

VIII Seminar – 6 May 2022

*Multilevel fights against human trafficking*

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*The case of the Ali ghetto. The configuration of the aggravating circumstance of transnationality to the crime of human trafficking*

In this paper, an attempt has been made to analyze the phenomenon of human trafficking in its transnational scope. In the introduction, in fact, the transnational connotations that this phenomenon has taken on are highlighted, which have led to the need to design a law enforcement methodology that is capable of confronting the crime in the scope that it has taken on, identifying the pivotal instrument of the 2000 Palermo Convention, namely the Additional Protocol on the crime in question. The first paragraph deals with multilevel countering trafficking, highlighting the key normative instruments and the notion of trafficking identified by the Additional Protocol. The second paragraph deals with the crime of trafficking under Article 601 of the Criminal Code, as most recently amended by Legislative Decree No. 24 of 2014, in transposition to Directive 2011/36/EU. The third paragraph deals with the issue of the aggravating circumstance of transnationality applied to the crime of trafficking in human beings, a circumstance introduced by our legislature in the law transposing the Palermo Convention, included today in Article 61bis of the Criminal Code as an aggravating circumstance with special effect. The case in point used to better understand the application of the aforementioned aggravating circumstance is the affair concerning some migrants who, with the help of local transporters, in the belief that they would reach Tripoli and face the crossing to Europe, were actually taken to the so-called Ali ghetto, kidnapped and tortured until the ransom was paid.