



Mind the Gap Report: COALESCE for Support in ITALY

Needs analysis for the integration of migrant female victims of trafficking for sexual exploitation/abuse



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Table of Contents

Introduction.....	4
Short overview of the COALESCE project.....	4
The Mind the Gap Report.....	5
Methodology	5
Psychosocial and legal support indicators	6
Economic independence indicators	6
EU Policy Context	7
Chapter One - Psychological Support.....	14
Chapter Two - Legal Support.....	24
Chapter Three - Economic Empowerment.....	36
Conclusions and recommendations	40
References.....	43

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Coalesce project

This report is produced for the EU funded initiative "COALESCE: Legal, Psycho-social and economic empowerment for the integration of women third country nationals (TCN) victims of human trafficking (VoT) for sexual exploitation and abuse" (Coalesce Project EC AMIF: 958133), led by the Mediterranean Institute of Gender Studies (MIGS) (Cyprus), in partnership with the Immigrant Council of Ireland (ICI) (Ireland), Caritas Cyprus, Cyprus Refugee Council, SOLWODI (Germany), Associazione Iroko Onlus (Italy), Association, Marta Centre (Latvia), Klaipeda Social and Psychological Services Center (KSPSC) (Lithuania), and European Network of Migrant Women - a European platform based in Belgium.

Coalesce works to support to victims of trafficking in human beings: providing gender-specific psycho-social, legal and economic support and assistance to third-country national women victims of sex trafficking, and to develop synergies and complementarities in facilitating needs identification, assistance and support, and improve transnational cooperation among front line professionals and practitioners. Coalesce's aim is to place the voices and authentic opinions of trafficked women at the centre of implementation.

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Introduction

Short overview of the COALESCE project

This report is produced in the framework of a transnational project entitled "COALESCE: Legal, Psycho-social and economic empowerment for the integration of women third country nationals (TCN) victims of human trafficking (VoT) for sexual exploitation and abuse» (Coalesce Project EC AMIF: 958133). The COALESCE Project is funded by the European Union Asylum, Migration and Integration Fund and implemented by a partnership consortium comprising the lead partner [Mediterranean Institute of Gender Studies](#) (Cyprus), [Cyprus Refugee Council](#), [CARITAS Cyprus](#), [IROKO Onlus](#) (Italy), [Marta Centre](#) (Latvia), [European Network of Migrant Women](#), [Immigrant Council Ireland](#), [Solwodi](#) (Germany), [Klapeida](#) (Lithuania).

The objective of the project is to provide support to the female migrant victims of trafficking in human beings for sexual exploitation in Europe. By providing gender-specific psycho-social, legal and economic support and assistance to third-country national women victims of sex trafficking, the project seeks to develop synergies and complementarities in facilitating needs identification, assistance and support, and improve transnational cooperation among front line professionals and practitioners.

There is a well-documented and acknowledged link between the assistance that the victims need and other factors such as their gender, the specific form of exploitation they have suffered, and their residence status (Directive 2011/36/EU). In fact, female victims of trafficking for sexual exploitation often have very complex needs (European Commission, Study on the Gender Dimension of Trafficking in Human Beings, 2016; EIGE, Gender-specific Measures in Anti-trafficking Actions, 2018). Thus, the gendered nature of human trafficking, as a form of gender-based violence, is a fundamental element of COALESCE's conceptualisation and work programme. In responding to the priorities of the AMIF (5), the project focuses on the implications of the migration developments, within a context of protracted uncertainty and exacerbated social inequalities caused by the Covid-19 pandemic that affect the most vulnerable victims of human trafficking, in particular migrant women and children.

Specifically, the workplan of COALESCE project involves:

- The provision of assistance guided by a **Gender Specific Integration Model (GeSIM)** for legal, psycho-social assistance and economic empowerment to enhance integration of women TCN VoT.
- The development of a **practical working toolkit** enhanced by input from affected women, **distilling specialized knowledge and recommendations** for a sustainable gender-specific implementation EU guidelines and tools, **influencing the work of service providers** (including asylum authorities).

- The promotion of **national and transnational knowledge exchange** between relevant actors on the benefits of and commitment to GESIM. Nurturing collaborative approaches benefitting trafficked women.
- The improvement of the **capacity of victim support organisations** across the EU to provide **gender-specific support services** (incl. psycho-social, legal and economic empowerment) tailored to the needs of migrant women victims of trafficking for sexual exploitation/abuse contributing also to their early identification.

Last but not least, taking into consideration all available protection measures in the framework established by the Anti-Trafficking Directive 2011/36/EU, this project seeks to enhance best knowledge exchange on the integration of trafficked victims, among the consortium which brings together a diverse group of feminist organisations with particular expertise in supporting trafficked migrant women recovering from sexual violence and exploitation.

The Mind the Gap Report

The purpose of this report is to present a mapping and analysis of needs for the support to and integration of female third country national victims of trafficking for sexual exploitation (TCN VoTs) in six EU (European Union) Member States: Cyprus, Germany, Ireland, Italy, Lithuania and Latvia. The analysis adopts a victim-centred and gender-specific approach by directly involving those affected in the mapping and assessment of existing local support mechanisms to identify areas of gender-specific intervention within the areas of: 1) psycho-social support; 2) legal support; and 3) building economic independence (economic empowerment).

Specifically, this report aims at providing a state-of-the-art and relevant information with regards the gaps in assistance and support available in the countries under review, from the perspectives of victims of VoTs for sexual exploitation.

The report comprises a short overview of the project, the legal and policy context at EU and national level, followed by an analysis of the key themes and needs identified through in-depth interviews and/or focus groups carried out in [Italy] with female TCN VoTs for sexual exploitation.

Methodology

The Coalesce consortium have adopted a common methodology to ensure coherence of the mapping and analysis of needs across the partner countries. The results of this context mapping and needs analysis feed directly into the design and development of Gender-Specific Integration Models (GESIM) -(Work Package 3 of the Coalesce Project)- a handbook/guidelines comprising of Psychosocial & legal support model (PLM) and Economic empowerment model (EEM) for TCN women VoTs. The interlinkage of this needs analysis with the Gender-Specific Integration Models (GESIM) ensures consistent inclusion of VoT voices

and perspectives in the integration interventions that will be produced, implemented and evaluated in the course of the Coalesce Project.¹

The methods used for this research report include:

Desk research, including a) legislation, b) policies, c) academic and other research reports, and d) government reports and reports published by EU and other international institutions, in order to collect up-to-date information on current support and integration provisions available for women TCN VoTs affected by trafficking for sexual exploitation in the different national/local contexts. The analysis will build upon existing EU analysis of gender-specific measures on trafficking to help merge the micro with the macro level (Yonkova et al., 2017).

In-depth interviews and focus groups with female TCN VoTs for sexual exploitation to gain insight into their first-hand experiences and opinions on existing support and integration measures, and how VoTs can be best supported.

For the purposes of this project, the identification of the gender-specific needs and areas of intervention focus on economic, legal and psychosocial empowerment.

In this regard, the available knowledge to date was incorporated through the screening of the EU legislation and policies, EU studies, EIGE studies, EU anti-trafficking website library, relevant project reports and build on the findings of our colleague practitioners – such as SOLWODI and ICI that worked in the ASSIST project that identified best practice principles in delivering gender-specific assistance (Thomson and Yonkova, 2020).

Psychosocial and legal support indicators

The provision of gender-specific psycho-social, legal services aiding the integration of TCN victims of trafficking include holistic psychological and social support, as well as legal representation. These forms of support are linked to the experiences of women victims of human trafficking for sexual exploitation and other forms of violence against women. Specifically, these indicators as adapted from the ASSIST Project (Assist Project, 2020; Yonkova, N. et al., 2020) involve: “the identification and recognition as a victim of trafficking; obtaining and/or renewal of the necessary immigration permits; international protection related matters; any other immigration related matters, as well as criminal matters.” Specific focus is added but not limited to: “family related matters; securing access to appropriate housing (provision of shelters and protected flats); medical assistance; compensation; access to material assistance; psychological support; other integration initiatives” (p.36).

Economic independence indicators

The concept of women’s economic independence recognises that women are economic actors who contribute to economic activity and should be able to benefit from it on an equal

¹ This approach also facilitates transnational knowledge exchange and learning, as well as the promotion of the GESIM and its direct benefits for women TCN VoTs for sexual exploitation.

basis with men, and that financial independence can have an important role in strengthening the position of women in society and within the household. Economic independence refers to a condition where women and men have their own access to the full range of economic opportunities and resources – including employment, services, and sufficient disposable income – so they can shape and exercise control over their lives, meet their own needs and those of their dependants, and make conscious choices (Pesce and Christodoulou, 2017).

Economic empowerment is understood within the framework of enabling economic independence and includes but is not limited to these indicative themes and indicators: employment opportunities; education and professional training (job orientation training and access to entrepreneurship, business plans, access to resources); resource mobilisation and funding schemes (start-ups, small business); access to technology / digital skills; mentoring; care services; welfare and social benefits; housing and transportation services; direct or indirect financial services.

To conclude, the three pillars of intervention – psychosocial, legal and economic empowerment – are understood as taking place in complementarity with counselling which is defined as follows:

Counselling is a multidisciplinary approach in which refugee women who have been victims of gender-based violence are offered a multitude of support, including psycho-social counselling, information on their rights and assistance in fulfilling their everyday needs. The aim of counselling is to support clients in different areas of life, not just with incidents connected with gender-based violence. The counselling process can take months or even years and it intersects with several other processes to which asylum seekers and victims of violence can be part of: the asylum process, criminal process and civil law processes such as divorce, family unification or custody of children. Counselling is in practice a series of one-on-one sessions where refugee women are given an opportunity to be heard and to tell their story. Together with the counsellor a spectrum of opportunities are jointly discovered. Women are informed about their rights as victims of crime and as asylum seekers. Their practical needs such as sustenance, housing and medical needs are mapped and, when needed, they are referred to other service providers. At a more in-depth level, counsellors describe counselling as a process of moving from shame, fear and self-blame to building confidence, empowerment and integration (Lilja, 2019: 43).

EU Policy Context

Trafficking in human beings (THB) in the EU is a major problem, which shows no signs of decreasing (EC second progress report, 2018). Trafficking continues to be a key threat in the European Union (EU), while trafficking of women and girls for the purposes of sexual exploitation is the most widely spread form of exploitation (Europol, 2021). Female victims represent 77% of all victims, while trafficking sexual exploitation represents 65% of the overall

registered trafficking crime (based on EU stats excluding the UK data, EC progress report, 2018). The statistics available mandate particular attention to trafficking of women on the one hand and trafficking for the purposes of sexual exploitation on the other. THB, which is a form of violence against women (EU/29/2012, Istanbul Convention 2012), is a highly gendered crime not only due to the statistical information available but also due to facts surrounding the severe, long-term consequences and harms to women who have been exploited for the purposes of sexual exploitation, according to the Study on the Gender Dimension of THB (EC, 2016). Their recovery needs require significant investment and may take extended periods of time, therefore planning for and organising the efficient recovery and re-integration programmes are of paramount importance.

The recommendations of the Study on the gender dimension of THB (EC, 2016), the report Gender-specific measures in anti-trafficking actions (EIGE, 2018) and the Anti-trafficking Directive 2011/36/EU, the assistance offered to such women must be appropriate to their gender, age and the form of exploitation. To that effect, the Commission commits to support efforts geared at 'comprehensive and accessible protection and help the reintegration of victims of trafficking, taking account of the specific needs of each gender' (EC Communication, 2017). Therefore, programmes utilising the latest advancement in the knowledge of the gender-specific integration needs and efficient approaches to supporting the recovery of trafficked women represent a clear rationale for action in present times in the EU.

The phenomenon of human trafficking has been greatly shaped by and entangled with significant migration flows into and within the EU. In 2018 for example, Europol reported that organised criminal groups involved in THB often exploit existing migratory routes to traffic victims into and within the EU (Europol, 2018). Similar to the Commission Staff working document (EC, 2018), the same Europol report exposes the nexus between asylum and human trafficking, which has been also in the focus of the European Asylum Support Office (EASO) for the last few years. Frontex (Risk analysis report, 2018) finds a significant increase in the number of Nigerian women and girls (increasingly minors) in mixed migration flows to Italy, intended for supply to the European sex market. Similarly, the IOM reported a 600% increase, in a three-year period, of the number of potential female victims primarily from Nigeria, with an estimated percent of victims of trafficking among them reaching 80%. Despite of these facts and knowledge, trafficking of women for sexual exploitation has not become a priority in many EU Member States and many women remain not identified (EC, 2018). Despite the insufficient identification efforts, including in the asylum process, it is clear that a sizeable proportion of the sex-trafficking victims registered in the EU are TCN women. This adds a layer of complexity in the response to them due to their immigration status, cultural specificity, limited eligibility to general state-funded services, lack of support networks, increasing racism and xenophobia, making the integration assistance demanding and simultaneously requiring gender-specificity, violence against women expertise as well as intersectional competence.

Methodological Note on Research by IROKO Onlus

For this research project, Iroko used both qualitative and quantitative methods. The qualitative method allowed researchers to understand current legislation in Italy with regards to trafficking in human beings, and the policies around shelters and services for migrants. In this regard researchers consulted up-to-date legal sites and national reports (Altalex, the National Anti-trafficking Plan, the Department for Equal Opportunities). The quantitative method was used to understand the experiences of victims of trafficking for sexual exploitation seeking international protection. Interviews were carried out with eight women of Nigerian origin who were victims of trafficking for sexual exploitation. This report uses pseudonyms to protect the privacy of participants. ²

Legal/Policy Context in Italy for the provision of support to female victims of trafficking

The assistance for female victims of sex trafficking in Italy is principally regulated by the following legislation:

Article 18 of the the Consolidated Act of provisions on immigration and norms on the condition of the foreigner:

- 1. When, during police operations, investigations or procedures related to any of the offences provided for in article 3 of the 20 February 1958 law, n. 75, or those under article 380 of the penal code, namely during the course of assistance provided by local social services, situations of violence or serious exploitation of a foreigner are identified and concrete risks to their safety emerge, as a result of attempts to escape from an organisation committed to one of the aforementioned crimes or statements made during investigations or trials, the police chief, also at the request of the State Prosecutor, or with the favourable opinion of the same authority, issues a special residency permit to allow the foreigner to escape from the violence and the constraints of the criminal organisation e to participate in an assistance and social integration programme.*
- 2. With the request or advice provided for in subparagraph 1, the Chief of Police shall be informed of the evidence showing that the conditions laid down therein have been met, with particular reference to the gravity and timeliness of the danger and the relevance of the foreigner's contribution to the effective fight against the criminal organisation, that is, the identification or capture of those responsible for the offences referred to in the same subparagraph. The methods of participation in the social assistance and integration program are communicated to the Mayor.*
- 3. The implementing regulation shall lay down the necessary provisions for the entrustment of the realization of the programme to organisations other than those institutionally in*

² women interviewed: Mary, 27, from Edo State, Nigeria; Patricia, 44, from Benin City, Nigeria; Jennifer, 28, from Delta State, Nigeria; Linda, 26, from Edo State, Nigeria; Sandra, 37, from Benin City, Nigeria; Elizabeth, 21, from Delta State, Nigeria; Amanda, 26, from Edo State, Nigeria; Michelle, 25, from Edo State, Nigeria

charge of the social services of the local authority, and shall carry out the relevant checks. The same regulation identifies the appropriate requirements to ensure competence and capacity to foster social assistance and integration, as well as the availability of adequate organisational structures of the aforementioned entities.

- 4. The residence permit issued pursuant to this article shall be valid for six months and can be renewed for one year, or for as long as is necessary for reasons of justice. It shall be revoked if the programme is interrupted or if the conduct is incompatible with the objectives of the programme, as notified by the State Prosecutor or, where appropriate, by the social services of the local authority, or in any case ascertained by the chief of police, or where the other conditions justifying the permit no longer apply.*
 - 5. The residence permit provided for in this Article shall allow access to welfare services and study, as well as registration on the unemployment register and the performance of employment, subject to minimum age requirements. If, on expiry of the residence permit, the person concerned is found to have an employment contract, the permit may be extended or renewed for the duration of the employment contract or, if it is for an indefinite period, in the manner laid down for that purpose. The residence permit provided for in this Article may also be converted into a residence permit for study purposes where the holder is enrolled in a regular course of study.*
 - 6. The residence permit provided for in this Article may also be issued, upon release from jail, at the suggestion of the State Prosecutor or the supervisory judge at the Juvenile Court, to the foreigner who has served a custodial sentence, imposed for crimes committed as a minor, and has given concrete evidence of participation in a social assistance and integration programme.*
 - 7. The costs resulting from this Article are estimated at ITL 5 billions for 1997 and ITL 10 billions per year from 1998.*
- Article 13 of Law 228/2003, which provides for the establishment of a special assistance programme for victims of crimes provided for in Articles 600 and 601 of the Criminal Code³:

³ Criminal code art. 600: "Anyone who exercises powers over a person corresponding to those of the right of ownership or whoever reduces or maintains a person in a state of continuous subjection, forcing her to work or sexual performance or to begging or in any case to carry out illegal activities that involve exploitation or undergoing the removal of organs, is punished with imprisonment from eight to twenty years (...)" Art. 600 bis: "It is punishable with imprisonment from six to twelve years and with a fine from € 15,000 to € 150,000 anyone: 1) recruits or induces into prostitution (2) a person under the age of eighteen; 2) favors, exploits, manages, organizes or controls the prostitution of a person under the age of eighteen, or otherwise profits from it. Art. 600 ter: "It is punishable with imprisonment from six to twelve years and with a fine from € 24,000 to € 240,000 anyone: 1) using minors under the age of eighteen, performs pornographic performances or shows (2) or produces pornographic material (3); 2) recruits or induces minors under the age of eighteen to participate in pornographic performances or shows or otherwise profits from such shows (4) .Art. 600 quater: "Anyone who,

1. *Outside of the cases provided for by Article 16-bis of Decree-Law January 15, 1991, n. 8, modified and converted into Law March 15, 1991, n. 82, and subsequent modifications, for the victims of the crimes provided for by Articles 600 and 601 of the Penal Code, as replaced, respectively, by Articles 1 and 2 of this Law, is established, within the limits of the resources referred to in paragraph 3, a special assistance program that guarantees, on a transitional basis, adequate housing, food and health care. The program is set out by regulations to be adopted pursuant to Article 17, paragraph 1, of Law August 23, 1988, n. 400, on the proposal of the Minister for Equal Opportunities in agreement with the Minister of the Interior and the Minister of Justice.*
2. *If the victim of the crime referred to in Articles 600 and 601 of the Penal Code is a foreign person, the provisions of Article 18 of the Consolidated Act mentioned in Legislative Decree no. 286 of 1998 remain unaffected.*
3. *The burden arising from the implementation of this Article, determined as EUR 2,5 million per year from 2003, shall be met by a corresponding reduction in the allocation entered for the 2003-2005 three-year budget within the current forecast unit base of the "Special Fund" from the estimates of the Ministry of Economy and Finance for the year 2003, for the purpose of partly using the provision relating to the same Ministry.*
4. *The Minister of the Economy and Finance is authorized to make, by their own decrees, the necessary budgetary changes.*

outside the hypotheses provided for in article 600ter, knowingly procures or holds (2) pornographic material made using minors under the age of eighteen is punished with imprisonment for up to three years or a fine of not less than euro 1,549. " Art. 600 quater 1: "and the provisions of articles 600 ter and 600 quater also apply when the pornographic material represents virtual images made using images of minors under the age of eighteen or parts of them, but the penalty is reduced by one third.

Virtual images are images made with graphic processing techniques not associated in whole or in part with real situations, whose representation quality makes non-real situations appear as real (2).

The penalty is increased to an extent not exceeding two thirds where the material held is of a large quantity (3) "

Art. 601: "Anyone who recruits, introduces into the territory of the State, transfers even outside it, transports, transfers authority over the person, hosts one or more people who are in the conditions referred to in Article 600, or, carries out the same conduct on one or more persons, through deception, violence, threats, abuse of authority or taking advantage of a situation of vulnerability, physical, mental or necessity inferiority, or through a promise of giving money or other advantages to the person who has authority over it, in order to induce or force them to work, sexual or begging or in any case to carry out illegal activities that involve their exploitation or to undergo the removal of organs (2).

Anyone subject to the same penalty, even outside the procedures referred to in the first paragraph, shall carry out the conduct provided for therein in respect of a person under the age of 18.

The penalty for the master or the officer of the national or foreign vessel, who commits or concurs with any of the facts provided for in the first or second subparagraph, shall be increased to one third.

The crew member of a domestic or foreign vessel intended for the trade before departure or in the course of navigation shall be punished, even if no action has been taken pursuant to the first or second subparagraphs or in respect of the slave trade, with three to ten years imprisonment(3)."

Article 8 of Legislative Decree no. 24/2014 amends Article 18 of the Immigration Act by inserting paragraph 3-bis, which unites the two programmes established for social protection, as indicated above:

- A. immediate assistance that reproduces the intervention provided for by Article 13 of Law 228/2003,
- B. structured individual programme for the recovery and social inclusion of the person (article 18 of the Consolidated Law on Immigration)

In addition, in Italy there are the Territorial Commissions, which are bodies responsible for examining applications for international protection, appointed by decree of the Minister of the Interior. They are presided over by a prefectural official (with the title of Vice-prefect) and composed of administrative officials specialized in asylum and a representative from the U.N.H.C.R. (United Nations High Commissioner for Refugees).

Article 4, paragraph 2, of Legislative Decree no. 25/2008, establishes a maximum of twenty Commissions and allows, in paragraph 2-bis, the creation, at each Commission, of one or more Sections up to a maximum of thirty.

Currently 11 Territorial Commissions are present in Italy. The geographical division of the Commissions is as follows:

- **Gorizia** (responsible for Friuli-Venezia Giulia, Veneto and Trentino-Alto Adige)
- **Milan** (responsible for the Lombardy region)
- **Turin** (responsible for Aosta Valley, Piedmont, Liguria and Emilia-Romagna)
- **Rome** (responsible for Lazio, Sardinia, Tuscany and Umbria)
- **Caserta** (responsible for Campania, Molise, Abruzzo and Marche)
- **Foggia** (responsible for Foggia, Barletta, Andria and Trani)
- **Bari** (responsible for Bari, Brindisi, Lecce e Taranto)
- **Crotone** (responsible for Calabria and Basilicata)
- **Trapani** (responsible for Agrigento, Trapani, Palermo, Messina and Enna)
- **Syracuse** (responsible for Syracuse, Ragusa, Caltanissetta and Catania).
- **Verona** (responsible for Verona, Vicenza, Padova, Rovigo, Trento and Bolzano – established by Decree of the Minister of the Interior on 28 June 2011 to cope with the emergency arrivals by boat)

The competence of the Commissions, laid out by decree of the Minister of the Interior on 10.11.2014, is determined on the basis of the district in which the application for protection is submitted, or the Centre in which the applicant is accepted or withheld, as required by art. 4, comma 5 del d.lgs. n. 25/2008.

The Territorial Commission, based on the latest UNHCR guidelines for the identification of victims of trafficking (2020), activates a referral procedure with entities that have signed the Memorandum of Understanding and that implement, within their territory, emergence, assistance and social integration programmes in accordance with art. 18, paragraph 3bis of Law 286/98, financed by the Department for Equal Opportunities. The referral procedure is activated in all cases where indicators of trafficking for labour exploitation are present, or where a potential situation of serious exploitation that might necessitate specific protection for the applicant is identified - for example, the person is a victim of violence or threats -, which is also provided as part of the Article 18 provisions. In these cases, where necessary, the commission can seek support from an anti-trafficking organisation and then follow guidelines, suspending, where necessary, the application process and asking an anti-trafficking organisation to provide *feedback* (a report outlining their findings with regards to trafficking indicators).

It must be remembered that, from the point of view of crime prevention and assistance to victims of crime, the 2003 law provided for:

- the establishment, at the Presidency of the Council of Ministers, of the Fund for anti-trafficking measures. This is a Fund for the financing of assistance and social integration programs for the victims of crimes, as well as for the other purposes of social protection referred to in Article 18 of the Consolidated Law on Immigration (Legislative Decree 25 July 1998, No. 286) (Article 12);
- the establishment of a special assistance program for victims of slavery (Article 600 of the criminal code) and trafficking in persons (Article 601), in order to ensure, on a transitional basis, adequate conditions of accommodation, board and health care, however, without prejudice to the applicability of humanitarian provisions referred to in Article 18 of the Consolidated Law on Immigration, if the victim of the crime is a foreign person (Article 13). Implementation in Art. 13 of the law was given by the D.P.R. 19 September 2005, n. 237;
- the provision of special cooperation policies towards the countries affected by the crimes, to be implemented by the Ministry of Foreign Affairs, organizing "international meetings and information campaigns even within the countries of prevalent origin of victims of trafficking in persons" (article 14).

Finally, in the seventeenth legislature, the Government issued Legislative Decree no. 24 of 2014, with which it has transposed into our system EU Directive 2011/36/ on the prevention and repression of trafficking in human beings and the protection of victims.

From a procedural point of view, the novelty of the Directive consists in the provision that the Member States take the necessary measures to ensure the non-prosecution of the offenses which the victims of trafficking were forced to carry out as a direct result of one of the acts referred to in Article 2 (Article 8). Similarly, the necessary measures should be taken at national level to ensure that investigations or prosecutions relating to the offences referred to in Articles 2 and 3 are not the subject of a complaint or accusation of the victim and the penalty of the procedure may continue even if the victim retracts their statement (Article 9).

Finally, provision is made for assistance and support to victims of trafficking (Article 11) and for their protection in criminal investigations and proceedings (Article 12). These are in addition to the safeguards provided for vulnerable victims in criminal proceedings under Framework Decision 2001/220 / EC. Specific provisions, particularly with regards to assistance, support and protection of minors (see Articles 13 to 16), including during the process.

The novel element provided for by the Directive therefore is the issue of a humanitarian residence permit to the victim of trafficking, irrespective of his or her cooperation with the courts (Article 11). More generally, the Directive introduces a number of new measures aimed at strengthening and supplementing the support and assistance network, including psychological support, for victims of trafficking, in particular those under 18 (Articles 11 to 16); on this point it should be noted, inter alia, the provision for the appointment of an unaccompanied minor's guardian (Article 16). A specific provision concerns the right of victims of trafficking to access compensation schemes for victims of violent crime (Article 17).

Chapter One – Psychosocial Support

Various studies have shown that female victims of trafficking experience many symptoms similar to that of victims of torture. These include psychological and psychosomatic reactions, substance abuse and dependency, aggressive and hostile behaviour, and psychological and physical effects from sexually transmitted diseases (Yakushko, 2009). The trauma experienced by women who have been victims of trafficking for sexual exploitation includes anxiety, depression, feelings of alienation and disorientation, aggression, suicide attempts, ADHD (attention deficit hyperactivity disorder) and PTSD (post-traumatic stress disorder)⁴.

Psychological disorders are a common feature in the lives of female victims of trafficking. Judge et al. (2018) maintain that one of the primary needs of victims of trafficking is psychological support, given the trauma experienced, which causes conflicting emotions, like

⁴ PTSD; Iglesias-Rios et al., 2018; Okeck et al., 2018; Oram et al., 2016; Rimal et al., 2016; Kiss et al., 2015; Abas et al., 2013; Ostrovschi et al., 2011; Hossain et al., 2010; Tsutsumi et al., 2008

rage, mistrust, fear and shame. Such emotions often hinder their requests for needed support. Many of the guidelines that exist for assistance to victims of trafficking, despite their reference to the importance of psychological support, concentrate largely on legal, humanitarian and material support in terms of victims' basic needs, including safe housing as well as legal and economic resources. Consequently, even though psychotherapy is regularly highlighted as a necessary element in the recovery and integration of victims, it receives little attention (Yakushko, 2009).

Psychologists who work with female victims of trafficking need to have various skills and competencies. Firstly, they must have received specific training on working with victims of trauma, particularly sexual trauma. In that regard, the guidelines written by Zimmerman et al. (2003) are important, as they raise some issues around the methods used when interviewing female victims of trafficking. These interviews might raise ethical and safety questions, both for the interviewer and the woman herself. Furthermore, creating a safe space and establishing a relationship of trust with female victims of trafficking is difficult.

Consequently, Zimmerman et al. (2003) developed ethical procedures, a sensitive and non-judgemental approach, which allows the women to feel respected and to know that their welfare is considered as very important, enabling them to open up and talk about their experiences. This is the way to establish effective psycho-social support.

In the stories of the women interviewed by Iroko several critical aspects emerged. These include family bereavements that often push the women to move elsewhere in search of a better life. The vulnerability caused by poverty affects their choices, as they become victims of traffickers who trick them with the promise of a job. In reality they are forced to take a voodoo oath⁵ that forces them to repay a very high debt, through being prostituted by their madams⁶ and traffickers.

The trauma of the voodoo oath ritual should not be underestimated, as women often fear the consequences. And yet, in most of the stories told to us by the women we interviewed, there has not been adequate psychological support, in particular there seems to be no immediate support offered to these women. This is despite the fact that the women themselves claim to need psychotherapeutic support.

⁵ The oath is done through taking some of the woman's body parts like pubic hair, nails, etc and she is then made to swear to respect everything that she is told to do by her exploiters. See Iroko Onlus: Working to Combat the Trafficking of Nigerian Women and Girls into Italy, *Canadian Woman Studies (Le Cahiers de la Femme)* 22, N° 3,4 pages 197-199, Spring/Summer 2003.

⁶ madam: a figure within the world of trafficking for sexual exploitation who usually manages the prostitution of the women in Italy. The madams are responsible for their exploitation and are often previous victims of trafficking for sexual exploitation themselves. See Aghatise, E. (2004). Trafficking for Prostitution in Italy: Possible Effects of Government Proposals for Legalization of Brothels – Violence Against Women, vol. 10, Number 10, October 2004 – Sage Publications, Thousand Oaks, USA.

In some of their stories there is also the "re-trafficking" factor that results from the vulnerability of female victims of trafficking. Re-trafficking, that is the return to the state of victims of trafficking, is often due to the lack of protection by the authorities and the consequent inability of the women, through no fault of theirs, to achieve autonomy. What emerges is the desire, despite the trauma and violence suffered by these women, to live a life far from exploitation and with effective economic independence. The difficulties in social inclusion in Italy are also due to the low level of education of the women who, often due to difficult family situations, have not achieved medium-high educational qualifications.

It is clear that psychological support is necessary for these women in order to process the trauma they have experienced. Many of them are sexually exploited right from the onset of their stay in Libya in the so-called "connection houses", which are in essence sex prisons as well as halfway passage "houses" for the women being moved from one place/country to another.

Even when psychological support is provided, for example at the reception shelters (SAI), such support is often not consistent or constant. As a result, some women again experience "toxic" relational dynamics, which also develop as a result of a lack of multidisciplinary work between anti-trafficking staff and law enforcement.

Exactly for these reasons, for the trauma that victims of trafficking have experienced and the threats that they receive, psychologists - and other figures like healthcare and social workers - should work as part of interdisciplinary teams, particularly alongside the police, and they need to have an understanding of the current policies around shelters and support for migrants. They also need to collaborate with the various organisations engaged in economic and legal support services for victims of trafficking, and those offering educational and vocational training (Yakushko, 2009). Moreover, cultural knowledge and expertise are an important part of the training that psychologists working with victims of trafficking should receive, given that clinical work with this group of people involves interaction with cultures that are completely different (Bemak and Chung, 2002). It would also be extremely useful to employ cultural and linguistic mediators in this situation.

One approach that could be taken as a model when it comes to victims of trafficking is trauma therapy and the treatment of symptoms and disorders caused by human trafficking. This is demonstrated by the literature that shows that among women victims of trafficking there are high levels of anxiety, depression and PTSD. Cognitive-behavioural therapy - which involves cognitive restructuring through behavioural techniques such as exposure therapy, thought-blocking and breathing techniques - has been shown to be effective in treating PTSD. EMDR (Eye Movement Desensitization and Reprocessing) and a technique known as stress inoculation can also be effective forms of treatment.⁷

⁷ <https://www.tagesonline.org/2019/05/12/donne-vittime-della-tratta-di-esseri-umani-e-salute-mentale/>

In the stories of the interviewees we hear of childhoods marked by economic difficulties. The family is sometimes deceived by traffickers with false promises, such as being able to get their daughter to study in Europe.

Vulnerable women and girls are often lured by men who promise them a better future and are then sold and imprisoned in Libya. It is easy to understand how the women who have been victims of trafficking distrust those who want to help them, since at first the very person who offered to give them help turned out to be a criminal, whose only interest in them was to exploit them. Therefore, therapy would be useful to overcome this obstacle and regain trust in themselves and in others.

Another problematic factor evident in the stories is the lack of understanding by women of the services available, including their protection. For this reason, an adequate cultural linguistic mediation is needed, in order to allow them to understand the anti-trafficking system and the various services present locally.

Moreover, from the interviews carried out by Iroko with these eight Nigerian female victims of trafficking, only two of them had been referred to a counselling service to receive psychological support, after their identification as victims of trafficking by the Territorial Commission. Some of the women were identified as victims of trafficking after interviews carried out by anti-trafficking centre staff in different shelters for asylum seekers and migrants. Several factors emerged from these interviews that seem to influence the women's approach to and understanding of how their choices might benefit them:

- level of education: it was observed that of the women interviewed, those who have a middle school diploma are more willing to accept psychological support, once it has been properly explained to them;
- their socio-cultural background: many of the choices made by the women we interviewed were influenced by their parents, particularly their mothers. Some women do not remember their date of birth and this may be an indicator of a poor background;
- where they are from: the women who grew up in big cities seemed to be more open-minded in some ways, which can be an advantage compared to women from more rural areas. The important thing is for the various service providers who interact with these women to understand their backgrounds. Knowing where a woman comes from can be fundamental in order to understand the context she grew up in and the kind of education she has had;
- previous work experience in their country of origin: this can be important to understand both a woman's interests and her level of professional and educational training;
- the need for cultural and linguistic mediation, which has a fundamental role in providing "adequate, victim centred" support to survivors of trafficking. Mediators need to have a very clear understanding of what psycho-social support consists of, in

order to be able to explain it effectively to a woman who is accessing such services. If a woman victim of trafficking manages to truly understand what this support is, and overcome any prejudices she might have particularly with regards to psychological support, then she can in turn communicate this to other women in the same position, and encourage them to accept such support.

There are, however, some issues: despite the decree 24/2014 being designed to receive the EU directive 2011/36, this has not happened in full. Indeed, the legislation fails to include access to the single programme as soon as a valid reason has been identified, so as to indicate the person as a victim of trafficking or slavery. The so-called reflection period has not been adopted either, and the principle of non-refoulement is not respected, because of the legislation allowing for expulsion during the waiting period before social protection is either granted or denied, in certain cases, such as when crimes have been committed. This waiting period for a permit of stay in accordance with Article 18, and subsequently for the granting of international protection, can have a significant influence on applicants' psychological state, particularly female victims of trafficking. These women find themselves in limbo, with the risk of falling back into the sex trade precisely because of the demoralisation that can accompany this long wait.

Anti-trafficking programmes, including **N.A.Ve** and **Oltre la Strada** (see Table 1 Anti-trafficking programmes), usually guarantee the provision of psychological support for women victims of trafficking. This might be provided by anti-trafficking staff who contact a psychologist, or by a social worker from the local council with the agreement of the anti-trafficking worker, for women they deem in need of such services. Or some programmes, like the one run by Oltre la Strada in Ravenna called 'Starter', run specific projects offering psychological support to all victims of trafficking. Other initiatives that might be implemented with the input of the various anti-trafficking programmes, are the agreement protocols with other territorial entities, like the local healthcare body or the Sert (a service run by the local healthcare body to address problems linked to drug and alcohol addiction). The N.A.Ve project had started an experimental partnership, which then was not repeated, with the Venice prefecture, in which people who presented indicators of trafficking were immediately referred to an experimental CAS (emergency reception centre). Swift identification helps prevent a worsening of the psychological state of victims of trafficking, and also increases the chances of removing them from the criminal network. The Oltre la Strada project in Ravenna started a partnership with the Sert for victims of trafficking suffering from addiction, a significant factor, according to previously mentioned research, as women in prostitution often present with such addictions.

Below are the indicators outlined in the UNHCR guidelines for the identification of victims of trafficking and sexual exploitation, categorised according to the form of exploitation⁸:

⁸ https://www.unodc.org/pdf/HT_indicators_E_LOWRES.pdf

Sexual exploitation

People who have been trafficked for the purpose of sexual exploitation may:

- Be of any age, although the age may vary according to the location and the market
- Move from one brothel to the next or work in various locations
- Be escorted whenever they go to and return from “work”⁹ and other outside activities
- Have tattoos or other marks indicating “ownership” by their exploiters
- “Work” long hours or have few if any days off
- Sleep where they “work”
- Live or travel in a group, sometimes with other women who do not speak the same language
- Have very few items of clothing
- Have clothes that are mostly the kind typically worn by prostituted women
- Only know how to say sex-related words in the local language or in the language of the client group
- Have no cash of their own
- Be unable to show an identity document

The following might also indicate that people have been trafficked:

- There is evidence that suspected victims have had unprotected and/or violent sex.
- There is evidence that suspected victims cannot refuse unprotected and/or violent sex.
- There is evidence that a person has been bought and sold.
- There is evidence that groups of women are under the control of others.
- Advertisements are placed for brothels or similar places offering the services of women of a particular ethnicity or nationality.
- It is reported that sex workers provide services to a clientele of a particular ethnicity or nationality.
- It is reported by buyers that prostituted women do not smile.

⁹ It is very strange that the word “work” is used to describe the sexual exploitation of these women who are clearly victims of trafficking and of sexual exploitation. We recommend that this terminology must be changed and rendered adequate to the situation. If this is not done, it would become another form of violence against the women. Sexual exploitation can never be considered “work”. It is violence and must be stated as such.

Although there are guidelines for the identification of victims of trafficking developed by the UNHCR, some of the women interviewed report that they were not immediately identified as victims of trafficking. One of them was granted protection as a refugee - initially denied by the Territorial Commission - only after she agreed to provide information concerning her madam.

With regards to assistance for minors who are victims of trafficking, the National Anti-trafficking Plan (NAP) 2016-2018 states: "The Ministry of Justice, through the social services office of the department of youth justice and community, in coordination with the services of local institutions, guarantees emotional and psychological support for minor victims of trafficking, at every stage of the criminal proceedings, in accordance with Article 609 decies P.C"

In terms of general assistance for victims, it states: "Based on current legislation, the measures that must be adopted to promote the implementation of safeguards for victims of trafficking and exploitation must be derived primarily from the system currently in force pursuant to law 24/2014 and also from the provisions of the 2011/36 directive and of the Council of Europe Convention, some of which have not been directly transposed into national law but are equally applicable (...)."

Among the measures designed to promote the adequate and effective protection of victims of trafficking, the NAP also states:

The adoption of specific guidelines on the fulfilment of the obligation of information in favour of victims, as required by art. Article 11 of the Directive in relation, where applicable, to the right to a residency permit under Article 18 of Law 286/98 and the right to apply for international protection, to request emotional and psychological assistance from an association with proven experience in the field (art. 609 decies c.p., subparagraph 3), to request legal aid, including by way of compensation, to request "protected hearing" in accordance with art. 498, paragraph 4b of the C.P.P. (Penal Procedure Code), to require the presence of an expert in child psychology or psychiatry during interrogations carried out during preliminary investigations by law enforcement and judicial authorities, pursuant to art. 392 C.P.P. and during the assumption of information by the judicial police (art. 351), the public prosecutor (art. 362), the lawyer (art. 391a) of the C.P.P. and at all stages of the proceedings. These guidelines, adopted in the Director's office, should also identify ways to achieve the coordination of protection systems for victims of trafficking and for the protection of applicants for international protection, (in application of art. 10 of Legislative Decree 24/2014 and art. 17, co. 2 D.lgs.18 August 2015, n. 142 - Implementation of Directive 2013/33/EU laying down rules on shelters for applicants for international protection, as well as Directive 2013/32/EU, on common procedures for granting and withdrawing international protection status) and with the system providing shelters for unaccompanied minors.

In section 4 of the Guideline "Protection and assistance of trafficked persons", entitled "Updating systems of shelter and inclusion", the section referring to the actions of prompt shelter for minor victims reads:

Ensuring the emotional and psychological assistance of unaccompanied minors in every state and degree of the procedure, from the presence of suitable persons indicated by the minor, as well as groups, foundations, associations or non-governmental organisations with proven experience in the field of child care and signed up to the register provided for by Article 42 of the Consolidated Law on Immigration, with the consent of the child and admitted by the judicial or administrative authority. An unaccompanied foreign minor shall have the right to participate, through their legal representative, in all judicial and administrative proceedings concerning him or her and to be heard on the merits. To this end, the presence of a cultural mediator must be ensured. (...)

In order to achieve efficiency, in the organisation of law enforcement and assistance to victims of trafficking and in the planning of expenditure, it is necessary, as far as possible, to establish priority areas of intervention with ad hoc funding that cannot overlap with the different social assistance and inclusion measures present in the different geographical regions. Due to their vulnerability, persons supported by the national intervention system to help victims of trafficking and serious exploitation must have access to these support services, as well as integrating the plurality of services offered to victims of trafficking and serious exploitation with a single programme of emergence, assistance and social integration consolidated within the territorial social services and carried out directly by the territorial social services and/or by private persons with whom they have an agreement, registered in the appropriate section II of the register of Associations and Bodies, which carry out activities in favour of immigrants, as provided for in Article 52, paragraph 1, of the Regulation implementing the Consolidated Law on Immigration, D.P.R. 31 August 1999, n. 394, updated in art. 46, subparagraph 1, D.P.R. 18 October 2004, n. 334, in order to achieve strong synergy between the various service chains (social, educational, legal, housing, psychological, work, etc.), avoiding the logic of the "single" intervention, in favour of the multisectoral intervention. These programmes will have to be carried out through the preparation of individualised welfare and educational projects, based on and governed by public responsibility by the social services of local and regional authorities, based on and governed by public responsibility on the part of the social services of local and regional authorities, through monitoring of the state of implementation and any changes that make it more in line with the objectives set. In addition, they must be implemented respecting the provisions of art. 46, subparagraph 1, of the D.P.R. 18 October 2004, n. 334, in order to achieve strong synergy between the various service chains (social, educational, legal, housing, psychological, work etc.) avoiding the logic of the "single" intervention, in favour of the multisectoral intervention. It is useful to remember that art. 18 paragraph 5 specifies: "The residence permit provided for in this Article shall allow access to welfare services and study, as well as registration on the unemployment register and the performance of employment, subject to

minimum age requirements. If, on expiry of the residence permit, the person concerned is found to have an employment contract, the permit may be extended or renewed for the duration of the employment contract or, if it is for an indefinite period, in the manner laid down for that reason of stay. The residence permit provided for in this Article may also be converted into a residence permit for study purposes where the holder is enrolled in a regular course of study."

Article 19 reaffirms the principle of *non-refoulement* by ensuring security for victims of trafficking in conditions of particular vulnerability that they may suffer, in the event of deportation, "persecution on grounds of race, sex, language, citizenship, religion, political opinions, personal or social conditions (paragraph 1)"; "where there are reasonable grounds for believing that they are at risk of being subjected to torture or inhuman or degrading treatment.(paragraph 1.1); "in the event of rejection of an application for international protection, where the requirements of paragraphs 1 and 1.1 are met, the Territorial Commission shall forward the documents to the Chief of Police for the issue of a residence permit for special protection(paragraph 1.2)", and in the cases referred to in paragraph 1 and paragraph 1.1, a special protection permit is issued by the Quaestor, before the recognition of international protection. (paragraph 1.2)

Art. 34 of Chapter I of the Consolidated Act on Immigration ¹⁰is dedicated to assistance for foreigners enrolled in the National Health Service, paragraph 1 reads: "The following people have the obligation to register with the National Health Service and have equal treatment and full equality of rights and duties with respect to Italian citizens as regards the contribution obligation, to the assistance provided in Italy by the National Health Service and its temporal validity:

- a. legally resident foreign nationals who are regularly employed or self-employed or registered as unemployed;
- b. foreign nationals who are legally resident or who have applied for renewal of residence permits, for employment, self-employment, family reasons, asylum, subsidiary protection, for special cases, for special protection, for medical treatment pursuant to article 19, paragraph 2, letter d-bis), for asylum application, for pending adoption, for custody, for acquisition of citizenship;

b-bis) unaccompanied foreign minors, including pending the issue of the residence permit, following legal alerts after their discovery in the national territory."

Article 35 is dedicated to healthcare for foreigners who are not members of the National Health Service:

¹⁰ <https://www.brocardi.it/testo-unico-immigrazione/titolo-v/capo-i/art34.html>

"For health services provided to foreign nationals not registered with the National Health Service, the fees determined by the regions and autonomous provinces pursuant to Article 8, paragraphs 5 and 7 must be paid by the persons liable for the payment of such services, of Legislative Decree no. 502 of 30 December 1992 and subsequent modifications.

2. The rules governing healthcare for foreign nationals in Italy on the basis of international bilateral or multilateral reciprocity treaties and agreements signed by Italy remain unaffected.

3. Foreign citizens present on the national territory, not in compliance with the rules on entry and stay, are insured, in public and accredited, emergency or essential outpatient and hospital care, although The Commission has also adopted a proposal for a Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States. In particular, the following shall be guaranteed:

- a. the social protection of pregnancy and motherhood, on equal terms as Italian citizens, pursuant to the laws of 29 July 1975, n. 405, and 22 May 1978, n. 194, and the decree of the Minister of Health of 6 March 1995, published in the Official Journal n. 87 of 13 April 1995, on equal treatment with Italian citizens;
- b. the protection of the health of the child pursuant to the Convention on the Rights of the Child of 20 November 1989, ratified and enforced pursuant to Law No. 176 of 27 May 1991;
- c. vaccination in accordance with the legislation and in the context of collective prevention campaigns authorised by the regions;
- d. international preventive measures;
- e. prophylaxis, diagnosis and treatment of infectious diseases and possible remediation of their outbreaks."

The Health of victims of human trafficking/survivors is paramount in view of the exploitation that they were subjected to. The health of the victims is always of little importance to traffickers who often prevent them from seeking medical help. This is due to their fear of being reported to the police or of outsiders who could assist the victim to escape. As a result of this, traffickers often rely on non-conventional medical methods: herbs and medicines that are procured by their collaborators from their country of origin and are then sold to the victims. These herbs and medicine are often the cause of various collateral medical issues to the victims.

Art. 35 paragraph 4: "The services referred to in paragraph 3 are offered without charge to applicants if they lack sufficient economic resources, without prejudice based on any inequality of participation in the expenditure compared to Italian citizens."

Art. 35 Paragraph 5: "Access to health facilities by the foreigner not in compliance with the rules on residence will not result in any type of alert to the authorities, except in cases where the report is mandatory, on equal terms with Italian citizens."

Of course, it is necessary for the various actors involved in combating trafficking to create an environment of trust in which women can feel safe. For example, the police must ensure that victims of trafficking are recognised as such and not as irregular migrants. In particular for victims of sexual exploitation, the first contact with victims will be facilitated by a constant presence of civilian and specialised police officers in the places of exploitation, to get in touch with potential victims and erase the negative image of the police officer, impressed on the victims by their exploiters or based on the citation in their country of origin. They must gain their trust by informing them about their rights and opportunities for assistance and directing them towards specialised institutions. In case of recent violence, a medical examination is required.¹¹

Being isolated, victims of trafficking need to be able to receive immediate assistance as soon as they make their first contact, which might be through the anti-trafficking helpline, open 24 hours a day and provided by staff that can respond in several languages.

This first contact, if conducted by non-specialized organisations (social services, hospitals, third sector organisations), should be carried out as a conversation, without making promises and in the presence of an interpreter, directing the victim of trafficking to specialised partner organisations or the relevant police force. Street outreach units should establish a relationship of trust with women in prostitution, give them information about healthcare, accompaniment and access to local services, and direct them to exit services. Furthermore, street outreach units produce information and awareness materials in the native languages spoken by such women, observing and reporting on the phenomenon of prostitution.¹²

Chapter Two - Legal Support

The Debate on sex trafficking in Italy

The issue concerning human trafficking had not yet made its way onto the public agenda between 1970 and the end of 1980. This was due to a decrease in street prostitution in Italy, precisely in those years and an increase in prostitution taking place indoors, such as apartments and houses. This had made the phenomenon of prostitution much less visible to public opinion and institutions in that period. Moreover, most prostituted women were

¹¹ The book *Libera dal racket della prostituzione* (Free from the Racket of Prostitution), by Adelina, a former victim of trafficking, also highlights the need for an immediate medical examination, from the moment a report is made or a victim is taken in.

¹² Trafficking in Human Beings, How to assist a victim? – Programme Daphné, October 2002

represented, by Italian women and, for a smaller percentage, by women from South America and Austria. In the nineties, the situation changed again. In fact, consistent immigration begins from areas of war and economic crisis, such as Africa, especially Nigeria and Eastern Europe, mostly from Albania. The critical situations of the seventies concerning street prostitution reappear. According to the data of the Europap report of 2000, 54% of foreigners prostituted on the street are African, 30% from Eastern Europe and the remaining 16% women from South America.

The two main countries of origin of the prostitution system were also distinguished by two different forms of exploitation. The Nigerian women initially arrived in Italy as a result to the abetment that the smuggling organizations enjoyed at the Lagos embassy, which traded entry visas. Unlike Albanian women, Nigerians are still forced to pay off a high debt to enter Italy. Trafficking for sexual purposes mainly consists of a debt system [1] which appears to be high (ranging between € 25,000 and € 120,000)¹³. The traffickers stipulate a sum and the families borrow money, sell goods in order to pay a contribution towards the cost of the trip. Despite this contribution, the woman is still forced to pay off the debt, since the money paid by the family is not considered part of the sum of this debt. Once the debt is paid, women are still vulnerable because they lack money, skills and support networks. Furthermore, women cannot send money to their families if the debt has not been fully paid off, under penalty of an increase in the debt itself, sanctions or punishments. Usually it is the “madam” who determines when the debt is settled. Some women continue to work in the sex market because they cannot find other jobs that allow them to support their families in Nigeria. Some also stop paying the debt due to exhaustion, violence in prostitution and coercion.

In both cases, both for Nigerian and Albanian women, there is talk about trafficking for sexual purposes. In the nineties, therefore, the phenomenon of prostitution became visible again, prompting some local administrations, to counter the phenomenon in their territory, to adopt ordinances, more for the purpose of public decorum than for a real protection of women victims of deals, trying to contain the outrage of public opinion.

The legislation in Italy after the debate about trafficking

The debate on trafficking became prominent since the early nineties and therefore, remains in the 1998 adoption of one of the most important instruments in the Italian domestic law Immigration: The Consolidated Act on Immigration discipline and rules on the status of the foreigner. Among the major strongholds in assisting victims of trafficking is precisely the art. 18 of the Consolidation Act of 1998, which prepares the release of the residence permit for social protection reasons *"to allow the foreigner to escape the violence and the criminal organization and to participate in an assistance and social integration program"* (art. 18, paragraph 1). The residence permit lasts six months and is renewable for another year. The

¹³ See Aghatise, E. (2004). Trafficking for Prostitution in Italy: Possible Effects of Government Proposals for Legalization of Brothels – Violence Against Women, vol. 10, Number 10, October 2004 – Sage Publications, Thousand Oaks, USA.

third sector has significantly contributed to the adoption of the Consolidated Act by putting pressure on the government to guarantee greater support for victims of trafficking that was not ensured by the previous Dini decree of 1995, never converted into law.

The novelty lies in the dual path, judicial and social, without a reciprocal influence between the two. The legislation prior to Article 18 provided for the issue of a residence permit for legal reasons, which requires the cooperation of the foreigner man or woman with the Police and was therefore linked to the timing of the process, given that it was recognized only after the start of the criminal trial. On the other hand, the granting of a residence permit for social protection reasons, is not linked to the victim's obligation to report and this favours greater social and psychological balance within a climate of trust. A serene and protected environment is essential for any judicial collaboration. The proposal to issue the residence permit can be implemented, as well as "by the public prosecutor in cases where a procedure has begun", also "by the social services of local authorities or associations, bodies and other bodies" owners of social protection. Subsequently, the commissioner orders the delivery of the residence permit for humanitarian reasons. The permit for social protection allows access to work, study and welfare services and can be converted into a residence permit for subordinate work or for study purposes. The revolution lies in the social process, for which for the first time the victim of trafficking is granted the right to remain in the territory and to have assistance, without the latter being obliged to initiate a criminal trial.

In some stories, however, it emerges that there's a pressure on the girls to denounce their traffickers. The latter often refuse to file a complaint because the traffickers threaten the family of origin. Such threats force women to pay criminals using the same money they receive from the project providing shelters.

Despite the innovative element introduced by the binary system provided by Article 18 of the legislative Decree 286/1998, the criticalities are observed. The social course is still very much linked to the discretion of the commissioner. Its implementation, rather than based on a principle of law, often occurs only if there is good cooperation between the Police Headquarters and the competent services in fighting trafficking. Frequently the granting of the residence permit takes place only if there has been an express desire to collaborate with the authorities and this transforms everything into a negotiation between the State and the victim. The state allows the second to reside within its borders and the second adjusts to cooperate to offer its support to the state and fulfil his duties regarding security.

A critical issue reported by the women interviewed is the lack of protection by the institutions. Many of them continue to be threatened, by the madam or the traffickers, so much so that they are forced to destroy the sim of their mobile phones. In this case too, the language mediation service could be strategic, so that the victim can be fully aware of the need to enter a protected path.

Another issue of the permit, according to Article 18 of the Consolidation Act on Immigration, is its short life span, which is why the operators of anti-trafficking projects try to obtain protection for applicants who are victims of trafficking, to have greater protection. Humanitarian Protection, which was abolished by the Salvini decree which is the Security Decree n. 113 of 4 October 2018 and became law no. 132/2018 and reintroduced later with the name of "special protection" with law no. 173 of 2020, however, does not offer adequate protection due to its short duration of 2 years. This can also be understood from the story of the fifth interviewee, who obtains this type of protection; it is not enough to guarantee her self-sufficiency. Trying to obtain subsidiary protection is much more protective since, unlike humanitarian protection, it lasts 5 years.

Legislative Decree 24/2014, which transposes Directive 2011/36 / EU, is also fundamental in the legislation. This modifies article 600 of the Criminal Code and improves article 601, leading to an amendment in the Criminal Procedure Code which introduces special procedures for carrying out the pretrial hearing also for adult victims in the case that they are "*in a condition of particular vulnerability, also inferred from the type of crime for which one proceeds*".

It would have been appropriate to extend this modification to all victims of trafficking and not just to those with specific vulnerabilities. This in fact allows a certain discretion while assessing these vulnerabilities, and from the interviews carried out the vulnerability of these women is more than evident, although this could still be ignored anyway.

Art. 4 of Legislative Decree 24/2014 outlines, in the case of doubt regarding the minor age of the victim, that the latter should be considered a minor, in such a way that the victim has direct access to immigration shelter measures. Furthermore, it demands to verify the age of the victim by following a multidisciplinary process "(...) *conducted by specialized personnel and following the appropriate procedures that also take into account peculiarities relating to the ethnic and cultural origin of the underage as well as, where appropriate, the identification of underage through the involvement of diplomatic authorities*".

When it is not possible to define the age of the victim through this method, the latter is to be considered a minor.

The definition of the single plan takes place on 16 May 2016 with the Decree of the President of the Council of Ministers, which initiates the Definition of the single plan of emergence, assistance and social integration in favour of foreigners and citizens referred to in paragraph 6-bis of the 'art. 18 of Legislative Decree 286/1998, victims of the crimes under article 600 and 601 of the criminal code, or who comes under cases referred to in paragraph 1 of the same article 18, to be carried out during the emergencies by the projects that ensure food, adequate accommodation, and medical assistance, and to subsequently arrive at inclusion-oriented assistance. The projects of the single plan have the obligation to respect the general principles of multi-agency work, prevention of revictimization, institution of individualized

paths according to the person considering, first of all, victim's needs, will, and abilities, in compliance with the principle of non-discrimination.

In the Legislative Decree 24/2014, the opportunity was not taken to express one of the fundamental principles of Directive 2011/36 / EU, hence the right to access the state's legal aid reserved for victims without adequate economic resources. Art. 6 of this decree, concerning the "Right to compensation for trafficking victims", is also problematic. The current system is, in fact, not adequate to ensure the right to compensation for victims. To this purpose, it assigns the resources of the Anti-Trafficking Fund but does not provide additional funding making the provision less effective. In addition, art. 6 dictates, through paragraph 2-ter of Article 12 of L 228/2003, a flat-rate compensation for each victim equal to 1,500 euros, however, restrained by the availability of the funds for Anti-trafficking. The basic compensation is the same for all the victims, but their stories are different as well as the damage and trauma suffered, and the figure is still small.

Article 9 of Legislative Decree 24/2014 makes another amendment to Law 228/2003, in particular to Article 13, which provides for the adoption of the National Action Plan against trafficking in human beings. humans (PNA), which should have been adopted within three months of the entry into force of Legislative Decree 24/2014, and is aimed at (...) *defining 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.* Unfortunately, the PNA was carried out about two years later, on February 26, 2016.

Article 10, concerning the referral provisions, refers to the Administrations to define the coordination measures between the anti-trafficking system and the Italian asylum system. Article 10 highlights the need to offer the foreigner adequate information, both regarding trafficking and the possibility of applying for international protection, and finally indicates how the Territorial Commissions, in case during the investigation any evidence of factors that lead to trafficking or enslavement appears, must report relevant Acts to the Police commissioner.

National Action Plan (NAP) against Trafficking and Serious Exploitation 2016-2018 has played a vital role in combating trafficking; PNA aims to define multi-year intervention strategies to prevent and fight against the phenomenon of trafficking and serious exploitation of human beings, as well as actions aimed at raising awareness, social prevention, emergence and social integration of the victims.

The NAP presents two channels of actions inside it:

1. *combat and punish the crime of human exploitation by law enforcement agencies prevention and protection of victims, for the implementation of which public social services and private social services, which are accredited through registration in a specific section of*

*the register for associations and authorities, that carry out activities in su*The Plan is implemented according to five priorities, which are indicated by the EU Strategy, aligned with to the four guidelines (prevention, prosecution, protection, partnership):

1. identification, protection and assistance of victims of trafficking
2. Strengthening the prevention of human trafficking
3. Strengthen the prosecution of human traffickers
4. Improve coordination and collaboration between the main stakeholders and policy coherence
5. To improve the understanding of the issues related to all forms of human trafficking and to provide a relevant response.

Regarding the guidelines, the first, that of prevention, is implemented by reducing the causes of trafficking and the damage caused by it, including through the launch of awareness-raising campaigns, involving both communities of migrants and business-people, strengthening cooperation with international bodies responsible for trafficking.

The second direction concerns the criminal action and gives centrality to the Law Enforcement Authorities and the Judicial Authority in the fight against trafficking in human beings. It considers the training of Public Prosecutors and Magistrates to be significant regarding the phenomenon of trafficking and its contrast.

The third directive reaffirms the duty to protect and assist victims of trafficking and severe exploitation through prompt identification, which is made possible only if the persons in charge are adequately trained, on the rights and paths that victims of trafficking may have.

The fourth and final guideline concerns cooperation with the countries of origin of trafficking and aims at strengthening relations with the institutions and with civil society. It also sets up development cooperation initiatives with these countries, with the help of international organisations.

At the moment, the new three-year National Anti-trafficking Action Plan 2019 and 2021 is being drafted. On 2 March 2020, the Minister for Equal Opportunities and the Elena Bonetti family, during the meeting with the Direction Cabin for the prevention and fight against trafficking in human beings, with representatives of the relevant ministries, of the Law Enforcement and the Conference of the Regions together with the national prosecutor Anti-mafia and Counter-Terrorism, Federico De Raho, reiterated that the most important objective is the definition of a new plan for 2021, which will have to bear in mind the emergency situation caused by the Covid-19 epidemic which has undoubtedly worsened the already precarious situations of vulnerable people.

It should be noted that in Italy the Merlin law has been in force since 1958, with which, after its entry into force, the closure of the “closed houses” was started. Specifically, in art. 3 is reported: *“One is punished with imprisonment from two to six years and with a fine from L.100.000 to 4.000.000, except in any case the application of Article 240 of the Criminal Code.”*: anyone who owns or manages a prostitution house; anyone who tolerates prostitution activities within their own homes or public premises and / or managed by themselves; anyone who hires a person in order to make them engage in prostitution activities, or encourages such activity; anyone who pushes an older woman into prostitution, or carries out acts of pending, in closed or open public places, including for advertising purposes; anyone persuading a person to move to another State or place other than that of his residence, in order to engage in prostitution there; anyone who carries out an activity in association with national or foreign organizations prone to recruiting people to be directed to prostitution or the exploitation of prostitution, and finally, anyone who facilitates the exploitation of the prostitution of others. It is clear that this law, even if enacted within a national context still lacking a debate on the phenomenon of trafficking, clearly anticipates some of the crimes envisaged by the Consolidated Act on Immigration and the criminal code, including exploitation, aiding and abetting and trafficking. in person for sexual purposes.

It is important to remember that in the general principles of the Consolidated Act on Immigration it is reiterated that the foreign citizen male or female, enjoys the same rights and duties as the Italian citizen, therefore in paragraph 1 of art. 2 reads: *“The fundamental rights of the human person, provided for by the rules of domestic law, by the international conventions in force and by the generally recognized principles of international law, are recognized to the foreigner, however present at the border or in the territory of the State.”* Paragraph 5 states: *“The foreigner present at the border or on the State’s territory is recognised the human being’s fundamental rights provided for by the rules of domestic laws, by international conventions in force and by the principles of international law generally recognised.”*

Art. 3 of the Consolidated Act on Immigration is also important which specifies that *“The President of the Council of Ministers, having heard the Ministers interested, the National Council of economy and labour, the permanent Conference for the relationships among State, regions and autonomous provinces of Trento and Bolzano, the State-City Conference and local autonomies, the national bodies and associations mostly active in assisting and integrating immigrants and the workers’ and employers’ organizations mostly representative at national level, organises every three years, withstanding the need of a shorter term, the programmatic document concerning policies for immigration and aliens present on the State’s territory, which is approved by the Government and submitted to the Parliament.”*

The anti trafficking systems in Italy

In Italy, the national referral mechanism is coordinated and financed by the Department for Equal Opportunities of the Presidency of the Council of Ministers. Assistance to human beings is provided through the Single Program for the emergence, assistance and social integration of female victims of trafficking and exploitation. The Single Plan is fully funded by the Department's annual budget (24 million euros in 2019).). The latter publishes the three-year call for proposals for the presentation of projects for the implementation of the Single Plan. The announcement indicates the necessary protection and assistance services (for example accommodation, health care, legal assistance and support in applying for a temporary residence permit, language courses, vocational guidance and training, job search support). The proposals can be presented by the Regions, the Autonomous Provinces, the Municipalities, civil society organizations, including those engaged in activities aimed at migrants. Twenty-three projects were funded in 2019 to provide housing, health and social integration services for a maximum period of 15 months.¹⁴

The Italian system to combat trafficking and serious exploitation has been operational since 2000 and is coordinated and co-financed by the Department for Equal Opportunities. This system of assistance to female victims of trafficking is based on three fundamental action points implemented through the single program of emergence, assistance and social integration (already mentioned in the legislative decree 24/2014). The three action points are as follows:

- Emergence
- First level Assistance
- Second level shelters and social inclusion

The National Anti-Trafficking Toll-Free Number 800 290290, launched by the Department for Equal Opportunities, offers a free 24-hour telephone service that:

- It gives the possibility to victims, or to those who want to help them, the essential information to get out of a condition of exploitation. It can put victims, or potential victims, in contact with operators, who are also available 24 hours a day and are territorially close, capable of taking charge of the person.
- Coordinates the MIR((messe in rete, trasferimenti dei beneficiari)) procedures (networking, transfers of beneficiaries).

¹⁴ https://www.ilo.org/wcmsp5/groups/public/---europe/---ro-geneva/---ilo-rome/documents/publication/wcms_763388.pdf

The programs can be carried out by the bodies accredited to the implementation of assistance and social integration programs and therefore the agency registered in the second section (former third) of the Register of Agencies and Associations that carry out activities in support of immigrants, established at the Ministry of Labour and social policies, as established by Presidential Decree 394/1999 (artt.52,53,54).

The projects initiated by the single call are put in place by public or private social agencies (if these are registered in the section of the register of associations and agencies that carry out activities in support of immigrants) and have the purpose of carrying out:

- First contact activities, with populations at risk of exploitation, aimed at protecting the health and the emergence of potential female victims of trafficking and / or serious exploitation, especially for persons applying for or holders of international protection;
- Actions carried out through multi-agency work, identification actions of the victim status also at the territorial commissions in order to obtain international protection;
- Prompt shelters, protection, health and legal assistance pursuant to Article 13 of Law 228/2003;
- Activities that have as their purpose the issue of the Residence Permit pursuant to art. 18 of Legislative Decree 286/98;
- Training (linguistics, IT, professional training courses) and socio-working placement;
- Actions aimed at connecting and adapting the protection system for victims of trafficking with the protection system for applicants / holders of international protection, including the launch of integrated protection paths between the two systems

Currently, there are 21 projects in Italy, dedicated to combating trafficking and serious exploitation that have won the latest 2019/2020 call.

Active projects during the period 01/03/2019 – 31/05/2020

REGION	PROJECT NAME	LEADING BODIES/INSTITUTIONS
Abruzzo, Molise	ASIMMETRIE 3- Abruzzo e Molise (Asymmetries)	Coop. On the Road

Basilicata	Persone, non schiave (people, not slaves)	Ce.St.Ri.M. (Centro Studi e Ricerche sulle Realtà Meridionali)(Center for Studies and Research on Southern Realities)
Calabria	IN.C.I.P.I.T. (Iniziativa Calabria per Identificazione, Protezione ed Inclusione sociale delle vittime di Tratta)(Calabria Initiative for Identification, Protection and Social Inclusion of victims of trafficking)	Region of Calabria
Campania	Fuori Tratta (out of trafficking)	Dedalus social Co-operative
Emilia Romagna	Oltre la Strada (Across the road)	Region of Emilia Romagna
Friuli Venezia Giulia	Il FVG in rete contro la tratta (The FVG networking against trafficking)	Autonomous Region of Friuli Venezia Giulia
Lazio	Piano regionale antitratta Lazio (Regional anti-trafficking program Lazio)	Region of Lazio
Liguria	HTH Liguria: Hope This Helps 2 - Il sistema Liguria contro la tratta e lo sfruttamento minorile (The Ligura system against the child trafficking and exploitation)	Region of Liguria
Lombardia (area of competence: provinces of Como, Milano, Monza, Brianza,	“Derive e Approdi 2019 Aree di libertà e diritti per vittime di tratta e sfruttamento negli ambiti territoriali di Como, Milano, Monza Brianza, Sondrio e Varese“	Municipality of Milano

Sondrio and Varese)	("Drifts and Landings 2019 Areas of freedom and rights for victims of trafficking and exploitation in the territorial areas of Como, Milano, Monza Brianza, Sondrio and Varese")	
Lombardia (area of competence: Provinces of Bergamo, Cremona, Mantova, Lecco, Lodi, Pavia, Brescia)	METTIAMO LE ALI, dall'emersione all'integrazione (LET'S PUT WINGS, from emergence to integration)	Ass. Lule
Marche	ASIMMETRIE 3- Marche(Asymmetries 3)	Coop. On the Road
Piemonte, Valle d'Aosta	"L'Anello Forte 2 – Rete anti tratta del Piemonte e Valle d'Aosta" (The strong ring 2 – Anti-trafficking network of Piemonte and Valle d' Aosta)	Region of Piemonte
Puglia	"La Puglia non Tratta 3 – Insieme per le vittime" "Puglia does not Traffic 3 - Together for the victims"	Region of Puglia
Sicilia (areas of competence: provinces of Messina e Catania)	Nuvole 3 (Clouds 3)	Ass. Penelope

Sardegna	Elen Joy	Congregazione delle Figlie della Carità (Congregation of the Daughters of Charity)
Sicilia (area of competence: provinces of Ragusa, Syracuse, Caltanissetta, Enna, Agrigento)	Fari 3	Coop. Soc. Proxima
Sicilia (area of competence: provinces of Palermo e Trapani)	Maddalena	Casa dei Giovani (House of the young)
Toscana	SATIS III – Sistema Antitratta Toscano Interventi Sociali (Tuscan Anti-Trafficking System Social Interventions)	Municipality of Viareggio
Trentino Alto Adige	Progetto Alba – programma di emersione, assistenza e integrazione sociale a favore di vittime di tratta e/o grave sfruttamento (Alba project - program of emergence, assistance and social integration in favor of victims of trafficking and / or severe exploitation)	Ass. La Strada
Umbria	FREE LIFE 3 – Fuori dal Rischio Emarginazione ed Esclusione – Liberi Insieme Favorendo l'Emersione (Out of the Risk of Marginalization and Exclusion - Free Together By Promoting Emergence)	Region of Umbria

Veneto	Progetto N.A.Ve – Network Antitratta per il Veneto (Project N.A.Ve - Anti-trafficking network for Veneto)	Municipality of Venezia
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Chapter Three - Economic Empowerment

Another important aspect in the Italian legislation, concerning the fight against trafficking in human beings, is represented by law n.228/2003, which regards measures against trafficking in human beings. This law modifies and updates articles 600, 601 and 602 of the penal code, in order to correctly transpose the provisions of the Palermo Protocol. Law 228/2003 creates the Anti-trafficking Measures Fund “(...)to finance assistance and social integration programmes in favour of the victims, as well as of the other finalities of social protection provided by Article 18 of the Consolidated Act of provisions on immigration and norms about foreigner’s state, referred to in the legislative decree of July 25, 1998, n.286.”

In the above mentioned article 3 of the Consolidated Act on Immigration, in paragraph 2 it is specified that the policy document - drafted by the Prime Minister, the National Economic and Labour Council, the Permanent Conference on relations between the State, the regions, the autonomous provinces of Trento and Bolzano and the national actors active in assisting immigrants together with workers’ organizations - should indicate what immigration interventions Italy proposes to implement, also in collaboration with other EU member States, other international organizations, Community institutions and NGO, and through the conclusion of agreements with countries of origin. This policy document should also indicate economic and social measures regarding foreigners staying in the territory of the Italian State, in matters that should not be disciplined by the law.

Chapter Two of the Consolidated Act on Immigration outlines the “Provisions on the right to education and the right to pursue a profession.” Article 37 is dedicated to the assistance addressed to professional activities, in particular in paragraph 1 it is indicated: “By way of derogation from provisions on nationality condition within one year of the 6 March 1998 law coming into force, n. 40, for foreigners that are legally residing in Italy and that possess professional and legally recognised titles, which are also valid to practise professions in Italy, the registration to Orders and Professional Associations is allowed. Or in the case of previously unregulated professions, registration in special lists to be established by competent Ministries is permitted, as provided in the implementing regulation. The registration to the predicted registers or lists is a necessary condition for the practice of professions, even professions with a dependent employment relationship. Foreigners who have been admitted to supernumerary courses for Diploma, bachelors, second cycle degree

or PhD are not allowed to use the derogation, unless authorized by the Government of the country of origin.

The following paragraphs of Article 37 specify:

“2. The implementing regulation establishes modalities, conditions and time limits for the authorization to practice professions and for the legal recognition of professional titles not yet recognised in Italy. Provisions for the recognition of titles will be defined by competent Ministries, together with the Italian Ministries of University and scientific, technologic Research, after consulting Professional Orders and relevant trade associations.

3. As from the date of expiration of the appeal period, foreigners can register at Orders, Colleges or special lists, as paragraph 1 reports, within quotas defined in Article 3, paragraph 4, according to the maximum percentage of employment. This is in accordance with the criteria established by the implementing regulation.

4. In case of paid employment, equal pay and social security shall be granted under the same conditions as for Italian citizens.”

Article 38 states that foreign minors are required to attend school. Moreover, paragraph two reads: “The effectiveness of the right to education shall be granted by State, Regions and local authorities, even through the activation of appropriate courses and initiatives to learn the Italian language.”

Particular attention is given to the cultural exchange and the integration of students. Paragraph 4 outlines that the needs are identified also thanks to the contribution of foreigners’ associations present on the territory, thanks to diplomatic and consular representations of their home countries and voluntary associations.

Paragraph 6 specifies: “Regions, also through other local authorities, promote cultural programmes for different national groups, including with secondary school or university courses. Similarly, to the provisions for the children of EU workers and the children of Italian emigrants returning to Italy, specific supplementary teaching in the language and culture of origin is implemented.”

Article 38, paragraph 7, outlines: “By regulation adopted in accordance with Article 17, paragraph 1, of law 23 August 1988, n. 400, implementing provisions of this Chapter are dictated with specific indication:

a. of modalities for the implementation of specific national and local projects, with particular reference to the implementation of intensive courses of Italian language, as well as criteria and modalities of training courses to update the inspection and management staff’s skills, of teachers of school of every order and degree, and of criteria for the adaptation of education programs;

b. of criteria for the recognition of qualifications attained, or courses attended in countries of origin for the purpose of school integration, as well as of criteria and modalities of communication with families of foreign students, also with the aid of qualified cultural mediators;

c. of criteria for the registration and the inclusion of students coming from abroad, for the distribution of foreign students in classes and for the activation of specific activities for linguistic support;

d. of criteria for the stipulation of conventions referred to in paragraph 4 and 5”.

Article 40 in Chapter III is dedicated to centres providing shelter and access rights. Paragraph 1 states that “Regions, in collaboration with provinces, municipalities, associations and voluntary organisations, shall provide shelters destined to accommodate foreigners that are legally residing in Italy for reasons other than tourism and that are temporarily unable to provide for their own housing and subsistence needs. Shelters could also be structures that accommodate Italian citizens or citizens coming from other European countries.

Paragraph 2 states that shelters have the task of helping foreigners that are accepted in centres in the short term, to achieve self-sufficiency. Reception centres provide, where possible, social and cultural services designed for promoting autonomy and social inclusion of guests. Each region chooses management and structural requirements of the reception centres and allows conventions with private entities and funding.

Moreover, paragraph 3 reads: “Reception centres provide the housing facilities that, even free of charge, satisfy immediate housing and food needs, as well as, where possible, the offer of opportunities to learn the Italian language, professional training, cultural exchanges with the Italian population and social and health assistance to foreigners that are unable to do so independently/autonomously, for the time strictly necessary to achieve personal autonomy in order to satisfy room and board needs in the territory where they reside.”

Referring to Article 18 of the Consolidated Act, one of the main objectives of anti trafficking projects should be the autonomy of foreigners. However, effective autonomy does not seem to be achieved in the stories of the victims of trafficking who were interviewed.

The desire for autonomy is evident in all interviews. The integration process seems to start positively when women are welcomed into the anti-trafficking projects. Thanks to the residence permit for social protection reasons, they enjoy some protection until they obtain refugee status, subsidiary or humanitarian protection. Within the anti-trafficking projects, they often receive psychological support and are offered to carry out professional training. The reception path can also be extended by including the woman in the SAI reception system. The situation becomes worse once the women have finished the reception process. In fact, all the women interviewed, who have finished anti-trafficking projects or reception projects

dedicated to applicants for international protection, do not currently have a job and have not managed to maintain a certain level of economic independence.

In obtaining asylum, the anti-trafficking and reception projects dedicated to applicants for international protection present positive feedback in some of the stories of the respondents. One of the women, however, is even forced to ask for support from a fellow countryman after denouncing the boy who threatened her and refusing to move to another centre. The man who offers to help her asks her to make children for him. To support the family, the woman is forced to beg for alms, since she is also denied the renewal of protection.

Anti-trafficking systems do not always provide Italian language courses and professional training. In an interview, a woman reported the lack of a training service, despite being in an anti-trafficking system of the area.

Article 41 also states that foreigners, who possess a residence card or residence permit of not less than one year's duration, as well as minors who are registered in their residence card or residence permit, are treated in the same way as Italian citizens for the use of benefits and services, including economic benefits, social assistance and including those provided for "those suffering from Hansen's disease or tuberculosis, for the deaf and dumb, for the blind civilians, for the disabled and for the destitutes."

Chapter IV¹⁵ is dedicated to the Provisions on social integration, discrimination and the establishment of the fund for migration policies. Art. 42 provides that "the State, the regions, the provinces and the municipalities, within the scope of their competence, also in collaboration with associations of foreigners and with organizations permanently operating in their favour, and, in cooperation with the authorities or public and private bodies in the countries of origin, encourage the activities undertaken in favour of legally resident foreigners; the dissemination of information useful for the integration of foreigners (such as rights and obligations); knowledge and enhancement of cultural, recreational and social expressions, the economic and religious situation of foreigners legally residing in Italy and any initiative to provide information on the causes of immigration and to prevent racial discrimination or xenophobia, the implementation of agreements with associations regularly registered in the register referred to in paragraph 2 for the use within their structures of foreigners, who possess residence cards or residence permits of no less than two years, in the role of intercultural mediators in order to facilitate relations between individual administrations and foreigners belonging to different ethnic, national, linguistic and religious groups."

Article 45 states that the Presidency of the Council of Ministers shall establish the National Fund for Migration Policies, intended to finance the initiatives referred to in Articles 20, 38,

¹⁵ <https://www.brocardi.it/testo-unico-immigrazione/titolo-v/capo-iv/>

40, 42 and 46, included in the annual or multiannual programmes of the State, regions, provinces and municipalities.

Conclusions and recommendations

The research carried out highlights several issues concerning the system of protection and reception for victims of trafficking and sexual trade in Italy.

First of all, the psychological support seems not to be guaranteed in a constant way during the period in which women are accepted in reception systems and much depends on the anti-trafficking centre that carries out the taking in charge of the woman.

The health system, on the other hand, is also strategic in order to report potential victims of trafficking. This aspect is also evident in the words reported by Blessing Okoedion, a Nigerian woman, who experienced the traumatic experience of trafficking, later hosted at an anti-trafficking centre and accompanied in its path of integration. She has been living in Italy for several years and as a cultural mediator she has collected interviews within this research. "The first thing that they made in the centre that received me -Blessing remembers - was to take me to the hospital for a medical check-up. One of the women I interviewed told me that it was precisely the hospital, where she was hospitalized, that contacted a protected centre that housed her after she had been discharged. For the medical staff she could be identified as a victim of trafficking. This shows that the health system also plays a central role in identifying and caring for victims of trafficking, especially in relation to the treatment of sexually transmitted diseases (HIV), malnutrition, skin diseases, physical injuries, burns, gastrointestinal disorders, and more.»

In addition, the analyses reported in the first section of the research show that health and psychological care are essential in supporting women victims of trafficking. So that these women can benefit from immediate access to health services. However, there should be culturally and linguistically appropriate psychological support and there should be parallel services, which provide for their economic, social and legal security.

In the seminar "Donne in cammino: salute e percorsi di cura di donne migranti", held online on May 6, 2021, organized by Mediterranea Saving Humans, Donatella Albini (gynecologist and medical board of Mediterranea), reiterated the importance of rethinking reception policies through a gender perspective, providing the service of counselling even in hotspots. While,

Monica Paolini, (coordinator of the linguistic-cultural mediation service of the project N.A.Ve.), during the same seminar, explained the importance of cultural linguistic mediation in assisting women, many of whom do not want to go to hospital for the fear of being taken to detention centres. Dr Paolini says that each of these women has different health references

that are distant from the ones in the Italian system, often their health systems are not free. The time spent in Libya has taught these women that the right to health and care is not over-ordered to the fact of being irregular migrants. At any time, in Libya, they can be taken from the hospital and taken to a detention centre. When a woman arrives in Italy and lives within a system of exploitation has difficulty in perceiving the health service as safe and qualitative. Moreover, the linguistic mediation service is not guaranteed in the same way in all regions, for example in Lombardy, as reported by Dr Albini cultural and linguistic mediators are very difficult to find. Just explaining what pharmacological abortion and the use of contraceptives consist of can help change the lives of these women. In addition, research has shown that it is important to set up a network of services to protect trafficked women, their families and loved ones, who are also susceptible to threats and coercion from traffickers.

As regards the financing of the anti-trafficking and social protection system for victims, the latter is currently still too concentrated on the funds provided for by law 228/2003 and by article 25 of the Presidential Decree of 31 August 1999, n.394, which annually feed programs promoted by the Department for Equal Opportunities.

A recent analysis promoted by the Department of Equal Opportunities shows that, in the last four years, no more than 50 million euro have been used in total to implement actions in order to combat trafficking and favour social protection of victims, with an annual average of almost 12.5 million. About 85% of the sum is represented by the financing of interventions pursuant to Article 18 of the Consolidated Act on immigration and Article 13 of law 228/2003, and, on this quantity, the incidence of the State's share is about 71% (on average 7,5 million euro per year). The use of European funds (5%) is still small, although increasing.

Interviewing some operators and referents of the anti-trafficking systems, in particular those who work within the project Oltre la Strada and the project N.A.Ve (see tab.1 anti-trafficking projects), the critical elements that emerge forcefully are: the fragmentation of the anti-trafficking system and the application of Article 18 of the Consolidated Act on Immigration in a non homogeneous way on the national territory, as also stated by Francesca Nicodemi, lawyer of the Forum of Florence and coordinator of ASGI¹⁶. This inconsistent application of Article 18 makes the anti-trafficking system dependent on the sensitivity of those who work in the police station and on the working methodology that each antitrafficking project adopts and then applies in its territory of competence.

There is therefore a lack of homogeneity throughout the national territory, which could be provided by official guidelines aimed at anti-trafficking staff, but also at all those who interface with the category of users such as victims of trafficking, in particular victims of sexual trade, and therefore psychologists/s, psychiatrists/s, mediators, doctors, third sector practitioners, lawyers.

¹⁶ ASGI, Association for Legal Studies on Immigration. An association created to promote information, research and training on immigration law, asylum, discrimination and citizenship, [https:// www.asgi.it/](https://www.asgi.it/)

The lack of uniformity the anti-trafficking system is also perceived by the referent of Oltre la Strada, together with the weakness of the institutional body that finances the entire system, namely the Department of Equal Opportunities: *«The trafficking system has several levels: the Equal Opportunities Department, at the top, rather weak; and at the base there is a very heterogeneous system, in which in some regions the leading body is a public entity, in others it is represented by the Third sector. This leads to fragmentation in the management of anti-trafficking projects at local level. The top of the system is based on the Action Plan against Trafficking and Serious Exploitation¹⁷. The guidelines are the result of projects financed with European funds, because in normal operation there is no time and resources to develop them.»*

The referent of Oltre la Strada states that victims of trafficking are not only internal to the anti-trafficking system, but also to the international protection system. Consequently, those working with victims of trafficking and serious exploitation should also refer to the manuals and guidelines of the system of reception dedicated to applicants for international protection, such as "The Operations Manual for the activation and management of integrated reception services in favour of applicants and holders of international and humanitarian protection"¹⁸, (with updated version of the in-depth report "International protection of victims of trafficking or potential victims"). However, there is a need for a better connection between the reception system of the applicants for protection, namely SAI (Integration Reception System) and CAS (Extraordinary Reception Centres) with the anti-trafficking system, that is represented by the twenty-one anti-trafficking projects in Italy. This link is currently weak and inconsistent between regions. The referent then reiterates that there are some documents published by various associations, such as some association of mediators who prepared their own guidelines, or some projects that indicated the lines of intervention for psychologists, but their value and their "official" role should be contextualized in their field of action, that is not national but local. *“The great news could be the new National Action Plan against trafficking. If they attach some guidelines or manual documents (and I think it will happen) in the Plan, these guidelines will become official.”*

¹⁷ <http://www.pariopportunita.gov.it/materiale/piano-dazione-contro-la-tratta-e-il-grave-sfruttamento/>

¹⁸ <https://www.retesai.it/wp-content/uploads/2018/08/SPRAR-Manuale-Operativo-2018-08.pdf>

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