

14 March 2023

OBJECT: Modern Slavery statement

Dear customer,

we wish to inform you that, with reference to the Italian criminal law, trafficking in human beings is considered as an offence against the person, as is placed in Section I (Offences against human personality), Chapter III (Offences against individual liberty) of Title XII (Offences against the person) of the Criminal Code.

Article 600 of the Criminal Code constitutes the linchpin around which the offence of trafficking in human beings pivots, in consideration of the express mention contained in the subsequent articles 601 of the Criminal Code, relevant to trafficking in human beings («Person who is in the conditions referred to in article 600»), and 602 of the Criminal Code, relevant to the purchase and transfer of slaves («Person who is in the conditions referred to in article 600»).

Moreover, **article 13 of Law No. 228 of 2003**, establishes a special assistance programme for victims of the offences envisaged by articles 600 and 601 of the Criminal Code. The programme guarantees, on a temporary basis, adequate accommodation, food and healthcare.

Where the victim of any of the offences provided for by the mentioned articles 600 and 601 of the Criminal Code is a foreigner, there is in any case no prejudice to the provisions of article 18 of Legislative Decree No. 286 of 1998.

By **Law No. 108 of 2 July 2010 (Ratification and execution of the Council of Europe Convention on Action against Trafficking in Human Beings, made in Warsaw on 16 May 2005, and rules adjusting domestic law)**, the special aggravating circumstances were repealed and article 602-ter of the Criminal Code was introduced. The said article:

- 1) confirms the increase of penalties – by one-third to one-half – where the offences are committed to the detriment of minors, or aim at the sexual exploitation or the removal of organs;
- 2) Introduces the new aggravating circumstances related to the fact that a serious danger to the life or the physical or psychological integrity of the injured person is derived from the offence;
- 3) Introduces a new aggravating circumstance for all offences of forgery in deeds, if they are committed in order to carry out or facilitate the crimes of reduction to and maintenance in slavery, trafficking in human beings and purchase and transfer of slaves.

As a result of the **ratification of the Lanzarote Convention by Law No. 172 of 1 October 2012** on the protection of children against sexual exploitation and sexual abuse, also the offence of trafficking in human beings has been involved in connection with some related profiles, in particular the protection of victims of trafficking committed for the purposes of sexual exploitation of children:

As a result of the ratification law, the second sentence of paragraph 2 of **article 602-ter** has been included in the Italian Criminal Code, providing further aggravating circumstances.



sponsor ufficiale

Unicom SRL is therefore committed in performing his activities in compliance with all national laws as prescribed by Italian Republic and all international laws as ratified by Italian Republic parliament and European Parliament and European Council as founding member of the European Union.

Regards,

Unicom SRL

Article 600. Reduction to or maintenance in slavery or servitude.

«Whoever exerts on any other person powers and rights corresponding to ownership; places or holds any other person in conditions of continuing enslavement, sexually exploiting him/her, imposing coerced labour or forcing said person into begging, or exploiting him/her in any other way, shall be punished by imprisonment from eight to twenty years.

Placement or maintenance in a position of slavery occurs when use is made of violence, threats, deceit, or abuse of power, or when anyone takes advantage of a situation of physical or psychic inferiority and poverty, or when money is promised, payments are made or other kinds of benefits are promised to those who are responsible for the person in question.» This article has replaced the previously existing one by article 11 of Law No. 228 of 11 August 2003.

Article 601. Trafficking in persons.

«Whoever carries out trafficking in persons who are in the conditions referred to in article 600, that is, with a view to perpetrating the crimes referred to in the first paragraph of said article, or whoever leads any of the aforesaid persons through deceit, or obliges such person by making use of violence, threats, or abuse of power, by taking advantage of a situation of physical or psychic inferiority, and poverty; or by promising money or making payments or granting other kinds of benefits to those who are responsible for the person in question, to enter the national territory, stay, leave it, or migrate to said territory, shall be punished by imprisonment from eight to twenty years.»

This article has replaced the previously existing one by Law No. 228 of 2003.

Article 602. Purchase and sale of slaves.

“Whoever, apart from the cases specified in article 601, purchases or transfers or sales any person who is in any of the conditions referred to in article 600, shall be punished by imprisonment from eight to twenty years”

Article 602-ter Aggravating circumstances.

The penalty for the offences provided for by articles 600, 601 and 602 shall be increased by one-third to one-half:

a) where the injured person is under 18 years of age;



b) where the facts aim at the exploitation of the prostitution or at subjecting the injured person for the removal of organs;

c) where a serious danger to the life or the physical or psychological integrity of the injured person is derived from the offence.

Where the facts envisaged by Title VII, chapter III, of this Book are committed in order to carry out or facilitate the crimes envisaged by articles 600, 601 and 602, the penalties provided for therein shall be increased by from one-third to one-half. In the cases envisaged by articles 600-bis, paragraph 1, and 600-ter, the penalty shall be increased by from one-third to one-half where the fact is committed by violence or threat. In the cases provided for by articles 600-bis, paragraphs 1 and 2, 600-ter, paragraph 1, and 600-quinquies, the penalty shall be increased by one-third to one-half, where the fact is committed taking advantage of the minor's situation of need. In the cases provided for by articles 600-bis, paragraphs 1 and 2, 600-ter and 600-quinquies, as well as by articles 600, 601 and 602, the penalty shall be increased by one-half to two-thirds, where the fact is committed to the detriment of a person under 16 years of age. In the cases envisaged by articles 600-bis, paragraph 1, and 600-ter, as well as, where the fact is committed to the detriment of a person under 18 years of age, by articles 600, 601 and 602, the penalty shall be increased by one-half to two-thirds, where the fact is committed by an ascendant, an adoptive parent, or their spouse or live-in partner, by the spouse or by relatives by marriage within the second degree, by relatives up to the fourth collateral degree, the guardian or a person to whom the minor has been entrusted for purposes of treatment, education, instruction, supervision, custody, or work, or by public officials or persons otherwise charged with a public service in the exercise of their functions, or where the act is committed to the detriment of a minor in a state of disability or mental defect, occurred naturally or provoked. In the cases provided for by articles 600-bis, paragraph 1, and 600-ter, as well as by articles 600, 601 and 602, the penalty shall be increased by one-half to two-thirds where the act is committed administering alcoholic or narcotic substances, drugs, or substances in any case harmful for the physical and psychic health of the minor, or if it is committed against three or more persons. The extenuating circumstances other than those provided for by articles 98 and 114, concurring with the aggravating circumstances provided for by this section, cannot be considered equivalent or prevailing in respect of the latter and the reductions of penalty shall operate on the quantity of the same resulting from the increase following the aforesaid aggravating circumstances.

