

The adoption of the Directive 2011/36/EU in Italy and Germany

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Abstract

The essay, conceived as the final stage of the seminar “Jean Monnet, Mobility and Security in the Mediterranean Sea: illicit trafficking of persons and goods”, examines the issue of the multilevel protection of victims of trafficking.

The legal framework for the protection of victims of trafficking in human beings and the eradication of trafficking in human beings is now multi-layered, involving legal systems which, although autonomous, are influenced by each other. In particular, the aim of this work is to verify the level of transposition of European Directive 2011/36, on preventing and combating trafficking in human beings and protecting its victims, respectively in Italy and Germany.

The study focuses, in detail, on the changes made to the Criminal Code in this two Member States. The comparison between the two legal systems is, in fact, an instrument for observing the strengths and weaknesses of the Directive from the point of view of its application.

Finally, the aim is to highlight the importance of European sources of legislation for the protection of victims and, at the same time, to emphasize the importance of proper and appropriate harmonization of national laws for the effective protection of fundamental rights.