

**to the Minister of Equal Opportunities  
Onorevole Stefania Prestigiacomo,**

**to the Interministerial Commission  
for art. 18, Legislative Decree n. 286/98  
President Bruno Brattoli**

**Document  
"From Victims to Citizens"**

**by the private and public organizations implementing the social assistance and integration programmes for victims of trafficking of art. 18, Legislative Decree n. 286/98  
(Immigration Consolidation Act)**

**a synthesis**

**Who we are**

We represent the **private** (NGOs, voluntary associations, social cooperatives, religious bodies) and **public organizations** (Regions, Provinces, Municipalities, Health Services) **carrying out social assistance and integration programmes for victims of trafficking of art. 18, Legislative Decree n. 286/98.**

Between 2000 and 2002, through the 154 projects funded by art. 18, we developed more than **2000 programmes** of social assistance and integration for victims of trafficking, also obtaining the foreseen special permits of stay.

**We strongly believe that art. 18 is an extremely effective system to give assistance to the victims of trafficking and at the same time to fight against the criminal organizations.**

We would like to stress the effectiveness of the Italian system based on Art. 18, whose **points of strength** are:

- a **horizontal and vertical transversal/circular/global approach** which implies the involvement of law enforcement agencies, the judicial system, public authorities (Ministries, Regions, Provinces, Municipalities) and NGOs at local, regional and national level;
- a **real chance for the victims** to escape trafficking, violence and exploitation and to access social and occupational insertion through **specific programmes** (in which multiple ad hoc services are supplied) and a special permit of stay that can be converted on a permanent basis for study or work reasons;
- the fact that the above mentioned opportunities are **not necessarily connected with a direct co-operation of the victims** with the law enforcement agencies (report to the police) since besides the so-called judicial path also a social path is foreseen. This is because some of the victims do not have relevant information about the criminal organization, or the criminals have already been prosecuted, or "simply" because at the beginning they are too scared for their own or their relatives' safety, but these factors do not diminish their "victim status" and therefore the need to offer them help and support.
- It should be stressed that **in the social path** the victims have to give information - through the public or private social intervention body responsible for the programme - about their trafficking and exploitation experience, **contributing in such a way to the police investigation**; moreover, if required, the victims will testify in court; finally, in the Italian experience many of the women who began the social path, after having been reassured and having gained new trust in institutions and legality, **came to the decision to report to the police.**

### **Critical points**

Nevertheless we are very much worried because the art. 18 system is not adequately implemented and supported:

- **the Questure** (Police Headquarters) **are not applying it fully and in a homogenous way** (sometimes the *social path* is not applied, sometimes even the *judicial path* is applied only if "judicially useful", not respecting the victims' rights and needs): the effectiveness of the system is thus significantly reduced
- the **repressive strategy** enacted by the police through continuous raids doesn't give the victims a chance for their rights, there is no effect in the struggle against the criminal organizations, the victims are deported and thus handed again into the criminal exploitation networks
- the **financial support** for the art. 18 projects throughout Italy is absolutely insufficient and the risk is that most of them will have to close down
- there is a lack of and **adequate monitoring and assesment** system for the implementation and the results of the art. 18 system
- there is a lack of **participation** at the central level and the NGOs and public bodies implementing the art. 18 projects are not involved by the Government in the overall management and improvement of the system

### **Proposals**

1. **From victims to citizens.** First of all we want that the rights of the trafficking victims are recognized. This means to give them full chances to escape exploitation and to have an opportunity of social inclusion in our country, as art. 18 foresees. So, it is necessary that art. 18 is fully applied by the Questure both for the judicial and the social path, and in a homogeneous way throughout Italy. Furthermore it can be shown that this is one of the most effective ways in fighting against the criminal organizations. Investigation activities by the law enforcement bodies should be enhanced, instead of the repressive "strategy" that only addresses the victims.
2. **From projects to services.** The art. 18 projects have proven to be effective. It is now necessary that they are supported by adequate funding, so that, until they are needed, they can work on a stable basis in order to improve the social and occupational insertion opportunities for the victims of trafficking. We ask for the establishment of an inter-institutional study group with the task to work out a new system for the management and funding of the Social Assistance and Integration Programmes ex art. 18.
3. **Participation.** It is of extreme importance, for the overall improvement of the system, to re-establish the "Co-ordination Committee for the Government Actions Against Women and Minors Trafficking for Sexual Exploitation" at the Council of Ministers' Presidency, or a similar organism, with the participation of all involved Ministries, the NGOs, the local public authorities involved in the implementation of the art. 18 projects. Furthermore a special agency at the Ministry of Foreign Affairs should be established, in order to act as a central reference point in the relationship with the Embassys in Italy of the origin and transit countries of the victims of trafficking and with the Italian authorities in those countries.
4. **Promoting prevention and local development interventions in the countris of origin and transit of the victims of trafficking,** also in order to ensure real social and work insertion opportunities for the persons that chose voluntary return.
5. **Promoting the Italian "art. 18 system" in Europe.** The potential of the art. 18 model could be still further enhanced at different levels, nevertheless, we are convinced it is an effective system to help victims of trafficking and fight against the criminal organizations. Unfortunately, it is up to now a "unique" model in Europe, but we recommend a special attention to it and the adoption of its main principles at European level, overcoming the approach based only on the temporary stay permit and only on the victims' immediate cooperation.

*Document promoted by Association On the Road and signed by over 100 public bodies and no profit organizations developing social interventions in trafficking of human beings for the purpose of sexual exploitation  
(For more information ee the attached document of description of the Italian system by Associazione On the Road).*