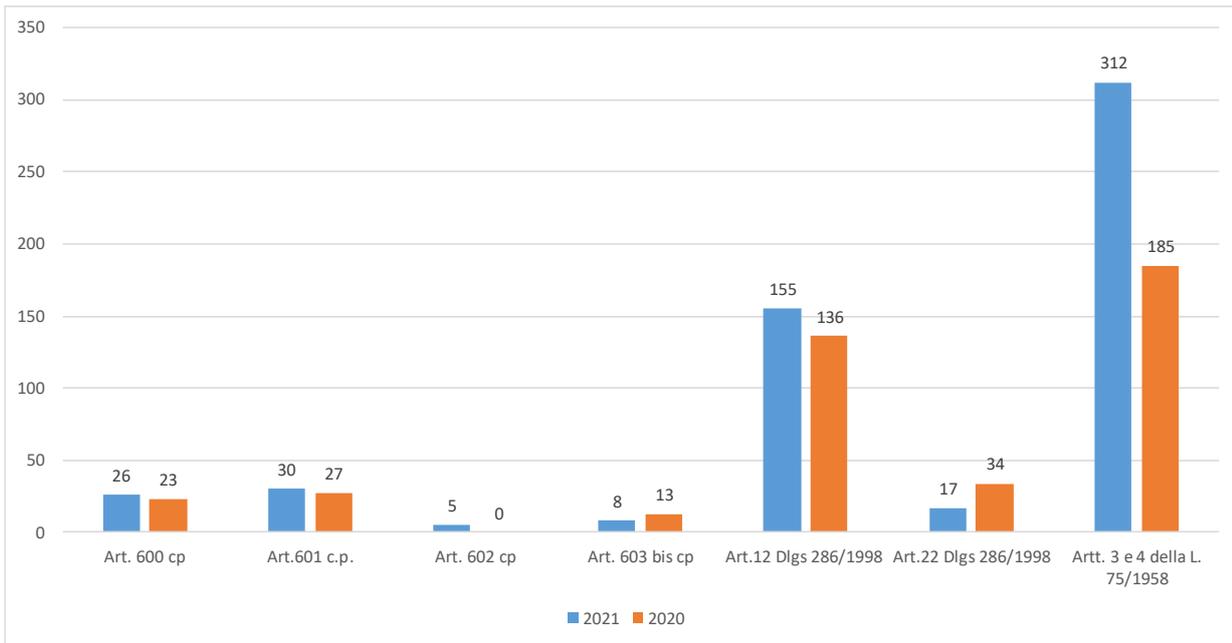
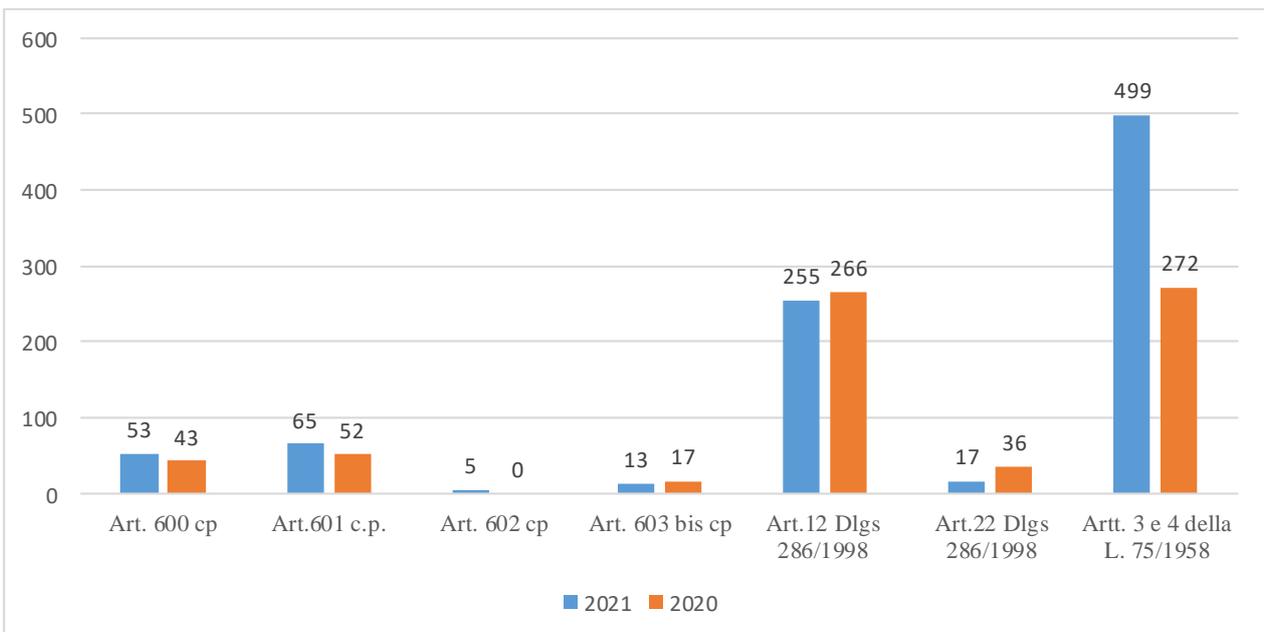


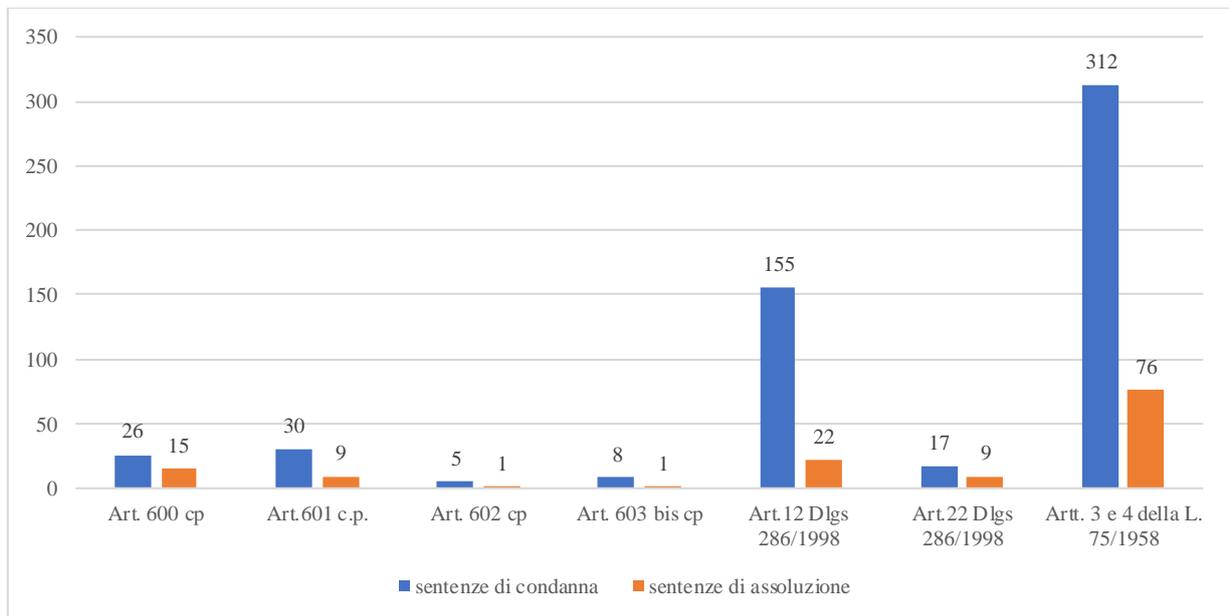
Fig.

Fig. 9 - Second degree judging offices. Condemned people. Years 2020-2021



Also for the 2nd degree the convictions in 2021 prevail over the acquittal sentences for all the offenses considered (Figure 10).

Fig. 10 - Second degree judging offices. Sentences of conviction and acquittal. Year 2021



Irrevocability

The analysis of the data from the Criminal Record shows that in 2021 the number of those convicted definitively for the crime pursuant to Art. 601 of the Criminal Code is equal to 37 (14 in 2020) for a total of years of imprisonment equal to 336. There is also an increase in the number of convicts with final judgment also for the other types of crime considered: Art. 600 of the Criminal Code, Art. 602 of the Criminal Code and Art. 12 of Legislative Decree No. 286/1998: from 317 sentenced in 2020 to 401 in 2021.

On the other hand, there has been a decrease in the amount of fines imposed in the procedures for aiding and abetting illegal immigration: from about 129.585.000 in 2020 to 106.503.000 in 2021.