



National Action Plan to tackle labour exploitation, unlawful recruitment and forced labour in agriculture (2020-22)

Italy

	<p>Summary</p> <p>The National Action Plan to tackle labour exploitation and unlawful recruitment in agriculture (NAP) is a multi-stakeholder approach at local, regional and national level to tackle labour exploitation and undeclared work using prevention, protection and enforcement measures. Part of the plan specifically targets third-country nationals who are (potential) victims of labour exploitation and forced labour. The practice was developed with technical support from the International Labour Organization (ILO) and the European Union and its implementation is overseen by the Italian Inter-Institutional Committee on Labour Exploitation.</p>
Title of the practice in original language	<i>Piano triennale di contrasto allo sfruttamento lavorativo in agricoltura e al caporalato 2020 – 2022</i>
Name(s) of authorities/bodies/organisations involved	<ul style="list-style-type: none"> ► Ministry of Labour and Social Policies (Ministero del lavoro e delle politiche sociali) ► Ministry of Agricultural, Food and Forestry Policies (Ministero delle politiche agricole, alimentari e forestali) ► Ministry of the Interior (Ministero dell'interno) ► Ministry of Justice (Ministero della giustizia) ► Ministry of Sustainable Infrastructure and Mobility (Ministero delle infrastrutture e della mobilità sostenibili) ► Ministry for Southern Italy and Territorial Cohesion (Ministero per il Sud e la coesione territoriale) ► Ministry for Equal Opportunities and the Family (Ministro per le pari opportunità e la famiglia) ► National Labour Inspectorate (Ispettorato nazionale del lavoro) ► National Agency for Active Labour Policies (Agenzia nazionale per le politiche attive del lavoro)



	<ul style="list-style-type: none">▶ National Institute of Social Security (Istituto nazionale della previdenza sociale)▶ International Organization of Migration▶ International Labour Office▶ UN Refugee Agency UNHCR▶ Regions (Regioni)▶ Local institutions (Enti locali) through the National association of Italian municipalities (Associazione Nazionale Comuni Italiani)▶ Comando Carabinieri tutela del lavoro▶ Finance police (Guardia di Finanza)▶ Representatives of workers and employers▶ Third-sector associations.
Sectors	Agriculture and fishing
Target groups	<ul style="list-style-type: none">▶ National and EU-mobile seasonal agricultural workers (directly targeted);▶ Third-country workers in agriculture (directly targeted).
Purpose of measure	The Plan takes into account all the dimensions of labour exploitation in agriculture along four strategic pillars: 1) prevention, 2) protection, 3) enforcement, 4) remedies.

	Aims and objectives <p>The NAP aims to tackle and prevent undeclared work practices, illegal recruitment and exploitation in seasonal agricultural work. Ten policy interventions have been introduced to combat the problem and support victims through the provision of decent work opportunities leading to their inclusion in society.</p>
Background context	<ul style="list-style-type: none">▶ The Plan was introduced in the context of agricultural work where seasonal workers are particularly vulnerable to illegal recruitment and undeclared work, occupational health and safety issues, and poor living conditions. These vulnerabilities have intensified since the COVID-19 pandemic. At the same time, agricultural workers have proven essential, particularly in the agri-food sector.ⁱ▶ The most common undeclared practices among agricultural workers relate to unregistered work, under-reported working



	<p>hours, underpayment or no payment of wages or improper deductions from wages for food, transport or accommodation.</p> <ul style="list-style-type: none">▶ The group at highest risk are irregularly staying third-country workers (as opposed to EU workers) due to, for example, to a lack of knowledge about their rights and language barriers.▶ The pandemic has triggered the need for collaboration between enforcement authorities and social partners. The Italian agricultural sector trade union set up migrant support offices in some sending countries and some Italian regions to support workers in their home and host country.
Key objectives of the measure	<p>General Objective:</p> <ul style="list-style-type: none">▶ To prevent the exploitation and unlawful recruitment of labour in agriculture.▶ To strengthen inspections as well as enhancing coordination among enforcement authorities. <p>Specific Objectives:</p> <ul style="list-style-type: none">▶ To prevent the exploitation of third-country nationals;▶ To increase cooperation between national enforcement authorities, social partners, and NGOs to combat undeclared work and the exploitation of seasonal agricultural workers.▶ To protect and provide first assistance of victims of labour exploitation;▶ To extend long-term socio-work integration programmes, such as assistance to work placement, vocational and linguistic training, as well as other measures of active employment policies.
Main activities	<p>The Italian government developed the NAP based on the 2016 Law (No 199) on labour exploitation in agriculture.ⁱⁱ</p> <p>The NAP presents a comprehensive and multidimensional approach to tackling undeclared work and labour exploitation, structured around four strategic pillars – prevention, protection, enforcement and remedies.</p> <p>The NAP sets out 10 priority policy interventions for the achievement of these strategic objectives (seven are prevention measures). The Plan engages public and private sector actors</p>



	<p>through a multi-level and multi-partner governance arrangement from both national and local levels. This is mainly done via:</p> <ul style="list-style-type: none">▶ Inspection and enforcement activities, through the support to inspections and staff training;▶ An awareness raising campaign on labour exploitation and undeclared work;▶ Intensified cooperation between employment services and licensed private employment service providers and supporting employers in staff recruitment;▶ An analysis of unlawful recruitment in the agriculture sector;▶ Strengthening of the Network of Quality Work in Agriculture;▶ Guidelines for the identification, protection and assistance to the victims of labour exploitation in agriculture. They include a multi-level referral mechanism; provide a definition of labour exploitation victims according to the legal framework and identify a minimum set of procedures from identification to protection and assistance;▶ Addressing transport and housing for workers, including licensing transport companies and an analysis of housing conditions for migrant workers;▶ A collection of promising practices in the sector.ⁱⁱⁱ <p>Part of the NAP specifically targets third-country nationals who are victims or potential victims of labour exploitation and forced labour. Special inspection taskforces have been established comprising labour inspectors and qualified cultural mediators of the International Organization for Migration (IOM). Cultural mediators are involved in activities on labour rights and protection mechanism for victims of labour exploitation, and in outreach activities providing multilingual information on regularisation procedures, and about COVID-19-related health and safety.</p>
Funding/organisational resources	<ul style="list-style-type: none">▶ The Plan was developed as a result of the jointly-funded project by the European Commission and the International Labour Office “Support for strengthening inter-institutional governance in relation to labour exploitation in Italy” that is co-funded by the Structural Reform Support Programme (2017-20) of the European Union.▶ Actions foreseen in the Plan are funded through several sources (national and regional funding, such as the National Fund for



	<p>Migration Policies; the European Social Fund; the Asylum, Migration and Integration Fund and Next Generation EU).</p> <p>► The Inter-Institutional Committee on Labour Exploitation is the national coordination body responsible for planning, implementation and monitoring the policy interventions. It is chaired by the Minister of Labour and Social Policies and composed of several national and local institutions, social partner representatives, and civil society organisations.</p>
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Outcomes

The NAP includes a formal evaluation to measure progress, efficiency and expected results. Expected results are the lawful recruitment in the agro-food industry, the promotion of decent work and economic and social sustainability amongst enterprises, better labour law enforcement and compliance, the protection of victims of labour exploitation and providing measures for their socio-economic inclusion, including decent work opportunities.

Achievement of objectives

The NAP is being evaluated by various tools to monitor results at national, regional, and local level and to collect quantitative and qualitative data about the situation of victims of labour exploitation and forced labour in agriculture. The expected outcomes include:

- Better workforce planning of seasonal foreign workers, improved labour mediation and improved awareness about the Network of Quality Work in Agriculture;
- Cooperation between public and private providers of intermediation services that operates in line with decent work;
- Awareness of consumers, workers and enterprises on ethical and sustainable products;
- Better enforcement activities through information exchange, increased inspections and trained enforcement staff;
- Better protection for victims of labour exploitation and offering them essential support and decent work opportunities.

Lessons learnt and success factors

The NAP focusses holistically on labour exploitation and undeclared work in the agriculture sector, from prevention to deterrence. It focusses specifically on the prevention of unlawful recruitment by the provision of labour intermediation services in proximity of users (employment service staff go to the places of residence or work of agricultural workers). Other innovative elements include the use of cultural mediators to build trust with



	migrant workers, informing them about their rights and the available protection mechanisms.
Transferability	Specific aspects are transferable such as the focus on decent recruitment, awareness raising and the use of intercultural mediators during inspections.

Further information

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Useful sources and resources	Three-year Plan to tackle labour exploitation and unlawful recruitment in agriculture (2020 – 2022) https://www.lavoro.gov.it/priorita/Documents/Piano-Triennale-contrasto-a-sfruttamento-lavorativo-in-agricoltura-e-al-caporalato-2020-2022.pdf https://www.ilo.org/wcmsp5/groups/public/-/-europe/-/-rome/documents/genericdocument/wcms_766362.pdf https://integrazionemigranti.gov.it/it-it/Dettaglio-approfondimento/id/18/Caporalato-e-sfruttamento-in-agricoltura

ⁱ Information for this section comes from the European Platform tackling undeclared work Platform seminar: Tackling undeclared work among seasonal (including mobile) workers: developments, trends and good practices, Online seminar, Executive Summary, 16 March 2021. Available at: <https://ec.europa.eu/social/BlobServlet?docId=23895&langId=en>

ⁱⁱ A number of sources have been consulted to provide information for this section:

European Platform Tackling Undeclared Work (2021), Counteracting undeclared work and labour exploitation of third country national workers. Available at: <https://ec.europa.eu/social/BlobServlet?docId=23573&langId=en>

ILO sources:

https://www.ilo.org/rome/risorse-informative/comunicati-stampa/WCMS_738466/lang--en/index.htm

https://www.ilo.org/dyn/migpractice/migmain.showPractice?p_lang=en&p_practice_id=199

ⁱⁱⁱ La promozione del lavoro dignitoso in agricoltura. Analisi delle pratiche promettenti in Italia. Sintesi"

https://www.ilo.org/rome/approfondimenti/WCMS_803403/lang--it/index.htm