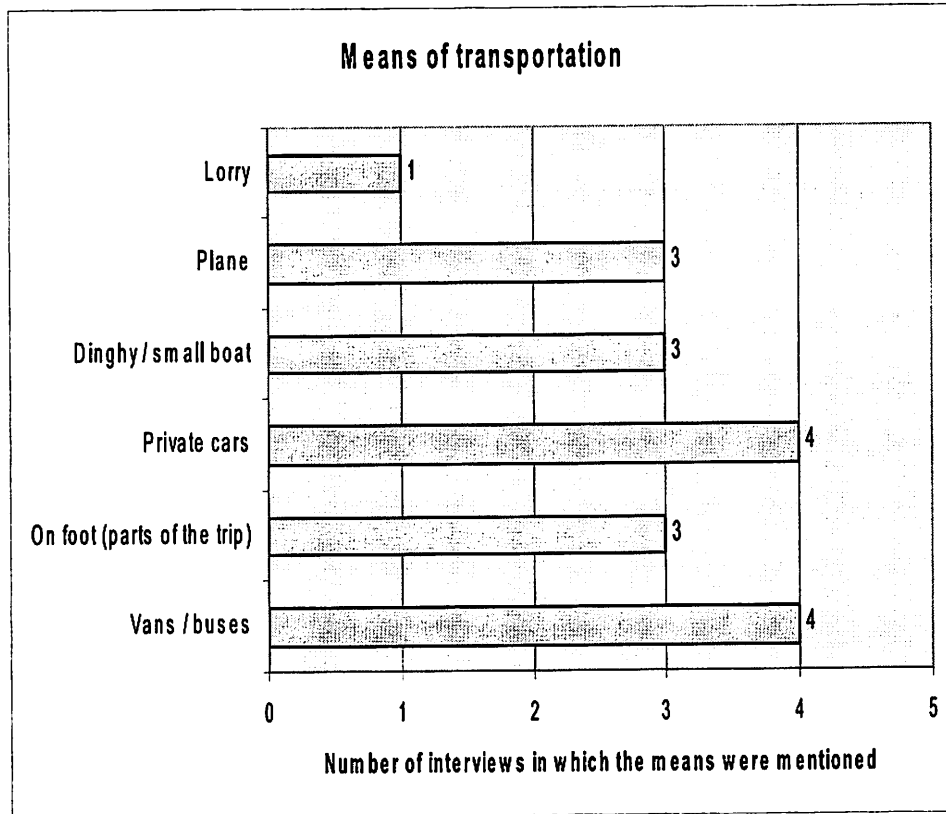


**3.5. THE METHODS AND MEANS OF TRANSPORT**

As for the routes, the methods and means of transport used by the exploiters have evolved over time: in the first period, the means of transportation most frequently used were buses, vans, private cars (for the crossing of Romania and for travelling in the areas of the former Yugoslavia and in Albania), whose drivers were accomplices in or unaware of the traffic, the rubber dinghy for the crossing over from Albania to Italy. Long journeys on foot were not infrequent, especially when crossing borders, often using abandoned houses to hide victims during the journeys. The train and the plane were used occasionally in the past, in one case the plane was used for a trip from Serbia to Montenegro. Subsequently, starting from 2007, the use of false documents and aircrafts have become more frequent and common means and methods of transportation, following Romania's entry into the European Union.



### 3.6. USE OF FALSE OR FORGED DOCUMENTS OR FALSE PERSONAL DATA

Often the victims were brought into Italy by using forged or falsified documents or providing false personal information as this method ensured to the traffickers avoidance of police detection and ensured to the victims escape from subsequent expulsion.

An issue closely related to this method is the uneven practices in the Italian context (at the law enforcement and the judiciary levels) so that participation in a program of social protection and a potential social inclusion is not always easy.

### 3.7. THE VICTIMS

#### 3.7.1. THE PROBLEM OF UNDERAGE VICTIMS QUANTIFICATION

As already noted, the experience of social workers and the available data on the number of underage Moldovan victims indicate a downward trend of their presence in Italy. However, this trend is the result of the only available information: the numbers of underage victims

benefiting of social protection projects on the basis of art. 18 of Legislative Decree 286/1998 and the experience of social workers involved in the protection system of the victims.

The key problem when studying phenomena so hidden as trafficking in persons is the almost impossibility of knowing its actual extent. We must be aware that the actual situation of Moldovan underage victims of trafficking in Italy goes well beyond the numbers reported with this investigation and that their dark number could be very high.

Another problem that arises in relation to the identification of victims of trafficking as underage is their registration on the basis of the declared age and not the actual age: sometimes the victims enter the social protection programs and are recorded as adults, although they have been exploited before their coming of age. In any case, the number of adult and underage victims of trafficking from Moldova sheltered over the period 2001 - 2009 at each contacted organization was a maximum of 40 adults (10 - 15 adults per institution) vs. 1 to 4 children. Even in the case of adult women their age rarely exceed 30 years.

### **3.7.2. THE PROBLEM OF UNDERAGE VICTIMS IDENTIFICATION**

In addition to quantifying the number of victims, their identification is equally important. The specific literature on the subject has consistently underlined the importance of their appropriate and timely identification, with particular attention to minors. In that regard specific risk indicators have been developed by various NGOs and organizations, including Save the Children, ILO and UNODC<sup>26</sup> mainly focusing on:

- displacement and isolation of victims
- deprivation of passports
- extreme poverty and need of family
- need of having to repay the amounts for travel expenses
- cultural conditioning
- failure of the migratory project
- fear of retaliation
- lack of freedom of movement
- violence or threat of violence
- young age

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<sup>26</sup> UNITED NATIONS OFFICE ON DRUGS AND CRIME, UN.GIFT, *Human Trafficking Indicators*; INTERNATIONAL LABOUR OFFICE, *Operational indicators of trafficking in human beings*, September 2009, SAVE THE CHILDREN, *Dossier – Le nuove schiavitù*, agosto 2010.

- socio-cultural knowledge of the destination country, and level of social and environmental interaction
  - trust / distrust in institutions for the purpose of regularization
  - involvement in further criminal activity
  - degree of language knowledge
  - contacts and support from the family of origin
  - physical conditions.

The consequences of identification failure can be criminal report and subsequent conviction of the victim for illegal border crossing, illegal residence and possession of forged or falsified documents.

One could also imagine that some of the Moldova victims exploited may have declared a false nationality (Romanian) by using false documents, showing knowledge of the language and socio-cultural similarities in order to overcome the police checks and to avoid deportation. In order to correctly identify the victims, the important role of cultural mediators was emphasized, who from the first approach are able to properly identify the victim's nationality. Several social workers interviewed have suggested that the decrease in the number of victims from Moldova after 2007 could partly be attributed to the fact that many of them have chosen to declare themselves Romanian in the absence of identification documents.

The process of self-identification as victims is extremely problematic<sup>27</sup>, since, so that the Moldovan children can accuse their exploiters, it is necessary that they become aware of their serious status of exploitation.

### ***3.7.3. SEX, AGE, PLACE OF ORIGIN, LEVEL OF EDUCATION OF THE UNDERAGE VICTIMS***

Underage victims of Moldovan nationality in this enquiry were, as explained above, all female with an age between 15 and 18 years, while their places of origin were quite diverse, ranging from the capital Chisinau, to small towns like Dubasari or other rural areas. A fairly common feature has been the transfer of future victims from small towns or rural areas to the capital, to study or work, where they were subsequently approached, contacted and eventually recruited.

As to the level of education of the children trafficked, one can identify two different phases: the first period (1999-2005) was marked by a high and medium-high level of education, while from the mid 2000s the victims' economic and social status has decreased significantly, together with their level of education.

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<sup>27</sup> Organization for Security and Cooperation in Europe, *Ensuring Human Rights Protection in Countries of Destination: Breaking the Cycle of Trafficking*, Conference Report, Helsinki, 23-24 September 2004, p. 85.

#### **3.7.4. THE LIVING CONDITIONS BEFORE DEPARTURE**

The living conditions of the children before being recruited have been crucial to understanding the motivational problems that forced them to leave Moldova, the so-called "push factors" of migration. A first factor is the family environment, difficult family contexts in most cases: families that are as inexistent to the children, separated parents neglecting their children, sometimes entrusted to the care of grandparents or state institutions. A particularly acute level of poverty and economic hardship with unemployed parents or employed in casual or temporary work, have been a common feature of the family situation of the future victims, so much so that one of the factors that led to their migration was the children's desire to solve or improve such situation.

A further and quite common problem in the victim's family context has been alcoholism of one or more family members or their different judicial troubles, such as the theft, committed by an alcoholic mother to obtain money for alcohol.

#### **3.7.5. SOME PARTICULARLY REPRESENTATIVE CASE STUDIES**

Some life stories of underage women of Moldovan origin, victims of trafficking, collected by the social workers interviewed are now submitted. From their testimony has emerged that the majority of women included in social protection projects on the basis of art. 18 of the Legislative Decree 286/1998, which provide social and work inclusion programs designed specifically for them, have been happily reintegrated into society.

Almost all the victims assisted through art. 18 projects were well integrated, obtaining a regular job in the end.

The stories that follow show how complex is the process that brought these trafficked women from Moldova in Italy, and give an account of the process that led to their integration in society.

##### **Case 1. O.**

O. is a Moldovan minor of seventeen years, arrived in Italy in 1999. She was recruited by a man who was the boyfriend, who proposed work in Italy, saying that he had read an ad in the newspaper promising great earnings.

The girl comes in touch with two women who speak Russian. The two women say that they will accompany her in Montenegro, as Italians would hire Moldovan migrants in that country. The girl is given a passport with her personal data.

Thus began the journey of O. and two other girls from Moldova towards Romania. The ride takes place in a private car, in the company of the driver and the two women recruiters.

In Romania, in the city of Timisoara, an exchange takes place: the three girls are assigned to a new accompanying person, a Romanian citizen, and they are moved to a different car. The two recruiters and the driver immediately disappear. The new guide leads the girls to a house on the border between Romania and the former Yugoslavia, where two men that speak both Romanian and a Slavic language arrive in the evening; the girls imagine they are of Romanian origin. The two new guides lead the three Moldavian girls to another house where there are other girls of Russian nationality, and they spend the night there. The

next morning they cross the Danube in a boat and reach Serbia. The trip takes about thirty minutes and there is a car waiting on the other side on board of which are the girls are carried to another house where they spend the night. They are moved further to a bar and to other houses; then they end up in in Belgrade, in a house that looks like a collection center, where they encounter around thirty women of different nationalities, all white: Russian, Romanian and Moldovan. The women had been bought by a Slavic man who intends to sell them to other individuals: the house is meant as the place where the transactions take place. After a month spent in the house in Belgrade, during which the girl is taught how to behave, how to dress and what to do for future customers, O. is bought by two Slavic men, which bring her to Montenegro by plane, by using air tickets with false identities. Upon arrival, she is again taken to a house where the sale of women occurs. Prices are around 2,200 - 2,300 German marks. O. is bought by an Albanian who rapes her at the first opportunity, each cry for help is useless. The girl begins a journey from Montenegro to Albania, by the Albanian buyer's car. During the journey, O. is raped repeatedly and by several people in the places where she is forced to sleep. Once in Albania, she is forced to sleep on the fields, so as not to attract attention of local police. The next step in this long journey is Vlora, where the buyer has contacts with some corrupt policemen.

She enters Italy in November 1999, crossing the Adriatic Sea in a rubber dinghy near Bari; many cars are waiting for the arrival of the boat. From Bari, O. is moved in several Italian cities: Taranto, Teramo, Piacenza, Milan, and finally Turin, where she is transferred to another Albanian pimp, that segregates her in a house with another girl. O. must pay back to her exploited six million of Italian liras plus half of her earnings, that is the amount of the debt incurred for the trip to Italy. She undergoes close controls by the exploiter: used condoms and number of customers, phone calls every ten minutes. O. is subject to frequent physical violence and is threatened with retaliations against her family in Moldova during the long period of her exploitation.

The profits obtained by her pimp for entire period she spent in Turin, amounted to about one hundred million Italian liras.

Eventually, O. and the other girl who is exploited with her manage to seek help, and they are included in a social protection project.

O. remained to live and work in Italy and claims to have integrated well.

#### Case 2. T.

T. is a Moldovan underage girl who was sexually exploited by an Albanian criminal group in Italy. Her living conditions before departure from Moldova are characterized by several problems: alcoholism, family misunderstandings, financial problems. The reason that prompted her to leave for foreign countries is to try to help her family to solve their economic problems. T. leaves Moldova at the age of fifteen.

T. is forced into prostitution for four years in various Italian cities: Bari, Ancona, Rome, Florence, in northern Italy and the province of Pavia. The method of submission used by her exploiters is that of the fake boyfriend. T. is in love with the Albanian boy that will after reveal himself as her exploiter, is convinced of his sincerity, so as to present him to his family. The relationship with her boyfriend-exploiter is very strong: the difficulty of breaking the cycle of exploitation is influenced by this as well. With the passage of time, T. realizes

that the fake boyfriend has other women and, feeling betrayed, begins to separate from him, but not knowing how to get out of exploitation circle, because she does not have any identity documents.

She has only Albanian false identity documents and for this reason she has been deported several times from Italy to Albania and repatriated to Italy from Albania. Once back in Italy T. is deprived of the passport, seized in Tirana by the exploiters in exchange of a new Albanian one and from again here the same process goes on.

During the period of exploitation in Italy, T. is stopped for more than thirty times by the police and subjected to different expulsions to Albania: this has subsequently been an obstacle in her obtaining a residence permit under Article. 18 of the Legislative Decree 286/1998.

Eventually, T. decides to denounce her exploiters, thanks also to the work of a police inspector who gets in touch with one of her clients, who had become a reference point for T. The criminal proceedings against T.'s traffickers is still ongoing, being a particularly difficult trial for the criminals' involvement in other crimes such as drug dealing and arms trafficking.

When T. entered the gated community in 2001, she had just come of age. She is kept under high security, being in danger because of her criminal report made against her exploiters.

She is now fully integrated into the Italian society, has a job and is married to the former client who helped her escape exploitation. They have a child.

### Case 3, V.

V. is a Moldovan girl. She was sexually exploited in Italy for four months in 2003, when she was only seventeen. V.'s motivation to leave for Italy is the hope of finding a job to help her alcoholic mother. The method of recruitment is the false job promise as a waitress in Italy. The organization that manages the recruitment provides her with a Moldovan forged passport, which states the girl is nineteen years old.

At first she is exploited by a Romanian group, but is subsequently sold to an Albanian criminal group. V. does not accept her exploitation condition: after being put on the street, she tries without success to escape once, asking for help to a fellow countryman, that introduces her to people who take her back to the prostitution circle.

Eventually, V. asks a squad of policemen for help, but since she does not speak Italian but only Romanian and Russian, an interpreter had to be used to communicate with her.

When V. enters into the sheltered community, she manages to integrate and completes her social integration process, despite the problems arising from her relationship with her mother, who in the meantime was arrested for stealing in order to obtain money to purchase alcohol. The girl, who is very attached to the mother, must call in prison to have news on her mother.

A tailor-made project for her was created in the community: V. finished school and later attended a waitering and cooking school according to her wishes. The community shelters and protects her even after reaching the age of majority, until the age of twenty-one years when she requested to return home. After her return she begins to have closer contacts with her mother, trying to help her. Now she lives in her origin country, is married and has a regular job.

**Case 4. X.**

X. is a Moldavian girl victim of trafficking, sexually exploited in Italy in 2001, when still a minor. She was recruited through a false job promise on a Russian construction site, only to discover that she was sold to some Albanian men who use violence against her. After the sale, X. is brought to Albania, through Romania and the former Yugoslavia. From Albania, the girl is accompanied by two Albanian citizens to Italy, in Bari. Once arrived, the girl should have gone to Milan to be exploited. In Bari, however, the two Albanians are stopped by the police and pimps X. makes a regular complaint against them. Following the judicial complaint, X. is inserted in a social reintegration project under Article 18 Lgs. D. 286/1998. The girl remains a guest of the shelter in Bari until, for security reasons, it was decided to provide her with a more secure accommodation, following several incidents in which she saw some of the people who have threatened and used violence against her. Later, in June 2001, she was transferred to another shelter.

**Case 5. V.**

V. is a Moldovan victim of trafficking, sexually exploited in Italy when she was still a minor. She is given shelter and she is included in a social inclusion program as soon as she turns 18. She comes from a small town in Moldova. Her idea was going abroad to work in night clubs. Her family context is quite normal, even overprotective: perhaps the girl wants to go abroad for pure spirit of transgression.

The girl denounces her exploiters and she is the beneficiary of a project in base of art. 18 Legislative Decree 286/1998. Obtaining a residence permit was very hard as V. had several expulsions from Italy.

Her social and work reintegration is successful: V. lives and has a regular job in Italy.

**3.8. THE TRAFFICKERS*****3.8.1. THE INVOLVEMENT OF ORGANIZED CRIME IN TRAFFICKING FROM MOLDOVA TO ITALY***

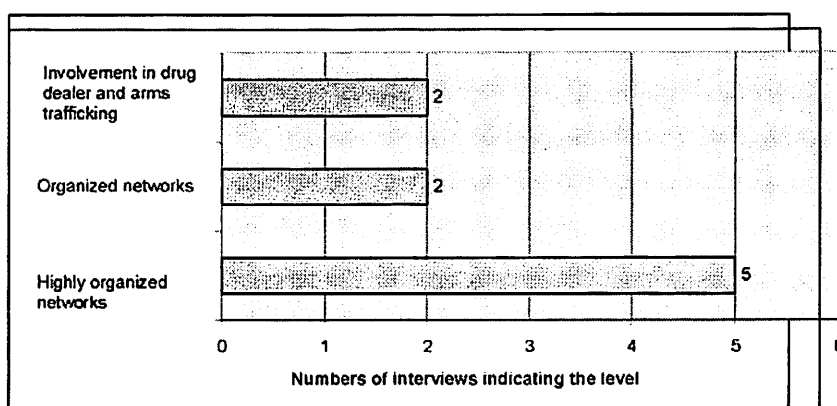
The characteristics of the traffickers involved in this complex "migration process" were also obtained from the interviews realized during the inquiry. The exploitation networks resulted to be well organized, highly specialized in the different stages of the process: the recruitment was handled in the origin country by small groups, sometimes one or two people, relatives, friends or acquaintances of the victims; the recruiters' nationality was always Moldovan while the transport of the victims was subsequently organized by people of Moldovan, Romanian, Serbian or Albanian nationality. The victims could be sold several times during the trip and such sales were handled by Serb, Montenegrin and Albanian criminals. Exploitation in Italy (1999-2001) was managed by highly organized Albanian criminal organizations, involved in other types of illegal activities like drug dealing and trafficking in arms and present throughout the Italian territory. These groups however declined dramatically in recent years: exploitation of Moldovan children was managed most often by Moldovan or Romanian organized groups, according to the experience of social



workers. The Italian organized crime was also included in the management of the exploitation of prostitution, in addition to the Albanian, Romanian and Moldovan.

The various groups that managed the various stages of trafficking could be linked together, as part of a larger, more complex and highly organized network, but in some cases the groups had no ties except for the exchange of the victims. The high level of specialization of the exploitation networks and the few links between criminal groups could provide benefits to the criminal organization, as it minimized the risk of identifying the entire criminal structure involved in trafficking (recruitment, transportation means used, accommodation of the victims and their exploitation).

**Level of organization of the exploitation networks**



**3.8.2. METHODS USED FOR THE SUBMISSION AND EXPLOITATION OF VICTIMS**

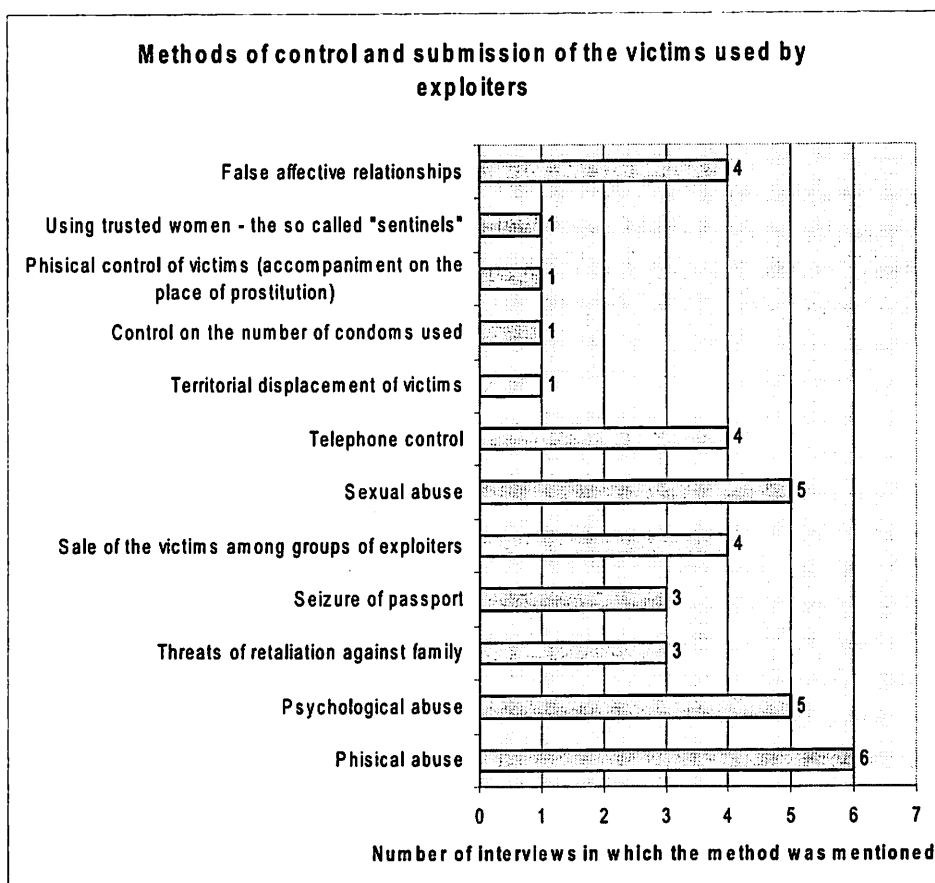
The techniques of submission used by the exploiters of Moldovan victims were very different, ranging from violent to non-violent ones, related to a sentimental or emotional relationship: physical and sexual abuse, psychological abuse, threats of use of force or physical reprisals on family members remained at home, passport seizure, sale of the victims among exploiters, phone control of the victims on the place of prostitution, spatial displacement of the victims to avoid law enforcement controls, monitoring of condom use, on-site accompanying of the victims to the place of prostitution, complicity of older trusted women, the so-called "guardians".

As already noted in connection with the victims, physical, sexual and emotional abuse were already inflicted on the way from Moldova to Italy, during the various stages along the way where the girls were sold and forced to become prostitutes and sometimes forced to have unsafe sexual contacts. In cases of refusal to engage in prostitution, criminal groups did not hesitate to resort to sexual abuse, beatings, threats of retaliation against family members. In transit countries like the former Yugoslavia and Albania, the victims were also seized in private houses: in these countries the sale of children took place, which could be

bought and sold several times, passing from a traffickers' criminal group to another, often of different nationalities.

The clandestine status of the victims increased their subjection to criminal organizations, as such an illegal status was an element of blackmail. Often, the victims were seized identity documents as soon as they arrived at the place of exploitation until the payment of the debt incurred for the trip or they were provided with false or counterfeit documents to seem adults. The status of illegal immigrants, the forged documents, the complete ignorance of the Italian legislation, the lack of trust in institutions, led the children, doubly vulnerable by age and status, to become completely subject to criminal organizations.

Even more complex is the submission mechanism in case of traffickers known to the victims (boyfriends / exploiter-friends) who use deceitful exploitation systems, mainly of sentimental / emotional nature that the children could not perceive in their absolute negativity<sup>28</sup>.



<sup>28</sup> Save the Children, *In Italia ancora molti i bambini e gli adolescenti coinvolti nello sfruttamento sessuale, lavorativo o in attività illegali e accattonaggio*, [www.savethechildren.it](http://www.savethechildren.it), 2009.

**3.8.3. THE PROSECUTION OF TRAFFICKERS**

The majority of trafficked underage girls were included in social protection projects through the so-called “judicial” path: the victims made regular criminal complaints against their exploiters. It was not possible to know the outcome of the criminal processes, given the long duration and complexity of the proceedings for trafficking in persons. However, all persons reported by victims were arrested and two cases were concluded with the sentencing of traffickers. According to the report of the National Anti-Mafia Directorate<sup>29</sup> criminal cases registered during the period 7.9.2003 / 30.06.2008 in relation to Articles 600, 601, 602 of the Italian Criminal Code (Measures against trafficking in persons) are as follows.

**CRIMINAL PROCEEDINGS  
DURING THE PERIOD 7.9.2003/30.06.2008 IN RELATION TO ARTICLES 600,  
601, 602 CRIMINAL CODE  
(MEASURES AGAINST TRAFFICKING IN PERSONS)**

INVESTIGATED PERSONS	ADULT VICTIMS	CHILD VICTIMS
3.804	2.194	251

**4. ASSISTANCE AND PROTECTION TO VICTIMS OF TRAFFICKING**

**4.1. TYPES OF PROTECTION AND ASSISTANCE FOR VICTIMS OF TRAFFICKING**

The forms of assistance and protection offered by organizations working in the field of social protection of victims of trafficking are:

- Street units
- First reception
- Secondary reception
- Third reception (semi-autonomy)
- Safe houses
- Shelters
- Management of the anti-trafficking toll-free number 800 290 290 (which has a central and 14 local centers located throughout the country)

<sup>29</sup> DIREZIONE NAZIONALE ANTIMAFIA, *Relazione annuale*, December 2009.

- Legal advice
- Psychological counseling
- Preventive medicine
- Education courses
- Training courses
- Labour market orientation
- Social and labour inclusion.

In large cities, associations working with trafficked victims are more specialized than those present in small towns, there are only those working on the street, or just first reception of victims or just labour orientation, etc. In medium-sized or small towns the organizations are involved in the whole integration process of the victim, from the first contact on the road to full employment and social integration. The institutions that have participated to our survey have also realized and continue to realize awareness and information campaigns on the risks of exposure to infection of AIDS and other sexually transmitted diseases and their means of prevention.

#### **4.2. THE LEVEL OF COOPERATION BETWEEN THE ACTORS INVOLVED**

The fight against human trafficking and victim protection is based on the cooperation of all actors involved: the police, judiciary, local and governmental organizations, social workers and so on. The division of labour on a sectoral basis only would not give successful results, and so, as showed through the interviews, the level of cooperation, communication and trust between the non-profit sector involved in the protection of trafficking victims and other concerned authorities was valid and consolidated over time.

It is obvious that such cooperation should not be limited to local or national actors, but it is particularly effective when it includes the active exchange of information across borders between the different stakeholders in various countries involved. To foster further such cooperation, the organization of seminars, training courses, workshops, study days with the various stakeholders, can play an important role, because the fight against trafficking must be seen in an integrated, interdisciplinary view, according to a short- and long-term preventive approach, repressive and protective of victims and with the ultimate goal for their reintegration in society. To this end it is worth remembering the coordination activities carried out in Italy by the National Anti-Mafia Directorate strongly pursuing the involvement of "all stakeholders to find a multidisciplinary perspective, the necessary synergies between the different skills and activities"<sup>30</sup>.

### **5. PREVENTION OF TRAFFICKING IN HUMAN BEINGS**

In the integrated view of combating trafficking in human beings the preventive aspect is particularly important as underlined by the Protocol to Prevent, Suppress and Punish

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<sup>30</sup> SCIACCHITANO G., *Tratta di persone*, in DIREZIONE NAZIONALE ANTIMAFIA, Annual Report, December 2008.

Trafficking in Persons, Especially Women and Children, Palermo (2000)<sup>31</sup>, which requires Member States the adoption of preventive measures in the short and long term. The first set of measures include information and awareness programs (the so-called awareness raising campaigns) of society and citizens in general, on the characteristics of trafficking as a criminal phenomenon perpetrated by organized crime and the serious risks that poses for the migrants involved in this process. A problematic aspect of awareness campaigns on trafficking for sexual exploitation concerns the role of the "client", which in most cases analyzed has contributed to helping the victims to escape exploitation. In this regard it is worth mentioning the Council of Europe Convention on Action against Trafficking in Human Beings<sup>32</sup> that under Art. 19 provides the possibility to punish clients of victims of trafficking for having received sexual services from them, if there is an awareness that the person is a victim of trafficking in human beings. This prediction is apparently intended for a possible reduction in demand through a broader responsabilization of clients.

The long-term measures are much more complex and are designed to identify the root causes of the phenomenon: the Member States should promote or strengthen (where they already exist) "development programmes and cooperation at the national, regional and international levels, taking into account the socio-economic realities of migration and paying special attention to economically and socially depressed areas, in order to combat the root socio-economic causes of the smuggling of migrants, such as poverty and underdevelopment"<sup>33</sup>. These measures are aimed at "tackling" the root causes of trafficking. The main actors responsible for implementation of these measures are government authorities and intergovernmental bodies, acting through the establishment and strengthening of economic development programs for the most deprived areas, including through closer transnational cooperation.

It is obvious that any information and awareness campaign on the phenomenon is to be implemented in origin countries and their effectiveness must be tested there.

With regard to the prevention strategies implemented in Italy, the role played by the Department for Equal Opportunities should be pointed out and its work (at national, international and transnational levels) through: 1) assistance and protection programs for victims of trafficking (from 2006 to 2009 it has co-financed 72 programs); 2) establishment of the National Anti-Trafficking toll-free number (800290290); 3) monitoring and data collection; 4) establishment in 2007 of a national observatory on trafficking in human beings, managed since 2009 by Transcrime; 5) communication campaign promoted by the Ministry of Interior in collaboration with the Department which realized the video spot "Let's erase trafficking" broadcast by the national networks; 6) meetings with foreign delegations. At transnational level, the Department for Equal Opportunities is the proponent and leader of two projects funded under the Community Programme "Prevention and Fight Against Crime" and leader of the European project "FREED", seeking to create networks of assistance and training among institutions and NGOs and aimed at combating trafficking in persons for the

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<sup>31</sup> See art. 14 of the *Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime*, Palermo, 2000.

<sup>32</sup> Signed in Warsaw, 16 May 2005.

<sup>33</sup> Art. 15, par. 3 of the *Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime*, Palermo, 2000.

purpose of labor exploitation. It should further reported on the action carried out by Save The Children with "AGIRE", "REACT", "Praesidium", "CivicoZero", and "Accoglienza" projects, by the Italian NGO On The Road - and by IOM Italy and by the Italian Ministry of Interior with the "NIRVA" and "AZIONE DI SITEMA" projects.

## 6. SHADOWS AND LIGHTS RAISED DURING THE SURVEY: THE VOICE OF SOCIAL WORKERS

The findings of this survey have both positive and negative connotations. Significant negative aspects are:

- The scarcity of financial resources for protection and social reintegration initiatives for victims of trafficking;
- The problem of the duration of the social inclusion projects of victims of trafficking under Article 18;
- The heterogeneous application of the double path laid down in Article 18 Legislative Decree 286/198 (in the sense that the so-called social path laid down by art. 18 is infrequently used, even though the law expressly so provides);
- The full integration of victims on the labor market and the need for psychological support even after the conclusion of the project;
- The need for personnel turn over and for training programs for new staff;
- The need for greater disclosure of services for victims;
- Issues related to the legislative restriction on the conversion of the residence permit of unaccompanied foreign minors when they turn 18<sup>34</sup>.

Among the positive connotations we can mention:

- the application of Art. 18 of Legislative Decree 286/1998 with the integration of victims into Italian society as a possible model to be replicated in other countries;
- the approach to the victim as a key actor;
- the awareness raising campaigns on the phenomenon of trafficking in human beings aimed at various sectors of society;
- the judicial approach which is not only repressive but oriented to the human rights protection of victims and their defence.

## Final remarks

In light of the findings of the survey conducted it is possible to reach some final conclusions, which refer to the traditional areas of work in the field of trafficking in persons and highlight how our protection methods have proved effective, in relation to the priority

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<sup>34</sup> Law n. 94 of 15 July 2009, on "Public safety dispositions" (published in the Italian Official Journal of 24 July 2009), entered into force 8 August 2009.

aim of recovery and subsequent integration of the victims, but also as a valuable judicial tool. One should not overlook the small number of underage Moldovan victims object of our study which, considering the almost invisibility of the trafficking phenomenon, could lead to presume a very different and not identified reality. It is therefore appropriate to point out the need for better implementation of specific risk indicators which, while well conceived, were not correctly or not currently used.

In this perspective, one of the best ways to understand the complexities of human trafficking would be to frame it according to two approaches to be converged and integrated: the first approach is centered on the protection of human rights (human rights-centered approach), intended to ensure to all individuals the fundamental right to be free and self-determination. This safeguard should be fully provided in a transnational vision of each stage of the trafficking process: recruitment / deceiving, transit / coercion-sexual violence, destination / sexual exploitation, methods to exit exploitation / protection and social reintegration. It is clear that if the whole process of trafficking does not positively end for the victim, there may be two further stages represented by a subsequent victimization or even by a potential "retrafficking" or role reversal that would then need a strategy for prediction.

The second approach is to consider the trafficking of human beings as a transactional network whose driving force is characterized by economic pressures for the author (exploitation / financial gain) and for the victim (vulnerability / economic improvement).

These two integrated and convergent approaches must be, always in a transnational dynamic, the conceptual basis of four distinct operational moments which reformulate the 4P's approach<sup>35</sup> in the most strictly criminological sense: Prevention, Protection, Prosecution, Prediction.

The actions relating thereto shall be constructed using interdisciplinary strategies, whose effectiveness should be continuously monitored, evaluated and improved.

With this in mind, 10 years after the Protocol, one could suggest:

1) ensure the development or strengthening of the criminal policies adopted to combat the phenomenon of trafficking and their consistency with all other policies related to social welfare;

2) consequently, the legislation in the field should also provide for the criminalization of all related criminal phenomena and the subsequent proceedings against the traffickers should be a priority as well as the dismantling of criminal networks, ensuring the victims's respect in order to avoid a new victimization and witnesses protection;

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<sup>35</sup> The so-called 4P's (Prevention, Partnership, Prosecution, Protection) principles that the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime* (2000), the *Stockholm Programme* (2009) and the *Action Oriented Paper (AOP) on Strengthening the EU external dimension on Action Against Trafficking in Human Beings* (2010) consider basic, to be pursued in any action, domestic and outside the EU, against the trafficking and that should always guide the implementation of any social/criminal policy.

3) application of sanctions appropriate and proportionate to the seriousness of the crime and to ensuring the confiscation of the proceeds thereof;

4) collect all possible information at national and international level on status of trafficking so that their comparison, according to an intelligence system and disaggregated availability, we can achieve a better understanding of the complex links between trafficking and other forms transnational organized crime;

5) strengthen the training of all possible "actors" involved and, in particular, of those working in the fields of law enforcement and justice administration because starting from their cooperation and coordination both nationally and between states (as rightly argued by the Proposal for a Directive on Preventing and Combating Trafficking in Human Beings, and Protecting the victims<sup>36</sup> that the European Commission should adopt at the end of 2010) one could develop comprehensive programs of prevention/fight to reduce the vulnerability of potential victims addressing the roots of the problem, including the demand side which is at the basis of any trafficking dynamic.

This dynamic view of criminal policies is also in line with recent suggestions of the Secretary General of the United Nations formulated during the Twelfth United Nations Congress on Crime Prevention and Criminal Justice (12-19 April 2010), indicating as the most effective and comprehensive response "the five pillars of intervention: prevention, prosecution, protection, National coordination and cooperation and International cooperation and coordination"<sup>37</sup>. So much so that the UN Secretary General Ban Ki-Moon at the launch of the Global Plan of Action Against Trafficking in Persons (August 31, 2010), effectively emphasizes that "we must improve our knowledge and understanding of this crime if we are to make good policy decisions and targeted interventions"<sup>38</sup>.

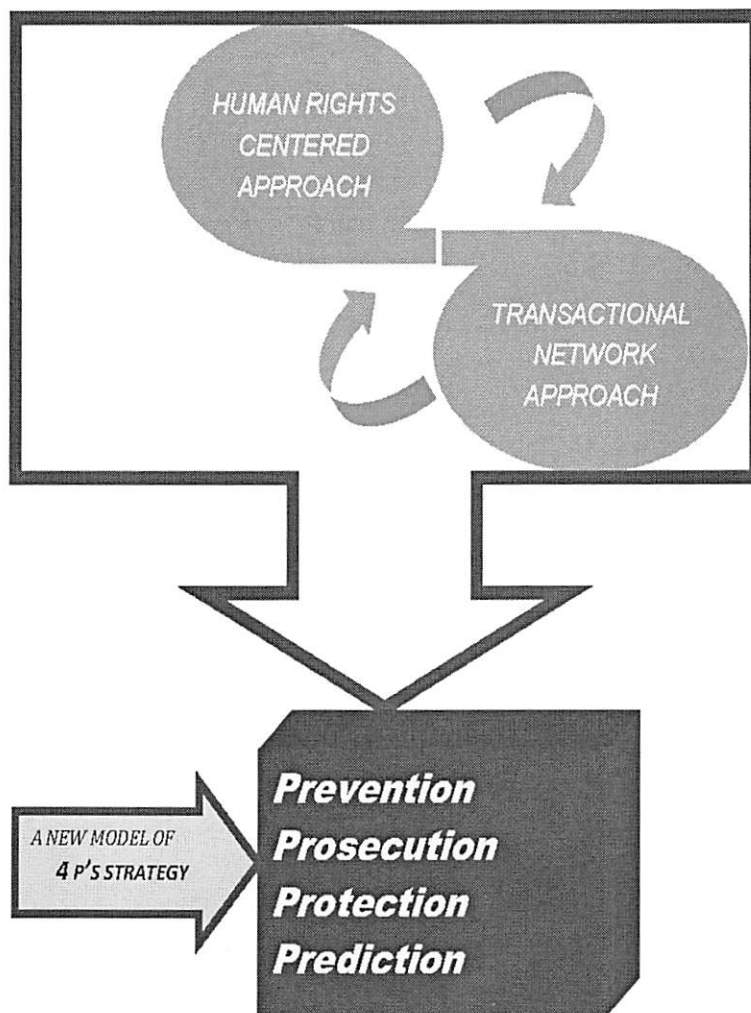
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<sup>36</sup> Malmstrom C., *Speech at the European Anti-Trafficking Day*, Brussels, 18 October 2010.

<sup>37</sup> UNITED NATIONS, *Criminal justice responses to the smuggling of migrants and trafficking in persons: links to transnational organized crime*, working paper prepared by the Secretariat, Twelfth United Nations Congress on Crime Prevention and Criminal Justice, 12-19 April 2010.

<sup>38</sup> BAN KI-MOON, *General Assembly launches global plan of action against trafficking in persons*, sixty-fourth General Assembly Plenary 114<sup>th</sup> Meeting, 31 August 2010.





**APPENDIX:  
QUESTIONNAIRE ON CHILD TRAFFICKING FROM MOLDOVA  
(2001 - 2009)**

Please reply to the questions below from the direct experience of your organization. Consider that all the questions concern the situation of trafficking of children from the Republic of Moldova.

**I. ORGANIZATION DATA**

**Name**

**Type of organization**

**Address**

**Interviewed person**

**II. VICTIMS DATA**

1. How many Moldovan child victims of human trafficking has your organization assisted during the past years (starting 2001)?
2. Could you provide information on the age, sex, type of exploitation, type of assistance received by the Moldavian children assisted by your organization during the past years ?
3. From your experience, which are the main types of exploitation experienced by Moldavian children in your country?
4. Could you comment on the pre-conditions for trafficking in minors from Moldova: which was the general situation, categories of children at risk, push and pull factors.
5. How were the children recruited?
6. How did children leave their country of origin? Ways of transporting minors abroad.
7. Which were the routes employed for trafficking children from Moldova to your country?
8. Which is the ratio of Moldavian migrating children to adults – if available from your organization's data? Which is the ratio of Moldavian trafficked children to adults – if available from your organization's data?

**III. TRAFFICKERS DATA**

1. Which are the principal methods used by traffickers when recruiting Moldovan children? Have they changed in the recent past?

2. From your experience, is organized crime involved in cases of trafficking in Moldovan minors?
3. How law enforcement proceeds in the detection and investigation of child trafficking cases in your country?
4. Could you provide any information on the prosecution of authors in your country?

#### **IV. VICTIM ASSISTANCE AND PROTECTION**

1. How is your organization addressing the issue of victims' protection?
2. What is your role in assisting victims or providing services?
3. Do you actively share information with police and prosecutors regarding traffickers, victims and routes?
4. What is the level of cooperation, communication, and trust between your organization and law enforcement?
5. How could methods of victim protection and implementation be improved in your opinion?
6. Do you know of cases where the government punished victims for forgery of documents, illegal crossing of borders, or illegal work?

#### **V. PREVENTION OF CHILD TRAFFICKING**

1. Are public awareness campaigns directed at potential victims? Are they directed at reducing demand by changing attitudes of society? If so, how?
2. Has your organization realised/helped to realise such campaigns?
3. Does prevention include protection against criminal incrimination or protection against vulnerabilities that create victims (poverty, domestic violence, unemployment, poor schooling, discrimination against women, children, or minorities, etc.)?
4. Does prevention include specific ethical issues relating to children?

#### **VI. BEST PRACTICES AND RECOMMENDATIONS**

1. Could you please share any best practices emerged from your experience?
2. What would you recommend to improve the activity of organizations similar to yours?
3. Which are the major difficulties and needs that your organization is facing?
4. Please comment on any experiences with Moldavian child trafficking not already addressed.
5. Could you also share some specific Moldavian victim stories or significant case studies, as long as names and identities are protected?

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