



# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Distr.: General  
18 December 2017

Original: English

## Committee against Torture

### Concluding observations on the combined fifth and sixth periodic reports of Italy\*

1. The Committee against Torture considered the combined fifth and sixth periodic reports of Italy (CAT/C/ITA/5-6) at its 1582nd and 1585th meetings (see CAT/C/SR.1582 and 1585), held on 14 and 15 November 2017, and adopted the present concluding observations at its 1605th and 1606th meetings, held on 29 and 30 November 2017.

#### A. Introduction

2. The Committee expresses its appreciation to the State party for accepting the optional reporting procedure, as this allows for a more focused dialogue between the State party and the Committee.

3. The Committee appreciates having had the opportunity to engage in a constructive dialogue with the State party's delegation, and the responses provided to the questions and concerns raised during the consideration of the report.

#### B. Positive aspects

4. The Committee welcomes the ratification of or accession to the following international instruments by the State party:

(a) The International Convention for the Protection of All Persons from Enforced Disappearance, on 8 October 2015;

(b) The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on 3 April 2013;

(c) The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, on 3 January 2013;

(d) The Convention on the Rights of Persons with Disabilities, on 15 May 2009.

5. The Committee also welcomes the following legislative measures taken by the State party in areas of relevance to the Convention:

(a) The adoption, on 21 February 2014, of Law No. 10/2014, providing for the establishment of the National Authority (*Garante nazionale*) for the Rights of Persons Detained or Deprived of Personal Liberty, which constitutes the national preventive mechanism for the prevention of torture together with the existing preventive mechanisms at the regional and city levels;

\* Adopted by the Committee at its sixty-second session (6 November–6 December 2017).



(b) The adoption, on 15 October 2013, of Law No. 119 on urgent safety provisions and on combating gender-based violence.

6. The Committee commends the State party's initiatives to amend its policies and procedures in order to afford greater protection of human rights and to apply the Convention, in particular:

(a) The adoption of the national action plan against the trafficking and severe exploitation of human beings (2016–2018), in February 2016;

(b) The adoption of the national action plan to combat violence against women (2017–2020), in 2017;

(c) The establishment of the Directorate General of Training at the Department of Penitentiary Administration, Ministry of Justice, in 2015.

7. The Committee values the significant efforts made by the State party to respond to the large influx of asylum seekers, persons in need of international protection and irregular migrants arriving in its territory.

8. The Committee appreciates the fact that the State party maintains a standing invitation to the special procedure mechanisms of the Human Rights Council, which has allowed a number of independent experts with mandates relevant to the Convention to carry out visits to the country during the reporting period.

## C. Principal subjects of concern and recommendations

### Pending follow-up issues from the previous reporting cycle

9. While noting with appreciation the information provided by the State party on 9 May 2008 under the follow-up procedure (CAT/C/ITA/CO/4/Add.1) and with reference to the letter dated 17 November 2009 from the Committee's Rapporteur for Follow-up on Concluding Observations, the Committee still considers that the recommendations included in paragraphs 7 (fundamental safeguards), 12 (non-refoulement: expulsions on the grounds of national security), 16 (conditions of detention) and 20 (compensation and rehabilitation) of the previous concluding observations (CAT/C/ITA/CO/4) have not yet been implemented (see paragraphs 18, 20, 32 and 42, respectively, of the present document).

### Definition and criminalization of torture

10. While noting the adoption of Law No. 110 of 14 July 2017 introducing the crime of torture as a specific offence, the Committee considers that the definition set forth in the new article 613 bis of the Criminal Code is incomplete inasmuch as it fails to mention the purpose of the act in question, contrary to what is prescribed in the Convention. Moreover, the basic offence does not include specifications relating to the perpetrator — namely, reference to the act being committed by, at the instigation of, or with the consent or acquiescence of a public official or other person acting in an official capacity. Despite the explanations given by the delegation as to the non-cumulative nature of the elements mentioned in article 613 bis, the Committee considers that this definition is significantly narrower than the definition contained in the Convention, and establishes a higher threshold for the crime of torture by adding elements beyond those mentioned in article 1 of the Convention (art. 1).

11. **The State party should bring the content of article 613 bis of the Criminal Code into line with article 1 of the Convention by eliminating all superfluous elements and identifying the perpetrator and the motivating factors or reasons for the use of torture (i.e. to obtain information or a confession, to punish the victim, to intimidate or coerce the victim or a third person, or any reason based on discrimination of any kind). The Committee draws the State party's attention to its general comment No. 2 (2007) on the implementation of article 2, in which it states that serious discrepancies between the Convention's definition and that incorporated into domestic law create actual or potential loopholes for impunity (para. 9).**

### **Statute of limitations**

12. The Committee is concerned that the crime of torture is subject to a statute of limitations of 18 years.

13. **The Committee recommends that the State party ensure that the offence of torture is not subject to any statute of limitations, in order to preclude any risk of impunity in relation to the investigation of acts of torture and the prosecution and punishment of perpetrators.**

### **National and regional mechanisms for the prevention of torture**

14. The Committee welcomes the establishment of the National Authority for the Rights of Persons Detained or Deprived of Personal Liberty as the national preventive mechanism under the Optional Protocol to the Convention, and commends the creation of local preventive mechanisms in some regions and cities, although their independence has sometimes been questioned. It regrets, however, the lack of information provided about the action taken by the State party in response to the recommendations issued by the National Authority since it became operational in March 2016 (art. 2).

15. **The State party should:**

(a) **Ensure the functional, structural and financial independence of the existing regional and municipal preventive mechanisms for the prevention of torture;**

(b) **Ensure effective follow-up to, and implementation of, recommendations of the National Authority for the Rights of Persons Detained or Deprived of Personal Liberty, generated by its monitoring activities, in accordance with the guidelines on national preventive mechanisms, of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (see CAT/OP/12/5, paras. 13 and 38).**

### **National human rights institution**

16. While acknowledging the existence of institutional structures that monitor the implementation of human rights, the Committee is concerned that the State party has not yet established a consolidated national human rights institution (art. 2).

17. **The Committee reiterates the recommendation contained in its previous concluding observations (see CAT/C/ITA/CO/4, para. 8) that the State party should proceed with the establishment of an independent national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).**

### **Fundamental legal safeguards**

18. The Committee takes note of the procedural safeguards set out in articles 143, 386 and 387 of the Code of Criminal Procedure, mainly the right of detainees to notify a relative of their detention, to access a lawyer of their own choosing and to receive the assistance of an interpreter. However, it is concerned about consistent reports indicating that detainees are often not informed about their rights or authorized to communicate with their relatives. The Committee is also concerned at the limited access to legal aid, owing to restrictive qualifying criteria, especially for non-citizens, and that not all detentions are recorded promptly. Lastly, the Committee regrets the maintenance of a maximum detention period of five days for certain crimes before a person held in custody following arrest is brought before a judicial authority (art. 2).

19. **The State party should:**

(a) **Take effective measures to ensure that all detainees are afforded, in practice, all fundamental safeguards from the very outset of their deprivation of liberty, in conformity with international standards, including the right to access to a lawyer, particularly during the investigation and interrogation stages, the right to have the assistance of an interpreter if necessary, and the right to promptly inform a relative or any other person of their choice of their arrest;**

(b) **Expand the criteria for access to legal aid, especially in the case of foreigners;**

(c) **Reduce the maximum period during which a person may be held in custody following arrest on a criminal charge, before being brought before a judicial authority, even in exceptional circumstances, to less than the present five days;**

(d) **Ensure officials' compliance with registration requirements.**

**Non-refoulement**

20. The Committee notes the efforts made by the State party to respond to the large influx of asylum seekers and irregular migrants, including high numbers of unaccompanied minors, arriving in its territory. It is, however, concerned at reports alleging that the State party may have acted in breach of the principle of non-refoulement and carried out collective returns during the period under review. Of particular concern are the forcible returns of irregular migrants in application of readmission agreements providing for accelerated identification procedures, such as the agreement signed by the Italian and Sudanese police authorities on 3 August 2016, which led to the repatriation on 24 August 2016 of dozens of Sudanese nationals, who allegedly belonged to a persecuted minority. The Committee also notes with concern that the procedure of expulsion on grounds of national security continues not to provide for sufficient and effective safeguards against the risk of refoulement, which is in addition to the lack of suspensive effect of the appeals against expulsion decisions. In this connection, the Committee notes that the European Court of Human Rights has found in several cases that the expulsion of foreign nationals under article 3.1 of Law No. 144/2005 violated the prohibition of torture and ill-treatment under article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms (the European Convention on Human Rights) (*O. v. Italy, Saadi v. Italy, CBZ v. Italy and Trabelsi v. Italy*). Furthermore, the Committee is concerned that Decree Law No. 13 of 17 February 2017 (subsequently Law No. 46 of 13 April 2017, i.e. the Minniti-Orlando decree) has introduced measures to accelerate asylum procedures, reducing the number of possible appeals and thereby limiting the protection afforded to asylum seekers, and speeding up deportations of rejected asylum seekers. Finally, in the light of the judgment of the European Court of Human Rights in *Hirsi Jamaa and others v. Italy* (art. 3), in which, inter alia, two violations of article 3 of the European Convention on Human Rights were found because the applicants had been exposed to the risk of ill-treatment in Libya and of repatriation to Somalia and Eritrea, the Committee takes note of the State party's statement that there will no longer be "pushback" to Libya of migrants and asylum seekers intercepted on boats in the Mediterranean Sea by the Italian maritime forces (art. 3).

21. **Recalling the Committee's previous recommendations (see CAT/C/ITA/CO/4, paras. 10–12), the State party should:**

(a) **Ensure that in practice no one may be expelled, returned or extradited to another State where there are substantial grounds for believing that he or she would run a personal, foreseeable risk of being subjected to torture;**

(b) **Ensure that all asylum seekers have the opportunity for an individual review and are protected from refoulement and collective return;**

(c) **Amend its legislation in order to provide rejected asylum seekers with an effective judicial remedy with automatic suspensive effect against expulsion decisions;**

(d) **Ensure that the accelerated procedures under readmission agreements and Law No. 46/2017 are subject to a thorough assessment on a case-by-case basis of the risks of violations of the principle of non-refoulement.**

#### **Memorandum of Understanding of 2 February 2017 between Italy and Libya**

22. The Committee takes note of the explanations offered by the State party's delegation regarding the content and initial results of the Memorandum of Understanding signed between Italy and the Government of National Accord, of Libya, on 2 February 2017, on development, on countering illegal immigration, human trafficking and smuggling and on strengthening border security. Nonetheless, the agreement, which was welcomed by the members of the European Council in the Malta Declaration of 3 February 2017 and affirms that the European Union will support Italy in implementing it, does not contain any particular provision that may render cooperation and support conditional on the respect of human rights, including the absolute prohibition of torture. Furthermore, the Committee is deeply concerned at the lack of assurances that cooperation for the purpose of enhancing the operational capabilities of the Libyan Coast Guard or other Libyan security actors would be reviewed in light of possible serious human rights violations. In this connection, the Committee draws the State party's attention to the numerous reports of dangerous, life-threatening interceptions by armed men believed to be from the Libyan Coast Guard, as stated in the latest report of the Secretary-General on the United Nations Support Mission in Libya (see S/2017/726, para. 36), and the horrific conditions in detention facilities under the control of Libya's Department for Combating Illegal Migration, recently documented by United Nations human rights monitors (see S/2017/726, para. 35, and the press release from the Office of the United Nations High Commissioner for Human Rights, of 14 November 2017, entitled "Suffering of migrants in Libya outrage to conscience of humanity").<sup>1</sup>

23. **The State party should take all necessary legal, political and diplomatic measures to ensure that any cooperation and/or support that it may provide under bilateral or regional migration management agreements is consistent with the purposes of the Convention and with its obligations under international human rights law and international refugee law. In this context, the State party is requested to provide the Committee with information regarding the follow-up to the implementation of the Italy-Libya agreement. As a first layer of control in guaranteeing the correct use of European Union funds, the State party should also consider, as a matter of urgency, establishing an effective mechanism for monitoring the conditions on the ground in Libya for the implementation of the cooperation projects.**

#### **Allegations of ill-treatment in "crisis centres" and other reception facilities**

24. While taking note of the information provided by the State party on the implementation of the "hotspot approach" agreed upon by the European Union in 2015 to achieve swift identification and screening of migrants and asylum seekers at points of arrival, the Committee remains concerned at reports of ill-treatment and excessive use of force by the police when taking the fingerprints of newly arrived asylum seekers and migrants. The Committee notes the delegation's affirmation that, under Italian law, the police are allowed to use force to arrest individuals and obtain identification as a measure of last resort, despite reports to the contrary. Also of concern are the reportedly substandard living conditions in several reception centres for asylum seekers and irregular migrants, including "crisis centres" and centres for unaccompanied children, and the fact that women and minors are not always provided with separate accommodation, due to limited facilities. There is also a lack of clear guidelines, clear procedures and a clear division of responsibilities as regards the identification of vulnerable people and of individuals in need of international protection. In this regard, the Committee regrets that the State party has provided no complete information on the procedures in place for timely identification of victims of torture and trafficking among asylum seekers and migrants (arts. 11 and 16).

<sup>1</sup> Available at [www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22393&LangID=E](http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22393&LangID=E).

25. **The State party should:**

- (a) **Clarify the legal basis for deprivation of liberty and the use of force to obtain fingerprints from uncooperative asylum seekers and migrants;**
- (b) **Ensure that all allegations of excessive use of force in order to fingerprint migrants and asylum seekers who resist the identification process are investigated promptly, thoroughly and impartially, and that perpetrators are prosecuted and punished;**
- (c) **Ensure that law enforcement officials receive appropriate professional training, including on how to avoid excessive use of force and how to handle the fingerprinting of uncooperative migrants and asylum seekers, and that authorities develop explanatory materials for the persons being fingerprinted to minimize trauma;**
- (d) **Take the measures necessary to ensure appropriate reception conditions for asylum seekers and irregular migrants;**
- (e) **Formulate clear guidelines and related training on the identification of individuals in need of international protection, including torture and trafficking victims, from among asylum seekers and migrants.**

**Monitoring of immigration detention facilities**

26. The Committee notes with concern that there have been instances where the regional and local preventive mechanisms' right of access to places of detention has been questioned by the authorities, especially in relation to certain immigration centres and "crisis centres". Civil society organizations and municipal authorities also reported difficulties in accessing reception centres for asylum seekers and migrants, be they publicly or privately managed.

27. **The State party should:**

- (a) **Guarantee that the National Authority for the Rights of Persons Detained or Deprived of Personal Liberty and its regional counterparts are allowed to visit all — and any suspected — places of deprivation of liberty, as set out in articles 4 and 29 of the Optional Protocol, that are within its jurisdiction. For these purposes, the jurisdiction of the State extends to all those places over which it exercises effective control (see CAT/OP/12/5, para. 24);**
- (b) **Authorize non-governmental human rights organizations and other civil society actors to undertake monitoring activities at reception centres for asylum seekers and migrants, including at "crisis centres" and centres for unaccompanied children.**

**Detention pending deportation**

28. While noting the reduction in the maximum length of detention in immigration detention centres (identification and expulsion centres) from 18 months to a strict limit of 90 days, in application of Law No. 161/2014, the Committee considers that detention pending deportation should be further reduced and only applied as an exceptional measure (arts. 11 and 16).

29. **The State party should ensure that rejected asylum seekers and irregular migrants are held in detention only as a last resort and, if such detention becomes necessary, that they are held for as short a time as possible and that use is made of alternatives to detention whenever feasible.**

**Training**

30. The Committee acknowledges the efforts made by the State party to develop and implement training programmes in human rights for members of the security forces, prison staff, immigration personnel and judicial officers. However, it is concerned at the lack of information on evaluation of the impact of those programmes. The Committee also regrets the scant information provided on training programmes for professionals directly involved in the investigation and documentation of torture, as well as for medical and other

personnel dealing with detainees on how to detect and document physical and psychological sequelae of torture and ill-treatment (art. 10).

**31. The State party should:**

(a) **Further develop mandatory in-service training programmes to ensure that all public officials, in particular law enforcement officials, prison staff and medical personnel employed in prisons, are well acquainted with the provisions of the Convention and are fully aware that violations will not be tolerated and will be investigated, and that those responsible will be prosecuted and, upon conviction, be appropriately sanctioned;**

(b) **Ensure that all relevant staff, including medical personnel, are specifically trained to identify cases of torture and ill-treatment, in accordance with the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol);**

(c) **Develop and apply a methodology for evaluating the effectiveness of educational and training programmes relating to the Convention and the Istanbul Protocol.**

**Conditions of detention**

32. The Committee appreciates the measures adopted by the State party to reduce prison overcrowding and to limit the use of remand in custody. Nevertheless, according to the information supplied by the delegation, in September/October 2017 the prison population stood at 57,551 against a total capacity of 50,920, with a number of prisons well over the maximum capacity, and 35 per cent of detainees in pretrial detention, including convicts with an appeal pending. The Committee takes note of the information provided by the delegation on the progress made following the judgment of 8 January 2013 of the European Court of Human Rights in *Torreggiani and others v. Italy*, but remains concerned at the conditions of detention in some detention facilities, such as the Florence State Police Headquarters (*Questura*). It is also concerned at reported arbitrary practices, in particular abusive strip searches. The Committee also notes the existence of special units reserved for female detainees with children, and the establishment of specialized health-care units within existing penitentiary institutions. Furthermore, it notes that prison medical personnel have an obligation to document and report any evidence of maltreatment observed during the initial medical examination of detainees. It regrets, however, that the State party did not indicate the number of cases reported by prison medical personnel as potential cases of torture or ill-treatment, during the period under review.

**33. The State party should:**

(a) **Continue its efforts to improve conditions of detention and alleviate the overcrowding of penitentiary institutions and other detention facilities, including through the application of non-custodial measures. In that connection, the Committee draws the State party's attention to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);**

(b) **Urgently adopt measures to remedy any deficiency related to general living conditions in police detention facilities, including deficiencies related to light, sanitation, and access to the open air and physical exercise;**

(c) **Ensure, in law and practice, that pretrial detention is not excessively prolonged;**

(d) **Ensure that prison search procedures are not degrading to inmates or visitors;**

(e) **Provide information on the number of cases reported by prison medical personnel as possible instances of torture or ill-treatment.**

**Special detention regime**

34. While taking note of the Constitutional Court's decision No. 143 of 17 June 2013 on access to defence counsel, the Committee considers that the high-security regime under article 41 bis of the Law on the Penitentiary System continues to impose severe restrictions in terms of socialization with other inmates and contact with the outside world, in particular with relatives. The placement of these prisoners under constant video surveillance in their cells is another matter of concern (arts. 11 and 16).

**35. The State party should review the special detention regime and bring it into line with international human rights standards, such as the Nelson Mandela Rules. Video surveillance in custody facilities should not intrude on the privacy of detainees or violate their right to confidential communication with their lawyer or doctor. The State party should also strengthen and expedite the judicial review of orders imposing or extending that form of detention.**

**Deaths in custody**

36. While noting the adoption in 2017 of plans to prevent suicide in prisons and juvenile detention facilities, the Committee regrets the lack of complete information on suicides and other sudden deaths in detention facilities during the period under review (arts. 2, 11 and 16).

**37. The State party should provide the Committee with detailed information on cases of death in custody and the causes of those deaths. It should also take measures to ensure that all instances of death in custody are promptly and impartially investigated by an independent entity.**

**Excessive use of force**

38. The Committee is concerned at the number of persons who have been injured during confrontations between demonstrators and security forces in the course of social protests, since the consideration of the previous periodic report. It also regrets the scant information provided by the State party regarding the number of prosecutions and convictions on charges of excessive use of force during the period under review. The lack of clarity of the applicable regulation on the use of force is also a cause of concern (arts. 2, 12, 13 and 16).

**39. The State party should:**

(a) **Ensure that prompt, impartial and effective investigations are undertaken into all allegations relating to the excessive use of force by police and other law enforcement officers and ensure that the perpetrators are prosecuted and the victims are adequately compensated;**

(b) **Increase the efforts to systematically provide training to all law enforcement officers on the use of force, especially in the context of demonstrations, taking into account the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;**

(c) **Clarify the regulation on the use of force by the police and other law enforcement agencies, and ensure that members of the police and other law enforcement officers can be effectively identified at all times when carrying out their functions;**

(d) **Provide the Committee with detailed information on the number of complaints, investigations, prosecutions, convictions, and sentences handed down in cases of police brutality and excessive use of force.**

**Prompt, thorough and impartial investigations**

40. The Committee is concerned at the fact that the State party has not furnished specific information on the number of complaints of torture or ill-treatment or on the corresponding investigations and prosecutions during the reporting period. The Committee has not received comprehensive information about the sentences and criminal or disciplinary sanctions imposed on offenders, or an indication of whether the alleged perpetrators of



those acts have been removed from public service pending the outcome of the investigation of the complaint (arts. 2, 12, 13 and 16).

41. **The Committee urges the State party to:**

(a) **Ensure that all complaints of torture and ill-treatment are promptly investigated in an impartial manner by an independent body, that there is no institutional or hierarchical relationship between that body's investigators and the suspected perpetrators of such acts, and that the suspected perpetrators are duly tried and, if found guilty, punished in a manner that is commensurate with the gravity of their acts;**

(b) **Ensure that the authorities launch investigations whenever there are reasonable grounds to believe that an act of torture or ill-treatment has been committed;**

(c) **Ensure that, in cases of alleged torture and/or ill-treatment, suspected perpetrators are suspended from duty immediately for the duration of the investigation, particularly when there is a risk that they might otherwise be in a position to repeat the alleged act, commit reprisals against the alleged victim or obstruct the investigation;**

(d) **Compile disaggregated statistical information relevant to the monitoring of the Convention, including data on complaints, investigations, prosecutions and convictions in cases of torture and ill-treatment.**

#### **Redress, including rehabilitation**

42. The Committee regrets that the delegation did not provide information on redress, including compensation measures ordered by the courts or other State bodies and actually provided to victims of torture or their families, since the consideration of the previous periodic report. It also regrets that the State party has presented no information on reparation programmes or on measures taken to support and facilitate the work of non-governmental organizations that seek to provide rehabilitation to victims of torture and ill-treatment (art. 14).

43. **The State party should ensure that all victims of torture and ill-treatment obtain redress, including an enforceable right to fair and adequate compensation and the means for as full a rehabilitation as possible. The Committee draws the State party's attention to its general comment No. 3 (2012) on the implementation of article 14 by States parties, in which it elaborates on the nature and scope of the obligations of States parties under article 14 of the Convention to provide full redress to victims of torture. The State party should also provide the Committee with information on redress and on compensation measures, including means of rehabilitation, ordered by the courts or other State bodies and actually provided to victims of torture or ill-treatment.**

#### **Gender-based violence**

44. The Committee notes with concern the high prevalence of gender-based violence against women and girls in the State party. It is also concerned at the low prosecution and conviction rates for femicide, sexual violence and other forms of violence against women, including female genital mutilation, during the period under review (arts. 2, 12, 13 and 16).

45. **The Committee encourages the State party to redouble its efforts to combat all forms of gender-based violence, and to ensure that all complaints are thoroughly investigated and that suspected offenders are prosecuted and, if convicted, punished appropriately. The State party should also ensure that victims receive full redress for the harm suffered, including fair and adequate compensation and the fullest rehabilitation possible. It should also provide mandatory training on prosecution for gender-based violence to all enforcement and justice officials and continue awareness-raising campaigns on all forms of violence against women.**

**Human trafficking**

46. While taking note of the information provided by the delegation on the State party's efforts to combat trafficking in persons, the Committee is concerned at reports of a sharp rise in trafficking of Nigerian women and girls, some as young as 11 years old, particularly in the context of mixed migration flows. It also welcomes the explanation provided by the delegation concerning the provision of residence permits to victims of trafficking. However, the Committee remains concerned at the lack of sufficient shelters for victims of trafficking, who end up staying at migrant reception centres for a longer period than is appropriate (arts. 2, 12 and 16).

47. **The State party should:**

(a) **Intensify its efforts to prevent and combat trafficking in human beings, including by implementing effectively the 2016 national action plan against trafficking and by providing protection for victims, including shelters and psychosocial assistance;**

(b) **Ensure that cases of human trafficking are thoroughly investigated, that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and that victims are adequately compensated. It should also ensure that victims have access to effective protection.**

**Follow-up procedure**

48. **The Committee requests the State party to provide, by 6 December 2018, information on follow-up to the Committee's recommendations on the implementation of the Memorandum of Understanding of 2 February 2017 between Italy and Libya, on the monitoring of immigration detention facilities and on the investigation and prosecution of instances of police brutality or excessive use of force (see paragraphs 23, 27 and 39 above). In that context, the State party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the concluding observations.**

**Other issues**

49. **The State party is requested to disseminate widely the report submitted to the Committee and the present concluding observations, in appropriate languages, through official websites, the media and non-governmental organizations.**

50. **The Committee requests the State party to submit its next periodic report, which will be its seventh, by 6 December 2021. For that purpose, and in view of the fact that the State party has agreed to report to the Committee under the optional reporting procedure, the Committee will, in due course, transmit to the State party a list of issues prior to reporting.**

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