

OGNI PAROLA HA DELLE CONSEGUENZE.
OGNI SILENZIO ANCHE.



Labour exploitation in the Tuscan countryside: an intersectional gender perspective

**OUR FOOD
OUR FUTURE**

WE ARE HUNGRY FOR JUSTICE



strategia nazionale per
lo sviluppo sostenibile

Written by

Federico Oliveri
Ricercatore Tempi Moderni, Università di Pisa e di Camerino

Coordination, contributions and editing

Marco Omizzolo (Tempi Moderni, Eurispes)
Margherita Romanelli (WeWorld), Elisa Franceschini (WeWorld)

WeWorld Coordination

Margherita Romanelli (European Programs Area Coordinator, WeWorld)
Elisa Franceschini (European Programs Area Advocacy Consultant, WeWorld)
Camilla Serlupi (European Programs Area Program Officer, WeWorld)
Rachele Ponzellini (EU and Global Communication Coordinator, WeWorld)
Andrea Comollo (Head of Communication & EU Programs)

The author would like to thank the women who agreed to share their experiences, as well as the trade union representatives, the operators of the reception centres, the Third Sector and the anti-trafficking system, and the law enforcement officials who contributed to the research in various ways.



MINISTERO DELL'AMBIENTE
E DELLA SICUREZZA ENERGETICA

This publication has been produced with the financial support of the European Union. Its contents are the sole responsibility of WeWorld and its authors and do not reflect the views of the European Union.



June 2023



EXECUTIVE SUMMARY

Over the last two decades, thanks to the **struggles** of foreign labourers and trade unions, to the **investigations** of journalists and NGOs, and to the **research** of male and female scholars, exploitation and caporalato [illegal recruitment of agricultural workers for very low wages, Translator's Note] in Italian agriculture have become the object of increasing attention by institutions, civil society and consumers. Yet, **commonplaces** continue to circulate in the public debate, preventing a development of a full awareness of the nature and root causes of the phenomenon, making **countermeasures** and **prevention** measures, as well as necessary actions to **protect** workers in exploitative conditions, ineffective.

This research – which is part of the project **Our Food Our Future** (CSO-LA/2020/411-443), co-financed by the European Commission within the DEAR Programme (*Development Education and Awareness Raising Programme*), and Azioni In Rete Per lo Sviluppo Sostenibile, co-founded by the Italian Ministry of Environment and Energy Security - intends to contribute to overcoming these commonplaces. To this end, it was decided to **study the phenomena of exploitation and caporalato in Tuscany from an intersectional gender perspective**: one of the earliest and most deeply rooted clichés is, in fact, that agriculture involves predominantly male labourers. The experiences of exploitation of, Italian but especially foreign, female labourers, are thus made invisible and the policies of contrast, prevention and protection are blind to gender differences and women's

specific needs.

Instead, it is a matter of “**feminising the gaze**” in order to analyse and transform the reality in which we live, with the aim of making an emancipatory use of law and building a society based on equal dignity and full human development of men and women. **Giving visibility and a voice to migrant women in exploitative conditions**, recognising them in spite of everything as **protagonists of their own lives**, is essential to develop a new and deeper understanding of the phenomena in question, on the basis of which more incisive policies can be developed.

To this end, the experiences of **seven female foreign labourers** - from Nigeria, India and Romania - employed in exploitative conditions in three different Tuscan countryside areas - **Maremma area of Grosseto, Val di Cornia (Livorno)**, and the **rural area around Arezzo** - were collected and analysed. The companies involved produced various types of fruit and vegetables, some of which particularly prized such as the baby purple artichoke and the Venturina baby spinach, intended for large-scale organised distribution, but also for local markets and restaurants.

The three Tuscan territories were chosen as case studies on the basis of **both quantitative criteria** (specific weight of agriculture in the local economy, number of active farms, greater presence of foreign labourers, number of victims of exploitation resulting from ongoing investigations and operators' reports) and

qualitative criteria (interviews carried out in recent years with privileged witnesses, mainly trade union operators, by the Placido Rizzotto Observatory of the FLAI [Italian Federation of Agro-Industrial Workers] – CGIL [Federation of Italian Trade Unions]).

The understanding of the specific dynamics of agricultural exploitation and caporalato in Tuscany still has to overcome several obstacles. On the one hand, there is a tendency to believe that this type of problem only concerns areas of the Italian territory characterised by economic and cultural backwardness: the presence of exploited labour, especially foreign labour, in the Tuscan countryside shows instead that the phenomenon, albeit in different forms, has a national scale and occurs also in **developed agricultural contexts**, or even of “**excellence**”. On the other hand, there is a tendency to focus attention only on violations of rights, freedom and dignity of labourers that take on extreme and blatantly irregular forms: the “**Tuscan**

variant” of agricultural exploitation shows, instead, that where social control is higher and there is a greater respect, at least formally, for the rules, the cases of exploitation tend to hide behind an **appearance of legality**, making them more difficult to identify and fight.

These commonplaces have the same root: **removal of the systemic nature of agricultural exploitation and its root causes**. In order to overcome this removal, it is necessary, on the one hand, to identify the **systemic risks of exploitation**, i.e. those constituent elements of the agro-food supply chains that produce a demand for labour to be exploited. On the other hand, it is necessary to highlight the personal, socio-economic and legal-institutional **vulnerability factors** that feed an offer of exploitable labour: acting cumulatively, the different vulnerability factors push people into the position of **having no choice but to give in to exploitation**, a condition that supposedly no one would accept if they had viable alternatives.



First part

The **first part** of the research offers a brief **theoretical framework**. In order to facilitate the understanding of the cases in question, four basic dimensions of exploitation are distinguished; three thresholds of severity of the phenomenon are identified; the notion of systemic risk of exploitation is defined and applied to the agricultural sector; three types of vulnerability are described and their link to labour exploitation is shown. These categories were subsequently used to analyse and compare the experiences of the seven female foreign labourers interviewed, but also to put the contributions of the seven privileged witnesses (two trade unionists, two financial police officers, two social workers, one researcher) in the proper perspective.

Exploitation is classified as a **social relationship of domination aimed at yielding profit from the asymmetry of power between two categories of people**: on the one hand, those who own or administer the means of production; on the other hand, those who, in order to make a living, give up their labour power for a certain amount of time to those who own the means of production in exchange for remuneration. This relationship of domination has four distinct, but closely connected, dimensions: an economic, a relational, an organisational and a contextual dimension.

The **economic dimension** of exploitation

consists of an **“exchange” between labour time and its monetary remuneration** that results to be unfair to the detriment of male and female workers and advantageous to the owners or administrators of the means of production. This exchange can be unfair with respect to money (e.g. when remuneration is disproportionate to the quantity and quality of work performed, or is insufficient to ensure the male and female worker a free and dignified existence for him/herself and his/her family) and /or with respect to time (e.g. when working hours are excessively extended to the detriment of living time, or when working hours are unsustainably intensified).

The **relational dimension** of exploitation consists in the **control by “strong” subjects over “weak” subjects**, on whom working and living conditions are imposed that they would not have accepted had they been free to choose. This limitation of personal freedom, which can go as far as complete subjugation, also violates **equal dignity** of male and female workers: every exploited person is reduced to a mere instrument of profit, becomes a commodity subject to the command of others, is dehumanised. This subordinate condition is reproduced through **various forms and degrees of violence**, from the physical to the verbal and psychological, to the sexual violence to which women, in particular, are exposed. In the background operates the invisible **systemic violence** linked to the basic social differentiation between those who, in

order to make a living, must work for others and those who can rely on their own or their family's means of support.

The **organisational dimension** of exploitation - in certain contexts entrusted to the so-called caporali [literally: corporals, sing.: caporale, a person responsible for illegal recruitment of agricultural workers for very low wages, Translator's Note] - manifests itself in various aspects of the production process: from recruitment to putting people into work, from power of management to power of control, and finally to disciplinary power of the employer. In each of these moments, male and female workers in exploitative conditions are **at the mercy of others' decisions** and, if they demand respect and rights, they are threatened, attacked, punished or dismissed.

Finally, the **contextual dimension** of exploitation consists of all those **environmental factors that accentuate blackmailing and subordination** of workers. These factors include the mode of transport to and from the workplace, the housing situations, the hygienic and safety conditions in which the work is carried out, including the dangerous nature of the production environment, exposure to bad weather, extreme heat and cold, and absence of protective equipment and toilets.

Due to the roles traditionally assigned to them in society and family, women are exposed to the risk of being subjected to specific forms of exploitation, blackmail and abuse, including

harassment and sexual violence. In particular, women with a migration background, experience a **sum of multiple discriminations** linked to their identities: they are discriminated against as foreigners; as "racialised" subjects due to their ethnic-cultural or religious affiliation; as women and - potential or actual - mothers; as members of subordinate social classes.

In a democratic constitutional system, **labour rights and rights at workplace set the legal limits of exploitation and prohibit discrimination:** hence the right to an adequate and bearable wage, the right to sustainable working hours, the right to rest, to holidays and paid sick leave, the right to deferred wages after leaving the labour market, the right to safety, health and respect for one's dignity, the right to recognition of gender-specific needs and requirements. These rights, which are the result of ongoing social and trade union struggles, must be the subject of a **transparent and detailed contract**, and if they are violated, the **right to take legal action** for their full and effective recognition must be guaranteed.

Studying **systemic risks of exploitation** is an essential prerequisite for preventing and fighting violations of labour rights and rights at workplace. These risks are particularly strong in the Italian agri-food supply chain, which is increasingly affected by internal and global competition and is characterised by excessive length, fragmentation, imbalances and opacity. In particular, it is worth highlighting the fact that the various players in the supply chain do not

have the same bargaining power: the strongest players, such as the **Grande Distribuzione Organizzata** [Large-Scale Retail Supermarket Chains] (GDO), have the ability to “capture” a significant part of the value produced to the detriment of the weaker players, for example by imposing low prices on their suppliers in order to sell the final product at a promotion or *sottocosto* [below market value]. The low food prices guaranteed by the GDO and discounters - increased, not surprisingly, both after the great crisis of 2007-08 and during the pandemic - respond to the **weak purchasing power** of an important part of Italian consumers. But the ones who ultimately pay the cost are the most vulnerable agricultural labourers, such as foreigners, who lack the power to negotiate an adequate wage and labour treatment.

The study of **personal, socio-economic and legal-institutional vulnerabilities** that affect agricultural labour, especially foreign and female labour, is also indispensable to counter and prevent exploitation, but above all to effectively protect male and female workers. As the intersectional approach suggests, these factors tend to reinforce each other and it is necessary to understand their mutual

relationships in order to avoid their negative effects.

Emblematic, in this respect, is the situation of **foreign female labourers**. On the one hand, **sexism** relegates women to the lowest levels of the family, social and productive organisation and, in the most serious cases, fuels that **objectification of female body** that leads to harassment and sexual violence: instead of constituting a deterrent, **motherhood** itself can constitute a further risk factor to the extent that it increases the possibility for the women to be blackmailed, women who are engaged in caring for their sons or daughters in the presence or at a distance. On the other hand, sexism is intertwined with old and new **racisms** linked to ethnic, national, cultural or religious affiliation, but also to the extreme precariousness of legal status and the associated institutional discrimination in access to social rights. Coming from a context of poverty, combined with the need to work to survive and meet the needs of one's family, but paradoxically the same **desire to emancipate themselves** from male domination, combine to make foreign women the ‘ideal’ candidates for **double or triple (labour, sexual and domestic) exploitation**.





Second part

The **second part** of the research focuses on the **general characteristics and specificities of exploitation and of caporalato in Tuscan agriculture.**

It is, first of all, to show on the basis of the available data and testimonies that the region is not exempt from these cases: it is important, on the other hand, to understand that modern and “excellent” agricultural production can coexist with even serious violations of rights and dignity of male/female labourers.

According to the inspections carried out, the **National Labour Inspectorate** has recorded in 2020, 209 violations in Tuscany regarding illegal brokering (i.e. “caporalato”) and labour exploitation pursuant to Article 603-bis of the Italian Criminal Code: of these **143** in agriculture alone, corresponding to **69%** of the total. In

2021, there were **44** violations registered in the region for the same offences in total, of which **18** in agriculture, corresponding to **40%** of the total. Therefore, **not only are exploitation and caporalato present in Tuscany, but they seem to be concentrated in the primary sector.** Moreover, the phenomenon is in all likelihood much broader than what emerges from the inspections, which are, moreover, very limited: in 2021, out of the more than **52,000** farms operating in the region, only **432** were inspected, i.e. **0.8%** of the total.

Some evolutionary trends in Tuscan agriculture suggest the existence of a **systemic risk of exploitation** in the region. The production specificities of Tuscan agriculture (requiring in the vast majority **hand-harvesting**), the **severe reduction in the number of farms** (from 121,000 in 2000 to 52,100 in 2020), the **increase in their**

average surface area (without prejudice to the prevalence of medium-small farms), their increased **orientation towards the market** and **large-scale distribution** (covering 24.9% of the regional trade), as well as the growing uncertainties linked to climate change, **require large quantities of labour to be mobilised rapidly during the short harvest periods.**

This framework explains the deep change in the labour force employed in the primary sector in Tuscany: **from 2010 to 2020, the demand for non-family agricultural labour more than doubled**, from 24.2% to 50%. 81% of this labour force works with **temporary contracts**: they are hired on a temporary basis, but work and are paid by the day, for the performance of certain jobs. Of this, 42% cannot work more than the 51 annual days that would entitle them to agricultural unemployment and other welfare tools.

Given the constant unattractiveness of farm labour, the increased need for labour has largely been absorbed by non-Italian male and female workers. Foreign labourers now number **more than 30,000** out of a **total of approximately 70,000 total employees**, corresponding to **42.5%** of the region's non-family agricultural labour force: a very significant piece of data, considering that foreigners make up **10.7%** of Tuscany's total residents. The presence of foreign labourers is mainly concentrated in the **fruit and vegetable sector**, particularly in the harvesting and preparation of produce for sale, and in some wine-growing areas: without their contribution it would be impossible to

guarantee current production levels.

The **foreign female labour force** amounts to just over **4,600 units**, corresponding to about **6.5%** of the total employed labour force: a small but not negligible share, which has been growing over the last decade. Of course, these figures refer to regularly declared non-family labour. The official numbers are to be increased on the basis of estimates of the **irregularity rate** which, in the Tuscan agricultural sector, was calculated to be around **19%** in 2018, compared to an Italian average of 24.3%.

At a time when a demand for unskilled, low-cost agricultural labour, available “just in time”, meets the presence of male and female workers with no real alternatives if they want to receive an income, even though minimal, and /or have a housing, even though precarious, the systemic risk of exploitation becomes a reality.

The **“Tuscan variant” of agricultural exploitation** basically consists in the tendency to hide violations of male/female labourers' **rights behind an** appearance of legality or to make more hidden or more manifest forms of abuse coexist on the same farm.

In many cases there are **formally regular contracts and pay slips**, which, however, record only a fraction of the days actually worked, make arbitrary and excessive deductions, omit some items of wages, and, in any case, do not correspond to the quantity and type of work performed. These more sophisticated modes

of exploitation require, at the same time, the existence of a **network of professionals** (labour consultants, accountants, etc.) willing to provide legal cover for abusive practices.

Alongside traditional caporali, the illicit intermediation of labour for the purpose of exploitation is increasingly carried out by **legal persons**: the “*new caporalato*” is carried out by temporary agencies, whether Italian or from the European Union, by self-styled cooperatives or limited liability companies. Exploitation is hidden behind **tender contracts or subcontracts**, commercial contracts for the provision of services on behalf of third parties, or labour supply contracts entered into with companies: the latter negotiate with the

external companies a total price for the harvest that is lower than that required to regularly pay, according to the provincial pay scales, all the hours actually worked by all the workers employed in the tender contract.

Significant in this context is the fact that Tuscany is the second region in Italy after Puglia for the number of working hours contracted out to **contractors**. These are in many cases so-called “landless” farms, so called because they do not work their own land directly, but supply already organised teams and, possibly, machinery to other companies. Many of these subcontracting companies operate correctly, but others base their competitiveness precisely on the exploitation of, especially foreign, labour.



Third part

The **third part** of the research **gives voice to the female foreign labourers** interviewed to illustrate how the systemic risk of exploitation in the Tuscan countryside is translated into reality and what forms it takes in an intersectional gender perspective.

Although limited in number and confined to the territories chosen as case studies, these testimonies allow us to imagine other women, foreign and otherwise, who certainly live similar experiences of vulnerability and exploitation in other rural areas of the region. Moreover, during the interviews with the female workers, the FLAI-CGIL trade unionists, the operators of anti-exploitation and anti-trafficking desks and the law enforcement officers, references to other female labourers emerged several times, both foreign and Italian, who have worked in Tuscan farms in exploitative conditions: it is, therefore, still largely a hidden problem, which may seem marginal today, but which, if not properly understood and not addressed in a timely manner, **is likely to worsen in the future.**

The first element that deserves attention, also in order to correctly understand the notion of “vulnerability”, is that the female labourers interviewed were **perfectly aware that they were being exploited**, but were equally aware that they had **no valid alternatives** to accepting exploitation. It is no coincidence that they sought regular employment as soon as they had

the chance or when the level of exploitation became unbearable.

Motherhood in itself constitutes a risk factor, which exposes women to specific blackmail and makes them more vulnerable to exploitation: the female labourers interviewed acknowledged that they had accepted to work even in very poor conditions with the idea of contributing economically to the well-being and growth of their sons or daughters they had left behind in their country of origin, or to the sons and daughters they had with them in Italy.

Age may also be a factor of personal vulnerability. Younger female labourers showed a tendency to accept exploitative conditions by trusting in their own resilience and underestimating, among other things, the discomfort caused by working in an almost exclusively male environment. In other cases, it was the older age that made women blackmailable: female labourers over the age of 45 expressed the fear of not being able to find another job if they were dismissed, especially in agriculture where high resistance to fatigue is required.

The low level of education is generally considered a risk factor, but a more complex reality emerged in the course of the interviews: a higher education, even university education, does not necessarily protect against exploitation, even if it allows one to be more

aware of it and to find, after a certain time, valid employment alternatives.

A **personal history of violence and marginality**, linked, for example, to the condition of **victim of slavery** of one of the female Nigerian labourers interviewed, can also constitute an element of risk: any occupation seems to be preferable to forced sex work, to which women also submit to pay off the debt contracted with those who organised their entry into Italy.

Among the factors of socio-economic vulnerability, the **family context of origin** plays an important role. Many of the female labourers interviewed, especially those of Nigerian origin, recounted that they came from large families and had set out for Europe as **“eldest daughters”**: even when they were not from families below the poverty line, their ability to cope with unforeseen situations, or even to keep their daughters in school, was very limited.

In a patriarchal context, and in the absence of job opportunities, a possibility opened up for young women to leave home through marriage, often arranged or agreed between families. The **refusal to marry**, but also the **choice not to remarry after a divorce**, constituted for some of the interviewed female labourers one of the strongest motivations for migrating. Even this desire to emancipate oneself from traditional gender roles and to live one’s own life, through migration and work, can be “extracted” and taken advantage of by those who exploit.

Even a **prolonged unemployment** in the country of arrival can feed the pressure to find a source of income, whatever the working conditions. A similar pressure arises from the **difficulties in finding housing on the private market**, due to lack of resources and economic guarantees, as well as discrimination by housing agencies and landlords. These experiences are shared by the female labourers interviewed, with the exception of the two women who are guests in a reception centre, who nevertheless complained of a certain **sense of isolation**.

Among the legal-institutional vulnerability factors that affect women with a migration background, the fact that they are subject to a strict **compulsory visa** regime stands out. Compulsory visa makes it very difficult to enter Italy legally from outside the European Union, except through family reunification: this induces dangerous and irregular journeys to access the **asylum channel** and ties for a long time the **renewal of the residence permit** to the possession of a work contract, giving a strong power of blackmail to the “masters”. The status of foreigners also limits access to some welfare policies, such as public housing and income support measures, for several years.

Legal insecurity is particularly emphasised for women in the **reception system**. The extension of time, waiting for the asylum application to take its course, is accompanied by a contraction of life opportunities. The states of mind that best summarise this experience are **boredom** and a **sense of futility**: the search for a job, even

in exploitative conditions, seems to offer a way out, as well as an opportunity to start building one's future outside the centre. Always with the fear of being denied international protection, of being detained in the Detention Facilities for Repatriation (CPR) and of eventually being deported to their country of origin.

In this framework, not enough thought has yet been given to the link between the extremely dangerous conditions in which unauthorised journeys to Europe take place and the risk of exploitation to which landed persons are subsequently exposed. The interviews with the two women host of the reception centres were, from this point of view, enlightening, revealing a kind of **“survivor syndrome”** accompanied by two opposite but equally problematic effects: on the one hand, a sense of guilt and loss of self-worth; on the other hand, a sense of immunity from the adversities of existence. Both attitudes may lead to a greater willingness to exploitation.

As regards the cases of labour exploitation experienced by the interviewed female labourers, a first common trait is represented by the **extreme difficulty of accessing the labour market without resorting to caporali or informal channels**. Only in one case, after experiencing exploitation in the fields, there was a positive relationship with the local Employment Centre, which actually provided one of the female Nigerian labourers with a regular job.

In many areas of the Tuscan countryside, as well as in various Italian rural contexts, the **caporalato** is widespread and performs multiple functions besides recruitment and transportation. *Caporali* have a monopoly on relations with the “master” and acts as a filter for the workers' claims; they take care of payments; they organise and supervise activities; they impose sustained working rates and prevent verbal exchanges or other forms of socialisation between male/female labourers. Their role turns out to be crucial not only for organisational reasons, but also to operate that continuous **degradation of the victims** that serves to make them more compliant to exploitation.

The interviews clearly revealed the presence, in the Maremma area of Grosseto, of a **network of caporali Pakistani origin** capable of recruiting teams of dozens of people among the guests of the various extraordinary reception centres in the area, on behalf of various farms producing grapes, melons, watermelons, flowers, and tomatoes. The transport took place in vans and, unlike in other contexts, did not involve additional costs. In the Arezzo countryside, it emerged the role of individual persons of various nationalities in labour intermediation, in more or less serious forms: in order to work, male/female labourers of foreign origin had to rely on a **chain of intermediaries**, each of whom wanted to be paid for their ‘service’ up to several thousand euro. In the Val di Cornia cases, on the

other hand, the presence of caporali did not emerge.

Depending on the type of farm, female labourers perform **various tasks**. Where monoculture of vegetables prevails in the open air and on large areas, no specialisation is required and it is common for men and women to perform the same type of activity, mainly **harvesting**: this is the experience of the women interviewed in the Maremma area of Grosseto. But if the same farm also hosts **cleaning and incassettamento [putting fruit or vegetables in crates] operations**, as in the Val di Cornia or in the Arezzo area, there is a differentiation of tasks, so that women are mainly involved in post-harvesting activities.

Despite equivalent tasks and working hours, there is a **gender-based wage discrimination** in various Italian territories: men receive a pay that is up to a third or more and, unlike their mates, women work more often **without a contract**. In the Tuscan countryside surveyed, such a situation was only clearly found in one case in the Arezzo area: the female Indian labourer interviewed received EUR 600 per month, **without a contract**, for working every day for about 8/14 hours a day, while her husband earned EUR 800/900, with a contract. In one of the two cases in the Grosseto area, **indirect wage discrimination** emerged due to the fact that payment was by piecework, per box of tomatoes harvested, and men in general were faster than women and therefore earned more. In the other case in the Grosseto area,

however, **wage discrimination on the basis of ethnicity** emerged: *Caporali* labourers paid their compatriots EUR 7 per hour, while they paid labourers of African origin EUR 5 per hour.

These discriminations occurred in a context of a **clear deviation from the minimum wages** set by the Provincial Labour Contracts and especially from the **maximum levels set for the length of the working day and week**. The situation varies in the different contexts studied: they range from EUR 3-5 per hour paid on average in the three cases recorded in Val di Cornia for work days of 10-13 hours, to EUR 5 per hour or per tomato box paid in the two cases recorded in the Maremma area of Grosseto for work days of 10-11 hours but with at least one-two days of weekly rest, to EUR 600 per month for working every day for 8-14 hours per day in one of the two cases in the Arezzo area, up to EUR 4 per hour for 10-11 hours of work in the other case in the Arezzo area.

All the female labourers interviewed complained about the **extremely high pace of work**, often accompanied by reprimands and threats. In the Grosseto area cases they were not even allowed to take breaks to drink or eat. Even physiological needs, carried out in the open, were sometimes a reason for verbal aggression.

Most of the labourers interviewed worked **without a contract**. Where some of the women had contracts, as in Val di Cornia, there was an increasingly common practice, in Tuscany and elsewhere: only a small part of the working days (usually 8 out of 30) was included in the

pay envelope. The rest was paid ‘outside the envelope’, for obvious **tax and contribution avoidance** purposes.

The **difficulty of access to housing** represents a structural element of fragility for foreign labour, especially if seasonal, throughout the country. Those who have to rely on their exploiters for housing are doubly blackmailed: if they lose their jobs, they also lose the place to live. Also in the Tuscan countryside studied, the housing issue has a relevant weight in the dynamics of exploitation.

In the two cases in the Grosseto area, as the female labourers were guests in a reception centre, the main problem was the **distance from the larger urban centres** and the need to make use of the transport managed by the caporali. In the two cases of the Arezzo area, this was a temporary problem, solved once they had acquired a minimum economic independence. In the three cases of the Val di Cornia, on the other hand, it was a persistent problem, comparable to the more serious forms of **housing deprivation** found in other Italian regions. The female labourers interviewed recounted how the owners of the farms where they worked forced them to live in their own warehouses, divided by panels into kitchen and dormitory areas, in **precarious sanitary conditions**, demanding, without a contract, a monthly rent of 500 euro per family, to which the expenses for electricity and gas were added.

The **poor working conditions** deeply marked the lives of at least two of the interviewed female labourers, affecting their **physical and reproductive health**. The former, during the many years spent working in Val di Cornia, developed various occupational diseases. The latter, employed in the Arezzo area, had a miscarriage that she did not communicate to the “master” for fear of being fired in the event of a future new pregnancy.

Discipline, in the accounts of all female labourers, was maintained with the **constant use of threats**. In particular, the threat of dismissal was a constant when any of them complained about excessive working hours, absence of work protections, or delays in payments. In the Val di Cornia, threats and insults also took on clearly racist overtones: employers addressed labourers by calling them “**slaves**” and “**animals**”.

None of the female labourers directly experienced **harassment or sexual violence**. In one of the two cases in the Arezzo area, however, such cases occurred to the detriment of other female fellow labourers who, unlike the interviewed labourer, did not have a partner. All of them, however, reported that they often **felt very uncomfortable about having to work among men**.

Fourth part

The **fourth and final part** of the research proposes a series of concrete actions, consistent with the approach and results of the research, aimed at guaranteeing the effective exercise of rights by male/female labourers, especially those of foreign origin.

The proposed actions are articulated along three fundamental pillars of action - **contrast, protection** and **prevention** - and take into account both the **gender differences of the labour force**, and the **different** - institutional, economic and social - **players** involved, as well as the various levels on which these players operate - from the local to the European scale.

Given the systemic nature of exploitation cases, some of the proposed actions are placed in a **medium - to long-term perspective**, while other actions can already be implemented in the **short to medium term**. In both cases, these are actions that need to be planned and financed in a stable manner.

To be more effective, **law enforcement actions** should focus on two objectives:

1. improving control system;
2. making sanctions more dissuasive.

To improve the **effectiveness of controls**, we propose, in the short-medium term, to:

- carry out **targeted inspections** using proper **congruity indices** comparing the size of

agricultural land, annual crop production and number of officially registered hours worked, in order to expose the underground economy as a possible indicator of exploitation;

- ensure the **ongoing training** of inspection staff, with respect to the new and apparently legal forms that exploitation can take, and flank inspection activities with appropriately trained cultural **male and female mediators**, including on **gender issues**;
- promote **stable forms of coordination at provincial, regional and inter-regional level** between the various inspection bodies - territorial labour inspectorates, local health authorities, INPS [Italian Social Security Institute], INAIL [Italian Institute for Insurance Against Accidents at Work], Financial Police, Carabinieri labour protection units - with **active participation** of local administrations, trade unions, civil society, migrants' organisations, trade associations and research bodies.

To **make sanctions more dissuasive** we propose, in the short-medium term, to:

- enter, following the example of the **new Common Agricultural Policy**, clear **social conditionality clauses** (on contractual and contributory regularity, wages and working

hours, hygiene and safety, gender equality, etc.) in order to **have access to all public funding**;

- extend sanctions to **Large-Scale Retail Supermarket Chains** and trade associations if they are found to have **failed to monitor** the unlawful behaviour of their suppliers or members with regard to the rights of male/female labourers;
- set up a **national online database** containing detailed information on companies involved in crimes of exploitation and illegal intermediation, human trafficking and enslavement;
- **prohibit marketing** of agricultural products obtained under conditions of **severe labour exploitation**, extending the application of the Regulation proposed by the European Commission beyond “forced labour”.

In order to effectively meet the needs of male/female labourers, **protective actions** should focus on three objectives:

1. guaranteeing a stable and secure legal status for male and female workers of foreign origin;
2. actually allowing the exploitation to emerge;
3. ensuring effective access to justice.

To guarantee a **stable and secure legal status** for male/female labourers of foreign origin, we propose first of all to:

- introduce a **permanent regularisation mechanism on an individual basis**, open to those who demonstrate strong family,

social and labour roots in the country, with important advantages also on labour, tax and contribution regularity of male and female workers;

- significantly expand the **annual quotas for seasonal and employment work**, ensuring the possibility of converting the initial seasonal permit into a longer-term one.

In order to overcome the condition of vulnerability, in which workers of foreign origin in particular find themselves, we believe a **paradigm shift is necessary in the governance of migration processes**, which recognises their structural and not emergency nature. To this end we propose to:

- introduce a **one-year entry visa for job search**, possibly linked to the presence of an associative or individual sponsor, or to the demonstration of sufficient economic resources;
- change the procedures for **renewing residence permits**, introducing the possibility of self-certification of employment, income and housing status, in order to reduce the blackmail power of employers;
- significantly increase the **resources allocated to the reception system**, to implement adequate courses of Italian language, training and completion of studies, labour law, safety at work and trade union law, as well as to promote **asylum seekers’ working and living autonomy**, reduce the risk of isolation and activate useful confrontation mechanisms to bring

out possible cases of exploitation at an early stage.

In order to really allow male/female labourers to **emerge from exploitation** and to **guarantee access to justice** for male/female labourers who are victims of exploitation, it is necessary to overcome some specific obstacles faced by foreigners and to remedy some shortcomings of the justice system, starting with the long duration of trials. In this regard, we propose to:

- promote **institutional and multilingual information campaigns** on the rights of male/female labourers and on the modalities to report violations, using multiple channels with a focus on social media;
- abolish the crime of irregular entry and stay in the country (pursuant to the Italian Legislative Decree No. 286/1998, Art. 11) or at least **extend the prohibition of reporting people without residence permits** (pursuant to the Italian Legislative Decree No. 286/1998, Art. 35, sub-paragraph 5) to public administration, justice, inspection bodies;
- set up in Municipalities **multilingual counters for free qualified psychological and legal counselling** against exploitation, with particular attention to the gender dimension;
- provide for the **reversal of the burden of proof** in proceedings for exploitation and violence, including sexual violence, in the workplace;
- introduce an **emersion income** (hypothetically, of EUR 1,000 gross per month) for those

who denounce conditions of exploitation, for the duration of one year or until they obtain a regular and decent work contract; supported by a specific **work reintegration programme**, run by the Job Centres, aimed at those who emerge from conditions of exploitation; furthermore, set up a **National Solidarity Fund** with which to advance at least part of the wage differences suffered by victims of exploitation, who will replenish the fund at the conclusion of the proceedings;

- make part of the Public Residential Housing (ERP) assets available to **respond rapidly to the demand for housing** by those who report conditions of exploitation related to housing deprivation or blackmail;

Preventive actions should act on the systemic risks of exploitation and on the causes of socio-economic vulnerability that induces exploitation, aiming in particular at four objectives:

1. to guarantee housing and public transport services to male/female farm labourers, also in inland rural areas;
2. to promote awareness of the rights and unionisation of male/female labourers;
3. to make the agricultural labour market fairer and more efficient
4. to make agri-food supply chains more balanced, transparent and socially responsible;

In order to **prevent labourers from resorting to caporali for accommodation and transport**, we

propose in the medium-long term to:

- establish **regional and inter-regional networks of rural residences** linked to the seasonality of harvests and conditional on the regularity of the labour contract, taking into account the specific needs of male/female labourers; significantly increase **ERP [public housing] assets**, especially through the recovery of unused public and private real estate, promote territorial agreements for the **sustainability of rents** and fight **racial and gender discrimination** by real-estate agencies and landlords, also through appropriate public guarantee mechanisms;
- strengthen **public transport services in inland rural areas**, including with special services dedicated to male/female labourers.

In order to **raise awareness of rights and unionisation of male/female farm labourers**, we propose to:

- precede the signing of labour contracts by the delivery of a **vademecum** containing precise indications on their **rights**, on the structure of **pay envelope** and on the **authorities** to turn to in case of violations, written in a **language** the male/female farm labourers **understand**;
- promote **safe gathering spaces near the places where they live or work**, where male/female labourers can exchange information and experiences, self-organise and meet with associations and trade unions;
- to promote the **empowerment of male/female labourers** through strengthening of their self-organisation, their **union**

representation in the farms and their participation in policy design.

In order to make the agricultural labour market **fairer and more efficient** at the same time, we propose to:

- reduce to **2 days** the time within which employers must notify INPS of the recruitment of agricultural workers;
- abolish the use of **vouchers** and promote permanent recruitment;
- promote nationwide **agricultural labour reservation** lists as a priority form of matching supply and demand managed by the Job Centres, also applying to **economic-fiscal incentives** for farms that recruit from these lists;
- promote **joint recruitment**, including through the signing of **network contracts between several farms** (pursuant to Italian Law No. 99, art. 31 of 9th August 2013), in order to ensure greater stability of the employment relationship and enable male/female farm labourers to reach 101 working days per year required for agricultural unemployment.

Finally, it is essential to **make agri-food supply chains more sustainable from an economic, social and environmental point of view**. To this end, we propose to:

- support the approval of an ambitious **European Due Diligence Directive** on sustainability and corporate responsibility that can: extend its application to small and

medium-sized farms, through appropriate simplifications and economic supports; adopt a supply chain approach; actively involve all stakeholders; facilitate access to justice for the most vulnerable potential victims by reversing the burden of proof to the farms, introducing civil liability and adequate sanctioning regimes including suspension from access to public funds;

- stimulate **short supply chains**, farmers' markets, solidarity purchasing groups and any other form of proximity distribution;
- rebalance the power relations in the supply chains by promoting the **creation and strengthening of Producers' Organisations** (POs) with the task of negotiating fair sales prices with large purchasing centres;
- promote **independent certification of ethical supply chains** that guarantee consumers access to quality products, at fair but moderate prices, respectful of the rights of male/female farm labourers and nature, including through *etichette narranti* [labels that provide precise information on producers, their farms, plant varieties or animal breeds used, cultivation, breeding and processing techniques and processing, animal welfare, territories of origin, Translator's Note] **and transparent prices** that reveal the "history" of products and distribution of revenues along the value

chain. In addition, to make it progressively compulsory for large-scale retail chains to buy products from farms that are members of the **Rete del Lavoro Agricolo di Qualità** [Quality Agricultural Labour Network] (pursuant to Italian Law No. 116/2014, Art. 6; Italian Law 199/2016, Art. 8).

We hope that the proposals for action presented herein can be publicly discussed and **consistently** integrated into existing policies and legislative proposals under discussion, in Italy and in the European Union.

We believe it is essential that the proposed actions are accompanied by **effective and transparent mechanisms of participation and monitoring**, in order to take into account the experiences and needs of male/female labourers and to adapt intervention strategies to a reality, such as that of exploitation, that is constantly changing.

It is not just a matter of alleviating the living and working conditions of those who produce, under blackmail and exploitative conditions, the cheap food we consume: it is a matter of rethinking, according to **principles of social and environmental justice**, the way we produce and consume what we eat, and of relaunching for all men and women the **protection of labour** on which the **real democracy** of a society is based.



Bibliography

Bibliography

Action Aid, *Cambia Terra. Dall'invisibilità al protagonismo delle donne in agricoltura*, Milano, maggio 2022.

Berti, E. et al., *Immigrazione e sfruttamento del lavoro. Forme di caporalato in agricoltura in Toscana*, rapporto finale del Progetto Demetra, febbraio 2023.

Boselli, M., *Prezzi al consumo: chi ci guadagna nella catena del valore dei prodotti agricoli?*, Centro Internazionale Crocevia, Roma, settembre 2019.

Bramo, M., I. Storni, "Il caporalato nei vigneti toscani. E la vendemmia diventa low cost", in "Corriere fiorentino", 2 ottobre 2015.

Cagioni, A. (a cura di), *Le ombre del lavoro sfruttato. Studi e ricerche sulle forme di sfruttamento lavorativo in Italia e in tre province toscane*, Asterios Editore, Trieste, 2020.

Carchedi, F. "Toscana. Il caso di Siena e Grosseto", in Osservatorio Placido Rizzotto, *Agromafie e caporalato. Quarto Rapporto*, Ediesse, Roma, 2018.

Coccia, B., G. Demaio, M.P. Nanni (a cura di), *Le migrazioni femminili in Italia. Percorsi di affermazione oltre le vulnerabilità*, Istituto di Studi Politici "S. Pio V" e Centro Studi e Ricerche IDOS, Roma, 2023.

Colucci, M., *Storia dell'immigrazione straniera in Italia. Dal 1945 ai nostri giorni*, Carocci, Roma, 2018.

Corrado A. et al., *Migrazioni e lavoro agricolo in Italia. Le ragioni di una relazione problematica*, Open Society Foundations, 2018.

Crenshaw, K., *On Intersectionality. Essential Writings*, The New Press, New York, 2017.

Dines, N., E. Rigo, "Postcolonial Citizenships and the 'Refugeeization' of the Workforce: Migrant Agricultural Labor in the Italian Mezzogiorno", in S. Ponzanesi, G. Colpani (a cura di), *Postcolonial Transitions in Europe: Contexts, Practices and Politics*, Rowman and Littlefield, London, 2015

Eurispes, Agromafie. 6° rapporto sui crimini agroalimentari in Italia, Minerva, Bologna, 2019.

Giammarinaro, M.G., L. Palumbo, “Le donne migranti in agricoltura”, in Osservatorio Placido Rizzotto, Agromafie e Caporalato. Quinto rapporto, Futura Editrice, Roma, 2020, pp. 81-114.

Giammarinaro, M.G., L. Palumbo, “Le condizioni di lavoro e di vita delle lavoratrici agricole tra sfruttamento, violenza, diritti negati e forme di agency”, in Osservatorio

Placido Rizzotto, Agromafie e Caporalato. Sesto rapporto, Futura Editrice, Roma, 2022, pp. 65-82.

Giovannetti, M., S. Miscioscia, A. Somai, Condizioni abitative dei migranti che lavorano nel settore agroalimentare, ANCI, Roma, luglio 2022.

Grimaldi, G., Lavoro e sfruttamento femminile nella Piana del Sele, We World, 2022.

INL, Relazione annuale dell'attività di vigilanza in materia di lavoro e legislazione sociale - 2020, Ispettorato Nazionale del Lavoro, Roma, 2020.

INL, Relazione annuale dell'attività di vigilanza in materia di lavoro e legislazione sociale - 2021, Ispettorato Nazionale del Lavoro, Roma, 2021.

IRPET, L'agricoltura toscana e le sue interazioni con il resto del sistema economico, Istituto Regionale Programmazione Economica della Toscana, Firenze, 2021.

IRPET, Lo sfruttamento lavorativo nel settore agricolo toscano, Istituto Regionale Programmazione Economica della Toscana, Firenze, 2022.

IRPET, Il commercio in Toscana: tra cambiamenti strutturali e nuove sfide, Istituto Regionale Programmazione Economica della Toscana, Firenze, 2023

ISMEA, Qualivita, Rapporto 2021 sulle produzioni agroalimentari e vitivinicole italiane DOP, IGP E STG, Qualivita, Siena, 2021.

ISTAT, 7° Censimento generale dell'agricoltura, ISTAT, Roma, 2022.

ISTAT, 7° Censimento generale dell'agricoltura: primi risultati. Meno aziende agricole (ma più grandi) e nuove forme di gestione dei terreni, ISTAT, Roma, 28 giugno 2022.

Mangano, A., *Lo sfruttamento nel piatto. Quello che tutti dovremmo sapere per un consumo consapevole*, Laterza, Roma-Bari, 2020.

Mediobanca, *Osservatorio sulla GDO italiana alimentare e i maggiori operatori stranieri*, Area Studi Mediobanca, marzo 2022.

Minore, M., "Il rischio caporalato 'conto terzi' nelle vigne del Chianti senese", in "Altreconomia", 1 Novembre 2017.

Mishina, Y., B.J. Dykes, E.S. Block, T.G. Pollock, "Why 'Good' Firms do Bad Things: The Effects of High Aspirations, High Expectations, and Prominence on the Incidence of Corporate Illegality", in "Academy of Management Journal", 53, 4, 2010.

Omizzolo, M., *Essere migranti in Italia. Per una sociologia dell'accoglienza*, Meltemi, Milano, 2019.

Omizzolo, M., "Sfruttamento lavorativo e caporalato in Italia: la profughizzazione del lavoro in agricoltura e il caso dei braccianti indiani dell'Agro Pontino", in "Costituzionalismo.it", 2, 2020.

Omizzolo, M., *Lo sfruttamento lavorativo delle donne migranti nella filiera agro alimentare: il caso dell'Agro Pontino*, We World, 2021.

Oliveri, F., "Giuridificare ed esternalizzare lo sfruttamento. Il caso dei lavoratori immigrati nella vitivinicoltura senese", in E. Rigo (a cura di), *Leggi, migranti e caporali. Prospettive critiche e di ricerca sullo sfruttamento del lavoro in agricoltura*, Pacini Editore, Pisa, 2018, pp. 47-67.

Osservatorio Placido Rizzotto, *Agromafie e Caporalato. Primo Rapporto*, FLAI-CGIL, Roma, 2012.

Osservatorio Placido Rizzotto, *Agromafie e Caporalato. Secondo Rapporto*, FLAI-CGIL, Roma, 2014.

Osservatorio Placido Rizzotto, *Agromafie e Caporalato. Sesto rapporto*, Futura Editrice, Roma, 2022.

Oxfam Italia, *La disuguaglianza non conosce crisi*, Oxfam, gennaio 2023.

Papa, I., *Il profilo del caporalato nella stampa italiana. Visibilità, significati, rappresentazioni*, Consorzio Nova, Trani, 2021.

Perazzo, C. *Quale rifugio? Razzismo di Stato e accoglienza in Italia. Una lettura antropologica*, Sensibili alle Foglie, Roma, 2022

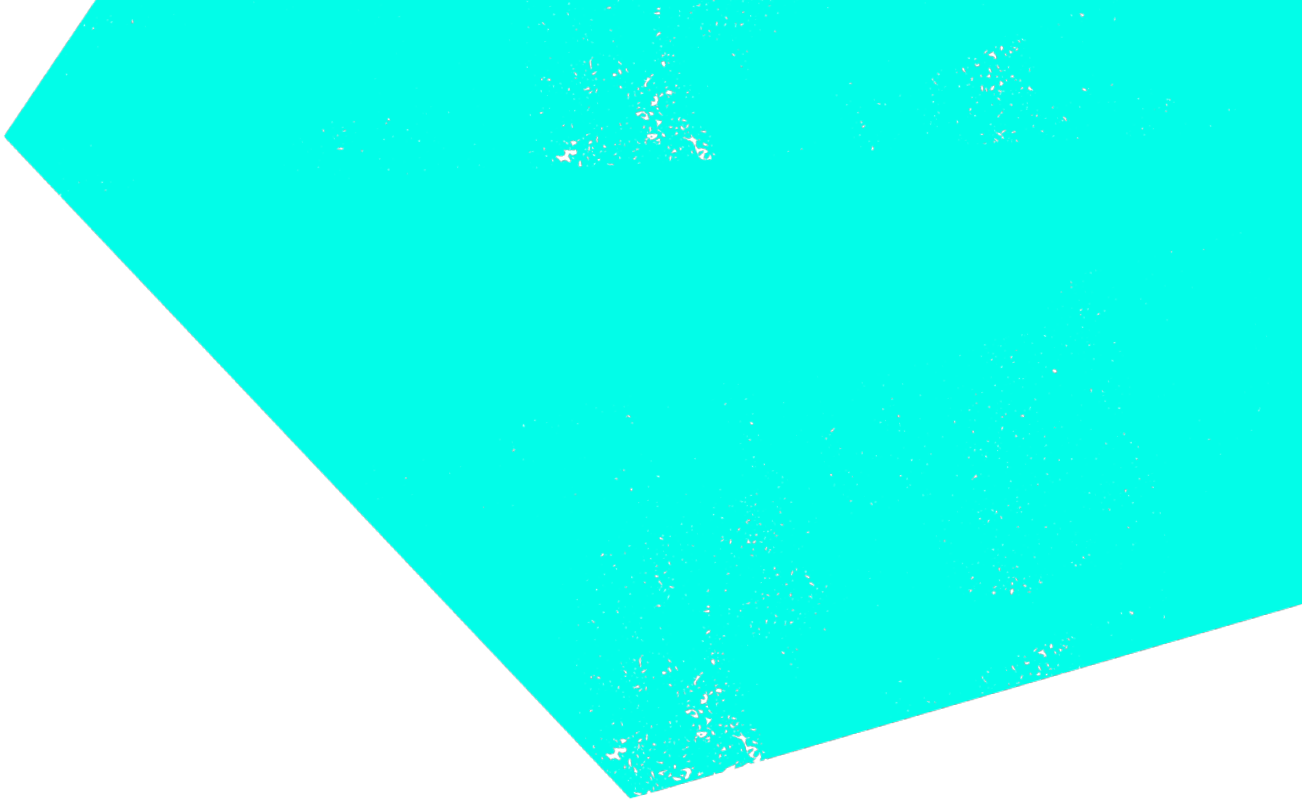
Perrotta, D., “Vecchi e nuovi mediatori. Storia, geografia ed etnografia del caporalato in agricoltura”, in “Meridiana”, 79, 1, pp. 193-220

Rigo, E. *La straniera. Migrazioni, asilo, sfruttamento in una prospettiva di genere*, Carocci, Roma, 2022.

Santoro, E., C. Stoppioni, *IV Rapporto del laboratorio “Altro Diritto”/FLAI-CGIL sullo sfruttamento lavorativo e sulla protezione delle sue vittime*, ADIR/FLAI-CGIL, Roma, 2022.

Schmoll, C., *Le dannate del mare. Donne e frontiere nel Mediterraneo*, Astarte Edizioni, Pisa, 2022 (versione originale: *Les damnées de la mer. Femmes et frontières en Méditerranée*, La Découverte, Paris, 2020).

Sciurba, A., “Effetto serra. Le donne rumene nelle campagne del ragusano”, in “Altro Diritto”, 2013.



OGNI PAROLA HA DELLE CONSEGUENZE.
OGNI SILENZIO ANCHE.



Co-funded by
the European Union



MINISTERO DELL'AMBIENTE
E DELLA SICUREZZA ENERGETICA

This publication has been produced with the financial support of the European Union. Its contents are the sole responsibility of WeWorld and its authors and do not reflect the views of the European Union.

