

Direct Request (CEACR) - adopted 2012, published 102nd ILC session (2013)

Worst Forms of Child Labour Convention, 1999 (No. 182) - Italy (Ratification: 2000)

Article 3 of the Convention. Worst forms of child labour. Clause (c). Use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs. The Committee previously noted the Government's indication that sections 61, 111, 112, 416 and 416(a) of the Criminal Code provide for penalties for the offences related to the criminal conduct of involving children in the production and trafficking of drugs. The Committee observed that according to section 112 of the Criminal Code, using or procuring a child under the age of 18 years for committing a crime constitutes an aggravated offence. The Committee requested the Government to provide information on the effect given in practice to section 112 of the Criminal Code, including statistics on the number of persons prosecuted under this provision for having procured or caused a person under 18 years of age to commit a criminal act, in particular the production and trafficking of drugs.

The Committee notes the data provided by the Government with regard to the number of proceedings initiated and prosecuted under section 112 of the Criminal Code. According to this data, in 2009, a total of 270 proceedings were initiated under section 112, of which, 37 cases were related to using a child under the age of 18 years for the production and trafficking of drugs.

Article 7(2). Effective and time-bound measures. Clause (d). Identifying and reaching out to children at special risk. Street children, child beggars and unaccompanied foreign minors. Following its previous comments, the Committee notes the Government's information that

according to the report of the National Association of Italian Municipalities (ANCI-Cittalia) on Unaccompanied Foreign Minors (UFM), a total of 10,467 unaccompanied foreign minors were contacted and taken care of during the two years from 2009 to 2010. The Committee notes from the Government's report that the number of local authorities providing care and protection for UFM's had increased to 845 in 2010. The ANCI-Cittalia report further indicated that the Municipalities offered effective protection to minors in their care, including initial care and follow-up care which involved granting of residence permits and appointment of guardians. According to the statistical data provided by the Government based on a survey of 2006–10 carried out by the ANCI-Cittalia, in 2008 4,176 UFM's received initial care, of which 3,841 UFM's received follow-up care; in 2009, 4,312 UFM's received initial care, and 3,084 UFM's received follow-up care, and in 2010, 4,588 UFM's received initial care and 2,523 UFM's received follow-up care. The Committee further notes from the Government's report that data on the number of unaccompanied minors received by the Ministry of Labour and Social Policy's Committee for Foreign Minors in 2011 indicate an increase of up to 7,750 minors. ***The Committee, therefore, requests the Government to continue providing care and protection to unaccompanied foreign minors through the ANCI-Cittalia, so as to prevent them from engaging in the***

worst forms of child labour. It requests the Government to continue providing information on the number of UFM's who have been withdrawn from the worst forms of child labour and rehabilitated.

Parts IV and V of the report form. Practical application of the Convention. The Committee notes the following statistical information provided by the Government with regard to the prosecutions carried out for the offences related to slavery, trafficking of minors, prostitution of minors, child pornography and child sex tourism:

- -Trafficking for slavery (section 600 of the Criminal Code); sale and trafficking of persons (sections 601 and 602): 229 proceedings were initiated in 2010 involving 346 victims, of which 20 persons were under the age of 18 years. In 2011, 212 proceedings were initiated involving 508 victims, of which 18 persons were under the age of 18 years.
- -Prostitution of minors (section 600bis of the Criminal Code): 121 proceedings were initiated in 2009.
- -Child pornography (section 600ter): 234 proceedings were initiated in 2009.

The data from the Ministry of Justice further indicated that in 2010, out of the 496 persons accused under sections 600, 601 and 602 of the Criminal Code, 61 persons were convicted. Similarly for the offences under section 600bis, out of the 127 persons accused, 34 persons were convicted. ***The Committee requests the Government to continue to provide information on the nature, extent and trends of the worst forms of child labour, the number of children covered by the measures giving effect to the Convention, the number and nature of infringements reported, investigations, prosecutions, convictions and penalties imposed.***