

Italy (ratification: 1934)

Trafficking in persons. The Committee notes the full and detailed information provided by the Government in reply to its previous comments concerning the measures adopted by the Government to combat the phenomenon of the trafficking in persons in Italy. It notes in particular:

- (a) the explanations provided by the Government concerning the various components of the legislative and judicial machinery established with a view to ensuring greater effectiveness in the imposition of penalties on those responsible for trafficking;
- (b) information concerning the active participation of Italy in the implementation of joint activities and strategies to combat trafficking at the multilateral level, and on the conclusion of bilateral international cooperation agreements with the countries concerned, especially those in the Balkans. This cooperation includes, for example, the exchange of strategic information and data on investigation methods and participation in training activities;
- (c) information on the measures adopted to protect the victims of trafficking, with particular reference to the conditions for the granting of temporary renewable six-month permits for foreign nationals who are victims of exploitation (section 18 of Act No. 286/1998 issuing regulations governing immigration and the status of foreign nationals) and their participation in the various social integration and assistance programmes. The Government specifies that the measures adopted in this field have the objective of assisting and encouraging victims rather than forcing them to denounce those responsible for their exploitation, with the fact of gaining the trust of the victim being the essential element of really beneficial cooperation;
- (d) data on the extent and characteristics of the phenomenon of the trafficking in persons in Italy. The Government indicates that it is very difficult to quantify and characterize trafficking in persons as it is a complex and multidimensional phenomenon that is in constant evolution. Italy, which was first a country of destination has, over the past few years, also become a country of transit from and towards other European countries. In this context, the Government has provided the results of an analytical survey which describes the phenomenon and enumerates the various sectors concerned, as well as the origin of the populations that are the victims of trafficking; and
- (e) information on the various types of action carried out by the forces of order.

The Committee notes with interest all the information provided by the Government on the characteristics of trafficking in persons in Italy and on the measures that it has taken in response. This information bears witness to the Government's will to combat trafficking in persons. The Committee acknowledges that, in view of the complexity of the phenomenon, combating the trafficking in persons is a difficult task which requires the mobilization of many actors at the national level and increased international cooperation. ***The Committee would be grateful if the Government would continue to provide***

information in future reports on any new measures adopted to strengthen action against trafficking in persons, as well as on any difficulties encountered and the results achieved through the measures that have already been adopted.

The Committee also notes that the Government refers to the difficulty of obtaining evidence that can be used in the courts in view of the fact that the victims are not always present during the legal proceedings because they have disappeared or have suffered threats. It indicates in this respect that the legal provisions allowing temporary permits to be issued to foreign nationals who are victims of exploitation and providing for their participation in the various social integration and assistance programmes (section 18 of Act No. 286/1998 regulating immigration and the status of foreign nationals) should facilitate the availability of victims to give evidence during legal proceedings. The Committee is of the view that the application of effective penalties against those responsible, as envisaged in *Article 25 of the Convention*, is a key element in combating trafficking in persons. The effective punishment of those who are guilty in practice incites victims to bring charges and has a dissuasive effect on trafficking. ***The Committee requests the Government to continue providing information on the prosecutions initiated against those responsible for trafficking in persons and the penalties imposed. It would also be grateful if the Government would continue providing statistical data on the number of victims of trafficking, those benefiting from the various protection measures (temporary permits or social programmes) and those who agree to cooperate with the judicial system and the number of prosecutions which have resulted in the conviction of criminals.***

Exploitation of illegal foreign workers. The Committee notes the Government's indication in its report that in November 2006 it approved a Bill to combat the exploitation of foreign workers illegally resident on the national territory. The Government specifies that the special temporary permit issued to foreign nationals for reasons of social protection could be linked to the more precise identification of offences involving serious exploitation of workers. ***The Committee requests the Government to provide information in its next report on the progress achieved in the adoption of this Bill, as well as information on any developments relating to the notion of the serious exploitation of workers.***