



**Three-year Plan to tackle labour exploitation and  
unlawful recruitment in agriculture  
(2020 – 2022)**

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## Foreword

The Three-Year Plan (2020- 2022) sets out the national strategy to tackle labour exploitation and unlawful recruitment in agriculture. It is the result of coordinated action across institutional actors at the national and local level, as well as dialogue with the representatives of employers' and workers' organizations of the agricultural sector and non-governmental organizations that are part of the Inter-institutional Committee (hereinafter the Committee) on labour exploitation. The Committee - established in December 2018 and chaired by the Minister of Labour and Social Policies - is the national coordination body responsible for the planning and implementation monitoring of the policy interventions set forth in this Three-Year Plan.<sup>1</sup>

The Plan focuses on different measures within a unique policy framework, which is grounded on institutional coordination, decent work, and the promotion of investments in the agricultural supply chain. The implementation strategy of the Plan revolves around three phases. The first phase focuses on the analysis of the causes and effects of labour exploitation in agriculture. The second phase is centred on emergency interventions in the geographical areas most at risk of exploitation, while the third and final phase comprises comprehensive policy actions covering the whole territory. This latter phase is organized around four strategic axes: (i) prevention; (ii) enforcement, (iii) protection and assistance, and (iv) labour and social reintegration. For each strategic axis, the Plan outlines priority actions (ten actions in total, seven of which devoted to prevention), which involve national, regional, and local institutions in a multilevel governance framework.

The Ministry of Labour and Social Policies (MLSP) - given its mandate on the promotion of formal and decent work as tool for social inclusion – coordinates and supports the proceedings of the Inter-institutional Committee. A Technical Secretariat was established in the Directorate-General for Immigration and Integration Policies of the Ministry to support the activities of the Committee. The International Labour Office (ILO) and the European Commission (EC) provide technical assistance to the Secretariat.

Six Working Groups were established to identify the priority policies of the Plan. Each Group is chaired by a lead institution with a mandate on the specific policy area and encompasses representatives of other institutions, the social partners, international organizations and non-governmental organizations.<sup>2</sup> Each Group contributed to the development of the Plan by analysing key challenges and proposing priority actions and the means to address the identified challenges. In particular, the activities of the Group coordinated by the National Labour Inspectorate and the special unit for labour protection of the Carabinieri focused on prevention measures and law enforcement; the Group coordinated by the Ministry of Agriculture, Food and Forestry was

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<sup>1</sup> The Committee was established by Decree Law No. 119/2018, as amended by Law No. 136/2018 on urgent tax and financial measures: <https://www.gazzettaufficiale.it/eli/id/2018/12/18/18G00162/sg>.

<sup>2</sup> As expressly provided for by art. 5 of the Inter-ministerial Decree regulating the Committee's organisation, the latter is organised into six Working Groups: (i) Prevention and pursuing of labour exploitation and unlawful recruitment, coordinated by the National Labour Inspectorate (INL); (ii) agricultural supply chain and prices of agricultural products, coordinated by the Ministry of Agriculture, Food and Forestry; (iii) labour intermediation and enhancement of the role of the Employment Centres, coordinated by the National Agency for Active Labour Market Policies (ANPAL); (iv) transport, coordinated by the Basilicata Region; (v) housing, coordinated by the National Association of Italian Municipalities (ANCI); (vi) Network of Quality Work in Agriculture, coordinated by the National Social Security Institute (INPS).

involved in the planning of policy interventions on the agricultural supply chain and the price of agricultural products. The activities of the Group coordinated by the National Agency for Active Labour Market Policies centred on labour intermediation and especially on the strengthening of the role of Employment Centres. The issues related to the Network of Quality Work in Agriculture were dealt by the National Institute for Social Security and the representatives of the Network Steering Committee (*Cabina di regia*). Two Working Groups dealt with transport – coordinated by the Basilicata Region, as Regions have exclusive mandate in this policy area – and housing, coordinated by the National Association of Italian Municipalities, respectively.

## PART I – SITUATION ANALYSIS

### 1. The context

In 2018, the number of employed persons in agriculture was estimated at 872,000 individuals (3.7 per cent of total employment), with an increase of 2.5 per cent of wage employees and a decrease of 0.2 per cent of own-account workers compared to 2017.<sup>3</sup> In the same year, the agricultural sector recorded an increase in value added of 0.9 per cent, which brought the total value of agricultural production to 59.3 billion euros. The sector generated 2.1 per cent of the total value added of the Italian economy. Estimates show that in 2017 informality in agriculture had reached 16.9 per cent of value added, well beyond the 12.3 per cent registered for the overall economy, but less than half the incidence reported in the sector of "other personal services" (36.9 per cent). This value is also lower than the share of informality recorded in the trade (24 per cent) and construction (22.1 per cent) sectors.<sup>4</sup>

The 2018 records of the National Social Security Institute (INPS) show that the Regions with the highest number of agricultural workers were Puglia (16.8 per cent), Sicily (14.1 per cent), Calabria (9.9 per cent), Emilia-Romagna (9.5 per cent) and Campania (6.4 per cent).<sup>5</sup>

**Figure 1: Percentage of agricultural workers by Region, 2018**



Source: M.C. Macri (ed): *Il contributo dei lavoratori stranieri all'agricoltura italiana* (CREA, 2019); INPS: *Mondo agricolo*, 2018.

<sup>3</sup> Istituto Nazionale di Statistica (ISTAT): *Andamento dell'economia agricola, Anno 2018* (Roma 2019). In the third quarter of 2019 ISTAT estimated the number of persons employed in agriculture at over 900 thousand individuals, equal to 3.8 per cent of total employment. ISTAT, *Occupati per macrosettori economici. Dati trimestrali destagionalizzati* (12 December 2019).

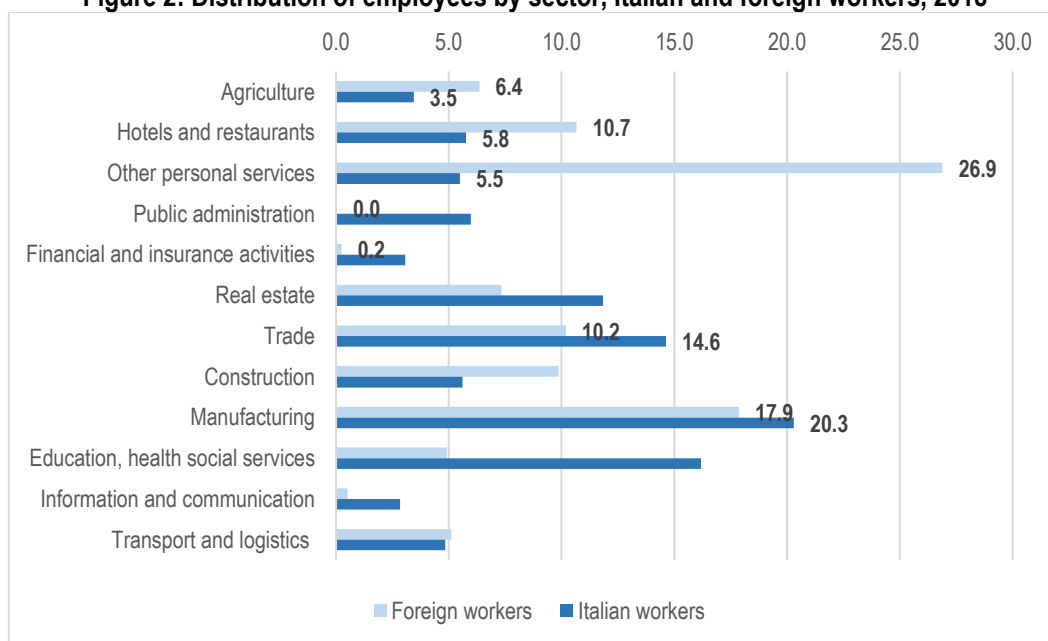
<sup>4</sup> ISTAT: *L'economia non osservata nei conti nazionali. Anni 2014-2017*. (Rome, October 2019)

<sup>5</sup> M.C. Macri (ed): *Il contributo dei lavoratori stranieri all'agricoltura italiana* (CREA, 2019); INPS: *Mondo agricolo*, 2018.

Employment in agriculture has changed over the years both in terms of nationality of the labour force – with the share of Italian workers engaged in the sector declining and the share of foreign workers increasing – and in terms of contractual arrangements, with an increase of fixed-term contracts (see Figure 1)

More than 82 per cent of all agricultural workers are of Italian nationality, while 11.4 per cent are third country nationals regularly resident in Italy (especially from Morocco, India, Albania, Tunisia, and Senegal). The remaining 6.5 per cent are European Union (EU) citizens (mainly Romanian, Polish, and Bulgarian nationals).<sup>6</sup> The majority of agricultural workers are men (73.1 per cent), while women’s employment in agriculture (26.9 per cent of total employment) is decreasing. The agricultural sector also registered a decline in the employment rate of Italian (-25 per cent) and Polish women (-35 per cent) and an increase of women workers from Pakistan (+ 175 per cent), India (+ 78 per cent) and Senegal (+ 67 per cent). In the period before and after the 2008 economic crisis, the sectoral distribution of employment remained stable for Italian workers, while the share of agricultural employment among foreigners doubled (from 3 per cent in 2008 to 6.4 per cent in 2018).<sup>7</sup>

**Figure 2: Distribution of employees by sector, Italian and foreign workers, 2018**



Source: IX Rapporto Annuale: Gli stranieri nel mercato del lavoro in Italia (2019), op.cit.

The use of fixed-term contracts in the agricultural sector is widespread: about 90 per cent of agricultural workers are on fixed-term employment, which has increased over the past years. Conversely, the use of open-ended contracts has been declining for both Italian and foreign workers (Table 1).

<sup>6</sup> Ministero del Lavoro e delle Politiche Sociali - Direzione Generale dell’Immigrazione e delle Politiche di Integrazione: IX Rapporto Annuale: Gli stranieri nel mercato del lavoro in Italia (Rome, 2019).

<sup>7</sup> M.C. Macri (ed): *Il contributo dei lavoratori stranieri all’agricoltura italiana* (CREA, 2019)

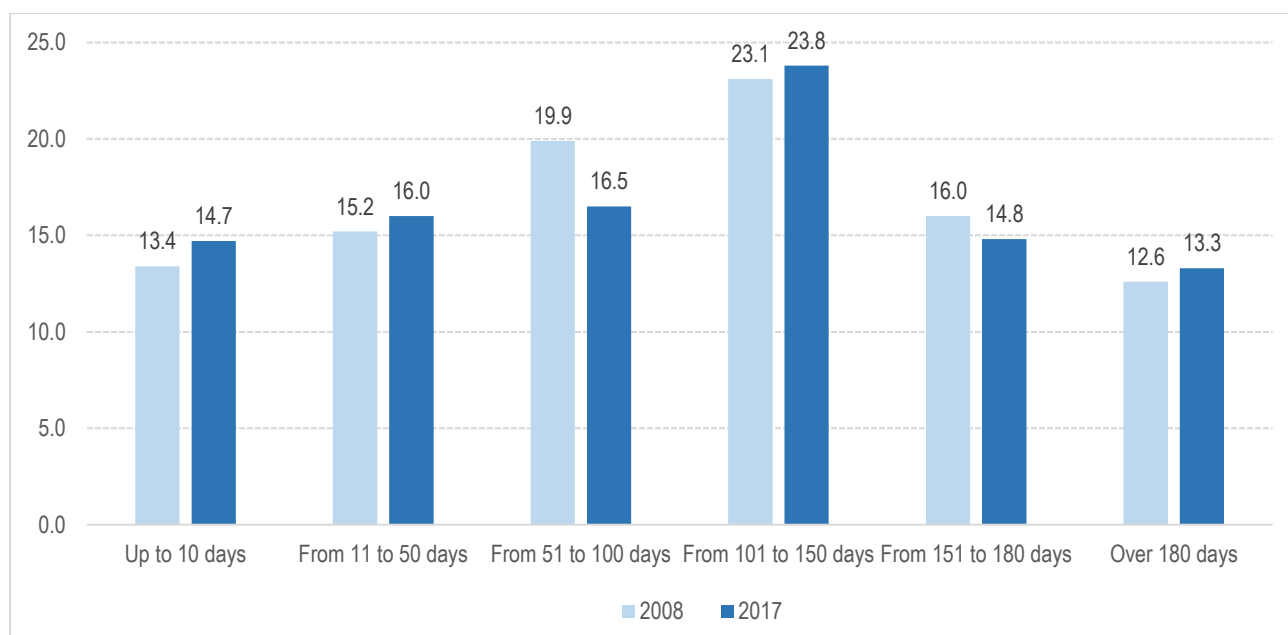
**Table 1: Percentage of Italian and foreign workers in agriculture by contract type, 2018**

	Italian workers		Foreign workers	
	Open-ended contracts	Fixed-term contracts	Open-ended contracts	Fixed-term contracts
2009	11.7	88.3	9.0	91.0
2011	12.4	87.6	7.9	92.1
2013	12.3	87.7	7.6	92.4
2015	11.9	88.1	6.8	93.2
2017	11.4	88.6	6.4	93.6

Source: M.C. Macri (ed): *Il contributo dei lavoratori stranieri all'agricoltura italiana* (CREA, 2019); INPS: *Mondo agricolo*, several years.

Most workers in the agricultural sector are employed for a period ranging from 101 and 150 days per year. In the last decade, the number of workers employed for less than 50 days per year increased by about 10 per cent, for a total of around 320 thousand workers in 2017 (Figure 3).

**Figure 3: Percentage of agricultural workers registered with the Social Security Institute, by number of working days, 2008-2017**



Source: INPS: *Mondo agricolo*, several years

Workers of Italian, Indian, and Tunisian nationality generally have longer employment contracts - over 100 days per year - while most workers from Western Africa, Pakistan, Poland, Bulgaria, and Romania are employed with contracts not exceeding 50 days per year.

The estimates of the National Institute of Statistics (ISTAT) suggest that informal employment is highest in agriculture, at 24.2 per cent of total employment in 2018, with an incidence among employees equal to 34.9 per cent.<sup>8</sup> By applying the rate of informality to the total number of employees in agriculture in 2018 (about 470 thousand workers), one can estimate an approximate number of 164

<sup>8</sup> ISTAT: *Occupazione regolare, irregolare e popolazione* (ISTAT, edizione settembre 2019)



thousand employees working informally in the sector.<sup>9</sup> These estimates, however, do not include foreign workers who are not resident or not recorded in the Italian civil registry. The estimates of the Ministry of Economy and Finance indicate that in 2016 the evasion of social security dues related to informal employment in agriculture ranged from 642 million to one billion euros.<sup>10</sup>

## 2. Labour exploitation in agriculture

Labour exploitation refers to work situations that differ significantly from standard working conditions, particularly in terms of workers' recruitment, wages, hours of work, leave entitlements, health and safety provisions, decent treatment and living conditions, imposed on workers by taking advantage of their vulnerability or state of need. When coercion is involved (violence, threats, seizure of documents, restriction of personal freedom) labour exploitation becomes forced labour.

The Italian term “corporalato” refers to unlawful labour recruitment and labour exploitation carried out by *gangmasters* who recruit workers for third parties. A key feature of this system is the monopoly of gangmasters on transport services, which obliges workers to pay a fee to be transported to and from the workplace. This system of unlawful recruitment is more widespread the greater the distance between the workers and the enterprise that need labour and when the organization of work in teams is particularly complex. Unlawful recruitment and the presence of organized crime in the agricultural supply chain generate an illegal economy whose worth is estimated to exceed five billion euros.<sup>11</sup>

In Italy, labour exploitation by gangmasters affects several economic sectors (transport, construction, logistics and care services), but it is particularly widespread in agriculture where temporary and seasonal employment prevails. In the last decades, agricultural employment among Italian men and women declined, while the number of foreign workers (both from the European Union and from third countries) experienced a three-fold increase.<sup>12</sup> Official figures reflect only partially the progressive increase of employment of foreign workers in agriculture, as these figures do not encompass persons who are irregularly in the country or informal workers (i.e. workers without a residence permit or engaged with no employment contracts), or persons working partly formally and partly informally (i.e. *grey work*).<sup>13</sup>

Additional evidence on the extent of labour exploitation in agriculture is provided by the data of the National Labour Inspectorate (INL). In 2018, the share of informal employment detected in over seven thousand inspections was 54.8 per cent, with over five thousand workers affected by violations. Inspections carried out to tackle the phenomenon of *spurious cooperatives* have found over 28 thousand people employed irregularly. In the same year, inspection activities targeting unlawful recruitment and labour exploitation involved 1,474 workers, 46 per cent of whom were informally employed. Among informal workers, around 74 per cent were employed in agriculture, and over half were foreign nationals. Albeit these figures are not statistically representative, they highlight the extent of the phenomenon and the need to strengthen prevention and enforcement activities.

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<sup>9</sup> The informality rate among agricultural employees is estimated by ISTAT based on the National Accounts, while estimates of the total number of employees in the agricultural sector are derived from the labour force survey.

<sup>10</sup> Ministero dell'economia e delle finanze: *Relazione sull'economia non osservata e sull'evasione fiscale contributiva – anno 2019* (Nota di aggiornamento del documento di economia e finanza 2019), pp.101.

<sup>11</sup> Osservatorio Placido Rizzotto, FLAI-CGIL: *Quarto rapporto su agromafie e caporalato* (Rome, 2018).

<sup>12</sup> See ISTAT: *Occupati (migliaia), posizione professionale e cittadinanza (2008-2018)*; and MLPS, Direzione Generale dell'immigrazione e delle politiche di integrazioni: *Rapporto annuale sul mercato del lavoro degli immigrati* (2011 and 2019).

<sup>13</sup> The latter case includes, for example, an agricultural worker who is employed, but for whom the employer reports to the social security institution a lower number of days worked than s/he actually did.

The risk factors leading to a high rate of labour exploitation in agriculture include: (i) high demand for short-term labour and in isolated workplaces, which often results in workers settling in informal dwellings; (ii) transport and housing services that do not respond to the needs of agricultural workers; and (iii) the precarious legal status of many migrant workers. For foreign workers, an additional risk factor is the lack of a residence and work permit. In addition to labour exploitation and lower wages, women employed in agriculture are more exposed to violence and harassment in the workplace compared to men.

The dispersion of value along the supply chain may exert downward pressure on conditions of work, and challenge decent work. This process may be caused by the presence of multiple actors, problems in terms of logistics and the operations of the food processing industry, which affects the prices paid to producers (of 100 euro paid by consumers for products, the profit for farmers and agricultural producers amounts to less than two euros).<sup>14</sup>

## 2.1. Labour exploitation and forced labour: Reference framework

The reference framework shown in Figure 4 synthesizes the conditions that determine labour exploitation and forced labour. The framework is based on the forced labour indicators of the International Labour Organization (ILO), the indicators on trafficking in human beings for labour exploitation purposes developed by the ILO and the European Commission, and the indicators of labour exploitation and unlawful recruitment envisaged by Law No. 199/2016.<sup>15</sup>

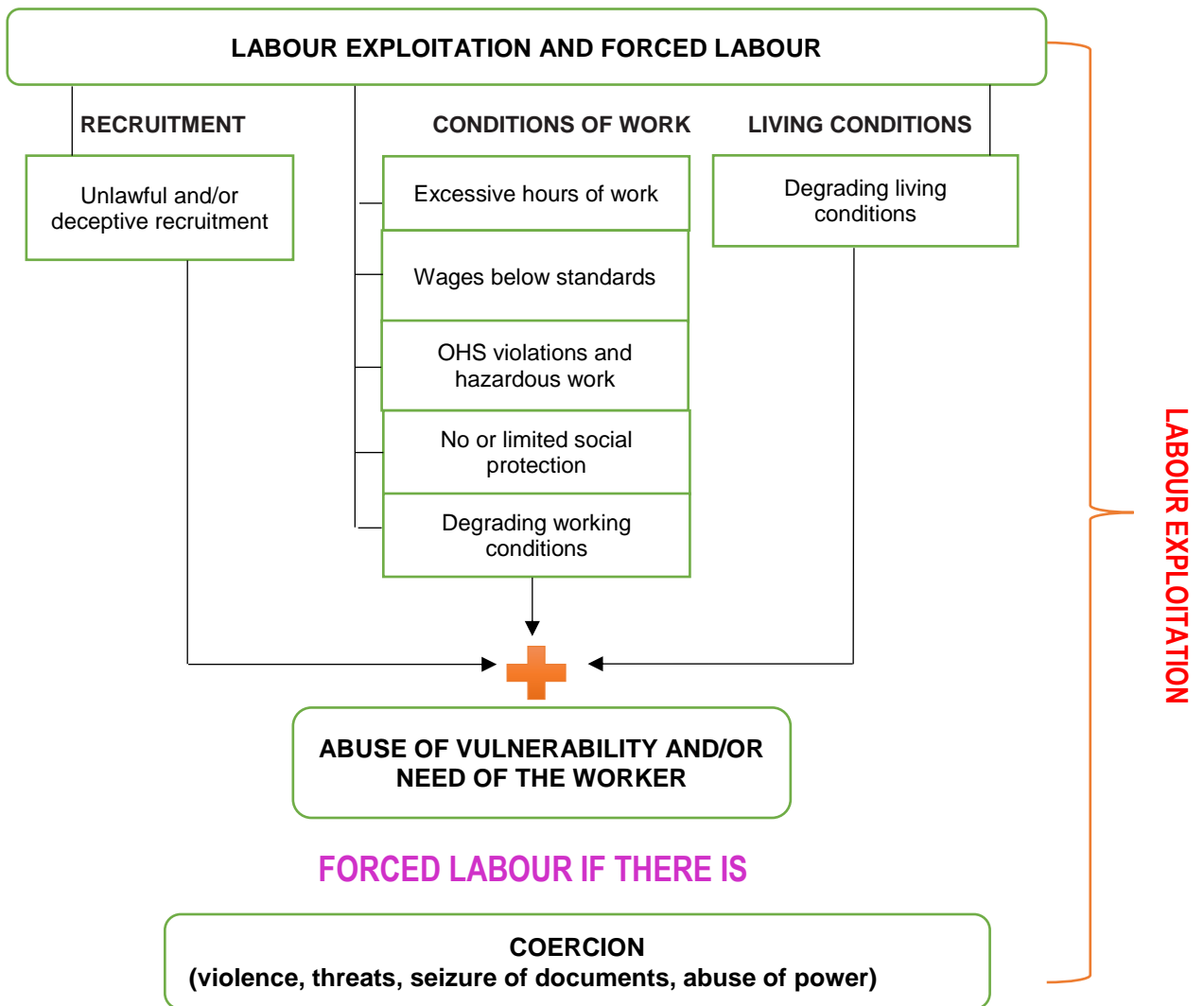
Labour exploitation conditions are grouped in three areas of potential violation, namely: (i) recruitment (unlawful or deceptive recruitment/labour intermediation); (ii) the conditions under which work takes place (conditions of work); and (iii) living conditions. Labour exploitation exists when at least one of the above-mentioned violations occurs, and it is combined with the abuse of the vulnerability or the state of need of the worker. When coercion is involved (violence, threats, seizure of documents, restriction of personal freedom) labour exploitation becomes forced labour.

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<sup>14</sup> Milan Centre for Food Law and Policy: *Best practices against work exploitation in agriculture* (2018); Istituto di Servizi per il Mercato Agricolo Alimentare (ISMEA): *Consumi alimentari delle famiglie italiane*, varie edizioni; NOMISMA-UNAPROA: *Secondo Rapporto sulla competitività del settore ortofrutticolo nazionale* (Bologna, 2016).

<sup>15</sup> International Labour Office: *Hard to see, harder to count: Survey guidelines to estimate forced labour of adults and children* (ILO, Geneva, 2012); ILO and EC: *Operational indicators of trafficking of human beings* (ILO, Geneva, 2009); Law No. 199 of 29 October 2016 *Disposizioni in materia di contrasto ai fenomeni del lavoro nero, dello sfruttamento del lavoro in agricoltura e di riallineamento retributivo nel settore agricolo*; Ispettorato Nazionale del Lavoro: *art. 603 bis c.p. intermediazione illecita e sfruttamento del lavoro – attività di vigilanza – Linee guida* (Circolare n. 5 del 2019).

Figure 4: Reference framework for labour exploitation, unlawful recruitment and forced labour



- **Unlawful and/or deceptive recruitment** refers to the recruitment of workers to be assigned to third parties for work under conditions of exploitation. Exploitation also occurs if the worker is deceived about the nature of the job, place and conditions of work (contract, time, rest periods, wages, identity of the employer), transport or accommodation.<sup>16</sup>
- **Excessive hours of work:** this concerns the violation of regulations on hours of work and non-compliance with rest periods (daily and weekly rest and annual holidays).
- **No remuneration or remuneration lower than the minimum wage:** the withholding of wages or the payment of low wages (i.e. below the national minimum wage) constitute labour exploitation. It applies also to situations in which the salary is paid "in kind" or it is substantially reduced for the payment of board and lodging.<sup>17</sup>

<sup>16</sup> ILO and EC: *Operational indicators of trafficking of human beings*, 2009, op.cit.

<sup>17</sup> Ibid.

- **Occupational health and safety:** exploitation materializes in cases of hazardous work that endanger the life and health of the worker.
- **Social protection:** labour exploitation occurs when there is no contract, or when the contract is not respected, or the social security dues are not paid, abusing the vulnerability or state of need of the worker.
- **Degrading working conditions:** these occur when: (i) transport to the place of work is carried out in unroadworthy or unsafe vehicles, which endanger the safety of workers; (ii) work takes place in adverse weather conditions, without adequate personal protective equipment; (iii) there is no possibility of communication among workers and with other persons; (iv) there are no adequate restroom facilities; or (v) the worker is subjected to pressing or degrading surveillance methods (constant physical presence of the employer; verbal abuse, threats).
- **Degrading living conditions:** These include the denial of freely choosing one's place to live or being forced to live in unhealthy or overcrowded conditions. They include also being forced to live on the street or in accommodation close to the workplace (often provided by employers or gangmasters), or in facilities that do not meet minimum living standards (electricity, running water, restroom facilities).<sup>18</sup>

Labour exploitation exists when at least one of the above mentioned violations occurs and it is combined with the abuse of the vulnerability or the state of need of the worker. The state of need of workers refers to the lack of means, even temporary, to satisfy primary needs. This materializes when an employer (or a gangmaster) takes advantage of the vulnerable position or state of need of a worker. When coercion is involved, labour exploitation assumes its most severe form, i.e. forced labour. Coercion includes violence, threats, or other punishment methods (for instance threatening to report to the authorities, seizure of documents or of mobile phones, isolation, deprivation of food, water or rest) against the worker or family members.<sup>19</sup>

Article 603 *bis* of the Italian Criminal Code, amended by Law No. 199/2016, introduced two different offences: (i) **unlawful recruitment**, which refers to anyone who recruits workers on behalf of a third party in conditions of exploitation; and (ii) **labour exploitation**, which refers to anyone who uses, hires or employs workers, including through unlawful recruitment, for exploitation purposes. Both offences require the abuse of the state of need of workers.

The labour exploitation indicators set forth by article 603*bis* encompass: (i) repeated violations of rules on hours of work, rest and leave periods; (ii) remuneration lower than the minimum wage set by collective agreements or not proportionate to the work carried out; (iii) violations of occupational health and safety rules; and (iv) subjecting the worker to degrading working conditions, surveillance methods or living conditions.<sup>20</sup> Compared to the reference framework, the Italian legislation does not include as indicators of labour exploitation violations of labour law and social security regulations.

Articles 600 and 601 of the Criminal Code are about slavery and trafficking in human beings for exploitation purposes (labour, sexual, forced begging or organ removal). Anyone who commits these crimes is liable to imprisonment from eight to twenty years.

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<sup>18</sup>Ibid.

<sup>19</sup> ILO: *Hard to see, harder to count: Survey guidelines to estimate forced labour of adults and children*, 2012, op.cit.

<sup>20</sup> As far as violation of occupational safety and health provisions are concerned, the guidelines of the National Labour Inspectorate highlight that "(...) the indicator is the stronger the more serious the violation is, while any other violation that does not directly affect the health and safety of the workers or seriously expose them to risks are to be considered less "serious" Ispettorato Nazionale del Lavoro: *Linee guida intermediazione illecita e sfruttamento del lavoro – attività di vigilanza* (Circolare n. 5/2019).

### 3. Regulatory system, institutional framework and policies

#### 3.1. Regulatory system

In order to effectively tackle labour exploitation in agriculture and systematize existing legal provisions, the government adopted in 2016 Law No.199, which aims to tackle informal employment, labour exploitation and the realignment of salaries in agriculture.

The rules governing labour exploitation, unlawful recruitment and forced labour derive from the ratification of the ILO Conventions on forced labour and the public employment service. Art. 600 of the Criminal Code punishes anybody who enslaves another person, forcing him/her to work, have sex or carry out illegal activities under exploitative conditions. This provision – complemented by the offences on labour exploitation exerted through coercion, violence and threats as well as on trafficking of human beings – is in line with the principles established by the ILO Conventions on forced labour (Convention No. 29 of 1930) and on the abolition of forced labour (Convention No. 105 of 1957), both ratified by Italy.

In order to tackle unlawful recruitment for labour exploitation purposes, article 603*bis* of the Criminal Code punishes anyone who exploits workers by abusing their state of need and anyone who carries out or uses unlawful recruitment practices.<sup>21</sup> This rule protects workers' rights in accordance with the principles established by the ILO Convention No. 88 of 1948 on employment services and ILO Convention No. 181 of 1997 on private employment agencies.

In terms of labour law tools to tackle labour exploitation in agriculture, Law No. 199/2016 strengthens the Network of Quality Work in Agriculture, introduced in 2014.<sup>22</sup> This provision restricts the eligibility criteria for registration by expanding the range of labour, social and tax violations that prevent membership to the Network. Enterprises must also fulfil two additional requirements for registration, namely compliance with national, local and enterprise-level collective agreements and no association with third parties that are uncompliant with the eligibility criteria set for registration. The provision whereby occupational health and safety inspections would address primarily enterprises not registered in the Network (except in case of claims brought by workers, trade unions and the judiciary), remained unchanged.

Legislative Decree No. 150 of 2015 (*Re-organization of the employment services and active labour market policies*) established the criteria for the licensing of private employment agencies. The implementing regulation details licensing requirements for the delivery of employment services and active labour market policies.

Prevention and enforcement activities to tackle informal employment are reviewed by Legislative Decree No. 149 of 2015, which reorganises the inspection system on labour, social protection, and compulsory social security insurance.

Law No. 198 of 2006 (*Equal opportunity code*) protects workers against discrimination in employment, remuneration and occupation.

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<sup>21</sup> The 2011 rewording of art. 603 *bis* of the Criminal Code envisages penalties (imprisonment from one to six years and a fine ranging from 500 to 1,000 euros for each unlawfully recruited worker) for anyone recruiting labour on behalf of third parties for exploitation purposes and by abusing of the worker's state of need; and anyone who hires or employs workers, also though unlawful recruitment. The law provides a more severe imprisonment penalty and a fine up of 2,000 euros for each worker recruited or employed with violence or threats. Article 603*bis* also provides that conviction for the above mentioned crimes, includes mandatory confiscation of the assets that served to, or were intended for, the crime, unless they belong to a person unrelated to the crime.

<sup>22</sup> The Network of Quality Work in Agriculture was established at the National Institute for Social Security (INPS) by art. 6 of Decree Law No. 91/2014, as amended by Law. 116/2014 <https://www.gazzettaufficiale.it/eli/id/2014/08/20/14G00128/sg>.

As far as trafficking in human beings for the purpose of labour exploitation is concerned, Law No. 228 of 2003, "*Measures against trafficking in human beings*", and art. 18 of Legislative Decree No. 286 of 1998, "*Consolidated Act concerning the immigration and status of third-country nationals*" set forth protection measures for victims in compliance with international and European standards.<sup>23</sup> Italy also transposed the European Directive on preventing and combating trafficking in human beings and protecting its victims (Directive 2011/36/EU, transposed with Legislative Decree N. 24 of 2014), which envisages the issuance of special residence permits as a protection means for third country nationals who are victims of exploitation.

The Italian legal framework also envisages the access of foreign victims of exploitation to protection, assistance and socio-economic integration programmes. More specifically, article 18 of the *Consolidated Act on Immigration* (Legislative Decree No. 286 of 1998) governs the issuance of temporary residence permits for protection purposes ("special cases"). Protection measures trigger once violence or severe abuses, also in the workplace, are ascertained.<sup>24</sup>

### 3.2. *Institutional framework*

The pursuing of labour exploitation and unlawful recruitment in agriculture involves various institutions at the national and local level.

The Ministry of Labour and Social Policies (MLPS) coordinates employment and labour market policies and the relationship with the social partners. The Directorate-General for Immigration and Integration Policies is responsible to promote the labour and social integration of foreign workers. It is also tasked to manage prevention and enforcement activities, as well as promote the socio-economic integration of victims, with the funding of the Asylum, Migration and Integration Fund (AMIF), the European Social Fund (National Operational Programme on Social Inclusion) and the National Fund for Migration Policies.<sup>25</sup> The Directorate-General for Labour and Industrial Relations deals with the legislation and issues relating to employment relationships, industrial relations and occupational safety and health. The Directorate-General for the Third Sector and Corporate Social Responsibility coordinates the delivery of projects implemented by non-governmental organizations on labour exploitation. The Directorate-General for Social Policies is responsible for the development of policy initiatives against poverty and social exclusion as well as for the implementation of the National Plan against poverty. This Directorate is also responsible to manage the welfare benefit system and the resources of the National Fund for social policies. The Ministry of Labour established the system of the Councillors for Equal Opportunities, which comprises national, regional, and local councillors that are tasked to prevent and pursue gender-based discrimination, violence and harassment in the world of work.

The Ministry of Agriculture, Food and Forestry (MIPAAF) – through an incentive system targeting the agri-food sector – promotes a more equitable distribution of value along the supply chain with a view to guarantee a fair income to producers. The Ministry action is aimed at promoting and supporting the development of rural areas, also through the resources of the National Rural Development Programme, co-financed by the European Agricultural Fund for Rural Development

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<sup>23</sup>United Nations Convention on Transnational Organised Crime ratified by Italy in 2006 with Law 146/2006(<http://www.parlamento.it/parlam/leggi/06146l.htm>).

<sup>24</sup> This principle was reaffirmed by the Ministry of the Interior's circular No. 1050/M (8) of 28.5.2007 [http://www1.interno.gov.it/mininterno/site/it/sezioni/servizi/old\\_servizi/legislazione/immigrazione/index.html?pageIndex=6](http://www1.interno.gov.it/mininterno/site/it/sezioni/servizi/old_servizi/legislazione/immigrazione/index.html?pageIndex=6)

<sup>25</sup> In May 2015, the Convention regulating the relations between the Department for Civil Liberties and Immigration of the Ministry of Interior, responsible for the AMIF and the Directorate General for Immigration and Integration Policies on the priorities of regular migration (art. 8 Regulation (EU) No. 516/2014) and integration (art. 9 Regulation (EU) No. 516/2014) was signed. With the addendum of October 2018, the Directorate General for Immigration and Integration Policies was given additional resources for the implementation of socio-economic integration measures, including through socially-responsible agricultural activities.



(EAFRD). The Programme is implemented at regional level through the Rural Development Plans (RDP).

The Department for Civil Liberties and Immigration of the Ministry of Interior contributes to the analysis and planning of migration policies, also through the resources of the Asylum, Migration, and Integration Fund (AMIF). The Department is also responsible to coordinate the activities of the Territorial Commissions on Immigration that are established in the Italian Prefectures and coordinated, at the local level, by the Prefects. The Public Security Department of the same Ministry is responsible for public order and the pursuing of labour exploitation in agriculture. This Department is also in charge of the National Operational Programme on Legality, co-financed by the European Regional Development Fund (ERDF) and the European Social Fund (ESF). The Programme is centred on systemic action against organized crime and corruption, as well as interventions to promote the rule of law, protect and assist victims of labour exploitation.

The Ministry of Justice supports the judiciary in the proceedings against labour exploitation perpetrators. The Ministry of Infrastructure and Transport is responsible to coordinate the delivery of transport services in partnerships with the Regions and local authorities. Judicial authorities, through the National Directorate against organized crime, coordinate and support the investigations carried out by the District Directorates against national and transnational organized crime, including trafficking in human beings for labour exploitation purposes.

The Equal Opportunity Department - established at the Presidency of the Council of Ministers - is tasked to coordinate, monitor and evaluate the prevention, enforcement and protection policies targeting victims of trafficking.<sup>26</sup> This Department is also responsible to implement the priority actions envisaged in the National Action Plan against trafficking in human beings and to manage the resources of the Anti-Trafficking Fund.

The National Agency for Active Labour Market Policies (ANPAL) is responsible to coordinate the network of public employment services and manage the national register of licensed private employment agencies. In light of this role, the Agency is directly involved in the prevention of unlawful recruitment. The Agency is also the managing authority of the National Operational Programme for Active Labour Market Policies. This Operational Programme, co-financed by the European Social Fund, aims at supporting the reforms of employment and social inclusion policies. These policy objectives are pursued in coordination with the initiatives set forth in the Regional Operational Programmes.

The National Labour Inspectorate (INL) is responsible to enforce labour, employment, social protection and mandatory insurance regulations. The special unit for labour protection of the Carabinieri supports the Labour Inspectorate in its inspection and enforcement activities and has functions of judiciary police. It reports directly to the Minister of Labour and Social Policies. The *Guardia di Finanza* (responsible for monitoring compliance with tax and financial legislation) has the mandate to tackle the informal economy.

As far as the protection of workers in agriculture is concerned, Legislative Decree No. 91 of 2014 assigns to the National Institute of Social Security the chair of the Steering Committee of the Network of Quality Work in Agriculture.<sup>27</sup> The Steering Committee is tasked to implement and monitor policies against informal employment and the evasion of social security contribution dues in agriculture. The Institute, aside processing the registration and de-registration of enterprises in the Network, also

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<sup>26</sup> The Department's mandate in the fight against trafficking is set forth in Legislative Decree No. 24 of 2014, which transposes the European Directive No. 36 of 2011 on preventing and combating trafficking in human beings and protecting victims.

<sup>27</sup> The Steering Board comprises representatives of the Ministries supervising the activities of the Board, representatives of the Revenue Agency, ANPAL, the Conference of the Regions and the Autonomous Provinces of Trento and Bolzano, as well as the representatives of agricultural wage employees, employers and own-account workers, and of the associations of agricultural cooperatives which are signatories to national collective bargaining agreements (CCNL) in the sector.

acts as secretariat of the Steering Committee.

Italian Regions have the mandate on transport services and vocational training. As far as active labour market policies and the management of the network of public employment services are concerned, the Regions have the responsibility to guarantee the minimum service delivery standards established by the National Agency for Active Labour Market Policies and the Ministry of Labour. The Regions are also responsible to establish minimum standards for the delivery of transport services, while local authorities manage local transport networks. The Regions and the autonomous provinces of Trento and Bolzano also manage the Regional Rural Development Programmes, designed in accordance with the National Plan, which are financed by the European Agricultural Fund for Rural Development. The Regions and local authorities cooperate in the planning and organization of the integrated social service delivery system (La N. 328 of 2000). Furthermore, the planning of the European Social Fund envisages the development of Regional Operational Programmes as a means to implement at the local level the policy priorities outlined at the national level and develop an integrated service delivery system for the socio-economic integration of migrants regularly residing in the country.

Local authorities are responsible for public housing.<sup>28</sup>

### *3.3 Policies and measures to prevent and tackle labour exploitation*

The policies to prevent and tackle labour exploitation are set forth in Law No. 199 of 2019, which envisages the piloting of innovative labour intermediation methods in agriculture; the implementation of an efficient transport systems for workers; the monitoring of agricultural labour market trends; the promotion of active labour market policies and initiatives to tackle informal employment; the management of seasonal labour flows; and assistance to foreign workers.

The prevention and protection policies on labour exploitation fall within the broader framework of decent work promotion, which is a commitment undertaken by Italy under the United Nations 2030 Goals for sustainable development and especially Goal 8 for sustainable and inclusive growth, full employment and decent work for all.

The policy approach of the Ministry of Labour and Social Policies for tackling labour exploitation is aimed at: (i) strengthening employment services and fair recruitment practices, labour and social inclusion, and the quality of agricultural supply chains; (ii) promoting cooperation and collaboration among institutions responsible to prevent and pursue unlawful practices; and (iii) strengthening the Network of Quality Work in Agriculture.

In this regard, the Ministry of Labour and Social Policies - in line with the tasks of the Inter-institutional Committee – is promoting measures for the prevention, protection and assistance of foreign victims of labour exploitation. These initiatives are funded by the resources of the AMIF and the European Social Fund and will cover the whole territory. These actions are aimed at: (i) establishing mobile teams to support workers to exit informal settlements and participate in labour market, social and housing integration programmes in the geographical areas most at risk of exploitation; (ii) strengthening labour intermediation and recruitment practices, in collaboration with the public employment services; and (iii) promoting quality agriculture as a means to foster local economic development and tackle labour exploitation. The Ministry also leads a project developed in partnership with the Basilicata, Calabria, Campania, Puglia and Sicily Regions and the National Labour Inspectorate (SU.PRE.ME Project). The project, funded with the AMIF emergency funds totalling more

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<sup>28</sup> Within the Committee chaired by the Ministry of Labour for defining a new strategy to tackle labour exploitation and illegal recruitment, the Regions are represented by delegates appointed by State-Regions Conference, while Local Authorities by representatives of the National Association of Italian Municipalities (ANCI).



than 30 million euros, aims at developing an integrated plan to tackle labour exploitation and provide decent housing opportunities for agricultural workers. A second initiative (namely the P.I.U.' SU.PRE.ME Project) is centred on the development of individualized assistance pathways for the labour and social integration of migrant workers. The Ministry of Labour and the National Labour Inspectorate have also signed an agreement to support the training of inspectors and the creation of task forces specialized in labour exploitation in the North and Centre of Italy. A new project has also been launched involving non-governmental organizations with the aim to pilot innovative measures to ease the transition of victims of labour exploitation to decent work.

The National Action Plan against Trafficking of Human Beings (2016-2018) set forth a national strategy to prevent and pursue trafficking as well as actions to raise awareness and protect and assist victims.<sup>29</sup> The protection and assistance programme for victims is implemented through local level project initiatives that provide beneficiaries with immediate assistance to address basic needs (food, shelter, health services) as well as longer-term social reintegration support.<sup>30</sup> These projects are financed by the Anti-trafficking Fund, managed by the Presidency of the Council of Ministers.

Supply chain and District contracts are the main tools at disposition of the Ministry of Agriculture, Food and Forestry to support investments in the agri-food sector. These contracts allow the planning of investment in different segments of the food industry; production, processing, marketing and distribution activities; promotion and advertising of organic and certified quality products; research and innovation. In 2019, the public investments in Supply chain contracts amounted to 520 million euros (210 million in capital grants financed by the Development and Cohesion Fund and 310 million euros for subsidized loans).

The Public Security Department of the Ministry of the Interior coordinates the National Operational Programme on Legality, which aims at supporting the public administration in tackling corruption and organized crime with a view to make productive areas safer and improve victims' access to housing and other services. The Programme targets mainly southern regions and it is co-financed by the European Regional Development Fund and the European Social Fund. More specifically, the Programme envisages the recovery of confiscated assets to promote social inclusion and legality.

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<sup>29</sup>A new Three-Year Plan (2019-2021) is currently being drawn up and it will be aligned to the principles set forth in this Plan.

<sup>30</sup> The protection and assistance programme has been established by the Decree of President of the Council of Ministers of 16 May 2016.

## PART II – PRIORITY AREAS FOR INTERVENTION

### 4. Identification of problems and policy priorities

The policy priorities to tackle labour exploitation revolve around six main areas of intervention, namely: (i) inspection and enforcement activities; (ii) quality of the agricultural supply chain; (iii) labour recruitment and employment services; (iv) strengthening of the Network of Quality Work in Agriculture; (v) transport; and (vi) housing. These are complemented by three cross-cutting priorities as well as a priority on the protection and assistance of victims of labour exploitation.

#### 4.1. Cross-cutting priorities

The cross-cutting priorities of the Plan revolve around interventions that are common to various thematic areas. These interventions emerged during the development of the policy priorities and from the proceedings of the joint agriculture and employment Parliamentary Committees in the framework of the *Fact-finding investigation on the gangmaster system in agriculture*.<sup>31</sup>

##### 4.1.1. Information system

The lack of an integrated system for the collection and processing of information and data managed by national and local authorities that are responsible for tackling labour exploitation makes the design and implementation of policy measures particularly complex.

Whereas labour exploitation in agriculture is a phenomenon that affects the whole country, some geographical areas are more exposed to it. The data collected by the institutions responsible for prevention, enforcement, protection and assistance, both at the national and local level, have generated multiple information systems and databases, which now require an interoperability effort. Furthermore, the lack of reliable statistical estimates on labour exploitation in agriculture makes it difficult for competent national and local authorities to plan action and allocate resources.

The priority in this area, therefore, is to develop an information system for planning interventions and monitoring agricultural labour market trends, with particular attention to women workers.

##### 4.1.2. Protection and assistance

The delivery of protection and assistance services requires the involvement of multiple governmental and non-governmental actors operating in different fields (health, social and legal services). There are several protection and assistance services available, often delivered on the basis of the status of the victims (victims of trafficking, sexual exploitation, labour exploitation, unaccompanied minors, victims of violence and harassment in the workplace), rather than on their individual needs. Certain legal provisions, moreover, reinforce differences in the assistance provided to victims, rather than expanding the range of available services.

In this regard, the priority is to implement an integrated service delivery system for the protection and assistance of victims of labour exploitation, which includes victim identification, immediate assistance to respond to basic needs and longer-term labour and social integration pathways, along a continuum of assistance that starts with victims' identification and concludes with labour and social reintegration.

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<sup>31</sup> For the records of the fact-finding investigation see: <https://www.camera.it/leg18/203?idCommissione=13&calendario=false>

### 4.1.3. Information and awareness

Many workers, especially those of foreign origin, have limited access to information about their rights, conditions of work and the services offered by public institutions, intermediary organizations, non-governmental organizations and other actors. Consumers do not have the means to trace the products they buy. Agricultural firms complying with rules on the quality and origin of products, as well as labour and social protection legislation, are often exposed to unfair competition practices from non-compliant enterprises.

The expansion of promotion, prevention and dissemination initiatives will raise the awareness of workers, firms and consumers about quality work in agriculture, the sustainability of enterprises operating in compliance with the regulations in force, as well as the quality and origin of agricultural products.

This priority, therefore, focuses on institutional communication activities on labour exploitation in agriculture and the promotion of fundamental principles and rights at work.

## 4.2. Thematic priorities

The design of policy priorities to prevent and tackle labour exploitation revolves around six policy areas described in the following paragraphs.

### 4.2.1. Prevention and enforcement

Labour inspection services are of the essence for the promotion of the rule of law in the agricultural labour market. This requires collaboration and cooperation between the various inspection authorities and the judiciary police to prevent and pursue labour exploitation. The main challenges to be addressed relate to the identification of priority geographical areas of intervention where to concentrate inspections; the pursuing of labour exploitation investigations; the coordination of various inspection authorities; the collection and analysis of information managed by different authorities; and the allocation of adequate resources to prevention and enforcement activities.

The identification of priority geographical areas of intervention and the establishment of a crop harvest calendar to monitor workers' flows will be instrumental to a more effective planning and implementation of enforcement activities. Inspection activities will be concentrated in the areas identified as priority, through the establishment of dedicated task forces at the regional and provincial level.

A closer cooperation between the National Labour Inspectorate, already supported by the special unit for labour protection of the Carabinieri, and other departments of the Carabinieri, the *Guardia di Finanza*, the police and local health authorities (ASL), will be instrumental to the running of complex investigations. In this regard, it will be key to design guidelines that are common to all inspection authorities and include the indicators on unlawful recruitment, labour exploitation and forced labour, as well as the training of inspection officers.

The availability of accurate intelligence, geared to the identification of inspection targets, will avoid duplication of efforts, and allow detecting abusive or irregular situations. Attention will be paid to the identification of the types of enterprises to be inspected and those features that point to irregularities (turnover not proportionate to the labour force; financial statements; registration in the Chamber of Commerce; agricultural enterprises with no land). A better use of the tools that are already

available but rarely employed, such as the Single Register of Inspections of the Ministry of Agriculture, will allow to check which enterprises have already been inspected as well as the type of inspection carried out. At the same time, enforcement activities will be strengthened using innovative surveillance systems like satellite and drone reconnaissance. The allocation of additional resources to the National Labour Inspectorate will be instrumental to increase the number of inspections in priority geographical areas.

Policy priorities in the area of prevention and enforcement include: the identification of geographical areas at higher risk of labour exploitation; better coordination of inspection activities among enforcement authorities; the strengthening of investigative activities - also through cooperation with foreign police forces based on bilateral agreements - and the establishment of task forces; an increase of resources to boost inspections; and the training of inspection officers.

#### 4.2.2. Agricultural supply chain

The promotion of enterprises that are sustainable from an economic, social, and environmental point of view is of the essence to guarantee the quality of products and ensure decent work; enhance the economic potential of enterprises; and promote local economic growth. The main challenges to be addressed to improve the functioning of the agricultural supply chain (growing, harvesting, processing, transport and marketing) include: the banning of unfair trading practices; the decrease of value dispersion along the supply chain; an improvement of the transparency of the agricultural labour market and the easing of the administrative burden; the introduction of mechanisms of joint liability, product traceability and certification; and the promotion of producers' associations, including cooperatives.

A fair remuneration for the actors of the agricultural supply chain is of critical importance to prevent labour exploitation. The pursuing of labour exploitation practices guarantees workers' rights and safeguards enterprises from the unfair competition of firms that exploit labour. In this regard it is of paramount importance to foster an equitable distribution of value along the supply chain by: (i) curbing unfair trading practices; (ii) strengthening supply chain policies; (iii) encouraging the establishment of producers' associations; and (iv) enhancing the efficiency, transparency and fairness of the agricultural labour market, also by providing information on the origin and destination of imported agricultural goods.

As far as unfair trading practices are concerned, the priority is to implement the European Directive (No. 633 of 2019) on unfair trading practices in business-to-business relationships in the agricultural and food supply; ban double-low bids in electronic auctions that deaden the value of agricultural goods; and strengthen surveillance to avoid the merchandising of agricultural and food products at prices clearly below production costs.

Competitiveness will be enhanced through the expansion of Supply chain contracts, which bind parties to multi-year agreements that: (i) ensure more equitable relations among firms in the supply chain, stability of supplies and fair prices; (ii) foster the joint liability of firms in the supply chain and the traceability of products; (iii) encourage the establishment of associations of enterprises, including associations of producers. In the framework of the post-2020 Common Agricultural Policy (CAP), there will be space for investing in enterprises that ensure decent work, as well as in vocational training – including on fundamental principles and rights at work – for agricultural workers and the sharing of good practices.

In order to improve the transparency of the agricultural labour market, an appraisal will be carried out – with the contribution of the social partners - on the type of employment contracts available in the sector and the administrative procedures related to labour recruitment.

Policy priorities in the agricultural supply chain will revolve around tackling unfair market practices; the expansion of Supply chain contracts to encourage investment, innovation, producers' associations and the joint liability of enterprises in the supply chain; and the appraisal – in collaboration with the social partners – of the type the employment contracts available in the sector and of administrative recruitment procedures.

#### 4.2.3. Labour intermediation

The main function of employment services is to connect workers looking for jobs with job vacancies. The availability of an effective and timely labour intermediation system is at the heart of any strategy aimed at promoting the efficiency, equity, and transparency of the labour market and it contributes at ensuring that work is not considered a commodity. As far as unlawful recruitment and labour exploitation are concerned, the main challenges to be addressed include: the limited availability of regular channels for workers' recruitment, the limited attractiveness of the Employment Centres (CPI) for both workers and employers; the lack of an employment service delivery model common to the whole country; the limited availability of services specifically targeting agricultural workers and employers; and difficulties of the Employment Centres to adapt quickly to the needs of the agricultural labour market.

In the design of specific measures for the agricultural labour market, due account will be taken of the ongoing initiatives to strengthen the public employment service – in terms of human and other resources – encompassed in the *“Extraordinary plan to strengthen Employment Centres and active labour market policies”*. The establishment of a digital labour intermediation platform is aimed at introducing individualized pathways for labour market reintegration as well as improve employment service delivery, also through online tools.

The Employment Centres will be equipped with a specific service line targeting the agricultural sector, which will include information, profiling of individual needs, guidance services, job placement assistance, vocational training, mobility grants and support to manage work and care responsibilities. These services will be delivered based on Key Performance Standards (LEP) developed in partnership with the Italian Regions. In addition, mobile services will be established in cooperation with the social partners and non-governmental organizations to bring the services closer to workers and employers. The implementation of the above-mentioned priorities, combined with the training of Employment Centres' staff on the features of the agricultural labour market and the new service delivery model, will lead to an increase in the number of workers and employers approaching the public employment service. The participation of the Employment Centres in the Network of Quality Work in Agriculture will constitute an important element for the planning and implementation of measures to tackle labour exploitation in agriculture. With a view to improve the transparency of the agricultural labour market, the role of private employment agencies and other licensed service provided will also be enhanced.

In this area, policy priorities include: the improvement of the efficiency and effectiveness of the employment services provided to agricultural workers and employers through the establishment of a digital labour intermediation platform, the introduction of targeted services to be delivered through fixed and mobile units and an enhanced collaboration between public and private employment agencies; the increase of the number of Employment Centres participating in the Network of Quality Work in Agriculture; and the monitoring of activities of private employment agencies.

#### 4.2.4. Network of Quality Work in Agriculture

The Network of Quality Work in Agriculture and its Territorial Sections plays a key role in the design of prevention measures and in the delivery of protection and assistance services to victims of labour exploitation.

The number of enterprises that have joined the Network is currently low and with an uneven geographical distribution. A key challenge to increase the number of enterprises joining the Network is to enhance its role and functions, expand the presence of the Territorial Sections throughout the country, and provide support to those Sections established in areas at higher risk of labour exploitation. This challenge can be addressed by promoting membership through an incentive system and the raising of enterprise and consumer awareness.

A first requirement to promote enterprise membership is to amend the legal framework with a view to ease the eligibility criteria and simplify the registration process. The number of administrative violations that bar membership will be decreased, except for those violations related to labour exploitation. These measures will be accompanied by information and awareness-raising campaigns targeting enterprises and the public at large and by rendering, concurrently, more user-friendly the online consultation platform. The Territorial Sections will be given the opportunity to pilot new methods of labour intermediation - in partnership with the Agency of Active Labour Market Policies and the national network for the implementation of active labour market policies – as well as new models for the delivery of assistance services to victims and the management of labour migration flows. The amendments to the legal framework governing the Network will comprise action to improve the organisational structure of the Sections - including the role and function of the coordination body and of the President, the role of the Regions and of the Prefectures – as well as the operational tools and resource allocation, with a view to allow the Sections to execute their mandate.

The priority policies for the Network are aimed at revising the eligibility criteria for membership; the incentive system for registration; the organizational structure of Sections; the operational tools and resource allocation; as well as at enhancing the role of the Sections for the delivery of prevention, protection and assistance measures, and at promoting the participation of member enterprises to traceability and certification mechanisms.

#### 4.2.5. Transport

The transport of workers to and from the workplace represents one of the main levers to tackle labour exploitation in agriculture, since the monopoly gangmasters enjoy in this area obliges workers to pay for this service. The most important challenges to be addressed in this area are the updating of regional transport plans and the delivery of services that respond to the needs of agricultural workers, the areas where they live and the harvest peaks.

Priority transport policies need to consider that a segment of foreign workers lives in informal settlements, which are often controlled by organised crime. In order to address this emergency situation, an exercise to detect the needs of employers will be carried out to estimate labour force requirements and plan the delivery of transport services accordingly. The availability of a platform with data from the national labour force and enterprise census will allow appraising the suitability of Regional Transport Plans (PRT) and the signing of agreements for the delivery of transport services aligned to the needs of the sector. With a view to expand existing services, a licensing and registration system will be established for private transport firms that comply with a number of standards and are able to respond to the hours of work and working arrangements of agricultural workers.

These priority policies aim to build a dedicated and flexible transport system, which is adaptable to the agriculture production needs and can ensure transport services that are responsive to the needs of workers and enterprises.

#### 4.2.6. Housing

Informal settlements, in some cases real ghettos, are breeding grounds for organized crime, which further increase the vulnerability of workers. Housing is often mediated by gangmasters, both in terms of dwelling and rent. The accommodation facilities managed by public institutions and non-governmental organisations cover only a small fraction of housing requirements. Workers living in informal settlements often refuse accommodation in organised facilities, since these do not meet their needs and budget.

Short- and long-term policy priorities centre on the analysis of the labour demanded by enterprises, as well as the development of decent housing solutions aligned to minimum standards defined at the national level and based on the housing models already piloted at the local level. These pilot housing models include: (i) short-term accommodation in *ad hoc* facilities, which could also be managed by employers (conditional on prior assessment and monitoring); (ii) the recovery of public real estate, including the assets confiscated from organized crime, which may be a suitable offer in areas hosting both seasonal and permanent agricultural workers; (iii) the restoration of rural towns, which may be a suitable solution to address the housing needs of permanent workers and may involve them also in renovation and maintenance.

Policy priorities in housing, therefore, centre on the geographical mapping of labour needs to plan housing services aligned to minimum standards; the establishment of an integrated worker housing system; and the definition of a local governance system between national institutions, local authorities and other actors.

#### 4.3. Labour and social integration

The labour and social reintegration of victims of labour exploitation is at the heart of any strategy aimed at tackling labour exploitation and forced labour in agriculture. This strategy should strengthen the governance and delivery system of the services managed by different actors at the national, regional, and territorial level, which is at present the main obstacle to the effective long-term reintegration of victims.

The establishment of a national system for the reintegration of labour exploitation victims is geared to improve coordination between the different institutions that are involved - at the national, regional and territorial level – in the protection and assistance of victims and improve the offer of integration services and programmes. Regional authorities will be supported in the implementation of the prevention, enforcement and protection measures planned in territorial policies. The system is also aimed at improving the labour and social integration programmes delivered at the local level by the social services, the employment centres and their services providers. The services to be made available to victims will be based on an individual reintegration plan, which, starting from individual needs, will outline the pathway towards labour and social inclusion. In this regard, the Employment Centres will play a key role in supporting victims, delivering vocational training and language programmes, offering job placement opportunities and access to other active labour market measures. The victim integration programme will also include legal aid to claim compensation for physical and psychological injuries, as well as for wage arrears. The coordination of national, regional, and European financial resources will allow the piloting of integration programmes with a view to generate good practices and lessons

learnt for the adaptation of the national integration system. In the development of the protection and assistance system, the Inter-institutional Committee will avail itself of the evidence gathered by research institutions and the good practices emerging from pilot initiatives.

Priority policies in this area relate to the development and implementation of a national labour and social reintegration system for victims of labour exploitation, the delivery of integration pathways tailored to victims' needs and the training of service delivery staff.



## PART III - ACTION PLAN

### 5. Overall objective

*The overall objective of the Plan is to prevent and pursue labour exploitation in agriculture, including unlawful recruitment and forced labour, through the implementation of priority actions.*

The Plan to tackle labour exploitation in agriculture is a three-year strategy to be implemented through ten priority actions aimed at preventing and countering the phenomenon, protecting victims and supporting them to integrate in society and access decent work. This objective will be pursued through systemic and coordinated interventions - involving the different administrations at the national, regional and local level - with a view to increase impact and maximize the use of human and financial resources.

### 6. Strategic pillars

The three year Plan to tackle labour exploitation in agriculture responds to the requirement to streamline government action, promote policy coherence and coordination among public institutions (at national, regional and local level) and between these and other actors responsible to prevent and tackle labour exploitation (namely employers' organisations, trade unions, non-governmental organizations).

The Plan's architecture builds on four strategic pillars, identified by international labour standards and European and national legal frameworks as key to prevent and tackle labour exploitation, unlawful recruitment and forced labour.<sup>32</sup> These pillars are:

- (i) Prevention
- (ii) Enforcement
- (iii) Protection and assistance; and
- (iv) Labour and social reintegration.

The Plan recognizes the importance of a gender perspective in the implementation monitoring of priority actions. In this respect, the planning and implementation of priority actions will take account of gender differences and integrate gender-specific measures, wherever relevant. During implementation, moreover, positive action interventions will be defined to account for the gender-specific vulnerabilities of women and men workers exposed to different forms of labour exploitation, unlawful recruitment and forced labour, including action to tackle violence and harassment in the world of work.

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<sup>32</sup> The International Labour Organization (ILO) Protocol of 2014 to the Forced Labour Convention on Forced Labour of 1930 (No. 29) ratified by Italy in 1934, the ILO Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203) and the European Directive on preventing and combating trafficking in human beings and protecting victims (2011/36/EU) highlight the importance of prevention, enforcement and remedies.

## **6.1 Prevention**

The prevention pillar of the Plan aims at anticipating the problems leading to labour exploitation. The priority actions under this pillar are aimed at improving: (i) the planning, management and monitoring of labour demand peaks during harvesting periods; (ii) the relationships among supply chain actors with a view to curb unfair market practices, promote the traceability of agricultural products and expand the Network of Quality Work in Agriculture; (iii) the transparency of the agricultural labour market and labour intermediation services; (vi) transport services for agricultural workers and the availability of decent housing. This strategic pillar includes two priority actions that are instrumental to the implementation of all other actions. The first relates to the development of an integrated information system to provide policy-makers and front staff with the information and data required for planning, management and monitoring prevention, enforcement protection and assistance measures. The second action has the objective to develop an effective social communication campaign to raise awareness about labour exploitation and decent work.

## **6.2 Enforcement**

The actions planned under the enforcement pillar are aimed at strengthening the rule of law and reaffirming the importance of a sustainable economy and enterprises. This entails the strengthening of the enforcement of labour law, individual and collective social rights and entitlements by contrasting labour exploitation, unlawful recruitment and forced labour. Priority actions under this strategic pillar include: (i) the strengthening and expansion of inspections as well as enhancing coordination among enforcement authorities; and (ii) the design and delivery of a common training programme on prevention targeting the officials of inspection authorities.

## **6.3. Protection and assistance**

The priority actions under the protection and assistance pillar are aimed at: (i) the establishment of an integrated service delivery system able to respond to the basic needs of victims and comprising health and legal aid services, as well as access to labour and social reintegration programmes; and (ii) the development of a common training pathway for front staff, with specific training modules on service sequence and integrated delivery, as well as coordination and partnership among the entities responsible to protect and assist victims of labour exploitation.

## **6.4. Labour and social reintegration**

The priority actions encompassed in this strategic pillar of the Plan are aimed at expanding the availability of longer-term labour and social integration services for victims and the strengthening of coordination among service providers at national, regional, and local level. The victim reintegration programme will include job search and job placement assistance, language tuition, vocational training programmes and access to other active labour market measures.

## 7. Strategy, priority actions and main results

### 7.1. Implementation strategy

The implementation strategy of the Plan combines short-term interventions aimed at responding to emergency situations and long-term initiatives that comprise systemic action, coherent and coordinated policies, as well as integrated service delivery for the prevention and pursuing of labour exploitation in agriculture. Priority actions will be implemented in three phases:

- Phase 1: Identification of priority geographical areas based on the mapping of the territory and of agricultural labour needs
- Phase 2: Measures aimed at addressing emergency situations
- Phase 3: Systemic and long-term interventions.

The priority actions described in this section of the Plan are geared to respond to needs that are common to different geographical areas. They were designed to promote local level initiatives and they represent a flexible tool adaptable to different local circumstances though the integrated programmes to be implemented in the framework of multi-action territorial plans.

In order to ease the implementation of the Plan, a series of tools will be developed to share knowledge and good practices emerging from recent pilot initiatives. At the same time, support will be provided to local authorities to develop multi-action plans to prevent and tackle labour exploitation in agriculture as well as a system of mutual learning and knowledge-sharing. These will be accompanied by training programmes for staff and the implementation of pilot projects.

### 7.2. Priority actions and main results

#### Prevention

**Priority action 1:** *An information system with a calendar of crop harvesting, labour force requirements as well as other data and information developed and used to plan, manage and monitoring the agricultural labour market.*

This priority action includes the development of a crop harvesting calendar, the analysis of agricultural labour force requirements, the mapping of the national territory - including communication routes and transport services - as well as the collection of other information that is useful for the coordination of the priority actions outlined in the four strategic pillars. The geographical mapping will identify areas at low, medium, and high risk of labour exploitation to prioritize prevention, enforcement, protection, assistance and social integration interventions.

The information system, which will integrate the information of different databases, will be developed by a technical working group comprising the experts of the public institutions that are partners in the Plan with the aim to: (a) define a methodology to share information and data in a system for the planning and monitoring of agricultural labour force needs and workers' living and working conditions; and (b) develop compliance criteria for the participation of enterprises in ethical certification systems (see priority action 3). At the same time, a methodology to estimate the extent of labour

exploitation and its impact on the most exposed and/or at-risk groups of workers will be developed in collaboration with the National Statistical Institute.

The main results of this action include: (i) the mapping of geographical areas, of labour force needs and the development of the crop harvesting calendar to plan action and allocate resources; (ii) an information system for the gathering and analysis of data and information managed by the public institutions that are partner in the Three-year Plan; and (iii) the collection, systematisation and analysis of statistical data on the agricultural labour market and labour exploitation.

***Priority action 2: Structural measures, investment in innovation and the promotion of agricultural products improve the functioning and efficiency of the agricultural market.***

Action 2 aims to address the structural problems of the agricultural market with a view to increase its efficiency by investing in technological innovation, enhancing the value of agricultural products and tackling unfair market practices, which affects producer's returns and workers' wage, including practices that undermine the fundamental principle of equal remuneration for work of equal value.<sup>33</sup>

A first structural intervention revolves around the transposition of the European Directive 633/2019 on unfair trading practices in business-to-business relationships in the agricultural and food supply chain, the banning of double-low bids in electronic auctions and a better enforcement of rules against the sale of products at prices clearly below production costs. A second area of intervention relates to the putting to system and the expansion of multi-annual Supply chain contracts, which may channel investment in technological innovation, promote corporate responsibility among supply-chain firms and promote - in collaboration with employers organizations – the association of producers . The incentives for Supply chain contracts will be accompanied by measure to ease the access of agricultural enterprises to the resources available under the National Enterprise Plan 4.0, including also through consortia of which the enterprises are members. Technological innovation in the agricultural sector will be accompanied by investments in vocational training. In this respect, guidelines will be drawn up to support investment in workers' training, which will include training modules on fundamental principles and rights at work to be delivered in collaboration with workers' organizations.

The main results of this action include: (i) the completion of the regulatory framework on unfair market practices in the agricultural supply chain; (ii) the strengthening of incentives for Supply chain contracts for investments, technological innovation, joint liability of enterprises and producers' associations; (iii) easing the access of agricultural enterprises to the resources of the National Enterprise Plan 4.0; and (iv) the development of guidelines to channel investment in workers' training.

***Priority action 3: The strengthening of the Network of Quality Work in Agriculture, the expansion of the number of member enterprises and the introduction of product certification measures improve the transparency and conditions of work of the agricultural labour market.***

This priority action aims at increasing the number of enterprises registered in the Network, promoting corporate social responsibility and the certification of agricultural products.

The regulatory framework will be revised to promote enterprise membership to the Network, by enhancing its role and providing support to member enterprises. Enterprises with employees that are

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<sup>33</sup> See the fundamental principles established in the ILO Constitution of 1919 and articles 36 and 37 of the Italian Constitution.

equated by social security rules to agricultural workers (agricultural service providers) will be authorized to registered in the Network; the registration process will be simplified, and the eligibility criteria revised. Amendments to the legal framework governing the Network will also address the composition, roles and services offered by the Territorial Sections - as well as the resources to execute their functions – with a view to transform them into collaborative hubs of the actors operating at a local level. An incentive system will be established to promote enterprises' registration in the Network and their participation in ethical certification systems (based on the conformity criteria developed under priority action 1). This includes mechanisms granting priority access to national and regional financial resources (for example funds allocated through agriculture and employment policies, Supply chain contracts and rural development funds) as well as to public supply contracts. The running of the social communication campaign (priority action 7) will provide an additional incentive to register in the Network though the benefits deriving from enhanced consumer awareness on goods produced in compliance with the fundamental principles and rights at work. Another intervention revolves around the promotion of liability mechanisms through Supply chain contracts (see action 2), enterprise participation in ethical certification systems, vocational training initiatives and the sharing of good practices. Trade associations will be involved both in the promotion of the Network and in the gathering and dissemination of good practices on product traceability and ethical certification. Trade unions and consumer associations will be involved in disseminating information on the activities of the Network to prevent and pursue labour exploitation.

The main results of this action encompass: (i) the amendment of the regulatory framework governing the Network of Quality Work in Agriculture (types of enterprises admitted, eligibility criteria, functional organisation, operational tools and resources); (ii) the increase in the number of enterprises registering in the Network and the development of an incentive system for member enterprises; (iii) the improvement of the geographical distribution, as well as the expansion of the functions and activities of the Territorial Sections; (iv) the development of an online, more accessible system for researching enterprises registered in the Network; (v) the promotion of liability mechanisms in agricultural supply chains; (vi) the participation of enterprises in ethical certification systems based on compliance criteria; and (vii) greater awareness about the role of the Network in the promotion of agricultural products and decent work opportunities.

**Priority action 4:**

***The planning of workforce requirements and the improvement of the effectiveness, transparency and range of labour intermediation services prevent the recourse to gangmasters and other forms of unlawful recruitment***

This priority action aims to increase the effectiveness, equity and transparency of the agricultural labour market through: improved planning of agricultural labour flows and labour intermediation; dedicated labour intermediation services in agriculture, enhanced collaboration between the Employment Centres and licenced providers, and more effective monitoring of the services delivered by private employment agencies.

The regular analysis of enterprise needs and the crop harvesting calendar (see priority action 1), as well as the participation of the Employment Centres in the Territorial Sections of the Network and collaboration with other entities, will provide the information required to plan the quotas of seasonal workers. This analysis will identify the number of foreign workers to be recruited through legal channels, also by means of pilot initiatives involving employers' associations in the management of part of seasonal labour migration flows. In the planning of inflows of third country nationals, the correspondence between the permits for seasonal work and the signing of work contracts will be monitored though the system of mandatory notification. Furthermore, the activities carried out by the Italian trade unions with the workers' organizations of countries of origin will be enhanced to raise the

awareness of migrant workers about the fundamental principles and rights at work. The second area of intervention focuses on the analysis, with the contribution of the social partners, of the types of contracts used in agriculture and the easing of the administrative burden for workers' recruitment. The improvement of labour intermediation services in agriculture will involve ANPAL and the other members of the network of active labour policies providers in the implementation of short- and long-term measures to improve labour intermediation. Systemic and long-term measures revolve around the strengthening of Employment Centres' capacity to offer quality services to both workers and employers based on key performance standards; the launch of the IT platform for matching labour demand and supply, which - aside improving labour intermediation - will take into account the peculiarities of the agricultural sector and will allow to manage labour reservation lists and the delivery of individualized employment services. Guidelines will also be developed, in agreement with the Regions, to define key performance standards for the services delivered by the Employment Centres to agricultural workers and employers. Short-term interventions include the improvement of the transparency of labour intermediation in agriculture, through the establishment of labour reservation lists and fixed and mobile help desks to bring the services nearer to workers and employers, as well as through pilot projects to be implemented in partnership with private employment agencies and non-governmental organizations according to the guidelines developed by ANPAL. Furthermore, the monitoring of labour intermediation will be strengthened to prevent and tackle unlawful recruitment practices of agricultural workers.

The main results of this action revolve around: (i) the planning of agricultural labour force needs, including the setting of seasonal migration flows of foreign workers; (ii) the analysis, with the contribution of the social partners, of the types of work contracts available and their responsiveness to the requirements of the agricultural sector; (iii) the improvement of the efficiency and effectiveness of the services delivered by Employment Centres to agricultural workers and employers through the launching of the IT platform for labour intermediation, the definition of key performance standards, the easing of the administrative burden for workers' recruitment and the continuous training of staff; (iv) the establishment of specialised fixed and mobile help desks for labour intermediation and other employment services targeting agricultural workers and employers (labour reservation lists, vocational training and job placement support) in collaboration with the Territorial Sections of the Network, bilateral bodies, training institutions and other organisations; (v) the cooperation between the Employment Centres and licensed employment service providers; and (vi) the monitoring of labour intermediation in agriculture.

***Priority action 5: Planning and implementation of decent housing opportunities for agricultural workers as an alternative to informal settlements and degrading accommodation.***

This priority aims at eradicating informal settlements by putting at workers' disposal housing facilities that ensure decent living conditions. Local government authorities will be involved in the planning and delivery of decent housing - in cooperation with other actors operating at a local level and, in particular, the social partners and the bilateral bodies - also through the implementation of Rural Development Programmes. The analysis of enterprise needs and the crop harvesting calendar (priority action 1) will provide the necessary information to plan actions to guarantee decent housing to agricultural workers.

A first line of intervention revolves around the definition, at the national level, of minimum quality standards for housing, in order to guarantee the exercise of civil and social rights as provided for by the United Nations Convention on Economic, Social and Cultural Rights ratified by Italy in 1978. These standards will guide the design and delivery of housing services to seasonal and permanent agricultural workers. This measure will complement the guidelines of the Ministry of Labour and Social Policies to combat severe adult social exclusion in Italy. A second line of intervention revolves around

tackling long-term housing challenges. This will include the planning and delivery of housing services aligned to minimum quality standards and grounded on the initiatives already piloted at the local level (temporary reception centres, long-term accommodation facilities, conversion of abandoned or confiscated buildings, requalification of rural areas, private rentals). These long-term measures will also be key to ensure accommodation to victims of labour exploitation (priority action 9). Local government authorities will also be able to rely on the integrated reception services offered to beneficiaries of the System of International Protection and Unaccompanied Minors (SIPROIMI). Employer organizations, trade associations and bilateral bodies will play an important role in encouraging the offer of housing facilities from employers (based on the provisions of collective agreements) and private actors. For seasonal work, the provisions of the *Consolidated Act on Immigration* specifically envisage the obligation of employers to guarantee workers' accommodation.<sup>34</sup> These facilities should comply with the minimum standards laid down in public housing legislation. In the short term, emergency measures will be enacted for the accommodation of seasonal workers, as an alternative to informal settlements, by supporting local authorities and pilot initiatives to assist workers to find decent housing opportunities.

The main results of this action include: (i) the setting of minimum quality standards for housing and the planning and delivery of housing services at local level; (ii) the promotion - in agreement with local authorities and employers' and sectoral organizations - of long-term housing solutions for agricultural workers; (iii) the implementation of emergency measures to provide accommodation for workers as an alternative to informal settlements in areas at higher risk of labour exploitation; and (iv) the increase of the quantity and quality of housing provided by local authorities to agricultural workers.

***Priority action 6: Planning and delivery of transport services tailored to the needs of agricultural workers***

The geographical mapping and the crop harvesting calendar (priority action 1) will provide the necessary information to update regional transport plans (routes and timetables) and plan alternative transport facilities (on demand shuttles, private services) for agricultural workers.

A first line of intervention revolves around the national-level coordination, ensured by the Ministry of Infrastructure and Transport, of regional initiatives aimed at providing transport services tailored to the needs of agricultural workers. To this end, the Ministry of Transport will launch awareness-raising initiatives and will develop guidelines for the design and delivery of regional transport plans able to offer dedicated services for agricultural workers. At the regional level, protocols of agreement will be established to improve transport services for workers. In order to strengthen transport services across Regions and ensure the mobility of workers based on the crop harvesting calendar, two or more Regions may sign these protocols. A second line of intervention revolves around the regulation and promotion of private services and on-demand transport shuttles for those areas where public transport services cannot be offered. To this end, regional registers will be established for private transport enterprises interested in service delivery. A support service mechanism will be available for the planning and delivery of an integrated transport system for regional workers. The bilateral bodies will play a key role in promoting adequate transport services for agricultural workers, according to the principles set in collective bargaining agreements.

The main results expected by this action include: (i) guidelines and protocol of agreements for the planning and delivery of integrated regional transport plans for agricultural workers; (ii) the establishment of regional registers for private transport companies interested in service delivery (on-demand shuttle and others); (iii) the promotion by bilateral bodies of transport services for seasonal

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<sup>34</sup> See art. 5 *bis* of Legislative Decree No. 286 of 1998.

agricultural workers; and (iv) the improvement of the quantity and quality of tailored transport services, including through the implementation of Rural Development Programmes.

***Priority action 7: Social communication campaign for the prevention of and awareness-raising on labour exploitation and the promotion of decent work***

The Ministry of Labour and Social Policies and the Ministry of Agricultural, Food and Forestry will plan and implement a nationwide social communication campaign on quality agricultural work, the promotion of decent work and the fight against labour exploitation.

The information and awareness-raising campaign, implemented through various communication tools (brochures, leaflets, TV spots, social media) will involve employers' and workers' organisations, immigration offices, Employment Centres, the National Labour Inspectorate, Equal Opportunity Councillors, consumer associations and non-governmental organisations. The national campaign - to be carried out in partnership with trade associations and distribution companies, trade unions and non-governmental organizations - will have the objectives to inform workers, consumers and enterprises on the importance of respecting labour rights and social protection rules in agriculture, and promote the registration of enterprises in the Network of Quality Work in Agriculture. In order to strengthen the equity and transparency of labour intermediation, ANPAL will develop guidelines for licensed providers delivering active labour market measures in agriculture. Brochures and local campaigns (in several languages) on labour exploitation and decent work for at-risk workers will also be produced for the use by employers' organizations, trade unions and labour inspectors, also with the aim to eradicate unlawful recruitment practices and the payment of fees. Finally, part of the national and local campaigns will be devoted to the dissemination of the Three-Year Plan to tackle labour exploitation and unlawful recruitment in agriculture (2020 - 2022) and the sharing of good practices.

The results of this action include: (i) the development and implementation of national and local level communication campaigns to prevent and tackle labour exploitation; (ii) the dissemination of information to consumers, workers and enterprises on ethical and sustainable products and the role of the Network in tackling labour exploitation; (iii) the production and dissemination, in collaboration with institutional and social partners, of information and training material on labour exploitation and the promotion of decent work; and (iv) a cooperation protocol between ANPAL and private agencies including guidelines for compliance with fair recruitment principles.

## ***Enforcement***

***Priority action 8: Strengthening of enforcement activities against labour exploitation***

This priority action aims at: (i) focusing enforcement activities in the areas identified as most at risk of exploitation by the geographical mapping and crop harvesting calendar (priority action 1); (ii) fostering coordination among enforcement authorities to maximise available resources; (iii) enhancing information gathering and analysis to improve the effectiveness of inspections; (iv) improving the use of available tools (Single Register of Inspections, enterprise records of the National Agriculture Information System) and develop a comprehensive file of agricultural firms; (v) expanding inspection activities; and (vi) carrying out training activities that are common to all enforcement authorities in line with the guidelines set by the National Labour Inspectorate (INL). Information activities (priority action 7) and training programmes will also involve the officials of other public institutions that have a key role in enforcement activities (Carabinieri, police and judicial authorities). Training activities will also focus on preventing and pursuing violence and harassment in the world of work, with a view to facilitate



service delivery to victims through the referral mechanisms when labour exploitation violations also include these abuses.

The main line of action envisages the increase of enterprise inspections in areas at high risk of labour exploitation. This will require an increase of human and other resources. These interventions will be guided by the identification of the geographical areas at higher risk of exploitation (priority action 1) and will be eased by a more effective coordination of enforcement activities. The systematization, analysis and pooling of available information will offer the necessary means to plan enforcement activities, also through the tools offered by technological innovation. This will allow the compiling of a comprehensive and updatable file of agricultural enterprises and their service providers. Collaboration and coordination between enforcement authorities as well as the support of experts in agriculture and violence and harassment in the world of work will be essential to increase the effectiveness of enforcement activities. These activities will be steered by the guidelines of the National Labour Inspectorate on labour exploitation, unlawful recruitment and forced labour indicators and by the principles established for the referral of victims to protection and assistance services (priority action 9). Training will be provided to enforcement officials responsible to pursue labour exploitation and aggravating circumstances (coercion, gender-based violence and harassment, forced labour and slavery).

The expected results of this priority action include: (i) the planning and implementation of enforcement activities based on the geographical mapping and crop harvesting calendar; (ii) the strengthening of inspection activities of the National Labour Inspectorate, including in terms of human and other resources; (iii) a more effective coordination system between enforcement authorities (establishment of joint task forces and support of experts in agriculture and violence and harassment in the world of work); (iv) the improvement of enforcement activities through the pooling of information managed by different authorities; (v) the increase of the number of agricultural enterprises and workers subject to inspection; (vi) the development of guidelines and training programmes for enforcement officials on labour exploitation, unlawful recruitment, forced labour and the protection and assistance referral mechanism; and (vii) the development of training modules on the identification of victims of labour exploitation for law enforcement authorities, including gender-based violence and harassment.

### *Protection and assistance*

***Priority action 9: Design and implementation of a referral mechanism for the protection and assistance of victims of labour exploitation in agriculture and strengthening of labour and social reintegration programmes***

This priority action is aimed at: (i) offering protection and assistance services to victims of labour exploitation through a referral mechanism; (ii) strengthening the delivery of long-term labour and social reintegration services within the referral mechanism; and (iii) harmonizing the legal provisions for the protection of victims of trafficking and of labour exploitation. This intervention will be coordinated with the measures of the Plan against trafficking in human beings and the Plan to combat men's violence against women, which fall under the responsibility of the Equal Opportunity Department of the Presidency of the Council of Ministers.

The first line of intervention revolves around the establishment of a referral mechanism to protect and assist victims of labour exploitation in agriculture and those who file a complaint. The referral mechanism will aim at fostering integrated service delivery, improving coordination among the providers of protection and assistance services, maximizing the use of financial resources (national, regional and European); and expanding the delivery of long-term reintegration services (priority action

10). Within the referral mechanism, the Ministry of Labour and Social Policies will have the responsibility to coordinate, in agreement with the Equal Opportunity Department and other competent authorities, the activities of institutions and agencies operating in the framework of employment and social policies with a view to promote integrated service delivery at the local level (reception and health services, legal aid, equal opportunity councillors, centres against violence and services targeting refugees and asylum seekers). The second line of intervention envisages the delivery of integrated protection and assistance services, based on guidelines targeting the institutions and agencies operating in the field of employment and social policies. These guidelines will ease the identification of victims of labour exploitation, their referral to protection and assistance services, the assessment of individual needs and the delivery of information on labour and social integration programmes. Services will include legal aid, access to remedies, payment of wage arrears as well as the resources of the Anti-trafficking Fund. The main actors involved are labour inspectors, law enforcement officials, the judiciary, trade union representatives, Equal Opportunity Councillors, social workers and staff of non-governmental organizations. Another priority relates to the harmonization of legal provisions targeting foreign victims of trafficking (article 18 of Legislative Decree 286/98) and those victims of labour exploitation in agriculture, in order to provide these latter with access to both the "judicial pathway" (issuance of a temporary residence permit for collaboration with the authorities) and the "social pathway" (issuance of a temporary residence permit without the obligation cooperate with the judiciary). In this regard, the feasibility to amend the rules governing the protection of victims of trafficking and of labour exploitation will be considered with a view to overcome the uncertainties surrounding the legal status of foreign victims and the precariousness of the residence permits issued under the current legal system. This will strengthen the legal status of these vulnerable groups and ease their labour and social reintegration.

The main results of this action include: (i) the development of guidelines for the management of the referral mechanism targeting the actors responsible for the design and implementation of employment and social policies; (ii) the design of labour and social reintegration pathways to be embedded in the protection and assistance system; and (iii) the harmonization and strengthening of protection services for foreign victims of trafficking and of labour exploitation in order promote their social reintegration through access to decent work opportunities.

### *Labour and social reintegration*

***Priority action 10: Development of a national system for the labour and social reintegration of victims of labour exploitation in agriculture***

This priority action revolves around the development of a national framework for the delivery of labour and social reintegration services for victims of labour exploitation; the implementation of reintegration programmes aligned to the guidelines established at the national level in agreement with regional authorities, which also include targeted measures for the labour integration of victims; and the delivery of continuous staff development programmes for service providers.

The first line of intervention revolves around the development by the Ministry of Labour and Social Policies of a national system for the labour and social reintegration of labour exploitation victims aimed at fostering the coordination of policy initiatives, enhancing collaboration among service providers and promoting uniform service delivery. The second area of intervention centres on the design and delivery of long-term, integrated services. The type and sequence of services that victims will have access to will be based on guidelines for the development of individualized integration plans. The Employment Centres will play a key role in the delivery of assistance to victims through vocational training, job placement support and access to other active labour market policies. These measures will

be implemented in collaboration with the social partners also with a view to ensure a smooth transition of victims to decent work. The final line of intervention focuses on the provision of continuous training targeting the staff responsible for the design and implementation of individualized integration plans.

The main results of this priority action include: (i) the development of a national system for the planning, coordination and implementation of labour and social reintegration pathways; (ii) the design of guidelines for the development of individualized integration plans and performance standards for service delivery ; (iii) the establishment of a monitoring system for the delivery of labour and social reintegration services; (iv) the implementation of training programmes targeting front-line staff delivering labour and social reintegration services; and (v) the design and implementation of pilot projects to validate the national labour and social reintegration system.

## 8. Governance and coordination mechanism

Labour exploitation in agriculture is a complex phenomenon that can be tackled only through a coordinated approach and a multi-level governance mechanism. Furthermore, the delivery on the policy objectives of the Plan requires the collaboration of and the coordination among all institutions and actors involved to ensure coherence and achieve the expected results. Against this backdrop, it is essential to establish a coordination mechanism that clearly identifies the role and responsibilities of partner institutions. The implementation of the Plan requires the coordination between national institutions and local level authorities, which have a better understanding of the needs of final beneficiaries.

The *governance model* proposed for the implementation of the Plan is grounded on a shared and participatory approach among the institutions responsible to coordinate and implement actions for the prevention and pursuing of labour exploitation in agriculture. This model takes into due account decentralization drivers, which envisages a division of competence among the authorities at the national, regional and local level. The purpose of the model is to promote integrated planning with a view to create synergies able to maximize the impact of priority actions. Collaboration among public institutions, the social partners and other actors is key to achieve the main results of the Plan. During the drafting of the Plan, a participatory approach was used to map the actors to be involved at the national, regional, and local level in the delivery of the ten priority actions. This mapping exercise allowed the design of a shared multi-level and multi-agency governance system and it will inform the development of the Plan monitoring system (see section 9 below).

At the national level, the *Inter-institutional Committee* is responsible to steer the planning of institutional activities; monitor the implementation of Plan and of the provisions of Law No. 199/2016; coordinate the delivery of priority actions; draft legislation on labour exploitation, unlawful recruitment and forced labour, and share good practices.<sup>35</sup> The *Thematic Working Groups* of the Committee are responsible to monitor the implementation of the priority actions. The Directorate-General for Immigration and Integration Policies of the Ministry of Labour and Social Policies acts as the *Secretariat of the Inter-institutional Committee*. It provides technical and organisational support to the Committee, including the gathering of information on the national and European Union funding sources which could be used for the implementation of the Plan, the collection and dissemination of good practices and the sharing of data and information on labour exploitation and forced labour.

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<sup>35</sup> Decree of the Minister of Labour and Social Policies: *Organisation and functioning of the Committee for the definition of a new strategy to tackle labour exploitation and illegal recruitment in agriculture*, 4 July 2018.

The Committee collaborates with the *Steering Committee of the Network of Quality Work in Agriculture*<sup>36</sup> which is responsible to monitor agricultural labour market trends and the employment of foreign workers in agriculture; promote initiatives – in agreement with the competent authorities and after consulting the social partners – related to active labour market policies, the tackling of informal employment and evasion of social security contribution dues; the organization and management of seasonal labour flows and the assistance to migrant workers.<sup>37</sup>

In view of the multiple areas of intervention of the Plan and of the different competencies of national, regional and local institutions, the governance mechanism envisages that the “*Unified Conference*” will have the task to coordinate the programming of the Plan with that of Regions. The *Regions* will transpose the guidance provided by the Committee into their financial planning and will implement the priority actions falling within their purview, and especially those related to labour intermediation. This planning will also include the implementation of priority actions under the responsibility of local authorities through the Territorial Plans and Rural Development Programmes co-financed by the European Union structural funds.

*Local Authorities* and their associations may opt for the development of multi-sectoral plans for the implementation of the Plan priority actions. These plans will be dispatched by the Territorial Sections of the Network of Quality Work in Agriculture to the Regions for the areas falling under their mandate and to the Inter-institutional Committee or to the Steering Committee of the Network (see Figure 5).

The *Territorial Sections of the Network of Quality Work in Agriculture* – chaired by the representative of the National Social Security Institute (INPS) – will have the role of decentralised body responsible to promote collaboration for the implementation of the Plan at a local level, ensure support to local authorities in the design of multi-sectoral plans and dispatch them, based on the specific areas of competence, to the Regions, the Inter-institutional Committee and the Steering Committee of the Network. Their organizational structure will be determined by law and based on the specific characteristics of each geographical area. For the implementation of the Plan, the new organizational structure of the Sections will also have the role to coordinate action between these and the national and regional level.

The *Prefectures* will participate to the implementation of the Plan by ensuring – with particular reference to the areas identified as at high risk of labour exploitation by priority action 1 – the coordination and integration of measures required at the local level, without prejudice to the mandate of the Government Commissioners appointed in the Municipalities of Manfredonia, San Ferdinando and Castel Volturno.

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<sup>36</sup> The Steering Board, chaired by the National Social Security Institute (INPS) comprises representatives of the Ministry of Labour and Social Policies, the Ministry of Agriculture, Food and Forestry, the Ministry of Economy and Finance, the Ministry of the Interior, the National Labour Inspectorate, the Revenue Agency, the National Agency for Active Labour Market Policies, the Conference of Regions and Autonomous Provinces of Trento and Bolzano and the social partners.

<sup>37</sup> As amended by Law 199/2016. See also Decree Law No. 91 of 24 June 2014, converted, with amendments, into Law No. 116 of 11 August 2014.



actions, by enhancing the measures carried out at a national, regional and local level; (ii) collect quantitative and qualitative data for the analysis of the situation of victims of labour exploitation and forced labour in agriculture (see priority action on the information system); and (iii) receive timely information for the planning and implementation of interventions. Monitoring activities will be articulated around different levels of competence and institutional responsibility (central administration agencies, Regions and local authorities), in line with the roles and responsibilities set out in the governance of the Plan. The monitoring matrix will include quantitative and qualitative indicators for the continuous measurement of the effectiveness of actions. More specifically, the matrix will define:

- (i) indicators
- (ii) measurement criteria
- (iii) baseline values
- (iv) sources of data and information, and
- (v) the actors responsible for the gathering of information and monitoring activities.

Within the framework of the programme of the European Commission and the International Labour Office "*Support for the strengthening inter-institutional governance in relation to labour exploitation in Italy*", the ILO will provide technical support to the Secretariat to define monitoring indicators, identify available data on labour exploitation in agriculture (at national and local level) and analyse the information management system used by public institutions. The Plan will be monitored at least twice during implementation. A first monitoring exercise - based on the established monitoring indicators - will be carried out by the Inter-institutional Committee 18 months after the Plan's approval. This monitoring exercise will be aimed at appraising the implementation of priority actions and their responsiveness to the established policy objectives as well as introducing changes, should they be required.

The monitoring and evaluation system will include the development of an *ex-post* evaluation methodology aimed at appraising the achievement of policy objectives, as well as the relevance, effectiveness, efficiency, and impact of the actions undertaken. The *ex-post* evaluation of the Plan will take place at the end of the implementation period with the purpose of assessing the achievement of objectives and main results as well as the effectiveness and coherence of the implemented actions. The Technical Secretariat and the Working Groups will coordinate the collection and processing of information for the evaluation of the Plan.

The Secretariat will also provide technical assistance to the Committee for the monitoring of the provision of Law 199/2016 (judicial proceedings, identification of victims of exploitation and forced labour, use of the resources of the Anti-Trafficking Fund, Network of Quality Work in Agriculture, assistance to seasonal workers and realignment of salaries ) and, more specifically, in the development of a methodology to improve regular reporting.

## 10. Resources

The allocation of adequate human and financial resources to initiatives with a broader impact is of the essence to ensure the efficiency and effectiveness of public policies. For this reason, once approved, the Plan will detail - for each priority action and for each main result – the material, financial and human resources required for its implementation.

After estimating the overall resources needed, it will be possible to identify the most suitable funding sources (European Union, national, regional, or local funds) for the implementation of the actions. These funding instruments will be used in an integrated manner, by using all the available funding levers to attain the planned results. This approach will avoid the fragmentation of actions through an effective and efficient resource management. Should financial shortfalls occur, the Inter-institutional Committee may review priority actions or consider the mobilisation of additional resources. The human, material and financial resources needed to carry out the actions will be included in the roadmap to be submitted to the Committee for approval.

In order to identify the funding mechanisms for priority actions, the Secretariat of the Inter-institutional Committee will map the funding instruments available at the EU, national, regional and local levels. This will be carried out with the technical assistance of the ILO within the framework of the EC-ILO technical support programme "*Support for strengthening inter-institutional governance in relation to labour exploitation in Italy*". Information on the funding mechanisms that may be available at the national and local level will be gathered and systematized through this mapping exercise.

As a preliminary step, the following funding lines have been identified and allocated by the Ministry of Labour and Social Policies, the Ministry of Agriculture, Food and Forestry, the Ministry of the Interior and the Agency for Active Labour Market Policies (ANPAL) for the implementation of the priority actions of the Plan:

- The Ministry of Labour and Social Policies has a portfolio of interventions of about 89 million euro for the delivery of prevention activities against informal employment and labour exploitation, specifically targeting third country nationals legally residing in the country and who are victims or potential victims of labour exploitation, in particular in agriculture. The projects are mainly focused on priority actions related to socio-economic integration and active citizenship, as well as on prevention and enforcement, through the support to inspections and staff training. The source of this funding line is the National Operational Programme "Inclusion", co-financed by the European Social Fund, the Asylum and Migration Fund and the National Fund for Migration Policies.
- The Ministry of Agriculture, Food and Forestry has at its disposal approximately 520 million euros for the implementation of measures falling under the priority related to structural interventions, investments in innovation and product enhancement, including Supply chain contracts. The source of this funding line is the Development and Cohesion Fund and the Revolving Enterprise Fund managed by Deposits and Loans Fund (*Cassa Depositi e Prestiti*).
- The Ministry of the Interior, under the National Operational Programme "Legality", has at its disposal more than 94 million euros for priority actions aimed at planning labour migration flows, improving labour intermediation services, the delivery of decent housing opportunities and the strengthening of enforcement activities. More than €44 million have already been committed for these measures. Approximately 50 million euros are being allocated to the priority actions related to enforcement and pursuing of labour exploitation and unlawful recruitment in agriculture, as well as transport and housing services for agricultural workers.
- ANPAL has a portfolio of about 600 thousand euros under the National Operational Programme - Systems for Active Labour Market Policies funded by the European Social Fund for the implementation of systemic actions as well as the piloting at the local level of the measures included under priority actions 4 and 10 of the Plan.

The adoption of the Plan and the mapping of available resources at national and local level will provide the basis for the joint planning of initiatives falling within the priority actions of the Plan. This will allow to plan strategically with a focus on the prevention and pursuing of labour exploitation in agriculture while, at the same time, creating synergies between the measures implemented at a national and local level starting from the new programming of European funds (2021-2027). The pursuing of labour exploitation and unlawful recruitment in agriculture will be a priority in the new National Operational Programmes and the related Regional Operational Plans.

Finally, the Ministry of Agriculture in its Operational Plan (2021-2027) calls for the commitment of 250 million euros in grants to finance Supply chain contracts under Ministerial Decree 1192/2016 and the State aid authorised by the European Commission (SA 42821). In addition to this line of funding, the Ministry is requesting low-interest loans totalling 350 million euros from the Revolving Enterprise Fund managed by Deposits and Loans Fund (*Cassa Depositi e Prestiti*).