**

***Ministry of Foreign Affairs and International Cooperation***

***Inter-ministerial Committee for Human Rights***

***Italy’s contribution pursuant to HRC resolution 7/13 on care and recovery of child victims***

*April 2015*

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In relation HRC resolution 7/13 on care and recovery of child victims, Italian Authorities are in a position to provide the following information, to be posted on the webpage of the Special Rapporteur on the sale of children, child prostitution and child pornography.

*1. Provide information on legal, political, institutional and financial framework provided by your State for child victims of sale and exploitation, including sexual exploitation.*

Pursuant to Art. 17, paragraph 1 bis of [Law No. 269 of 3 August 1998](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/LEGGE_3_agosto_1998_n_269.pdf), as amended by Law No. 38/2006, the Observatory for the Fight against Paedophilia and Child Pornography collects and monitors data and information on the activities undertaken by public entities for the prevention and elimination of child sexual abuse and exploitation. In order to do this, the above mentioned law provides for the implementation of a database within the Observatory, which is currently under construction and will allow the accurate monitoring of the phenomenon. Through the information collected in the database, which will be soon activated, it will be possible to conduct studies and research with the aim to better understand the characteristics of child sexual abuse and exploitation, both in qualitative and quantitative terms. Based on the available data, the Observatory will be able to identify strategies and areas of intervention for the prevention of such a phenomenon and the protection of victims. Among the activities carried out in this field, in September 2011 the Italian Department for Equal Opportunities, in cooperation with the Observatory, presented a [Public Notice to support pilot projects for the treatment of child victims of sexual abuse and exploitation.](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/Avviso_pubblico_minori.pdf) Such projects are aimed at ensuring that child victims of sexual abuse and/or exploitation benefit from social and assistance services, by means of a close integration among social, health and judicial sectors, enabling to overcome the diversity of procedures used by local social and health services. The Notice’s strategic aim was to promote interventions for child victims, characterized by the tendency to create a connection among all local operative and institutional resources. The initiative is highly innovative and represents the first institutional experience aimed at trying to fill the existing gap in this field. Under the Notice, 27 projects have been funded throughout the national territory, which are currently being implemented.

The Observatory takes part in many activities and initiatives promoted by the most relevant and child-sensitive national and international institutions responsible for the protection of children from all forms of violence.
**Building a Europe for and with Children**. Since its establishment, in 2006, the Observatory has been playing an active role in the Council of Europe Programme “Building a Europe for and with Children”. Indeed, Italy has been one of the four pilot countries participating in the first stage of the project, which, within the framework of the Action Programme “Children and Violence” has provided for the drafting of a Report on national policies for the prevention of violence against children. Within the programme “Building a Europe for and with Children” also the launching event of the Council of Europe “One in Five” Campaign to stop sexual violence against children was organized in cooperation with the Council of Europe and took place on 29 and 30 November 2010 in Rome. As a supporting body of the National Focal Point on children’s rights and the elimination of all forms of violence against children, the Observatory then coordinated the drafting of the Italian contribution to [Recommendation (2012)2 of the Committee of Ministers to member states on the participation of children and young people](http://www.osservatoriopedofilia.gov.it/resources/cms/documents/Recommendation_CM_Rec2012_2.pdf), adopted on 28 March 2012, an issue the Council considers as particularly important. Recently, Italy has also endorsed the new [Council of Europe Strategy on the Rights of the Child (2012-2015)](http://www.osservatoriopedofilia.gov.it/resources/cms/documents/brochure_STRATEGIA_COE_2012_-_2015.en.pdf), presented in Monaco in November 2011 and adopted by the [Committee of Ministers of the Council of Europe on 15 February 2012 (CM 2011/171)](http://www.osservatoriopedofilia.gov.it/resources/cms/documents/Council_of_Europe_Strategy_for_the_Rights_of_the_Child_2012-2015.pdf).

**Council of Europe Policy Guidelines on Integrated National Strategies for the Protection of Children from Violence.** The Council of Europe Policy Guidelines on Integrated National Strategies for the Protection of Children from Violence were drafted on the basis of the four pilot countries’ reports. Between 2006 and 2008, the Observatory took part in the drafting as one of the main institutional actors, together with the Ministry of Labour, Health and Social Policies. The document includes elements inspired by the Italian child protection system and was approved by the Committee of Ministers of the Council of Europe on 18 November 2009, in [Recommendation CM/Rec (2009)10.](http://www.osservatoriopedofilia.gov.it/resources/cms/documents/14_CMRec_2009_10E.doc)

**Lanzarote Convention.** Within the Programme “Building a Europe for and with Children”, the Observatory participated in the negotiation process of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, also called [Lanzarote Convention](http://www.osservatoriopedofilia.gov.it/resources/cms/documents/1.Consiglio_Europa_convenzione_2007_Abuso_sfruttamento_sessuale.pdf), opened for signature on 25 October 2007 and entered into force on 1 July 2010. The Convention, which was ratified by Italy by [Law No. 172 of 1 October 2012](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/legge_172_del_2012ratifica_di_lanzarote.pdf), contains some specific provisions proposed by the Observatory during the negotiation process and inspired by the Italian legal framework, which is one of the most advanced in this sector.

**UN Committee on the Rights of the Child.** The Observatory contributes to the drafting of the periodic report the Italian Government must submit to the UN Committee on the Rights of the Child on the implementation of the UN Convention on the Rights of the Child and the Optional Protocol on the sale of children, child prostitution and child pornography. The report illustrates, inter alia, the Italian national policies for the prevention and punishment of the crimes related to sexual exploitation of children and provides updated data on the phenomenon. At the end of 2011 the Italian contribution to the global survey on the follow up to the UN Study on Violence against Children was drafted, on request of the Inter-ministerial Committee for Human Rights (CIDU) at the Italian Ministry for Foreign Affairs and International Cooperation.

**Revision of Framework Decision 2004/68/JHA.** The Observatory has been part of the Italian delegation coordinated by the Ministry of Justice that has participated in the work of the DROIPEN Working Group for the revision of the Council of the European Union [Framework Decision](http://www.osservatoriopedofilia.gov.it/resources/cms/documents/51_UE_DecisioneQuadroConsiglio_2003_NO_CD_it_23_37.pdf) 2004/68/JHA of 22 December 2003 on combating the sexual exploitation of children and child pornography. Negotiations have led to the adoption of the new [Directive 2011/93/EU of 13 December 2011](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/DIRECTIVE_2011-92-EU_OF_THE_EUROPEAN_PARLIAMENT_AND_OF_THE_COUNCIL.pdf) on combating the sexual abuse and sexual exploitation of children and child pornography.

**Safer Internet Programme**. The Observatory is part of the Italian Safer Internet Centre Advisory Board. Such a Board is a place where many institutional and non-institutional entities with their own know-how can compare and work for the promotion of children’s rights in the New Media. Italian Safer Internet Centre (SIC), promoted by Save the Children and Adiconsum, is the Italian reference structure for the EU [Safer Internet Programme](http://www.google.it/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CFgQFjAA&url=http%3A%2F%2Fec.europa.eu%2Finformation_society%2Factivities%2Fsip%2Findex_en.htm&ei=w0L9T-S0CMbh4QTe-vWFBw&usg=AFQjCNG_ckdSh4bGShkwvrfd3ZRsYhcnBQ&sig2=-GtOj4ySg-ZIB60TG0NZ_Q), the European Commission intervention plan on new media and the protection of children. Within this project, the Safer Internet Day and Safer Internet Forum are organized every year, in which more than 50 countries all over the world take part. Their aim is to promote safer use of the Internet and new technologies among young people.

**Prevention and fight against crime 2007 – 2013.** The Observatory, in partnership with Save the Children, Postal and Communications Police, and the Italian Coordination of Services against the Mistreatment and Abuse of Children (CISMAI – Coordinamento Italiano dei servizi contro il maltrattamento e l’abuso all’infanzia), participates in the European Commission Programme “Prevention and Fight Against Crime 2007 – 2013”, aimed at finding and implementing best practices on the identification of victims of child pornography.

**Initiatives for the protection of children promoted by the European Union Agency for Fundamental Rights (FRA).** Following the publication of the Report [“Developing indicators for the protection, respect and promotion of the rights of the child in the European Union”](http://www.osservatoriopedofilia.gov.it/dpo/en/link%20http%3A/fra.europa.eu/fraWebsite/attachments/FRA-report-rights-child-conference2010_EN.pdf) in 2010, the Observatory has participated in the many initiatives promoted by the European Union Agency for Fundamental Rights (FRA) in this field, with particular reference to the development of ad hoc indicators for the assessment of the impact of EU legislative actions and policies to ensure an increasing level of protection of children’s rights.

*2. Based on your experience, what elements are necessary for a comprehensive and rights-based care and recovery system of child victims of sale and exploitation, including sexual exploitation?*

See reply to question 3.

*3. Provide examples of good practices and successful initiatives of assistance and rehabilitation programmes which facilitate the recovery and reintegration of child victims of sale and exploitation, including sexual exploitation.*

The following best practices have been progressively implemented or disseminated by the above mentioned Observatory:

[**Strategic Agenda for the Promotion of Children’s Rights on the Internet**](http://www.osservatoriopedofilia.gov.it/dpo/en/dettaglio_progetto.wp?contentId=PES2498)**:** Policy paper drafted by the Advisory Board of the Safer Internet Center (Centro giovani online) within the framework of the Safer Internet Programme funded by the European Commission.

[**Development of a specific method to identify and support children who have been sexually exploited for the production of child pornography images**](http://www.osservatoriopedofilia.gov.it/dpo/en/dettaglio_progetto.wp?contentId=PES2502)**:** Project financed by the European Commission under the “Prevention and Fight Against Crime 2007-2013” Programme concerning the protection and assistance of children who have been sexually exploited for the production of child pornography material on the Internet.

[**Guidelines on Data Collection and Monitoring Systems on Child Abuse**](http://www.osservatoriopedofilia.gov.it/dpo/en/dettaglio_progetto.wp?contentId=PES861)**:** ChildOnEurope’s research on the implementation of national data collection and monitoring systems on child abuse and maltreatment.

[**Council of Europe Policy guidelines on integrated national strategies for the protection of children from violence**](http://www.osservatoriopedofilia.gov.it/dpo/en/dettaglio_progetto.wp?contentId=PES862)**:** European guidelines for the development of national strategies for the protection of children from violence, adopted by the Committee of Ministers of the Council of Europe on 18 November 2009 in Recommendation CM/Rec(2009)10.

[**Third and Fourth Report to the United Nations on the Implementation of the Convention on the Rights of the Child in Italy**](http://www.osservatoriopedofilia.gov.it/dpo/en/dettaglio_progetto.wp?contentId=PES860)**:** Italian Government’s Report on the implementation of the Convention on the Rights of the Child and related Optional Protocols in Italy.

*4. Describe the challenges that your State has identified in the establishment and management of assistance and rehabilitation programmes for child victims of sale and exploitation, including sexual exploitation.*

According to the contents of the [Report to the Parliament about the coordination activity set forth in art. 17, paragraph 1, of Law 3 August 1998, No. 269 "Laws against the exploitation of prostitution, pornography, sex tourism against children, as new forms of slavery"](http://www.osservatoriopedofilia.gov.it/dpo/en/dettaglio_progetto.wp?contentId=PES859), that is going to be finalized in the next months, the Observatory defines activities carried out by all the public administrations for the prevention, assistance, including legal aid, and protection of children against sexual exploitation and sexual abuse.

In the last Report the need to strengthen the fight against sale of children, child prostitution and child pornography is recalled, in line with the complexity of the phenomenon and the different subjects – offenders and victims – concerned. This demands for coordination mechanism and joint actions at the national level, financial support to comprehensive projects and best practices covering social, health and judicial sectors as well as their innovative and sustainable approach, namely at the local level ( (<http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/relazione_ex_legge_269_1998_2012.pdf>).

*5. How do you ensure that the views and needs of children are duly taken into account in the design and provision of care and recovery services?*

See reply to question 3.

*6. How do you ensure access of child victims to support services?*

See reply to question 3.

*7. How do you adopt and implement a gender perspective in the establishment and management of the assistance and rehabilitation programmes? Do the programmes provide gender-specific measures for the care and recovery of boys and girls?*

**Witnessing** domestic **violence** is a form of domestic violence consisting in forcing a child to witness aggressive behaviours or verbal, physical or sexual violence occurring between people he/she considers as reference points or against persons to whom he/she is emotionally tied, both adults and minors. Witnessing violence, as a form of psychological maltreatment, produces emotional, cognitive, physical and relational **effects**. Although it is not possible to prove the existence of a direct link between witnessing violence and the onset of clinical effects, harmful consequences caused by abuse, ill-treatments and violence occur very often, also in those cases in which the child does not show any immediate symptom.

Witnessing violence has many **consequences** on children: they often feel guilty for the situation they are witnessing and helpless and incapable to intervene. When they are repeatedly exposed to violence, individual wellbeing, development and ability to socially interact are seriously jeopardized, both during adolescence and adulthood. In the short run, witnessing violence can cause distress symptoms such as stress, depression, school difficulties, reduced empathic abilities, low self-esteem and self-depreciation, whereas, in the long run, it can increase the risk to reproduce violent behaviours when adult, considering violence as a licit way to relate to other people, which usually occurs especially in relationships with partners.

In the Italian legal system, **witnessing violence** is not a specific subject matter of an offence in which the child is considered as the victim of crimes committed in front of him/her against other members of the family. Such a legal vacuum is filled by linking the single cases of witnessing violence to the existing crimes, when possible.

In particular, reference is made to the crime of **maltreatment in the family**, laid down in art. 572 of the Italian Penal Code. Also this provision has been amended by the[law ratifying](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/legge_172_del_2012ratifica_di_lanzarote.pdf)the [**Lanzarote Convention**](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/1.Consiglio_Europa_convenzione_2007_Abuso_sfruttamento_sessuale.pdf). It provides for stiffer penalties for the crime of “Maltreatment of family members and cohabitants”, consisting of a term of imprisonment of 2 to 6 years. Penalty is further increased if the crime is committed against a child under the age of 14. If the act results in grievous bodily harm, the offender shall be punished by 4 to 9 years’ imprisonment, whereas if it results in an extremely grievous bodily harm, the person shall be punished by 7 to 15 years’ imprisonment. In case the committed crime results in the death of the victim, it is punishable by a term of imprisonment of 12 to 24 years.

[**Law No. 154/2001**](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/15.Legge_154_2001_Normattiva.pdf)**:**This is the most important legislative instrument introduced to protect women suffering from domestic violence and their children. The law establishing “Measures against violence in family relations” strengthens the protection of victims both through penal and civil legal actions and concerns individuals who, within their family relations, are exposed to subjection and physical and moral violence, such as threats, intimidation, pressure and psychological harassment. In criminal terms, art. 282 bis of the Code of Criminal Procedure was introduced and provides for that the judge can: impose the defendant to immediately leave the family home or not to return and not to enter it without an authorization; ban the defendant from approaching specific places usually frequented by the victim, especially the work place, the house of the family of origin or of close relatives. In terms of civil law, the law introduced arts. 342 bis and 342 ter of the Civil Code (Title IX bis called "Protection orders against family abuse"). Pursuant to art. 342 bis of the Civil Code, where the conduct of a spouse or cohabitant causes serious harm to the physical or moral integrity or to the liberty of the other spouse or cohabitant, the judge may adopt one of the measures provided for in art. 342 ter, by decree and at the request of the party concerned.
In compliance with art. 342 ter of the Civil Code, the judge may order the spouse or cohabitant to cease the harmful behaviour and the removal of the perpetrator from the household, also banning the person, if necessary, from approaching places habitually frequented by the plaintiff; the judge can also order, where required, the intervention of the local social services or a family mediation centre as well as of associations providing support and shelter for women, children or other victims of abuse and ill-treatments.

[**Law No. 38/2009**](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/138.L_38_2009_normattiva.pdf)**:**Gender violence in emotional relationships does not always end with the formal or legal separation of the woman from her violent partner and can take further and complex forms of ill-treatment affecting the woman’s and her children’s physical and psychological health and freedom. In this regard, it is important to mention Law No. 38/09 introducing art. 612 bis of the Italian Penal Code on stalking. Repeated threats and harassment are therefore considered as a crime, which is better known as stalking.

*8. Provide information on prevention programmes developed by your State with a specific focus on children at risk or in vulnerable situations (e.g. children working and/or living on the street, children placed in institutions, unaccompanied migrant children).*

As regards alternative measures to **institutionalization**, the Italian situation has been characterised by several legislative and operational changes oriented overall to the promotion of positive opportunities, to the removal of inequalities and the search for full and effective realization of the rights of the child. Following the closure of shelter institutes for children and adolescents, the recourse to placement in a family has been progressively implemented and, where this was not possible, the insertion of a child in a family-type community, characterized by organization and interpersonal relationships similar to those of a family. Just to give you an idea of the dimension of this phenomenon, in 2011 14.991 children were hosted in residential centres, 14.397 in families, and one over three is a foreign minor.

In this context social and educational assistance must be temporary and must respond to several dimensions of the psycho-physical disease, also when minors’ criminal, civil or administrative responsibility is concerned. In any case, the modalities and times of vigilance and monitoring on the condition of children outside the family context are assigned to local social services which have an obligation to keep the probate judge or the Juvenile Court informed.

To prevent abandonment and support family reunification, since 2010 the Ministry of Labour and Social Policies has financed the **P.I.P.P.I. action plan for the prevention of institutionalization**, aprojectinvolving 18 Regions in 2014/15. This programme consists of multidisciplinary and integrated actions in favour of families with children aged 0-16 at serious risk of being separated and encompasses measures to experiment, assist, support and supervise methodological approaches and processes for the care of families at risk, in order to prevent the separation from their children.

Another relevant nationwide project titled **“A pathway to Foster Care”**, was launched to promote knowledge and dissemination of best practices of family fostering in Italy. This project was created in order to sustain, promote and disseminate foster care on a national level as a quality intervention of real subsidiarity, essential for guaranteeing the fundamental right of each child to grow up as part of a family. It has been developed promoting a first survey mapping the realities of foster care in Italy and then planning several training and knowledge pooling workshops involving public bodies and private associations working in this field.

The two main results of this project are the elaboration of the **Guidelines for Foster Care** and the launch of a new nationwide project titled **“New words for foster care”**, to be concluded in October 2014, aimed at editing an handbook about foster care pathways for families and operators and at promoting an annual census on minors out of their families, in residential centres or in families.

**Trafficking in human beings** refers to all forms of criminal activities based on the illegal transfer of people from one country to another. In particular, the [additional Protocol to the United Nations Convention against Transnational Organized Crime](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/142.Protocol_to_prevent_suppress_punish_trafficking_eng.pdf) (Palermo Protocol) defines it as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation".

In the Italian legal system, the legislative instruments regulating the phenomenon of **trafficking in persons** are mainly: Legislative [Decree No. 286 of 1998](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/139._Dlgs_286_1998_normattiva.pdf), [Law No. 228 of 2003,](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/3_legge_228_2003.doc)[Law No. 108 of 2010](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/LEGGE_2_luglio_2010_n_108.pdf) and the [Legislative Decree of March 4th, 2014, No. 24.](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/decreto_legislativo_n_24_2014_Tratta_e_protezione_vittime.pdf)

[**Legislative Decree no. 286 of 1998**](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/139._Dlgs_286_1998_normattiva.pdf). “Consolidated text of provisions regulating immigration and the rules relating to the status of foreign national”- supplemented by Decree of the President of the Republic No. 394/99 and subsequent amendments, which, in art. 18, establishes that the person victim of violence or serious exploitation, or whose safety is put at risk, has the right to receive special protection through a social assistance and integration programme, as well as to be granted a special residence permit on humanitarian grounds.

[**Law No. 228 of 2003**](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/3_legge_228_2003.doc)**.** “Measures against trafficking in persons": it amends arts. 600 (Placing or holding a person in conditions of slavery or servitude), 601 (Trafficking in human beings) and 602 (Sale and purchase of slaves) of the Penal Code. The new text of art. 600 introduces the possibility to punish the **behaviour of holding a person in a state of continuing enslavement:** in its original formulation, art. 600 presupposed the initial freedom of a person subsequently reduced to slavery, whereas the amended text also takes into account the condition of the person already under slavery and subsequently trafficked and subjected by other people with the same responsibility.

[**Law No. 108 of 2010**](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/147.Legge_108_2010.pdf). “Ratification and implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, done in Warsaw on 16 May 2005 and provisions for adaptation of the national legal system” collecting under art. 602-ter of the Penal Code all the aggravating circumstances for the crimes of reduction or maintenance in slavery or servitude, trafficking in human beings, and sale and purchase of slaves.

[**Legislative Decree No. 24 of 2014**](http://www.osservatoriopedofilia.gov.it/dpo/resources/cms/documents/decreto_legislativo_n_24_2014_Tratta_e_protezione_vittime.pdf). Through this regulatory action, Italy ratified and implemented the Directive 2011/36 / EU on preventing and combating trafficking in human beings and protecting victims, making substantial changes to the Criminal Code and the Criminal Procedure Code and intervening inter alia on the case of slavery (art. 600 cp) and of trafficking in human beings (art. 601 cp) by strengthening the punitive response to these crimes and the expansion of the application of the rules. The decree also contains provisions also dedicated to **unaccompanied minors**, victims of trafficking, to ensure their special protection, and rules to supplement the Law No. 228/2003 (so-called law on trafficking) to ensure that victims of trafficking access to compensation schemes (already provided for the victims of violent crime).
Following the new reformulation of the crime of trafficking in persons (art. 601 cp), is expected to imprisonment from eight to twenty years for those who recruit, introduce in the State, transferring even outside of it, carrying, give the authority on the person, accomodate to one or more people who are in slavery, or that realize such acts on one or more people, by means of deception, violence, threats, abuse of authority or exploitation of a situation of vulnerability, of physical inferiority, psychic or necessity, or by promising or giving money or other benefits to the person who has authority over it, in order to induce them or force them to work or sexual performances, or begging or otherwise to the fulfillment of illegal activities that involve exploitation or the removal of organs. The same punishment is established for anyone realizes the same conducts in respect of children or adolescents, even outside of the above procedures.
The reduction or maintenance in slavery, however, is punished with imprisonment from eight to twenty years (art. 600 cp reformulated by Law No. 108/2010 and Decree No. 24/2014) and occurs when you exercise on a person powers corresponding to those the right of ownership or whoever reduces or keeps a person in a state of continuous subjection, forcing her to work or provide sexual services or to beg or otherwise to the fulfillment of illegal activities entailing exploitation or to undergo the removal of organs. The reduction or maintenance in a state of slavery occurs when the conduct is carried out through violence, threats, deception, abuse of authority or exploitation of a situation of vulnerability, of physical or psychological inferiority or a situation of necessity, or by promise or giving sums of money or other benefits to those who have authority over the person. Finally, art. 602 of the Italian Penal Code (modified by Law No. 228/2003) punishes with imprisonment from eight to twenty years the purchase and sale of slaves, redefining at the same time the concept of trade, both by referring to the general notion of "transfer” and by specifically criminalizing "transportation" and "transfer" of victims. Both aspects are important to locate the victims inside or outside the Italian borders. When these crimes are committed against a minor under eighteen years, or they are aimed to the exploitation of prostitution or for the removal of organs of the victim, the penalty is increased by a third to a half.

Finally, on the 15th April 2011 the Directive of the European Parliament and of the Council on preventing and combating trafficking in human beings and protecting its victims, replacing Council Framework Decision 2002/629/JHA, entered into force and it has been implemented in Italy by the Legislative decree No. 24/2014. The new tool provides for more severe penalties for perpetrators and more protection measures for the victims, as for as measures of assistance, support and protection of victims, as well as provisions concerning the prevention of trafficking, specialized training of the operators and the implementation of information and awareness campaigns.

In a practical perspective, art. 8(1) of the Legislative Decree No. 140/2005 dated May 2005 provided that any accommodation provided takes into account the special needs of the asylum seekers and their family members, in particular those who are vulnerable persons, such as children, disabled persons, elderly people, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other forms of psychological, physical or sexual violence. As far as SPRAR system projects are concerned, providing special services to vulnerable people is mandatory and each project’s services includes both health and psychological support. In case of disabled people or in case of mental diseases, around 300 places within SPRAR network are organized and held in order to provide specific teams and tools to this target. However, it may happen that disability or mental disease need high medical measures that cannot be provided within SPRAR projects (which are not medical centres) and therefore sanitarian centres held by the national health system should be required. Moreover the family unit is always ensured: facilities are provided specifically for single people either men or women, families with children, unaccompanied  minors, single parents with children. Finally, as far as the management of reception centres for UAMs, Law No. 190/2014 so called “Stability law”, which entered in force last 1st of January 2015, provides for: transferring resources for unaccompanied minors from Ministry of Labour to Ministry of the Interior, establishing a new Fund for the reception of all unaccompanied minors, financed with 32,5 million euro per year; access for all unaccompanied minors to S.P.R.A.R. facilities.