

Convention No. 29: Forced Labour, 1930
Direct request 2003/74

Italy (ratification: 1934)

The Committee notes the information provided by the Government in response to its previous direct request and the information supplied following its general observations of 2000 and 2001.

With regard to the measures adopted to combat the trafficking of persons for the purposes of exploitation, the Committee notes with interest the adoption of Act No. 228 of 23 August 2003 (measures against the trafficking of persons). This Act, which amends, among others, sections 600 to 602 of the Criminal Code, gives a more expanded definition of reducing or maintaining a person in slavery or servitude (section 600), making it possible to more accurately target the phenomenon of the trafficking of persons in this situation (section 601). The Act also provides for the establishment of a fund to finance integration and social assistance programmes for victims of trafficking and preventive measures, such as the development by the Ministry of Foreign Affairs of a cooperation policy with the countries concerned. The Committee would be grateful if the Government would provide information in future reports, on the extent of the phenomenon of the trafficking of persons in Italy and also on the application in practice of this new Act. Please: (a) provide information on any difficulties encountered by the public authorities in combating the trafficking of persons and, where appropriate, on the measures to resolve them; (b) indicate whether cooperation agreements have been negotiated with the countries of origin of the victims of trafficking (such as Nigeria, Albania and more generally, Eastern European countries) and with the countries of destination; and (c) indicate the number of persons who have benefited from integration programmes, etc. Finally, the Committee would be grateful if the Government would indicate the extent to which the adoption of the new legislation has made it possible to improve the punishment of the trafficking of persons for the purposes of exploitation and to impose penalties on those responsible for such trafficking. It recalls in this respect that, in accordance with *Article 25 of the Convention*, States which ratify the Convention are under the obligation to ensure that the penalties imposed by law on person exacting forced or compulsory labour are really adequate and strictly enforced.

With regard to measures to encourage victims to have recourse to the authorities and for their protection, the Government refers to section 18 of Act No. 286/1998 regulating immigration and the status of foreign nationals, under which foreign nationals who are victims of exploitation and who are endangered because they are endeavouring to flee such exploitation or are involved in legal procedures against traffickers, benefit from a renewable temporary six-month residence permit. In exchange, such persons are under the obligation to participate in a reintegration and social assistance programme. They may also register with the National Employment Agency and have access to the labour market. In this respect, the Committee notes with interest that the granting of a special residence permit and its renewal is not dependent on the participation of the victim in a judicial procedure, but on her or his effective participation in a social integration programme. Furthermore, under certain conditions, this permit may be extended, and even transformed into a normal residence permit. The Committee would be grateful if the Government would provide information on the number of victims of

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exploitation who have received a special residence permit under section 18 of Act No. 286/1998, the number who have agreed to act as witnesses against persons exploiting them, the number of cases in which the latter have actually been found guilty, and any other relevant information in this respect. Please also indicate whether these special residence permits have been granted to victims of trafficking in sectors other than prostitution.