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DIREZIONE GENERALE DELL'IMMIGRAZIONE  
E DELLE POLITICHE DI INTEGRAZIONE

# FINAL RESEARCH REPORT

**POLICIES TO COMBAT  
LABOUR EXPLOITATION  
AND ILLEGAL  
GANGMASTERING IN  
AGRICULTURE: THE  
PROGRAMMING OF  
NATIONAL RESOURCES  
AND STRUCTURAL  
FUNDS.**





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## Introduction

The five surveys started in October 2020 and were completed in July 2021. Therefore, the start coincided with the outbreak of the second Covid19 pandemic wave, which led to changes in the research path, especially where the fieldwork, i.e. the direct observation of the territorial context of analysis, on the one hand, and the carrying out of the interviews, on the other, was planned.

Two research projects had to deal with these critical issues. The other three - being second-level research - followed the planned design without any particular problems. The set of the research efforts involved about 25 researchers (5 seniors and 20 juniors, mostly researchers with a well-established research experience) and 6 trade unionists of the Placido Rizzotto Observatory. The research projects were coordinated - from the scientific point of view - by Francesco Carchedi, in close cooperation with the corresponding research managers.

The five research projects - to which two others have been added since the end of July 2021 (one to be carried out in Campania and the other in Sicily, with a methodological approach in part similar to and in part different from the previous ones) - focused on the knowledge needs expressed by the partner-regions during the project, in particular, on the structural aspects giving rise to the phenomena correlated with illegal gangmastering, or forms of labour exploitation detectable in the agro-food sector.

The research work assignments, which the respective researchers have adequately fulfilled, were specifically concerned with:

- Analysis of demographic and immigration dynamics
- Analysis of regional laws, the system of supply to migrants, the rate of use of territorial services
- A reasoned survey of the main sources of funding
- Territorial case study: Piana di Sibari (Calabria), Alto Vulture-Bradano (Basilicata)
- Territorial case study on the value chain related to tomato growing in Alto Vulture Bradano.

The case studies were supported - with reference to the empirical part, i.e. in the phase concerning the identification/involvement of key actors to be interviewed - by the Placido Rizzotto Observatory - FLAI CGIL, coordinated by the Head Jean René Bilongo and Tina Bali of the National Secretariat - Agriculture Department. In particular, a close collaboration was put in place to conduct the case studies: both for the analysis of the tomato value chain conducted by Prof. G. Martino, and for the two case studies about the working conditions of workers of foreign origin carried out by Prof. E. Pugliese.



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E DELLE POLITICHE DI INTEGRAZIONE

#### RESEARCH ABSTRACT:

# “Policies to combat labour exploitation and illegal gangmastering in agriculture: programming the national resources and the structural funds.”

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## Premise

The Report presents an analysis of the main instruments for programming the resources allocated to actions in the fight against serious labour exploitation, with reference to the prospects for the implementation of the Three-Year Plan to Combat Labour Exploitation in Agriculture and Illegal Gangmastering (2020-2022). The aim of the Report is to provide useful elements for the implementation and development of one of the main innovative profiles of the Plan: the objective of a rationalisation of the investments allocated to actions aimed at combating illegal gangmastering, through the creation of synergies among the interventions that - in various ways and through different policy instruments - are aimed at enhancing services available to vulnerable workers. The Report takes into consideration both actions related to the management of the migratory phenomenon and those oriented towards inclusion and social cohesion policies, as well as agricultural policies, trying to extend the analysis to the investment strategies now envisaged by the *Recovery and Resilience Plan* (RRP). The analysis is based on the awareness that the current landscape of financial instruments is extremely disjointed and fragmented, both in terms of the recipients of the interventions, and in relation to the different levels of political-administrative competence: State, Regions, Local Authorities. In order to limit the scope of the investigation, the Report confines itself to a survey of regulatory and programmatic instruments at the national level.



## Results

### Part One

The first part of the report focuses on the reconstruction of the theoretical framework of the legal instruments for the protection of the victims of illegal gangmastering and the policies for combating it at a national, European and international level. This part of the report aims to provide a classification of the main objectives, subjects and actions that, according to current legislation, define the fluid and delicate field of "serious" labour exploitation. The analysis is divided into two chapters. Chapter I defines the scope of the survey: from the notion of "serious labour exploitation" to the systems of protection of the different types of "victims". Chapter II focuses on the main lines of strategic action that should be followed in the prevention of the phenomenon of undeclared work and illegal gangmastering, with reference to the indications coming from European and international institutions.

### Part Two

The second part then goes directly to an analysis of the national programming of actions to combat labour exploitation in agriculture and illegal gangmastering. This part also consists of two chapters. Chapter III offers a detailed look at the structure of the 2020-2022 Three-Year Plan outlining and summarizing the objectives, strategic axes and priority actions of this Plan. It also outlines some of the prospects opened up by the *National Recovery and Resilience Plan* (PRR), which contains ample opportunities for financing the actions provided for in the Three-Year Plan, and which as a prelude to the construction of the Plan against undeclared work. Chapter IV reviews the state of implementation of the measures so far envisaged by national legislation and by the programming of the ISFs (Internal Security Fund) which are aimed at protecting the different categories of "vulnerable" workers. The analysis focuses on the main sources of funding currently available, especially with reference to foreign workers: some Funds of the State Budget (Fund for anti-human trafficking measures, National Fund for Migration Policies) and some National ISF Plans (National Operational Programme Legality, FAMI Fund). The financing of social inclusion policies, which have a broader operational scope than the protection of migrants, will be dealt with in Part Three.



## Part Three

The third part analyses the interconnections, complementarities, and necessary synergies between the actions to protect the victims of serious exploitation and the interventions on those "structural nodes" of the agricultural sector that, according to the analysis contained in the Three-Year Plan, favour the spread of the phenomenon of illegal gangmastering. The analysis is divided into two chapters, respectively focused on: labour market interventions and social and labour inclusion policies (Chapter V); and interventions in the agro-food market (Chapter VI). Chapter V, starting from an analysis of the main critical aspects of the current labour market regulation model, provides a brief overview of the state of implementation of the NOPs SPAO and Inclusion. Chapter VI reconstructs the current programming phase of the interventions in favour of the agro-food system, highlighting their potential in terms of preventing the phenomenon of illegal gangmastering. Finally, the Report contains some "Concluding remarks and recommendations", which, starting from a brief overview of the opportunities and criticalities of the complex framework analysed, puts forward reflections and hypotheses for possible solutions in order to make actions to fight undeclared work more effective.



## Research limits

As mentioned several times throughout the Report, the research was carried out in a transitional phase between the closure of the 2014-2020 ISF Programme and the start of the 2021-2027 Programme. However, this is not a "normal" transition phase, in which we find ourselves managing the closure of the last projects financed and at the same time planning future resources. In fact, as we know, 2020 was marked by the need to organize an immediate and adequate response (both at European and national level) to the economic and social consequences of the Codiv19 pandemic crisis from. Therefore, we are in the midst of an intense process of redefinition of the same EU policies and strategies, which are continuously changing the framework of the "old" Operational Programmes, all of which are undergoing reprogramming, modification of financial allocations and extension of implementation. As the contours of a future phase of economic and social development continue to be charted, new opportunities arising from the Next Generation EU (NGEU) funds are now being added to the resources already available: the *Recovery and Resilience Fund* (RRF) and those of the Recovery Assistance for Cohesion and Territories of Europe (REACT-EU). In this changing scenario, surveying the resources that can be allocated to measures to combat the illegal gangmastering phenomenon inevitably suffers from a certain degree of imprecision, incompleteness and disorganisation. The drafting of the Report has therefore undergone continuous changes and additions to keep up with the extraordinary dynamism of legislative and political-administrative innovations, as well as with the acceleration of the spending procedures and the implementation of projects admitted to funding.



## Operational proposals

In conclusion, the original objective of the Research was limited to the objective of providing a broader mapping of resources available for the implementation of the Three-Year Plan for Illegal Gangmastering in Agriculture 2020-2022 (compared to what was already contained in the same Plan). The work required to provide a reliable and trustworthy picture of the complex of intervention instruments took place in a phase of profound changes, both qualitative and quantitative in nature. Despite the objective limits of the research, the Report already allows us to highlight a number of critical points that would require further investigation.

In particular, the analysis of the following open questions should be further developed:

1. the complexity of the institutional and regulatory framework, which often leads to duplications and overlaps between the actions undertaken by the different competent actors (which can be fixed only in part through the method of inter-institutional consultation).
2. the fragmentation of protection pathways for the victims of illegal gangmastering, i.e. the still unsolved issue of the relationship between the general offer of services and the specialisation of the systems of protection
3. the proliferation of information systems in the field of services to workers, which risks weakening the effectiveness of both repressive and preventive actions
4. the underestimation of the link between the system of public subsidies for agricultural businesses and securing respect for workers' rights
5. the lack of a planning framework for infrastructure investments for agricultural workers (with reference to housing and the transport system).



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