

## PART V

# Conflicting Agendas

*A global economic crisis has caused many governments to tighten restrictions on immigration; among them are France and Italy. In doing so, these governments have created immigration policies that are in direct conflict with their anti-trafficking agendas and pose the most significant challenge to granting victims proper treatment and services as well as investigating and prosecuting traffickers.*

*In Italy the conflict has resulted in a focus on the illegal status of a person, not on whether he or she is a victim of human trafficking. Illegal migrants commonly face fines and expedited deportation without proper screening to determine whether they are in fact trafficking victims. This state of affairs not only allows traffickers to evade culpability; it also creates a setting in which victims are denied proper treatment and services and are returned to nations where they may face retribution or re-trafficking. The Italian government, often commended on its victim-centric focus, has approved a security package that includes the option to deport prostitutes. Prostitution and human trafficking are not synonymous, but the uniform deportation of street prostitutes means that potential victims are not screened before deportation. The policy also treats potential victims as criminals and, by deporting them, places these persons in a position where they are at risk of re-trafficking and potential retribution by traffickers. To decrease the number of illegal immigrants in Italy, the government made an agreement with Libya that permits Italy to return and reroute boat migrants to Libya. These persons are not screened for signs of human trafficking prior to return.*

*The French government has also taken measures that focus on immigration to the detriment of its anti-trafficking agenda. One population that is particularly vulnerable to human trafficking in France, and elsewhere in Europe, is the Roma ethnic group. In August 2010 the government of France began to deport Roma persons, and though, after some controversy, this was eventually stopped, it is reported that Roma continue to face discrimination. Another problematic policy issue is the transit zones (zone d'attente) that allow the government to treat persons physically in France as though they are outside the nation. The result is that those detained in the zones have restricted rights and face rapid deportation. Among those adversely affected by the policy are unaccompanied child trafficking victims. Border police lack screening procedures to adequately identify victims and have a history of immediately deporting these children. There are even instances where the border police have allowed traffickers to visit their child victims in detention. The zones facilitate instances of human trafficking by allowing the transport of victims to their destination or transit nation to continue without question.*

*The European Court of Human Rights, which ensures compliance with EU law and rules on the interpretation and application of the treaties that establish the EU, held in the 2010 case of Rantsev v. Cyprus and Russia that member nations of the European Convention on Human Rights, such as France and Italy, must provide safeguards to aid and protect potential victims of human trafficking. The court held that such safeguards include a state's immigration rules, which must address relevant concerns relating to tolerance, facilitation, or encouragement of trafficking. The anti-immigration measures by Italy and France hinder each step of the anti-trafficking process. By deporting potential victims and marginalized persons, these nations prevent not only the proper identification of victims, but also their access to proper treatment and services, and their right to be a part, if they wish, of the prosecutorial process against their traffickers.*

## CHAPTER 10

# Italy

Here I found true hell. A world of daily violence perpetrated by men,  
and by other women, and also by our own families who  
pretend they're not aware, and take their part of money.

—ISOKE AIKPITANYI, SEX-TRAFFICKING VICTIM

It is estimated that roughly 40,000 people are trafficked for commercial sexual exploitation in Italy. Trafficking cases are categorized under a variety of laws, most commonly Articles 600, 601, and 602 of the Penal Code, but determining the scope of labor versus sex trafficking is difficult as the current collection and distribution of comprehensive law enforcement data does not separate forced labor from forced prostitution convictions (UNODC, 2009a, 2009b; U.S. Department of State, 2012a).

There is a conflict between Italy's agenda to keep out immigrants and its effort to properly aid trafficking victims. Until this conflict is resolved, foreign victims will continue to lack access to the services to which they are entitled; face arrest and deportation without a thorough investigation of whether they are trafficking victims; and be returned to their country of origin, where they may be vulnerable to retribution from their trafficker(s).

### ITALY AS A PRIMARY DESTINATION AND AS A TRANSIT NATION

Italy is both a destination and a transit nation for human trafficking. Women and children are trafficked into Italy from Albania, Bulgaria, China, the Middle East, Moldova, Morocco, Nigeria, North and East Africa, Romania, Russia, South America, Ukraine, and Uzbekistan for forced prostitution. Persons from Albania, China, Cote d'Ivoire, Morocco,