









Excerpt from the book:

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Cautionary note: The terms 'child prostitution' and 'prostituted children' are used in this text to denote children that are sexually exploited and sexually trafficked. The connotative manner in which these definitions are perceived and analyzed may differ due to linguistic, cultural, and perceptual differences.

ITALY

 POPULATION 59,4 million	 GDP PER CAPITA 31,953 USD
 POLITICAL SYSTEM Parliamentary Regime	 HUMAN DEVELOPMENT INDEX 26 th rank among 187 countries
 GENDER INEQUALITY INDEX 16 th rank among 147 countries	 CORRUPTION PERCEPTIONS INDEX 54 th rank among 180 countries

“Always more” is the best expression to summarize the recent evolution of prostitution in Italy. There have been more sex buyers, more prostituted people, more and more prostituted children, more locations, more forms, and more nationalities involved.

The number of sex buyers has increased significantly over the past ten years (from 3 million in 2014 to 9 million in 2017) (*New Notizie*, December 5, 2014; *TPI*, January 11, 2017). The number of prostituted persons has simultaneously increased, from around 90,000 in 2014 to 120,000 in 2017. More than half of them are of foreign origin, most of whom come from Nigeria (36%), Romania (22%), Albania (10.5%), Bulgaria (9%), and Moldova (7%) (*Linkiesta*, July 15, 2016). The number of Italians involved in prostitution is also reported to have increased (*Cestrim*, July 2017).

Street prostitution is the most common (65% of cases) (*TPI*, January 11, 2017). The phenomenon is spreading throughout the country. Even isolated cities, which previously

didn't experience street prostitution, are seeing an increase in the number of prostituted people. This is the case in Potenza, a southern city of 68,000 inhabitants, located near both coasts and thus exposed to the migration of foreigners, particularly from Nigeria through Naples. Between 2014 and 2017, the number of prostituted persons on the street went from 20 to 40 (*Cestrim*, July 2017).

Even more worryingly, the number of prostituted children has increased from 10% to 37% between 2014 and 2017.

For procurers and other traffickers, the activity is very lucrative in this period of crisis, generating a minimum of 9 million euro (EUR) (USD 10 million) each month throughout Italy.

Legislation and Convictions

The “Abolition of the Regulation of Prostitution and the Battle Against the Exploitation of the Prostitution of Others Act,” also known as the “Merlin Law,” has not changed at the national level since its

adoption in 1958. Article 1 affirms the prohibition of brothels on the Peninsula, including within state administered territories. Article 3 specifies which behaviors are subject to punishment: ownership of a brothel; the excising of premises for prostitution purposes; recruiting people for prostitution; incitation into prostitution; incitation into travelling to another country for purposes of prostitution; association for the purpose of recruiting people for prostitution and the facilitation or exploitation of prostitution.

Throughout the past few years, several politicians and political groups have tried in vain to repeal the law. Nevertheless, this law is open to interpretation, allowing a discretionary application of certain provisions. A revision of the law would be necessary to clarify the situation or, at the very least, to allow its full application. Providing resources to encourage and support people who want to leave prostitution, while specifically sanctioning sex buyers and direct exploiters may be options for the State.

In 1998, Italy introduced Article 18 of the Consolidated Text on Immigration (Title II - Legislative Decree, coordinated text, 25/07/1998 n. 286, G.U. 18/08/1998) which introduced a special residence permit and a guarantee of social protection to non-EU citizens who were recognized as victims of violence and exploitation, including victims of trafficking.

The main element of this law is a new six-month residence permit issued by the Police Commissioner for protection reasons. This protection thus removes the main cause of vulnerability for foreign victims of trafficking, which is generally their status as illegal migrants. This therefore allows victims to escape the violence and control of criminal organizations and to benefit from a program of assistance and social integration.

This program provides protection to victims without having to collaborate with the judicial authorities. In practice, however, it is generally necessary for victims to cooperate with the judicial authorities to apprehend the criminals or criminal groups exploiting them.

Law 11/08/200 n.228, G.U. 23/08/2003 *Misure Contro la tratta di persone e la riduzione in schiavitù* (Measures against Trafficking in Persons and Reduction in Slavery) of August 11th, 2003, played a decisive role. It increased the penalties for human trafficking and slavery as well as increased the scope of their definitions. This law amended Articles 600, 601 and 602 of the Penal Code by broadening the traditional definition of slavery. The phenomenon of trafficking is therefore configured as a specific type of crime. In particular, Article 13 provides for a “special anti-trafficking fund” and a program to assist victims of these crimes for a minimum of three months. The assistance programs provide, among other things, food, shelter, and health care for victims.

Proposed measures: Regulationist laws versus Nordic Model proposals

At the national level, dozens of bills on prostitution have been introduced since 2013 but have never been subject to parliamentary review.

The dominant trend seems to be regulationist policy. One proposal is that of Senator Maria Spilabotte (*Partito Democratico*), through the draft law n.1201 of December 10th, 2013 *Regolamentazione del fenomeno della prostituzione* (*Regulation of the Phenomenon of Prostitution*), signed by 70 parliamentarians. Spilabotte proposed the repeal of one of the most important aspects of the Merlin Law, which included the opening of brothels, but also the possibility of renting a house or apartment for prostitution purposes.

Spilabotte also proposed the creation of a “cooperative of prostituted persons” in a limited number of self-managed brothels. The proposal would also require a prostituted person to hold a license, and carry the obligation of regular medical examinations and the use of condoms.

However, the adoption of a regulationist model is unlikely to succeed given Italy's international obligations. As noted by Esohe Aghatise, founder of the NGO *Iroko*, which helps Nigerian prostituted women, Italy's ratification of the Convention for the Suppression of the Traffic in Human Beings and of the Exploitation of the Prostitution of 1949, ratified in 1952, and the Additional Protocol to the United Nations Convention Against Transnational Organized Crime to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), commits the country to comply with its international obligations (*Violence Against Women*, October 1, 2004). The 1949 convention clearly states in its Article 1: “The Parties to the present Convention agree to punish any person who, to gratify the passions of another: 1) Procures, entices or diverts, for purposes of prostitution, another person, even with the consent of that person; 2) Exploits the prostitution of another person, even with the consent of that person.”

This treaty has not prevented local authorities from attempting to introduce local practices to regulate prostitution. This is the case of the zoning initiated in Mestre (Venice) in 2009. Andrea Santoro, mayor of Rome's 9th municipality, also wanted to establish prostitution zones in the city with a 2014 proposal called *#Michela*, in tribute to a young Romanian prostituted woman who survived the burns inflicted by her procurers in 2012. The Prefect of Rome rightly opposed it, noting its incompatibility with the Merlin Law. Establishing red light

districts would be tantamount to facilitating the activity. Due to general outcry and resistance from the population, the measure was abandoned (*Il Giornale d'Italia*, July 9, 2015). In July 2015, the Milan Municipal Council tabled a similar motion and was met with the same result (*Milano Today*, July 16, 2015)

The issue of “sexual assistance” has also emerged in Italy. Max Ulivieri, director of the NGO *Love Giver*, collaborated with Senator Sergio Lo Giudice (also signatory of the Spilabotte project) to bring forth the *Disegno di Legge n. 1442 Disposizioni in materia di sessualità assistita per persone con disabilità, 2014 (Draft Law n.1442 Provisions on Assisted Sexuality for People with Disabilities, 2014)*, in order to create a specific status of sexual assistance for individuals with disabilities in Italy. In the absence of a parliamentary debate, Max Ulivieri decided to do an act of “civil disobedience” by launching training courses for “assistance” from May 2017 (*Love Giver*, April 24, 2017).

In June 2016, MP Caterina Bini of the *Partito Democratico*, submitted the project *Atto Camera n. 3890 –Modifica all'articolo 3 della legge 20 febbraio 1958, n. 75, concernente l'introduzione di sanzioni per chi si avvale delle prestazioni sessuali di soggetti che esercitano la prostituzione, 2016 (Parliamentary Bill n. 3890 - Amendment to Article 3 of the Law of 20 February 1958, n. 75, concerning the introduction of sanctions for those who pay for the sexual services of prostituted persons, 2016)*. In her own words, Bini described it as “A counter-current proposal” to import the reinforced abolitionist model of sex buyer criminalization (Nordic Model). About 30 signatories approved her proposal to add a paragraph to the Merlin Law. This new law would punish sex buyers with fines of EUR 2,500 to EUR 10,000 (USD 2,798 to USD 11,178), unless the

crime is aggravated. In the event of a repeat offence, the sex buyer would be sentenced to one year in prison and fined again. According to the MP, this was in accordance with the vision of prostitution as violence against women, which was specified under and in accordance with the Honeyball Resolution adopted by the European Parliament in 2014 which encourages each Member State to adopt the Nordic model of sex buyer penalization (*European Parliament*, February 3, 2014). The reactions to this proposal were strong. The radio presenter of a popular program exclaimed, “*Puttaniieri di tutta Italia, unitevi*” (Prostituted people from all of Italy, unite), and “*Dove non c’è prostituzione non c’è democrazia*” (Where there is no prostitution, there is no democracy). The MP also claims to have received an email threatening her with the loss of nine million voters if she was to pass the law (*Il Sole 24 Ore*, July 15, 2016). However, many others welcomed the draft law, particularly human rights groups, who hailed it as a historic step towards gender equality for women and the upholding of women’s rights and dignity (*LEF*, February 26, 2014).

Arrests, criminal prosecutions and convictions

In 2016, there were 215 convictions in Italy for prostitution-related offenses. This figure has fallen since 2011 (323 convictions) (*Corte di Cassazione*, 2016) despite the increase in human trafficking. Given the close links between organized crime, drugs, and prostitution, it is conceivable that the convictions for prostitution-related offences may have been classified in other categories. Major operations to dismantle criminal networks linked to procuring have been carried out. A joint operation with Romania, Albania, and Greece resulted in the arrest of 30 traffickers in February 2014 (*Rai News*,

February 4, 2014). Operation Cults, a three-year operation conducted with the assistance of the Republic of Togo, resulted in the arrests of 44 Nigerian mafia members scattered throughout Italy in 2016. Charges included the exploitation of 250 Nigerian women and girls (*Vincenzi*, 2014). At the end of the same year, Operation Skin Trade resulted in the arrest of 15 Nigerian men for human trafficking and procuring (*La Repubblica*, October 24, 2016).

Institutions are sometimes involved in prostitution. Some civil servants become “apprentice procurers” such as in the case of Anna Teresi, a municipal officer who was also the manager of a “beauty institute” that was frequented by some 40 Sicilian mothers and students (*La Repubblica*, January 17, 2014). Not to mention cases involving police officers who are sex buyers. The “Unar scandal,” named after the Ufficio Nazionale Antidiscriminazioni Razziali (National Anti-Racial Discrimination Office) is emblematic of this. This body, developed by the Ministry for Equal Opportunities, is responsible for funding anti-discrimination associations. Its director, Francesco Spano, reportedly used public funds amounting to EUR 180,000 (USD 201,526) to finance three homosexual prostitution clubs of which he was a member (*The Daily Beast*, February 22, 2017).

Members of the clergy have also abused children in exchange for money. For example, Andrea Contin, a priest from Padua, allegedly prostituted two of his faithful in need (*Il Mattino di Padova*, December 23, 2016). Despite being under investigation for procuring, Contin refused to resign (*Il Giornale*, August 28, 2017). Italian newspapers are overflowing with cases involving Italian priests convicted of paying for sex with children or for possession of child pornography.

Children prostitution: “Ruby effect” and the phenomenon of “baby squillo”

Squillo in Italian means ringtone, however when associated with the word *ragazza* (girl), it is generally used to refer to a Call Girl, meaning a prostituted person with whom the appointment is arranged by phone. The word “baby” was recently widely used by the Italian media to refer to Italian teenage girls, usually aged between 14-16 years old, who are prostituted.

The Italian media coined this expression during the “Parioli case”, named after an upper class district in Rome. In October 2013, five adults were investigated under suspicion of being involved in the prostitution of two Italian teenage girls in a local apartment. The long list of names of sex buyers, revealed during the investigation, caused a scandal. Included in this list was the husband of a well-known Italian MP, some MPs’ sons, three officials from the *Food and Agriculture Organization of the United Nations* (FAO) and a senior executive from Ernst&Young (Vincenzi, 2014). The scandal ended with eight adults sentenced to prison and ten convictions overall. The Italian judge refused any possibility of appeal or release of bail to reduce sentences. She even sentenced one of the sex buyers to two years’ imprisonment and an obligation to buy as many as thirty feminist documents (books and DVDs) for the teenagers as damages. “The decision suggests that the judge has favored a solution that will help the young girls understand that the real damage they have suffered is damaging to their dignity as women,” wrote one newspaper (*Corriere della Sera*, September 22, 2016).

The spokesperson of the NGO *Osez Le Feminisme* protested up: “It’s up to men to learn about the status of women. It’s a bit like saying to the victims, ‘You, young

prostituted girl, read Hannah Arendt to educate yourself a little” (Marianne, September 27, 2016).

Peer pressure from other young girls is one of the main factors pushing teenage girls into prostitution (48% of cases). Adults are also a contributing factor, as seen in the 33% of cases where the parents play the role of the procurers (CEPIC, 2005). One mother allegedly prostituted her 12-year-old daughter for sums ranging from EUR 5 to 10 (USD 5.6 to 11.2) (*Huffington Post*, January 31, 2017). Another woman, who had previously reacted indifferently to the rape of her then 12-year-old daughter, began prostituting her when she turned 16 (*Huffington Post*, October 22, 2015). According to the testimony of a *baby squillo* procurer, the case of Ruby, a young prostituted woman in the Silvio Berlusconi case, glamorized and advertised child prostitution among teenage girls.

Yet, the legislation is not lenient towards the prostitution of children. The penal legislation aimed at the prevention and repression of all forms of sexual abuse of children is constituted by Act n.66 of February 15th, 1996 *Norme contro la violenza sessuale* (Standard against Sexual Violence) and Law n.269 of August 3rd, 1998 *Norme contro la sfruttamento della prostituzione, della pornografia, del turismo sessuale in danno dei minori quail nuove forme di schiavitù* (Standard against the exploitation of prostitution, pornography, sex tourism to the detriment of children, which are new forms of slavery), which includes all forms of sexual exploitation of children. It prohibits the production, publication, and possession of child pornography, punishes sex tourism and sanctions from 6 to 12 years’ imprisonment anyone who encourages children to engage in prostitution. Law 228/2003 supplements it by imposing 8 to 20 years’ imprisonment to any person who reduces a child to an

object or enters them into sexual slavery, as well as any person who buys a prostituted child by any means of payment (CEPIC, 2005).

While it is important to recognize the pertinence of the contributions of the Law 66/96, it is also important to underline that, in the Italian Judicial system, only Law n.269/98 sets the specific objective of protecting children against all forms of sexual exploitation and violence, in order to safeguard their physical, psychological, and moral development.

Prostitution and migration

At least 55% of prostituted persons in Italy are foreigners, mainly from Nigeria, Romania and Albania. Italy has also seen an increase in the number of persons from China, Eastern Europe, and specifically transgender people from Latin America. Most of these people are prostituted on the street. Their rates (EUR 20-25/USD 22-28 per trick) are much lower than those of Italian prostituted persons or those being prostituted indoors. However, it is not uncommon to encounter Nigerian prostituted women offering even lower rates.

Following an influx in migration to Italy in the 1980s, the number of Nigerian women and girls that are victims of sex trafficking has continued to increase in the country. In 2013, there were 400 female Nigerian women, then 1,500 in 2014 and 5,000 in 2015. In the first five months of 2016, there were 2,000 Nigerian women being prostituted in Italy already, a 300% increase over the same period of the previous year. These victims are also getting younger, 20% of them are minors with an average age of 15, although the number of 13-year-old girls is increasing (Ziniti, 2017). Women are deceived by false promises of employment, though some are already aware they will be prostituted. Their families, neighbors, friends, or

relatives urge them to leave “for a better life.” Traffickers are called “trolleys” (or (shopping) carts) because the victims are considered goods being imported into Italy. These traffickers do not need to exercise physical violence because they silence their victims through *Juju* rituals (*Violence Against Women*, October 1, 2004). The journey of these women takes them through Niger and Libya. On their way to Sicily, they are exploited in “connection houses”, where they are repeatedly raped (slaughtered) in order to break them down psychologically. Once in Italy, they are exploited by so-called “Madams” who become their “owners” and procurers. Madams are Nigerian women who have themselves been prostituted, exploited by other Madams. The promise of “buying a girl” that they will be able to exploit and enrich themselves once they have paid their debts is part of the motivation to ensure that the women will not run away. These girls are prostituted between 8 and 10 hours a day for 3 to 7 years in order to repay their debt (between EUR 30,000 and EUR 40,000/USD 33,590 and USD 44,780) that they contracted to come to Europe. A large number of Nigerian women are stationed in the northern regions of Italy, in transit towards France, Spain, the United Kingdom and Finland. The *US Federal Bureau of Investigation* (FBI) claims that the Nigerian Mafia is the only non-European criminal organization to have stabilized on the continent. Up to 80% of Nigerian women and girls in the peninsula are reported to be exploited (Ziniti, 2017).

For Romanian traffickers, and the few Italians involved, the *modus operandi* is simpler and faster as they solely have to drive on European roads, with scheduled buses to Italy to exploit women and children. Recruitment is carried out either by friends or by loverboys (men who seduce very young, vulnerable girls in

order to force them into prostitution), or by false advertisements.

Albanian criminal networks are particularly violent. They use physical force and increased surveillance, and do not hesitate to re-sell prostituted women and girls among themselves. They recruit their victims through false promises of marriage and exploit values such as family honor and loyalty. Albanian procurers remain in contact with the families of their victims, an additional means of pressure to control them (*Violence Against Women*, October 1, 2004). Albanian minors constitute the second largest group of unaccompanied minors in Italy, making up 12.5% of the total, a percentage that has been increasing since 2015. The possibility for Albanian citizens to enter the Schengen Area without a visa since 2010 could partly explain this increase (*Save the Children Italia Onlus*, July 2016).

The majority of prostituted persons killed in Italy are foreign nationals (*Sex Industry Kills*, 2018). Andrea Cristina Zamfir was murdered by serial killer Riccardo Viti, who was also accused of assaulting at least five other prostituted women (*Il Tirreno*, May 9, 2014). In December 2016, Victory Uwangué, a 20-year-old Nigerian woman, was burned alive in the Apulia region. A report produced in Bari revealed areas populated by children, mostly of Bosnian origin and sometimes as young as 8 years old, who are being sexually exploited without any serious intervention by social services (*Mediaset*, April 2, 2017).

Measures: towards a more complete "Italian model"

In February 2016, the Ministry for Equal Opportunities launched the *Piano nazionale d'azione contro la tratta e il grave sfruttamento*, (National Action Plan against Trafficking and Exploitation), which aims to harmonize the treatment of trafficking victims.

The program involves deploying the four "P's": prevention, prosecution, protection, and partnership. It aims to coordinate actions within the territory, improve cooperation between different national and international administrations, train personnel to better identify and assist persons at risk and raise awareness about trafficking in both areas of destination and origin.

In short, this plan formalizes what lawyer Esohe Aghatise calls the "Italian model", a model of strong cooperation between police, government agencies and NGOs, and has been used in major anti-sex trafficking operations. In addition, E. Aghatise suggests improving the penal component through the seizure of traffickers' assets to reimburse victim assistance costs. The withdrawal of residence permits from convicted traffickers could be an obstacle to any recidivism upon their release from prison. This approach has already been applied in Abruzzo in 2012. Assets that were confiscated from procurers were used to directly compensate the 17 Nigerian women who had reported them (EUR 50,000/USD 55,975 in immediate compensation to each woman) (*L'Espresso*, June 18, 2012).

There are also interesting initiatives at the associative level in Italy. The NGO *Iroko* has begun to set up a farm called *Casale Del Rio* in Piedmont. The organization is seeking funding for a multi-purpose center to provide shelter and employment to female victims of trafficking, while also enhancing the local community. Once completed, the center will provide local and international catering services, conference rooms, training centers, agricultural and organic sales to raise public awareness support and empower victims of trafficking and prostitution.

In Verona, *QUID* is a socially and environmentally conscious ready-to-wear

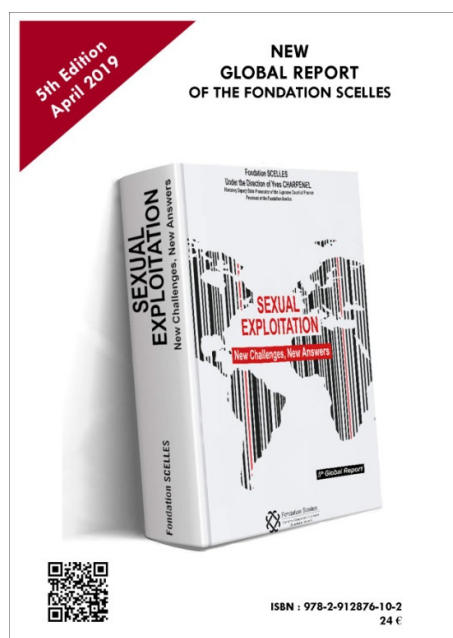
brand that uses recycled fabrics and employs people with difficult backgrounds, including women who are victims of trafficking or abuse. *QUID* is present throughout Italy and works in partnership with major names within the Italian textile industry, like *Calzedonia* and *Diesel*.

In conclusion, while the Italian judicial system has irregularities, with vast and effective national operations, but an extremely slow judicial process for procurers, in recent years, a national press review on the current state of prostitution in the country has given a glimpse into the extent of this very significant phenomenon in the peninsula.

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The Global Report is produced by the International Observatory on Sexual Exploitation, in collaboration with internal and external experts (magistrates, lawyers, social workers, NGO leaders...), and the support of local NGO correspondents or international researchers.



The **Fondation Jean et Jeanne Scelles**, recognized as a public utility since 1994 and as a consultative status with ECOSOC, is an independent, non-profit organization based in Paris (France) dedicated to fight the system of prostitution and the exploitation of prostituted persons, through information, analysis, advocacy, trainings, awareness initiatives and legal actions. The **Fondation Jean et Jeanne Scelles** is a co-founding member of the Coalition for the Abolition of Prostitution (CAP International) which was launched in 2013 and today brings together 28 abolitionist NGOs from 22 countries.

The **International Observatory on Sexual Exploitation** (Observatoire international de l'exploitation sexuelle) is a worldwide hub which allows for information exchange on the system of prostitution. The hub is regularly consulted by French and foreign experts including NGOs, institutions, journalists, lawyers, researchers and those involved in the defense of human rights. The goals of the **International Observatory on Sexual Exploitation** are:

- to analyze all the aspects of the phenomenon: prostitution, sex tourism, procurement, child pornography, sex buyers, human trafficking for the purpose of commercial sexual exploitation...
- to encourage reflection and to take a stand
- to inform the public who are interested in these issues

CONTACT

Sandra AYAD, Head of the International Observatory on Sexual Exploitation
sandra.ayad@fondationscelles.org

14 rue Mondétour
75001 Paris - France



www.fondationscelles.org
 Tw: @Fond_Scelles
 Fb: @FondationScelles