

Italy (ratification: 1934)

Trafficking in persons. In its previous comments, the Committee noted with interest the adoption of Act No. 228 of 23 August 2003 on measures against the trafficking in persons. The Act amended sections 600 to 602 of the Penal Code, giving a fuller definition of reducing or maintaining a person in slavery or servitude (section 600) and of trafficking in persons in a situation of slavery or servitude (section 601). The Committee asked the Government to indicate to what extent the new provisions had facilitated more effective punishment of such traffickers. The Government states in its report that as a result of the amendments introduced by Act No. 228, sections 600 and 601 of the Penal Code are very broad in scope, allowing punishment of the exploitation of persons in general and, in particular, of incitement to or exploitation of prostitution, begging, and the performance of work in conditions where the worker is exploited or subjugated by the employer. The Government explains that, by listing their components, the new provisions allow these offences to be defined more accurately, which is essential in order to prosecute the perpetrators in criminal proceedings. The Committee takes note of this information. It requests the Government to provide, in its future reports specific information on the criminal proceedings brought against perpetrators of such offences, and on the penalties imposed. The Committee draws the Government's attention to *Article 25 of the Convention*, which requires States to ensure that the penalties imposed by law are really adequate and are strictly enforced.

The Committee observes that the Government has not provided information on the extent and characteristics of the trafficking in persons in Italy. It hopes that the Government will send specific information on this matter, pointing out any difficulties the public authorities have in combating trafficking in persons and any measures taken to overcome them. Please also indicate whether cooperation agreements have been negotiated with the countries of origin of the victims of trafficking (such as Nigeria, Albania or more generally the countries of Eastern Europe) and with the countries of destination.

With regard to the prevention and the protection of victims, the Committee noted previously that the legislation provided for a number of useful measures, including the creation of a fund to finance reintegration and social assistance programmes for victims of trafficking, the development by the Ministry of Foreign Affairs of a policy of cooperation with the countries concerned (Act No. 228 of 23 August 2003 on measures against trafficking) and the grant of a temporary six-month residence permit for foreign victims of exploitation who are under threat for attempting to escape or because they are involved in judicial proceedings against traffickers (section 18 of Act No. 286/1998 regulating immigration and the status of foreigners). The Government indicates in its report that, as yet, there is not sufficient funding to develop the social programmes provided for in the legislation because of the procedures for financing the fund (confiscation of assets, *inter alia*). The Committee requests the Government to provide more detailed information on the measures taken to implement the arrangements set forth in the legislation to protect the victims of trafficking and

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promote their reintegration. It would appreciate information on the number of victims of trafficking for sexual exploitation or the exploitation of their labour who have actually received a residence permit pursuant to section 18 of Act No. 286/1998). Please also indicate the extent to which the abovementioned arrangements contribute, in practice, to encouraging victims to go to the authorities.