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ABSTRACT

The application of article 18 TUI in the fight against human trafficking is the focus of this thesis, which analyses its practical use through the study of two concrete cases: the Regional Anti-Trafficking Plan of Lazio (PRAL) and the municipal project "Roxanne e Oltre" of Rome. Through a multidisciplinary analysis that combines legal, statistical and empirical methods, including interviews with experts in the field, the research aims to verify the effectiveness of this regulatory instrument. The investigation revealed that, although Article 18 has lost its centrality due to victims' growing preference for international protection, it maintains a crucial role as a means of immediate protection. The thesis concludes that, although no longer the main instrument, Article 18 remains an important resource within the victim protection system, capable of responding to specific needs that other mechanisms do not cover.

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INTRODUCTION

Human trafficking is one of the most severe violations of fundamental human rights, involving coercion, exploitation, and the abuse of vulnerable individuals. According to the United Nations Office on Drugs and Crime (UNODC), trafficking in human beings represents a global phenomenon, with victims subjected to sexual exploitation, forced labour, domestic servitude, or compelled participation in criminal activities. Within Europe, Italy plays a central role both as a country of destination and, to a lesser extent, as a country of transit. In this context, the Italian legal framework has progressively adapted to international and European standards, introducing mechanisms of protection and assistance for victims, particularly through Article 18 of Legislative Decree 286/1998 (Consolidated Act on Immigration – Testo Unico sull’Immigrazione, TUI).

Research Focus

This thesis investigates the application of Article 18 TUI in the Italian system of protection against human trafficking, with specific attention to two different levels of intervention:

- the municipal project “*Roxanne e Oltre*” of the City of Rome,
- the Lazio Regional Anti-trafficking Plan (PRAL).

The comparison between these two case studies allows for an assessment of how Article 18 is translated into practice and how the interaction between communal and regional frameworks contributes to victim identification, protection, and integration. The final objective of the thesis is, in fact, to verify the effective use of Article 18 TUI in Italy, examining how the legal framework interacts with local and regional initiatives.

Main Research Question

How is Article 18 of Legislative Decree 286/1998 on trafficking in human beings applied through the municipal project “Roxanne e Oltre” of the City of Rome and the regional PRAL programme, and how do these initiatives contribute to the protection of victims of trafficking?

Sub-questions

How is Article 18 of D.lgs 286/1998 applied in practice to cases of victims or at risk of trafficking and exploitation?

What role does the project “Roxanne e Oltre” play in mainstreaming legal protections, and how effective is it in supporting the identification, protection, and integration of trafficked victims at the municipal level?

How does the regional PRAL programme complement legal protections, and how effective is it in supporting the identification, protection, and integration of trafficked victims at the regional level?

What differences emerge between the municipal and regional approaches?

Literature Review

The existing literature on human trafficking in Italy highlights the central role of the legal framework in shaping victim protection and assistance. Article 18 of the Consolidated Act on Immigration (Legislative Decree 286/1998) represents a cornerstone in this regard, introducing a residence permit for social protection that has been the subject of extensive doctrinal analysis. Alongside this provision, Law 228/2003 on measures against trafficking in persons and Law 172/2012, which ratified the Lanzarote Convention, have significantly contributed to strengthening the Italian regulatory system in alignment with international standards, particularly with the European Directive 2011/36/EU and the Council of Europe Convention on Action against Trafficking in Human Beings adopted in Warsaw in 2005.

The academic debate has been enriched by the contributions of jurists and scholars such as Maria Grazia Giammarinaro, who has extensively studied Article 18, the EU Directive 2011/36, and the broader intersection between vulnerability, gender, and human rights in the field of exploitation.¹ Her works, often in collaboration with Letizia Palumbo, offer a critical understanding of how Italian and supranational law address trafficking and labour exploitation.² Further insights are provided by Fulvia Staiano³, who has explored the protection of migrant women in international and European law, and Anne T. Gallagher⁴, whose work on the international law of human trafficking is considered a foundational reference in the field.

¹ Giammarinaro, M. G. (2012) *La direttiva 2011/36/UE sulla prevenzione e la repressione della tratta di esseri umani e la protezione delle vittime*.

² Palumbo, L. and Giammarinaro, M. G. (2021). *Vulnerabilità situazionale, genere e diritti umani. Analisi della normativa e della giurisprudenza Italiana e sovranazionale sullo sfruttamento lavorativo*.

³ Staiano, F. (2016) *The Human Rights of Migrant Women in International and European Law*

⁴ Gallagher, A. T. (2010) *The International Law of Human Trafficking*

Alongside these academic sources, institutional reports play a crucial role in mapping the phenomenon and evaluating policy responses. Among the most relevant are the annual reports of SIRIT (Anti-trafficking Data System), the evaluations of the Group of Experts on Action against Trafficking in Human Beings (GRETA) of the Council of Europe, and reports produced by international organisations such as the OSCE, UNODC, and IOM. NGO publications, particularly Save the Children's annual report *Piccoli Schiavi Invisibili*, provide updated data and testimonies on the exploitation of minors and other vulnerable groups. Finally, project-specific documentation, including materials from the Municipality of Rome's *Roxanne e Oltre* initiative and the Lazio Regional Anti-Trafficking Plan (PRAL), as well as contributions from the National Anti-Trafficking Network, offer an indispensable empirical basis for the comparative analysis developed in this thesis.

Methodology

This research adopts a multidisciplinary methodology that combines legal, statistical, and empirical analysis. First, statistical data are examined in order to provide an overview of the trafficking phenomenon in Italy and to contextualise the scope of the issue. Second, the legal framework is analysed in depth, with particular attention to Article 18 TUI, its evolution, and its alignment with both international and European standards. This step makes it possible to assess the extent to which the Italian regulatory system is capable of addressing the complex needs of trafficking victims.

The empirical dimension of the study is based on semi-structured interviews with key stakeholders. In particular, interviews have been conducted with the teams responsible for the *Roxanne e Oltre* project at the municipal level and with those managing PRAL at the regional level, in addition to a legal expert specialising in trafficking cases. These qualitative insights serve to bridge the gap between the normative framework and its implementation in practice, providing a more nuanced understanding of how legal protections are operationalised on the ground.

By integrating these approaches, the methodology seeks not only to verify the effective application of Article 18 TUI but also to highlight the strengths and weaknesses of both communal and regional interventions, thus enabling a comprehensive evaluation of their contribution to the protection and integration of trafficking victims.

CHAPTER 1.

OVERVIEW ON HUMAN TRAFFICKING AND LABOUR EXPLOITATION

1.1 Human Trafficking and Labour Exploitation

A global phenomenon that knows no borders, human trafficking and serious exploitation represent one of the most complex and difficult plagues of our time to deal with. The identification of victims is an extremely complex action due to the condition of extreme marginalization and isolation into which they are forced by criminal networks and individual exploiters. Trafficking manifests itself through three constituent elements: **conduct** (recruitment, transportation, transfer, hospitality or reception), the **means** (the use of force, coercion, abuse of power or exchange of money) and the **purpose** (the different forms of exploitation such as sexual, labour, slavery, forced marriages or organ harvesting).⁵

According to the latest global estimate from 2021⁶, approximately 50 million people⁷ are involved in subjugation and enslavement networks, of which 12.3 million are minors. Of these, 1.69 million minors are victims of sexual exploitation, 1.31 million are involved in labour exploitation and illicit activities, and 320,000 are victims of forced labour imposed by the state. Estimates for minors are considered by default due to the submerged nature of the phenomenon. The sectors that most interest very young people, in addition to the sexual one, include domestic work, agriculture, manufacturing, construction and begging. An analysis of the global phenomenon of forced marriages, which affects 22 million people, highlighted that the majority of them (73%) are organized by the parents of the victims, or by close relatives (16%).⁸

⁵ Save the Children Italy. 2024. *Piccoli Schiavi Invisibili* – This Report is Save the Children's annual report that denounces child trafficking and exploitation in Italy, highlighting the conditions of minors forced into sexual or labour exploitation. It provides data, case studies, and policy recommendations to raise awareness and push for stronger protection measures.

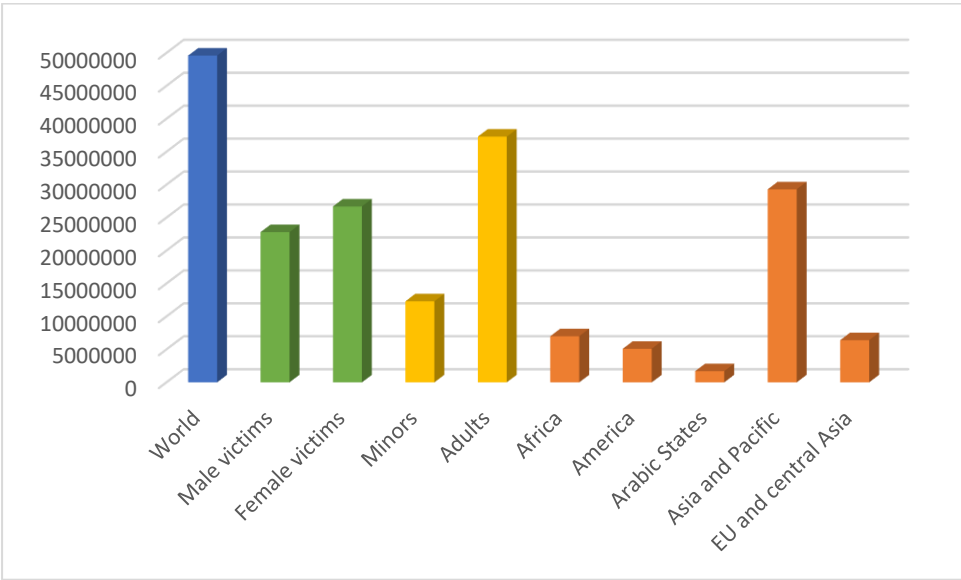
⁶ Realized by Walk Free ONG and ILO in partnership with IOM and published in *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (2022). Available at <https://publications.iom.int/books/global-estimates-modern-slavery-forced-labour-and-forced-marriage>

⁷ 1,3 million labour exploitation, 1,6 million sexual exploitation, 320.000 state-imposed forced labour, 9 forced marriages (Piccoli Schiavi Invisibili, 2024)

⁸ ILO, Walk Free, IOM, (2022). Report *Global Estimates*, *ivi*, pag. 46

The lack of safe and legal migratory channels, highlighted by UN agencies such as the International Labor Organization (ILO) and the International Organization for Migration (IOM), pushes people to resort to traffickers, exposing them to the risk of being intercepted by criminal organizations and suffer various forms of exploitation in transit and arrival countries.⁹ (Figure 1)

Figure 1. Estimate of the number of people in modern slavery (ILO, 2022)

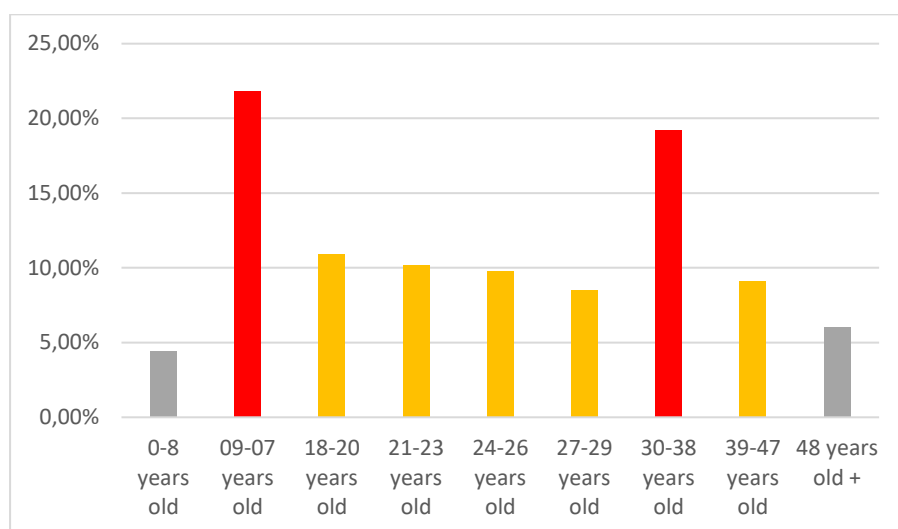


Source: personal elaboration; data taken from Save the Children Report Piccoli Schiavi Invisibili (2024)

In the period between 2011 and 2021, the data show how the majority of victims of trafficking are under the age of 26, representing 57.1% of the total. Among these, a significant share concerns minors: over a quarter of the people involved (26.2%) are in fact under 18 years of age. The most affected age group is between 9 and 17 years old, which alone constitutes 21.8% of the victims, followed by the age group between 30 and 38 years old, equal to 19.2%.¹⁰ (Figure 2)

⁹ International Organization for Migration - Coordination Office for the Mediterranean. 2017.
¹⁰ The Counter Trafficking Data Collaborative (CTDC). 2024. – With information provided by organizations worldwide, it is the first global data hub on human trafficking.

Figure 2. Age groups of victims identified worldwide (2011-2021)



Source: personal elaboration, data taken from CTDC, 2024

1.1.1 European Context

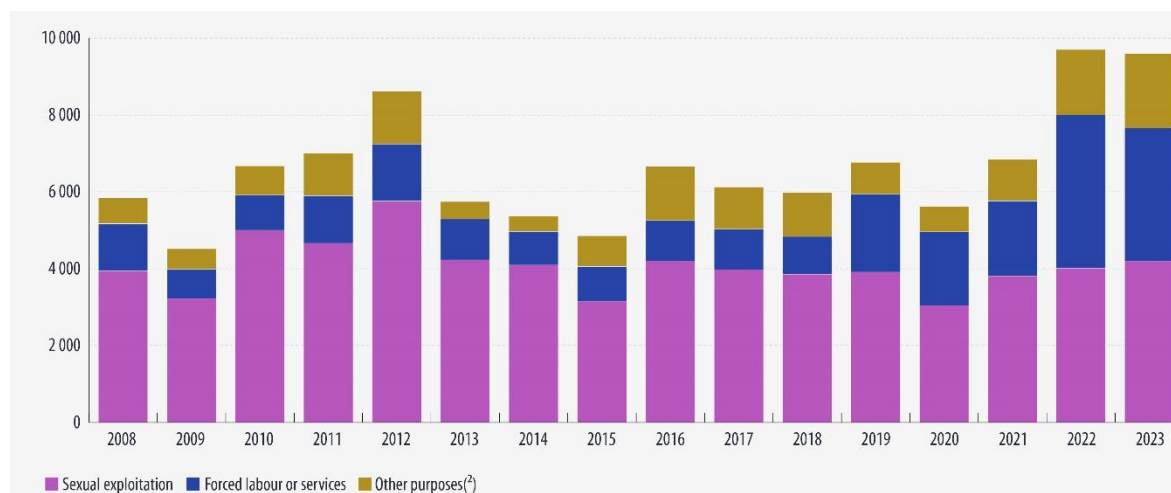
In 2023, there were 10,793 victims of human trafficking documented in the EU. There were 2,309 traffickers found guilty and 8,471 suspected. Women and girls made up nearly two-thirds (63%) of the human trafficking victims who were officially registered. On the other hand, women made up less than 25% of both suspected and convicted traffickers (24% and 23%, respectively).¹¹

There were 4201 victims of sexual exploitation (43.8% of all victims), 3 457 victims of forced labour (36.0%), and 1,937 victims of other trafficking-related activities, including organ removal, benefit fraud, criminal activity, forced begging, and others (20.2% of all trafficking victims) among the registered victims whose form of exploitation was reported. The number of victims who were recognized as being trafficked for forced labour or services increased noticeably. The percentage of these victims ranged from 14% to 21% from 2008 to 2018, and then from 28% to 41% starting in 2019.¹² (Figure 3)

¹¹ Eurostat. 2025.

¹² EU Commission. 2025.

Figure 3. Registered exploitation forms in Human being trafficking in EU, 2008-2023
(number of registered victims)

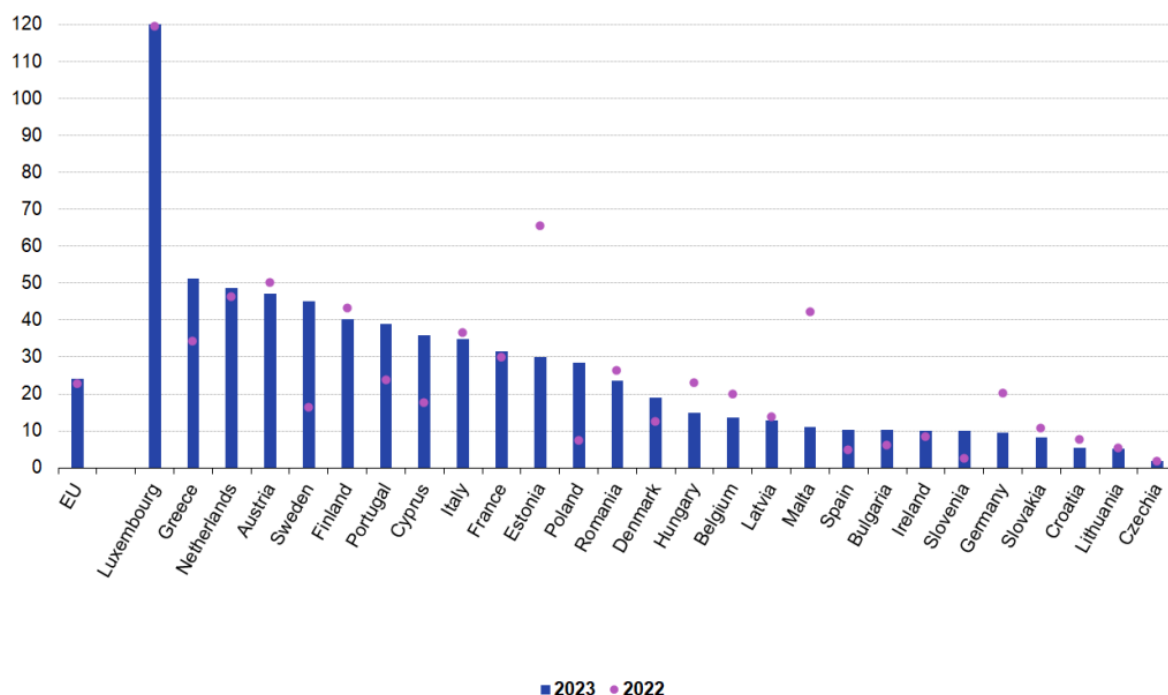


Source: Eurostat, 2025, '10 793 registered victims of human trafficking in 2023'

In 2023, there was an increase in the number of victims of trafficking in 14 of the 27 EU Member States compared to 2022, a phenomenon that in several cases was traced to greater attention by authorities and agencies engaged in combating human trafficking. In the same year, 24 victims of trafficking per million inhabitants were recorded in the EU, up from 2023 in 2022. The highest rates were found in Luxembourg (157), Greece (51), the Netherlands (49), Austria (47) and Sweden (45), while the lowest values were observed in Croatia and Lithuania (5) and in the Czech Republic (2). These differences may be related to a greater capacity of the judicial and social systems to identify victims: the case of Luxembourg is emblematic, where the actions already undertaken, including the proactive role of labour inspectors compulsorily trained on the topic of trafficking, have contributed to identify a larger number of victims.¹³ (Figure 4)

¹³ Eu Commission, (2025) – The European Commission coordinates EU anti-trafficking policies through the EU Strategy to Fight Human Trafficking 2021-2025, which aims to prevent the phenomenon, reduce demand and strengthen support for victims. It also promotes cooperation between Member States, EU institutions and international organisations, and finances projects to strengthen the capacity of governments and civil society. Finally, it monitors the implementation of Directive 2011/36/EU (see Chapter 2), making sure that the rights of victims are guaranteed in all member countries.

Figure 4. Trafficking in human-beings victims registered in EU (per one million inhabitants), 2022-2023

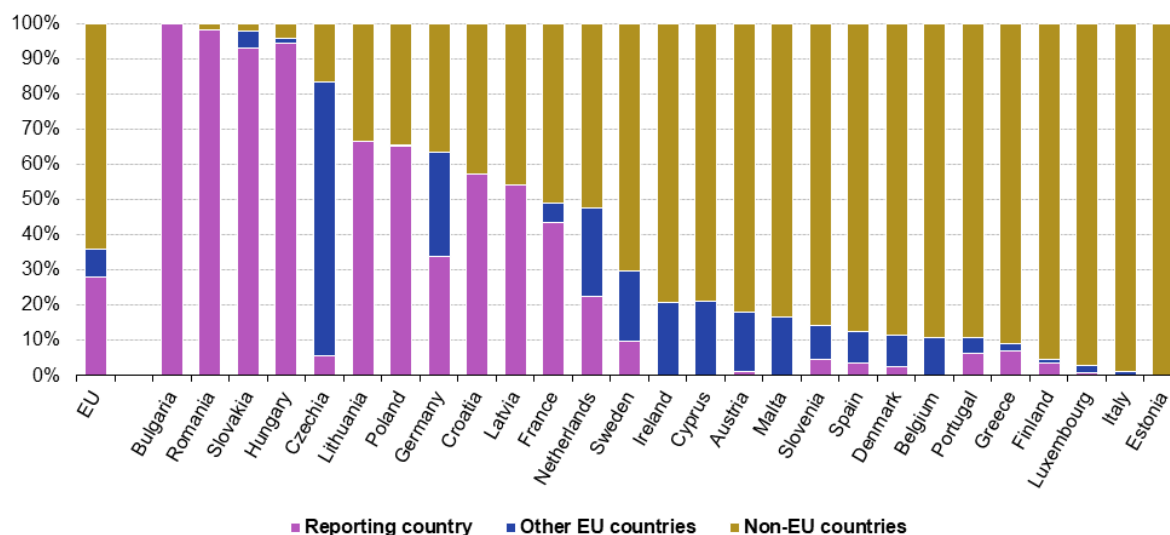


Source: Eurostat, 2025

Since the crime of trafficking does not necessarily presuppose crossing borders, victims with citizenship of the reporting country may return from abroad or be exploited within their own State. In 2023, at the overall EU level, 28% of registered victims were citizens of the reporting country, 7.9% came from other Member States and 64.1% from third countries. At the national level, the distribution by citizenship shows strong differences: Bulgaria, Romania, Slovakia, Hungary, Croatia, Latvia, Lithuania and Poland reported predominantly victims of national citizenship, while in Austria, Malta, Slovenia, Spain, Denmark, Belgium, Portugal, Greece, Finland, Luxembourg, Italy and Estonia over 80% of the registered victims came from non-EU countries.¹⁴ (Figure 5)

¹⁴ Directorate-General for Migration and Home Affairs. (2025). *New data indicates an increase of victims of trafficking in human beings in the EU*

**Figure 5. Trafficking in human-beings victims registered by citizenship in EU, 2023
(number of persons)**

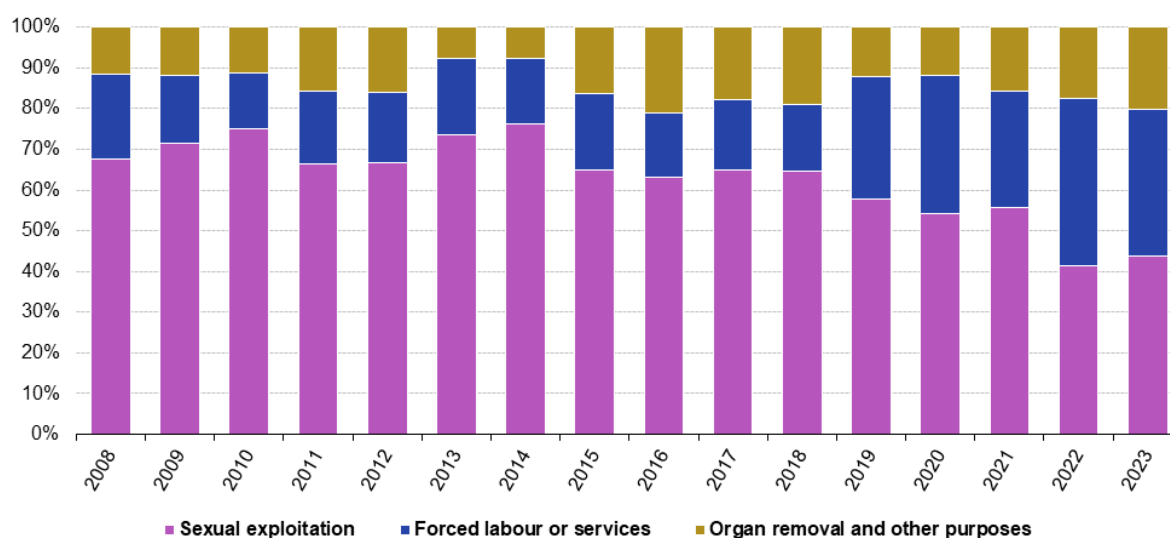


Source: Eurostat, 2025

Among the registered victims for whom the form of exploitation was reported, sexual exploitation prevailed in 2023 (43.8%), although its incidence progressively decreased in the period 2008-2023. At the same time, a significant increase in victims trafficked for work or forced services was observed: between 2008 and 2018 their share fluctuated between 14% and 21%, while from 2019 onwards it stood between 28% and 41%. Exploitation for organ removal and other forms, such as fraud to welfare systems, criminal activity, or forced begging, accounted for a total of 20.2% in 2023.¹⁵ (Figure 6)

¹⁵ La Strada International. (2025). – La Strada International is a European network of NGOs working from a human rights perspective to prevent trafficking, protect the rights of trafficked persons and promote their assistance, access to justice and effective remedies. It operates through advocacy, inter-member coordination, legislative monitoring, data collection, research, and awareness campaigns at European level.

Figure 6. Exploitation forms of human-trafficking (number of persons) in EU, 2008-2023



Source: Eurostat, 2025

1.1.2 Human Trafficking in Italy

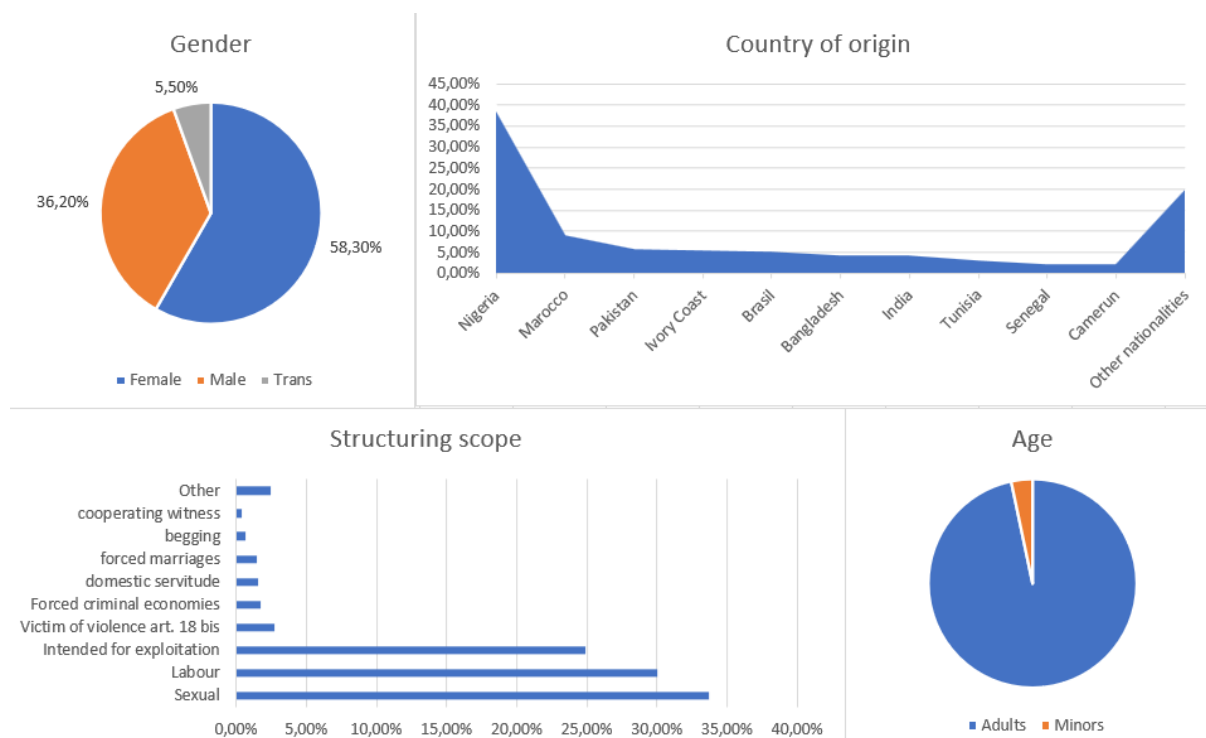
The National Hot-line Number in Aid of Victims of Trafficking and/or Serious Exploitation show that in 2023, 2,628 new assessments of potential victims were carried out in Italy, with a slight increase compared to previous years. Women account for the largest share (59.8%), followed by men (36.3%) and transgender people (3.8%). The child component, although numerically lower, is growing: minors make up 5.4% of assessments, an increase compared to 2.6% in 2021 and 4% in 2022, with a prevalence of Ivorian, Nigerian, Guinean, Pakistani, Somali and Tunisian.¹⁶

There were 770 people taken into care in social protection programs in 2023, of which over half were women (59.2%), followed by men (34%) and transgender people (6.8%), with minors reaching 3.1%, almost doubling compared to 2022. The main nationalities involved remain Nigerian, Moroccan, Pakistani and Ivorian, although with a progressive diversification of backgrounds. From the point of view of forms of exploitation, 33.1% of victims are involved in sexual exploitation and 29.1% in work exploitation, while a significant share (24.9%) is in the recruitment or arrival phase in Italy, without the exploitation yet being fully realized.¹⁷

¹⁶ Annual Report 2023 National Hot-line Number in Aid of Victims of Trafficking and/or Serious Exploitation

¹⁷ Save the Children. (2024). *Piccoli Schiavi Invisibili*

Figure 7. Persons assisted by anti-trafficking projects in the period 01/01/2024 – 30/09/2024



Source: personal elaboration; Computerized system for the collection of information on trafficking (SIRIT) on 09/10/2024 – by the anti-trafficking toll-free number. It should be noted that the data is relating to persons who have carried out at least one day of taking charge by the Anti-Trafficking Projects active in Italy during the 2024 year, and can be considered provisional and susceptible to important variations.

Figure 7 shows that the majority of persons assisted by anti-trafficking projects in Italy are women (58.3%; 1,012 cases), followed by men (36.2%; 628) and trans people (5.5%; 97). The F/M ratio is ~1.6, reporting a female prevalence in caretakers. Minors account for 3.3 per cent (57 units), while 96.7 per cent are adults (1,680). The low share of minors may reflect specificity of emergence channels and critical issues of early identification. Nigeria is clearly the first country of origin (38.6%; 670 cases). They were followed by Morocco (9.0%), Pakistan (5.6%), Ivory Coast (5.5%), Brazil (5.2%), Bangladesh (4.4%) and India (4.4%). The top seven countries add up to approximately 73% of the total, while “other nationalities” (55 countries) account for 19.7%, indicating a heterogeneous basin.¹⁸

¹⁸ SIRIT, 2024

Three areas concentrate almost 89% of cases: sexual exploitation (33.7%; 585), labour exploitation (30.3%; 526) and “intended for exploitation”¹⁹ (24.9%; 433), a category that reports situations in the definition/ascertainment phase of the specific area. The remaining forms are rarer but relevant to the diversity of profiles: violence under article 18-bis (2.7 per cent), forced criminal economies (1.7 per cent), domestic servitude (1.6 per cent), forced marriages (1.5 per cent), begging (0.7 per cent) and other types (2.5 per cent).²⁰

About emergence channels, “autonomous” emergence is the first channel (17.1%), a sign of the importance of self-reference and accessibility of services. It is followed by Territorial Commissions for Asylum Seekers (10.5%), private social bodies (10.2%), friends/acquaintances (8.1%), local social welfare services (7.4%), IOM (7.0%) and contact units (6.3%): together, these seven channels activate approximately two thirds of the management (~66.6%).²¹

The complex of law enforcement agencies (i.e. Police, Carabinieri, GdF, Polfer, Municipal) contributes to approximately 9% of reports, highlighting a non-marginal but not prevalent role of enforcement with respect to social and asylum channels.

The asylum/reception chain (Territorial Commissions, IOM, CAS, SAI, Prefectures, hotspots/landings, UNHCR, FAMI projects, European anti-trafficking service) is worth a total of around a quarter of the reports (~25%), confirming the operational link between migration and trafficking identification.²²

Regarding territorial distribution, six regions concentrate almost two thirds of Victims registration cases: Emilia-Romagna (12.2%), Piedmont (12.0%), Sicily (11.1%), Campania

¹⁹ The expression “intend for exploitation” indicates cases in which a person has been intercepted, identified or reported as a potential victim of trafficking and there are strong indications of a recruitment, transfer or control process aimed at exploitation, but the specific scope of exploitation (sexual, labour, criminal, etc.) has not yet been ascertained or defined. In practice, it is a transitional category that allows victims for whom the authorities or operators have evidence of trafficking to be included in the statistics and protection paths, but do not yet have sufficient information to classify the type of exploitation. (United Nations, 2017 – *Glossary on Sexual Exploitation and Abuse*)

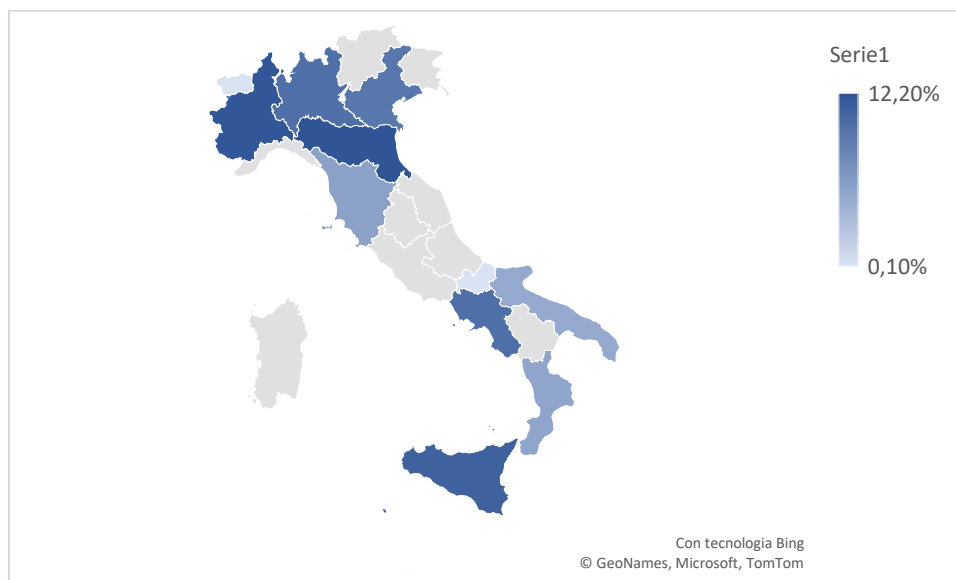
²⁰ SIRIT, 2024

²¹ SIRIT, 2024

²² US Department of State, Office to Monitor and Combat Trafficking in Persons. (2024). *2024 Trafficking in Persons Report: Italy* – The TIP Office directs the Department’s worldwide efforts to combat human trafficking by prosecuting traffickers, protecting victims, and preventing exploitation. Its work includes: providing objective analyses of government actions and global trends, supporting strategic diplomacy at bilateral and multilateral levels, channeling foreign assistance to strengthen the long-term capacity of governments and civil society, coordinating federal anti-trafficking policies across agencies, managing resources to align with strategic priorities, and partnering with civil society, the private sector, and the public to advance the global fight against trafficking.

(10.0%), Lombardy (10.0%) and Veneto (9.3%) for a total of ~64.6%. Tuscany (5.7%), Calabria (5.4%) and Puglia (5.0%) followed. This geography reflects both migratory flows and local labour markets and the networking and interception capacity of territorial projects. Regions with lower incidence (e.g. Molise 0.1%; Valle d'Aosta 0.2%) require comparative caution in the absence of standardised rates by population and service endowment.²³ (Figure 8)

Figure 8. Territorial Distribution of Victims registrations in Italy (2024)



Source: personal elaboration, SIRIT, 2024

1.1.3 Migration Routes, Exploitation Networks and Mechanisms of coercion

The migration routes followed by migrants heighten their vulnerability to trafficking and exploitation. Research conducted by the International Centre for Migration Policy Development (ICMPD)²⁴ identifies four predominant forms of trafficking along migration routes to Europe:

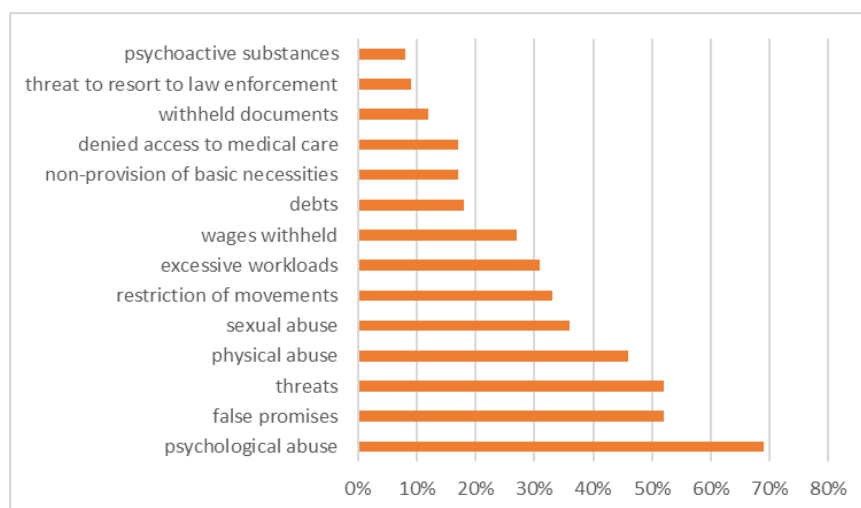
²³ Annual Report 2024 *Numero Verde Contro la Tratta degli Esseri Umani e/o il Grave Sfruttamento* – official report of the Interventions Trafficking Observatory that collects and analyses the data of reports received through the national Toll-Free Number, offering a balance sheet on cases of trafficking and exploitation and on the activation of protection paths, including the issuing of residence permits pursuant to art. 18 TUI.

²⁴ The International Centre for Migration Policy Development (ICMPD) is an international organization based in Vienna, founded in 1993 by Austria and Switzerland. It is responsible for developing and promoting sustainable migration policies, providing technical support and advice to governments and institutions. Its activities range from border management to the protection of migrants, up to the fight against human trafficking.

- **Sexual exploitation**, primarily affecting women and girls, as well as boys, especially those subjected to practices such as *bacha bazi* in Afghanistan²⁵;
- **Labor exploitation**, where individuals, often lacking financial resources and legal work authorization, fall into exploitative working conditions;
- **Forced criminality**, including coercion into petty crimes, drug trafficking, and facilitation of irregular migration;
- **Organ donations**: in this case, victims generally receive a little or almost no compensation and they are exposed to high health risks.²⁶

In the global context, traffickers use many means to control their victims, and each victim may be subject to different means of control throughout her trafficking experience. Children and women victims of trafficking in Europe are more susceptible to forms of psychological, physical, and sexual abuse than male victims. Specifically, 69 percent of child survivors and survivors experience some form of psychological control, 52 percent are threatened and deceived through false promises, and a whopping 46 percent are subjected to some form of physical control.²⁷ (Figure 9)

Figure 9. Means to control Victims used by Traffickers



Source: Personal elaboration, data taken from *Piccoli Schiavi Invisibili Report (2024)*

²⁵ *Bacha bazi* (literally *boy play*) is a form of child sexual exploitation in Afghanistan, where young boys, often dressed in women's clothing, are forced to dance for and entertain older men. These boys are frequently subjected to sexual abuse and are considered the "property" of their "owners," who are typically wealthy men, warlords, or members of armed groups. The practice, rooted in historical customs, was banned under the Taliban but has resurged due to weak governance, poverty, and the culture of impunity. Many of the boys involved are abducted or coerced, and their future remains uncertain once they are released around adulthood. (CRIN, 2013)

²⁶ EU Parliament. (2024). *Tratta di esseri umani: la lotta dell'UE contro lo sfruttamento*

²⁷ Save the Children. (2024). *Piccoli Schiavi Invisibili Report*

Trafficked victims are subjected to multiple forms of coercion, including:

- **Debt bondage**, forcing them to repay exorbitant sums to traffickers;
- **Physical and psychological threats**, including violence and blackmail against their families;
- **Economic dependence**, making them more susceptible to abuse and manipulation.²⁸

1.2 The Role of Organized Crime and Transnational Criminal Networks

Both Italian and international criminal organizations play a crucial role in the exploitation of human trafficking victims. According to Save the Children's *Invisible Slaves* report, 69% of trafficked victims experience psychological control, 52% face threats and deceit, and 46% suffer physical coercion.²⁹

Criminal organizations employ various recruitment strategies, including:

- Infiltrating reception centres to identify and exploit vulnerable individuals;
- Forcing them into labour in rural areas under exploitative conditions;
- Using intermediaries to push them into sex work or illegal labour markets.³⁰

The European Commission has listed human trafficking as the second largest source of income globally for criminal organizations, after drug trafficking, with a turnover of \$32 billion. In Italy alone, there were a total of 1,172 victims of trafficking in 2016, including 954 women and 111 children and adolescents, the majority of whom were female (84 percent). The social and economic profile of the victims, in fact, returns the geopolitics of global inequality: 81 percent are women and minors recruited in countries burdened by unemployment, poverty, instability and weak rule of law.³¹

²⁸ Symmonds, J. (n.d.) *Exploring methods of coercion in human trafficking and modern slavery: The coercive nexus of victims and perpetrators and implications for clinical practice* – Symmonds is a PhD candidate at the University of Huddersfield, a Senior Chartered Forensic Psychologist, and PIPE Clinical Lead for the HM Prison and Probation Service (HMPPS). In order to give an analytical identification of the variety of coercive strategies used in human trafficking and modern slavery, he prepared this paper. After talking about the overlap between the victim and the offender, he gives a summary of coercive strategies that have been found in previous studies to give a framework for understanding two vignettes.

²⁹ Save the Children's *Invisible Slaves* report, 2023

³⁰ United Nations. (2021).

³¹ EU Commission. (2018).

1.2.1 The Lucrative Criminal Business of Human Trafficking

Human trafficking is one of the most profitable illicit industries worldwide, generating an estimated \$32 billion in revenue, making it the second-largest source of income for criminal organizations.

Between 2010 and 2012, European authorities identified 12,760 suspected traffickers, with 6,642 men, 3,187 women, and 1,017 individuals whose gender was not reported. (Figure 10) The impact of trafficking remains devastating, with 15,846 victims recorded between 2013 and 2014, including 2,375 minors. The issue persisted in subsequent years, as data from 2014-2015 shows 8,037 individuals suspected of trafficking-related crimes, while 7,500 people were identified as victims.³²

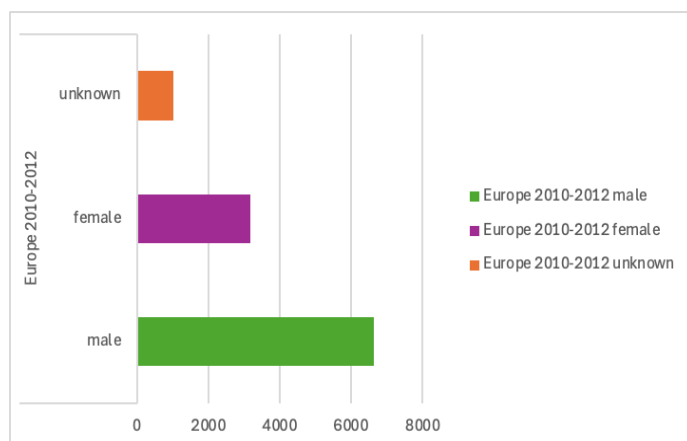
In Italy, between 2010 and 2012, 376 individuals were identified as suspected traffickers, the majority of whom were men (249), followed by women (39), with 128 cases where gender information was unavailable. (Figure 11) Many traffickers and victims originated from countries such as Algeria, Romania, and Nigeria, highlighting the transnational nature of human trafficking. (Figure 12)³³

These figures underline the severity of trafficking as a global issue, affecting thousands of individuals each year. Addressing this crisis requires coordinated international efforts to combat criminal networks, protect victims, and enforce stronger legal frameworks.

³² Barbie Latza Nadeau, 2018, The Guardian article

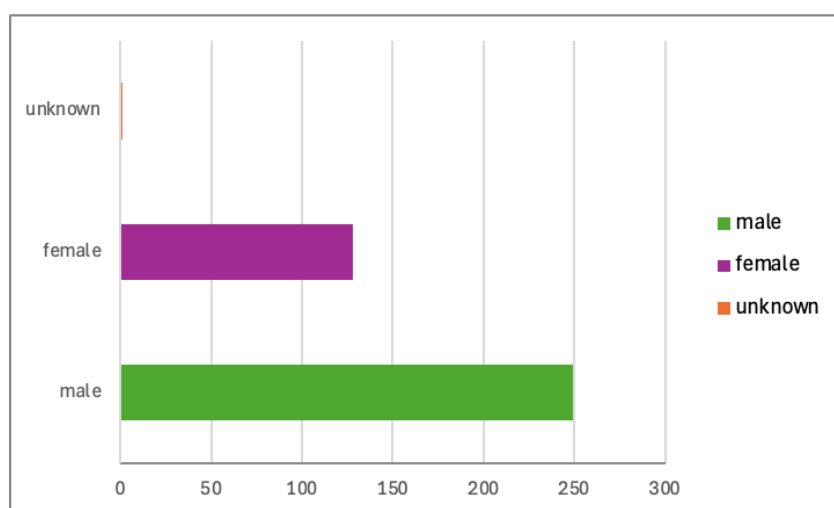
³³ U.S. Department of State. *2024 Trafficking in Persons Report: Italy*; Save the Children (2024). *Piccoli Schiavi Invisibili*

Figure 10. Suspected traffickers identified by European authorities between 2010 and 2012



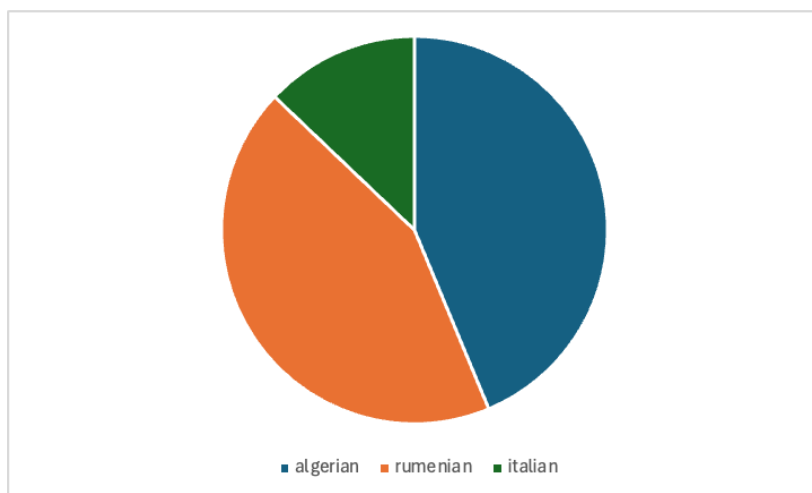
Source: personal elaboration, Save the Children Report Piccoli Schiavi Invisibili

Figure 11. Suspected traffickers identified in Italy between 2010 and 2012



Source: personal elaboration Save the Children Report Piccoli Schiavi Invisibili

Figure 12. Traffickers and victims by country of origin



Source: personal elaboration Save the Children Report Piccoli Schiavi Invisibili

The main forms of exploitation are forced prostitution (67 percent) and labour exploitation (21 percent), and the under-18 victims in our country are mainly Nigerian and Romanian teenage girls and Bengali and Egyptian boys, respectively.³⁴

1.2.2 Who Profits from Human Trafficking and Labour Exploitation: Key Figures of the Nigerian Case

The phenomena of trafficking and exploitation are run by real criminal supply chains that are increasingly organized, by which victims, especially minors, are lured at the origin, moved across borders and forced to suffer violence of all kinds.³⁵

For instance, the Nigerian criminal supply chain that runs trafficking for sexual exploitation in Europe and Italy is based on well-defined stages and roles:³⁶

- **The Baiters:** individuals from the victims' friendship and parental network active in Nigeria in recruiting the girls and organizing their transfer to Libya;

³⁴ European Asylum Support Office, (2021). *EASO Nigeria Trafficking in Human Beings*

³⁵ Save the Children, 2017.

³⁶ United Nations Interregional Crime and Justice Research Institute (UNICRI). 2010. *Trafficking of Nigerian Girls in Italy. The Data, the Stories, the Social Services.*

- **The Boga and Trolleyman:** generally, Nigerians are responsible for transferring the victims from Nigeria to Niger where they hand them over to criminal groups who transport them to Libya and seize them in connection houses;
- **The Brothers and Maman:** intermediaries from Italy who repurchase victims segregated in Libyan connection houses and organize and facilitate their entry into Italy and Europe;
- **The Controllers and Lieutenants:** active at the time of landing in Italy. They inform traffickers active in Nigeria and Italy about the arrival of the girls and instruct the victims on the procedure to follow. Many of them are themselves victims who are promised debt relief in exchange for the control exercised over their female compatriots;
- **The Sodalists:** operating in the national territory, active in “sorting” and managing the girls at the places of prostitution in Italy in exchange for occasional fees.
- **The Boyfriend:** is one of the key figures in the trafficking of Romanian teenage girls³⁷

These individuals encourage victims to leave the family if the family opposes their relationship. In these cases, exploitation is legitimized precisely by virtue of the sentimental bond with the victims, which renders them incapable of clearly perceiving the state of coercion and subjugation in which they live, not noticing, for example, the influence exerted by her partner who comes to implement constant control through constant phone calls, stakeouts at the workplace and threats and abuse. By virtue of the romantic relationship, the girl is led to believe that she is making voluntary decisions about her street work and acting in her own best interest, instead also becoming involved as an active pawn in the circuits of exploitation. In this path, the victim eventually becomes a recruit.³⁸

³⁷ Romanian girls are the second largest group after Nigerians among young victims of trafficking for street sexual exploitation in Italy. In the trafficking for sexual exploitation of Romanian girls, from the recruitment stage, the so-called boyfriend, who is often an adult even much older in age, takes a central role.

³⁸ Nixon, K. and Tutty, L. (2002). *The Everyday Occurrence: Violence in the Lives of Girls Exploited Through Prostitution*

Other key figures: Facilitators, Passeurs, Smugglers, and Abusers

- **Facilitators and Passeurs:** figures known in the victims' own communities of origin, as they manage the logistics of the journey to Europe. In some cases, trafficking facilitators are contacted by the victims' relatives. Other times, however, they are intercepted by figures who convince them to leave with promises of easy money and earnings. For instance, Egyptian and Bengali minors exploited through these networks face repayment of a debt to their traffickers, to be repaid once they arrive in Italy or the country of destination.³⁹
- **The smugglers:** accomplices or flankers of the traffickers, deputized to run the boats and usually placed at the lowest level of the criminal hierarchy. There is an increase by traffickers in the use of minors as smugglers, either in exchange for a discount on the price of the trip or because they are forced to.⁴⁰
- **Abusers:** adult Italian men who take advantage of the state of need of victims by offering them goods, accommodation and assistance in exchange for sexual services. Women and minors in transit on Italian territory, in fact, live in extremely precarious conditions and are systematically exposed to abuse and violence.⁴¹

The data presented, as above, underscores a fundamental issue in the reception of foreigners in Italy: their profound sense of marginalization. Without adequate integration policies or a robust legal framework to support them, they find themselves adrift in a society that often perceives them through a lens of suspicion and fear. As highlighted by the IDOS Study and Research Centre⁴², while crime rates may be comparable across different groups, offenses committed by foreigners tend to provoke greater social alarm, reinforcing a divisive narrative of victimization and demonization. This rhetoric, frequently exploited for political and media gain, obscures the structural factors driving juvenile delinquency among migrant youth.⁴³

The lack of shared cultural codes, the absence of meaningful socialization opportunities, and institutional neglect create a void in which these minors struggle to find their place. Deprived

³⁹ EU Office Migration and Affairs. (2024).

⁴⁰ UNOCD. (n.d.) *The Many Roles of Migrant Smugglers and Movement Facilitators in West & North Africa*

⁴¹ Osservatorio Diritti. Filios, L. (2018).

⁴² Available at <https://www.dossierimmigrazione.it/>

⁴³ Cerniglia, I. and Cimino, S. (2012). *Minori immigrati ed esperienze traumatiche: una rassegna teorica sui fattori di rischio e di resilienza*

of legitimate pathways to integration—whether through education, legal employment, or civic participation—they become easy targets for criminal networks that exploit their vulnerability. In an environment where the dominant narrative criminalizes their presence rather than addressing the systemic failures that push them to the margins, many young migrants internalize a sense of alienation and distrust toward the host society. This vicious cycle of exclusion, survival-driven criminality, and institutional disregard not only deepens their marginalization but also erodes the already fragile social fabric between native communities and migrant populations.⁴⁴

Thus, the issue of juvenile crime among migrant minors cannot be reduced to individual deviance but must be understood as the consequence of a broader structural failure. Addressing this requires a shift in policy—from punitive approaches that reinforce alienation to proactive integration strategies that provide these minors with real opportunities for inclusion.⁴⁵

⁴⁴ Adriana Schiedi, 2023

⁴⁵ Nicola Triggiani (2023) '*Criminalità minorile e fenomeno migratorio*'

CHAPTER 2.

ITALIAN AND INTERNATIONAL LEGAL FRAMEWORK ON HUMAN TRAFFICKING AND EXPLOITATION

2.1 Legal definition of trafficking

‘A human rights approach to [countering] trafficking requires an acknowledgement that trafficking is, first and foremost, a violation of human rights. . . [It] means that all those involved in antitrafficking efforts should integrate human rights into their analysis of the problem and into their responses. This approach requires us to consider, at each and every stage, the impact that a law, policy, practice or measure may have on persons who have been trafficked and persons who are vulnerable to being trafficked. It means rejecting responses that compromise rights and freedoms.’ – Navi Pillay, United Nations High Commissioner for Human Rights, Preface to the *Commentary on the Recommended Principles and Guidelines on Human Rights and Human Trafficking*⁴⁶

Human trafficking was internationally defined in 2000 through one of the three additional Protocols to the United Nations Convention against Transnational Organized Crime⁴⁷, specifically the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. This instrument sets out that trafficking involves a combination of acts, means, and purposes. The acts include the recruitment, transportation, transfer, harbouring, or reception of persons, whether within a country or across borders. These acts are carried out

⁴⁶ Chiara Mele (n.d.) ‘*Integrating Human Rights in the Context of Human Trafficking for Sexual Exploitation*’ *The case of Nigerian Women Trafficked to Italy*

⁴⁷ The United Nations Convention against Transnational Organized Crime (also called the *Palermo Convention*, 2000) is the main international treaty to fight organized crime. It establishes a common legal framework for cooperation between States in preventing, investigating, and prosecuting organized criminal activities. The Convention addresses crimes such as money laundering, corruption, human trafficking, and migrant smuggling. It includes three additional Protocols: against trafficking in persons, smuggling of migrants, and illicit manufacturing of firearms. States commit to adopting national laws, strengthening international cooperation, and protecting victims and witnesses. Its aim is to dismantle criminal networks while safeguarding human rights and the rule of law. – Source: United Nations. (2025). *UN Convention against Transnational Organized Crime and the Protocols thereto*

through methods such as the threat or use of force, various forms of coercion, abduction, fraud, deception, abuse of power, or exploitation of a position of vulnerability. The ultimate purpose is the exploitation of the victim, which may take the form of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, forced begging, or the removal of organs.⁴⁸

The Protocol also establishes that the consent of a trafficked person is irrelevant whenever any of the coercive or deceptive means are employed, and that in the case of children—defined as persons under the age of eighteen—the act of recruitment, transportation, transfer, harbouring, or reception for the purpose of exploitation constitutes trafficking even in the absence of such means.⁴⁹

It is important to distinguish human trafficking from the smuggling of migrants. Migrant smuggling refers to the illegal facilitation of a person's entry into a State of which they are not a national or resident, carried out with that person's consent and without the intent of exploitation.⁵⁰ The primary difference lies in the nature of the relationship: in smuggling, the migrant plays an active role in contacting the facilitator, there is an agreement between the parties, and the relationship typically ends upon arrival at the destination. In trafficking, however, coercion, deception, or abuse are involved, and exploitation begins upon or after arrival. Nonetheless, the two phenomena often overlap. A person who initially engages in migrant smuggling may later become a trafficking victim, for example, as a result of debt bondage or deceit by the smuggler.⁵¹

In the Italian legal framework, human trafficking is criminalized under Article 601 of the Criminal Code⁵², which defines it as “*a practice consisting in forcing or inducing a person to enter or remain in the territory in order to exploit them for labour, sexual purposes, begging, the commission of illicit activities, or for the removal of organs.*” This definition highlights two key components: the means—namely, coercion or inducement—and the purpose, which

⁴⁸ (2000) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

⁴⁹ La Strada International (n.d.) *International legal framework – United nations* (Palermo Protocol)

⁵⁰ Carling, Jørgen and Gallagher, Anne T. and Horwood, Christopher M, (2015). *Beyond Definitions: Global Migration and the Smuggling-Trafficking Nexus*.

⁵¹ (2018) The Italian *Osservatorio Interventi Tratta* is a national monitoring body that collects, analyses, and disseminates data on anti-trafficking interventions, projects, and policies in Italy. It supports coordination between institutions and NGOs, helping to evaluate and improve measures to prevent and combat human trafficking.

⁵² See *infra*, Chapter 2.4.3

revolves around various forms of exploitation. By explicitly listing the types of exploitation, the provision aligns with international standards while tailoring its scope to address specific manifestations of trafficking in the Italian context. It thus serves as a legal basis for prosecuting traffickers and protecting victims within the national jurisdiction.⁵³

2.2 Centrality of Victim-Centred and Rights-Based approach

A human-rights-based approach provides a conceptual and operational framework for addressing the phenomenon of human trafficking, grounded in international human rights standards. This approach emphasizes the need to promote and protect the rights of individuals by analysing the human rights violations that occur throughout the trafficking process and understanding the corresponding obligations of States under international law. It aims to uncover and remedy the discriminatory practices and imbalances of power that facilitate trafficking, perpetuate impunity for traffickers, and deny justice to victims.⁵⁴

Integrating a human-rights-based perspective requires that national, regional, and international anti-trafficking responses be firmly rooted in the rights and duties enshrined in international human rights instruments. The primary objective of such policies and programs must be the protection and promotion of human rights.⁵⁵ Victims of trafficking often experience a wide range of rights violations throughout the trafficking cycle, including the deprivation of liberty, the denial of autonomy over employment choices, and exposure to violence or exploitation. Effective policies must directly address and seek to remedy these violations.⁵⁶

A central component of this approach is the identification of rights-holders—such as trafficked persons, those at risk, or individuals accused of trafficking-related crimes—and the

⁵³ The *Osservatorio sull'Immigrazione e il Diritto d'Asilo* is a regional body in Piedmont that monitors migration flows and related social phenomena, as well as the policies and initiatives addressing the needs of people of foreign origin in the region. Established in 2001 by the Piedmont Region and managed by IRES Piemonte, it serves as a hub for research, knowledge-sharing, and coordination of innovative projects aimed at promoting social inclusion and combating discrimination. The Osservatorio provides public information, training, and expert consultancy to institutions, associations, and citizens, both Italian and foreign. It systematically collects and analyses data, offering a reliable knowledge base for policymakers and professionals, and draws on numerous projects coordinated and implemented by IRES Piemonte, funded through national and European migration and integration programmes.

⁵⁴ The European Commission (2021) *The Human Rights Based Approach Toolkit*

⁵⁵ Hatzipilis, D. (2007). *The normative basis for combating human trafficking: A victim-centred framework* (Publication No. 31521707) [Doctoral dissertation, University of Technology Sydney]. ProQuest Dissertations & Theses Global.

⁵⁶ The European Commission, 2021. Commission Staff Working Document - Applying the Human Rights Based Approach to international partnerships

corresponding duty-bearers, typically States. It is essential to enhance the capacities of rights-holders to claim their rights and of duty-bearers to fulfil their legal obligations. These obligations derive from the principle of due diligence, which requires States to respect, protect, and fulfil the rights of all individuals under their jurisdiction, including trafficking victims.⁵⁷ Finally, every stage of the response to human trafficking should be guided by fundamental principles and norms of international human rights law, including the principles of equality and non-discrimination, the universality and inalienability of rights, and adherence to the rule of law.⁵⁸

Italy has developed a comprehensive legal framework to combat human trafficking and protect its victims, drawing on both criminal and migration law. Key instruments include provisions of the Penal Code, immigration legislation, and specific laws aimed at safeguarding vulnerable groups.⁵⁹

Among the most relevant are Article 18 of Legislative Decree 286/1998 (Consolidated Act on Immigration), Law 228/2003 on measures against trafficking, the National Anti-Trafficking Plan 2022–2025, Articles 600–602 of the Penal Code, and Law 47/2017 (known as the “Zampa Law”) concerning the protection of unaccompanied minors.

2.3 Art. 18 of D.lgs 286/98 “Consolidated Act on Immigration”

2.3.1 Pre-existing Legal Framework

Until the 1990s, Italy lacked a specific legal provision that recognized and addressed human trafficking as a distinct phenomenon with its own dynamics and systemic impact.⁶⁰ Offenses related to trafficking were prosecuted under various articles of the Criminal Code, such as:

⁵⁷ UNHCR/HCP/2020/04

⁵⁸ Haddadin Y. and Klímová-Alexander I. (2013) *Human Rights–Based Approach to Trafficking the Work of the United Nations Office of the High Commissioner for Human Rights*. This text outlines a fundamental legal principle in the context of trafficking: individuals should not be held criminally liable for offences they were coerced into committing. International human rights law further acknowledges that certain groups require special protection, and obliges States to ensure that anti-trafficking measures respect and uphold established rights.

⁵⁹ Osservatorio Interventi Tratta (2025). *14th GRETA General Report*.

⁶⁰ Scientific Coordinator Boaventura de Sousa Santos and Research Coordinator Madalena Duarte (2010) *The Fight Against Trafficking In Human Beings In Eu: Promoting Legal Cooperation And Victims' Protection* European Commission ISEC Action Grant, HOME/2010/ISEC/AG/054 30-CE-0447227/00-35

- Exploitation of prostitution (Art. 528, later reformed);⁶¹
- Facilitation of irregular immigration (Art. 12 of Law 40/1998);⁶²
- Reduction to or maintenance in slavery (Art. 600 c.p.); and Trafficking and trade in slaves (Art. 601 c.p., later amended).

However, these norms were primarily focused on criminal repression. They offered no protective measures for victims and failed to distinguish between trafficked persons and irregular migrants subject to expulsion. Trafficked individuals—particularly women forced into prostitution—were often arrested, detained in Temporary Stay Centres (CPTs)⁶³, and deported, without access to protection, psychological assistance, or social support. The absence of a dedicated residence permit hindered any possibility of reintegration.⁶⁴

From the mid-1990s onward, several NGOs—such as Comunità Giovanni XXIII, Caritas, and On the Road Association—began to denounce the gravity of the phenomenon and developed reception and protection programs. These field-based initiatives, often in collaboration with local authorities, played a crucial role in shaping Article 18, which for the first time introduced in Italy the concept of social protection for victims of trafficking, even independently of their cooperation with judicial authorities (the so-called “social path”).⁶⁵

Law No. 40/1998 (known as the Turco-Napolitano Law), which laid the foundations for the Consolidated Act on Immigration, represented the first comprehensive attempt to integrate

⁶¹ According to the Merlin Law (Law 75/1958), Italy abolished the regulation of prostitution, closed brothels, and criminalized the “exploitation of prostitution” (*sfruttamento della prostituzione*), specifically stating that “anyone who, in any way, promotes or exploits the prostitution of others” is punishable. Art. 528 codice penale - Pubblicazioni e spettacoli osceni - Brocardi.it

⁶² Law No. 40 of 6 March 1998 “Regulation of immigration and provisions on the condition of foreigners” Published in the *Gazzetta Ufficiale* No. 59 of 12 March 1998 – Ordinary Supplement No. 40 Legge n. 40 del 1998

⁶³ In Italy, immigration centers have changed their name over time, moving from CPT to CIE and finally to CPR (Permanent Centers for Repatriation) in 2017. The maximum length of detention, initially 30 days, has been progressively extended to the current 180 days. There are currently 6 CPRs in operation, with the aim of activating more by the end of 2019. – Open Migration (n.d.) *CPR – Return Detention Centres*

⁶⁴ Amnesty International (2005) *Italy: Temporary stay – Permanent rights: The treatment of foreign nationals detained in ‘temporary stay and assistance centres’ (CPTAs)*.

⁶⁵ Gabrielli D. and Bisogno E. (1998) *La presenza straniera in Italia negli anni '90*.

migration policy with fundamental rights⁶⁶. Within this legal framework, Article 18 was introduced as a transformative measure, establishing the possibility of granting a temporary residence permit for "reasons of social protection," which could later be converted into a permit for work or study purposes.

The introduction of Article 18 of Legislative Decree 286/1998 marked a historic shift—from a model focused on the criminalization of victims to one, at least in principle, centred on their protection, recognition, and integration. The previous legal framework was inadequate, and it was only with the enactment of the Consolidated Act on Immigration that Italy began to develop an anti-trafficking policy grounded in the protection of human rights.⁶⁷

2.3.2 Implementation Measures: 2002, 2006, 2025

The Bossi-Fini Law (Law no. 189 of July 30, 2002) was enacted just four years after the D.lgs 286/98. This law was a direct response to criticisms that the existing regulations were not an effective barrier against illegal immigration and its associated criminal activities.

This new law introduced several significant changes⁶⁸:

Mandatory Fingerprinting: Foreign nationals applying for a residence permit or its renewal were now required to submit to photographic and fingerprint identification.

Detention Period Extension: The maximum period of stay in a Temporary Stay Centre (CPT) was extended from 30 to 60 days.

Criminalization of Non-Compliance: Failing to comply with a deportation order became a criminal offense.

Asylum Seeker Detention: The law also made it possible to detain asylum seekers in specific identification centres. If an asylum seeker had already received a deportation or rejection order, they could be held in a CPT.

⁶⁶ Italy. (1998, March 6). *Law No. 40: Provisions on immigration and the status of foreign nationals (Disciplina dell'immigrazione e norme sulla condizione dello straniero)*. *Gazzetta Ufficiale della Repubblica Italiana*, No. 59 (Supplemento Ordinario No. 40). Entered into force March 27, 1998.

⁶⁷ Curtol, F., Decarli, S., Di Nicola, A., & Savona, E. U. (2004). *Victims of Human Trafficking in Italy: A Judicial Perspective*. *International Review of Victimology*, 11(1), 111-141.

⁶⁸ Grasso G. and Lucifora A. (2009). *Evaluation of the impact in Italy of the 19th July 2002 Framework Decision against trafficking in human beings*.

In the absence of common minimum procedures for examining international protection applications from the European Union, the Bossi-Fini Law aimed to address the issue of "abusive" asylum applications by introducing a simplified and shorter procedure for cases that were deemed "manifestly unfounded."

To further accelerate the processing of asylum applications, the law decentralized the decision-making authority. This moved the responsibility from the Central Commission for the Recognition of Refugee Status (established by the Martelli Law⁶⁹) to local commissions. Another crucial addition to the Martelli Law was the establishment of the Protection System for Asylum Seekers and Refugees (SPRAR). This system was managed by local authorities and funded by the state through the National Fund for Asylum Policies and Services. A Central SPRAR Service, entrusted to ANCI (the National Association of Italian Municipalities), was also created within the Ministry of the Interior to provide information, coordination, technical support, and monitoring.⁷⁰

However, the residence contract, designed to combat irregular immigration, had become a tool for periodic regularization, paradoxically promoting illegality due to unrealistic hiring procedures for unskilled labour. The expulsion system, although strict on paper, had proven ineffective, mainly due to identification difficulties. Furthermore, the rigid link between residence permits and the duration of employment contracts, in a context of short-term contracts, creates inefficiencies for workers and employers and pushes those who lose their jobs into clandestinity. These factors explain why the Bossi-Fini law has not achieved the expected results.⁷¹

In the 2006 reform of the Consolidated Act on Immigration, particular attention was paid to the integration of foreign minors, recognized as particularly vulnerable and often victims of regulatory inconsistencies and gaps. Indeed, the reform devotes a specific chapter to them, with the stated aim of encouraging their civil and social inclusion through an adaptation of the provisions on residence. Among the most relevant problems addressed is that concerning the

⁶⁹ The Martelli Law (Law No. 39/1990) was the first Italian organic legislation on immigration. It has introduced procedures for issuing residence permits, established annual entry quotas for work purposes and provided for the right of asylum, as well as regularizing numerous migrants already present in Italy. Source: Paoli S. (2014) *La Legge Martelli su asilo politico e immigrazione: una scelta europea*.

⁷⁰ Parliamentary proceedings, Chamber of Deputies, 17th legislature, doc. xxii bis no. 21

⁷¹ Ministry of the Interior Press and Communications Office. (2006). LA RIFORMA DEL TESTO UNICO SULL'IMMIGRAZIONE.

transition to adulthood: many foreign minors, despite having grown up in Italy, found themselves without a residence permit and, consequently, forced to leave the country to return to contexts with who had no cultural or emotional ties.⁷² To overcome this critical issue, the reform establishes that, upon reaching the age of eighteen, the foreigner dependent on regularly residing parents can obtain a residence permit for family reasons and that the qualification issued to unaccompanied minors can be converted into other types, including that for access to work, where they have participated in reception and protection projects run by public or private bodies and the Territorial Immigration Council⁷³ gives a favourable opinion on their integration. In the absence of these requirements, repatriation is envisaged, with the possibility of resorting to voluntary and assisted repatriation procedures.⁷⁴ Alongside these provisions, the reform also introduces structural support measures, such as the establishment of a National Reception and Guardianship Fund for unaccompanied foreign minors and the reorganization of the Committee for Foreign Minors, providing for greater involvement of the Territorial Immigration Councils. Finally, in the event of uncertainty about the age of a person, medical and health checks are ordered and, if it is not possible to determine it with certainty, the rules protecting minors still apply.⁷⁵

With the entry into force, on 11 October 2024, of Decree-Law no. 145/2024, containing urgent provisions regarding the entry into Italy of foreign workers, protection and assistance to victims of gangmastering, management of migratory flows and international protection, the legislator has introduced a significant regulatory intervention, destined to significantly affect the regulation of the protection of victims of labour exploitation.⁷⁶ The measure, divided into three parts – the first aimed at making entry procedures for work reasons more efficient, the second at combating undeclared work and strengthening protections for victims of exploitation, and

⁷² Miele, R. (2008). Il quadro della disciplina italiana dell'immigrazione e della condizione dello straniero: l'evoluzione, il diritto vigente e le prospettive di riforma. *Flussi migratori e fruizione dei diritti fondamentali*. (*Diritto internazionale*; 8), 1000-1019.

⁷³ In every Italian province, a Territorial Immigration Council composed of representatives of institutions and immigrants operates at the Prefecture. These councils promote and coordinate local integration initiatives, such as Italian language courses and civic education, and participate in planning the use of the European Integration Fund. They are also concerned with finding solutions to problems such as housing, urban planning for peaceful coexistence, access to credit and projects to encourage the matching of labour supply and demand.

⁷⁴ Ministry of the Interior (n.d.) *ITALIAN INITIATIVES Security, immigration, Asylum*

⁷⁵ Ministry of the Interior, Press and Communications Office. (2006). LA RIFORMA DEL TESTO UNICO SULL'IMMIGRAZIONE

⁷⁶ DECREE-LAW No. 145 of 11 October 2024 Urgent provisions concerning the entry of foreign workers into Italy, the protection and assistance of victims of illegal hiring, the management of migration flows and international protection, as well as the related judicial proceedings. (24G00171) (Official Journal General Series No. 239 of 11-10-2024)

the third at modifying the legislation on sea rescue, identification and rejections – provided, in Chapter II, a package of measures specifically aimed at guaranteeing protection and inclusion tools for foreign workers that contribute to the emergence of seriously exploitative conduct. Among the most significant innovations is the introduction of Art. 18-ter in the Consolidated Act on Immigration, which governs the issue of a residence permit for “special cases” in favour of foreigners who are victims of illicit brokering and labour exploitation, replacing the previous provision in Art. 22 (12-quater)⁷⁷. This residence permit, initially lasting six months and renewable for one year or for the time necessary for reasons of justice, gives the holder the right to access welfare and training services, to register on the registry lists and to carry out employed work or self-employed, without prejudice to compliance with the minimum age requirements established by law.⁷⁸

Pending final approval, foreign workers who have a receipt certifying that they have submitted their application may legally reside in Italy and temporarily engage in work activities, unless the public security authorities subsequently notify them of any impediments. Upon expiry, the permit may be converted into a work or study permit, and its issue determines the judge's decision not to proceed with the offence of illegal entry and residence. The police commissioner is responsible for issuing the permit, upon the recommendation of the judicial authority, and it may also be extended to the beneficiary's family members. The conditions for obtaining the permit are the ascertainment of situations of violence, abuse or labour exploitation - which have emerged in the course of police operations, investigations or proceedings relating to the offence referred to in Article 603-bis of the Criminal Code, and which may also be reported by the National Labour Inspectorate⁷⁹ - and the active cooperation of the worker in bringing the facts to light and identifying those responsible. With this intervention, the legislator has strengthened

⁷⁷ Article 22 of the Consolidated Immigration Act governs the employment in Italy of foreign workers resident abroad, providing that the procedure is managed by the Single Immigration Desk after verifying the unavailability of workers already present on the national territory.

The employer must request authorization by submitting documentation on accommodation, residence contract and commitment to repatriation costs, respecting numerical limits and requirements established by law. Refusal or revocation of authorization is provided for in the event of convictions, fraud or irregularities, and criminal sanctions for those who employ foreign workers without a residence permit. – Ministero dell'Interno. (1998). *Testo unico sull'immigrazione*, Titolo III – Disciplina del lavoro, art. 22, *Lavoro subordinato a tempo determinato e indeterminato* (D.lgs. n. 286/1998, aggiornato al 24 maggio 2025).

⁷⁸ Fondazione Anci (2025) *Novità e chiarimenti sull'applicazione del nuovo articolo 18 ter. Vittime di sfruttamento lavorativo, chi sono e quando hanno diritto al permesso di soggiorno?*

⁷⁹ On the basis of Legislative Decree No. 149 of 14 September 2015, which sanctioned its establishment, the National Labour Inspectorate (INL) is an agency with legal personality under public law, with regulatory, administrative, organizational and accounting autonomy, operating under the supervision of the Ministry of Labour and Social Policy. – <https://www.ispettorato.gov.it/>

the framework of special protection measures already outlined in Article 18 of the Consolidated Act, extending its scope to the repression of labour exploitation and the promotion of social and labour integration pathways, in line with an approach that combines the protection of fundamental rights and the fight against crime.⁸⁰

2.3.3 Current provisions and functioning of Article 18

The Italian legal system provides a set of measures to protect individuals who have been victims of trafficking, slavery, or labour exploitation—offences that represent clear violations of universally recognized fundamental human and social rights. In particular, the first instrument to consider is Article 18 of Legislative Decree No. 286/1998, which grants foreign victims of trafficking or of “situations of violence or severe exploitation” (i.e., crimes subject to mandatory arrest in flagrante delicto under Article 380 of the Code of Criminal Procedure) the possibility of obtaining a special residence permit known as “special cases,” along with access to the social protection programmes established by the same article.⁸¹

1. When, in the course of police operations, investigations or proceedings for any of the crimes referred to in article 3 of law 20 February 1958, n. 75⁸², or those provided for by article 380 of the code of criminal procedure⁸³, or during welfare interventions by the social services of local authorities, situations of violence or serious exploitation against a foreigner are ascertained and concrete dangers emerge for his safety, as a result of attempts to escape the constraints of an association dedicated to one of the aforementioned crimes or statements made during the preliminary investigations or of the trial, the police commissioner, also on the proposal of the Public Prosecutor, or with the favorable opinion of the same authority, it issues

⁸⁰ Ministry of Labour and Social Policies (2025) Decree Law 145/2024 - Regulations to combat labour exploitation

⁸¹ Novità e chiarimenti sull'applicazione del nuovo articolo 18 ter: Vittime di sfruttamento lavorativo, chi sono e quando hanno diritto al permesso di soggiorno? (2025) Fondazione Anci

⁸² The new provisions replace articles 531–536 of the Criminal Code, introducing prison sentences of two to six years and fines for anyone who owns, manages, rents, facilitates, or profits from brothels or prostitution. They also criminalize recruiting, inducing, or transporting people for prostitution, as well as participating in organizations engaged in such activities. Additional penalties include license revocation and possible permanent closure of premises where prostitution is tolerated. (Law No. 75, 1958, art. 3).

⁸³ Article 380 of the Italian Code of Criminal Procedure (*Codice di Procedura Penale*) mandates the arrest of an individual caught in the act of committing certain serious offenses, known as “flagrante delicto”. This means the arrest is obligatory for the judicial police when they witness the crime or when the suspect is pursued immediately after its commission. Italian Code of Criminal Procedure canestriniLex

a special residence permit to allow the foreigner to escape the violence and conditioning of the criminal organization and to participate in a social assistance and integration program. [...] (Legislative Decree No. 286/1998, art. 18)

3 bis. For foreigners and citizens referred to in paragraph 6-bis of this article, victims of the crimes provided for by articles 600 and 601 of the penal code, or who find themselves in the cases referred to in paragraph 1 of this article, apply, on the basis of the National Action Plan against Trafficking and Serious Exploitation of Human Beings⁸⁴, referred to in Article 13, paragraph 2-bis, of law 11 August 2003, n. 228, a single program of emergence, assistance and social integration which guarantees, on a transitional basis, adequate conditions of accommodation, food and healthcare, pursuant to article 13 of law no. 228 of 2003 and, subsequently, the continuation of assistance and social integration, pursuant to paragraph 1 of this article. [...] (Legislative Decree No. 286/1998, art. 18)

The residence permit is initially valid for six months and can be renewed for one year or more, if necessary for reasons of justice. Upon expiry, if the holder has a job, it may be renewed for the duration of the contract or, in the case of a permanent contract, for two years. It guarantees access to welfare services and education, registration with the Employment Centre and the possibility of working; it can also be converted into a permit for study or work purposes.⁸⁵

4. The residence permit issued under this article bears the wording “special cases,” is valid for six months, and may be renewed for one year, or for a longer period if necessary for reasons of justice. It shall be revoked in the event of interruption of the program or conduct incompatible with its purposes, as reported by the public prosecutor or, where applicable, by the social services of the local authority, or in any case ascertained by the police commissioner, or when the other conditions that justified its issuance no longer apply(1). (Legislative Decree No. 286/1998, art. 18)

5. The residence permit provided for in this article allows access to welfare services and education, as well as registration with employment agencies and the performance of subordinate work, subject to minimum age requirements. [...] The permit may be further

⁸⁴ See *infra*, Chapter 2.4.2.

⁸⁵ Fondazione Anci (2025) *Novità e chiarimenti sull'applicazione del nuovo articolo 18 ter: Vittime di sfruttamento lavorativo, chi sono e quando hanno diritto al permesso di soggiorno?*

extended or renewed for the duration of the relationship. [...] The residence permit provided for in this article may also be converted into a residence permit for study purposes if the holder is enrolled in a regular course of study. (Legislative Decree No. 286/1998, art. 18)

In order for a residence permit to be issued, there must be evidence of violence or serious exploitation, as well as the existence of a danger which, according to the law, must be concrete, serious and present.⁸⁶

The condition of exploitation and danger to the person must be verified in the context of criminal proceedings concerning one or more offences specifically indicated by law.

These include: the offence provided for in Article 3 of Law 75/1958⁸⁷ (which punishes the aiding and abetting or exploitation of prostitution); the offences listed in Article 380 of the Code of Criminal Procedure, for which mandatory arrest in flagrante delicto is provided for — including reduction or maintenance in slavery or servitude (Article 600 of the Criminal Code), trafficking in persons (Article 601 of the Criminal Code), the purchase or sale of slaves (Article 602 of the Criminal Code) — and, finally, the offence of illegal intermediation and exploitation of labour (Article 603-bis of the Criminal Code) in the aggravated form provided for in paragraph 2, i.e. when the offence is committed with violence or threats.⁸⁸

These conditions may also be verified during interventions carried out by services dedicated to the protection of victims.⁸⁹

In order to obtain the residence permit provided for in these cases, the foreign national must necessarily join an assistance and protection programme. However, it is possible to participate in this programme even if you already have a different type of residence permit.

⁸⁶ With regard to the element of danger, it is necessary to carefully assess the possible consequences of the risks to personal safety to which both the foreigners concerned in the event of repatriation and their family members could be exposed in their countries of origin. This clarification was provided by the Ministry of the Interior in Circular No. 300 of 4 August 2000.

⁸⁷ Article 3 of the Merlin Law (Law No. 75/1958) criminalizes the exploitation of another person's prostitution, imposing severe penalties on those who profit from it. Offences include managing a brothel, inducing prostitution, or controlling such activity for gain. The law targets exploiters, not the act of prostitution itself.

⁸⁸ Article 603-bis of the Criminal Code on "illicit brokering and exploitation of labour" was introduced in 2011, initially aimed at gangmastering. With Law 199/2016, the law was expanded, also punishing the simple use of exploited labor and allowing victims to access the social integration path of Art. 18 of Legislative Decree 286/1998, highlighting the need to combine repression with protection measures. (Stoppioni, 2019)

⁸⁹ Francesca Nicodemi, UNHCR (updated edition) *Linee Guida per le Commissioni Territoriali per il riconoscimento della protezione internazionale*

The residence permit provided for in Article 18 of Legislative Decree 286/1998 may be granted not only when the victim files a complaint, but also in cases where, for various reasons, they cannot or do not wish to apply to the judicial authorities.

This possibility is referred to as the “dual track” (*Doppio Binario*) system because, according to Article 18 of Legislative Decree 286/1998 and Article 27 of the implementing regulation of the Consolidated Law on Immigration (Presidential Decree 394/1999, amended by Presidential Decree 334/2004), residence permits can be issued in two ways:⁹⁰

Judicial route: when criminal proceedings have been initiated for acts of violence or serious exploitation, following a complaint by the victim. In this case, the permit is issued on the recommendation or with the approval of the competent Public Prosecutor.

Social route: when the person does not file a complaint but decides to join a social assistance and integration programme run by an organisation specialising in helping victims of serious exploitation. This organisation may be a local authority, an association or a private body, provided that it is registered in the second section of the register provided for in Article 52 of Presidential Decree 394/1999. In this case, the Chief of Police issues the residence permit exclusively on the recommendation of the organisation managing the programme.⁹¹

To summarize, the law allows for the permit to be obtained either through direct cooperation with the justice system or through inclusion in a social protection programme without the obligation to report the crime.

2.3.4 Specific Measures for Minors

Minors who are victims of trafficking enjoy specific and enhanced protections, always in accordance with the principle of the best interests of the child⁹². They are covered by both the civil provisions for minors without parental representation and those dedicated to

⁹⁰ Palliggiano, G. (n.d.) Refugee Status and Humanitarian Residence Permit Criteria for distinction between Civil and Administrative Jurisdiction: PART I LEGISLATIVE FRAME WORK ON ASYLUM.

⁹¹ Carnassale D. and Marchetti S. (2022) *Vulnerabilities and the Italian Protection System: An ethnographic exploration of the perspectives of protection seekers*

⁹² The best interests of the child is a fundamental principle of the UN Convention on the Rights of the Child, which protects the full enjoyment of the rights of the child and its harmonious development. It has a threefold nature: substantive right of the child to have his or her interest considered as a priority; legal principle guiding the interpretation of the rules; procedural rule requiring decisions to be assessed and justified on the basis of the child's well-being. Its objective is to guarantee protection and integral growth in every area of life. (EU Commission, 2025)

unaccompanied foreign minors, such as Legislative Decree 286/1998 and Law No. 47 of 7 April 2017, which introduced important changes in the areas of identification, reception, protection and the issuance of residence permits.

In addition, all the measures provided for in Article 18 of Legislative Decree 286/1998 apply: issuance of residence permits and access to assistance and social integration programmes. For minors, according to Article 17 of Law 47/2017, these programmes must be specific and guarantee adequate reception conditions, psychological, health and legal support, with long-term solutions, even beyond the age of majority.⁹³

Article 4 of Legislative Decree 24/2014 establishes that unaccompanied minors who are victims of trafficking must receive clear information about their rights, including the possibility of requesting international protection. If there are doubts about the victim's age, until it is ascertained, they are presumed to be a minor, so as to immediately guarantee them the assistance, support and protection measures provided for by law.⁹⁴

Age assessment must be carried out using multidisciplinary procedures, conducted by specialised personnel and in an appropriate manner, taking into account the ethnic and cultural specificities of the person. If necessary, diplomatic authorities may also be involved in the identification process.⁹⁵

2.3.5 National Anti-Trafficking Hotline

In 2000, the Department for Equal Opportunities established the Anti-Trafficking Hotline (*Numero Verde*), in line with the provisions of Article 18 of Legislative Decree No. 286/98, which provides for measures in favour of victims of trafficking and exploitation. This service, managed by the Social and Humanitarian Protection Office of the Veneto Region, offers support and information to various actors.⁹⁶

⁹³ Law No. 47 of 7 April 2017 Provisions on measures for the protection of unaccompanied foreign minors. (17G00062) (Official Journal General Series No. 93 of 21 April 2017), available at [Disposizioni in materia di misure di protezione dei minori stranieri non accompagnati](#).

⁹⁴ Chamber of Deputies - Parliamentary Documentation (2024) *Minori stranieri non accompagnati: quadro normativo*

⁹⁵ UNHCR (2014) *Age assessment of unaccompanied and separated foreign minors in Italy*

⁹⁶ Anti-trafficking observatory (2025) *Toll-free number 800 290 290*

The service is anonymous, free of charge and available 24 hours a day, 7 days a week. It is an essential point of contact for both potential victims of trafficking and exploitation and anyone who is aware of such situations. Specifically, citizens, law enforcement agencies, public and private bodies, and members of trade associations can contact the toll-free number.⁹⁷

The staff answering the calls are linguistic and cultural mediators, able to communicate in several languages (English, Spanish, Albanian, Romanian, Russian, Moldovan, Ukrainian, Nigerian, Chinese, Polish, Portuguese and Arabic). This multilingual competence is crucial to overcoming the language barrier, which is one of the main obstacles to victims coming forward. The ability for victims to express themselves in their mother tongue is a determining factor in facilitating requests for help, access to information on ways out of exploitation and knowledge of their rights.⁹⁸

2.3.6 Limitations and critical issues

The main problems relating to the application of Article 18 of Legislative Decree No. 286/98, which regulates residence permits for victims of trafficking, concern its interpretation and practical implementation, highlighting a significant discrepancy at the territorial level. Police headquarters exercise broad discretion in assessing the requirements for issuing permits, which leads to very different practices across Italy.⁹⁹

Another significant problem is the tendency of the authorities to favour the judicial programme over the social programme. In many cases, this leads to the rejection of applications for residence permits if the victim does not report their exploiters. This preference ignores the importance of the social programme, which offers a way out without exposing the victim to retaliation after reporting the crime.¹⁰⁰

⁹⁷ Department for Equal Opportunities (2024) *800 290 290 - Numero Verde Antitratta*

⁹⁸ Ministry of the Interior (2025) *Numero Verde Antitratta*

⁹⁹ ASGI (n.d.) *MAIN RELEVANT ISSUES WITH REGARD TO THE ITALIAN LEGISLATION IN DEFENSE OF VICTIMS OF TRAFFICKING*

¹⁰⁰ 29. Genovese, D., & Santoro, E. (2018). *L'articolo 18 (T.U. immigrazione) e il contrasto allo sfruttamento lavorativo: La fantasia del giurista tra libertà e dignità*. *Giornale di diritto del lavoro e di relazioni industriali*, 159(3), 543–579.

The application of Article 18 is also limited and still not very widespread for cases of exploitation other than sexual exploitation, despite an increase in applications for residence permits in other areas of exploitation, such as labour exploitation. Added to this are the difficulties in renewing and converting residence permits issued under Article 18. Further complicating the picture is the lack of adequate training for judicial authorities and public security personnel dealing with these cases.¹⁰¹

Finally, there is a growing institutional disregard for the issue of trafficking and exploitation, in contrast to the ongoing commitment of organisations offering assistance to victims.

2.4 Other relevant Italian legislation on trafficking

2.4.1 Law 228/2003 “Measures against trafficking” (focus on Article 13)

Article 13 of Law No. 228/2003 plays a fundamental role in the Italian legal system as it establishes a special assistance programme for victims of crimes of enslavement or human trafficking, as defined in Articles 600 and 601 of the Criminal Code. This programme aims to offer concrete and immediate support to those who have suffered such violence, guaranteeing basic living conditions during a period of transition and vulnerability.¹⁰²

The focus of the article is the establishment of a support mechanism which, within the limits of the financial resources set at €2.5 million per year starting in 2003, focuses on providing victims with adequate accommodation, food and healthcare. The operational procedures for this programme are set out in a specific regulation, which must be adopted on the proposal of the Minister for Equal Opportunities, in collaboration with the Minister of the Interior and the Minister of Justice.¹⁰³

The article also addresses the specific case of foreign victims, establishing that the provisions of Article 18 of the Consolidated Law on Immigration remain valid. This ensures that foreign

¹⁰¹ ASGI (n.d.) *Main Relevant Issues with Regard to the Italian Legislation in Defense of Victims of Trafficking*.

¹⁰² Presidency of the Council of Ministers - Normattiva (2025) *LAW No. 228 of 11 August 2003 Measures against human trafficking*.

¹⁰³ Attract+ (n.d) *Legal Framework & Measures Regarding Trafficking in Human Beings in Italy*.

victims can benefit from a residence permit for social protection reasons, a crucial right for their safety and reintegration. Particular attention is paid to unaccompanied foreign minors, for whom a specific programme is provided to ensure reception and psycho-social, health and legal assistance, with the aim of offering long-term solutions even after they reach the age of majority.¹⁰⁴

An important addition to Article 13 is paragraph 2-bis, which provides for the adoption of a National Action Plan against Trafficking and Serious Exploitation of Human Beings. This plan aims to define multi-year intervention strategies not only for combating trafficking, but also for prevention, awareness-raising and the social integration of victims. The adoption of this instrument at the level of the Council of Ministers highlights a more structured and coordinated approach to tackling the phenomenon.¹⁰⁵

In summary, Article 13, with its subsequent amendments, represents a milestone in Italian legislation for the protection of victims of trafficking and exploitation. It is not limited to emergency intervention, but integrates with existing legislation for foreign nationals and provides strategic planning tools such as the National Plan. This demonstrates an evolution in Italy's legislative response, moving from a reactive approach to a more proactive and holistic one, aimed at ensuring comprehensive and lasting protection.¹⁰⁶

2.4.2 National Plan against Trafficking and Serious Exploitation of Human Beings 2022–2025

The National Action Plan against Human Trafficking (PNA) is one of the central instruments of Italy's strategy to combat trafficking and serious exploitation of persons, integrating and implementing provisions already present in the national and international legislative framework. Its establishment is based on Article 13 of Law No. 228 of 11 August 2003, entitled “Measures against trafficking in persons”, and its purpose is to define multi-year intervention strategies aimed at preventing and combating the phenomenon, as well as to prepare actions

¹⁰⁴ EU Commission - Migration and Home Affairs (2025) *General information and situation on trafficking in human beings*.

¹⁰⁵ Guercio L. (2011) The Legal Defence Of Victims Of Trafficking Legislative And Jurisdictional Problems And Gaps.

¹⁰⁶ Accorinti M. (2015) *Unaccompanied Foreign Minors in Italy: Procedures and Practices*

aimed at raising awareness, social prevention, the emergence and social integration of victims.¹⁰⁷

The formal introduction of the NAP into the Italian legal system took place with Legislative Decree No. 24 of 4 March 2014¹⁰⁸, issued in implementation of Directive 2011/36/EU. This decree, amending Law No. 228 of 2003, provided for the adoption of a national plan as an operational tool to coordinate targeted and wide-ranging interventions. The first National Anti-Trafficking Plan was approved on 26 February 2016, with a three-year validity (2016-2018), marking the start of a structured and systematic approach to the phenomenon. Subsequently, the Department for Equal Opportunities initiated the technical procedures necessary to develop a new plan, while ensuring support for the reconstitution of the governance bodies responsible for its approval. In line with the provisions of the previous plan, a national steering committee was set up with policy-making functions, supported by a technical committee, which was expanded to include representatives of sector associations.

This consultation process led to the drafting of the new National Action Plan against trafficking and serious exploitation for the three-year period 2022-2025, drawn up by the Technical Committee and approved by the Steering Committee, chaired by the competent political authority. The final text was formally adopted on 19 October 2022 by a resolution of the Council of Ministers, on the proposal of the Minister for Equal Opportunities and the Family and the Minister of the Interior.¹⁰⁹

The 2022-2025 NAP sets as its strategic objective the improvement of the national response to trafficking, in line with a unified approach at European level and in full respect of human rights and the principle of non-discrimination. Particular attention is paid to gender mainstreaming and the protection of the rights of minors, women and, more generally, vulnerable groups. The plan is consistent with the so-called “four Ps”, which represent the pillars of anti-trafficking

¹⁰⁷ EU Commission, 2025

¹⁰⁸ In accordance with this legislation, the government approved the first National Action Plan against human trafficking and serious exploitation 2016-2018 on February 26, 2016, with the intention of “defining multi-annual intervention strategies to prevent and combat 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 victims.” (Sardegnaimmigrazione, n.d.)

¹⁰⁹ CRC Group, 2022

policies at international level: prevention, prosecution, protection and social integration of victims, and partnership between institutional and international actors.¹¹⁰

Specifically, the 2022-2025 NAP, aligned with the European strategy on combating trafficking for the same period, identifies four key priorities on which Member States should focus their attention. Firstly, reducing the demand that fuels human trafficking by addressing the structural and cultural causes that make the phenomenon possible. Secondly, dismantling the traffickers' business model, both in offline activities and in new online operating methods, by strengthening investigative and criminal prosecution capabilities. Thirdly, protecting, supporting and empowering victims, with a specific focus on women, children and particularly vulnerable groups, ensuring integrated and long-term assistance. Finally, promoting international cooperation, which is essential to tackle a phenomenon that, by its very nature, transcends national borders and requires coordinated action between states, supranational organisations and civil society.¹¹¹

The National Action Plan against Trafficking, in its 2022-2025 version, is therefore not only a policy tool, but also a concrete commitment by the Italian State to strengthen prevention, improve enforcement capabilities, ensure an effective protection system for victims and promote synergies at the international level, in the awareness that human trafficking is a serious violation of fundamental rights and a threat to human dignity.¹¹²

2.4.3 Articles 600, 601, 602 of the Penal Code

In the Italian Criminal Code, Articles 600, 601 and 602 outline in a precise and severe manner the legal framework aimed at suppressing human trafficking and the most serious forms of exploitation of persons, constituting fundamental instruments in the protection of individual freedom and dignity.¹¹³

¹¹⁰ Radic, D. (2023). *Traffico di esseri umani: analisi dell'impatto economico-sociale globale e nell'UE, ruolo delle istituzioni e sensibilizzazione politica contro la tratta di esseri umani*. – The thesis analyses the global phenomenon of human trafficking, which particularly affects women and minors, highlighting its causes, consequences and economic and social impacts. Attention is paid to protection policies and legal instruments at national, European and international level to combat it. The work also includes a case study on the experience of a young victim from the Ethiopian community in Padua, with the aim of proposing possible solutions and future research prospects.

¹¹¹ Russo. P. (2023).

¹¹² De Stefani, P. and Lamia, Y. (2023) *Il Piano d'Azione Nazionale su impresa e diritti umani*.

¹¹³ These provisions are contained in Book Two, Title XII, dedicated to crimes against the person, and more specifically in Chapter III, relating to crimes against individual freedom, confirming their central

Article 600 defines and punishes the conduct of anyone who exercises powers over another person that are comparable to those of property rights, or reduces or maintains that person in a state of continuous subjugation. This condition occurs when the victim is forced to perform work or sexual services, beg, carry out illegal activities involving exploitation, or even undergo organ removal.¹¹⁴ The offence is committed through means such as violence, threats, deception, abuse of authority or exploitation of situations of vulnerability, physical or mental inferiority, economic or social need, as well as through the promise or giving of money or other benefits to those who exercise authority over the person. The penalty is particularly severe, ranging from eight to twenty years' imprisonment, with further aggravation in cases where the victim is a minor or the exploitation is for the purpose of prostitution or organ removal.¹¹⁵

Article 601 specifically regulates human trafficking, i.e. the set of conduct involving the recruitment, transport, transfer, introduction into the territory of the State or expatriation, as well as the transfer of authority or hospitality of persons who are in the conditions of exploitation described in Article 600. Such actions, if carried out through deception, violence, threats, abuse of authority or exploitation of a situation of vulnerability, are intended to induce or compel the victim to perform work or sexual services, beg, carry out illegal activities or undergo organ removal. The law punishes conduct towards minors with the same penalty as that provided for in the first paragraph, regardless of the methods used. The article also provides for specific aggravating circumstances for the captain or officer of a ship, whether national or foreign, who participates in such activities, as well as for the crew members of vessels used for trafficking, punishing such conduct even if the offence has not been materially committed.¹¹⁶

Finally, Article 602 covers further conduct related to trafficking, punishing anyone, outside the cases provided for in Article 601, who purchases, transfers or sells a person who is in the conditions of exploitation indicated in Article 600. In this case too, the penalty ranges from

role in combating conduct that profoundly undermines self-determination and fundamental rights. Available at: <https://www.brocardi.it/codice-penale/libro-secondo/titolo-xii/capo-iii/>

¹¹⁴ (Italian Criminal Code, art. 600, 1930)

¹¹⁵ La Redazione, Cuofano, A. Di Maio, A. Taccola, I. (2020). *Violenza sessuale e abuso di autorità nel diritto penale contemporaneo*.

¹¹⁶ Italy. (1930). *Codice Penale* [Criminal Code], Art. 601-bis (Circumstances aggravating the crime of trafficking in persons). Paragraph "*Spiegazione dell'art. 601 bis Codice Penale*". *Gazzetta Ufficiale della Repubblica Italiana*. Retrieved from [Art. 601 bis codice penale - Traffico di organi prelevati da persona vivente - Brocardi.it](#).

eight to twenty years' imprisonment, with an increase of one third to one half if the victim is a minor or if the exploitation is for the purpose of prostitution or organ removal.¹¹⁷

These three articles, read together, provide broad and comprehensive legal coverage, aimed at suppressing not only the direct and continuous exploitation of the person, but also all stages of the trafficking phenomenon, from the capture and transport of the victim to their eventual transfer or “sale”. Their wording reflects an integrated approach that takes into account the different ways in which deprivation of personal liberty and exploitation occur, with particular attention to the protection of minors and the repression of the most extreme forms of commodification of the human body.

2.4.4 Law 47/2017 ("Zampa Law" on the protection of unaccompanied minors)

The Zampa Law represents a comprehensive and structured reform for the protection of unaccompanied foreign minors, clearly reaffirming the principle of non-expulsion of such individuals from Italian territory, already enshrined at the international level by the Convention on the Rights of the Child¹¹⁸ and, at the national level, by Article 19 of the Consolidated Act on Immigration¹¹⁹. It introduces a specific reception system divided into two phases: the first, dedicated to identification and initial reception, with a maximum stay reduced from sixty to thirty days, and the second, in centres belonging to the Protection System for Asylum Seekers and Refugees (SPRAR)¹²⁰ distributed throughout the country. This approach goes beyond the previous practice, which involved identification in so-called hotspots and, due to the shortage of places in SPRAR centres, frequent recourse to extraordinary reception centres (CAS)¹²¹,

¹¹⁷ Law Firm Boccia. (2024). *Ignoranza dell'età della Persona Offesa Art. 602 quater c.p.*

¹¹⁸ The United Nations Convention on the Rights of the Child (CRC), is the main international instrument aimed at ensuring the recognition and protection of children's rights. With its 54 articles, it establishes fundamental principles such as non-discrimination, the best interests of the child, the right to life and development, and the right to be heard. Ratified by 196 states, it is now the most universally recognised human rights treaty in the world. See *infra*, Chapter 2.5.2.

¹¹⁹ “1-bis. In nessun caso può disporsi il respingimento alla frontiera di minori stranieri non accompagnati”. (Legislative Decree No. 286/1998, art. 19)

¹²⁰ SPRAR (Protection System for Asylum Seekers and Refugees) was the Italian public reception and integration network, established by Law No. 189/2002. Managed by local authorities with the support of the National Fund for Asylum Policies and Services, it offered not only material hospitality, but also social inclusion, training and job placement programmes. In 2018, SPRAR was replaced by SIPROIMI (Protection System for International Protection Holders and Unaccompanied Foreign Minors), now renamed SAI (Reception and Integration System). Angeli. F. (2018). *Richiedenti asilo e rifugiate nello Sprar : contraddizioni nel sistema d'accoglienza.*

¹²¹ CAS (Extraordinary Reception Centres) are temporary facilities set up by Prefectures to deal with emergency situations related to the arrival of asylum seekers. Unlike the SPRAR/SAI system, CAS

which were inadequate in terms of the required standards. The law also encourages foster care as a priority form of reception over placement in collective facilities.

Another innovative element concerns the introduction of uniform standards for age assessment and identification, with the obligation to have a cultural mediator present and to notify both the minor and the temporary guardian of the outcome, thus also guaranteeing the right of appeal. In terms of legal protection, the law establishes a register of voluntary guardians at juvenile courts and simplifies access to residence permits, limiting them to two types — for minors and for family reasons — which can be applied for directly at the police headquarters even if no guardian has been appointed. With regard to family reunification, specific investigations are carried out in the interests of the minor, the results of which are communicated to both the minor and the guardian. Competence in matters of assisted repatriation is transferred to the juvenile court, the body responsible for assessing the best interests of the minor, replacing the previous ministerial competence.¹²²

The law also addresses fundamental rights to health and education, removing bureaucratic obstacles that limited their effective enjoyment. Enrolment in the National Health Service is provided for, even in the absence of a guardian, while in the field of education, access to apprenticeships and the possibility of obtaining qualifications is guaranteed even if, upon reaching the age of majority, the minor no longer has a residence permit.¹²³ The possibility of supporting young adults up to the age of 21 is also introduced, should a longer integration process be necessary. Particular attention is also paid to the right to be heard in any administrative or judicial proceedings concerning the minor, which is recognised even in the absence of a guardian, and to the right to free legal assistance through state-funded legal aid.¹²⁴

Finally, the law legitimises protection associations to take administrative action to annul acts of the public administration that are detrimental to the rights of unaccompanied minors and to

centres primarily serve as initial reception centres, offering food and accommodation, but with more limited services in terms of integration and legal or social support. Created as an exceptional measure, over time they have become a structural component of the Italian reception system, often criticised for their emergency management and the uneven quality of the services offered. (Acocella, I. 2024. *Reception measures for asylum seekers and refugees in Italy: policies and evolutionary dynamics.*)

¹²² Sestini, L. (2024) *Il tutore volontario di minore straniero non accompagnato - teoria e pratica della legge 47/2017 detta "legge zampa"*.

¹²³ Marceca, M. (2019). Health problems of migrants and their socio-medical impact before and after migration.

¹²⁴ Lelliott, J. (2018). Italy's 'Zampa' law: increasing protection for unaccompanied children.

intervene in judicial proceedings involving them, thus strengthening the legal and social protection of this particularly vulnerable category.

2.5 International legal framework on trafficking

2.5.1 EU Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims

Directive 2011/36/EU represents a fundamental step in the European Union's strategy to combat human trafficking, a transnational criminal phenomenon that threatens people's dignity and fundamental rights.

It establishes common minimum standards for the definition of offences and penalties, incorporating measures for prevention and victim protection, and is part of a broader international context that includes legal instruments such as the 2000 United Nations Convention against Transnational Organised Crime¹²⁵, adopted in Palermo, and its two additional Protocols, the 1949 United Nations Convention for the Suppression of the Traffic in Persons¹²⁶, the 1990 Convention implementing the Schengen Agreement¹²⁷, the 1994 UN Resolution that framed trafficking in women for sexual exploitation within the broader context of trafficking¹²⁸, and the Council of Europe Convention on Action against Trafficking in Human Beings¹²⁹, signed in Warsaw in 2005.¹³⁰

The Directive defines trafficking in detail (Article 2), including a series of acts such as recruitment, transportation, transfer, harbouring or transfer of authority over a person, when

¹²⁵ This landmark treaty, adopted in Palermo, provides a global framework in fighting organized crime; it facilitates international cooperation on issues like extradition and mutual legal assistance. The convention is supplemented by three protocols, one of which specifically targets human trafficking.

¹²⁶ This early convention sought to combat human trafficking by criminalizing the act of forcing or enticing people into prostitution. While significant for its time, its narrow focus on prostitution meant it did not define human trafficking as broadly as later international instruments.

¹²⁷ This agreement created the Schengen Area, eliminating internal border checks for participating countries. While known for enabling free movement, it also included measures for cross-border police cooperation and a shared information system to help combat international crime, including human trafficking.

¹²⁸ This pivotal resolution reframed the issue of trafficking, broadening it beyond just prostitution. It was crucial for establishing the concept of trafficking as a violation of human rights and a form of modern slavery, laying the groundwork for more comprehensive legal frameworks to follow.

¹²⁹ Signed in Warsaw, this comprehensive convention takes a victim-centered approach to combating human trafficking. It focuses on protecting victims' human rights and providing them with assistance, while also promoting international cooperation in prevention and prosecution.

¹³⁰ Symeonidou-Kastanidou, E. (2016). *Directive 2011/36/EU on Combating Trafficking in Human Beings: Fundamental Choices and Problems of Implementation*.

carried out by means of threat, use of force, abduction, fraud, deception, abuse of power or taking advantage of a position of vulnerability, for the purpose of exploitation.

The latter is understood in a broad sense, including sexual exploitation, forced labour, slavery, begging, organ removal and the use of victims in illegal activities. The directive establishes that the victim's consent is irrelevant if any of the coercive means provided for have been used, punishes not only the commission of the offence but also incitement, aiding and abetting, complicity and attempt, and introduces the liability of legal persons, also providing for the seizure and confiscation of the instruments and proceeds of trafficking.¹³¹

Alongside criminal prosecution, the directive emphasises prevention, calling on Member States to promote awareness-raising and information campaigns, including in cooperation with civil society, and to provide adequate training for professionals to recognise and assist victims. It also establishes the creation, at national level, of a rapporteur or similar body responsible for monitoring the phenomenon, and, at European level, the role of Anti-Trafficking Coordinator, to ensure policy coordination and information exchange.¹³²

In procedural terms, the directive makes the initiation and continuation of investigations independent of the victim's complaint and provides for their continuation even in the event of retraction, in recognition of the frequent pressure and threats suffered by victims.¹³³

Particular attention is paid to minor victims, for whom the statute of limitations is extended. With regard to protection, the Directive requires Member States to provide assistance and support that is not conditional on cooperation in proceedings, tailored to the specific needs of each victim, such as in cases of pregnancy, disability, health problems or trauma, and to take measures to prevent secondary victimisation.¹³⁴

¹³¹ Marchetti, S. (2022). *10 Years After the Directive 2011/36/EU. Lights and shadows in addressing the vulnerability of trafficked and exploited migrants.*

¹³² Amandine, S., (2016). *European Implementation Assessment of Directive 2011/36/EU on Trafficking in Human Beings from a Gender Perspective.*

¹³³ Urbelionyte, A. (2012). *Changes in EU Legal Regulations on Human Trafficking after Adoption of Directive 2011/36/EU.*

¹³⁴ Rešetar Čulo, I. (2029). *Violence against children and integrated child protection systems in the European Union.*

Implementation in Italy has involved amendments to the Criminal Code, as we have seen above, in particular Articles 600 and 601, the extension of procedural safeguards, the establishment of a single assistance and integration programme, and the adoption of a National Action Plan. With an integrated approach combining prevention, repression and protection, the Directive is consistent with the main international instruments and significantly strengthens the European Union's capacity to tackle one of the most serious human rights violations of our time in a coordinated manner.

In conclusion, the European Union action on combating trafficking in human beings, outlined by Directive 2011/36/EU, is part of a broader framework for the protection of the rights of children and adolescents, consistent with the obligations enshrined in Article 3 of the Treaty on European Union¹³⁵ and Article 24 of the EU Charter of Fundamental Rights¹³⁶. This commitment has translated, over the years, into the adoption of complementary strategies and tools, including the European Strategy for the Protection of the Rights of the Child of 2006, the “EU Agenda for the Rights of the Child” of 2011 and the 2011 Directive on fight against sexual abuse, sexual exploitation and child pornography.

The Union's external relations have also complemented this approach, as highlighted by the 2008 communication *A special place for children in EU external action*¹³⁷, which placed the rights of the child at the heart of cooperation with third countries. In that perspective, the European Parliament has repeatedly urged the strengthening of the protection of children, while also calling for consideration of EU accession to the United Nations Convention on the Rights of the Child and its Optional Protocols. Particularly significant, in this sense, is the recommendation of 12 March 2014 to the Council, in which Parliament urged the inclusion in political dialogues with third countries –for example in the framework of the Cotonou

¹³⁵ “1. *The Union's aim is to promote peace, its values and the well-being of its peoples. [...]*” (Treaty on European Union, 2012, Article 3)

¹³⁶ “1. *Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.*

2. *In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.*

3. *Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.*” (European Union, 2012, Article 24)

¹³⁷ “*The European Union is firmly committed to promoting children's rights and responding to their basic needs as an integral part of both its internal and external policies. [...]*” (COM/2008/0055 final)

Agreement¹³⁸ – of concrete objectives for the prevention and cessation of recruitment and forced involvement of minors in armed conflicts, as well as measures for their release and social reintegration. In doing so, the EU confirms an integrated approach, in which the suppression of trafficking and forms of exploitation is accompanied by a broader vision of promoting and protecting the rights of the child.¹³⁹

UN Convention on the Rights of the Child (CRC)

The United Nations Convention on the Rights of the Child, adopted by the UN General Assembly on 20 November 1959, represents the first international instrument to recognize that all children, without distinction of social, cultural, ethnic or religious origin, are holders of full civil, social, political, cultural and economic rights, which must be promoted and protected by all States. With its adoption, minors are recognized as persons and citizens with their own rights, capable of actively participating in family, social, cultural and civic life.

Italy ratified the Convention on 27 May 1991 by Law No. 176, making it an integral part of national law; to date, it has been ratified by 196 States, with the sole exception of the United States, which has not given it full legal adherence.

The Convention consists of 54 articles, divided into three parts: the first (arts. 1-41) sets out the rights recognized; the second (arts. 42-45) defines the bodies and methods for promoting and monitoring its implementation; the third (arts. 46-54) governs ratification procedures.

There are four fundamental principles that permeate the entire text: non-discrimination (art. 2), which guarantees the rights of all minors without any distinction; the pre-eminence of the best interests of the minor (art. 3), which must guide every public or private decision; the right to life, survival and development (art. 6), which commits States to allocate the maximum of available resources to the protection of the life and healthy development of the child; and the

¹³⁸ The Cotonou Agreement was a partnership agreement between the European Union (EU) and the African, Caribbean, and Pacific (ACP) countries, established in 2000. It served as the framework for the EU's relations with 79 ACP countries, focusing on development, political, and economic cooperation. The agreement was designed with a 20-year lifespan, expiring in 2020, but was extended multiple times pending a new agreement. (EU Commission, Department Migration and Affairs, n.d.)

¹³⁹ Symeonidou-Kastanidou, E. (2016). *Directive 2011/36/EU on Combating Trafficking in Human Beings: Fundamental Choices and Problems of Implementation*.

right to listen (art. 12), which ensures the participation of the child in decision-making processes that concern him.¹⁴⁰

The Convention is accompanied by three Optional Protocols: the first on the prohibition of the sale, prostitution and child pornography; the second on the involvement of children in armed conflict; the third, which establishes an individual complaints procedure to the UN Committee on the Rights of the Child in Geneva for violations of the rights established. Italy has ratified all three Protocols, making them fully operational on its territory.¹⁴¹ Articles 34 and 35 are of particular importance with regard to the issue of trafficking and exploitation of minors.

Article 34 commits States to protect every child from all forms of sexual exploitation and abuse, taking national, bilateral and multilateral measures to prevent coercion or inducement to engage in illegal sexual activities, the use of minors in prostitution or other illicit sexual practices, and employment in pornographic performances or materials.

Article 35 extends this protection to any form of abduction, sale or trafficking of children, regardless of the purpose or mode, imposing an obligation on States to take action on several levels to prevent the phenomenon.

These articles highlight a comprehensive and integrated approach, in which prevention is accompanied by international cooperation and the harmonization of national legislation, to target all stages and forms of trafficking.¹⁴²

Despite the importance and progress resulting from the adoption of the Convention, the full realization of the rights of the child is still hampered by serious critical issues at the global level. In various contexts marked by armed conflicts –such as Afghanistan, Iraq, Syria and Gaza Strip – the war has produced deep social fractures, causing millions of orphans, deaths and the recruitment of approximately 300,000 child soldiers. Globally, it is estimated that half of trafficked persons are minors, frequently sexually exploited, employed in forced labour or involved in criminal activities. Almost half of the population in conditions of extreme poverty in the world is made up of minors, and in less developed countries one in four children is forced

¹⁴⁰ Lundy, L. (2012). *Children's rights and educational policy in Europe: the implementation of the United Nations Convention on the Rights of the Child*.

¹⁴¹ Agu, S. (2025). *Convention on the Rights of the Child, Its Optional Protocols, and Work and Documents of the CRC Committee*.

¹⁴² Rafferty, Y. (2013) *Ending Child Trafficking as a Human Rights Priority: Applying the Spectrum of Prevention as a Conceptual Framework*.

to work, often in dangerous conditions.¹⁴³ Europe is not exempt either: within the EU, 27% of minors are at risk of poverty and child sexual exploitation remains an alarming phenomenon. These elements demonstrate that, while representing an indispensable pillar for the protection of children, the Convention needs constant application, accompanied by targeted and coordinated policies, capable of addressing the structural causes of violations and making the rights enshrined for every child effective.¹⁴⁴

To conclude, the Italian and international legal framework on the subject of Human trafficking and exploitation today has a complex and articulated structure, the result of a regulatory evolution that has progressively integrated the human rights dimension with specific protection instruments for the most vulnerable. The legal definition of trafficking, the human rights-based approach and Art. 18 of the *Consolidated Act on Immigration* constitute the pillars of the domestic system, reinforced by successive legislative interventions –such as Law 228/2003, the National Anti-Trafficking Plan 2022-2025 and Law 47/2017 on the protection of unaccompanied foreign minors – and by the criminal regulations punishing the conduct of slavery, trafficking and reduction into servitude (arts. 600, 601, 602 of the Criminal Code). At international and European level, instruments such as Directive 2011/36/EU, have consolidated an integrated approach, founded on the prevention, repression and effective protection of victims, with particular attention to minors. However, the concrete implementation of this regulatory framework still encounters limitations and critical issues, as demonstrated by the operational difficulties of the services and the Anti-Trafficking Hotline, as well as the complexities in ensuring truly effective and long-lasting protection paths for the victims involved. It is in this context that the ‘Roxanne e Oltre’ Project and the Regional Anti-Trafficking Plan Lazio, a cases study of this research, are inserted, to offer a privileged observatory to assess the extent to which regulatory provisions, and in particular Art. 18 of the *Consolidated Act on Immigration*, are applied in practice to guarantee protection and integration to victims of trafficking in Italy.

¹⁴³ Alderson, P. (2000). *UN Convention on the Rights of the Child: Some Common Criticisms and Suggested Responses*

¹⁴⁴ Rafferty, Y. (2016). *Trauma as an Outcome of Child Trafficking for Commercial Sexual Exploitation: A Human Rights-Based Perspective*.

CHAPTER 3.

Case Study on the Practical Application of Article 18 of D.lgs 286/1998

3.1 Introduction: Regional and Municipal Levels

3.1.1 Rationale for selecting Lazio and Rome as case studies

The choice to analyse Lazio and the City of Rome, responds to a dual need. On the one hand, Lazio represents one of the Italian regions most affected by migratory flows¹⁴⁵ and the phenomenon of human trafficking, configuring itself as a strategic context to observe the application of victim protection and integration policies. On the other hand, Rome, as the capital and main urban centre of the region, is a privileged laboratory for the study of measures taken at municipal level, also thanks to the presence of a consolidated network of projects and associations active in the sector.

Lazio also stands out as a particularly interesting case since it is the only Italian region to present a dual dimension of intervention, both at regional level (with the PRAL) and at municipal level (with projects such as *Roxanne and Oltre*). In other regions, such as Lombardy, for example, anti-trafficking programmes are mainly managed by the Municipality of Milan and the Department for Equal Opportunities at the national level, without a specific articulation on both levels. The analysis of the Lazio context therefore allows us to observe how the two scales — regional and municipal — can interact and overlap in the release of the special permit, offering useful ideas for understanding the advantages and critical issues of a multilevel approach.

¹⁴⁵ The foreign presence is more concentrated in the Central-Northern Regions (84%), and in particular in the North-West (34.2%). Lombardy is the region that has the largest presences in absolute value (1 million and 191 thousand resident foreigners, 23% of the total), followed by Lazio (636 thousand, 12.3%), Emilia-Romagna (562 thousand, 10.9%), Veneto (509 thousand, 9.8%), Tuscany (426 thousand, 8.2%) and Piedmont (406 thousand, 8.1%). (Istituto Superiore di Sanità, 2023)

3.1.2 Methodological note: use of qualitative interviews as a research tool

Methodologically, the chapter is based on the employment of qualitative interviews as a research tool. Interviews were carried out with the PRAL Lazio and *Roxanne e Oltre* project teams, in order to gather direct information on the organisation, operational practices and critical issues encountered. This approach allows normative analysis to be integrated with empirical data, highlighting not only the legal-formal framework, but also its effective application on the territory.

3.2 Lazio Regional Anti-Trafficking Plan (PRAL)

3.2.1 Structure of PRAL: objectives, instruments, stakeholders

To analyse the Lazio Regional Anti-Trafficking Plan (PRAL), an interview was conducted with Fabiana Anzaldi, a sociologist and social worker. Since 2012, she has collaborated with the *Cooperativa Sociale Magliana 80* in projects and services aimed at victims of trafficking and is currently Head of the Operational Territorial Unit of the Lazio Regional Anti-Trafficking Plan (PRAL).

PRAL is one of the most comprehensive and well-established initiatives in Italy in the fight against human trafficking. Active since 2016 and now in its sixth edition, PRAL is a complex system of interventions aimed at prevention, protection and assistance for victims of trafficking and severe exploitation, both for sexual and labour purposes, but also in relation to other forms of exploitation such as begging, forced marriages and illegal activities. Funded through periodic calls for proposals issued by the Presidency of the Council of Ministers - Department for Equal Opportunities (DPO), the Plan is part of a broad regulatory framework that includes, in addition to Article 18 of the Consolidated Immigration Act, Law 228/2003, Legislative Decree 24/2014 and the National Anti-Trafficking Plan 2022–2025.¹⁴⁶

PRAL's main objectives are manifold and can be divided into three broad categories: encouraging potential victims to come forward, ensuring immediate protection and first aid, and finally promoting the active inclusion of individuals through personalised empowerment,

¹⁴⁶ Lazio Region. (2025). *Piano Regionale Antitrattra Lazio (PRAL 6)*.

training and job placement programmes, without ruling out the possibility of assisted voluntary repatriation to their countries of origin.

From an organisational point of view, PRAL is characterised by a complex, multi-stakeholder structure comprising thirteen bodies specialising in different areas¹⁴⁷:

1. *Differenza Donna Association* (gender-based violence),
2. *Focus Casa dei diritti sociali Association*,
3. *Ora d'Aria Association* (transgender people),
4. *Arci Association*¹⁴⁸,
5. *Be Free Social Cooperative* (women victims of domestic violence),
6. *Il Cammino Social Cooperative* (four main areas of intervention: drug addiction, minors and social inclusion, prisoners and prison, immigration),
7. *Il Fiore del Deserto Association* (minors),
8. *Ain Karim Volunteer Association* (pregnant women or new mothers),
9. *Magliana '80 Social Cooperative* (reception of victims of trafficking),
10. *Parsec Social Cooperative* (trafficking and severe labour exploitation),
11. *CRS Cooperativa Roma Solidarietà* (promoted by Caritas of Rome),
12. *Karibù Società Cooperativa Integrata a.r.l.* (women and minors),
13. *Virtus Italia Onlus Association - Consorzio di Solidarietà Sociale*

This fragmentation does not represent a waste of resources, but rather constitutes added value because it allows for a more targeted and qualified response.

Each organisation brings with it a wealth of specific skills and know-how gained through years of experience in the field, which allows it to address the various dimensions of the phenomenon of trafficking in a unique way. Victims of severe labour exploitation, for example, require different legal, trade union and training approaches than those of sexual exploitation, who instead need intensive psychological support, empowerment programmes and strategies for

¹⁴⁷ UNHCR, 2024

¹⁴⁸ Arci Roma APS, the local branch of Arci Nazionale, has over eighty clubs and around 80,000 members in the metropolitan area. Founded in 1989, it promotes culture, mutual aid and civil rights, with a constant commitment to fighting racism and discrimination and supporting migrants. It promotes symbolic events such as “Roma Incontra il Mondo” (Rome Meets the World) at Villa Ada, supports social mobilisation and promotes volunteering. It manages reception projects, including four SAI centres in Rome and Monterotondo, social and legal advice centres and Italian language schools for foreigners. Its work integrates reception, legal and cultural support, awareness-raising and civic participation, promoting associationism and self-organisation among migrants. (Arci Roma, 2025)

escaping prostitution. Similarly, minors are a particularly vulnerable group for whom dedicated protocols, enhanced legal protection and the constant presence of a guardian are required. Sectoral specialisation therefore makes it possible to move beyond the “one size fits all” approach typical of more centralised systems, ensuring that each victim is taken care of with an individualised plan that takes into account their personal characteristics, the type of exploitation they have suffered and the most appropriate prospects for reintegration. Furthermore, networking between these organisations ensures a holistic approach: victims can begin their journey with a specific organisation, but also benefit from complementary services offered by other PRAL partners, in a spirit of integration.¹⁴⁹

Another key aspect of this fragmentation is the ability to establish a widespread presence throughout the territory. The organisations involved do not operate in the abstract, but have developed strong links with local communities, health services, prefectures, police headquarters and reception centres over time. This makes it easier to identify the various channels through which victims emerge – from the streets to ports, from CAS (Centres for Asylum Seekers) to hospitals – and to activate protection mechanisms in a timely manner.¹⁵⁰

In summary, PRAL is configured as a network of interconnected specialist skills, in which the fragmentation of actors is not synonymous with dispersion, but rather with complementarity and enrichment: a model that seeks to respond to the complexity of the phenomenon of trafficking by enhancing the specific characteristics of each entity and bringing them together in a single regional plan.

Furthermore, Lazio presents a unique feature in the national landscape: alongside the regional plan, there is an autonomous municipal project, such as the *Roxanne e Oltre* programme of the City of Rome, thus creating a dual dimension of intervention that is not found in other regions, where the system is entrusted either to the municipal level (as in Milan) or directly to the national level, i.e. to the DPO.

¹⁴⁹ Data emerging from a qualitative interview with PRAL team conducted on 3 September 2025.

¹⁵⁰ Department for Equal Opportunities. (2024).

3.2.2 Implementation: victim identification, protection, and integration pathways.

The identification, protection and social inclusion mechanism involves a structured three-stage process. The first stage involves identifying potential victims, which can take place in a variety of contexts: ports, emergency reception centres (CAS), emergency rooms, street units, reports to the National Helpline or emails sent directly to the helpdesks. Formal authorisation from the person does not need to be obtained in order to report them, but it is preferable that they are aware of the process. Once preliminary identification has taken place, an assessment interview is conducted, often scheduled at the police station or at the helpdesks, in accordance with non-judgmental protocols and UNHCR guidelines¹⁵¹. If a complaint has already been filed, entry into the protection programme is immediate.

Once the assessment phase has been completed, the victim is formally taken into care and placed in a protection programme, which includes access to protected reception facilities (49 places available in Lazio), which are secret and secure, where a process of social and work inclusion is initiated. The principle of voluntariness is central to this phase: individuals may also choose not to participate in the programme. In situations of particular risk, the DPO activates the national protection network (MIR), which provides for urgent transfers to other regions. The PRAL is also present within the Territorial Commissions for the Recognition of International Protection¹⁵², where it plays a fundamental role in identifying victims of trafficking among asylum seekers, and periodically participates in activities in courts and

¹⁵¹ The UNHCR Guidelines for Territorial Commissions on the Identification of Victims of Trafficking aim to support the early detection of situations of exploitation among applicants for international protection. Through direct hearings, the Commissions play a strategic role in identifying indicators of trafficking, which mainly concern women and minors subjected to sexual, labour or criminal exploitation. The document promotes a coordinated approach with public and private entities through referral procedures and protection programmes (Art. 18 of Legislative Decree 286/98). The interview must be conducted carefully, explaining the importance of providing accurate information and gradually building trust. Identification can take place at any stage of the procedure, even after the Commission's decision. Possible outcomes range from the granting of international protection to access to anti-trafficking programmes and the issuance of special permits. Participation in the programmes does not affect the asylum decision and vice versa. The document includes practical annexes: a list of organisations, indicators of trafficking, memoranda of understanding and consent forms. The central objective remains the protection of the rights and safety of victims, while respecting their wishes. (UNHCR, 2024)

¹⁵² The Territorial Commissions for the Recognition of International Protection are the administrative bodies responsible for examining asylum applications submitted in Italy and deciding on the recognition of refugee status or subsidiary protection. Established by Legislative Decree 25/2008 and located in the Prefectures – Territorial Offices of the Government, they operate under the coordination of the National Commission for the Right of Asylum (CNDA), which ensures their direction, training and liaison with the Ministry of the Interior. Their composition reflects the multidisciplinary nature of the procedure: they include a prefectural official acting as chair, a representative of the UNHCR, a public security official and a representative of the local authority, in order to ensure a balance between institutional approach, protection of human rights and knowledge of the territory. (Ministry of the Interior, 2025)

prisons in order to intercept potential victims. The approach taken is holistic: the person is taken into care in all their vulnerabilities, with support ranging from legal assistance to health and psychological care.¹⁵³

The interview revealed that PRAL works closely with the National Helpline and the Municipality of Rome, with which it has a formal, non-onerous partnership. However, collaboration with municipal authorities is weaker and mediated by the City Council, while cooperation with other institutional bodies —prefectures, police headquarters, health authorities— is fundamental but often slowed down by the slowness of information transfer and the continuous evolution of the phenomenon. For this reason, regular meetings are organised between all the actors involved, also to adapt to frequent national and European legislative updates.

3.2.3 Achievements and main challenges

Among the strengths of PRAL are its widespread presence throughout the territory, the variety of skills possessed by its partner organisations, and its person-centred approach. At the same time, some critical issues remain: the need to make the identification mechanism faster and more effective, to strengthen anti-trafficking Standard Operating Procedures (SOPs), and to consolidate coordination between the various institutional levels. Further room for improvement concerns the presence in ports, such as Civitavecchia, and the development of projects targeting new forms of exploitation, such as forced indoor prostitution, which poses significant investigative challenges.¹⁵⁴

In summary, Lazio's PRAL is an advanced example of the practical application of anti-trafficking directives, capable of integrating national and European regulations with concrete local responses. Its multi-level experience, which combines regional and municipal dimensions, provides a privileged insight into the strengths and weaknesses of implementation, offering food for thought for other regional contexts.

¹⁵³ Data emerging from a qualitative interview with PRAL team conducted on 3 September 2025.

¹⁵⁴ Data emerging from a qualitative interview with PRAL team conducted on 3 September 2025.

3.3 The Municipal Project “*Roxanne e Oltre*” (City of Rome)

3.3.1 Origins and aims of the project

The interview with Luca Scopetti, coordinator of anti-trafficking agencies and services for Rome Capital, and with Alessandra Brussato and Alessandra Casagrande, coordinators of services dedicated to trafficking, provided an opportunity to explore the origins and developments of the “Roxanne e Oltre” Project, now one of the most important initiatives in Rome for combating human trafficking.

The project was developed as an evolution of the previous “Roxanne” project, which had been active since 1999 with an initial focus on the sexual exploitation of women, especially migrants. With the launch of “Roxanne e Oltre”, the intervention has been expanded in terms of both its target audience and the types of exploitation addressed: not only women, but also men, minors and transgender people; not only sexual exploitation, but also labour exploitation, marriage exploitation, begging, forced illegal activities, domestic violence and multiple forms of exploitation. Particular attention is also paid to emerging forms of coercion and control, such as indoor prostitution or the use of digital platforms for the management and recruitment of victims.¹⁵⁵

The project's objectives are developed on several levels of intervention. On the one hand, there is prevention and information, through contact and awareness-raising activities aimed at potential victims; on the other hand, there is integrated care, which includes harm reduction, legal and health regularisation, protected reception, as well as personalised paths to autonomy and social and professional reintegration. The approach is therefore multidimensional: not only physical and legal protection, but also support towards empowerment and self-determination. The regulatory framework of reference consists in particular of Article 18 of the Consolidated Law on Immigration (Legislative Decree 286/1998) and Legislative Decree 24/2014¹⁵⁶, which transposes European Directive 2011/36/EU, recognising victims' right to protection, assistance and inclusion measures.¹⁵⁷

¹⁵⁵ Il Cammino Cooperativa Sociale Onlus. (2023). *“Roxanne”: Finalmente Il Servizio Limitato Alle Vittime Di Tratta A Scopo Di Sfruttamento Sessuale Viene Esteso Alle Altre Forme Di Sfruttamento*.

¹⁵⁶ Legislative Decree 24 of 4 March 2014 implements Directive 2011/36/EU and concerns the prevention, repression and protection of victims of human trafficking, replacing the previous Framework Decision 2002/629/JHA. The law defines measures to combat this crime, strengthen the protection of victims, including minors, and promotes international cooperation.

¹⁵⁷ Comune di Roma, 2023

In terms of planning, ‘Roxanne e Oltre’ is characterised by a number of distinctive features. First of all, its registration with the National Anti-Trafficking Platform¹⁵⁸ guarantees the service institutional recognition and direct integration into the national anti-trafficking network, in particular through its connection to the National Hotline (Numero Verde). Furthermore, the project represents a rare case of dual coordination between the municipal and regional levels: Roma Capitale, through its Department of Social Policies and Health, plays a central role in terms of both funding and institutional management, entrusting governance to the municipal technical office, while the Lazio Region participates in co-design and liaison with other local services.

The practical implementation is entrusted to a network of six private social organisations, which work in close synergy: Parsec (lead partner), Cooperativa Sociale Il Cammino, Magliana 80, Caritas Roma, Casa dei Diritti Sociali and Associazione Ora d'Aria¹⁵⁹. This plurality of actors allows for the pooling of different skills and the creation of a truly integrated model of care. The network also extends to collaboration with local health services, law enforcement agencies, consulates and the International Organisation for Migration (IOM), particularly for assisted voluntary return programmes.¹⁶⁰

“Roxanne e Oltre” is therefore a complex and structured platform, in which public institutions and civil society cooperate on an ongoing basis, creating a model of intervention that stands out for its continuity, innovation and ability to adapt to changes in the phenomenon of trafficking.

3.3.2 Concrete activities: reception, protection, social and labour reintegration

The activities developed within *Roxanne and Oltre* represent the operational translation of the integrated and multidimensional approach that characterises the project. They are structured on different levels, covering both the initial contact phase with potential victims and the protection, reception and social and professional reintegration processes. A key tool is the Mobile Units,

¹⁵⁸ The National Anti-Trafficking Platform is the coordination tool promoted by the Department for Equal Opportunities of the Prime Minister's Office, which brings together nationally funded territorial projects to combat human trafficking. It functions as an operational network in which the different anti-trafficking entities share data, good practices and common procedures. It guarantees the activation of the National Toll-Free Number 800 290 290, manages urgent transfers between regions via the MIR network (Interregional Connecting Mechanism) and ensures uniformity in actions to protect and include victims. In this way, the platform integrates local, regional and national levels, strengthening the overall effectiveness of the Italian anti-trafficking system. (<https://piattaforma-antitrattra.it/>)

¹⁵⁹ Parsec, n.d.

¹⁶⁰ Data emerging from a qualitative interview with *Roxanne e Oltre* team conducted on 9 September 2025.

which operate both during the day and at night, seven days a week. These perform a dual task: on the one hand, intercepting and engaging potential victims directly in places of exploitation, and on the other, constantly mapping the urban and suburban areas, which is useful for monitoring flows, areas of greatest concentration and new forms of exploitation, including online. The operators work with great attention to safety conditions, approaching victims only when they are alone, as they are often guarded or accompanied by traffickers.

At the same time, the project offers listening and guidance services, including the main reference point in Via Galilei 15 and a central drop-in centre, designed to welcome people seeking help and direct them to the most appropriate services.¹⁶¹

Residential accommodation plays a central role, comprising various types of facilities tailored to the specific needs of victims. Protected shelters house women, including those with minor children, under protection pursuant to Article 18 of the TUI, providing a safe and secure environment. Once the emergency phase is over, people can access semi-autonomous solutions, designed for those who are no longer at risk of retraumatisation and are ready to embark on paths of employment and housing integration.¹⁶²

A particularly significant experience is represented by Casa Lucy, a shelter dedicated to transgender victims of trafficking. The creation of this space responds to a need that emerged dramatically during the COVID-19 pandemic, when street units recorded the extreme marginalisation of exploited transsexual women: unlike cisgender women, who sometimes received minimal material support (food or a place to sleep, albeit burdened with debt) from the “madams”, transgender victims were systematically excluded and left without any support. Hence the decision to allocate a property confiscated from organised crime to a specific reception and integration project. At Casa Lucy, guests receive not only housing protection, but also medical, registry and legal support, as well as training courses, internships and work grants. So far, six transgender women have found support there, two of whom have achieved full housing and employment independence. The house is named after Lucy Salani¹⁶³, the only

¹⁶¹ Caritas Roma, 2025

¹⁶² Data emerging from a qualitative interview with *Roxanne e Oltre* team conducted on 9 September 2025.

¹⁶³ Lucy Salani (1924–2023) was an Italian transgender woman, antifascist, and survivor of Nazi persecution. Assigned male at birth, she deserted the Fascist army during World War II and was later deported to Dachau concentration camp, where she survived. After the war, she lived openly as a transgender woman, enduring decades of marginalization and discrimination. In her later years, she became recognized as a symbol of resistance, memory, and LGBTQ+ visibility in Italy. Her life story is remembered as one of courage, survival, and dignity against oppression.

Italian transgender woman to survive the Nazi concentration camps, whose story is a symbol of resistance and dignity.

At the same time, discussions are underway to open an emergency shelter for drug addicts and alcoholics, who currently lack adequate facilities. However, this project would require significant financial resources and close collaboration with the local health authority, which is currently difficult to achieve.

In addition to providing shelter, *Roxanne e Oltre* also intervenes in cases of labour exploitation. Thanks to the presence of qualified professionals, including lawyers and legal advisors, the project provides support in identifying victims, obtaining the necessary certification and engaging in dialogue with companies involved in exploitative practices. Although cases of severe exploitation (involving physical violence) are relatively rare, systemic exploitation remains widespread in the catering and hotel sectors (with a particular intensification in view of the Jubilee), agriculture in the Agro pontino and Agro Romano areas, and domestic and care work (domestic workers and carers). In 2024, 35 cases were taken on, with two requests for protection under Article 18. However, critical issues arise in these areas due to the rigidity of the residence permit under Article 18, whose limited duration (six months/one year) is poorly suited to the lengthy criminal proceedings involved in cases of labour exploitation.¹⁶⁴

Another part of the service network is SUAM (Sportello Unico Accoglienza Migranti, or Single Reception Point for Migrants), established over twenty years ago by the Department of Social Policies and Health of Rome Capital. SUAM operates as a reception, listening and guidance centre, coordinating affiliated third sector organisations and ensuring access to specialist services for asylum seekers, protection holders and vulnerable migrants. Since 2022, SUAM has also hosted the Spazio Comune programme, promoted by UNHCR, which aims to create multifunctional inclusion centres where institutional and private services are brought together under one roof. This synergy makes it possible to speed up administrative procedures and facilitate access to housing, training and work, strengthening integration pathways in the area. In 2025, through the publication of a “Spazio Comune” newsletter, the project aims to

¹⁶⁴ Data emerging from a qualitative interview with *Roxanne e Oltre* team conducted on 9 September 2025; in particular with Parsec representative.

disseminate information on help desks, projects and local good practices, with the aim of facilitating access to services for both operators and the migrant population.¹⁶⁵

Finally, *Roxanne and Oltre*'s activities are part of a municipal anti-trafficking system structured in progressive stages: from identification (through a toll-free number, street units or reports), to language training (Italian language courses and middle school diploma), psychological and health support – thanks also to collaboration with the INMP – and finally to job placement through internships and work grants. Subsequently, victims are transferred to semi-autonomous facilities, accompanied by operators specialised in social and work reintegration. At this stage, the residence permit issued under Article 18 can be converted into a work permit, consolidating the path to autonomy and reducing the risk of re-trafficking.

Roxanne e Oltre is therefore a complex and dynamic intervention model, capable of integrating prevention, protection and social inclusion, with a particular focus on new forms of exploitation and the most vulnerable groups, such as transgender people or victims of labour exploitation.¹⁶⁶

3.3.3 Operational challenges and best practices

From an operational point of view, *Roxanne e Oltre* faced several difficulties, which partly reflect the systemic fragility of anti-trafficking services in Italy. The first critical issue arose in 2021, when a temporary interruption of activities due to administrative problems in the tendering process highlighted the vulnerability of a system heavily dependent on cyclical and short-term funding¹⁶⁷. However, the subsequent restart of the project provided an opportunity to relaunch and expand the interventions, strengthening their structural framework and adapting them to the new needs that had emerged in the area.

Another significant challenge is linked to the difficulty of identifying victims of indoor prostitution, a phenomenon that is increasingly widespread and difficult to monitor compared to street prostitution. In response to this development, the project has launched new intervention strategies, including awareness-raising activities in schools and local communities, to prevent the risk of recruitment and exploitation and to educate citizens.

¹⁶⁵ Ministero del Lavoro e delle Politiche Sociali, n.d.

¹⁶⁶ Data emerging from a qualitative interview with *Roxanne e Oltre* team conducted on 9 September 2025.

¹⁶⁷ Valeri, V. (2024). *Sfruttamento sessuale, Roma investe 400mila euro per intercettare le vittime di tratta*.

However, the most significant critical issue, which emerged across all stages of intervention, concerns the lack of adequate living space for victims. Residential accommodation is in fact the most delicate aspect of the protection process: without stable and sufficiently numerous solutions, it becomes extremely difficult to ensure continuity in protection and support programmes. Currently, the number of homes available, including semi-independent accommodation and specialised facilities such as Casa Lucy, is insufficient to meet actual demand. This shortage risks compromising the effectiveness of the entire system, as immediate protection and the possibility of embarking on a path to reintegration inevitably depend on the availability of a safe and dignified place to live. The urgency of expanding and diversifying the housing offer is therefore a priority recognised by the operators themselves, who emphasise the need for new forms of co-design with local institutions, the Region and the Local Health Authority, also with a view to providing more targeted care for victims with complex problems, such as drug or alcohol addiction.¹⁶⁸

Alongside these critical issues, the project also has significant strengths. Among the established good practices are the non-judgmental and non-labelling approach, which aims to combat social stigma and help victims rebuild their self-esteem, and the multi-agency methodology, which integrates different skills – psychological, legal, health, social – into a single care pathway. Another fundamental aspect is the systemic-relational model, which places the individual at the centre in all their complexity, with interventions ranging from psychological support to strengthening work skills and rebuilding social networks.

Data collected in recent years confirm the relevance of this approach. According to Save the Children¹⁶⁹ over 38% of people that enters in Italy are sexually exploited, and in just two months of 2022, the *Roxanne e Oltre* service managed to get 788 people off the streets, while there was an increase in requests related to labour exploitation in the logistics, agriculture, construction and catering sectors.¹⁷⁰ The stories of the people intercepted highlight complex journeys, often marked by violence, forced migration, psychological vulnerability and social isolation, and show the importance of support that goes beyond simple material assistance.

¹⁶⁸ Data emerging from a qualitative interview with *Roxanne e Oltre* team conducted on 9 September 2025

¹⁶⁹ Piccoli Schiavi Invisibili, 2023

¹⁷⁰ Valeri, V. (2024). *Sfruttamento sessuale, Roma investe 400mila euro per intercettare le vittime di tratta*.

In conclusion, *Roxanne e Oltre* is now a key resource in the Rome area, combining immediate protection, social reintegration and collective awareness-raising. Its importance lies in its ability to adapt to a constantly changing phenomenon, offering integrated and flexible responses. However, the lack of housing remains the most urgent critical issue, which risks limiting the impact of other interventions and requires long-term structural investment. The dual regional and municipal dimension of the Lazio-Rome system, of which the project is an integral part, makes this model unique in Italy and provides a privileged vantage point from which to observe how Article 18 of the TUI can be translated into concrete and effective measures of protection and inclusion.

3.4 Comparative Analysis between the regional and municipal approaches

A comparison between the Lazio Regional Anti-Trafficking Plan and the Municipal Project *Roxanne e Oltre* highlights a clear complementarity between a strategic-systemic level and an operational and experimental level, but also reveals structural imbalances that limit their overall effectiveness. The PRAL, which has been active since 2016 and has undergone several editions, is a broad programme framework, funded through calls for proposals by the Department for Equal Opportunities and included in a regulatory context that refers to Article 18 of the TUI, Legislative Decree 24/2014 and the National Anti-Trafficking Plan. It guides the region towards three macro-objectives—emergence, protection and inclusion—and has network tools and procedures at its disposal (including the possibility of activating the MIR network for urgent transfers). Within the PRAL, the response is organised by specialist sectors through a variety of bodies (thirteen organisations with different areas of expertise: for example, Associazione Differenza Donna, Parsec, Il Cammino, Magliana '80, Casa dei Diritti Sociali, etc.), a fragmentation that the plan interprets as an added value because it allows for individualised projects and local roots.

On the municipal side, *Roxanne e Oltre* was born out of the evolution of the Roxanne experience (1999) and operates as a project with a strong local and practical focus: municipal governance through the Department of Social Policies and Health, led by Parsec and a network of six operational bodies (Parsec, Il Cammino, Magliana 80, Caritas Roma, Casa dei Diritti Sociali, Ora d'Aria), Mobile Unit activities, help desks, sheltered housing and experimental solutions

such as Casa Lucy for transgender people. This complementarity translates into a functional relationship, but three critical issues emerge: (1) financial and administrative fragility linked to short-term calls for proposals, which has led to suspensions of activities (e.g. interruption in 2021) and slowdowns; (2) the growing difficulty of identifying contemporary phenomena such as indoor prostitution and new digital forms of exploitation; (3) insufficient housing provision: although the PRAL provides for protected places (a total of 49 places reported at regional level), the facilities available in Rome (protected homes, semi-autonomous homes and Casa Lucy) are not sufficient to meet the real demand, creating a bottleneck that reduces the continuity of protection and reintegration pathways.

Finally, while the PRAL highlights the need to strengthen standard operating procedures (SOPs) and inter-institutional coordination to speed up identification and case management, Roxanne highlights the value of non-judgmental practices, street work and housing experiments, but calls for structural investments (in particular co-design with local health authorities and stable housing resources) to overcome the main critical issue: the lack of adequate housing. In summary, the Lazio model is unique and potentially virtuous precisely because it combines a specialised regional plan with an operational and innovative municipal project; however, the transition from local experimentation to sustainable structural capacity requires financial stability, enhanced coordination and a dedicated housing plan to translate good practices into lasting results.

3.5 Outcome: The Effectiveness of Article 18 in Practice

3.5.1 To what extent PRAL and *Roxanne e Oltre* operationalize Article 18

The implementation of Article 18 within the practices of PRAL and the *Roxanne and Oltre* associations highlights how this tool, once at the forefront, has gradually lost its central role in the system of protection for victims of trafficking and marginalisation. When it was introduced with the Consolidated Act on Immigration in 1998, Article 18 was an innovative and unique mechanism in Europe, as it recognised for the first time a residence permit for victims, conceived not only as a repressive measure aimed at combating organised crime, but also as a tool for social protection and integration. Over the years, however, its use has gradually declined, given the emergence and consolidation of new legal pathways, first and foremost the application for international protection, which is now the preferred choice for victims. The

reasons for this change lie both in the inherently rigid structure of Article 18 and in the practical difficulties of accessing a residence permit.

Although the law formally provides for two paths – the judicial path, linked to cooperation with the judicial authorities, and the social path, aimed at protecting the person regardless of whether a complaint has been filed¹⁷¹ – practical application, emerged from the conducted interviews, shows that, in the absence of specific evidence, police headquarters tend not to issue permits, effectively undermining the scope of the so-called “social path”. As a result, many victims, driven by fear of retaliation or the desire not to compromise their ties with communities of fellow nationals in the country, prefer to seek international protection, which guarantees longer validity periods (five years compared to the six months, renewable, of Article 18) and a legal framework less dependent on investigative cooperation. However, in some cases, Article 18 remains useful: unlike international status, it allows victims to return to their country of origin, which is significant for those who, for example, leave family members or children abroad.

The experience of PRAL, as revealed in interviews with operators, confirms this trend towards downsizing Article 18, while still recognising its structural role in the protection system today. According to the findings, Article 18 was previously the only viable route to obtaining protection; however, today many of the victims taken into care are making a more informed choice to apply for asylum, considering this option to be more advantageous both legally and in terms of their livelihood. The operators point out that, although the legislation explicitly provides for the possibility of obtaining a special permit through the social pathway, in practice it is very difficult for police headquarters to issue such a permit in the absence of a detailed report containing names, places and detailed information.

Generic complaints, often motivated by fear or lack of awareness, are rarely taken into consideration, and the risk is that victims find themselves excluded from both special and international protection. Furthermore, there is marked territorial inconsistency in the application of Article 18: there are areas of the country where the number of permits issued is significantly higher, and it is assumed that this is due to the instrumental use of the provision by law enforcement agencies, which encourage adherence to the procedure set out in Article 18 in order to strengthen efforts to combat trafficking. In this sense, the logic of “do ut des” –I will grant you protection if you provide me with information useful to the investigation– continues to prevail, even where the legislation is intended to offer protection regardless of judicial

¹⁷¹ See *infra* 2.3.3, page 35

cooperation. A further critical issue lies in the duration of the permit itself: renewal every six months does not guarantee the stability necessary to embark on a genuine path to emancipation. Yet there are also cases where Article 18 remains the preferable choice, especially when the victim wishes to keep open the possibility of returning to their country of origin.

A similar picture emerges from the interview conducted with operators from the *Roxanne and Oltre* associations. These two organisations, which have been running reception and reintegration projects for women victims of trafficking for years, currently assist twelve people who hold residence permits under Article 18. This figure marks a significant decline compared to previous years and is part of a broader process of rarefaction of reports by victims. The reasons for this reduction are complex and deserve careful consideration. On the one hand, it has been observed that many victims come from migrant backgrounds in which diasporic communities –often belonging to the same ethnic groups as the exploiters– constitute fundamental reference environments. In these contexts, reporting an offence can be not only a risky act on a personal level, but also an obstacle to integration into one's community of origin. On the other hand, the residence permit provided for in Article 18 is considered inadequate in relation to the actual duration of the process of escaping exploitation.

Often, in fact, women taken into care take months –sometimes years– to become fully aware of the violence they have suffered and to develop the will to report it. The lengthy process of recovery, combined with the need for stability and ongoing support, means that the limited duration of the special permit is insufficient, too short to guarantee a real path to independence. In this context, *Roxanne and Oltre* have also seen an increase in requests for international protection, which victims consider a safer and less exposed route.

Nevertheless, the associations reiterate that the project structure and methodological approach adopted remain anchored to the principles inspiring Article 18, which continues to form the conceptual framework around which the intervention is organised. In this sense, although Article 18 is now used more selectively, it continues to be an important reference point, both symbolically and operationally, for organisations involved in the protection of victims.

3.5.2 Comparative Legal Perspectives on Special Residence Permits and International Protection

The institution of international protection, introduced at European level by Directive 2004/83/EC and transposed in Italy by Legislative Decree 251/2007, is divided into refugee status and subsidiary protection. In the first case, pursuant to the 1951 Geneva Convention, protection is granted to those fleeing persecution on grounds of race, religion, nationality, membership of a social group or political opinion.¹⁷² In the second case, protection is granted to those who, although they cannot be recognised as refugees, risk “serious harm” such as torture, inhuman treatment or serious and individual threat resulting from armed conflict if they are returned.¹⁷³ In both cases, the key principle is that of non-refoulement, which prohibits forced return to a country where life or safety would be endangered.¹⁷⁴ International protection entitles the holder to a long-term residence permit – five years, for both refugee status and subsidiary protection – which is renewable and allows for family reunification. One of the main limitations, however, is the impossibility of travelling to the country of origin: any voluntary return, or the use of documents issued by the country of origin, may be interpreted as a lack of fear of persecution or risk of serious harm, resulting in the revocation of status. International protection therefore guarantees legal stability and extensive rights, but binds the person to a definitive break with their country of origin.¹⁷⁵

The residence permit for special reasons provided for in Article 18 of the Consolidated Law on Immigration is of a different nature. Created in 1998 as a pioneering tool for the protection of victims of trafficking, violence and serious exploitation, this permit is not linked to state or generalised persecution, but to conditions of vulnerability and the need for protection on Italian territory. Its function is twofold: on the one hand, to guarantee social protection, and on the other, to encourage victims to cooperate with the authorities in combating criminal networks. It has a limited duration – six months, extendable to one year – and does not include the right to family reunification. At the same time, it offers an element of flexibility that international protection does not provide: the holder may, in principle, return to their country of origin, unless this jeopardises the protection process.¹⁷⁶

¹⁷² Ministero dell'Interno (n.d.). *Practical Guide for Asylum Seekers in Italy*

¹⁷³ European Union Agency for Asylum. (n.d.)

¹⁷⁴ Open Migration. (2025). *Principio di non-refoulement*

¹⁷⁵ UNHCR. (2025). *International protection and special protection*

¹⁷⁶ Integrazione Migranti. (2022)

This possibility is important for those who maintain emotional and family ties in their country of origin and do not intend to sever those ties permanently. However, the practical application of Article 18 is often limited by restrictive administrative practices: in the absence of a detailed report, permits are rarely granted, making it difficult to access the social pathway provided for by law.

The choice between international protection and special permission under Article 18 is therefore not merely formal, but responds to different logics. The former guarantees long-term stability, extensive rights and the possibility of family reunification, but requires the definitive renunciation of any ties with the country of origin. The second offers shorter and more precarious protection, often subject to reporting and without extensive rights, but leaves open the possibility of maintaining a relationship with the country of origin and returning there, at least temporarily. Ultimately, the most appropriate option depends on the individual's experience, degree of vulnerability, relationship with the country of origin and willingness to cooperate with the authorities. International protection is preferable where it is necessary to ensure stability, lasting security and full integration; Article 18, on the other hand, remains relevant in cases where the person wishes to maintain ties with their family or community of origin, accepting more limited but more flexible protection.

3.5.3 A Case Where Testimony Enabled Effective Action Against Trafficking Networks

A significant example of how the cooperation of a victim can translate into effective action against human trafficking is represented by a recent investigation by the Rome District Anti-Mafia Directorate, which led to the arrest of six Nigerian citizens belonging to the Maphite criminal organisation, active in Italy and several other European countries. The operation, conducted in synergy between the Central Operational Service, the SISCO units in Rome and Brescia, the Police Cooperation Service and the Crime Prevention Department, charged the suspects with various serious crimes, including human trafficking, exploitation of prostitution, aiding and abetting illegal immigration, kidnapping, extortion, money laundering, and even criminal association of a mafia type with transnational aggravating circumstances.¹⁷⁷

The investigation was based on the testimony of a young woman who, after arriving in Italy with the hope of building a better future, had instead been trapped in a system of exploitation and forced into prostitution under constant threat from her tormentors. Her decision to recount

¹⁷⁷ Licciardi, L. (2025).

her experience to investigators made it possible not only to uncover the inner workings of the criminal organisation, but also to identify additional victims, including minors, who had been subjected to physical and psychological violence during their journey through Nigeria, Niger and Libya, and subsequently in Italy. The investigations documented episodes of extreme coercion: women locked up in homes, deprived of food and contact with their families, and in one case a pregnant girl forced to take abortion drugs to the point of putting her life at risk in order to be made “suitable” for sexual exploitation.¹⁷⁸

Thanks to this report, the authorities were able to dismantle a significant part of the criminal network, targeting not only those directly involved in exploitation on Italian territory, but also the transnational links that ensured the continuity of human trafficking. This is therefore a prime example of the potential impact that a victim's voice can have in activating instruments of justice and protection. However, it is essential to emphasise that not every survivor of trafficking or exploitation is in a position to report it or willing to do so: reporting is not an obligation, nor should it be seen as the only way to seek redress. In this case, however, it has shown how individual contributions can strengthen the actions of institutions and indirectly help to reduce the margin of impunity enjoyed by criminal organisations.

In conclusion, the experiences of PRAL and the associations *Roxanne and Oltre* show that Article 18, despite having lost its central role in international protection procedures, continues to play a fundamental role in the system for protecting victims of trafficking. While the special permit has limitations in terms of duration and procedural rigidity, it continues to offer flexibility in terms of ties with the country of origin and social support, representing a valuable tool for victims who need immediate protection and personalised reintegration pathways. Analysis of the practices of associations also highlights how the choice of the most appropriate pathway is always linked to individual circumstances, the personal history of victims and their ability to comply with procedural requirements, confirming the importance of a voluntary and person-centred approach.

¹⁷⁸ Licciardi, L. (2025).

CONCLUSION

The research undertaken in this thesis began with a reconstruction of the phenomenon of human trafficking in Italy, which still constitutes one of the most serious violations of fundamental rights and a challenge for national and European institutions. The first chapter analysed the European and Italian contexts, highlighting how Italy is not only a destination but also a transit territory for victims, mostly women and minors from sub-Saharan Africa and Eastern Europe. Far from being confined to sexual exploitation, trafficking also includes labour exploitation, forced begging and other forms of coercion, demonstrating its transnational nature and the ability of criminal networks to adapt to changes in migration flows and social vulnerabilities. The second chapter explored the regulatory framework at European and national level. Starting with Directive 2011/36/EU and the main supranational instruments, such as the Warsaw and Palermo Conventions, the regulatory framework within which the Italian legal system operates was highlighted. Particular attention was paid to Article 18 of Legislative Decree 286/1998, an innovative measure which, since its introduction, has sought to balance two requirements: the protection of victims and the fight against crime. Article 18 has long been a model of reference at European level, as it focuses on a social approach to protection, capable of guaranteeing a residence permit even independently of judicial cooperation, provided that a path out of exploitation is undertaken.

On this basis, the empirical analysis in the third chapter was conducted, aimed at answering the central research question: *How is Article 18 of Legislative Decree 286/1998 on trafficking in human beings applied through the municipal project “Roxanne e Oltre” of the City of Rome and the regional PRAL programme, and how do these initiatives contribute to the protection of victims of trafficking?* Interviews conducted with operators highlighted the progressive disuse of Article 18, determined by several factors. On the one hand, victims today tend to favour international protection, which is perceived as more stable and protective in terms of duration and ancillary rights; on the other hand, the application of Article 18 appears to be uneven across the country and often influenced by police practices. It has been suggested that in some areas of Italy, the granting of special permits is more widespread, sometimes because the police encourage adherence to Article 18 as a tool to support investigations and combat the phenomenon.

Despite this downsizing, the experiences of PRAL and *Roxanne e Oltre* show that Article 18 remains highly relevant, especially as a means of immediate protection and as a tool that allows victims to maintain ties with their country of origin, which is a significant factor for those who, for example, have children or family members far away. The social planning linked to Article 18 also remains very solid: the reception and reintegration programmes developed by the authorities, despite fewer requests, continue to constitute a model of support centred on the individual and attentive to their specific vulnerabilities.

It is necessary, however, to stress the limitations of this research. In the absence of official and systematic data provided by the Department for Equal Opportunities or the National Anti-Trafficking Observatory, it is not possible to conduct an analysis on a national scale that allows quantitative verification of the dynamics that emerged from the interviews. The data relating to victims of trafficking are in fact extremely sensitive: their indiscriminate dissemination could compromise the safety of the people involved and increase the risk of re-trafficking. For this reason, the considerations developed in this thesis are limited to the municipal and regional level, and cannot be generalized beyond these contexts.

Overall, the picture that emerges is that of a normative instrument –article 18– which, although it has lost the centrality that characterized it at the time of its introduction, remains an important piece within the system for the protection of victims of trafficking. Its marginality with respect to international protection does not cancel its function, but reconfigures it as a targeted resource, useful in specific situations and capable of responding to needs that other instruments do not cover. More transparent and uniform data collection, accompanied by consistent application on the national territory, could further strengthen its effectiveness, by restoring to Article 18 the capacity to significantly affect both the protection of victims and the fight against criminal networks that fuel trafficking.

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