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Doctoral Dissertation

Contemporary Slavery: The Exploitation of Migrants in Italian Agriculture

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Bob Marley & Wailers
("Survival" (1979))
Survivors

(Ow, ow-ow-ow-ow! Ow, ow-ow-ow-ow!)

Yeah, yeah, yeah!
How can you be sitting there
Telling me that you care -
That you care?
When every time I look around,
The people suffer in the suffering
In everyway, in everywhere.

Say: na-na-na-na-na (na-na, na-na!):
We're the survivors, yes: the Black survivors!
I tell you what: some people got everything;
Some people got nothing;
Some people got hopes and dreams;
Some people got ways and means.

Na-na-na-na-na (na-na, na-na!):
We're the survivors, yes: the Black survivors!
Yes, we're the survivors, like Daniel out of the
lions' den
(Black survivors) Survivors, survivors!
So I Idren, I sistren,
A-which way will we choose?
We better hurry; oh, hurry; oh, hurry; wo, now!
'Cause we got no time to lose.
Some people got facts and claims;
Some people got pride and shame;
Some people got the plots and schemes;
Some people got no aim it seems!

Na-na-na-na-na, na-na, na!
We're the survivors, yes: the Black survivors!
Tell you what: we're the survivors, yeah! - the
Black survivors, yeah!
We're the survivors, like Shadrach, Meshach and
Abednego
(Black survivors),
Thrown in the fire, but-a never get burn.
So I Idren, I-sistren,
The preaching and talkin' is done;
We've gotta live up, wo now, wo now! -
'Cause the Father's time has come.
Some people put the best outside;
Some people keep the best inside;
Some people can't stand up strong;
Some people won't wait for long.

(Na-na-na-na-na!) Na-na-na, na-na-na na!
We're the survivors

In this age of technological inhumanity (Black
survival),
Scientific atrocity (survivors),
Atomic misphilosophy (Black survival),
Nuclear misenergy (survivors):
It's a world that forces lifelong insecurity (Black
survival).

Together now:
(Na-na-na-na-na!) Na na-na na na! (Na na-na na
na!)
We're the survivors, yeah!
We're the survivors!
Yes, the Black survivors!
We're the survivors:
A good man is never honoured (survivors)
in his own country (Black survival).
Nothing change, nothing strange (survivors).
Nothing change, nothing strange (Black survivors).
We got to survive, y'all! (survivors)

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LIST OF ACRONYMS & ABBREVIATIONS

AU	African Union
ANSD	Agence Nationale de Statistique et de la Démographie (National Agency of Statistics and Demography)
ASGI	Associazione per gli Studi Giuridici sull'Immigrazione (Association for Legal Studies on Immigration)
CARA	Centro di Accoglienza per Richiedenti Asilo (Asylum Seekers Reception Centre)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
FLAI-CGIL	<i>Federazione Lavoratori Agroindustria</i> (Agro-Industry Workers Federation); <i>Confederazione Generale Italiana del Lavoro</i> (Italian General Confederation of Labour)
DDA	<i>Direzione Distrettuale Antimafia</i> (Antimafia Investigation District Office)
DROI	Subcommittee on Human Rights
ECHR	European Court of Human Rights
ECOWAS	Economic Community of West African States
EU	European Union
GDP	Gross Domestic Product
GRETA	Groups of Experts on Action against Trafficking in Human Beings
GSI	Global Slavery Index
ILO	International Labour Organisation
IBM	Integrated Border Management
INL	<i>Ispettorato nazionale del lavoro</i>
IOM	International Organisation for Migration
ISMEA	<i>Istituto di Servizi per il Mercato Agricolo Alimentare</i> (Institute of Services for Agriculture and Food Market)
MLSP	<i>Ministero del Lavoro e delle Politiche Sociali</i> (Ministry of Labour and Social Policies)

MS	Member States
ISMU	<i>Iniziative e Studi sulla Multiethnicità</i> (Initiative and Studies on Multiethnicity)
ISTAT	<i>Istituto Nazionale di Statistica</i> (Italian National Institute of Statistics)
KNOMAD	Global Knowledge Partnership on Migration and Development
NGO	Non-Governmental Organisation
PTSD	Post Traumatic Stress Disorder
SAPs	Structural Adjustment Programs
SDG	Sustainable Development Goals
TAST	Transatlantic slave trade
TCN	Third Country National
UN-DESA	United Nations – Department of Economics and Social Affairs
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children’s Emergency Fund
US	United States
WB	World Bank
WTO	World Trade Organisation

PREFACE

First and foremost, this research project was influenced by my firsthand experience of agricultural exploitation in the greenhouses of the tomato fields in Vittoria and Comiso, both in the Province of Ragusa. In 2014, I have personally experienced this kind of exploitation in greenhouses where tomatoes were transplanted, watered, weeded, sprayed, trimmed, harvested, (sometimes packaged) and transported all by migrant workers. On average, we toiled for nine (9) hours or more each day; some worked every day of the week, while others could only observe Sundays or Fridays as a half day off work. Many of my colleagues in the greenhouses were from The Gambia, Senegal, Mali, Nigeria, Pakistan, Bangladesh, Romania, and Albania; they all lived in ghettos or some derelict buildings in conditions like those in the agricultural ghetto of Campobello di Mazara in this research. Like myself, many migrant workers were coming to work and live in the ghetto, originally from some nearby asylum camps or abandoned zones. Bicycles were the most common form of transport from asylum camps to the agricultural fields. Some of the migrant workers were waiting for their interviews with the territorial commission for their asylum applications, but a majority had already had their applications rejected but were still lodging there. This case study was directly influenced by my personal experience as a victim of the “Agromafia Ragusano” during a very vulnerable period of my life. This experience helped me to understand the research problem and delve deeper into the research. Anytime I visited the agricultural ghetto of Campobello di Mazara; my investigation not only require significant scientific endeavour but more so empathy, in order to understand the veiled secrets on which the machinery of agricultural exploitation (“Agromafia”) flourished. This environment continues to breed severe exploitation and situations of contemporary slavery for hundreds of thousands of migrant workers in Italian agriculture.

I endeavoured to understand *why* the “Agromafia” enslave largely migrant workers and not merely *how* it is an increasing social cancer — a kind of an ‘acceptable’ reality — which no one has been able to provide a solution to, just like the ‘institutionalized’ prostitution suffered by Nigerian girls who were smuggled, trafficked, exploited and equally enslave in Italian streets today. It is only through such deeper investigations that we can come to understand why these migrant workers are so often engulfed and almost largely condemned to (doing) menial jobs within institutional and societal realities that push them to become the ultimate victims of contemporary forms of slavery in Italy. Similarly, we should aim to not only understand *what* led to this state of event but also *why* the lack of basic essential services in the agricultural ghetto of Campobello di Mazara persist in ever degrading conditions. Our office-based investigations can help us to imagine the situation but cannot compare to knowing and understanding the real machinery of “Agromafia” in practice, where all kinds of illegal agrobusiness flourishes, exposing migrant workers to life threatening risks, which have both immediate and long-term consequences. It requires meticulous attention to make an adequate diagnosis of the *praxis* within this exploitative industry. While the books or articles we read may give us valid information, they cannot replace direct cognitive and physical experience through case study in the field; where we are confronted with the reality of what extreme exploitation and situations of contemporary slavery look like. In my opinion, this can be achieved only by sharing the same or similar experiences and by asking the real questions to the right subjects, who have undergone the systemic oppression of this type of contemporary slavery and agricultural exploitation. Only then we can get down to the problem beyond the *prima face* (mostly theoretical classroom and office) engagements and debate appropriate practical policy adjustments to improve and protect vulnerable lives. My firsthand experience as a victim of the

“Agromafia” in Comiso and Vittoria; the experiences of my brothers and sisters in Ragusa, Catania, Caltanissetta, Agrigento, Noto, Saluzzo, Cuneo, Torino, and all over the green zones of Italy, inspired me to conduct this case study from the perspective of an outsider (with an insider experience).

CHAPTER I.

RESEARCH FRAMEWORK

1.1 Background studies

Since 2015 Member states (MS) of the European Union (EU) have experienced an increase in migration flows that has made significant impacts on the socio-political dynamics. A total of 117,904 migrants and refugees arrived in Europe by land and sea between January and November 2019 (IOM, 2020), while these numbers were 68%, 34% and 12% higher in the same periods of 2016, 2017 and 2018 respectively. Thousands were and are forced to flee their countries and seek asylum in Europe due to extreme poverty, famine, climate change, war and conflicts.

Although, the preamble of the *Charter of Fundamental Rights of The European Union* starts off by stating that “Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity”. That the EU “is based on the principles of democracy and the rule of law”¹. That does not change the reality that the European Integrated Border Management (IBM) is rapidly moving towards a policy of ‘zero migration’, resulting in humanitarian disasters in the desert, as well as in the Mediterranean. In the last years, many migrants from sub-Saharan Africa, including minors, have taken journeys characterised by various difficulties some of which lead to post-traumatic disorders². Indeed, the recent growth of vulnerable migrants and asylum seekers and refugees caught up in the industrial agriculture of Italy especially in the south, is also exacerbated by the 2014 ongoing Libyan conflict resulting to a surge of human smuggling, trafficking and exploitation³.

At the same time, international migration due to forced displacement (climate change, political instability and hunger) is a global phenomenon⁴ while the hosting capacity as well as the reception and integration practices of destination territories and societies are diverse. In 2020, whether an individual is entitled to receive protection is still decided based on the 1951 Geneva Convention (*Article 1.*) which defines a refugee as someone “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion...”. However, in the last almost 70 years there has been more than enough changes in our world that would call for the re-definition of this term, to protect all those who are in serious conditions of need and vulnerability.

Admittedly, following the increased migrant influx to Europe from 2015, in Italy as in many European societies, there has been resistance, tensions and conflicts arising in various fields toward the growing multi-ethnic reality and interculturalism that is taking place due to global migration

¹ Article 2 of the Treaty on European Union (TEU) states that the EU is “founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities”.

² These post-traumatic disorders include and can lead to drug abuse, social and mental disabilities, lack of confidence, personal insecurity and other psychological issues such as stress continue after the asylum camps and into the open society. Almost imperceptibly, restrictive national and European immigration policies (to be protected or not) in both the short and long run expose many non-EU migrants to agricultural exploitation.

³ See also, The Charter of Fundamental Rights of the European Union provide in *Article 1* (Human dignity); *Article 20* (Equality before the law); *Article 21* (Non-discrimination); *Article 31* (fair and just working conditions); *Article 34* (Social security and social assistance); and *Article 35* (Health care).

⁴ There are 70.8 million people who have been forcibly displaced worldwide, of these, 41.3 million are internally displaced, 25.9 million are refugees and 3.5 million are asylum seekers (UN, 2019).

trends. The push and pull factors of these movements are often unknown in the host society; therefore, anti-immigrant rhetoric, far-right views and discrimination, prejudice and xenophobia are easily spreading in MS. These flows have led to a migration management dilemma with strong impacts on both Third Country Nationals (TCNs) and citizens of the MS.

Non-appropriate policies and structural problems are present in the asylum and protection system. Crucial gaps exist in the provision of immediate newcomer reception, orientation and subsequent longer-term integration services due to serious deficits of support, communication, empathy and solidarity in the host countries. Newly arrived TCNs are highly vulnerable and suffer from traumas, racism, stigmatisation and usually face social, economic, educational, legal and language barriers. Consequently, many of them end up in isolation and exploitative working contexts due to the inabilities and the deficiencies of the host country's protection and integration system. According to Amnesty International (2020), the number of irregular migrants in Italy will surpass 670,000 in 2020. This number is more than twice as many as only five years ago.

National governments often do not find the right approach that would result in a substantially successful integration, but also non-governmental organisations easily fall into the trap of realising separate and short-term actions, based on the Project Cycle Management (or Logical Framework Approach), with the idea that complex social processes and changes could take place through a concept that is more adequate to plan and execute production, engineering or military actions.

While these so-called integration programmes are running all around the European continent, the life quality of TCNs are decreasing and their conditions are worsening. The different actors of the reception and integration system are still discoordinated after many years of experience: they lack coordinated actions, sensible and long term strategic planning. There is no joint long term cooperation and proper communication among actors, neither on local, nor national or European level. On the top of these mistakes at the highest level of management, the whole system hardly gives any chance to the final beneficiaries themselves (the TCNs) to give feedback about the success or failures of the integration programs. The mistakes continue to be hidden since there is no effective bottom-up communication or advocacy mechanism that could result in a meaningful change that managed to address the real needs, problems and requests of the TCNs.

1.2 The problem under consideration

As of date of submission, thousands of TCNs who entered informally into Europe through Italy work in marginalised sectors such as agriculture due to the lack of judicial protection and real opportunities (FLAI/CGIL, 2020). Today, Italy's policies for non-EU workers are at a crossroad of politically sensitive issues concerning xenophobia, pushing and maintaining labour exploitation and contemporary form of slavery of vulnerable TCNs most particularly. National discriminative laws and immigration policies of the EU cut across (personal, cultural, religious) identity; national borders and state sovereignty; economic status and citizenship. However, agricultural exploitation of TCNs is being documented and studied for the last three decades for different motives and goals, with varying tools and approaches. Granted, the motivation for many studies by the ILO, EC, GSI, IOM, FLAI/CGIL remain to understand the living and working conditions of migrant workers within the spectrum of labour exploitation.

According to the 2018 report by the Global Slavery Index (GSI), there are more than 40 million slaves worldwide. The GSI estimated that the prevalence of modern slavery in Italy was at 145,000 absolute number of victims with an estimated vulnerability rate of 28.3 percent. The International Labour Organisation (ILO) estimated half a million of the 2.45 million people trafficked worldwide live within the geographical region of the Organisation for Security and Cooperation in Europe

(OSCE). The Europol Situation Report (2016) observed an increase in the number of registered victims of trafficking for labour exploitation by 21 percent (p.1-12). As a matter of fact, on September 2017, the European Commission on the Mid-Term Review of the European Union (EU) Agenda for Migration mentioned undeclared work as a “pull factor” for irregular migration into the EU usually through Italy. Meanwhile, the 2019 *Report of the Special Rapporteur on contemporary forms of slavery including its causes and consequences* (UN Geneva, 2019) mentioned migration as a risk factor to vulnerability and therefore, an exposure to contemporary forms of slavery (p.6-9). According to the December 2018 *Contemporary forms of slavery* report by the European Parliament, the SDG 8 (Target 7) is the most important, and is devoted to “promot[ing] sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all” (p.34). It “requires states to take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms” (p.34).

For a long time, the African Union (AU) has recognised severe labour exploitation, human trafficking and contemporary slavery as a key challenge to socio-economic development. At the same time, European and international development plans directed at Africa usually misunderstand the historical heritage of chattel slavery, when making recommendation to enhance sustainable anti-slavery measures in impoverished and undemocratic ex-colonies. Meanwhile, a pattern of rapid population growth and urbanization in especially sub-Saharan Africa called for stronger infrastructure that could not be met by the available political and economic resources. Consequently, this largely unplanned development has continuously shaped poverty and inequality patterns which result in unplanned and forceful migration from Africa.

1.3 Research topic, conceptual clarification, and usage

The assassination of Jerry Masslo (29 years), Anna Maria Torno (18 years), Hyso Telaray (22 years), the 14 Polish agricultural workers in Foggia, and the death of Mohamed (47 years) a Sudanese asylum seeker one week after Ms. Clemente (49 years old) in July 2015, are some of the recent nefarious activities which depict “Caporalato” and “Agromafia” in the last 30 years (Caritas Italiana, 2018, 23-29). Caritas (‘Progetto Presidio’, 2018) has described the phenomenon as a humanitarian tragedy which cut across Italy from the south to the north in a complicated and hardly administrable manner. Evidences of instances of severe labour exploitation and situations of contemporary slavery of farmworkers particularly TCNs has been recorded and denounced by both primary and secondary sources (FLAI/CGIL, 2020, INL, 2018, MLSP, 2019, ILO, 2020, INPS, 2018, Caritas, 2018, 1-10; Martino et al., 2016, 312; Tanzariello, 2015, 529-30; Avola, 2012, 50-56; Ambrosini, 2017, 557; Borelli, 2008, 836, MSF, 2005, Observatory Placido Rizzitto, 2012, 2014, 2018, Global Slavery Index, 2020, European Council, 2020).

According to Italian National Institute of Statistics (ISTAT) (2019) people employed in the agricultural sector in 2018 were estimated at 872 thousand units (3.7% of total employment). This is a 2.5% growth in the category of dependent work and 0.2% decline in terms of self-employment when compared to 2017. The statistics from the National Institute of Social Security (INPS) of 2018 shows Puglia (16.8%), Sicily (14.1%), Calabria (9.9 %), Emilia-Romagna (9.5%) and Campania (6.4%) as the Regions with the largest agricultural workers. According to the Ministry of Labour and Social Policies (MLSP) — Directorate General for Immigration and Integration Policies (2019), more than 82% of workers in the agricultural sector are Italian, while 11.4% from non-European

Union countries⁵. These are largely Moroccan, Indian, Albanian, Tunisian, Senegalese, and Gambian nationalities who are regularly resident in Italy. The 6.5% is made up of European citizens (largely, Romanian, Polish and Bulgarian nationality). The Italian agricultural sector recorded an increase in value added of 0.9% with a total value of agricultural production equal to 59.3 billion euros. This sector represents 2.1% of the added value to whole Italian economy (ISTAT, 2019). However, while most agricultural workers are employed for a period of between 101 and 150 days a year, INPS recorded an increase of circa 10 per cent in the number of workers employed for less than 50 days a year from 2008-2017 (MLSP, 2019) for circa 32,000 workers in 2017. MLSP's 2020 *National Action Plan*⁶ for the year 2020-2022 states that, "in 2018, out of over 7 thousand investigations carried out, there was an irregularity rate of 54.8% with over 5 thousand workers affected by the violations" (p.4). Meanwhile, "the inspection action to contrast the so-called spurious cooperatives has ascertained the illegal employment of over 28 thousand people" (p.4). Furthermore, in 2018, "activities to combat the crime of illicit brokering and labour exploitation involved 1,474 workers, of whom 46% turned out to be totally irregular" (p.4). Concerning irregular workers, "around 74% were employed in the agricultural sector" of which more than "half were foreign nationals" (p.4). These data have no statistical value but highlight the importance of the phenomenon and the need to strengthen the prevention and contrast activities" (p.4). Through FLAI (Federazione Lavoratori Agroindustria)/CGIL (Confederazione Generale Italiana del Lavoro), the Observatory Placido Rizzotto carried out four (4) reports on "Caporalato" and the infiltration of the mafia in Italian agriculture and labour exploitation and has defined the model as an "illegal and criminal agricultural economy". By using data gathered from ISTAT, CREA ("Consiglio per la ricerca in agricoltura e l'analisi dell'economia agraria"), INPS and INL ("Ispettorato Nazionale Lavoro"), Corte dei Conti e "Commissione Parlamentare Antimafia", and "Commissione Parlamentare Contraffazione", the Observatory Placido Rizzotto (2018) estimated 208 billion euro worth of lost revenue from the formal economy⁷. Their 2018 report of 220 agricultural districts' survey estimated that, 30,000 companies employ undeclared work through "Caporalato" with an estimated one-hundred and two (102) gang-masters for each district. A total of 15,000 gang-masters nationally has led to an estimated loss of 100,000 regular job positions (Observatory Placido Rizzotto-FLAI/CGIL, 2018). The economic damage of this exploitation has been acknowledged by the December 2018 report by the European Parliament on *Contemporary forms of slavery* 2019 and the *Report of the Special Rapporteur on contemporary forms of slavery including its causes and consequences (UN Geneva, 2019)*.

As an Italian phenomenon, "*Caporalato*" is the Italian word for illicit intermediation for the purpose of work exploitation most common in southern Italy but also throughout the country. It is defined according to both provisions *Law Decree No. 138/2011 (Article 603 bis)* as amended by *Law No. 199/2016* of the *Italian Criminal Code*. According to the exploitation index of *Article 603 bis modified by Law No. 199/2016*, a condition of "exploitation" is hence determined when one or

⁵ These statistics do not include unregistered or irregular migrant workers in undeclared work situations.

⁶ On 20 February 2020, the Inter-Institutional Committee on labour exploitation adopted a *National Action Plan* to tackle the so-called "Caporalato" and labour exploitation in agriculture. The Committee's aim is to prevent and tackle the phenomenon of labour exploitation and is co-chaired by the Ministers of Labour and Social Policies (MLPS) and of Agriculture. The Triennial Plan (2020-2022) is the joint effort of ILO and European Commission which also provide technical assistance and financial support that is co-funded by the *Structural Reform Support Programme (2017-2020)* of European Union.

⁷ The worth of agricultural products sold outside Italy is estimated at 60 billion euros by the Antimafia Parliamentary Committee.

more of the following conditions occurs: repeated payment of the wages in a manner that is apparently different from the provisions of the employment contracts; repeated violation of the relative legislation working hours; violation of the rules on safety and hygiene in the workplace; and exposure to degrading working conditions⁸. It is an illegal activity performed by a “*Caporale*” (gang-master) who as well collaborates with other organisations and companies to recruit cheap labour, prepare transportation and accommodation of migrant workers for an illegal fee. Similarly, to the trafficking analysis above, “*Caporalato*” for labour exploitation can be analysed from three (3) aspects (a) the act: to carry out organised intermediation activities, to recruit workers or labour force, or organising any work involving; (b) the means: through violence, threats, or intimidation; and (c) for the purpose: to take advantage or control of the state of need or vulnerability of persons whose genuine freedom of will is impaired by their social, judicial and economic vulnerability and exploit them. The entire illegal enterprise is therefore referred to as “*Agromafia*” which constitutes but also rely on the works of the different gang-masters (“*caporali*”) in collaboration with unscrupulous Italian employers, big companies and markets through the supply and demand of work, and the agro-alimentary supply chain. As a result, “*Agromafia*” in this thesis refers to the usually informal and submerged illegal agricultural economy of Italy caused by the infiltration of the mafia either directly or otherwise: from illegal recruitment and accommodation of migrants workers for the purpose of exploitation, to transportation, and marketing of agricultural produce⁹ through the supply chain locally and internationally.

Today, “*Agromafia*”, “*Caporalato*” (illicit intermediation and work exploitation as define by *Article 603 bis (2011) and amended by Law No. 199/2016*); Human trafficking (*Article 601*); Slavery and servitude (*Article 600*) (further discussed in chapter 6); and contemporary forms or practices of slavery including forced or compulsory labour, for the final purpose of agricultural exploitation involving the mafia and criminal organisations are widespread practices in Italian agriculture predominantly on migrant workers. Most importantly as the state-of-art, this thesis is entitled *Contemporary Slavery: The Exploitation of Migrant Workers in Italian Agriculture*. As a result, the key operational terminologies include: “*Agromafia*”, “*Caporalato*”, *severe exploitation*, *human trafficking*, *forced labour*, *slavery and servitude*, and *conditions of contemporary slavery and practices of slavery*, *remittances*, *agricultural ghettos* and *Senegambians (Senegalese and Gambians)*, *agricultural and/or farmworkers*. The nomenclature here is not limited to their conventional legal connotations, instead, they will be critically used to depict the state-of-art of agricultural exploitation among many global actors not least because exploitation and international migration go side by side. According to #Filierasporca (2015) the exploitation of migrant workers which “has been treated as a humanitarian emergency is in fact the result of a production system which, throughout southern Europe, has the same features and feeds off exploitation” (#Filierasporca, 2015, 8). As the migration flows from the global south have significantly substituted the old and declining native Italian labour force with both regular migrants and migrants in irregular situations, refugees and asylum seekers.

According to *Article 2.1 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (General Assembly resolution, 18, December,*

⁸ It was first defined and criminalise by article 603 bis as: to carry out organised intermediation activities, recruit workers or labour force, or organising any work involving exploitation of workers by means that involve violence, threats, or intimidation, and consequently taking advantage or control of their state of need or vulnerability.

⁹ Henceforth, “*Agromafia*” is an illicit, aggressive and violent agricultural model of production and marketing influence both by individual employers or businesses or by group of gang-masters (through “*Caporalato*”) for the purpose of making profit through the exploitation of others.

1990)¹⁰, a *migrant worker* is “a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national”. According to *Article 2.2(b)*, a *seasonal worker* refers to a “migrant worker whose work by its character is dependent on seasonal conditions and is performed only during part of the year”. Consistently, this thesis emphasises the exploitation of *migrant workers* who have moved into Italy as third-country nationals (TCNs) regardless of their residency status (*Article 5 (a) and (b)*)¹¹. Usually these migrant workers are on the move for seasonal works that includes but not limited to: cleaning, gardening, decorating, pruning, picking fruits and vegetables, as well as packaging and transporting. They are generally termed as “unskilled” or low skilled workers because of infamous 3D (meaning: dirty, dangerous and dull) so-called ‘unwanted jobs’ they do and which do not require a professional diploma (Osservatorio Placido Rizzotto-Flai Cgil, 2014, 164, Pugliese, 2012, 10-13). Throughout Italy, they predominantly work in agricultural sectors in makeshift accommodation, such as abandoned buildings, derelict houses and go to “*Kalifo*”¹² grounds, where companies, employers and gang-masters illegally recruit them daily, weekly and monthly. *Article 31* of the EU *Charter of Fundamental Rights* states that working conditions must be appropriate to the age of the workers and workers must: “be protected against economic exploitation and any work likely to harm their safety, health or physical, mental, moral or social development or to interfere with their education.” The ILO 1944 Declaration of Philadelphia states that “all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity”, that, “all nations and international policies and measures, in particular those of an economic and financial character should be judged in this light and accepted only in so far as they may be held to promote and not to hinder the achievement of this fundamental objective”.

For the purpose of this thesis therefore, ‘labour exploitation’ is used as an umbrella term and refers to working and living conditions that seriously or in other words, significantly differ from the standard working conditions as established by the Italian law regarding, especially in regards to decent wages, regulated working hours, health and safety standards, shelter, holidays, decent treatment of workers (*Article 603 bis as amended by Law No. 199/2016*)¹³. According to Observatory Placido Rizzotto (2018), “beyond grave exploitative working conditions” Italian agricultural economy has a diverse spectrum of labour exploitation. Their report presents that characteristically, farmworkers in Italy suffer from: (a) lack of protection through contracts or labour law; (b) average wages of around 20 to 30 euros per day (for many less than 50 working days a year); (c) excessive working hours of between 8 to 12 or even more a day; (d) compensation for piecework between 3 to 4 euros per crate or bag (375 kilograms); (e) wages or salaries which are less than 50 percent of what is recommended by law; (f) transport cost paid to gang-master (on average 5 euros per day); (g) cost of water to drink (for 1.5 euros) and sandwich (for 3 euros); (h) discrimination as female workers

¹⁰ “Specified-employment workers” also refer to migrant workers according to Article 2(2)(g) of the same *General Assembly resolution*, 18, December, 1990.

¹¹ This convention has been accepted by both Senegal (9, June, 1999) and The Gambia (28, September, 2018).

¹² The term “Kalifo grounds” refers to those places where migrant workers gather in search for work. It includes roundabouts, junctions, city squares, or any such places where migrant workers gather to search for daily work. It is an expression most common among the Mediterranean migrants who have lived and worked in such conditions in Libya — the origin of the term. “Kalifo” is an Arabic word for “successor”, “deputy” or “steward” and is used to show respect.

¹³ Exploitative conditions of migrant workers have been condemned by Medici Senza Frontiere -Missione Italia at least since 2005.

are paid 20 percent less than their male counterparts (between 1.5 to 3 euros less); and (i) the lowest piecework wage is 1 euro per hour; (j) degrading conditions of shelter in agricultural ghettos and (k) the use of threat and intimidation. Aside from psychological violence and moral hardships, women workers, also suffer from molestations and sexual abuse. These victims usually have no immediate place to lodge their complaints in cases of non-payments of wages, and fraud by employers who sometimes confiscate their papers and in worst cases threaten, detain and abuse them (Osservatorio Placido Rizzotto — Flai/Cgil, 2014, 164). Culprits and perpetrators can be employers, close or distant relations. The work offered in these circumstances is often precarious, unregulated and without any guarantee for health, safety and social security — the so-called 3D jobs.

Examples of migrant workers in serious exploitative contexts are: (a) women and children from Romania and Bulgaria who work for minimum of 10 to 12 hours a day picking citrus fruit in Rosarno (Calabria) for 3.5 euros or less an hour for a basket/crate; (b) men from sub-Saharan and central African recruited from ghettos as pieceworkers to pick tomatoes, oranges, mandarines and olives, in Saluzzo and Cuneo (Torino) as well as in Catania, Ragusa (Caritas, 2018, 183-220), Vittoria (Sicily) (Caritas Italy, 2018, 160-200) and Campobello di Mazara for extremely poor wages (see, Chapter 4); Moroccans, Tunisians and Algerians (North Africans) in Nardò (Lecce) and Noto (Sicily) (Caritas, 2018, 163-187) working six or seven days a week under harsh conditions of living without holidays (Caritas, 2018, 163-221); the kiwi pickers from India, Pakistan and Bangladesh in Piana di Gioia Tauro (Campania) (Avallone, 2012, 89) and the Albanians and Indians in the region of Lazio cultivating cereals (in Latina area) (Caritas, 2018, 132-135). This labour exploitation in an employment situation is also covered by *Article 9(1)* of the *Employer Sanctions Directive* of the EU prohibits the employment of workers in an irregular manner under particularly exploitative working conditions. In addition, *Article 2* of the directive emphasises working conditions where there is a clear disparity with the terms of the employment contract of legally employed workers and which potentially affects workers' health and safety and injures their human dignity. For this reason, when juxtaposition, the expression '*severe labour exploitation*' also includes but not limited to coercive forms of exploitation between the 'employer' and 'employee' in an unbalance employment relationship with or without contracts. Such forms might include slavery, servitude, forced or compulsory labour and human trafficking as enshrined in *article 5* of the *Charter of Fundamental Rights of the European Union*¹⁴.

Slavery is defined by *Article 600* of the *Italian Criminal Code* and refers to the reduction or maintenance in slavery or *servitude*. This definition of slavery states that anyone who “exercise over a person powers corresponding to those of the right of ownership; or to reduce or hold a person in a state of continuative subjection (realised through violence, threat, deception, abuse of authority or profit from a situation of vulnerability, physical or mental inferiority or a situation of necessity, or by the promise or payment of sums of money or other advantages from who has authority over the person), forcing the victims to perform work or sexual services or to beg or to perform any other illegal activity that involves exploitation or to undergo organ removal” (*Article 600 CC*)¹⁵. The

¹⁴ The legislative Decree No. 109/2012 implementing Directive 2009/52/EC on sanctions and measures against employer of illegally staying third country nationals. In most MS, including Italy, the act of entering or staying in the territory of the state without the requested authorisation constitute a criminal offence. See, for example article 10 bis of the Legislative Decree No. 286/1998 (Consolidated Immigration Act).

¹⁵ Law No. 228/2003 implementing the Palermo Protocol of 2000 amended article 600, 601, and 602 of the Criminal Code; and Law No. 108/2012 implementing the CoE Trafficking Convention and Legislative Decree No. 24/2014 implementing Directive 2011/36/UE on preventing and combating trafficking inhuman beings and protecting its victims amended the Criminal Code, particularly Article 600 and 601. The discussion of slavery based on article 600 of the Italian CC will be carried out in chapter 6.

European Parliament Subcommittee on Human Rights (DROI, 2018) study observed that “the backbone of international law on slavery is still constituted by the 1926 Convention on Slavery, the Protocol amending the Slavery Convention of 1953 (hereinafter the 1953 Protocol), and the 1956 United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (hereinafter the 1956 Supplementary Convention on Slavery)” are “outdated” (p.16)¹⁶. According to *Article 1 (1), 1926 Slavery Convention*, slavery means the “status or condition of a person over whom any or all the powers of the right of ownership are exercised”¹⁷.

The term *servitude* means a situation of serious denial of freedom where a person is obliged to perform a service under coercion. In addition, servitude might also constitute the obligation to live on someone’s property without the possibility to leave the premises or terminate the condition of work or the state of total control or dominance (see, *Siliadin v. France*, App. No. 73316/01, 26 October 2005, § 12; *C.N. and V. v. France*, Appl. No. 67724/09, 11 October 2012, European Court of Human Rights). “However, *Article 5 (1) of the Charter of Fundamental Rights of the European Union* states that: “No one shall be held slavery and servitude”. Generally, servitude remains vague and is not clearly define in any international treaty¹⁸, however, international human rights law prohibits servitude in *Article 4 of the Universal Declaration of Human Rights (UDHR)*, *Article 8.2 of the International Covenant on Civil and Political Rights (ICCPR)*, and *Article 11.1 of the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (ICMW)* and by *Article 4.1 of the European Convention on Human Rights (ECHR)*. However, the United Nations (UN) Special Rapporteur on *Contemporary Forms of Slavery (2020)*, said there is no universal consensus on what constitutes the definition of contemporary slavery¹⁹. DROI’s 2018 study on *Contemporary forms of slavery (2018)* observed that international law as well as most national legislations fail to provide a legal definition for contemporary slavery (p.5-9).

¹⁶ The study mentioned that “these treaties were not ratified by an overwhelming number of States: the 1926 Slavery Convention was ratified by 81 States, the 1953 Protocol is only in force among 61 States, the 1926 Slavery Convention as modified by the 1953 Protocol binds 99 States and, finally, the 1956 Supplementary Convention has 124 States Parties” (p.16). The 1926 Convention on Slavery is also criticised lack “a monitoring mechanism” and “clear enforcement measures” (p.16).

¹⁷ Article 1 of the 1956 Supplementary Convention on Slavery contains definitions such as: “(a) Debt bondage, that is to say, the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards liquidation of the debt or the length and nature of those services are not respectively limited and defined; (b) Serfdom, that is to say, the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status; (c) Any institution or practice whereby: (i) a woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or (ii) the husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or (iii) a woman on the death of her husband is liable to be inherited by another person. (d) Any institution or practice whereby a child or young person under the age of 18 years, is delivered by either or both of his natural parents or by his guardian to another person, whether for reward or not, with a view to the exploitation of the child or young person or of his labour”. According to this article, states parties shall take shall measures to abolish slavery and exploitative practices in a progressive way.

¹⁸ According to the DROI 2018 study on Contemporary forms of slavery, servitude is sometimes use as “synonymous with the concept of ‘practices similar to slavery’ included in the 1956 Supplementary Convention on Slavery” (p.21).

¹⁹ See, *Prosecutor v. Kunarac et al.*, Case Nos. IT-96-23 & IT-96-23/1-A, Judgment of 22 February 2001, p. 193, § 541.

According to DROI (2018), “the origins of reference to the concept of contemporary forms of slavery” (p.10) dated back to “the late 1980s, when re-naming of the United Nations’ Working Group on Slavery as the Working Group on Contemporary Forms of Slavery was recommended by this body as a way of acknowledging its interest in forms of exploitation, considered as ‘new forms of slavery’” (p.10)²⁰. The official mandate of the Special Rapporteur is wide and include “traditional slavery [such as Chattel slavery, familial slavery and slavery by descent], forced labour, debt bondage, serfdom, children working in slavery or slavery-like conditions, domestic servitude, sexual slavery and servile forms of marriage” (DROI, 20198, 10). However, since 2014-2017, it focuses on ‘subtle forms of slavery’ such as bonded labour, domestic servitude, early and forced marriage, child slave work, servile marriages and caste-based forms of slavery” (DROI, 2016, 10). Therefore, DROI (2018) emphasizes that the Special Rapporteur uses the “terms slavery and contemporary slavery interchangeably, with this latter concept functioning as an umbrella term covering multiple forms of exploitation” (p.10). According the International Labour Organization and Walk Free Foundation, report entitled *Global Estimates on Modern Slavery: Forced Labour and Forced Marriage, Global Estimates on Modern Slavery*, modern slavery was used as a legal concept to cover “forced labour, debt bondage, forced marriage, other slavery and slavery like practices, and human trafficking” (p.9). According to this report, the concept is the common denominator of exploitation but has focused on “situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power” (p.9). And according to the EU Strategy towards the Eradication of Trafficking in Human Beings (European Commission 2012–2016) “trafficking in human beings is the slavery of our times” (p. 4). DROI’s (2018) study on *Contemporary forms of slavery* noted that even though United Nations Educational, Scientific and Cultural Organization (UNESCO) “relies on the concept” of “modern forms of slavery”, “it does not indicate how the organisation defines the concept of modern forms of slavery” (p.11). No more a part of the EU, the United Kingdom of Great Britain and Northern Ireland (UK) have adopted the *2015 Modern Slavery Act*²¹. The UK significantly bridge the gap in *sections 1, 2 and 3*, by including prohibitions of slavery, servitude, forced and compulsory labour and human trafficking”. Both Italy and Senegal are among the 35 countries who endorsed the famous *A Call to Action to End Forced Labour, Modern Slavery and Human Trafficking* forwarded by the former UK Prime Minister Theresa Mary May at the UN Headquarters in New York in 2017. The proposal definition of modern slavery by the Australian government’s *Modern Slavery in Supply Chain Reporting Requirement: Public Consultation Paper and Regulation Impact Statement*, (Commonwealth of Australia, 2017), would encompass “slavery, servitude, forced labour, debt bondage, and deceptive recruiting for labour or services” as services most “likely to present in business operations and supply chains” (p. 14)²². According to the US Department of State, *Trafficking in Persons Report* (2016) *modern slavery* shall therefore include: sex trafficking, child sex trafficking, forced labour (or labour trafficking), bonded labour or debt bondage, domestic servitude, forced child labour together with the unlawful recruitment and use of children in armed conflicts (p.32-33). The legal conundrum become bigger and often occur when NGOs and Media

²⁰ New forms of slavery according to the Working Group on Slavery include traffic of women for sexual exploitation, sale of children, debt bondage and apartheid. Today, the Special Rapporteur on Contemporary Forms of Slavery replaced the Working Group on Contemporary Forms of Slavery which had it last session in 2006 (DROI, 2018, 10).

²¹ See, http://www.legislation.gov.uk/ukpga/2015/30/pdfs/ukpga_20150030_en.pdf, [Accessed 20 March 2020].

²² See, <https://www.homeaffairs.gov.au/consultations/Documents/modern-slavery/modern-slavery-supply-chains-reporting-requirement-public-consultation-paper.pdf>, [Accessed 10 December 2018].

that work on child labour, forced marriages, forced labour, debt bondage or bonded labour, trafficking in persons, descent-based slavery, child slavery interchangeably or currently use modern or contemporary slavery without any clarified definition²³. According to DROI (2018), the lack of any clear definition is legally, politically and semantically relevant. It mentioned that this unclarity on "the concept's content and boundaries negatively affects many activities" (p.9), such as "coordinated action involving global governance actors in the fight against the forms of exploitation constituting contemporary forms of slavery" (p.9), relevant data collection, statistics on its prevalence and hence, future action plans (p. 10). According to Suzanne Miers' the author of *Slavery in the Twentieth Century: The Evolution of a Global Problem (2003)*, when the legal concept of slavery is conflated with a wider interpretation might render the definition meaningless (p.453) but we must also consider the strict legal definition of the 1926 Slavery Convention in this regards as a legal loophole in today's exploitative work contexts.

Forced labour is not precise under Italian law, accordingly, in matters concerning labour exploitation, criminal provisions including extortion such as *Article 629* and *Article 572* (concerning maltreatment of family members or cohabitants) can be applied respectively²⁴. David Mancini (2017) observed that, "in reality, forced labour, as recognised authoritatively, has long been an undervalued social, economic and humanitarian phenomenon and poorly opposed, but by unanimous opinion of the experts it is also the most widespread form of" contemporary "slavery and less perceived by the community. [...] One of the possible explanations lies in the consideration that, beyond the most extreme forms in which there is a substantial deprivation of freedom of action and movement through coercive or violent methods, the exploitation of work takes place in a submerged, impalpable way, in difficult contexts. [...] above all, the analysis takes place in traditional forms, not updated on the new dimensions of the phenomenon. Unlike sexual exploitation, it has more varied nuances that can make it harder to identify and assist victims, perceive or qualify their negative value" (Mancini, 2017)²⁵.

The International Labour Organisation (ILO) Forced Labour Convention in 1930, define *forced labour* as "any work or service that is done by any person under the menace of any penalty and for which the said person did not voluntarily offer him or herself voluntarily" (ILO, 1930). According to DROI (2018), the ILO's Campaign to End Modern Slavery "re-oriented its activities to fight against 'forced labour, modern slavery and human trafficking', with the concept of forced labour being used as the overarching framework, comprising traditional forms of slavery and slavery-like practices, debt bondage and human trafficking" (p.11). Similarly, the study noted supra, even the United Nations Office on Drugs and Crime (UNODC) 2016 report, widely used the term Modern slavery to include: human trafficking, slavery, forced labour, child labour, and forced marriages,

²³ According to European Parliament's Subcommittee on Human Rights (DROI) 2018 study on Contemporary forms of slavery (2018), "the practices similar to slavery, forced labour, the worst forms of child labour and trafficking in human beings are defined in relevant international treaties" (p.9). See: <https://freedomfund.org/>; <http://www.thewhy.dk/whyslavery/>; and, <https://www.freetheslaves.net/about-slavery/slavery-today/> [Accessed 7 December 2018].

²⁴ *Article 603 bis* on "illicit intermediation and work exploitation" the so-called "caporalato" provision amended by Law No. 199/2016 of the Italian Criminal Code and Article 12 paragraph 5, Article 22 paragraph 12 and Article 12 bis (employment and exploitation of illegally staying TCNs) of the Consolidated Migration Act can be used to address situations of forced labour.

²⁵ David Mancini commented on Altalex on the 26, May, 2017 concerning the penal contrast to the so-called provision on the "Caporalato" and labour exploitation (*Article 603 bis, CC*). *Article 5 (2) of the Charter of Fundamental Rights* of the European Union state that: "No one shall be required to perform forced or compulsory labour".

however, it stated that the “lack of an agreed definition or legal standard at the international level results in inconsistent usage” (p.16).

Trafficking in persons is defined by Article 3 (a) of the Palermo Protocol as: “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

Article 5 (3) of the *Charter of Fundamental Rights* of the European Union states that: “Trafficking in human beings is prohibited”. Consequently, trafficking is analysed basically from three aspects: (a) *the act*, through recruitment, transportation, transfer, harbouring or receipt of persons; (b) *the means*, through threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person and; (c) *for the purpose* of exploitation which shall include, forced labour or services, slavery or practices similar to slavery, and servitude. In this research, there are mostly stories of severe labour exploitation within the scope of Italian and European Union asylum and migration system. From a personal experience, it is important to note that the pull and push features which exist for victims of human trafficking (in the case of Nigerian women for example), also exist for many victims of severe exploitation in Italian agriculture who might not be strictly defined as victims of human trafficking. The UNODC (2016) observed the overlaps between human trafficking and forced labour, according to the report, the two are so close that “victims of human trafficking can also be victims of forced labour and/or slavery” (p.15). For the UNODC, human trafficking is a comprehensive and almost all-embracing framework which includes various practices. Many respondents of my case study at Campobello di Mazara (discuss in chapter 4) were previously indebted to traffickers, smugglers and neighbours for the expenses of their journeys to Europe before ending up being exploited in Italian agricultural fields. Further discussion of human trafficking on the Italian, European and International legal definitions, loopholes and overlaps are carried out in chapter six (6).

Today, according to Subcommittee on Human Rights (DROI) (2018) study on *Contemporary forms of slavery*, concepts such as “contemporary forms of slavery, contemporary slavery, modern slavery and, finally, modern- day slavery” (p.9) are widely used by international organisations (IOs), NGOs, government actors “as well as scholars and media agencies” (p.9) in legal, sociological and political discourses (p.14). They overlap and are sometimes used as vague synonyms. According to this report, there is perhaps a surge of international regimes “labelled Contemporary Slavery, Human Trafficking and Forced Labour if one relies on three semi- umbrella terms, Contemporary Slavery when relying on one overarching framework or Contemporary Slavery and Human Trafficking when relying on two semi-umbrella terms, given that forced labour can fall both within the concept of contemporary forms of slavery and human trafficking” (p.14).

The concept of *Contemporary slavery* in this thesis will therefore refer to the condition of ‘subjugation and subjection’ suffered by agricultural workers without any real alternative. It will also refer to conditions which fit the vulnerability definition provided by Article 2.2 of Directive 2011/36 of the European Parliament and of the Council on Human Trafficking in which the person in concern: “has no real or acceptable alternative but to submit to the abuse involved”. Therefore, the de facto, the genuine freedom of choice or will is denied. Henceforth, *Contemporary slavery* in this does not only refer to totalitarian work contexts where the worker cannot leave because of

deception, threats, coercion, and violence through systematic abuse of employer-employee power imbalance, but also, contemporary slavery in Italian agricultural fields can take the form of lesser coercion, lesser denial of freedom of movement and the gradual exposure to degrading living and working conditions or any such scenarios in which the migrant worker is pushed to a situation of complete dependence on the employer. This is not a chattel slavery and did not need chains to control workers, rather, it happens through the subtle ways, and use of strong and continuous intimidation which most vulnerable workers experience. However, in Italy, it can be worse yet subtle when this happens within institutional or submerge structures in abandoned zones²⁶. Often, these workers are constrained to accept jobs which do not guarantee their basic human rights²⁷ and consequently, violate their human dignity as envisaged in *Article 1* of the EU Charter of Fundamental Rights. As such it can be aggressive, and it is usually a gradual process along the spectrum²⁸. Accordingly, the expression *Contemporary slavery* in this thesis also covers the conditions listed above from letter *a-k* (under the characteristics of the sufferings of farmworkers). The survey in Campobello di Mazara particularly, in which the migrant worker has no real alternative, is a situation which manifests itself depending on what was involved and the degree to which they are exploited, thereby being contemporary forms of slavery. Most often, *Contemporary slavery* is ‘invisible’ to both orthodox economists and the traditional judiciary. This is because contemporary slavery must be considered (by the traditional judiciary) beyond the total or extreme denial of human freedom through more explicit violent methods as was during historic slavery (1926 Slavery convention). McIntyre (2008) suggests “any understanding of rights must be placed within historical context, including how the acceptance of particular rights affects and is affected by the exploitative social relation peculiar to the period in question” (p.54). Traditional conceptions of historic slavery approaches labour exploitation in a very strict legal sense especially in physical jobs in agricultural sectors. For instance, the perspective of “continuous subjugation and subjection” alludes to chattel slavery when enslaved sub-Saharan Africans were regarded as personal property of the slavers. In that regard, they were body-marked with hot irons with the initials of their masters’ name. Varyingly, neoliberal accounts of labour exploitation (shaped by this archaic and traditional legal definition) fall sort of understanding and consequently do not affirm contemporary evolution of the employer-employee relational imbalances. Instead, I suggest we must analyse contemporary imbalances of employment contracts within our contemporary realities which put into consideration real opportunities as oppose to status-vulnerability and needs of workers. Although slavery has undergone fundamental changes since the formal abolishment of chattel slavery, yet, according to GSI, more people are enslaved in our own times than ever before. This is due to various reasons. Firstly, the criminalisation and formal abolishment of chattel slavery melted down the old model but made practitioners perform outside the public’s sphere (‘out of sight out of mind’)

²⁶ See also Morin, (2005) that the “inter-enterprise relationships tend to be relations of “controlled autonomy” (p.2) in which the hierarchy is determined less by the the exclusive economic dependence of a subcontractor on a prime contractor than by specific requirements pertaining to quality, delivery declines, training etc., which can directly impact on the working conditions entailing any responsibility whatsoever on the part of the prime contractor.

²⁷ It is about the human dignity of these lesser protected workers, many of whom move to Italy with the hope of finding a decent job, in order to help themselves and their families, but are caught up in situations of labour exploitation. In many circumstances non-EU agricultural workers who are prone to exploitative conditions are fleeing from their personal circumstances of insecurity, poverty, and unemployment on the one hand; and their irregular legal status and situations of social exclusion (Pugliese, 2012, 10-13) on the other.

²⁸ According to UNESCO, many people who are in situations of poverty and decide to migrate usually have no real choice. However, it observed that migration involves a “broad spectrum of exploitation” such as trafficking, smuggling and exploitative labour. The protocol against trafficking also mentions the spectrum of labour exploitation to include forced labour or services, slavery or practices like slavery, and servitude.

in more sophisticated and atypical ways. Secondly, contemporary industrial slavery does exist largely for the same capitalistic reasons which had sustained historic slavery —profit earned from the unfair labour exploitation of workers. Thirdly, the difficulty for researchers as well as victims of contemporary slavery lie more in the legal substantiation with damning facts (deeply rooted in the old-fashioned 1926 definition of slavery). The exact figures for victims of contemporary slavery are hard to gather or ascertain since it is practiced clandestinely, in more subtle, impalpable manners and above all, there is still a very frail understanding of contemporary forms of slavery. Nonetheless, practices of contemporary labour exploitation must be interpreted within the socio-political and judicial reality (of precarious agricultural workers) and the right discourses of that time putting into consideration their bare status-need and vulnerable conditions. Therefore, I condemn contemporary slavery not only on moral grounds (as an end in itself), but basically because such practices interfere with the genuine freedom of choice of victims. That is in short, the availability of other choices. Some of my respondents at the agricultural ghetto of Campobello di Mazara (presented in the Chapter 4) consider their working and living conditions as slavery.

Despite its historical evidences, scholarly literature, and media reports, many migrant workers are increasingly exposed to serious health risks and contemporary forms of slavery every day in Italian agriculture. Nevertheless, many migrant workers have agricultural work as the only available alternative and thousand still live and work from agricultural ghettos. According to the recent inter-institutional²⁹ letter entitled *Coronavirus emergency —Letter—appeal to the institutions for the protection of migrants in the ghettos (co-signed by FLAI/CGIL)*, states that many migrants “are employed in the agricultural sector, more than ever indispensable for the food security of citizenship and collective estate. As is known, the conditions of the labourers who today collect the products destined for our tables are often unacceptable: the slums in which they are forced to live are unhealthy and indecent places, at the antipodes of the very value of human rights. The risk that Covid-19 will arrive in those aggregates [squalid camps], turning them into outbreaks of the pandemic, is a cause for serious concern”. On the 7th April 2020, the Minister of Agriculture, Teresa Bellanova, call the political attention of the Italian government (on *La Repubblica*) for immediate action concerning labour shortage for the 2020 agricultural harvest due to Covid-19. She also emphasised that “there are the ghettos, full of workers from the south of the world who work in our countryside [un recorded on any official statistics], completely in the dark. There is mounting anger and despair, if something is not done the risk is that soon they will come out and certainly not with a smile. There is a strong manpower deficit, they must be put in a position to work on a regular basis also because if the state does not govern certain processes, the mafia will take care of it. We

²⁹ Third sector co-institutional personalities that signed the letter titled “*Coronavirus emergency. Letter-appeal to the institutions for the protection of migrants in the ghettos*” include: Fabio Cicone – Direttore Terra! – campagna #FiliaraSporca; Don Luigi Ciotti – Presidente Nazionale di Libera e Gruppo Abele; Roberto Barbieri – Direttore Oxfam Italia; Riccardo Vito – Presidente Magistratura Democratica; Valentina Calderone – Direttrice A Buon Diritto; Medici per i Diritti Umani – MEDU; Marco Omizzolo – Ricercatore Eurispes e Presidente Tempi Moderni; Marco Omizzolo – Ricercatore Eurispes e Presidente Tempi Moderni; Danilo Chirico – Presidente DaSud; Antonello Mangano – terrelibere.org; Marina Galati – Vicepresidente Coordinamento Nazionale Comunità di Accoglienza – CNCA; Co.S.Mi. -Comitato Solidarietà Migranti; Sanità di Frontiera; Intersos; ASGI; Francesca Chiavacci, Presidente Nazionale ARCI; Marco De Ponte, Segretario Generale Actionaid; Fabrizio Barca, Portavoce Forum delle Disuguaglianze; Donato Di Sanzo, Università di Salerno; Fabio Amato, Presidente Centro Studi Mobilità-Migrazioni Internazionali (MoMi)- Università L’Orientale, Napoli; Paolo Naso – Coordinatore di *Mediterranean Hope*, programma Rifugiati e Migranti della Federazione delle Chiese Evangeliche in Italia- FCEI; Maurizio Masotti, curatore “Tracce Migranti- Nuovi Paesaggi Umani”; Roberto Montà, Presidente di Avviso Pubblico; Movimento Migranti e Rifugiati/Csa ex Canapificio Caserta; and SlowFood Italia. This letter was addressed to the President of the Republic Sergio Mattarella; to the President of the Council of Ministers Giuseppe Conte; and to the Ministers of Agriculture, Labor, the Interior, Health and the South.

have to deal with reality”³⁰. As per definition of the state-of-art of suffering, *agricultural ghettos* are temporary encampments void of basic services such as running water, electricity, shelter, and toilets. They are often clandestinely located in industrial agricultural areas as a temporal refuge for workers and their proximity to fields for immediate and constant labour supply is therefore, first in order of importance. These ghettos, such as the one of Campobello di Mazara, serve as a temporary living place for vulnerable and needy youths including refugees and asylum seekers, and as a result, sub-Saharan Africans are increasingly populating Italian green zones. Agricultural ghettos are the telling and increasingly living tragedies of the failing Italian integration of TCNs within an industrial agricultural model that condemns many migrant workers to squalid living conditions, oppression and exclusion, with little or no chance to make a dignified living or ask for legal redress. What produces and transpires in these shanty villages, tent cities and container houses (so-called agricultural ghettos), have been investigated by various institutions but very little have so far been done about it³¹. Generally, Mediterranean European countries like Italy, produce fruit and vegetables for northern markets under conditions of severe labour exploitation and contemporary slavery of predominantly TCNs. They find it difficult to keep their own lives strong, healthy and purposeful let alone their families in their countries of origin through remittances. *Remittances* are use here to refer to the financial earnings migrant workers send back to their countries of origin as a support for families and relatives and which eventually serve as a method of security or insurance, particularly in difficult times. They also make a substantial part of the home country’s GDP and provide foreign exchange. They improve the living standards of families left back home in their native countries. The development impact of remittances in the case of Senegal for instance, is more direct, and a strong link between migration and local development. According to the World Bank “remittances are perhaps the largest source of external finance in developing countries” (2005, 5). Remittances still represent one of the most important sources and largest sources of for low-income countries and has reached a record high in 2018. However, remittances usually mean all monies and goods migrant send back to their countries of origin. The worsening economic conditions in these migrants’ home countries (in the case of Senegal and The Gambia) leads to a greater stimulus for migration and leads them to take any risk necessary in order to arrive in a European country, legally or otherwise. So far, Senegalese and Gambians have gone abroad, with the hope to getting decent jobs and send money home; but worsening economic conditions in many host countries like Italy and Spain have led to a much more competition for jobs, with the native population in the host countries taking all the decent jobs leaving only the poorly paid jobs available to the migrants. Similarly, the precarious economic conditions in European countries, combined with a tsunami of migrants, leads to all manner of bureaucratic obstacles being placed in the way of migrants having their stay legitimised, leading to irregular working practices which provide fertile ground for the “Agromafia” and “Caporalato”. In addition, those migrants who have qualifications from their

³⁰ Available at: https://www.repubblica.it/politica/2020/04/06/news/bellanova_agricoltura_immigrati_circo_massimo-253267879/?refresh_ce. [Accessed 20 March 2020].

³¹ Accordingly, situation of the Senegalese and Gambians in the agricultural ghetto of Campobello di Mazara looms into mind the story of Kunta Kinteh during historic slavery. As workers, they are use as consistent labour supply to produce fruits and vegetables which are on both local and global demand but live and work under degrading and unsafe conditions. According to the appeal signed by the Secretary General of FLAI/CGIL on immediate government intervention concerning agricultural ghettos, stated that “the measures taken by the government for the coronavirus emergency do not take” ghetto “realities into consideration.” Hence, as part of their inter-institutional “commitment of organizations that continue to operate in the field,” they observed that “there is no specific preventive intervention by institutional bodies in these highly risky contexts. An alarming discrepancy that requires immediate institutional corrections in a framework of preventive monitoring as well as taking charge of any cases of Covid-19, in compliance with the constitutional principle of health protection as a fundamental individual right and interest of the community”. (Flai/Cgil, 2020).

home countries have many barriers put in the way of formal recognition of their qualifications, forcing them to take any job that is available, however bad the conditions or the pay.

1.4 Research questions

Based on the extensiveness, long history and increasing relevance of the topic, the following key questions have been identified to shape the research and in order to bring it to the definition of the aim and objectives.

Challenges of migration:

- Why do Senegalese and Gambians migrate for temporary and permanent periods?
- What are some of the positive and negative implications of these movements (to those who migrate, their families and local communities left behind, and the general socio-economic development of their countries of origin)?
- What are some of the challenges brought by this migration to Italy and Europe?
- What impact does this labour migration have on the national (legal) economy?

Exploitation:

- What are the general, living and working conditions of Italian migrant workers?
- What exposes Senegalese and Gambian migrant workers to agricultural exploitation throughout Italy?
- What are the (long and short-term) implications of agricultural exploitation on the personal wellbeing of the migrant worker and sustainability of families, cultures and local economies in Senegal and The Gambia (Senegambia)?
- What is the importance of agricultural ghettos and the role of the “Agromafia” in Italian agriculture?
- How do these situations of gross exploitation of Senegambian workers link to the early modern chattel slavery? What are the potential causes, similarities and differences?
- What role is played by different agricultural actors such as mafia, gang-masters, criminal organisations, big companies, small farmers, migrant and farmworkers, Italian and local government authorities, and the European Commission?
- Who benefits from the exploitation of migrant workers?

Remittances and sustainable development:

- How important are European remittances to the long and short-term socio-economic development of Senegal?
- What are the remittance inflows and corridors to Senegal?
- Where are these remittances spent within households and why it matters?
- How expensive is it to send remittances to Senegal?

Law and Policy:

- What role do Italian and European Union’s immigration policies play in the criminalization of irregular migration and in agricultural exploitation of non-EU citizens?
- Which criminal laws govern Italian agricultural work?
- To what extent these policies are effective?
- What should be done to prevent labour exploitation and to create new life experiences and opportunities for victims and potential victims of Italian agricultural exploitation?

1.5 Research aim and objectives

The research aims to describe and raise awareness on the exploitation faced most particularly by Senegambian migrants in the Italian agricultural sector; to explore and investigate the socio-political, legal, economic, historical and cultural context in which it takes place.

Therefore, to serve this purpose, the objectives of the research are:

- To analyse the historical heritage of the studied target group, precisely to identify the similarities, differences and the context that the ancestors of Senegalese and Gambian migrant workers faced between the fifteenth and nineteenth century: the early modern chattel slavery and their contemporary situations of slavery.
- To study the history of gang-mastering (“Caporalato”), the functioning and methodology that characterises the system of “Agromafia” as a national phenomenon.
- To examine the value chain of the agro-alimentary market: prices, big companies, small farmers, mafia and the farmworkers.
- To conduct a case study and present the working and living conditions of Senegambian agricultural workers living in the agricultural ghetto of “Contrada Erbe bianche” in Campobello di Mazara but who also work in Castelvetro and Partanna area of Trapani, Sicily.
- To examine which laws, policies and action plans are ruling the agricultural sector of Italy and what measures have been taken or are in place to prevent the exploitation of agricultural workers.
- To examine the current Italian and European immigration policies, institutional practices of integration (such as asylum centres) and their consequences on TCNs.
- To present the process how the immigration policies and the criminalisation of migration are contributing to the marginalisation of Third Country Nationals (TCNs) and resulting in their vulnerability that potentially push them to be exploited by the system of the “Agromafia”.
- To explore the patterns, roots and causes of the Senegalese migrations, and the impact of remittances on local development and households back home.
- To present the implications of the exploitation of Senegambian migrants on the individuals, on the families, communities and economy of their home country and on Italy.
- To provide as an empirical evidence the severe labour exploitation and conditions of contemporary slavery of migrant workers on the one hand, and on the other, to further improve the quality, value and extent of our human rights discourse concerning their weaknesses, loopholes and contradictions in the field of current procedures in the agricultural field, European immigration and the labour market integration of TCNs.
- To identify possible intervention strategies and human right policies that can be considered to improve the life conditions of TCNs and agricultural workers generally in order to protect them from labour exploitation.
- As a whole, this research should serve as a useful resource for the Italian government, European Commission, researchers and international organisations such as ILO, Amnesty International, International Organisation for Migration (IOM), United Nations (UN), World Bank (WB), International Monetary Fund (IMF), Global Slavery Index, local and international NGOs.

1.6 Research methodology and source of data

It has been clear from the very first steps of the research, that the complete topic itself – *Contemporary slavery: the exploitation of migrants in the Italian agricultural sector* - can only be studied through a holistic and comprehensive approach, one that combines several methods of

research and builds on a wide range of data sources, resulting in micro, meso and macro-level analyses. Therefore, the following research methods have been incorporated in the research process: *Historical research*: This research includes both theoretical and empirical works on the history of chattel slavery and European underdevelopment of Africa (Mazrui, 1986, 164-202; Shillington, 1995, 174-202; Fukuyama, 2014, 244-510; Rodney, 2018, 106-160; and Harari 2015, 341-392) to give a precise background. The economic history and sociological study of industrial exploitation also highlighted theories of Karl Marx (1975 [1844]), Friedrich Engels (1987 [1845]), Adam Smith (1977 [1776]), John Rogers Commons (1977) and Thomas Pogge (2001), these being found to be most relevant. This brief historical analysis of chattel slavery of sub-Saharan Africans was carried out using African, European and American literature in order to provide historical evidence which connects to the contemporary reality of many Senegalese and Gambians (together known as Senegambians) caught in exploitative working and living conditions in Italian agriculture. As a direct descendant of historic Mandinka enslaved captives, myself like many of these Senegambians, we were born within the remnants of that historic legacy³². Meanwhile, contemporary critical analysis focuses on the reports of DROI, (2018), UN Special Rapporteur on Contemporary forms of slavery, ILO, FLAI/CGIL—Observatory Placido Rizzotto (2012, 2014, 2016, and 2018) and Caritas Italy (2018) as well as Italian and European scholarly literature, and media reports considering the matter.

Descriptive research: Studying the economic, social, political and legal context in which the Italian agricultural exploitation takes place, descriptive research has been applied, attempting to collect the most relevant information. Principally, the following resources, institutes and datasets were used as secondary data to examine the national panorama: Italian Criminal Law and Consolidated Immigration Act; European Law; Italian National Institute of Statistics (ISTAT); Ministry of Labour and Social Policies (MLSP); Directorate General for Immigration and Integration Policies; Italian Ministry of Interior; Observatory Placido Rizzotto database —Italian General Confederation of Labour and General Federation for Workers and Agricultural Industries’ (Flai-Cgil); National Social Security Institute (INPS); European Commission and European Union Agency for Law Enforcement Cooperation (Europol); DROI (2018), International Labour Organisation (ILO); Amnesty International; International Organisation for Migration (IOM); Caritas Italy; World Bank; National Action Plan; Global Slavery Index; UN Special Rapporteur on Contemporary forms of slavery; African Union, and literature from national and international scholars, media and NGOs.

Survey: As part of the case study conducted on the agricultural ghetto of Campobello di Mazara (in the province of Trapani, Sicily), fifty (50) respondents were subject of quantitative data collection between October 2018 and January 2019. Respondents came from different but similar historical, ethnolinguistic and religious backgrounds, and they were all born in the countries of Senegal and The Gambia. They were not all speakers or readers of English, French or Italian, but thanks to the possibility of other commonly spoken languages, Mandinka and Wolof languages were also used to facilitate better understanding. Some had never undergone western education, others were dropouts from primary, middle and high schools with a considerably low level of literacy but some were college graduates. Hence, to ease communication in order to achieve the research objectives, some

³² My own village Badari has survived many raids but faced its most damaging war during in the 18th and 19th centuries of French and British colonial plunder. During one of these wars female captives committed suicide by throwing themselves in the well at the village centre in refusal to be converted to Islam or be sold or held as slaves directly or indirectly to European slave merchants who were sailing the Atlantic Oceans during those times. The modern Mandinka words “Nyancho”, “Balanto” refers to Mandinka people who refused to accept Islam, Christianity or be sold to European slave merchants. I visited many West African Atlantic slave coasts and also did a documentary which compares and contrasts historic and contemporary slavery of Senegambians in European plantations.

respondents were provided printed copies, and some were assisted to fill or tick the correct responses among the alternatives provided, using print-outs, mobiles or iPads.

All the 50 respondents filled a questionnaire with 68 questions which were divided into:

(1) *general information about the respondent (9 questions (13%))*;

(2) *special information about the respondent's family (6 questions (9%))*;

(3) *special information on the respondent's work experience and migratory status experience both in Italy and in Europe (34 questions (50%))*;

(4) *special questions that focused on the respondent's monies sent back home, as well as his health and wellbeing (13 questions (19%))*; and ;

(5) *special information about the respondent's future prospects (6 questions (9%))*.

Interview: Important qualitative empirical data was collected from one-on-one interviews related to the working and living conditions and their implications of the agricultural ghetto of Campobello di Mazara. 21 Senegalese and Gambian were involved in these semi-structured interviews in order to gather more information and establish direct contact. The interviews were carried out between the month of October 2018 to January 2019. Out of the 21 interviewed, twelve (12) were conducted in Palermo (Piazza Bologni, Department of Jurisprudence, and various spots in Ballarò environs); and nine (9) in Campobello di Mazara ghetto environs, at some public squares of the city and in random bars and cafes. These areas served as strategic positions to regularly meet and interact with respondents. Campobello di Mazara was also used as a key field study ground for investigations in and out of the agricultural ghetto and some interviews were also held there for the convenience of respondents. The twenty-one one-on-one interviews were conducted mainly in Mandinka and Wolof languages to facilitate better understanding. Italian and English were also simultaneously used and sometimes mixed with Senegambian languages in order to allow respondents to express themselves in the way they felt most confident and understood.

Field Study: After the case study at the agricultural ghetto in Campobello di Mazara, a four-month long field study was carried out in Senegal (as part of the second case study in Senegal – Chapter V.) which was focused on the impacts of remittances on local development in the territories of Dakar, Thies, and St. Louis, but also supporting the understanding of migration motives and patterns from Senegal. These studies were done through direct visits of households, some of which were randomly selected, while others were the households of study subjects from Campobello di Mazara. This sociological study of households' remittances helped the research to connect the conditions of exploitation in the destination country to the motives of migration in the countries of origin. The information collected played an important role in understanding the links between migration, exploitation, remittances and local development.

Nevertheless, field studies were not only conducted in Senegal, but also in Italy and Spain, during numerous trips that have been made to agricultural fields and in the urban ghettos. Several direct visits and field observations were done at the agricultural ghetto of Campobello di Mazara therefore the living and working conditions of the respondents of the survey were being further studied through the empirical visual experience directly gained at the venue of their activities³³. In Spain, field trips were carried out in the agricultural environments of both Valencia, Murcia and in Castellón and Alicante during a nine-months study period between January and September 2018.

³³ This particular agricultural ghetto is used by Senegambians as seasonal living environment without the basic services such as running water, toilets, electricity and decent shelter. In the 23rd November 2018, I reported the living and working conditions of this ghetto on "Volerelaluna, Migrazioni". Since then the conditions in this agricultural ghetto is between severe exploitation and conditions of contemporary slavery in the mafia heartland of Trapani countryside.

These visits have contributed with some of the most intellectually stimulating information in the flow of the research.

Last but not least, my own direct and personal experience both as a migrant and as a victim of the Italian agricultural exploitation, has been part of those ‘resources’ that were contributing to the results of the research as an outsider, but with an insider experience.

1.7 Thesis structure

This thesis is divided into Seven (7) chapters:

Chapter 1 introduces the research background and the problem under consideration. It highlights the research questions and states the aim, objectives. It also sets out the research methodology, the data sources and outlines the thesis structure.

Chapter 2 highlights the similarities and significant correlations between historic slavery and the contemporary slavery conditions of sub-Saharan Africans, particularly Senegalese and Gambians (Senegambians). Ali A. Mazrui (1986), Kevin Shillington (1995), Walter Rodney (2018) Francis Fukuyama (2014) and Yuval Noah Harari (2015) were used to provide a precise background on this modern chattel slavery and its potential impact on the subsequent civilisations that followed. Although often underestimated, this chapter emphasises that historic slavery—the African forced labour migration to the so-called *New World*—was the largest and most important globalised capital for industrial revolution during the 15th to the 19th century. This chapter highlights how this mass violence and expatriation of young, skilled and productive African men and women might have possibly interrupted African traditional democracies and cultures, socio-political organisations and economic development of regions such as Senegambia (Senegal and Gambia). Meanwhile, the economic status after post-independence and direct rule by African vampire leaders cannot meet the increasing demand for goods and services for its young population. As a result, many citizens left Mama Africa³⁴ resulting in the dilemma between migration management and humanitarian disasters including contemporary forms of slavery.

Chapter 3 examined the national panorama of agricultural exploitation using the resources listed above in the country analysis to investigate the spectrum of exploitation. It focuses on the employment relationships, the living and working conditions of agricultural workers, agro-alimentary supply chains and prices, “caporalato” and the “Agromafia” specific to Italian agriculture. It amply analyses the evolution of “Agromafia” and the recent history of gang-mastering. It studies the growth of agricultural ghettos and the increase acceptance of exploited labour. By exploring various agencies of agricultural exploitation, this chapter highlights similarities and differences between various Italian regions.

Chapter 4 entirely focused on the case study conducted at the agricultural ghetto of Campobello di Mazara which use to host nearly a thousand of Senegalese and Gambians in the 2018-2019 season. This chapter also presented the empirical and theoretical data gathered from the questionnaires and special one-on-one interviews. The data confirmed a strong existence of the “Agromafia” and the increasing social and legal vulnerability of Senegambians in Sicily. The data also shows failing asylum and social protection systems with long and short-term implications for both migrant workers and native citizenry.

³⁴ Mama Africa is an expression which is used here to refer to Africa as the origins of humankind and as the original promise land for human ecological civilisation. With all the paradoxical situations concerning the habitability conditions of Africa, Mama Africa signifies the saintliness of Africa as an ever-living mother of all inhabited continents.

Chapter 5 presents the four (4) months of field study carried out in Senegal. It examines Senegalese migration patterns and the impacts of remittances on its local development. It reviewed both empirical and theoretical literature which largely consider such migration as a strategy to reduce the risks of extreme poverty through income maximisation rather than diversification. This chapter highlights the correlations between labour market integration of Senegalese and Gambians from irregular migratory status; their marginalisation into “Agromafia” and their subsequent exploitative living and working conditions. Remittances if better managed in a viable entrepreneurial environment are effective instruments for alleviating poverty and can be a better mechanism of income distribution for economic growth. This chapter observes how migrant workers’ remittances can build sustainable communities and help families raise their living standards and contribute to improved health, education, and housing³⁵. However, this is not always the case. For many Senegambians, this migration involves both long and short-term implications which are connected to large labour migration of the youths; severe labour exploitation (in their countries of destination); the inadequate and poor management of remittances (within households); and the high cost of remittance to low-income countries and individual health status. Therefore, this chapter analyse whether we are in fact not witnessing another labour slavery of Africans in our own times due to the serious need for remittances. This chapter try to determine the ‘real cost’ of this migration.

Chapter 6 provides the legal analysis carried out on the “Caporalato” and unlawful gang-mastering using the ‘Caporaloto’ provision (article 603 bis) as amended by Law No. 199/2016, Article 601; Article 600 of the Italian Criminal Code and the Consolidated Immigration Act (286/1998); Article 601 (Human trafficking) and other relevant laws and policies at national, European Council and international level. It examined the legal limitations, loopholes, overlaps and policy impacts in the agricultural domain. The legal framework focused on Italian and EU laws as the standard legal instruments. This chapter shows that inefficiency of criminal law and agricultural policies also confirm the lack of political interest to prevent and protect victims.

Chapter 7 is divided into two parts. The first confirm a phenomenon of circular exploitation and a vicious circle of poverty. The long-term consequences of this agricultural exploitation perpetuate a scenario of circular exploitation where neither the citizens nor the migrants wins but big companies, mafia and organise criminality. In the second section, I provide recommendations based on the results this research has gathered. I propose a policy instrument for sustainable management of labour migration, remittances and international development; and offer ideas to challenge human rights problems related to the labour migration of migrants from Senegal and The Gambia. This final chapter is written in Italian as part of the general requirement for the double-degree with the university of Valencia.

1.8 Ethical Implications

- (a) All the respondents had consented to the interviews and could have at any point withdrawn from the interview and the research project. It was clearly stated and guaranteed to all 50 respondents that their personal identity would be protected. The respondents were also assured that they would not face any intimidation for speaking out the truth. All the interviews and field visits were communicated clearly. Respondents were informed prior to the interviews and visits clearly about the research methodology and goals. No unauthorised photos or videos were taken neither from the agricultural ghetto nor during personal interviews.

³⁵ A successful Senegalese migrant worker in Italy economically serves as a life insurance to the family left behind in the country of origin, particularly if the family is poor and unemployed. Thus, the lack of real job opportunities for Senegalese and Gambians in Italian migration system inescapably influences their marginalisation into exploitative sectors such as agriculture and consequently determines their support to millions of people in Senegambia. These remittances go to support generations of poor people deprived of basic liveable standards.

- (b) The nicknames are used to hide the real identities of the respondents. Exposure of their certain information about their identities can threaten their employers' safety, therefore, employers threaten them not to disclose workplace information and rely on the "capo nero" (ghetto so-called 'black' boss). This ghetto was controlled by the "Capo nero" who administer it as a clandestine network and with firm intimidation. On the one hand, the "capo nero" does not welcome investigations because it puts him at risk on the one hand, and on the other, employees feared losing their jobs on the other. Mainly, this agricultural ghetto has been visited, reported and over-politicised for the last five years without any improvement or policy reform. Meanwhile, due to unauthorised reporting, riots, fights and confrontations with journalists and individual investigators, it was initially difficult to build confidence and establish trust with respondents.
- (c) *Time factor*: Since most of these Senegalese and Gambian workers were always hunting for piecework, many meetings were cancelled and rescheduled to meet their needs —without causing them much discomfort. Very luckily, I managed to interview all the respondents who had to leave for other places before the end of the case study in January 2019. This is not an ethnographic study of all non-EU or all sub-Saharan African migrant workers, however, through the sociological approach used, I was able to make some observations, establish contacts, and initiate pro-active interaction with small groups of Malians, Guineans, Ghanaians and Nigerians migrant workers which enrich this research. Additionally, I had a very interesting and educative special one-on-one recorded interview with Don Enzo the Priest of St. Chiara (Ballarò, Palermo) on the result of my case study. I must state that this encounter was deeply impactful, spiritually and morally but as well, intellectually stimulating. Trade unions, small farmers, local police, market vendors, big companies, retailers and hospital doctors were not included in this case study.
- (d) *Cost*: Due to the high financial cost, this research would not cover other parts of Sicily such as Catania, Ragusa and Vittoria.

CHAPTER II.

JOINING THE DOTS BETWEEN HISTORIC SLAVERY AND CONTEMPORARY SLAVERY

2.1 A brief introduction to the plantation slavery of Africans

According to Yuval Noah Harari's *Sapiens: A Brief History of Humankind* (2015), "It is not easy to grasp the true role of economics in modern history. Whole volumes have been written about how money founded states and ruined them, opened new horizons and enslaved millions, moved the wheels of industry and drove hundreds of species into extinction" (Harari, 2015, 341). The money economy has been essentially used to build empires, and to promote science. However, the key word to modern economy is "growth" (p.341). Historically, economic development can be said to have followed four different epochs. Firstly, the hunter-gatherer society was followed by "Communalism where property was collectively owned, work was done in common and goods were equally shared" (Rodney 2018, 6). The second phase was slavery which was "caused by the extension of domineering elements within the family" (p.6) and by armed groups who exercised power over others. These slaves did everything, but their main task was to produce food and provide goods for the merchants and landlords. Thirdly, feudalism came and owned lands and "took the lion's share of the wealth" (p.6) for the few. The slaves and agricultural labourers were no longer regarded as "the personal property of the masters" (p.6), however, they and their children remain as "providers of good for their landlords" (p.6). All these epochs gave way to capitalism under which machines overturn production (Engels, 1987 [1845], 122). Today, "the greatest wealth in the society was produced not by agriculture but by machines —in factories and in mines" (Rodney 2018, 6, Harari 2015, 374-391). The dominant few who emerged under capitalism were merchants and craftsmen of the feudal epoch who became the industrialists and financiers — bourgeoisie (Rodney 2018, 9-15, Harari 341-373). Capitalism is not based on the greatest good for the greatest number, rather, it is an exploitative system that is characterised by the concentration of the means of production and by uneven distribution of products of labour in few hands.

In economic terms therefore, all these epochs represented different stages of development in human evolution. Every economic system has always led to different social relations. For instance, while the serfs and the slaves were declared legally free to a certain extent under feudalism, to leave the land and search for work, they were of course tied to capitalist enterprises. Their labour was commodified to be bought and sold (Rodney 2018, 6-7). Karl Marx was the first to recognise this in the nineteenth century and differentiate varied development stages within European history. However, whether it was the production of food, the increase in technology to control the fauna and flora or advance human wellbeing and ethical standards (Harari 2015, 87-109), every "advance in production increased the range of powers which sections of society had over other sections, and it multiplied the violence which was part of the competition for the survival and growth among social groups" (Rodney 2018, 7). As the predominant machine, capitalism is considered here as an economic system driven by a political machinery in which investment in and ownership of production, distribution, and exchange of capital are privately maintained by few wealthy individuals or big corporations who seek profit for popular commodities. As we proceed, this

conception of capitalism is principal to understanding the original history of industrial exploitation (of labour and capital) and the wealth of others.

Francis Fukuyama in his *Political Order and Political Decay: From Industrial Revolution to the Globalisation of Democracy* (2014) explained that, “If there is a single historical case that proves the importance of physical conditions to institutions, it is the rise of slavery and cotton in the southern United States. Slavery of course existed throughout the United States at the time of the War of Independence, including the northern colonies. But many people at the time believed that it was a dying institution. While George Washington and Thomas Jefferson owned slaves, the economics of growing crops like tobacco and wheat with servile labor was not especially favourable”, (Fukuyama, 2014, 510). Whereas, Brazil which is “now a charter member of the emerging market BRICS club and Latin America’s industrial powerhouse, got its start as a plantation colony based on slave labour” (Fukuyama, 2014, 246)³⁶. According to Yuval Noah (2015), “the rise of European capitalism went hand in hand with the rise of the Atlantic slave trade. Unrestricted market forces, rather than tyrannical kings or racist ideologies, were responsible for this calamity (p.368-369)³⁷. Consequently, “When the Europeans conquered America, they opened gold and silver mines and established sugar, tobacco and cotton plantations. These mines and plantations became the mainstay of American production and export (Harari, 2015, 369)³⁸. However, “The slave trade was not controlled by any state or government. It was a purely economic enterprise, organised and financed by the free market according to the laws of supply and demand” (p.369-370). According to this proposition, “Private slave-trading companies sold shares on the Amsterdam, London and Paris stock exchanges (p.370)”. Therefore, for centuries “Middle-class Europeans looking for a good investment bought these shares. Relying on this money, the companies bought ships, hired sailors and soldiers, purchased slaves in Africa and transported them to America” (p.370). These slaves were then sold to slave merchants and plantation owners. They in turn used the profit to buy “plantation products such as sugar, cocoa, coffee, tobacco, cotton and rum. They returned to Europe, sold the sugar and cotton for a good price, and then sailed to Africa to begin another round” (Harari 2015, 370). This business in people from inner Africa to the

³⁶ According to Fukuyama (2014), “Portugal did not have the power or resources to rule Brazil the way the Spanish ruled Mexico and Peru. Instead, it gave authority and grants of land to a group of “captains donatory” who acted as virtual sovereigns in the territory they controlled. These land grants were huge, extending 130 miles along the coast and going inland as far as 500 miles. De facto authority came to lie in the hands of a powerful yet provincial slave-owning planter class, which by the end of the sixteenth century had accumulated substantial political power in a relatively decentralised political system” (p.246).

³⁷ According to Adam Smith, “The interest of [those who live off profit], ... is always in some respects different from, and even opposite to, that of the public. To widen the market and to narrow the competition, is always the interest of the dealers. To widen the market might many frequently be agreeable enough to the interest of the public; but to narrow the competition must always be against it, and can serve only to enable the dealers, by raising their profits above what they naturally would be, to levy, for their own benefit, an absurd tax upon the rest of their fellow citizens. The proposal of any new law or regulation of commerce which come from this order, ought always to be listened to with great precaution, and ought never to be adopted till after having been long and carefully examined, not only with the most scrupulous, but with the most suspicious attention. It comes from an order of men, whose interest is never exactly the same with that of the public, who have generally an interest to deceive and even to oppress the public, and who accordingly have, upon many occasions, both deceived and oppressed it” (Smith, 1777 [1776], 345).

³⁸ Meanwhile, according to Yuval Noah Harari (2015) “growing sugar cane and extracting its sugar was a laborious-intensive business. Few people wanted to work long hours in malaria-infested sugar fields under a tropical sun. Contracted labourers would have produced a commodity too expensive for mass consumption. Sensitive to market forces, and greedy for profits and economic growth, European plantation owners switch to slaves” (p.369).

Americas was named among historians as the transatlantic or triangular slave trade due to its nature. This was “the largest-scale forced transportation of captive people ever devised in human history” (Shillington, 1995, 174)³⁹. Due to the gains, European shareholders maintained the arrangement and “Throughout the eighteenth century the yield of slave-trade investments was about 6 per cent a year — they were extremely profitable, any modern consultant would be quick to admit” (Harari 2015, 370).

Similarly, the socio-economic impacts of this exploitation have been roughly estimated by different historians. According to *The Africans: A Triple Heritage* by Ali A. Mazrui (1986), “The slave trade took away millions of potentially productive and creative youth. Some slavers specialised in capturing skilled Africans for use as artisans in the New World. European traders generally were less interested in what Africans made with their hands than in what Africans could dig up (for example, gold), capture (for example, slaves) or kill (elephant tusks, etc.). Because of this, African economies were diverted away from resource-enhancing activities such as agriculture and manufacturing and towards resource-depleting activities such as mining, slave trading and hunting for trophies and tusks. Trade with Europeans even before colonisation was beginning to consolidate the export bias at the expense of producing for the local African market” (p.164). Therefore, since the fifteenth century “the West harmed Africa’s indigenous development in a number of ways” (p. 164). In his summary, “the West has contributed far less to Africa than Africa has contributed to the industrial civilisation of the West” (p.164) and Africa’s “political decay is partly a consequence of colonial institutions without cultural roots in Africa” (Mazrui, 1986, 199). Hence, “shallowness of Western institutions, the lopsided nature of colonial acculturation,” and “the moral contradictions of Western political tutelage” (Mazrui, 1986, 202) are behind the weakness of African development⁴⁰. Thus, the industrial exploitation of workers is intrinsically capitalistic (Shillington 1995, 174-175; Harari 2015, 368-372; Fukuyama 2014, 244-247; Mazrui 1986, 164-202). Nevertheless, there is no consensus among historians as to the number of victims. According to Harari (2015), “about 10 million African slaves were imported to America” (p. 369) from the sixteenth to the nineteenth centuries. Additionally, a further two million people had died on the trans-Atlantic voyage to the Americas and “a total of at least twelve million people were taken captive out of Africa” (Shillington 1995, 174). The Trans-Atlantic Slave Trade Database and UNESCO recorded

³⁹ According to Kevin Shillington's *History of Africa, (1995)*, “The first African captives to be taken directly across the Atlantic and sold into slavery were transported in 1532. Thereafter a steady trans-Atlantic trade in human cargo developed though annual numbers remained relatively small for the first one hundred years. But from the 1630s, as first the Dutch and then the French and English became involved, there was a rapid expansion of sugar plantations in Brazil and the Caribbean. Demand for slave labour increased and the scale of the trade in captives from west Africa reached enormous proportions” (p.174).

⁴⁰ Mazrui’s first argument is that for “300 years Africa has helped substantially in building the West's industrial civilisation. The phases of Afro-Western interaction are from the days of the trans-Atlantic slave trade to the coming of the nuclear age. At each stage Africa helped construct the wealth of Europe and North America” (Mazrui, 1986, 161). His second argument is that “the Western reverse impact on Africa may have had the effect of hampering Africa's own construction of an industrial civilisation. Again, the period covered is from the days of the slave market to the era of the nuclear reactor” (Mazrui, 1986, 161). And thirdly, “the resulting technological gap between the West and Africa explains the triumph of Western power so far over the forces of both Islam and indigenous culture in Africa” (Mazrui, 1986, 161). As Martin Luther King Jr. rightly observed, the welfare of the blacks and the effects of centuries of black enslavement at bottom of the economic totem pole largely living on less than two dollars a day is not a historical accident but, rather, is intrinsic to capitalism of the European settlers of the Americas. Accordingly, the historian Kevin Shillington (1995) noted that “From early in the Portuguese presence along the coast of tropical West Africa captives were bought from local chiefdoms for sale into slavery. Initially, in the fifteenth and early sixteenth century, they came largely from the *Senegal* and *Gambia* region and were transported to the farms and plantations of southern Spain and Portugal. Those taken from the Niger delta and the Zaire river region went mostly to the island of Sao Tome” (p. 173).

12.5 million African forcefully shipped to the Americas⁴¹. This was all “so that the European could enjoy their sweet tea and candy — and sugar barons could enjoy huge profits.” (Harari 2015, 369)⁴².

According to Shillington (1995) “As the century progressed, European traders, backed up by their governments, made increasingly strenuous efforts to control West Africa's internal trade. They sought to maximise profits by cutting out both the African middlemen and their European competitors. It was this heightened level of European trading competition which in part was to lead to the 'take-off of the 'Scramble for Africa' in the 1870s and 1880s. As such the growing European mercantile penetration” (Shillington, 1995, 239), and Colonial Africa, Asia and Latin America, all fell as part of this “international capitalist economy from which surplus was drawn to feed the the metropolitan sector” (Rodney 2015, 176). Accordingly, “colonialism was not merely a system of exploitation, but one whose essential purpose was to repatriate the profits to the so-called mother country” (p.176). The unabated repatriation of the fruits of African labour, resources and surplus from Africa meant “the development of Europe as a part of the same dialectical process in which Africa was underdeveloped” (p.176).

Meanwhile, slavery resurfaces in the industrial North at different times under different contexts and it requires us to observe our concrete socio-economic and political (relational) realities that disfigure and limit the chances of millions of peoples particularly migrant workers in vulnerable backgrounds. For many reasons, it is certainly in Britain where we started our discussion for two main reasons: (a) the British government played a key role in the modern chattel slavery model which focused on importing captives from Africa to be enslaved for the development of European industries and organise governments; (b) it was in England that our contemporary civil rights movement is said to have begun, and hence also, our stories of modern workers' rights from feudalism, early modern chattel slavery and contemporary industrial labour exploitation⁴³.

2.2 The wheels of industrial exploitation and modern economic theories

In 1776 the Scottish economist Adam Smith published *An Inquiry into the Nature and Causes of the Wealth of Nations*, where in the eighth chapter, citizens were divided into labourers, landlords and merchants⁴⁴. In a top-down structure, merchants earn their wealth from profit, landlords from rent and labourers from labour. According to Smith, “Whoever derives his revenue from a fund which is

⁴¹ According to Shillington, (1995) slave “Numbers which were only a few thousand a year in the sixteenth century rose to an average of 20, 000 a year in the seventeenth and further rocketed to between 50, 000 and 100, 000 a year for much of the eighteenth century. Numbers tailed off during the nineteenth century, but the trade did not altogether cease until the 1870s and 1880s. Some historians argue that a huge amount of traffic went unrecorded and that the real scale of the trade was double the amount indicated here” (p. 174). According to Harari, (2015) “About 70 per cent of them worked on sugar plantations. Labour conditions were abominable. Most slaves lived a short and miserable life, and millions more died during wars waged to capture slaves or during the long voyage from inner Africa to the shores of America” (p.369”).

⁴² According to Shillington, (1995) “Some historians argue that a huge amount of traffic went unrecorded and that the real scale of the trade was double the amount indicated here” (p.174).

⁴³ Therefore, stories about workers' right, their enslavement, labour standard and decent work discourses usually spring from the English Factory Legislation of 1802, workers revolts, agitations, conventions and most centrally, the academic writings which immediately and mediately followed, and which still resonate in many work places and help shape our modern perspectives of human rights.

⁴⁴ According to Yuval Noah Harari (2015), “The Wealth of Nations, probably the most important economics manifesto of all time” (2015, 348).

his own, must draw it either from his labour, from his stock, or from his land. The revenue derived from labour is called wages; that derived from stock, by the person who manages or employs it, is called profit; that derived from it by the person who does not employ it himself, but lends it to another, is called the interest for the use of money. It is the compensation which the borrower pays to the lender, for the profit which he has an opportunity of making by the use of the money [...]. The revenue which proceeds altogether from land, is called rent, and belongs to the landlord. The revenue of the farmer is derived partly from his labour, and partly from his stock. To him, land is only the instrument which enables him to earn the wages of this labour, and to make the profits of this stock. All taxes, and all the revenue which is founded upon them, all salaries, pensions, and annuities of every kind, are ultimately derived from someone or other of those three original sources of revenue, and are paid either immediately or mediately from the wages of labour, the profits of stock, or the rent of land” (Smith 1977 [1776], 79-80). Thus, the three main factors of European industrial production were therefore: land which through capitalist-imperialism was to be robbed, plundered, expropriated, so-called discovered and colonised⁴⁵. Labour which was predominantly laborious work and largely underpaid or completely unpaid for, hence centred slave labour. In all epochs up to the age of industrial triumphalism, capital was gained from labour exploitation destined for the wellbeing of the few privileged private hands (capitalists, and plantation owners) (Shillington 1995, 174-175, Harari 2015, 368-372, Mattei and Nader 2008, 10-28, Fukuyama 2014, 244-247, Rodney 2018, 106-207, Mazrui 1986, 164-199). These three factors are the main agencies for industrial agricultural revolution. Accordingly, “Wages, profit, and rent, are the three original, sources of all revenue, as well as of all exchangeable value” (Smith, 1977 [1776] 79). Meanwhile, skilful labour was the key asset for capitalist production. Labour exploitation motivated chattel slavery-maintained feudalism and gave way to our contemporary industrial models of production which proliferate exploitation.

From an historical perspective, since the fifteenth century, Western Europe and Africa forged an economic and political relationship which ensured the “transfer of wealth from Africa to Europe” (Rodney 2018, 86). This exploitation of the so-called ‘poor’ and powerless nations’ resources is fundamentally aided by the dark side of the Rule of Law used by powerful states to legitimise plunder (Mattei and Nader, 2008, 10-28)⁴⁶. This is more evident today when one closely examines international trade relations between the so-called economically ‘poor’ but highly rich in natural resources and the industrialised Western countries. As a result, “what was called international trade was nothing but the extension overseas of European interests” (p.86). Similarly, also for Asia and Latin Americas since 1484 when Christopher Columbus was searching for possible investors. Thus, today’s underdeveloped sections of the capitalist world have been in

⁴⁵ Modern science has benefited a lot from capitalism and European imperialism. The coming into being of modern credit systems was not totally new to agricultural societies. As a matter of fact, European capitalism has similar facets to economic growth in Asia. According to Yuval Noah Harari (2015), “until the eighteenth century, Asia was the world’s economic powerhouse, meaning that Europeans had far less capital at their disposal than the Chinese, Muslims or Indians” (352-35) and “Capitalist entrepreneurs only increased their financial momentum from conquest to conquest” (p.354).

⁴⁶ In their book *Plunder: When the Rule of Law is Illegal* (2008) the legal scholar Ugo Mattei and the leading anthropologist Laura Nader explored how the powerful Western countries have always used the Rule of Law to plunder other nations, states and continents though “foreign-imposed privatization laws that facilitate unconscionable bargains at the expense of the people are vehicles of plunder, not of legality. The very same policy of corporatization and open markets, imposed today globally by the so-called Washington consensus, was used by Western bankers and the business community in Latin America as the main vehicle to “open the veins” of the continent, to borrow Eduardo Galeano’s metaphor, with no solution or continuity between colonial and post-colonial times. It was used in Africa to facilitate the forced transfer of slaves to America, and today to facilitate the extraction of agricultural products, oil, minerals, ideas, and cultural artifacts in the same countries” (p4-5).

constant contact with the imperial capitalist world. During this period, “Africa helped to develop Western Europe in the same proportion as Western Europe helped to underdeveloped Africa” (Rodney 2018, 86). More evidently today, “European decision-making power was exercised in selecting what Africa should export — in accordance with European needs” (p.88). Almost no African country’s agricultural production is purely for itself. Political and economic systems of African countries are technically not allowed to ‘grow what they eat and eat what they grow’. As the second largest continent, and perhaps the richest among all inhabited continents, the discontents of global capitalism are paradoxically more rampant in Africa than anywhere in the world economy, and even optimists of the World Bank and the International Monetary Fund will be too quick to acknowledge that (Stiglitz 2002, 81-87).

Meanwhile, “The nineteenth century brought no improvement in the ethics of capitalism” (Harari 2015, 371). If anything, “The industrial revolution that swept through Europe enriched the bankers and capital-owners, but condemned millions of workers to a life of abject poverty”. In European colonies things were even worse” (p.371). Karl Marx has described the situation of industrial exploitation in the 19th century Europe and postulated that the aim to accumulate capital and reduce production cost are the principal agencies of labour market exploitation⁴⁷. So much so, that in 1891 Pope Leo XIII produced his ground breaking encyclical *Rerum Novarum*, in which he deprecates unfettered capitalism, yet warns against communism, then a new political theory fast gaining ground amongst the working classes (see end of this chapter for more details).

As to *What constitutes the alienation of labour?* Jacquette (2016) analysed labour exploitation taking a dialectical position in the paper entitled Marx and Industrial Age Aesthetics of Alienation. Arguing the position of Marx, Jacquette (2016) quoted, firstly, “the fact that labour is external to the worker, i.e. does not belong to his essential being; that he therefore does not confirm himself in his work, but denies himself, feels miserable and not happy, does not develop free mental and physical energy, but mortifies his flesh and ruins his mind. Hence the worker feels himself only when he is not working; when he is working, he does not feel himself. He is at home when he is not working, and not at home when he is working. His labour is therefore not voluntary but forced, it is forced labour. It is therefore not the satisfaction of a need but a mere means to satisfy needs outside itself. Its alien character is clearly demonstrated by the fact that as soon as no physical or other compulsion exists it is shunned like the plague” (Marx 1975 [1844]: 326)⁴⁸.

Marx’s critique of rights as the foundation for politics cannot be overemphasised. He theorised that work “fulfils our species essence” (Marx 1975 [1844]: 329-330)⁴⁹ and gives us the sense of direction — to be creative and flourish. Having said that, Marx had always criticised the industrial model of Europe as destructive of workers, particularly those who have nothing but their labour to sell. Thus, “estrangement” and “alienation” in Marx (1975, [1844]: 326), refer to the sense of separation, disorientation, abandonment and exclusion of workers from the product of their labour. As a result, “The estrangement of the object of labour merely summarises the estrangement, the alienation in the activity of labour itself” (Marx, 1975, [1844]: 326.) Step by step, these workers are alienated from themselves, their work, and pathetically, from each other (Marx, 1975 [1844]: 331).

⁴⁷ Our critical modern conception[s] of industrial exploitation shaped by Marxist’s Economic and Philosophic Manuscripts of 1844, spoke of workers’ alienation from the product of their labour. Marxist examination of labour exploitation are not just subjective analysis, but, as a real material condition that can be objectively and scientifically studied.

⁴⁸ See, Jacquette, D. (2016). Marx and Industrial Age Aesthetics of Alienation, *International Journal of Philosophy of Culture and Axiology* Vol. 13, No. 1 (2016). Accessed, 17 June 2017.

⁴⁹ Ibid.

According to him, the owners of capital, those who actually own the mill and factories, regarded and treated workers merely as means, objects, vacuum or a stomach that needed to be fed to do its proper functioning or those attributed to it. Workers do not have any real alternative under such conditions of work, but to work for longer hours and for pitiful wages⁵⁰. Karl Marx questioned further, “How could the product of the worker’s activity confront him as something alien if it were not for the fact that in the act of production, he was estranging himself from himself?” (1975, [1844]: 326)⁵¹. Bringing everything together explicitly, under today’s money economy, workers can make products they cannot afford to buy. These products under capitalism disappear immediately from the mills, industries or factories many times without accurate labelling and within seconds follow the trend of global market to those who have the purchasing power. According to Marx, “After all, the product is simply the résumé of the activity, of the production. So, if the product of labour is alienation, production itself must be active alienation, the alienation of activity, the activity of alienation” (Marx, 1975, [1844]: 326). Hence, workers’ reward is alienated from them. As such, they are often malnourished, cannot access good medical services or attend schools. In the long run, they remain uncompetitive labourers and gradually move toward irrelevance⁵².

Friedrich Engels, in describing *The Condition of Working Class in England*, which was first published in 1845, explained that “Before the introduction of machinery, the spinning and weaving of raw materials was carried on in the working man’s home” (Engels, 1987 [1845], 122). According

⁵⁰ A striking example was the historical atrocities masterminded by King Leopold II of Belgium in Central Africa in the Congo basin in the production of rubber as the most important source of its income. The rubber production was marked by serious historical disasters to the people of Congo and their economy. Villagers who could not provide the required quotas of rubber for the colonial interest had their arm amputated and occasionally whole villages were massacred. Between 1885 and 1908 the urge for colonialist profit and growth took six (6) to ten (10) million individuals (estimated to be 20 per cent of Congo’s population). Therefore, neoliberalism can argue the economic basket is far too big than what it was in eighteenth and nineteenth centuries, meanwhile, it is so badly distributed that “African peasants and Indonesian labourers return home after a hard day’s work with less food than did their ancestors 500 years ago” (Harari 2017, 372). He concluded that, “much like the Agricultural Revolution, so too the growth of the modern economy might turn out to be a colossal fraud. The human species and the global economy may well keep growing, but many more individuals may live in hunger and want” (p. 372).

⁵¹ Therefore, according to Marx “All these consequences are contained in this characteristic, that the worker is related to the product of his labour as to an alien object. For it is clear that, according to this premise, the more the worker exerts himself in his work, the more powerful the alien, objective world becomes which he brings into being over against himself, the poorer he and his inner world become, and the less they belong to him. [...] The worker places his life in the object; but now it no longer belongs to him, but to the object. The greater his activity, therefore, the fewer objects the worker possesses. What the product of his labour is, he is not. Therefore, the greater this product, the less is he himself. The externalisation of the worker in his product means not only that his labour becomes an object, an external existence, but that it exists outside him, independently of him and alien to him, and begins to confront me as an autonomous power; that the life which he has bestowed on the object confronts him as hostile and alien” (Marx, 1975 [1844]: 324).

⁵² Jacquette (2016) cited Marx, “Up to now we have considered the estrangement, the alienation of the worker only from one aspect, i.e. his relationship to the products of his labour. But estrangement manifests itself not only in the result, but also in the act of production, within the activity of production itself.” (1975, [1844]: 326). Employers do not take the moral responsibility for the working and living condition of their employees. And for workers in our contemporary alimentary system, this irresponsibility is further incentivised by the complex global food chain and government policy indifference toward the plight of precarious working-class particularly if they are not native citizens. On that account, industrial and factory labour under capitalism alienated workers not just from the very products of their labour, but as well, from the societies they live —between exploitation and social expulsion. The condition of thousands of migrant workers in today’s industrial agriculture demonstrates a collective institutional pathology of worsening conditions on their human dignity. Similarly, many migrant workers live in abandon zones in economic captivity outside the active social contextual reality of native communities. Whether in the agricultural ghettos, derelict buildings or in some shanty villages, throughout Italy, their situation is a separation from the local population into what I called a parallel society of agricultural workers.

to Engels' description of the pre-capitalistic England, "wife and daughter spun the yarn that the father wove or that they sold, if he did not work it up himself. These weaver families lived in the country in the neighbourhood of the towns, and could get on fairly well with their wages, because the home market was almost the only one, and the crushing power of competition that came later, with the conquest of foreign markets and the extension of trade, did not yet press upon wages.[...]. So, the workers vegetated throughout a passably comfortable existence, leading a righteous and peaceful life in all piety and probity; and their material position was far better than that of their successors" (1987 [1845], 122-124). Engels, writing in the nineteenth century, compared the history of different workers in England. According to him traditional English peasants "did not overwork; they did no more than they chose to do, and yet earned what they needed. They had leisure for healthful work in garden or field, work which, in itself, was recreation for them, and they could take part besides in the recreations and games of their neighbours, and all these games – bowling, cricket, football, etc. – contributed to their physical health and vigour (1987 [1845], 124)⁵³. Both Engels and Marx postulated an industrial revolution that will eventually alienate workers and devalue them. In my opinion, the first thing to be attained for a flourishing right discourse for worker protection is the right claim to equal economic opportunities. Marx was much more interested in economic rights as the basis of all other rights (civic and social rights) and indeed, many contemporary social democracies argue economic rights as most essential⁵⁴.

Our contemporary "politics of human rights" (McIntyre, 2011, 54) is hence inconsistent if in defence of labour rights we fail to protect workers from unnecessary body pain⁵⁵. Engels further argued and postulated that "with these inventions, since improved from year to year, the victory of machine-work over hand-work in the chief branches of English industry was won; and the history of the latter from that time forward simply relates how the hand-workers have been driven by machinery from one position to another. The consequences of this were, on the one hand, a rapid fall in price of all manufactured commodities, prosperity of commerce and manufacture, the conquest of nearly all the unprotected foreign markets, the sudden multiplication of capital and

⁵³ Accordingly, "They were, for the most part, strong, well-built people, in whose physique little or no difference from that of their peasant neighbours was discoverable. Their children grew up in the fresh country air, and, if they could help their parents at work, it was only occasionally", (Engels, 1987 [1845]: 50-51). Furthermore, Engels (1987 [1845]) "So it was that the weaver was usually in a position to lay by something, and rent a little piece of land, that he cultivated in his leisure hours, of which he had as many as he chose to take, since he could weave whenever and as long as he pleased. True, he was a bad farmer and managed his land inefficiently, often obtaining but poor crops; nevertheless, he was no proletarian, he had a stake in the country, he was permanently settled, and stood one step higher in society than the English workman of today" (p.123)

⁵⁴ This thesis criticise the implicit neoliberal presumption of no or little exploitation. Neoliberal economies have the tendency to see moral conventions as independent of economic activities, and instead. I support the views of Karl Marx, Friedrich Engels, and John R. Commons that labour exploitation at the pick of which is the sense of alienation, segregation, and loneliness are intrinsic to advanced capitalist economies with deep implications for workers' psychological and social well-being. In short, workers' purpose of existence or their species being. I directly referred to abject material conditions and economic suffering, induced by such industrial exploitation that eventually breakdown the social bonds that once linked individuals to one another and to their nature. This is called by Engels as social murder. For Marx, the solution to exploitation of workers partly lies in their unity against the force that oppress them, therefore the mantra: '*workers of the world unit, you have nothing but your chains to lose*'. In our contemporary contexts however, it is too difficult to expect such a worldwide revolution from millions of disjointed precarious workers in situations designed to keep them incommunicado, therefore, alienated into a parallel society.

⁵⁵ Engels explained that English peasants "were, for the most part, strong, well-built people, in whose physique little or no difference from that of their peasant neighbours was discoverable. Their children grew up in the fresh country air, and, if they could help their parents at work, it was only occasionally", (Engels 1987 [1845], 124).

national wealth; on the other hand, a still more rapid multiplication of the proletariat, the destruction of all property-holding and of all security of employment for the working class, demoralisation, political excitement, and all those facts so highly repugnant to Englishmen in comfortable circumstances, [...]" (Engels, 1987 [1845], 134-135). With the above analysis of the working class in England at those times, Engels vividly informed us of an aggressive production model that neither recognises workers as right holders nor the right to equal economic opportunity.

Pogge (2001) argues that the different positions between developed and developing countries "have emerged from a single historical process that was pervaded by massive grievous wrongs" (Pogge, 2001, 14-15). According to his 'single global resource base' theory, unfair exploitation and terms of trade have created developed countries and disadvantaged poor countries⁵⁶. Humanity "coexists within a single global economic order that has a strong tendency to perpetuate and even to aggravate global economic inequality" (p.15). Thus, to eradicate "systematic poverty" (p.60), as long as this unfair arrangement of the world economic order persist, economically developed countries contribute in "failing to fulfil our more stringent negative duty not to uphold injustice, not to contribute to or profit from the unjust improvement of others" (Pogge, 2001, 60). Analogically, the present precarious situations of workers in industrialised societies reduce especially migrant workers to objects of productions that can be used, dumped and reused again at next to no cost. The American institutionalist John R. Commons described the appalling situation of American workers in his 1977 article *The sweating system: In and out of the sweat shops*. He called this global industrial production a "sweating system" (Commons, 1977, 45) which creates social distances and eventually destroy the independent worker. It is a situation of big corporations oppressing the little man in the fields or factories in industrialised frameworks. Like early modern slavery, this industrial exploitation ran on the blood, sweat and tears of unprotected workers.

Richard P. McIntyre (2008) critiqued in his book titled *Are workers' rights human rights?* He pointed out the limited supervisory and executive power of the International Labour Organisation in a global dilemma of increasing labour exploitation and migration flows. At the cutting age of extensive industrialisation and migration mismanagement, he critiqued, the role of ILO has not brought about lesser labour exploitation. However, labour rights continue to empower the "politics of human rights" (McIntyre 2011, 54). Already in the preface, McIntyre argued that "a prime and imminent tendency in the contemporary world economy is the lengthening of commodity chains through which the ultimate employer is able to wash his hands of moral responsibility for the condition of work". McIntyre's main thesis is that corporate irresponsibility "is true of global manufacturers, such as those operated by Nike and other global manufacturers, as well as in temporary and sub-contracted work situations in the United States and elsewhere". The capitalism of the free market sees labour rights largely as moral convention that can be trampled upon easily. In many other institutions such as the United Nations, European Union and African Union which have promised to defend the rights of workers including their health, security, decent wages and accommodation, have yet to bring those hopes to life.

⁵⁶ Pogge (2001) also make a striking observation on global inequality. He envisaged global justice in his *Global Resource Dividend* and gave a proposal for a more just world order. Using his conception of natural resources (rather than understanding natural resources as an ecological space), taxes on them in Pogge's view will help to alleviate global poverty arguing that there are relevant connections between how other countries developed and how others remain absolute poor.

And therefore, for Richard P. McIntyre (2011) “A politics of human rights” (p.54) must be developed beyond just moral convention to be approached when all other boundaries are exhausted or when we cease practicability. Instead, he argues that “human right politics” must originate from our “social experiences” to create a “common sense” (p.54) of what a dignified life is. Labour rights according to him, must be “argued, articulated and assented to, not just asserted. Any understanding of rights must be placed within historical context, including how the acceptance of particular rights affects and is affected by the exploitative social relation peculiar to the period in question” (p.54). Therefore, the practice of industrial exploitation is made difficult to understand not least because “Rights talk makes economists nervous” and “the concept of human rights was so thoroughly criticized by conservative, liberal, and socialist writers that it had less credibility in sophisticated circles” (p.54). He criticized that economists generally embraced labour debate through cost-benefit analysis, but there are many important questions about morality which cannot fit within orthodox approach not least “rights of the body to be free from pain and the right of the individual to equality of opportunity” (p.55).

Traditional legal interpretations tend to ignore, and do not go further or indeed cannot describe the new dimensions of technical coercion such as the threat of unemployment, imposed vulnerability and workers’ and their families’ bare need contexts. Therefore, traditional methods of approaching contemporary forms of industrial exploitation in our ‘pseudo-slavery’ societies tend to reduce the individual victim into the status of a personal property before seeing it as a form of slavery of our own times. Consequently, industrial agricultural products can be bought regardless to whether such products were produced under exploitative conditions. But as previously observed, such works in industries make work tedious, bleak, empty and always longer than necessary. Workers then spend the few hours at home to eat, sleep and relax. Most of the times they are awake, they are not fully alive⁵⁷. Hence, in such places where the accumulation of capital is innately given such a priority over the welfare of workers or public good, industrial agricultural production becomes compulsively oppressive of workers and peasants alike.

In a similar vein, small landowners are being pushed out of competition from both the local and global market. Farm workers and peasants are being denied their human dignity and turned into some kind of human ‘machines’ forced to perform tasks all the times, over and over, all day long; also the next day until their labour is of no more capital value. It was the lack of surplus value that could not be earned from ailing enslaved workers and children, added to the high cost of maintaining an increasingly enslaved family, which makes wage labour much more profitable over chattel slave labour. As opposed to maintaining a slave, a wage worker could be employed for next to nothing, and he or she could be fired and replaced the next day by other thousands waiting in the line for the race to the bottom.

2.3 Contemporary industrial exploitation of TCNs: from the frying pan to the fire

When you think of Italian agricultural exploitation, what may automatically come to the mind is the thought of large corporations abusing the ‘little’ migrant in sorting grapes in the regions of Lazio, Tuscany or Calabria. Or the Roma minors picking oranges alongside their parents for 8 to 12 hours throughout the day. One might also think of the thousands of African youths working for the

⁵⁷ Marx (1975 [1844]) cited by D. Jacquette further writes, in his extensive commentary on “Excerpts from James Mill’s Elements of Political Economy”, p. 278: “My labour would be the free expression and hence the enjoyment of life. In the framework of private property, it is the alienation of life since I work in order to live, in order to procure for myself the means of life. My labour is not life.”

pennies on the euro in the agricultural ghetto of Campobello di Mazara, in the countryside of Trapani, or in Rosarno, Reggio Calabria, living in agricultural ghettos without the basic facilities such as running water, electricity, sanitation, working in order to earn a living to support their families overseas through remittances. One might equally think of the child labour scandal, human trafficking, killings and disappearances of migrant workers in the tomato production in Puglia, Emilia-Romagna and Campania. Personally, what comes to my mind is the contemporary situations of slavery masterminded by gang mastering and the infiltration of the mafia. Thus, the “Agromafia” and “Caporalato” are the twin agencies of worker exploitation in Italian agriculture.

“Agromafia” uses labour exploitation particularly from the migrant population or those without real alternatives, as a principal mechanism to maximise profit. The demographic history of these workers shows most victims are people within vulnerable socio-economic and legal brackets. Agribusinesses throughout Italy employ illegal labour in order to lower production cost through oppression and abuse. At the end of this complex food-chain, thousands of agricultural workers serve merely as ‘ends’ for the accumulation of profit. However, the exploitation of the precarious migrant population in the main national productive sector is nothing accidental. Almost always, the needy status of these workers predisposes them prone to agricultural exploitation —keeping enough to just survive. This flourishing unclean industry demonstrates lack of appropriate government policies and support for human rights. As Harari (2015) put it, “This is the fly in the ointment of free-market capitalism. It cannot ensure that profits are gained in a fair way, or distributed in a fair manner” (p.370). This is what Papa Francesco referred to as “the globalisation of indifference” (Mattei, 2020, 23).

The recent flows of migrant labour through the Mediterranean is a pivotal time that catapulted Italian agricultural industry with vulnerable labour (Caritas Italiana, 2018, 241-252)⁵⁸. As a country of first entrance into the EU (Dublin regulation) coupled with Italy’s migration policies, these inflows through the Mediterranean give it a comparative advantage over other EU agricultural industries. In terms of cheap and exploitative labour, Italy remains among the largest producers of fruits, vegetables, viticulture, and olive oil at European level. As such, there has never been such a “sweating system” (Commons, 1977, 45) of thousands of workers, victims and potential victims of Italian industrial exploitation. In his historical critique of capitalism, Yuval Noah Harari (2015) concluded that capitalism’s “craving to increase profits and production blinds people to anything that might stand in the way. When growth become the supreme [god], unrestricted by any other ethical considerations, it can easily lead to catastrophe (p.370)”. Apparently, “Capitalism has killed millions out of cold indifference coupled with greed (Harari, 2015, 370)”.

Today, Italy maintains its position as one of the biggest exporters of tomatoes in the world, second only to the United States. After all, it is the sweat, tears and blood of these precarious workers which enabled cheap Italian agricultural production. The shortage of seasonal workers during the Coronavirus Pandemic (2020) made the Italian minister of agriculture Teresa Bellanova to appeal

⁵⁸ Depending on how you want to make the linkages, the migration of today’s African diaspora largely comes through the Mediterranean ‘slavery’ routes into Italy. Hundreds of thousands of African youths pass the wilderness of the deserts from Mali, Mauritania, Western Sahara, Niger, Chad, Sudan, Egypt, Algeria, Tunisia, and Egypt into Libya or through Morocco into Spain. Human traffickers and smugglers inflict on migrants all inhumane treatments, before they are ‘sardined’ on inflated or wooden boats and ‘shipped’. Like the “Transatlantic Slave Trade”, the number of people dying through this perilous journey before reaching Italian detention and asylum centres cannot be known. Today, however, depending on their motivations, in their efforts to reach Europe, and upon many traumatic experiences, many African youth are caught up in the brutal memory of “Transatlantic Slave Trade”, during which their ancestors were treated as commodities, assets or instruments of labour for profit making. But this exploitation cut through almost all identities: ethnicities, continents, religions, age and gender. Today, many of these migrants who reached the Italian shores are caught up in industrial contexts between severe exploitation and contemporary forms of slavery (Osservatorio Placido Rizzotto, 2016, 51).

from the Italian government guaranteed protection for migrant workers as an incentive to attract them. According to her, Italy “must guarantee working conditions in the field of absolute security. And take the illegal workers out of the mafia” because “Agriculture needs migrants”. The pandemic will have a potential impact on agriculture if seasonal workers cannot move. According to Bellanova, “Enough of the trivialisation of the past years, immigrants are not enemies”, as a matter of necessity, “we need them”⁵⁹. But what is often underestimated and overlooked is the widespread effects of the exploitation and its long-term impacts on the lives of victims and their descendants. And as a long-term impact, the descendants of these victims are most likely to be born into abject poverty and oppression — and as a vicious circle, they will be more vulnerable to exploitation.

Thus, the present industrial labour market is organised and maintained as a model of production for to the benefit of a few private hands. This profit goes to several agencies such as big companies, the mafia, and criminal organisations; some of the profit goes to plantation owners/landlords. Moreover, these underpaid workers produce goods that reach consumers with incorrect labelling and frequently at very unfair prices. At national level, migrant workers also pay taxes from which many do not receive back social security. They do not earn financial support such as pensions. The National Social Security Institute (INPS) is gravely indebted to such seasonal agricultural workers such as Senegalese and Gambians. Under this context of flourishing industrial exploitation which feeds off migrant labour, it is difficult to summarise all the inadequacies involved. Meanwhile, labour laws in most contemporary liberal economies deal with wage employment, the so-called ‘normalised’ employment relations. As such, discriminating those who will not or are not formally employed. Many jobs migrants do today are classified as unskilled. Seasonal works in marginalised sectors like agriculture are categorised under the informal or unstructured economy (Caritas Italiana, 2018, 241-252), so little or no protection against abuse since the economies in which they work are either submerged or clandestine (or both). As a result, such migrant workers on the fields become invisible.

The analysis of the complexity and invisibility of migrant workers’ protection from forced labour, severe exploitation, contemporary forms of slavery and slavery like practices involves therefore:

- (a) The National Constitutions of Italy empowering and giving authoritative reference to labour law and hence, to serve as its original reference.
- (b) The traditional labour law and its environment, and;
- (c) Other laws that fundamentally impede and restrict regulation in agricultural labour relations. For instance, the law n. 286/1998 has been converted into the Unified Text on Immigration and has undergone various interventions and modalities overtime. This text is the most authoritative reference to many provisions in the agricultural sector and on the condition of the non-EU migrant workers. The unified text, law n. 286/1998 is also the reference to restrictive policies towards non-EU migrant workers.

Therefore, the proponents for genuine freedom of choice who are imperceptive to contemporary forms of slavery on rather abstract grounds, such as individual free will, should also take note of all the legal and socio-economic vulnerability surrounding TCNs. There are strong legal, economic, political and socio-cultural factors beyond the individual employee, but which all constrain his or her choice of working and living conditions (Caritas Italiana, 2018, 241-252). The analysis of contemporary forms of slavery therefore involves studying those who are socially repressed within the general fabric of the modern economy in order to understand the production patterns.

⁵⁹ Available at: https://www.repubblica.it/politica/2020/04/06/news/bellanova_agricoltura_immigrati_circo_massimo-253267879/?refresh_ce [Accessed 6 April 2020].

Today's agricultural production is industrialised, and hence qualifies as part of the formal or structured economy. In the traditional production model, there were no social protection and work was ungoverned by modern labour laws. Granted, the traditional agricultural production was largely local, ungoverned by modern laws and therefore, unprotected as far as labour rights are concern. Meanwhile, the reports of Observatory Placido Rizzotto (2012, 2014, 2016, 2018) and several studies by Caritas Italy have shown that informal employment relationships create submerged and rising criminal economies. Analogically, modern Italy with its advanced technology and high dependence on agriculture operates on a production model that is called all sorts of names such as submerged, informal, invisible, underground, marginal, clandestine, and criminal, while globalised, industrialised and feeding off cheap and mostly illegal labour from hundreds of thousands of workers who are usually denied their basic rights⁶⁰.

As opposed to the former traditional production model, the radical industrialisation of Italian agriculture into modern commerce depends on extensive human capital. After all, in my opinion, it is naive to classify a contracted employment relationship as 'formal' and therefore, free of exploitation, simply because there are some legal structures behind it and then deny using contemporary slavery. To avoid the legal constraints imposed by employment law, to be able to evade taxes, and to employ cheap illegal labour neglecting social responsibilities, companies can exchange connections in terms of sub-labour contracts on temporary bases from field to field inducing illegal practices that are or can be concealed by the very nature of such legal superstructures. For a law to be alive and deemed effective, it has to be seen from its impact on the living reality in other to introduce a "legal culture" (Friedman, 1994, 118⁶¹) that will extend to affect general social behaviour such a law wishes to address. Negative industrial externalities like exploitation in all its gravities is an unethical social behaviour of an individual exploiter living like homo economicus. Friedman's observation is notable because it points to the fact that worker protection in labour laws is an instrument for social justice in an era of neoliberal laissez-faire for employment contracts. Therefore, we know all too well that the sheer existence of a contract and legal structures are not, as far as Italian agricultural employment is concerned, a guarantee to establish decent work conditions or avoid severe exploitation which leads to a form of contemporary slavery.

Another problem is a moral question. That of the 'freedom of choice or genuine free will' in contemporary slavery and exploitation discourse within a neoliberal epoch. The question 'has the worker freely chosen to bear the conditions at work or is s/he driven by poverty or economic necessity — as the case might be — such that his/her genuine freedom of will is fundamentally impaired? Or to put the question another way: is s/he a vulnerable or self-inflicted victim of exploitation or could s/he have genuinely done otherwise — the existence of other real alternatives? As captured in this discussion, in England land was once held in common, and everyone used the land for growing their food and grazing their animals. Then came the 'land grabbers', who enclosed the land (claiming 'exclusive use', which meant exclusive non-use by everyone else), the result being that those who were deprived of their land had lost their material support, and were

⁶⁰ These terms (submerged, informal, invisible, underground, marginal, clandestine and criminal) are use here on theoretical bases to speak to the reality of employers, companies and agribusiness which work with the mafia or employ criminal behaviour to submerge themselves into invisibility situations rather than how particularly they are (or not) attached to the legal economy.

⁶¹ Friedman (1994) interpret or better, defined legal culture as the "ideas, attitudes, expectations and opinions about law, held by people in some society" (p. 118). Tousoz (1964) observed that "In legal terms, the concept of effectiveness expresses the relationship between a certain situation in practice, a certain reality, and a rule or certain legal situation".

compelled to seek money to buy their needs; the landless were now compelled to work for the land owners for whatever pittance they would pay – is this not a form of slavery? Choice has been taken off them. But in a market society like ours, not only are things changed into commodities, most significantly, it radically changes our fundamental perceptions about human nature. Our values about what should be the right social order becomes blurred. But most economists are scared of right talks as observed by McIntyre (2008) and “want to leave the room when the subject of “rights” comes up” and it is equally arguable that capitalist economies like Italy that are heavily dependent on exploitable labour of migrants will hardly welcome substantive right discourses such as decent work and the regularisation of migrants labour. It must be emphasised that slavery and slave trade was not opposed on moral grounds only, but because such practices seriously interfered with the genuine freedom of choice of an individual. Our contemporary understanding of slavery expands even beyond the persistent injustices in employment situations. At the same time, even if the employer-employee relationship is not coercive, that is, the migrant worker has freely chosen to work, so to say, there remains a further moral question, not least important, that of ‘degradation’. Does denying migrant-workers fundamental human rights at work and therefore, treating them as commodities of labour or “merely as means to be arbitrarily used by this and that will” (Kant, 1959 [1785]: 46:) degrade them?⁶² Does it fail to value them in the proper way, as equals like all other workers? McIntyre (2008) criticised our contemporary labour ‘right claims’ to be abstract without real effects on the actual social contexts in which they are argued with hot sounding rhetoric of universalism (on which they are usually opposed) (p. 53-79).

Nevertheless, the notion of ‘free will’ or ‘freedom of choice’ in contemporary slavery has long been an unresolved philosophical discourse between proponents of ‘free determinism’ and those for ‘genuine free will’ of human action in describing. Meanwhile, not all human actions can be reduced to such approaches. Migrant workers are constrained by many internal and external factors that might fall under either ‘genuine freedom of will’ or ‘free determinism’ or none. Therefore, issues about our economic, social and political rights are neither entirely matters of personal consent nor are they matters of individual freedom and autonomy alone. These are all questions that matter about our shared legal, moral and above all, our (spiritual) social ecology and what role they play in our political lives and (beyond and above all,) how together we justify these laws against particularly TCNs. In short, the meaning of a good life for these migrant workers who are entrapped victims of industrial agricultural exploitation must be interpreted to be the same meaning for all workers as enshrined in the Charter of Fundamental Rights of the European Union. The Italian unionist, a former victim himself of the ‘Agromafia’, Yvan Sagnet, during the strike of Nardò, (in a public assembly): “to all those who have asked you tomorrow to go to work, at any price, and to continue to suffer this dirty work and be part of this dirty system, to tell them that you have understood their dirty system. That you are men. That you are a force. That you have an intelligence. That is no longer the era of slavery. That you want to have your rights. That all of you want to have a real contract, like all workers in the world. Because all those who work are not slaves”.

In the book *Are Worker Rights Human Rights?* McIntyre (2008) argues that rights claims should be measured based on their greatest good for the greatest number rather than perceiving worker rights as “natural” (p.53) without any strong legal enforcement and human reasoning behind. However wide our thoughts about worker protection, we must see such rights, as well as duties, exactly as creations of institutions. Contemporary worker rights are a result of enormous struggles of

⁶² See Kant, 1959 [1785]: “Now I say man and, in general, every rational being exists as an end in himself and not merely as a means to be arbitrarily used by this or that will.” (46-50) cited in Jacquette, D. (20016).

institutions — through work evolution — and will have no strong impact without institutional enforcement. Human right regime must, therefore, be grounded on creating an ethical vocabulary and social basis of individual interests as opposed to collective or group interests in order to have an impact against social injustice (McIntyre 2008, 53-79).

Controversies in the right discourses about severe labour exploitation and contemporary forms of slavery are no reasons to surrender the idea. Instead, the struggle for workers dignity demands that we think critically and observe our peculiar contemporary oppressive socio-political and employment relationships that are targeted at TCNs and which interfere with their genuine freedom of choice. As a result, the contemporary imbalance of employee-employer relationship produces conditions where contemporary slavery flourishes (see, in case study chapter 4).

Today's labour protection cannot be regulated by contracts that do not in practice establish an active employer-employee relationship. Employment in the agricultural sector must put into consideration many aspects. The key issue concerning the agricultural labour market and workers' welfare is crucial. Many contemporary problems of labour exploitation happened in contract relationships. The academic debate on rethinking labour law within Europe in the Supoit Report of 2001 described it very well. According to Arthurs (2006) “[t]he greatest gains for workers might perhaps come, not from securing access to a fixed array of legally enforceable protections and benefits, but from being regarded as an indispensable component of every calculus of public policy which might affect them”. As a prerequisite to critiquing labour law, it is compelling to understand the economic, legal, and socio-political processes which lead to it. As such, to diagnose, we must investigate the social reality within which exploitation turns to be an everyday affair. But the self-contradictions within labour law itself, explains the inherent weaknesses in assuring legal protection to all wage-earning workers, particularly in the fight towards decent work for the so-called ‘unskilled’ migrant workers. It might be the oldest of all motives —profit— that will have to be regulated, we hope, through labour law to bring back the rights of less protected workers in order to avoid the persistent race to the bottom. As we have begun to see nationally and within the EU, McIntyre (2008) postulated that, “it is surely only a matter of time until the institutionalisation of sweating via the creation of social distances between the worker and her “real” employer starts to impact the “native” workforce as well” (p.52).

The concerns for migrant workers' rights in Italy stops at a very simplistic level. On the one hand, there is a considerably fast regulatory body and on the other hand, this regulatory body is yet to address and fail to see the fast-growing imbalances in employment relations. It is the very relationship between trade and work condition in this era of globalisation which are the product of our contemporary labour laws, and which has first led to the ILO Declaration of Philadelphia on May 10, 1944.

Lest we forget that it was also the claim for global trade which produced chattel slavery for capitalistic accumulation. And when I say ‘low cost production’ it implies only how the real employer maximises profit from the underpayment of workers, thereby achieving a real cut in production cost for the capitalist to make a surplus by using cheap labour. Indeed, behind this surplus lies a very high human cost hiding behind today's market triumphalism which ridicules all of us to the position of unmanageable consumers. More than any time before, contemporary labour exploitation is further aggravated by the interdependence between economies of the north and those of south and vice versa. The long production chain driven by market logic and the greed for profit against stiff competition add to explain the reduction in production cost. In the final analysis, these long chains of production disproportionately make the smaller farmers and agricultural workers bear the brunt. For example, tomatoes can be produced in both Senegal and The Gambia. But what market value is given to tomatoes produced in Senegal or The Gambia will depend on the global

trade arrangement such as the so-called ‘fair trade’. Europol (2013), noted the “growing demand for cheap products and services stimulates the expansion of a shadow economy in which migrant labour is exploited. Irregular migrants arriving in destination countries often have no choice but to accept exploitative conditions and working practices [...]. Exploited workers are paid less and work harder making them attractive to unscrupulous employers who are seeking to decrease production costs” (Europol 2013, 12). The demand for cheaper labour on the side of the employer and the reverse demand for even cheaper products arriving from agriculture (from the other side by the unmanageable consumer and perhaps the ecologically ignorant consumer), have their worst effects on agricultural workers with little or no bargaining power within the global production chain⁶³.

Decent work continues to be a high global ideal of the ILO. Meanwhile, in an increasingly migratory world where migrant labour is undervalued, deskilled, marginalised and exploited, migrant farm workers are being alienated from their labour in the global economy. As a result, their severe exploitation turns into conditions of contemporary slavery in subtle and explicit ways. Increased human trafficking for labour exploitation is, as well, a structural problem of the productive system but which is being treated as an emergency. Like the mafia and “Caporalato”, human trafficking is similarly designed to exploit the social and economic vulnerability of migrant workers. According to Amnesty International, ILO and IOM, many people who are in situations of poverty and decide to migrate usually have no real choice. However, they observed that migration involves a broad spectrum of exploitation such as trafficking, smuggling and exploitative labour. The protocol against trafficking also mentions the spectrum of labour exploitation involving forced labour or services, slavery, and servitude⁶⁴.

Contemporary slavery is opposed not only on moral grounds but basically because such practices interfere with the genuine freedom of choice. That is in short, the availability of other real choices. Problems typical of migration such as human smuggling and trafficking for the purpose of labour

⁶³ Other than the global economic crisis which is interpreted as among the strongest catalysts for the reduction in production cost, and therefore, the poor working conditions, the exploitation of migrant workers in agricultural fields is also potentially influenced by our “unmanageable” consumption patterns. The unbeatable desire of our contemporary methods of consumption for cheaper agricultural products in the market calls for the availability of slave labour. This potentially induce exploitation of migrants as the final ‘subsidies.’ In my opinion, this condition of global precarity reduce migrants to ‘grants’, therefore, “my-grants” by changing “i” to “y” to show the not so explicit metaphor. This would mean that migrants under such socio-economic and political arrangements can be perceived as ‘grants’ — people working most of the times under precarious conditions devoid of fundamental rights. After all, it was the uncontrolled desire for sugar for Europeans consumers which sustained plantation slavery for centuries since in the fifteenth centuries. Today, the Italian tomato, olive oil and wine are welcome all over the world. How many more workers do we enslave through and through our consumption of popular commodities?

⁶⁴ As defined in the introductory chapter, ‘servitude’ means a situation of serious denial of freedom where a person is obliged to perform a service under coercion. In addition, servitude also constitute the obligation to live on someone’s property (employer) without the possibility to leave the premises or terminate the condition of work (European Court of Human Rights (ECtHR)) *Siliadin v. France*, No. 73316/01, 26 July 2005, paragraph 123-124).

exploitation, forced labour⁶⁵, slavery⁶⁶ and servitude (see, Chapter 1) understood according to the spectrum of exploitation, are not phenomena peculiar to one country. They happen globally in every labour market. Meanwhile, the controversies over labour standards since post World War II and the establishment of the International Labour Organisation (ILO) marked one of the central debates surrounding economic globalisation. Today's international labour mobility is largely directed towards the industrialised north (Becker, 2011) and in clandestine agricultural economies such as Italy where TCNs are largely vulnerable. According to the 2019 *Report of the Special Rapporteur on contemporary forms of slavery including its causes and consequences* (UN Geneva, 2019), "Vulnerability to slavery is closely related to labour market regulation and dynamics" (p.4). Osservatorio Placido Rizzotto (2018), Caritas Italia (2018) and FRA (2015) analyse Italian agriculture as heavily relying on migrants' labour. Similarly, Her Majesty Queen Máxima of the Netherlands and the UN Secretary-General's Special Advocate observed that "some people will risk everything – even their lives – for the chance of a brighter future for themselves and their families. Almost every day we are confronted with the human tragedies arising from this need, here in Italy, in Europe, and all around the world"⁶⁷.

Therefore, to understand the phenomenon of contemporary slavery on thousands of migrant workers in Italy, it is necessary to put into perspective a set of other issues such as: the discontents or in other terms, the negative consequences of the seemingly never-ending global financial crisis; ecological crisis induced by climate change; the ever widening inequality gaps and differences in life quality (such as the conditions of living, nutrition, safety, income, access to education, healthcare and life expectancy) between different geographical regions (see, Chapter 5). Therefore, "the faceless symbols of the world economic order" everywhere, even in the Wall Street "are under attack" (Stiglitz, 2002, 24). Accordingly, the industrialised Western powers are disproportionately to blame for the most part. The impacts of the World Bank, the policies of the International Monetary Fund (IMF), World Trade Organisation and EU policies continue to create economic instabilities to developing and low-income countries (Stiglitz, 2002, 24-42). Stiglitz (2002) criticises the global inequality gaps caused by free-trade agreement, market liberalisation and the debt bondage of low-income countries as a potential push factor of international labour mobility. Therefore, "a force that has brought about much good" suddenly "become so controversial" (p.25). Most of these TCNs who are prone to exploitation or under conditions of contemporary slavery, whether in Italian or Spanish agriculture, come from highly indebted regions such as Senegal and the Gambia. The broken infrastructure of such states left their citizens with no real alternative but to migrate to places where they hope to find a market for their labour. Their labour becomes the only 'material' they have to sale. Analogically, at whatever price a migrant worker wishes to sale his or her labour,

⁶⁵ "Force labour" is quite an inexplicit subject under Italian criminal law, at the same time, in matters concerning labour exploitation, criminal provisions including extortion such as art. 629 and art. 572 (maltreatment of family members or cohabitants) can be applied respectively. However, article 603 bis on "illicit intermediation and work exploitation" the so-called "caporalato" provision, and others such as article 12 para. 5, article 22 par. 12 and Art. 12 bis of the Consolidated Migration Act can be used to address situations of force labour (or in other words, offences that arrive from labour exploitation.) However, the International Labour Organisation defines 'Forced labour' to be "any work or service that is done by any person under the menace of any penalty and for which the said person did not voluntarily offer him or herself" (ILO, Forced Labour Convention, 1930, Article 2 (1)).

⁶⁶ 'The status or condition of a person over whom any or all the powers of the right of ownership are exercised' (1926 Slavery Convention).

⁶⁷ Her Majesty Queen Máxima of the Netherlands and the UN Secretary-General's Special Advocate for Inclusive Finance for Development, in Global Forum on Remittances and Development 2015 16-19 June, Milan. See; Global Forum on Remittances and Development 2015, 16-19 June, Milan.

it is certainly not up to him or her alone. The employers, the market economy and the legal landscape in the societies they sell their labour play the most crucial role. Some of these migrant workers are heavily indebted to lenders, traffickers and smugglers before reaching the Italian fields which further expose them to conditions of slavery, with the hope of quickly paying back their loans. A lot of these migrant-workers (victims and potential victims of work exploitation) were lured into Italy and Spain with false promises of work and better standards of life⁶⁸. But after they arrive; they gradually fall into exploitation and conditions of contemporary slavery. Undocumented migrant-workers are especially at high risk: they face continuous threat of violence, reports, arrests or even deportation. Their wages or documents can be withheld to reduce them to the total control of the employer which gradually condemn them to conditions of slavery living in rat and insect infested quarters such as agricultural ghettos. Gang-masters and employers threaten them with deportation if they complain about their pay or living conditions.

The International Organisation for Migration (IOM) data on Displacement Tracking Matrix, released on November 2017 showed that, 52 per cent left of their 4,712 respondents left their homes because of violence or prosecution, 35 per cent because of economic reasons, and 21 per cent because of war or conflict⁶⁹. According to the Italian national statistics from the Ministry of Interior, the greater part of the migrants (around 70 percent) come from Africa⁷⁰. These considerations are inherently crucial for our analysis. Clearly, all the factors mentioned above can be classifiable as either “positive” or “negative”, “pull” or “push” factors which directly or otherwise induce the movement of people. These are all problems that are now widely seen as structural disruptions within the global geopolitical landscape. Problems characteristic to international labour mobility are the result of a complex amalgam of geopolitical and economic processes, neither solvable nor caused by the actions or inactions of a single state. Most of these factors that conditioned contemporary international migration of mass numbers into conditions of vulnerability can be understood as inherent inadequacies of human institutions.

The ILO 1944 Declaration of Philadelphia states that “all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity” that “all nations and international policies and measures, in particular those of an economic and financial character

⁶⁸ Today, living in a ‘civilised’ society, Western countries pride themselves on having the ‘Rule of Law’. Laws are (with the exception of Common Law in Britain and much of the English speaking world) made in Parliament, where the MP’s (of *all* political colours) are open to hospitality (and much more) from well-funded lobbying groups, who spare no expense in keeping the legislature compliant with their wishes, ensuring that new legislation works for them. Laws are interpreted by the judiciary, the vast majority of judges having good connections with vested interests; and enforced by the police (or failing that the military, as was the case in Northern Ireland) who, like most wage earners, depend absolutely on their salaries for material support, rendering them compliant. Add to that that in conflict of law, Statute Law over rules Common Law, and EU Law over rules everything else, and one soon realises the quagmire one faces when trying to get justice.

⁶⁹ International Organisation for Migration (IOM) (2017), *Flow monitoring surveys : the human trafficking and other exploitative practices indication survey migrants interviewed along the central and the eastern Mediterranean routes compared*, IOM, 2017, p. 29. Available from: http://migration.iom.int/docs/FMS_human_trafficking_and_other_exploitative_practices_Central_and_Eastern%20Med_November_2017.pdf. [Accessed 8 June 2017].

⁷⁰ According to the Ministry of Interior, 181,436 migrants have arrived in 2016, (and received 123,600 asylum applications) so far, the highest registered case since 2008. Even though they are instructed to do, Italian government does not give data on how many asylum applicants were victims of human trafficking. As of 8 June 2018, 13,808 migrants have arrived in Italy by sea. See; Ministero dell’Interno (2017) *Cruscotto Statistico Giornaliero*. Available from: http://www.interno.gov.it/sites/default/files/cruscotto_statistico_giornaliero_del_7_luglio_2017.pdf. [Accessed 7 July 2017].

should be judged in this light and accepted only in so far as they may be held to promote and not to hinder the achievement of this fundamental objective”. In other terms, this very declaration has mostly brought about a lot of criticisms on ILO’s role⁷¹, in labour discourse. The ILO in 1999 restated its ideals for workers welfare by focusing this time on “decent work” across the spectrum, with the objective “to promote opportunities for men and women to obtain decent and productive work, in conditions of freedom, equity, security and human dignity” for all workers of the world “wherever work might occur, whether in the formal or informal economy, whether at home, in the community or in the voluntary sector”. Nevertheless the 2019 *Report of the Special Rapporteur on contemporary forms of slavery including its causes and consequences* (UN Geneva, 2019), recommend that “An evidence-based analysis of the situation of slavery tomorrow must begin with a firm understanding of how slavery manifests today, where and why” (p.2)⁷². Risk factors and vulnerability varies and “include age, gender, income, employment status, education level, health and other factors relating to social isolation” (p.3) and young people are more expose than children and the elderly according to the report. According to ILO, Walk Free Foundation and IOM, *Global Estimates of Modern Slavery: Forced Labour and Forced Marriage* (Geneva, 2017) estimated that more than 40.3 million where in a situation of modern slavery in 2016. That is statistically 5.4 victims for every 1,000 people globally. According to the *Special Rapporteur on contemporary forms of slavery including its causes and consequences* (UN Geneva, 2019), “4.8 million people experienced forced sexual exploitation of adults and/or commercial sexual exploitation of children and 16 million people experienced forced labour exploitation in the private economy. The latter occurred in numerous settings, including domestic work (24 per cent), construction (18 per cent), manufacturing (15 per cent) and agriculture, forestry and fishing (11 per cent)” (p.3). Consequently, for many migrant workers from sub-Saharan Africa, a population that is prone to abject structural poverty, and whose living standards continue to deteriorate are equally a population prone to both migration and exploitation, either as a consequence of lack of better life changes or as a means to it. Hence, with the increased growth of poverty and the lack of opportunities in most of the so-called developing or low-income and highly indebted world countries contrasted with the so-called liberal and industrialised democracies, many youths moved from poor regions, countries and continents to reach the North (Becker, 2011, 200). For instance, when we examine the distribution of international migrants by countries’ income group, the World Migration Report 2018 states that, about two thirds of international migrants lived in high-income economies and in 2015 – around 157 million. This compares with 77 million foreign-born who resided in middle-income countries

⁷¹ The growing role of International Labour Organisation (ILO) in labour policies and worker protection (of special attention to those in precarious situations) is a key to labour debates and the increase global crisis of labour laws equally challenges their ‘statuary role’ since 1944 Declaration of Philadelphia. The assertive claims for standard labour laws globally can be said to have originated from the concerns for workers welfare in industrial employment and how nation laws regulate wages. ILO’s role to this goal has since being instrumental from the ‘ILO 1919 Constitution’ or rule book (if you like) to its subsequent provisions such as: Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951(No. 100), Discrimination (Employment and Occupation) Convention 1951 (No. 111); Workers with Family Responsibilities Convention, 1981 (No. 156); Part-Time Work Convention 1994 (No. 175); home Work Convention, 1996 (No. 117), Private Employment Agencies Convention, 1997 (No. 181) and in 2006, The Employment Agencies Convention, 1997 (No. 198). For more recommendations concerning social security and worker protection, safety and health with the internal discourse of labour standards (see Marin, 2006 and Vosko, 2006).

⁷² The *Report of the Special Rapporteur on contemporary forms of slavery including its causes and consequences* “assesses features of slavery today and indicates how expected changes in the future of work, demographics, migration and the environment may shape slavery in the years to come” and is limited to contemporary forms of slavery.

(about one third of the total migrant stock) and almost 9 million in low-income countries in the same year⁷³. According to the *Special Rapporteur on contemporary forms of slavery* (Geneva, 2019), “Being a migrant, a refugee, a displaced person or an asylum seeker appears to particularly heighten the risk of slavery” (p.4). This is several factors including “smugglers’ decisions, the profitability of exploitation and debt traps” (p.4). Accordingly, “There is a growing recognition of the links between migrant labour recruitment practices and exploitation and how policy and regulatory regimes governing migration may impact vulnerability to slavery” (p.4). The agencies and risk factors of contemporary forms of slavery will be further discussed in the subsequent chapters.

Meanwhile, the World Bank (2020), International Monetary Fund (2020), World Economic Forum (2020), and the ILO (2020) express serious concern that poverty will speedily increase as surges of economic damages by the Coronavirus will take its toll. Generally, Covid-19 induced economic disaster will be worse on the poor and most vulnerable workers. The increase of poverty heightening risks of exploitation, especially for those already exploited. Increase unemployment (due to the Covid-19) will increase precarious labour supply and therefore, create vulnerable situations. Covid-19 crisis will trigger some of the key drivers of contemporary slavery such as financial crisis, and extreme poverty and forced migration due to unemployment. It will affect the movement of migrant workers. Migrant seasonal workers might increase as a lack of any other alternatives, but host economies might as well limit their freedom of movement. A scenario like that will increase migrant workers’ exposure to exploitation by employers who can easily manipulate them particularly in submerged economies. According to the *Report of the Special Rapporteur on contemporary forms of slavery including its causes and consequences* (Geneva, 2019), “The informal sector is characterized by low productivity and low-skilled jobs without stable sources of income” (p.4). “Informality, including casualization, and other forms of precariousness in employment are risk factors for vulnerability to slavery” (p.4). According to the report, over 60 per cent of the world’s population, including the 56 per cent of the employed population of G20 economies “are in informal employment” (p.4).

The triangular relationship between employer, employee and state, helps us not only to understand but also to regulate the causes of the power imbalances between the employer and the employee. To comprehend this oppressive relationship, we must observe the power asymmetry between the employer and the employee. As recommended by ILO (2006a), we must endeavour to know “who the employer is, what rights the worker has, and against whom those rights can be enforced”. Notably, many scholars remarked that severe labour exploitation as a denial of fundamental human rights of migrant workers go hand in hand with this type of migration (Leogrande, 2008, 5; Pugliese, et al., 2012, 13; Carchedi, 2011, 8-30⁷⁴). The *Report of the Special Rapporteur on contemporary forms of slavery including its causes and consequences* (Geneva, 2019) observed that, “The actions of Member States thus remain central to the struggle to eradicate slavery, not only because of their duty to protect through regulation, accountability and victim support, but also

⁷³ See also, UN DESA (2008 and 2015a), available at: http://publications.iom.int/system/files/pdf/wmr_2018_en.pdf [Accessed 10 September 2019]

⁷⁴ See for instance: Carchedi, F., Mottura, G., Pugliese E. (2003) *Il lavoro servile e le nuove schiavitù*, Franco Angeli, Milano, p.13 F. Carchedi, F. (2011) *Slave Labour. Some aspects of the phenomenon in Italy and Spain*, The Federation of Protestant Churches in Italy, Roma, P. 8-30. Moritz, T. Tsourdi, L(eds.) (2011), *Combating Trafficking for Forced Labour in Europe*, CCME, Bruxelles, p.18-24; Carchedi, F. (Eds. 2010) *Schiavitù di ritorno. Il fenomeno del lavoro gravemente sfruttato: le vittime, i servizi di protezione, i percorsi di uscita, il quadro normativo*, Maggioli Editore p. 8-14. A. Leogrande, A. Viaggio tra i nuovi schiavi nelle campagne del Sud, Mondadori, Milano, 2008, p. 10-14; ILO, *A global alliance against forced labour...*, p. 5.

because of their essential role in mobilizing and shaping strategic policy response. States are the main duty bearers in ensuring the realization of the human right to be free from slavery and servitude” (p.28).

At the same time, the exploitation of migrant workers becomes implicitly accepted through our general political indifference and moral ambivalence towards the dignity of others. However, what has the most impact is the institutional⁷⁵ conspiracy of silence towards the plight of workers in more precarious conditions than us. The lack of due diligence on the part of liberal democracies has become a global institutional malaise which condemns many migrant workers to become economic prisoners⁷⁶. Fortunately, not all TCNs are victims of these serious crimes against human rights, notwithstanding the reality that the structural organisational deficiencies coupled with the marginal nature of many workplaces make TCNs dependent on their employers, thereby creating space for their subsequent exploitation. The recent *National Action Plan 2020-2022*, against “Caporalato” and agricultural exploitation involve the technical assistance both from the ILO and the European Commission. However, the general Italian agricultural work ethos lacks the minimum ILO standards of internal self-discipline towards labour rights such as minimum wages, hours of works, shelter and holidays. All these contribute to the manipulation of TCNs. According to the *Report of the Special Rapporteur on contemporary forms of slavery including its causes and consequences* (Geneva, 2019), “Vulnerability of migrant workers to slavery increases as they are relegated to the informal economy in order to bypass legal routes for work, and are subjected to payment of recruitment fees and fraudulent practices of labour brokers. This leads to low participation in society, poor health and lack of a safety net, all drivers of slavery” (p.5).

Therefore, it is arguable that migrant workers who cannot provide for themselves dignified living conditions and are pushed into doing the so-called three ‘D’ job, “the dirty, dangerous and dull” jobs (Favell, 2008, 2008b), be paid more than their compatriot Italians who in one way or the other, can make it without such economic favours. The reasoning is simply this: it is, in my opinion, wrong to keep ‘treating unequals equally’. Treating different working-class people fairly must remain as the right approach but treating them equally is unfair in the sense that their socio-economic, legal and political situations are different and unequal. In a special case for example, African migrants who largely live in the ghettos are like their compatriots, all workers and certainly share similar conditions such as the number of hours in the fields, but, even if we disagree that Italians are usually paid more — behind the greenhouses — or will hardly face racist threats or language barriers, we will certainly agree that Italians workers do not live in ghettos and do go back to their families for the few hours they have after work. That is indeed a big difference. Many Senegalese

⁷⁵ Institutions, in Amartya Sen’s terms are formal and informal arrangements that creates values, cultures and responsibilities that sustain a society whether tangible or intangible. Institutional facts in John Searle’s terminology, are facts dependent on human agreement, in contrast to non-institutional, or brute facts. Institutional facts require human institutions for their existence. Searle noted that conscious agents can create social facts by the assignment of functions to objects, which are assigned relative to the interests of users and observers (Searle, 1995). Institutions, therefore, are social creations. They are not given by nature. They are part of the “construction of social reality”, as philosopher John Searle put it.

⁷⁶ The increasing global precarity in the industrial North today is similar and related in several ways to the early modern slavery. The over three centuries of European slavery to be accompanied by colonialism, and structural poverty through imperialism condemn millions of Africans and African-descendants into extreme poverty, and potentially direct their migration towards the industrialised North where they are constrained to sell their labour at next to nothing. The Global Slavery Index and the International Organisation for Migration associate “exploitative migration” to forced migration. Meanwhile, migrations induced by conflicts or natural disasters and irregular migration also expose migrant workers. This exploitation of TCNs is characterised by the pathological conditions of physical, psychological and environmental discomfort and many victims in Italy are indeed documented migrants and EU citizens.

and Gambians migrant workers have not been able to see their families for years. Such migrant workers should be paid more in order to provide for themselves outside these risky situations and abandoned zones. In order to restore their deprived human dignities, as part of the minimum requirement for industrial responsibility or social cost, the interest of TCNs should be the principal goal of decent work. There must be an approach and treatment in favour of such migrant workers as a matter of ‘discriminative policy’ towards bridging the so many existing crucial gaps⁷⁷. Reductive approaches such as what led to legal innovations (of article 603 bis basically from a penal point of view, see chapter 6) purely from a penal point of view are a demonstration of the lack of adequate information about the other causes of employment imbalances. But other causative agents of exploitation such as limited knowledge of TCNs about their employment rights are not least important in the agricultural atmosphere and neither are they in the discourse of their exploitation. A holistic legal approach which puts the socio-political and economic factors of these different precarious workers appropriately to where they belong remains to be reached.

The mobility of migrant labour and the increasing threats against worker’s rights globally, have called for international labour standards and working conditions that guarantee human rights of migrant workers especially within the EU⁷⁸. That does not mean these migrant workers do not face precarity in their countries of origins. However, the application of stronger labour regulations and conventions within the EU as a strong agricultural economy as well as an increasing migrant destination, will ensure protection for all workers. As a matter of due diligence⁷⁹ towards the realisation of the Sustainable Development Goal Target 8.7 (decent work), calls need to be made on governments to: “take immediate and effective measures to eradicate forced labour, end modern

⁷⁷ Italian workers live within the Italian society while migrant workers in agricultural ghettos live separately in a parallel society with little information or no contact with the outside world. Therefore, in my opinion we cannot continue to treat ‘unequal’ workers ‘equally’. Maintaining the status quo as it is means perpetuating inequality among different categories of workers — local workers vs less protected migrant workers.

⁷⁸ See for example the many directives that are supposed to address work related problems. Public Procurement Directive: Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ 2014 L 94, p. 65; Residence Permit Directive: Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities, OJ 2004 L 261, p. 19; Anti-Trafficking Directive: Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, OJ 2011 L 101, p. 1; Compensation Directive: Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims, OJ 2004 L 261, p. 15; Safety and Health Directive: Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work, OJ 1989 L 183, p. 1; Consumer Rights Directive: Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council, OJ 2011 L 304, p. 64; Disclosure Directive: Directive 2014/95/EU of the European Parliament and of the Council of 22 October 2014 amending Directive 2013/34/EU as regards disclosure of non-financial and diversity information by certain large undertakings and groups, OJ 2014 L 330, p. 1; Employer Sanctions Directive: Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals, OJ 2009 L 168, p. 24.

⁷⁹ Due diligence in this regard means the responsibility of the state authorities to take actions to prevent persons at the risk of exploitation.

slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, [...], by 2025 end child labour in all its forms” (SDG, target 8.7)⁸⁰.

In the late 19th Century, Church leaders pointed out the achievement of ending slavery; nothing could be further from the truth! Slavery, like an AIDS virus, has simply changed its form, making it even more difficult to detect and destroy. While historic laws that brought about slavery are scrapped worldwide, it is not explicitly criminalised everywhere. For instance, Child slavery abounds in West Africa, which is should be enough to give any chocoholic a guilty conscience. Unfortunately, many consumers do not know or even care.

Worldwide slavery is beyond the remit of this dissertation; we are focusing on *contemporary* slavery, particularly in Italy and Spain. But the commonalities between historic slavery and modern slavery (however one interprets it) are clear – the one common thread which joins together all forms of slavery is that of *need and vulnerability*. The precursors of slavery never change – since the dawn of time, there has always been the desire of one or more groups to advance themselves whatever it takes, and this means having clout and control - achieving this requires that the other groups are in one or more ways kept in subjection, whether through fear (this would mean a powerful means of coercion, such as a militia) or through need (this would mean having control over what they need, or want); usually by a combination of both. To cut a long story short, then came the Industrial Revolution, first in Britain and followed by Europe, resulting in terrible poverty and inequality, so much so that in 1891 Pope Leo XIII published his encyclical *Rerum Novarum* deprecating the excesses of unbridled capitalism whilst issuing stern warnings against communism, the new political theory sweeping across the working classes. In 2020, Pope Francis and Ugo Mattei published the *La dittatura dell'economia (The dictatorship of the economy)* taking an ecological approach towards the commons in a world that is busting under capitalism. Pope Francis condemns what he calls the “globalisation of indifference” (p.23) of the capitalist economy creating growing precarity and poverty while enriching very few through exploitation as will be discussed in the subsequent chapters.

⁸⁰ Governments are also allocating more resources to global anti-slavery efforts. Between 2000 and 2013, 30 OECD countries committed more than \$4 billion in official development assistance (ODA) to eradicate the forms of exploitation now covered by Goal 8.7, with the average annual commitments growing from \$150 million in 2001 to \$450 million in 2010.⁶² The new Global Fund to End Modern Slavery now manages over \$75 million, the Freedom Fund \$100 million, and States have provided \$724,825 to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, ⁶³ which provides assistance to thousands of people who have experienced some form of slavery.

CHAPTER III.

A BRIEF OVERVIEW OF ITALIAN AGRICULTURAL EXPLOITATION

3.1 Introduction

The ethnographic composition of Italian agricultural labour force is varied and complex. This chapter briefly describes and examines the severe labour exploitation and contemporary forms of slavery specific to Italian agriculture with emphasis on the working and living conditions of migrant workers. By Third Country Nationals (TCNs), this research refers to varied work forces such as Africans, Asians and Latinos, many of whom are refugees, and asylum seekers within and outside hosting centres. Many of these TCNs live in less protective contexts in agricultural ghettos for seasonal work. Some live on the farms permanently, from season to season. There are those TCNs who just got into Italy and want to earn some money and continue their journey towards the north. At the same time, there are Italian citizens: electricians, plumbers and carpenters who during the fall out of the financial crisis lost their jobs and have not been presented with any real alternative. This research refers to all of them as agricultural workers regardless of nationality. This chapter employs terms such as severe exploitation, forced labour, and servitude in explaining the wheels of contemporary Italian agricultural exploitation. At the same time, depending on the living and working conditions of different workers, thousands of precarious workers face a real situation of near slavery in our own times.

3.2 Paola Clemente's story

The death of Paola Clemente at age 49 from a heart attack whilst picking grapes at the vineyards in San Giorgio Jonico, was revealing of contemporary slavery in Italy. The young Italian woman would pick table grapes up to 12 hours per day for a nett pay of merely 27 euros after middlemen have taken their cut.

She used to set two alarms to make sure that by 1: 50 a.m. she was able to catch the bus at 3 a.m for the two and half hour drive to work in the vineyards of San Giorgio Ionico, a town to the east of Taranto. Her death in July 2015 compelled the authorities to investigate the case, resulting in the enactment of art. 603 bis — the law against “illicit intermediation and agricultural exploitation”. Mrs. Clemente's colleagues later reported to the police that even in the hot sun, they drank very little due to fear of asking for permission. They had to continue working. The police investigation which came two months after her death found that Ms. Clemente and her colleagues had over the years worked for far more days than required by company contracts. They had far exceeded the working days⁸¹. Like Mrs. Clemente's case, dozens of her colleagues were treated equally badly.

The farm owners pay middlemen to scout for workers, recruit and transport them to the fields for work. After deducting their transport costs, bills for a roll of bread (‘panino’) and a bottle of water,

⁸¹ But this is not new, rather, it is yet another measure not only of the spectrum of exploitation but also the nagging economic crisis in Italy (and also at global level) which makes work scarce and consequently workers most especially women, are compelled to work almost under any condition. These women workers also because of their delicateness in sorting, pilling, picking, cleaning, and even packaging on the farms nowadays, make them preferred over their male counterparts. They also complain less. Unfortunately, they become the worst victims of molestation and will not go to the authorities to report even if the middlemen rob their hard-earned wages.

the gang-masters will also deduct (sometimes up to two thirds) from the women's pay. The gang-masters continuously threatened them if they dared to complain about the working conditions. Neither Mrs. Clemente nor her colleagues ever complained of maltreatment for fear of losing their jobs. This scenario is an example of contemporary slavery where vulnerable women work against their will⁸² under this type of coercion.

It came to light through the police questioning her colleagues, that she had already shown some signs of serious malaise. Unusual complaints of terrible body pain. Her colleagues usually made fun of her for falling asleep in mid-conversation. Notwithstanding, Mrs. Clemente worked anyway, not missing a single day off work. Her husband Mr. Arcuri would drive her to the bus stop if she were afraid of arriving late. Missing a day off work meant losing the job, since the gang-masters would never call her again. Therefore, it was a daily routine for her to wake up in the middle of the night at 1:50, wash up and carry a bottle of coffee in her backpack for the 3 AM bus to work. After two and a half hour's drive, as the sun arose, Mrs. Clemente and her colleagues were already prepared to begin the day's work, sorting table grapes. After the day's work and after the gang-masters take their usual cut, they drive miles back home to San Giorgio Ionico, a town east of Taranto. Unfortunately, the five hours drive every day was not recorded.

Mrs. Clemente worried so much about not working that if she did not get a call from the gang-masters, she arose anyway and had her husband drive her to bus stops — to see whether the group really did not have work that day.

“Ms. Clemente collapsed, and her heart stopped beating about 8 a.m., as she was sorting grapes under a plastic tent in a field” New York Times (2015). Today the story of Mrs. Paola Clemente⁸³ can be found in Rome inside the agricultural ministry after a hall was named in her memory. Her single story is both a revelation of the past and the visual image of contemporary slavery, forced labour and servitude and slavery like practices in Italian agriculture.

However, according to her husband, Mr. Arcuri, “conditions are even worse for foreign migrants. The difference between how my wife worked and how migrants work is that Italians make more money and the fact that we have a house to sleep in. I trust justice. The truth will come out. And I do hope that the law that her death triggered will help migrants and Italians alike.⁸⁴”

⁸² Even today few farm workers would complain about their working conditions for threats from the recruiters and unscrupulous employers. According to Nicola Altiero, provincial commander in Bari for Italy's financial police: “when we started interviewing Ms. Clemente's colleagues, we faced a wall of silence. We see this system as exploitation, but workers see it as a chance, an opportunity that they dread losing, See, Amnesty International, *Exploited Labour: Migrants Workers in Italy's Agricultural Sector*, December 2012.

⁸³ The case of Paola Clemente was investigated by the Parliamentary Commission of Inquiry into the phenomenon of accidents at work and occupational diseases of the Senate, (just like the kind of political interest into workers welfare that brought about the English Factory Legislation of 1802) with particular regard to the system of protection of health and safety in the places of work for which her story is telling of new and different attitudes of illegal intermediation in the employment relationship that can graduate to modern slavery in Italian agriculture. Ms. Clemente's tragic death at the vineyards is one of the many widely documented stories that brought about the legal revolution and subsequently the law against illicit intermediation and agricultural exploitation. Under article 603bis, goods and even companies can be seized, and proceeds can be used to benefit the victims. The fact is according to Donati in an interview with Amnesty International (2012) “these [gang-star] practices damage healthy companies, creating unfair competition. Donato Fanelli is sales manager at a small agricultural co-op in Rutigliano, near Bari. He gave this interview to Amnesty International, *Exploited Labour: Migrants Workers in Italy's Agricultural Sector*, December 2012.

⁸⁴ Mr. Arcuri's interview with The New York Times, 2015.

To this day, farmworkers suffer daily from the enduring legacy of industrial slavery and abuse at the workplace⁸⁵. It is true that the demography of the Italian work force has changed as many Italian workers are being pushed away and crowded out by a far cheaper and more flexible migrant labour force (Osservatorio Placido Rizzotto, 2012, 2014, 2016, 2018, Caritas Italiana, 2018). However, Italian agricultural fields remain increasingly oppressive and in many cases contemporary slavery is evidently here with us (Carchedi, 2010, 1-32, 2011, 4-3; Morniroli, 2010, 6; Leogrande, 2008, 1-9). Hence, if there is any criminal activity both common and central to Italian agriculture, it is the issue of severe labour exploitation historically linked to the “Caporalato” and “Agromafia”. To analyse today’s agricultural exploitation of migrant workers in Italy, we must respect both the history and the evolution of the mafia phenomenon. But we cannot understand and analyse the phenomenon of Italian agricultural exploitation without investigating those two interdependent factors: gang-mastering and the “Agromafia”. However, while some gang-masters can be sheer criminals, and not always directly referred to as the mafia, many are mafia, and some others operate under the mafia or with mafia like tactics.

3.3 Agricultural exploitation: a history of mafia and “Caporalato”

The mafia and gang-mastering have always been a central part of Italian agricultural business (Lupo 2004, 17-31) which already accounts for 14 to 17 billion euros (Osservatorio Placido Rizzotto, 2018) of estimated damage to the legal economy. Historically, gang-mastering is not a new phenomenon in Italian agriculture and did not start with migrant labour. Italians were the first to suffer from the criminal business at individual, regional and national level.

So, what is this Mafia and how did it get here in the first place? To understand the mafia in this context, one must follow the origins of the unitary state itself. In post-Risorgimento Sicily, the word mafia was usually a slogan of change, authority, defence and reassurance against theft or the unitary state (Lupo 2004, 22, Hess 1993, 1-53). According to Lupo (2004) “The word *camorra* indicates more systems of illegitimate control of markets, auctions, tenders, voting, and sometimes sources referring to urban environments, as opposed to the rural “mafia”” (Lupo, 2004 [1993], 22)⁸⁶. The need for land protection and property reassurance was a great concern in southern Italy (Lupo, 2004 [1993], 55). In ‘*A History of the Sicilian Mafia*’, J. Dickie shows that from 1876-1890, the mafia penetrated the Italian system and (continued from Socialism, Fascism, and Mafia) between 1893–1943 (Dickie, 2004, 35-80). Thus, the Mafia has been an inherited question in the south from the point of its (south’s) precarious economic status and other social conflicts, and the lack of state⁸⁷.

At the same time, the mafia initiated the intermediation activities for cheap and illegal labour within the general tissue of the state, winning and sometimes monopolising territories and markets to the point that some small farmers to this day are compelled to associate their operations with the dreadful mafia, in order to produce and sell their produce on the market. These technically

⁸⁵ For a few journalistic articles on agricultural fields of exploration and on gang-mastering, find this link on La Repubblica. Available at: <http://www.repubblica.it/argomenti/caporalato>. [20 June 2017].

⁸⁶ According to Salvatore Lupo, in the Story of The Mafia, first published in 1993, he explained that “the mafia is spoken for the first time in 1862-63, in a very successful popular comedy entitled The mafiosi of la Vicaria, and set in 1854 among the camorra players detained in the Palermo prison” (p.22). Meanwhile, the mafia and the camorra are almost identical twins in structure and in practice.

⁸⁷ Throughout the green zones of Italy, the deaths of migrant workers do matter on the media but is overshadowed by what I call political bluff which has in the years makes migrant lives not to matter!

constrained mafia accomplices' —small farmers and producers— are provided cheap criminal labour in exchange for their collaboration with gang-masters⁸⁸ (see chapter 4).

3.4 A mafia-type entrepreneurship and manpower organisation

Arlacchi (2007) observed the mafia's infiltration into the field of agriculture beginning from Italy's entrance into a unitary state (p.125- 34). He observed that the need for land (property) protection and reassurance was a concern for landowners in southern Italy. Lupo for instance, particularly observed that "the gabelotto" performs as per their directives, to establish 'order and social control' beyond areas of large companies with extensive cultivation. He argued that the mafia took over fields by replacing the eighteenth-century feudal militia and the nineteenth-century municipal militia, to oversee the ungoverned empty spaces of the "Bourbon state" first and then the liberal. Analogically, the "Agromafia" was historically born or at least seen to be 'there' as a form of 'security' for landowners; (first presented itself) as a protector of properties, and a guarantor, for as long as the collaborative bond (brotherhood) existed against the government, other criminal groups or mafia clans. Historically as in reality, mafia's land administration and ownership are actually a never ending (inherited) problem of the south added to precarious economic conditions and other social conflicts, not least the generational competitive homicides, struggles and violence among mafia clans in the south⁸⁹.

Pino Arlacchi (2007) described the entrepreneurial mafia activities and the history of economic growth in the Mezzogiorno as a contradiction. The position of relative comfort in Calabria and Sicily during the seventies, from a situation of poverty to a situation of relative well-being corresponding to the ownership of industries, agricultural, medium and small size businesses. He explained therefore, that the growth of the mafia-type entrepreneurship could not have happened during a vast process of economic growth since both Sicily and Calabria which are main heartlands of the mafia-type entrepreneurs did not register greater growth in investment and production. According to him, mafia development was not as a result of a side by side operation with existing companies, rather, the development of the mafia consisted notably of the replacement of the existing companies. The growth of mafia companies has been incorporated into the new businesses that were not originally mafia initiated and produce side by side (Arlacchi, 2007, 95-118). The mafia in Italian agriculture witnessed a gradual expansion before it was able to penetrate the fabrics of civil society and flourish within economic organisations and political institutions. On the mafia of Palermo and Trapani, Lupo and Lucarelli observe that "Cosa Nostra" do not only operate aggressive homicides because that would only make a story of an infamous "brigadiere", instead,

⁸⁸ In today's agricultural Italy, there exists different ways of getting to cheap labour: human trafficking, smuggling, debt bondage, imposition of total control (forced labour) in an employment relationship and the radical illicit everyday intermediation directed particularly at migrants in precarious situations.

⁸⁹ Agricultural ghettos are visibly managed and to a greater extent controlled through the cooperation from its inhabitants constrained under the dictatorship of "capo nero" but who evidently received commands from outside. For instance, job offers and other logistics such as transportation to the farms and accommodation in the ghetto or in some congested town rooms have to pass through the "capo nero". After all, he is the contact of/for defenceless migrant workers in those rescue situations. He is delegated to collect rents, and miscellaneous illegal fees that eventually ransom these migrant workers. In the case of Campobello di Mazara (further detailed in Chapter 4), the outside command come from the Trapani mafia and which sometimes alliance with the 'Maghrebian mafia' which have been living in the Trapani area for more than 20 years and are in this respect influential and as much engage in the ever flourishing "Agromafia" over the green zones in Trapani.

the mafia is active in society and has to convince, corrupt and exchange favours for more green zones in the agricultural economy of the Mezzogiorno where it manifests power and dominion.

Table 3.1: Criminal groups active in Sicily

<i>Provinces</i>	<i>Groups</i>	<i>Affiliates</i>
Trapani	15	524
Palermo	59	1,492
Messina	12	369
Agrigento	47	580
Caltanissetta	18	500
Enna	11	154
Catania	9	1,476
Ragusa	2	110
Syracusa	3	282
Total	181	5,487

Source: Direzione Centrale della Polizia Criminale, 1995

Similarly, Primo Levi observed a very close scenario of control and social influence in the grey zone of “protekcja” during years of Nazism in Germany. To maintain order in subjugated Europe, while the Nazi regime restricted the area of power for more than a decade, they needed more external auxiliaries to supply more soldiers at the war front. These occupied countries were essential as collaborators for the supply of labour, but also it was an ideal scenario for the enforcement, delegation and administration of the power of Germany. According to Levi (1986), “... the collaborators who come from the opposing camp, the former enemies, are treacherous by essence: they betrayed once and can still betray. It is not enough to relegate them to marginal tasks; the best way to tie them is to charge them with guilt, to bloody them, to compromise them as much as possible: thus they will have contracted the bond of the correctness, and will not be able to go back. This way of acting is known to criminal associations of all times and places, it has always been practiced by the mafia, and among other things it is the only one that explains the excesses, otherwise indecipherable, of the Italian terrorism of the 70s” (Levi 1986, 29).

Today, the mafia is even more tactful, inconspicuously embedded every day, it has won the trust of landowners and its presence can be felt from land management, to agricultural production and also creates links between the rural and urban markets, between Italy and the wider world in complex chains. Through its determination to control agricultural produce and the foodstuff market, the mafia would also have need of other agencies, either directly or by delegating to other criminal groups such as the “capo nero” and “caporali”, as a mafia-type entrepreneurship responsible for the provision of cheap labour directly from agricultural ghettos and asylum centres through irregular employment contracts. Since the south of Italy depends heavily on agriculture, it has always found a source of cheap labour even well before the arrival of more precarious and flexible sub-Saharan migrant workers. Therefore, for ‘Cosa Nostra’ to be able to infiltrate and gain a strong control of Sicilian agriculture, it has to form strong alliances with landowners. This is not a new story. Three questions are fundamental in this regard. For example, on whose agricultural land does the ghetto of Campobello di Mazara lie (see chapter 4). Is it state or private property? Who do these

Senegambian migrants serve with or without documents? This agricultural ghetto of Campobello di Maraza is a typical case of ‘cosa nostra’ manifested in three main relations:

- (a) through conscious alliances with corrupt employers, landlords and ‘capo nero’ (mafia-type entrepreneurs);
- (b) through unconscious alliance with precarious migrant workers, local community, the regional food chains (alimentation markets) and finally;
- (c) through continuous general civil indifference which has reached a level of political negligence.

According to Arlacchi (2007), the mafia “imprenditrice” (p. 95) serve as administrator of lands, employer of labour and supplier of produce within the food chain. Eventually, through years of continuous management of plots of land, as a part of its illicit activities, the mafia own lands largely through the bond it has created with original landowners. Through time and collaboration, these collaborative bonds are sometimes deliberately tightened. In the case of the agricultural ghetto of Campobello di Mazara, the mafiosi of Mezzogiorno up to the times of Francesco Mesina Denaro and Matteo Mesina Denaro had employed and ran illegal activities in the region of Trapani both transparently and clandestinely in urban as well as green zones. Thus, Trapani has always been a region of ‘Cosa Nostra’s habitat and has establish strong economic and socio-political interests well before the unification of Italy, and Sicily has become a part thereof. Today, “Agromafie” are some of the dirtiest growing industries in terms of organised crime (Arlacchi, 2007, 100-118), and contemporary slavery in Italian agriculture and the Mezzogiorno in particular.

Table 3.2: Some irregularities inspected in agricultural work from 2006 to 2017

	2006	2008	2010	2012	2014	2016	2017
Inspected Agricultural businesses	14,387	10,762	7,816	5,662	5,434	8,064	7,265
Irregular Agricultural Employees	10,048	9,543	7,102	4,297	3,720	5,512	5,222
Inspecting staff	6,453					4,500	

Source: Data elaboration from Labour Ministry, National Labour Inspectorate, Annual Labour and social security reports from 2006-2017

In the initial stages of “Caporalato”, Italian workers were used to provide the daily and seasonal agricultural labour needs. It was mostly common in the south: Sicilia, Campania, Puglia, Calabria, who are also among the leading producers and exporters of agricultural products and where such

jobs were almost readily available.⁹⁰ Italians were the first victims of gang-mastering and even today a noticeable Italian population continue to suffer from agricultural exploitation hand-in-hand but not proportionally, to the predominantly migrant labour force which lives in squalor and under very little or no protection. But “Caporalato” has over the last decades earned more connotations and motivations from researchers and politicians alike. History shows mainly two generational linkages between the local farm workers (Italian family farming) and the gradual outsourcing of the local labour market to migrant workers; firstly, originating from east Europe, then respectively the Balkans, Latin Americas, Asians and finally and most notably, Africans.

The largest migrant reception centres are found in the south of Italy, predominantly in Sicily and Calabria. These are also agricultural regions where “Agromafia” and “Caporalato” exert more control and where, like in Apulia and Campania, agricultural fields require a constant labour supply. This labour supply is organised by gang-masters who are tasked with squeezing the last energies out of workers at the lowest possible cost. The criminal agricultural activities — “Agromafia” and “Caporalato” — capitalise on vulnerability, violence, discrimination and the lack of the rule of law for migrants. These are the major drivers for exploiting migrants, and which eventually push them into conditions of contemporary slavery. Like in many places throughout Italy, the “Agromafia Trapanese” (see chapter 4) for instance, is a typical “Cosa Nostra” case in which the “capo nero” represents a colonial administration⁹¹ of agricultural ghettos. During the so-called Transatlantic Slave Trade, the role of the local leadership like the role of the black ghetto leader (“capo nero”) was basically to serve as intermediaries of the ‘white’ system and execute precise functions delegated to him: the exploitation and enslavement of their fellow brothers and sisters. Accordingly, the so-called black boss in agricultural ghettos symbolises the outside mafia who controls and gives him precise instructions. As a self-organised ghetto leader and gang-master, the presence of “capo nero” guaranteed easy and unregulated access to labour through fraudulent and irregular employment contracts which made it look like a natural flow of labour, albeit both precarious and illegal. In other words, it is also more efficient for such Italian employers to be able to gather and receive labourers from the ghetto by merely contacting ghetto leaders through telephone calls where such atypical jobs were declared or even contracted. He is like a telephone-booth between exploiters and migrant workers. These telephone calls were enough to arrange such a job contract and naturally move manpower at next to no cost to the employer. In many of these situations, employers do not (have to) know their daily workers. They might never (must) see them again since

⁹⁰ These are almost the least developed Mezzogiorno and the lack of government inspection (ILO, 2005, 5) and intervention in those areas makes it even worse. While workers can get work, gang-masters and unscrupulous employers can free-ride on the fundamental labour rights. As customary of this form of exploitation, the working times were far above and wages bellow union standard. This is the actual scenario of undeclared work. Most of these Italians were from poor backgrounds and with low skills. Others were just accidental seasonal workers (such as Italians who work just to earn something to solve some immediate problems instead of (say) continuing to work as labourers season after season). Some where students passing their holidays doing some farm works in other to earn something to help themselves and their families. In some rare cases, Italian families could be working in southern Italian plantations for longer hours under low pay and very bad conditions in other to help meet their basic needs.

⁹¹ The expression ‘colonial administration’ is a worrisome metaphor recalling back to the period of colonialism when black leadership was necessary to establish white control in Africa for more than three centuries. Several local African leaders served as symbols of white oppression and control to support European colonial interest during the so-called scramble for Africa and the occupation of its resources. African people were forcefully used and controlled (as invaluable instruments of European industrial agriculture) with the co-operation of their traditional rulers (who served both as bridges and as intermediaries). Like the “capo nero”, the local leadership during both slavery and colonialism benefited by receiving preferential treatment for their unquestionable collaboration with the white exploitative system.

most are pieceworkers. So, they are knowingly irresponsible profit driven free riders trampling on the rights of these extremely vulnerable migrant workers (see chapter 4).

Some of these methods such as luring and manipulations are old ways of the mafia to begin with, but in new sophisticated costumes conquering the national agricultural landscape and small producers; to intermediating and controlling a cheap labour force. Gradually, the mafia has gained the *land* and the *labour* —two principal factors needed for cultivation and which are essential for our analysis. Since the mafia’s goal is to infiltrate and control the market of agricultural produce, by having control over productive lands with a cheap source of criminal labour nearby, the mafia now free ride the local market and even compete internationally. These three factors: *land*, *labour* and *capital* are instrumental for industrial agriculture, and over what the mafia invest their power and firm control in sophisticated patterns. Therefore, the small producers, landowners and farm workers are being denied bargaining power and freedom of ownership of their properties and labour. According to Salvatore Lupo, the mafia is the consistency of things. A continuum of contracts where peasants are blackmailed in exchange for protection against theft (Lupo, 2004 [1993], 43-55).

Those Italians from underprivileged economic and social backgrounds were the first to be used to provide low skill labour in the agricultural fields before being outsourced to migrant labour, being more profitable than the local labour force, and TNCs due to their vulnerable status are easier to manipulate and be made to work under conditions many locals can choose not to⁹². However, there are still some areas such as sorting table grapes and strawberries where Italian women are dominant due to ‘discriminative preference’⁹³ of employers and where “Agromafia” and “Caporalato” are equally present. These are delicate agricultural products that need experience and a high level of attention and consequently from that need, coupled with experience, make Italian women⁹⁴ the best candidates. This gives the native workers the comparative advantage over others and causes a race to the bottom for the TCNs. After all, it was this kind of work out of discriminative preference which killed Paola Clemente, in Puglia in 2015. Meanwhile, we must also note that while many southern Italians do pick olives and tomatoes, for example in Catania, Ragusa, Trapani and would like to continue doing it, but the low wages (as little as 20 euros per day) is pushing many Italian

⁹² The so-called “unwanted jobs” are for migrant workers has become a mantra in many Italian societies but nothing can be further from the reality. Agricultural work is not a migrant’s job and not an ‘unwanted’ job either. There are Italian people willing to work in the agricultural sector but chose not to because of the exploitative working conditions that typify Italian agriculture. Therefore, it has become rationally an “unwanted job” for those people who have real alternatives. If for one reason, the fact that at least Italian workers have shilling over their heads, a bed to sleep on and their families by their sides.

⁹³ ‘Discriminative preference’ is used to refer to those situations where decisions are taken purely on profit bases. It can be influenced by gender, experience, race, migratory status, and so on. For example, there is no competition between Italian women and migrants in areas of picking strawberries and table grapes. Violence, threats, molestations and even death, are matters most identified with migrant labour. Ghettos, shanty houses, slums etc and ‘Kalifo’ grounds (places to search for daily work) are most associated to African migrants. Whether be the mafia, gang-masters or other criminal groups, discriminative preferential treatment of farm workers is an explanation for the many differences. It is not an exception but part of the principles in practice. The reason is connected to their distinctive nature of migration. For instance, Eastern European and Balkan migrants migrate usually for temporal reasons, sometimes with the whole family and they are closer to their countries of origins. Their proximity to their countries of origin induce their ‘willingness’ —so to say— to accept any type of wages. This difference is crucial for understanding the evolution of wages by gang-masting and “Agromafia” during the last five decades. Why East Europeans and Balkans were perhaps at the forefront of taking any wages is fundamentally linked to their proximity to their homes.

⁹⁴ CGIL indicated in 2017 five thousand Italian women and 15 thousand migrant women in conditions of modern slavery. See also: http://inchieste.repubblica.it/it/repubblica/rep-it/2015/05/25/news/caporalato_femminile-114750446/. [Accessed 11.12.19].

workers out of the market. This unplanned vacancy of mostly rural labour was quickly filled first by the arrival of Eastern Europeans (mainly from Romania, Albania, Bulgaria,) and the Balkans, Latin America, Asia and above all, from Africa. It is important to note that gang-mastering and “Agromafia” operate on cheap and very flexible labour which is why they prefer migrant labour. For example, gang-masters like employing Eastern Europeans, Africans and Asians over Italians in most agricultural settings. Their vulnerability to accept any pay further kicked the local labour force out of the market, or noticeably to the periphery, with various consequences for these TCNs, not the least the general absence of strong political interest of Italian and EU citizens concerning migrant workers⁹⁵.

Aside from physical and psychological exploitation, ghettos are predominantly associable to African migrants. Though this thesis is about “*Contemporary Slavery: The Exploitation of migrants in Italian agriculture*”, it does not trivialise the exploitation of Italian workers or European nationals. Apparently, the separation of workers into different categories is basically to demonstrate their migratory histories, geo-political origins, and different cultures, and in which all matter to one another in order to properly diagnose the problem. The structure and the nomenclature of this thesis deliberately show African migrant workers in the most vulnerable social-politically and legally among all TCNs, not least because of their population within this spectrum of Italian exploitation.

It is important to understand that this nature of exploitation does not come with migration⁹⁶. First, industrial agricultural exploitation is capitalistic in nature, like TAST and “Agromafia” which are illegal economic superstructures rather than an embedded palpable social structure based on racism. The fact that this exploitation is more of a structural economic problem rather than organised racism is manifested in the unchanged economic positions of many migrant workers. According to the Interior Ministry of Italy, the history of “Agromafia” manifests a dominating role over the agricultural spaces that are either left ungoverned or ungovernable by the unitary Italian state⁹⁷. It is

⁹⁵ Like the East Europeans, the Balkans are closer to their countries of origins than other migrant workers from Asia and Africa. While the East Europeans and the Balkans might move into Italy with their families, friends or relatives, in many cases, the Africans or Asians at work in the agricultural fields in Italy are individuals who usually do not know anything about the Italian culture and are often without relatives in Italy. The first two groups (east Europeans and the Balkans) because of their geographical proximity are usually season to season workers for temporary purposes and will go home immediately they are able to earn enough to go home or help meet certain needs, on a similar note, the Asians and African migrants are mostly temporal migrants as well but their nature of entering into Italy and distance to home make the two groups look different. Usually many Africans and Asians caught up in this exploitation are found to be refugees, asylum seekers, victims of trafficking or deception. Most of those defined today as “economic migrants” have once presented their request as asylum seekers. Ghetto life, slums, and abandoned buildings infested with rats and insects is most common among African workers. For example, the ‘Ghana ghetto’ which alone has one time had up to a thousand people. Saluzzo, Cuneo, Victoria, Nardò, Ex-Moi- Torino are places of virtual ghettos hosting many precarious migrant workers. Most of them have never get back to their countries of origin since they arrived in Italy and maintain very weak communication with their families.

⁹⁶Therefore, the solution does not come from organising Italian against migrant workers or vice versa or the African and Asian migrants against eastern Europeans. All of them are workers first and that is why separation or “alienation” favours only the exploiters. Notwithstanding, the separation here is vital for many reasons, not least because employers or gang-master are first of all incline to make moves that will expose the migrant worker to exploitation. In fact, among the most common technics is increasing employee-employer dependency such that the migrant becomes totally subjugated and economically and psychologically dependent on the employer or gang-master for employment, housing, permits and other threats that include police report of “illegal or irregular stay” and the possible detention or deportation. The language barrier and being a minority in more precarious economic and social status make migrant workers become the greatest victims of discriminative preference of the ‘Agromafie’. Discriminative preference therefore refers to the first workers on the line to be exploited or maltreated badly.

⁹⁷ See also: DIA – Direzione Investigativa Antimafia (2009). Relazione semestrale al Ministero dell’Interno.

crucial to emphasise that since 2011, “Agromafia” and “Caporalato” started more explicitly to influence migration flows through smuggling and trafficking for labour exploitation, consequently producing conditions of slavery⁹⁸.

3.5 “Caporalato”, and “Agromafia” as the wheels of Italian agricultural exploitation

Observatory Placido Rizzotto’s 2018 report, 132,000 agricultural workers are confirmed to be in tough conditions of vulnerability causing their severe exploitation and degrading conditions. At the same time, the study found that the “Lavoro Nero” (undeclared work) and gang-mastering generated a profit of between 250 and 290 billion euro. The estimated economic damage produced by this unobserved economy was estimated to be between 3.3 and 3.6 billion euro. When it comes to inspection, Observatory Placido Rizzotto has inspected 8862⁹⁹ with majority cases in the Mezzogiorno involving companies in the field of agriculture. Of these figures 28.06% of agricultural workers were in conditions of complete irregularity, 28.86% were in conditions of partial irregularity and 43.9 were in conditions of full regularity¹⁰⁰. FLAI/CGIL has described some of these conditions as “serious social vulnerability and strong occupational suffering” leading to a situation of contemporary slavery.

What then possibly explains the root causes of the migrant workers vulnerability and the precarious nature of seasonal work in Italian agricultural fields? Vulnerable migrants or self-imposed victims of exploitation? Part of the explanation has so far been provided, that: the “Agromafia” is an aggressive, criminal and violent model of agricultural production and marketing, which is influenced by individual and collective greed¹⁰¹ for profit, through illicit activities including violence, human trafficking and assassinations. Osservatorio Placido Rizzotto reported 713 incidents of gang-mastering detected following the inspection of 2015 involving companies, and markets. However, “Agromafia” is accelerated significantly by the obscure and long complex global food chain and by the global neoliberal free markets. The geographical centrality of Italy connecting many trading routes globally by sea, high roads and air, make matters even more complicated and interesting for research.

It is vital to remember that non-EU migrant labour accounts for 47 percent of the total immigrant agricultural labour force in Italy since 2016. That is up to 135.234 non-EU regular migrant workers. However, the data (Osservatorio Placido Rizzotto, 2018) estimated up to 400,000 to 430,000 migrant workers (regular and irregular) presently in Italian agriculture. According to this data, up to 300,000 are exposed to irregular working relationships and many work for less than fifty (50) days a year.

Table 3.3: Migrant workers in agriculture

⁹⁸ It therefore equally important to note that the direct target of the law on agricultural exploitation and its evolution since 2011 has not being the “Mafia” but the gang-masters and scrupulous Italian employers.

⁹⁹ That is 59% of inspection, compared to year 2014.

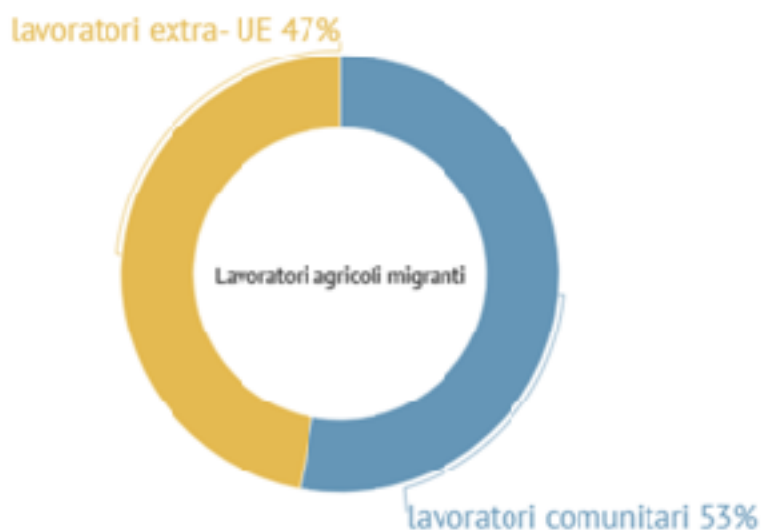
¹⁰⁰ Observatory Placido Rizzotto has reported more than 700 incidents of gang-mastering detected following the inspection on 2015.

¹⁰¹ By individual and collective instinct, the research refers to forces that drive this mechanism of organised crime.

YEAR	MIGRANT WORKERS IN AGRICULTURE			TOTAL AGRICULTURAL WORKERS
	NON-EU MIGRANT WORKERS	MIGRANT WORKERS OF THE 16 COUNTRIES THAT JOINED THE EU IN 2004	TOTAL IMMIGRANT WORKERS	
2007	73,091	111,077	184,168	1,032,308
2008	82,035	120,409	202,444	1,037,116
2009	93,042	129,050	222,092	1,023,571
2010	103,638	148,195	251,833	1,032,566
2011	113,304	154,531	267,835	1,021,020
2012	120,091	154,024	274,115	1,010,262
2013	124,077	154,271	278,348	1,015,550
2014	127,979	155,738	283,717	1,009,083
2015	132,677	155,899	288,576	1,034,526
2016	135,234	151,706	286,940	1,035,554

Source: INPS data elaboration, 2018

Illustration 3.1: Percentages of migrant workers in the agricultural sector of Italy



Source: Observatory Placido Rizzotto (2018)

*Yellow indicates the 47% of TCNs and in blue, the 53 % EU citizens including Italians.

Illustration 3.2: Hierarchical organisation of a team type and function of gang-masters



Source: Observatory Placido Rizzotto (2018) ^{*102}

3.6 Data, forms of “caporalato” and the chain of gang-mastering in the agribusiness

The reports of Observatory Placido Rizzotto (2012, 2014, 2016 and 2018) on 80 agricultural regions in Italy explain and confirm that this mass labour exploitation revolves around activities of different gang-masters and criminal organisations within Italian agriculture. These reports show “Agromafia” speedily sweeping the agricultural landscape of Italy¹⁰³. Observatory Placido Rizzotto observed the principal functioning of the “Agromafia” throughout the production chain to include: the management of the labour market through illicit intermediation; infiltration into the fruit and vegetable market; to the imposition of wholesale and retail supplies; and recycling and extortion. The “Agromafia” is also identified with the new market in renewable energy. It is equally engaged in the importation and exportation of food products¹⁰⁴; and more recently, trafficking in human beings aimed at serious contemporary slavery.

Illustration 3.3: The comprehensive illustration of the activities of the “Agromafia”

¹⁰² From the top: gang-master boss in contact with companies; technicians and professional administrators; deputy chief/logistics-consultant and legal officer; gang-master team leader coordinator; gang-master responsible for recruiting; gang-master drivers and gang-master in direct contact with workers.

¹⁰³ It must be noted that this research uses the term “agromafie” as the main umbrella which include the works of different gang-masters and other criminal entities associated or associable to the Mafia in agriculture.

¹⁰⁴ For detailed research in the national field, the reports developed in the reports 2012-2016, “Agromafie” and “Caporalato”, FLAI / CGIL, by the Placido Rizzotto Observatory and that of Caritas Italiana, with the Presidio 2015 Report explained how Italian agriculture feeds of labour exploitation and these reports tell us more about the different demographics and the aches and pains of the different components with the production chain.



Source: Observatory Placido Rizzotto’s elaboration on the data of DNA – DIA, Comm. Parlamentare Antimafia – Comm. Parlamentare Contraffazione, 2018

According to the studies done by FLAI/CGIL-Placido Rizzotto (2012, 2014, 2016, 2018), contemporary gang-mastering for illicit labour exploitation in Italian agriculture basically functions in this manner:

- (a) “*Caporale*” worker is the gang-master who organises the team and sometimes works with them. It is the so-called ‘black boss’ (“Caponero in Italian”). He also takes care of transport. As “*Kojo*” explained to Amnesty International: “*In January 2010 I was in Rosarno to pick oranges. We were living in an old disused factory. A Sudanese man was the “capo dei neri” [the gang-master]. He used to take us to the countryside at 5 in the morning, 20-25 people. Each of us had to give him 5 euros a day. We were working from 6 in the morning to 6 in the evening, every day of the week, for 20 euros a day [1.65 euros an hour]. We could not take breaks, not even for eating. We used to eat the oranges on the trees* (Amnesty International, 2012, 21-22).
- (b) “*Caporale*” Taxi Driver is responsible for transportation as his only mean for income. He takes the workers to the fields at dawn, leave them there and transport them back home at nightfall. Transportation is indispensable for the efficient functioning of the “Agromafia” and the power of a gang-master can be noticed by the number of buses, and taxes which transport farmworkers to the fields. However, for many other migrants, bicycles serve as the main vehicle to the fields. For some because they cannot afford to pay for other means of transport. For many others with bicycles, they can move around the fields searching for work on their own account. Migrant workers who cannot do without their old and rusty bicycles face numerous challenges. Bicycles

without brakes or lights put workers in serious risk especially at night when peddling from work, exhausted and cycling on some very bad roads. Migrant workers, especially those in the ghettos, use bicycles to reach the city for their needs, and these ghettos also have their special mechanics to perform necessary maintenance. Thus, migrant workers who use bicycles to work are vulnerable to road accidents, as well as threats from racists, not to mention nationalists who bully them from work. They also suffer when their bicycles get punctured on the way to work. Many have become their own mechanics repairing their own vehicles whenever the need arises. This affirms the old cliché ‘necessity is the mother of all inventions’, but it can also be added that ‘necessity is perhaps the mother of all problems. Neither can they pay for professional repairs nor are they able to buy new ones. They have become long-distance cyclists spending a good part of their energies peddling to and from work. Bicycles are an essential component of ghetto life. Consequently, certain bicycles are perfectly a measure of their poverty or the lack of any real alternative. For some of these migrant workers’ bicycles are both a measure of their living and working conditions.

- (c) *‘Caporale’ Seller*: this gang-master organises the team and imposes the sale of necessities, and in certain cases, also provides accommodation. Such things like the price for a roll of bread (“un panino”) and a bottle of water are often tactical impositions from gang-masters. It is practice mainly on the fields. Gang-masters do this to discourage farmworkers from bringing their own foods and water from home. To prevent them from asking permission to eat or drink during work. This imposition by the gang-master is one of the measures to increase workers economic and psychological dependency. Those who choose to collaborate with him are assured of work since they will buy from him (see chapter 4).
- (d) *‘Caporale’ tormentor*: this gang-master uses systematic violence, withholding of documents and imposition of housing conditions, exposing migrant workers to degrading conditions. In situations where a migrant-worker is housed under the premises of a gang-master, a mafia or unscrupulous employer, the migrant can face fraudulent charges for the accommodation and other expenses including electricity, water and gas. According to CGIL (2016), “The gang-master decides everything - the labourers involved must accept any decision taken. The regime is hierarchical” –no dissent is tolerated under threat of eviction. The decision making is aimed purely at the income of the company and the personal gain of the corporal. [...]. “These corporals take substantial shares of workers' salaries by imposing the costs of transportation and necessities such as water, a sandwich and many cases even housing” (CGIL, 2016). However, in many places such as ghettos, shanty houses, slums, tent houses, abandoned buildings, dysfunctional factories turned into migrant living quarters, the gang-master also imposes a charge for water, electricity and use of a mattress. Accommodation provided by gang-mastering is usually to lure the workers to keep them under total control and compliant. Migrants under such living conditions are seriously vulnerable and at high risk of exploitation especially when the living quarters are far from inhabited areas, like in the agricultural ghetto of Campobello di Mazara (chapter 4). This can lead to conditions of servitude if the migrant worker lives in excluded zones and is not allowed to leave the premises nor have knowledge of his surroundings. They can face a deliberate segregation and exclusion from society and their

fellow workers¹⁰⁵. It is both an alienation from their labour and from each other in manners that are competitive.

- (e) “*Caporale*” *CEO*: this gang-master assumes the role of the general manager. He manages the entire collection campaign and maximises profit for the entrepreneur through illegal practices. This stage involves a strong gang-master who works usually with other criminal organisations of the territory to execute functions. In many cases of such a gang-mastery, farm owners or employers can delegate the whole harvest to this gang-master. He makes his own rules and governs execution of duties till the end of the harvest. He delegates responsibilities to other gang-masters in all stages. It is a collaborative chain. In fact, the relationship between unscrupulous Italian employers and gang-masters is a strong bond both at technical and organisational levels with the intention of profiting from the vulnerable situations of workers¹⁰⁶. Their relationship with landlords is the management of plantation fields through the provision of labour.
- (f) “*Caporale*” *Mafia* is the most powerful and dangerous criminal. Observatory Placido Rizzotto, observed that “they are organised corporal teams and with pyramidal hierarchies, which maintain relationships of collusion (in a conscious or unconscious way) with the criminal organisations and in some cases with those of the mafia type. They manage the international trafficking in human beings and in some cases directly to some farms through nominees. They can be composed by both Italians and foreigners and often use professional advice to recycle large sums of money and use apparently legal forms of engagement as in the case of fake cooperatives or service companies” (FLAI/CGIL, 2016). This gang-master, therefore, conspires with organised crime to do human trafficking, fraud for false documents and INPS and activities of an extortional nature¹⁰⁷, as well as transportation and smuggling mostly through violence and blackmailing. This form of gang-mastering can also graduate to a level of collective gang-mastering —where gang-masters use legal forms to disguise illicit manpower intermediation and so on¹⁰⁸.

Today’s national map of gang-mastering shows the spectrum of exploitation which characterises Italian agriculture. Depending on the mafia’s presence, geo-political facts, production models and markets, migrant workers and the presence of criminality in different regions determine

¹⁰⁵ These episodes that are equally important to underline the different facets of agricultural accommodation or living conditions. Just as we begin to analyse slavery through our modern conceptions of human rights, we must equally go beyond the traditional conceptions of ghettos to a more sophisticated one that includes many realities. For example, many migrants also live on beds and under some roofs in the cities but with literally no basic services. These might be in occupied buildings which serve as temporal habitats. These are some of the hidden scenarios where many migrant-workers are housed. Many of them live under appealing conditions a bit above the agricultural ghetto conditions. These are migrants who live between the city and its environs in a scenario of social and economic apartheid.

¹⁰⁶ Thus, this is a sophisticated stage of gang-mastering where “teams of work that are grouped around a gang-master who is configured with a “first among peers”: an enterprising person, with their own means of transport or able to rent them, an expert in the organisational process that can be correlated to the different stages of the collection. The decision-making among the members of this team is fairly balanced: they are loyal teams that work with companies that hire them season after season, in which case the salary, which is less than a quarter of the contract, can be paid in black or grey” (Placido Rizzotto Observatory).

¹⁰⁷ According to the CGIL/FLAI, 1 billion euros of counterfeit agricultural products are confiscated from “agromafia” and “caporalato” from 2012 to 2016.

¹⁰⁸ For more details on the operative nature of gang-mastering and ‘agromafia’ in Trapani, see the case study carried out in the agricultural ghetto of Campobello di Mazara.

vulnerability. This is an important consideration especially when tracing the origins of products arriving from different regions that are identified as grey areas, in other words, areas at high risk, for example: Sicilia, Puglia, Calabria, Campania, Piemonte, Lazio, and Lombardia. This is also important for researchers in tracing out the most exploitative green zones.

exploitation is, in fact, the main reason for establishing CGIL. FLAI/CGIL¹⁰⁹ studies agricultural work nationally. Since its inception, as its founding goal, FLAI/CGIL continues to respect combating the Mafia and other criminal activities in the agricultural business. They affirm that criminal activities including the mafia are behind the severe degrading living and working conditions of agricultural workers. It uses gang-mastering ('caporalato')¹¹⁰ as its denominator. Hence, it is through studying the mafia tactics, channels and power houses that we can understand "Caporalato", human trafficking for labour exploitation, violence at work, degrading working and living conditions in the ghettoisation of Italy.

Illustration 3.4: Estimated percentage of companies that engage workers through "caporali



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Source: Observatory Placido Rizzotto (2018)*¹¹¹

¹⁰⁹ FLAI “is a trade union of the CGIL that organises agricultural workers and workers in the food processing industry. Among its basic statutory principles is that of protecting, defending and promoting the individual and collective rights of the workers and trade union workers it represents (permanent and temporary employees, seasonal, adventitious) and strengthening solidarity among all stable, precarious workers and unemployed. FLAI bases its political choices on the improvement and protection of living and working conditions, on the defence and protection of health, the environment and the territory. FLAI works to strengthen the unity of the trade union movement in Italy and in Europe. It is affiliated to Silk, the European Federation of workers in the food industry; to the EF, the European Federation of Agricultural Workers and to the Uita, the International Union of Agro-industrial Workers”. Available at <http://www.cgilcaserta.it/categorie/flai/>. [Accessed 12.4.19].

¹¹⁰ This research uses the maps by Observatory Placido Rizzotto-FLAI/CGIL which earned international acceptance and reference. These maps have various limitations. Nonetheless, FLAI/CGIL fights for workers’ rights. Indeed 2012 Observatory Placido Rizzotto was created and it continues to closely study the working conditions of agricultural workers and the activities of mafia in Italian agriculture— the so-called “Agromafia”. FLAI/CGIL is the only trade union and the strongest that spread all over the country even in furthest southern settlements. In fact, it is one of the strongest unions at European level. This has given much more authenticity and recognition to the Observatory Placido Rizzotto. There political goals: to help improve the rights of all workers and their consistent investigation of the “Agromafia” and “Caporalato” envisage agricultural workers’ welfare. Their special focus on the living and working conditions of migrant in the agricultural sector make them the most reliable resource to draw the phenomenon.

¹¹¹ From the top: Mafia gang-masters 3%; gang-masters colluded with criminal organisations 7%; violent gang-masters and dirigiste 30%; and gang-master team leaders 60%.

Drawing an accurate map of gang-mastering is attainable. However, such a map will not tell of every nature of agricultural exploitation. Some scenarios of agricultural exploitation can be invisible and still very few are reported. Even today, many living quarters of migrants, the so-called ghettos, shanty houses, tents, slums, giant containers, and ‘Kalifo’¹¹² grounds are outside inhabited areas of the local population. Some are by design, out of sight from police inspections; unless there are special investigations or routine inspections at workplaces (and if not for some very rare cases of victims’ freewill to report their conditions to authorities), the authorities will never know. Most humanitarian disasters such as aggravated cases of death(s), revolt(s) and accident(s) at work often become known too late. For example, many extraordinary cases of severe exploitation and contemporary forms of slavery would not have been brought to the spotlight without the individual and collective efforts from national¹¹³ and international media¹¹⁴ as well as individual efforts of journalists and independent researchers. We came to know about many other cases with the intervention of institutions like FLAI/CGIL, Caritas Italiana, ILO, Amnesty International, IOM, National anti-Mafia and autonomous movements (however small they might be) whose efforts cannot be overstated. Much of what we know today about the precarious nature of this Italian agricultural model is due to their relentless efforts¹¹⁵. Meanwhile, Observatory Placido Rizzotto continues to study agricultural exploitation and the “Agromafie” in different agricultural regions in Italy. Through their tools to approach, understand and identify the phenomenon; and the human and material resources, they can identify agricultural regions that are prone to exploitation —the so-called 80 grey areas at national level. The intensity of violence explains the spectrum of exploitation, general economic precarity, social and legal vulnerability through activities of gang-

¹¹² The term “Kalifo ground” refers to those places where migrant workers gather in search for work. It includes roundabouts, junctions, city squares, or any such places where migrant workers gather to search for daily work. It is an expression most common among the Mediterranean migrants who have lived and worked in such conditions in Libya, hence the origin of the term. “Kalifo” is an Arabic word for "successor", "deputy" or “steward” literally referring to a reputable person with high social prestige. Hence, these migrants use this term as a reference to their modest works. ‘Kalifo’ is a respectful title and shows honour and honesty of the title holder. However, ‘Kalifo’ is originally a term Libyans use to refer to migrant workers in general.

¹¹³ For some telling journalistic articles published by national media ‘La Repubblica on ‘Agromafie and Caporalato’, are available from: <http://www.repubblica.it/argomenti/caporalato>. [2 June 2017].

¹¹⁴ Wasley, A & Ferrara, C. (2016) ‘How Italy’s oranges are linked to a modern-day story of exploitation,’ *The Guardian*, 18 February. Available from: <https://www.theguardian.com/sustainable-business/2016/feb/18/italy-oranges-slavery-coca-cola-exploitation>. [17 October 2017]; ‘Cosa dice la nuova legge contro il caporalato’, *Il Post*, 19 October 2016. Available from: <http://www.ilpost.it/2016/10/19/cosa-dice-la-nuova-legge-contro-il-caporalato/>. [2 June 2017]; Tondo, L. (2016) ‘Ours are the hands and faces of slavery’: the exploitation of migrants in Sicily’, *The Guardian*. 24 November. Available from: <https://www.theguardian.com/global-development/2016/nov/24/hands-faces-slavery-exploitation-sicily-migrant-community> [22 October 2017]; Hunter, I. & Di Pietro, L. 2017, ‘The terrible truth about your tin of Italian tomatoes,’ *The Guardian*, 24 October. Available from: <https://www.theguardian.com/global-development/2017/oct/24/the-terrible-truth-about-your-tin-of-italian-tomatoes>. [10 November 2017]; Tondo, L & Kelly, A 2017, ‘Raped, Beaten, Exploited: the 21st-century Slavery Propping Up Sicilian Farming,’ *The Guardian*, 12 March. Available from: <https://www.theguardian.com/global-development/2017/mar/12/slavery-sicily-farming-raped-beaten-exploited-romanian-women>. [10 November 2017]; Sala, D & Valle, M 2017, ‘‘An employer? No, we have a master’: the Sikhs secretly exploited in Italy,’ *The Guardian*, 22 December. Available from: <https://www.theguardian.com/global-development/2017/dec/22/sikhs-secretly-exploited-in-italy-migrant-workers>. [10 November 2018].

¹¹⁵ Also, with the verse media report, investigative journalism, consistent and genuine efforts by human right organisations and some political interests both at national, EU, and international level, all add to the plentiful evidences under the spotlight of virtual scenes of modern slavery characteristic of Italian agricultural exploitation telling us stories from across the country, from the south to the north, in the urban and in rural settings, on the fields and from inside the ghettos.

masters and the direct mafia presence, highlighted as determinants of which areas are more vulnerable than the others.

What explains the regional differences and similarities? Through these maps, we can investigate which areas are most prone, and which are less prone. The maps are drawn with emphasis on the 4 (four) seasons: Spring (“Primavera”), Summer (“Estate”), Autumn (“Autunno”), and Winter (“Inverno”). Seasonal works take place in different agricultural regions in different times and the concentration of migrant workforce matters, although this kind of exploitation and slavery like practices extend beyond harvesting seasons. It must be emphasised that harvesting is just one of the many farms works migrant workers do, where exploitation equally takes place. Like “Caporalato”, the nature of farm work is hardly concrete. As per employment contracts, the activities farm workers do, especially those of migrants, remain implicit. While contracts might state the number of working hours, which kind of work this type of contract might entail remains at the sole will of the employers. Gang-masters make workers do all types of work. In cases of redress, the discretion of the judge as the final evaluator can establish what explicitly entails such contracts¹¹⁶.

To such a great extent, it is insufficient to base all our observations on only those seasonal activities like harvesting — which a significant number of migrant workers do like nomads. Some migrant workers are employed for years with regular contracts, immobile and doing all activities within the farm, being exploited equally and sometimes even worse. The special attention to harvesting seasons —because of the thousands of migrants on the move — has the tendency to overshadow all the other farm jobs they do. Jobs such as cleaning, ploughing, transplanting, weeding, trimming during cultivation and on-field packaging, carrying or uploading fruits and vegetable cases to the trucks are usually the unexplained parts of agricultural exploitation¹¹⁷. The narrowness of looking at exploitation mainly from harvesting season can be concealing of other realities of workers who do everything on the farm. At the same time, those works are reduced or made ‘invisible’ by atypical contracts that do not correspond to the quantity and quality of work done, and most unfortunately, unpaid for by gang-masters and unscrupulous Italian employers alike.

Meanwhile, south Italy being an entry point for migrants for example, makes it an interesting focal point and therefore, a grey area. As an agricultural region, the practise of on farm exploitation of workers was already not new in the south. Global Slavery Index (2016) confirmed that most migrant workers in the south are caught up in a dilemma between Italian bureaucracy in the asylum camps and irregularity on the agricultural fields. According to the Ministry of Interior, 58 percent of asylum request were rejected in 2017 and consequently, many of these migrants “are susceptible to [contemporary] “slavery due to corrupt recruitment intermediaries and limited government resources to deal with such an influx” Global Slavery Index (2017). Asylum procedures and regularisation procedures for migrant workers are ‘better’ in the north. This notion, however, not always being the case, coupled with the aspiration of better economic and working conditions, influences this seasonal south-north migration such that this exploitation increasingly continues as a countrywide phenomenon. The availability of seasonal work in different regions at different times

¹¹⁶ As understood from the story of Paola Clemente and her colleagues, employers and gang-masters can make farmworkers do every type of work. Doing every sort of menial work on the farm is principle not an exception and in undeclared work, it is an inescapable fact.

¹¹⁷ And unfortunately for these migrant workers, such works are unconsidered and even ‘uncountable’ or uncounted for in traditional analysis of labour exploitation.

makes these migrant workers continue migrating from one region to another with a lot of obvious consequences. Due to seasonal nature of their work, they search for work crisscrossing from fields and agricultural ghettos throughout Italy.

Another telling feature of the map but also of the regions is the different climatic conditions. All these regions have weather conditions which naturally explain the significant differences in what they produce. As a result, the nomadic lifestyle of seasonal migrant workers is directed accordingly. Working conditions can be worse in different seasons and regions. For instance, the nature of work during the winter is different from the summer. Some regions like Sicily, Sardinia, Calabria, Puglia and Campania registered a record increase in recent bad weather conditions. Unfavourable weather conditions such as heavy downpour of rain, cold winters and the ill preparedness of both small farmers and migrant workers, are important points to consider. Such considerations as proper clothing for safety during snow, or enough ventilation during hot weather conditions under the plastic tent picking tomatoes, are crucial for workers' health. These natural challenges make living in the ghettos and work under the greenhouses extremely difficult. Therefore, the different weather conditions can make other working and living conditions even more appalling and, in that case, seasonal migrant workers are most prone.

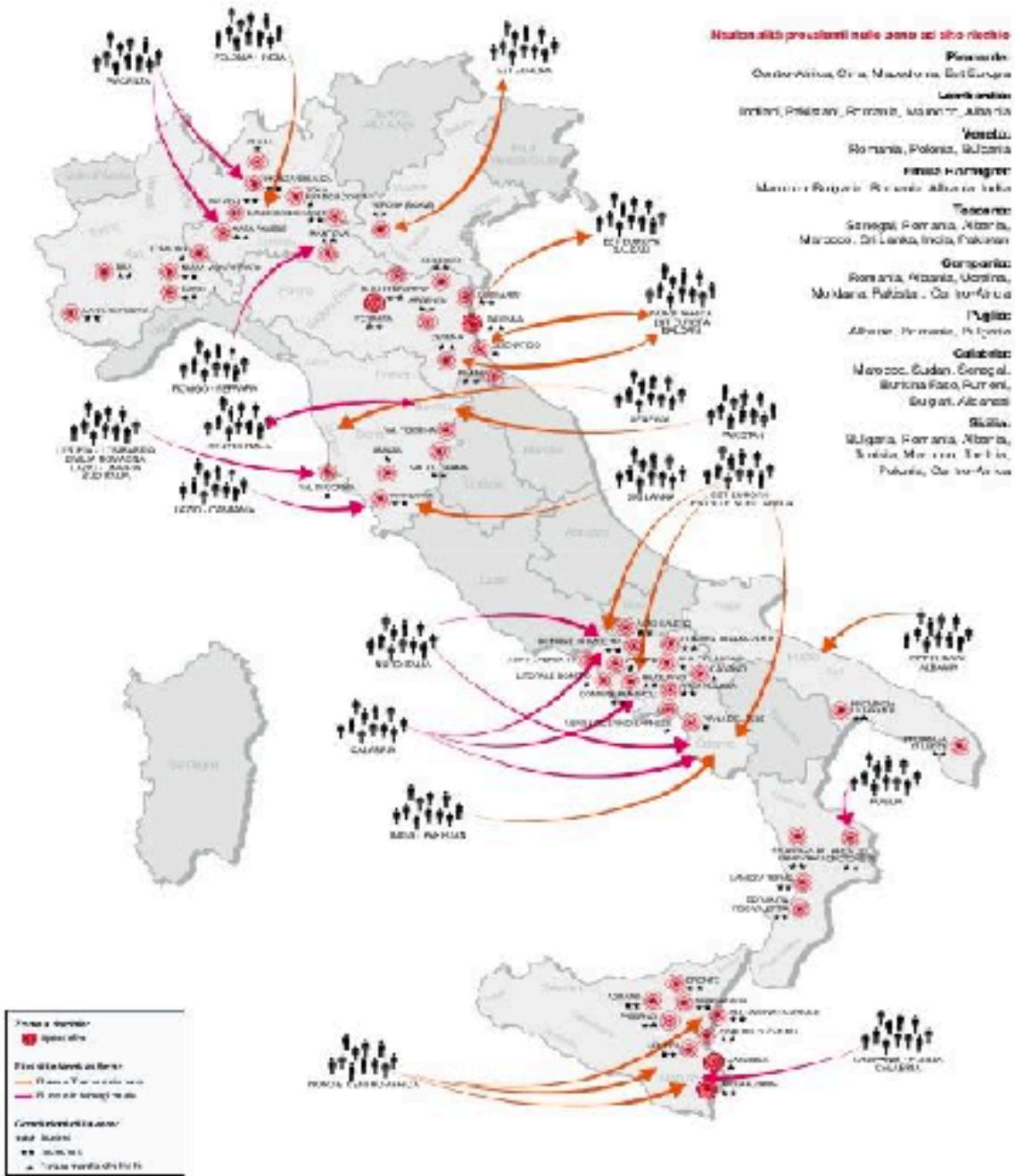
Hence, we need these maps to guide our attention in research. It is also instrumental for government policy perspectives to understand the phenomenon and appropriately place priorities. They are necessary and as such, an important tool for studying the "Agromafie". These maps also enable us to understand and know which agencies might be involved, whose interests there are and when and where exploitation is most common on the national landscape¹¹⁸. It is essential to emphasise that the absence of some areas or names does not mean to say those regions or others not identified in the map(s) are immune or less interesting to this research. The impalpable nature of the phenomenon under certain contexts and the lack of any reported case in an area does not equally mean immunity.

Map 3.2: Areas at risk of exploitative agricultural work - Spring

¹¹⁸ It is worth noting that this is not a quantitative research and commonness of exploitation in the maps and its slim presence in some areas does not affect the result.

Primavera

Mappe delle aree a rischio sfruttamento lavorativo in agricoltura*

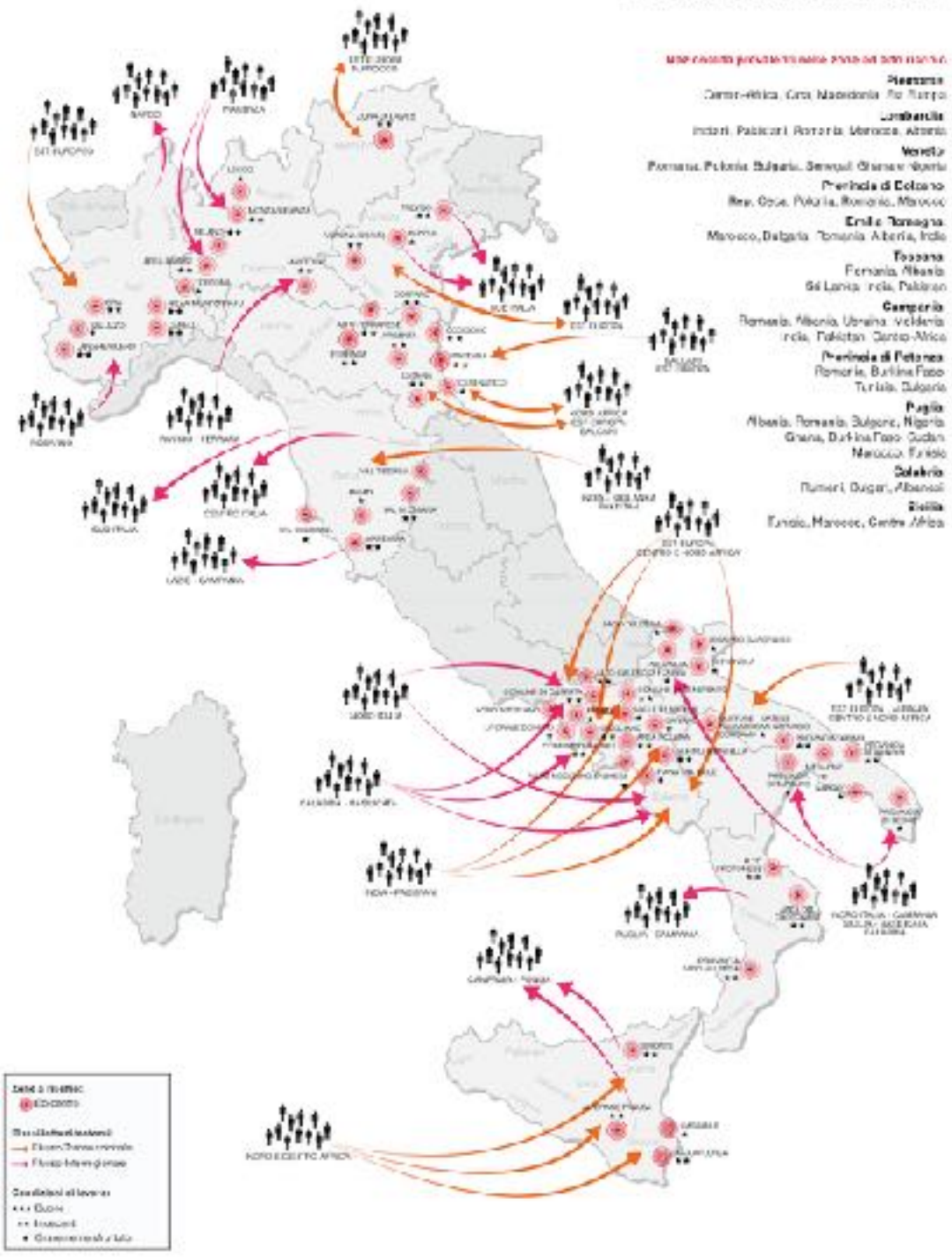


* La mappa si basa sulle dati della rete di organizzazioni di lavoratori agricoli, ma non tiene conto delle variabili socio-economiche e della capacità di assorbire gli occupati agricoli.

Map 3.3: Areas at risk of exploitative agricultural work - Summer

Estate

Mappa delle aree a rischio sfruttamento lavorativo in agricoltura?

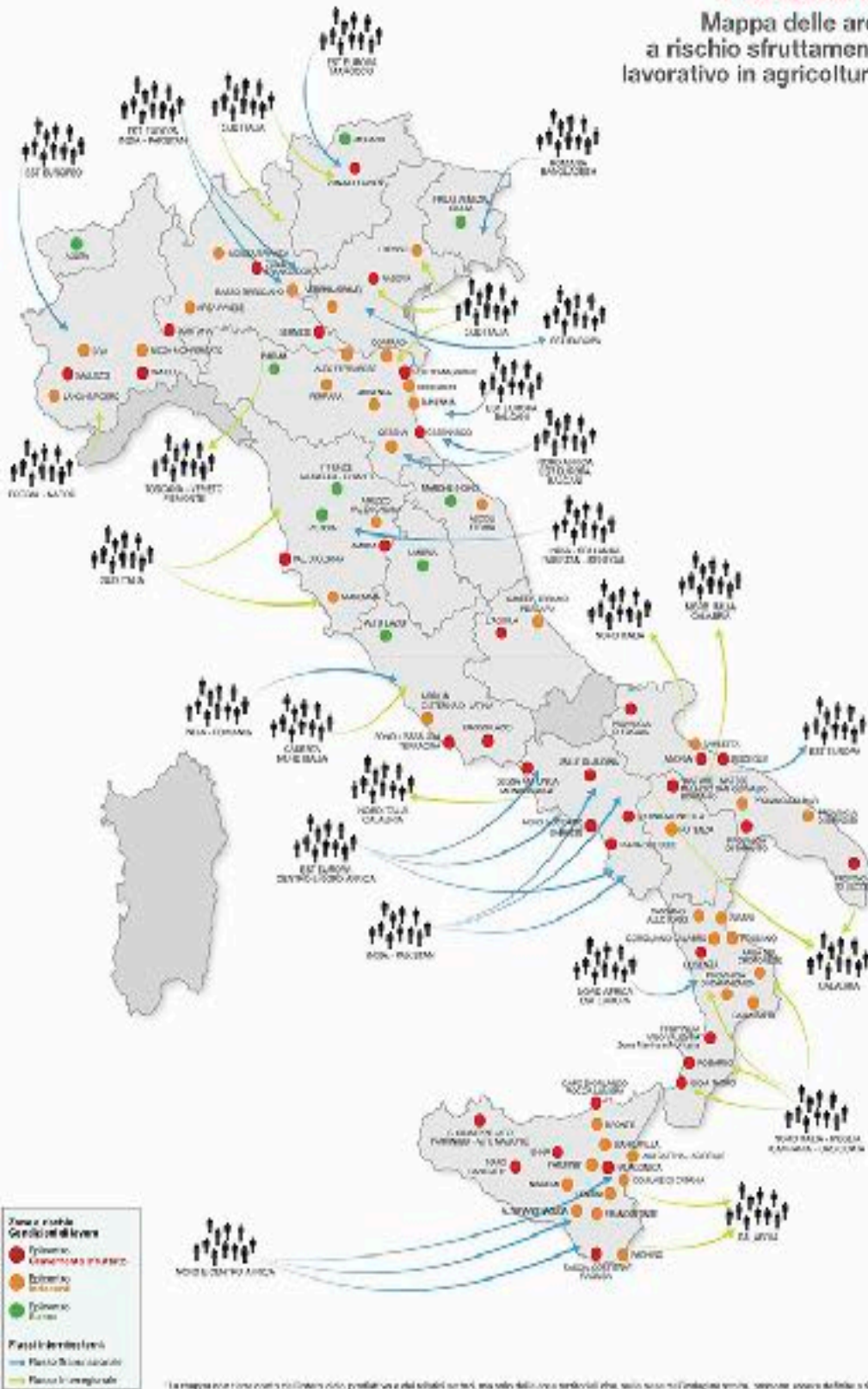


La mappa rappresenta le aree a rischio di sfruttamento lavorativo in agricoltura a fine ottobre, sulla base delle segnalazioni ricevute dalle organizzazioni sindacali, e non rappresenta un'analisi definitiva.

Map 3.4: Areas at risk of exploitative agricultural work - Autumn

Autunno

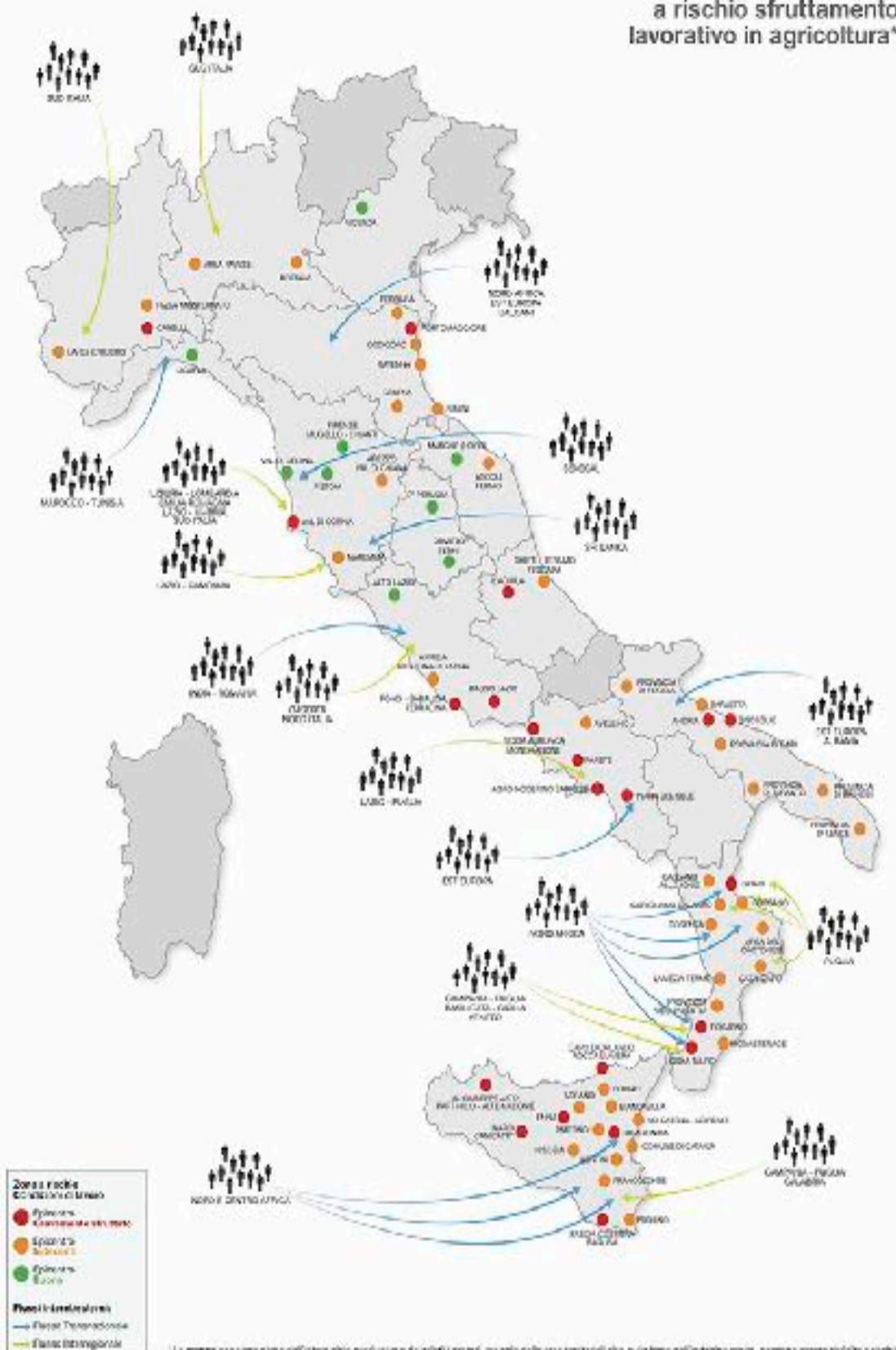
Mappa delle aree a rischio sfruttamento lavorativo in agricoltura⁴



Map 3.5: Areas at risk of exploitative agricultural work – Winter

Inverno

Mappa delle aree a rischio sfruttamento lavorativo in agricoltura*



3.8 The agricultural supply chain and “Caporalato” phenomena: facts, figures and data

In the ‘pyramid’ of agricultural production, there are large scale producers and distributors who are usually big companies¹¹⁹ (traders and retailers); then the medium size producers¹²⁰; land owners, sometimes small farmers and at the bottom of the pyramid, you have agricultural workers. Functionally, the big traders decide the prices to be paid to (big, medium or small) producers for harvest. They decide this after a close observation and speculation of how much profit they can make. These traders sometimes own lands. They can also decide the transport and even to whom to sell, usually big distributors (retailers). CGIL, Caritas Italy and Observatory Placido Rizzotto have observed in their various field studies that the activities of these big global traders push small farmers out of the market.

When we talk about supply chain, inevitably we are directly referring to a capitalist industrial model which includes primarily production, supply and distribution. These three features enable us to grasp the essential concept of the production chain: that every food item with which we come into contact, be it in our local markets or supermarket stalls, is being grown, (sometimes) processed and distributed. But there is very little information about the labour condition regarding the origin and intended destinations of many Italian agricultural products from grey regions. For example, how do we know the intended destination(s) of the oranges and citrus from Rosarno, or the tomatoes from Foggia or whether the labelling on the packaging of the Pannitteri (brothers) company are authentic? Although, the Pannitteri company claim that their products, 70 per cent of which are sold in Italy in Coop. supermarkets and 30 per cent which are exported, are ‘produced without discrimination and labour exploitation’. Notwithstanding the aforesaid, the present nature of packaging is generally obscure and the supply chain either too complicated and long or made too technical for easy verification. For example, where is the “Valle del Belice” and “Nocellara del Belice” olives of Campobello di Mazara exported to? What labelling do they carry?

For example, in Catania, the price system of fruits and vegetables is quite mysterious with a rather complex supply chain that is hardly free of mafia infiltration. Indeed, like Palermo, Catania is a grey area and an example of a global market: with French beans from Senegal, grapefruit from Israel, almonds from California, pistachios from Iran, groundnut from the US and Israel, with almost every type of vegetable and fruit from Spain.

Spanish clementines are especially cheap costing as low as 0.90 euro per kilo, while 0.50 for the locally produced ones. However, not all imported agricultural products are cheap. In the same market for example, Kiwis from New Zealand are generally expensive with the lowest price at 2.20 euro and particularly expensive are the oranges and grapes from South Africa. Calabria partly exports to far eastern markets, while Sicily's export stretches all over the global supply chain.

¹¹⁹ For example, Nardò produces high quality watermelon but also in northern Italy and are exported to England and Germany. Nardò is notorious for using gang-master to recruit migrants for underpaid labour.

¹²⁰ “Agrumi GR” another producing, and trading company based in Rosarno and known for its clementine received an anti-mafia interdict in 2013 for the dangers of mafia infiltration into its activities.

Oranges from this beautiful agricultural island are exported to Germany, Austria, France and all the way to South Africa and Korea.

The recent European law on packaging does not name clearly where, that is, in which factory or industry the products are packaged before final distribution and, as a result, a deliberate information vacuum can be constructed. Economists consider this as information asymmetry. Consequently, consumers are literally left in the dark. Many do not know the actual origins of the products they buy. Paradoxically, this is the picture of the 21st century extensive globalisation that survives through the negligence of things that matter: labour rights with special emphasis to seasonal workers; human rights of women and children; and the plight of small producers; and consumer rights to accurate information. In an era of such a rapid globalisation, local markets are overcrowded with global products. Many of these products are marked by big companies in an environment where ‘prices are determined behind supermarket doors’ spuriously.

Market forces closer to the big distributors, retailers and producers disproportionately determine market prices of fruits and vegetables. To support small farmers and organic agriculture, fruits and vegetable markets should serve as an outlet for local producers. The long supply chain fussed with plentiful brokers; the perishable nature of certain products like tomatoes, and strawberries; the importation from abroad and the predominant use of trucks to facilitate the long road travels to markets, are all factors which influence market prices¹²¹. The dysfunctional local vegetable and fruit market that should serve as a strong and real alternative to global and large-scale distribution have been made to fail. They are either complicit of the Mafia (for instance, Ballarò Market, and Il Capo, in Palermo) or simply cannot compete. They are being pushed away by the global trade low-cost production model. Some problems as to why many small and local producers of Sicily have very little bargaining power is largely due to their organisational incompetence.

Small producers have also under oppression lost their power to the “Agromafia” and big global companies. Observatory Placido Rizzotto (2018) observed that “The economy not observed in Italy is estimated at € 208 billion; irregular work is worth 77 billion, or 37.3%. Irregular work accounts for 15.5% of the added value of the agricultural sector. The irregular labor and “Caporalato” business in agriculture is 4.8 billion euro, while 1.8 billion is tax evasion”. Small farmers need to study the market and restructure themselves in order to challenge the big distributors and regain their power over the mafia. This is particularly an important point of departure into understanding the nature of contemporary Italian agricultural production. The contradictions, obscurity nature, costs and effects, and the coexistence of both the state and mafia¹²² in the chain of production makes it immensely difficult to challenge. The increasing widespread phenomenon of gang-mastering as the nucleus of the “Agromafie” is a humiliating manifestation of the inefficacy of Italian law as far as it concerns agriculture. However, since farm labourers and gang-masters both live within the context of Italian law, lack of the Italian state machinery means no regard for due diligence in guaranteeing migrant workers’ rights¹²³ although, there are commendable efforts to

¹²¹ Sometimes a delay in delivery of certain perishable products even just for few hours can be devastating. At worst everything is thrown as not marketable or at best, sale for even cheaper than it would be sold for previously, with a lot of obvious consequences that do not spare the farm workers.

¹²² According to FLAI/CGIL, ‘agromafia’ accounts for between 14 to 17.5 billion euro in the agricultural business.

¹²³ Other than being fundamental human rights, these concerns are essential for living outside the spectrum of labour exploitation -zero exploitation..

address the situation¹²⁴. Bad prices for agricultural products lead to bad wages and eventually degrading living and working conditions which reduce migrant workers to ghettos under contemporary forms of slavery.

In the same vein, the poor transportation system in Sicily and other areas within the Mezzogiorno, makes truck drivers rush perishable products through the night to markets. Hours of delay can be destructive to their quality and freshness, and, finally determine their market price. For that reason, prices based on the quality and freshness of these products is being threatened by an unnecessarily long supply chain, many brokers and long road transportation by trucks.

The importation of cheap Egyptian oranges has in 2013 caused big traders to cancel their purchase in Southern Italy. This scenario enables us to imagine the contradictions of globalisation or as explicitly explained by Joseph E. Stiglitz in his 2002 book *Globalization and Its Discontents*. Small producers have nowhere to sell their oranges and therefore, as the Calabrian small farmer put it before, and as a kind of mantra; ‘the oranges are left on the trees’ if the (big) traders cannot maximise the profit they want from them.

Tons of agricultural produce are dumped or thrown out every year in many agricultural regions. When small producers cannot sell their products or are made to sell for cheaper than they are worth, inevitably it is migrant workers who end up in ghettos under conditions disrespectful to their human dignity. Migrant workers on whose labour all activities such as cleaning, pruning, cultivating and harvesting largely depend, literally struggle every day to survive. Many researchers, policy experts and humanitarian organisations have for decades described their conditions as below human dignity. Worker exploitation of TNCs impacts on remittances and hence development in their countries of origin, as well as support to family members (see, chapter five (5)).

Similarly, the under-payment or in worst cases, failure to purchase from the small producers, puts a direct consequence on the working and living condition of migrants. It is as such, a system that almost auto-catalytically reproduces major discontents: from the generally unfavourable condition of ‘low prices’ in the market; to the profit big traders want to maximise; the dilemma of small producers to sell off their products at little or no profit or abandon them to decay; leads to the final brunt being carried on the shoulders of alienated migrant workers as the final ‘subsidies’ or ‘means’ or ‘grants’ of the economic system. These are all varied facets of the same production chain. It is a scenario where exploitation begets exploitation. The power asymmetry between the big traders and the small producers (farmers) fuels a situation of uninterrupted exploitation. Migrant workers who are usually the victims due to their increasingly irregularity become “invisible” even by statistics (Caritas, 2018, 34-51).

Today’s nature of capitalist production in the plantations of Italy brings back to memory the European architected chattel plantation slavery of Africans. The iconic legal revolution that brought

¹²⁴ See for instanc; eImpresa Etica n.d., Impresa Etica. Un migliore modo di fare business. Available at: <https://www.ciseonweb.it/admin/gesagen/impresaetica/index.htm>. [1 June 2017]. Social Accountability International n.d., SA8000. Available from: <http://www.sa-intl.org/index.cfm?fuseaction=page.viewpage&pageid=1689>. [1 June 2017]; Associazione Lavoro & Welfare 2015, “LavoroWelfare: Per un nuovo riformismo. Contro il caporalato e il lavoro nero,” September. Available from: <http://www.lavorowelfare.it/wp/wp-content/uploads/2017/02/9Rivista19-2015.pdf>. [7 July 2017]; COOP n.d., Buoni e giusti. Available from: <http://www.e-coop.it/buoniegusticoop>. [7 June 2017]; Ministero delle Politiche Agricole, Alimentari e Forestali 2015, Al via la ‘Rete del lavoro agricolo di qualità.’ Available at: <https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/9040>. [7 July 2017]; INPS n.d., Aziende Ammesse alla Rete del lavoro agricolo di qualità. Available from: https://www.inps.it/doc/allegatiNP/Mig/Allegati/Aziende_ammesse_alla_Rete_del_lavoro_agricolo_di_qualita.pdf. [10 July 2017]; Ministero delle Politiche Agricole, Alimentari e Forestali 2014, Campagna Informativa ‘Lavorare alla Luce del Sole.’ Available at: <https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/7692>. [7 June 2017].

about the English Factory Legislation on the degrading maltreatment by 19th Century English factories has not yet come to pass. It appears to me that this nature of contemporary capitalist production finds heaven where there are already existing legal conundrums. The question: what legally is meant by ‘degrading or inhumane treatment or condition?’ simultaneously builds a legal problem that does not necessarily empower the most vulnerable in an asymmetric employment relationship. Even the most inhumane employment relationships such as earning 20 or less euros for 12 or more hours a day in Italian fields is generally reduced to exploitation. But from an insider perspective, severe exploitation and as amply shown in many scenarios herein, contemporary slavery itself is here with us. Meanwhile, some forms of severe exploitation and contemporary forms of slavery are largely ‘invisible’ because the precarious migrants themselves are being made socio-politically and legally less relevant and therefore become ‘invisibles’. Many of them therefore, live in complete isolation from the labour law. This is an ethical problem helping the proliferation of “Agromafia” and the ignorant or sometimes indirect participation of consumers in perpetuating the exploitation of the ‘invisible’ workers within the production chain.

3.9 Sub-contracting, wages and their impacts: the price system within the agricultural supply chain

John Rogers Commons¹²⁵ descriptions of the exploitative American firms in his 1977 article entitled: “*The sweating system: In and out of the Sweatshops*” captured most parts of our analysis. Hence to show the reemergence of a sweating system worse but also strikingly similar to that analysed by Commons, it’s fundamental hence to quote Commons (1977) a bit more:

“[The labour contractor] deals with the people who have no knowledge of the regular hours. He keeps them in the dark with regard to the prevailing number of hours people work.

The contractor is an irresponsible go-between for the manufacturer, who is the original employer. He has no connection with the business interest of the manufacturer nor is his interest that of his help. His sphere is merely that of a middleman. He holds his own merely because of his ability to get cheap labour and is, in reality, merely the agent of the manufacturer for that purpose.

Usually when the work comes to the contractor from the manufacturer and is offered to his employees for a smaller price than has previously been paid, the help will remonstrate and ask to be paid the full price. Then the contractor tells them, “I have nothing to do with the price. The price is made for me by the manufacturer. I have very little to say about the price.” That is, he cuts himself completely loose from any responsibility to his employees as to how much they are to get for their labour.

The help does not know the manufacturer. They cannot register their complaint with the man who made the price for their labour. The contractor, who did not make the price for their labour, claims that it is no use to complain to him. So however much the price of labour goes down there is no one responsible for it.

In case the help from an organisation sends a committee to the manufacturer, the manufacturer will invariably say, “I do not employ you and I have nothing to do with you” (Commons, 1977, 46).

Commons’ analysis of the “sweating system” presents the evolution of industrial production into a global neoliberal laissez faire that creates social distances between the employer — who can be the

¹²⁵ This thesis presents the unique Italian scenario of severe exploitation of it predominantly migrant labourers and how it develops to contemporary forms of real slavery. The situation in contemporary Italian agriculture is very close and in other areas even worse than sweating system described by Commons (1977).

contractor, subcontractor, manufacturer — and employee, almost always the so-called unskilled migrant worker, against whom a mafia type strategy is employed to keep him/her in conditions that eventually cuts him/her from the outside world physically or otherwise such that he/she is made to assert even more energy to the “sweating system” (Commons, 1977, 45). This is the competition that eventually destroy him/her in a race to the bottom. In a way, this defines contemporary Italy where farm workers especially migrants receive degrading treatment such as irregular conditions of work where migrant workers are housed under sub-human conditions and work for considerably longer hours than required by law, from a minimum of 8 to 12 hours for 6 or 7 days a week for indecent salaries or wages paid below the minimum standard set by law. They hardly had any contact with their families or persons from outside where they work or live. Their documents can be confiscated by employers such as to limit their movements and render them in to servitude. They have very few or no days of leave and lack social security payments. Their working conditions differ significantly from what was previously agreed with threats of retribution and physical violence and even deaths (IOM, 2010, 6).

The poor living and working conditions and the general precarity of the undeclared agricultural work atmosphere that survives on violence and deception in Italian agriculture has long been an undervalued social, economic and humanitarian phenomenon (Sagnet, 2012, 10-73) and migrants’ labour rights have been faced with a lot of political, social, legal, and economic challenges (Observatorio Placido Rizzotto, 2014, 164)). Through the changing labour of global markets and the “cheap” inflow of migrants’ labour recently through the Mediterranean into Italy, there have been both opportunities and difficulties. While many migrants have adjusted to their new social contexts, hundreds of thousands are being exploited in the agricultural fields and many reduced into conditions of slavery (Mancini, 2017, 1-11).

Like Nike, Town Dock, and Coca Cola, Italian industrial agriculture functions in a similar manner using contracts and sub-contracts typical of capitalist and globalised production and where previous employers turn to be irresponsible mostly by design toward their employees because the gang-masters can easily claim that, “I have nothing to do with the price. The price is made for me by the manufacturer. I have very little to say about the price” the manufacturer on the other hand will say, “I do not employ you and I have nothing to do with you” (Commons, 1977, 46). Local (small, medium-sized or big) producers and manufactures are the foundation stages of a “sweating system” described by John R. Commons and show the re-emergence of yet another system with similar characteristics which equally targets and feeds of exploitation.

To understand therefore, what is contemporary ‘severe labour exploitation’ in Italian agriculture which graduates into real slavery, we must look at its diverse nature generally referenced as the labour exploitation spectrum: a continuous situation of gravity regarding not only the working condition but also worker’s personal circumstances and other essential factors.

Accordingly, labour exploitation in Italy can be understood in two spectrums: on the one hand of the spectrum are working conditions of no exploitation or decent work¹²⁶, on the other hand, irregular and illegal employment of exploitative labour which leads to a situation of servitude, forced labour and conditions of contemporary slavery (Skrivankova, 2010, 2-7) typical of many submerged, informal and clandestine agribusinesses in contemporary Italian agricultural which hover over the legal economy.

¹²⁶ Generally, this refers to situations where workers freely choose their work and are regular and have an active employment relationship and part of the legal economy with guaranteed protection.

3.10 The Italian olive market paradox: production, distribution and prices

The *Institute for studies, Research and Information on the Agricultural Market (ISMEA)* 2018/2019 projection of olive production in both plain and hilly zones was concentrated in southern Italy predominantly in Apulia with 86.513; Calabria 46.964; Sicily with 39.286 tons of olive oil respectively. Accordingly, these were also the most important and mildest climatic zones which produce quality olive oil. The world's most expensive olive oil for small-and large-scale consumption in all forms, shapes and name, for example: '*olive extravergine, olio vergine, lampante, raffinato di oliva, olio di sansa (raffinato; grezzo)*' come from these regions respectively. Apart from the mass production and exportation of the 'red diamonds/golds' (tomatoes) and the 'blood oranges' internationally, Italy and the region of Sicily are particularly indispensable in the production of quality olive oil — 'the green liquid gold'. The Mediterranean region which includes northern Africa, towards the middle eastern regions and to Turkey, Greece, France, Spain, Portugal and up towards the Balkans (see annexed 1)). Olive oil and table oil production is an important agricultural activity at national and international levels.

Table 3.4: The evolution of international olive oil prices 2017/18

	Italy	Spain	Greece
January-September 2017	£4,35,	£3,90	£3,88
January-September 2018	£4,34	£3,19	£3,31
Value 18/17	-25,1 %	-18,1 %	-14,8 %

Source: ISMEA 2017/18

Map 3.6: Mediterranean area that grows Olive trees and produce Olive Oil



Source: Pristiano Madrid

Italy's olive oil sector produced 167 thousand tons and generated 746 million euros in 2018 and which accounts for 2.4 % of the total value of 'agrifood' production (ISMEA 2018). Italy is the second largest and most important producer of olives at European level and in the world of quality and 'guaranteed' olive oil trade. It has about 170 million olive plants and 1,75 000 hectare for olive growing; more than 1 million farms in olive production ("*olivicultura*") and about 6.180 olive oil mills. Italian olive oil was also the most expensive in the olive oil market. For instance, Italian olive oil prices since January 2017 to September 2018 have remained at 4,35 euros per kilo (from 5,79 euros in 2017) (ISTAT; ISMAE, 2018). This industrial production heavily reliant on migrant labour thereby contributes immensely to Italy's GDP. In as much as the impact of climate change affected the general quality and price of olives, in recent years, the conducive climate in these mild regions makes olive production one of their principal economic potentials.

Accordingly, giant vineyards and olive plantations lay beside each other just as it is in traditional Italian cuisine. Like wine, extra virgin is totally an integral part of Italian food culture: whether in pasta, pizza or vegetables, a drizzle of olive oil is fundamental. Throw it everywhere: on your plate of salad, rice, fish, meat or a splash on your sandwich to add flavour and aroma. It is an indispensable commodity with cultural, political and economic importance. In contrast, the Senegambian people who harvest the olives of Campobello di Mazara, Trapani, live in an agricultural ghetto and cannot buy olive oil from their meagre daily and monthly wages¹²⁷. These

¹²⁷ Similarly, this is a scenario captured through the dialectics of Marx and Engels.

workers worked and gave all their energies to the system but were not able to buy the very products they produced¹²⁸.

Other than the exploitation of the cheap labour of precarious migrant workers, this extensive olive oil production from many Italian regions largely for local consumption and international trade is possible through technological advancement: advanced techniques of cultivation (irrigation, regular cleaning and trimming); disease prevention and treatment (through heavy chemical usage), and the methods in extracting olive oil, have all drastically improved as a response to the market demand. The untold part, however, is that, this heavy industrial olive production feeds off and breeds on the labour of pieceworkers, predominantly migrants in vulnerable conditions who are made to live under degrading conditions. This lucrative “Agromafia” and Italy’s marginalised agricultural sector created legal, economic, socio-political and cultural distances that compelled unprotected migrant workers to live in ghettos, or such conditions described as orchestrated ‘institutional oblivion’.

3.11 Conventional Agricultural Policy (CAP) 1962: social responsibility

The Common Agricultural Policy (CAP) in Italian industrial agricultural system is crucial. The role of CAP’s distribution is criticised for favouring the north to the detriment of the south. This can be observed in the role big companies and traders play in global trade. For example, in 2016 alone, Italy produced 5.2 million tons of industrial tomato (ready-made sauces, pulps and peeled tomatoes), of that, 60 per cent was destined for export, making the agricultural turnover reach 3.1 billion euro (ISMEA, 2018). According to the Workers Federation (FLAI, 2018), the illegal gang mastering and the “Agromafia” generated an estimated gain of between 14 and 17.5 billion euros. Accordingly, the small farmers are kicked out by the comparative advantage big trading companies have over them. With very little bargaining power and connections, small farmers are constrained to tolerate the prices put on their produce and eventually they are crowded out by big traders (Caritas, 2018, 260-262). Here is how a small farmer put it; “Pension Fund Officials break down your neck and so do the police. You have to pay for the workers’ social security expenses which means they all need residence permit. It cost too much money. I rather left the harvest to waste [...]. It is about making profit on my plantation.¹²⁹” But while the big traders can choose and establish the prices of products to buy, small farmers maximise their profits from the underpayment of migrant workers (Caritas 2018, 262-268) who have largely no bargaining power.

The present agricultural atmosphere presents a situation akin to the 1950s — the one-time labour rights acquired by global workers through various land reforms are now crippled. Agricultural exploitation has reached a situation of a structural dilemma. A system that impoverishes peasants and where big retailers and large companies benefit from the oppression of vulnerable workers. With the arrival of CAP, the agricultural sector of Italy has been revolutionised. It has integrated local producers with the global market primarily through capital intensive neo-liberal framework

¹²⁸ Italy’s agricultural products are sold globally generating up to 30 billion euros in 2016. It was the first in EU regarding gross value added in agriculture in that year. It was second only to the US in global trade of tomatoes producing up to 14 per cent of world controversial tomatoes. Meanwhile, Italy is among the top three major producers and exporters of fruits and vegetables in Europe, but many consumers do not know if their food products are not being produced under conditions of slavery, and by criminal organisation and the mafia.

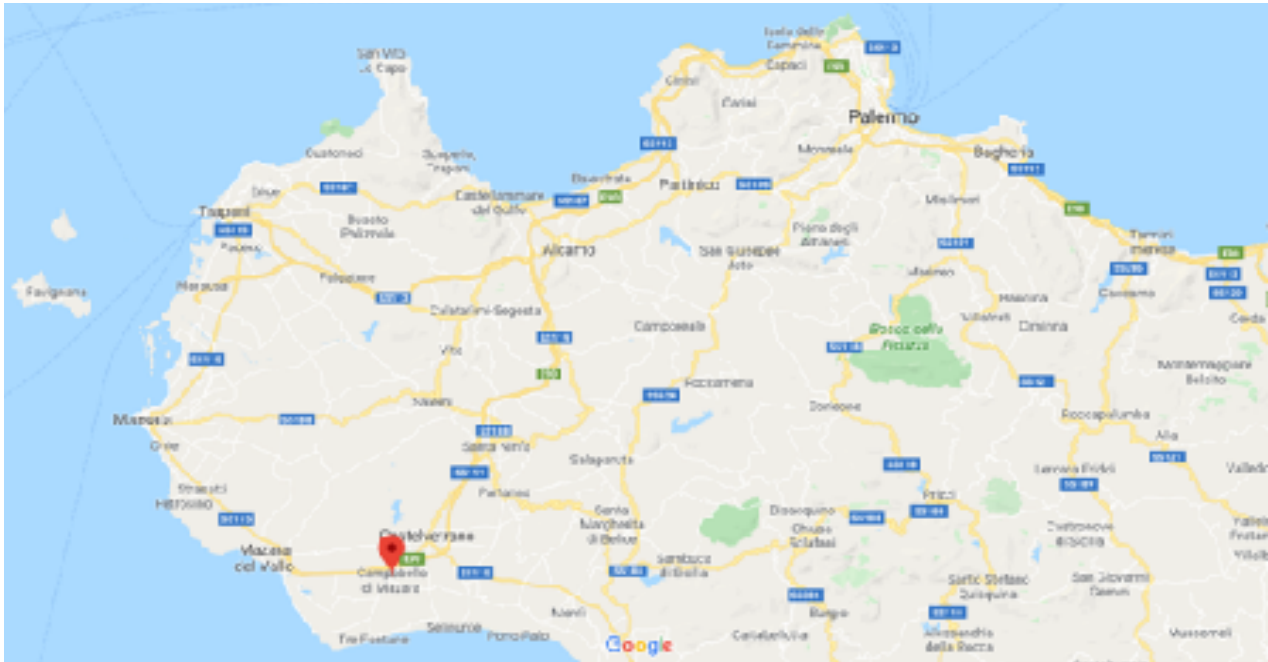
¹²⁹ In this video (European Journal - from minute 3 to 4) the frustrated small farmer explains why he would rather prefer the oranges left on the trees than earn no profit at all: <https://www.youtube.com/watch?v=4EYh9LIg080> [Accessed 10 January 2017].

modernisation, with overproduction largely through monoculture and pollution. The concerns for social ethics which link labour exploitation and consumer participation have led to the 1992 MacSharry Reform. The Agenda 2000 centred on ecological objectives, multi-functionality and rural development. The 2003 Fischler Reform brought about direct and single payment schemes of production. However, these reforms are criticised to have favoured the large farmers, food processors, big retailers and agrochemical companies with contentious impacts on poor and developing countries. In the Italian scenario, CAP's distribution is further criticised for favouring the north against the south. Quality certification and producer organisations also favour the medium and large farms in the production sector which lead to the exploitation of cheap labour. CAP has contributed to the consolidation and widening of sectoral and social inequalities between territories which favoured specialised agricultural areas in the north. Due to the structural disparities that came with CAP, many critics concluded that ecological agriculture has been marginalised and family farming had been discouraged leading to depopulation and rural abandonment. However, the arrival of *The Braccianti Just in Time* by Anna Mary Garrapa (2016) confirmed that in Piana di Gioia Touro and in Pias Valencià, recent migration flows revitalise rural agriculture with migrant labour and this is also true all over Europe. The European Commission Communication on "The Future of Food and Farming" (2017) observe that CAP will play a large role in "helping to settle and integrate legal migrants, refugees, into rural communities". According to Observatory Placido Rizzotto - FLAI/CGIL (2018) the 'agromafia' and 'caporalato' rob from national economy, for the big companies and middlemen, by the appalling conditions of farm workers, small farmers and medium producers.

CHAPTER IV.

FIRST CASE STUDY: THE AGRICULTURAL GHETTO OF CAMPOBELLO DI MAZARA (SICILY) COUNTRYSIDE

Map 4.1: Campobello di Mazara on the map of Sicily, Italy



Source: Google Maps

4.1 Introduction

This chapter is based on the case study conducted at the agricultural ghetto in the *contrada Erbe Bianche* area of Campobello di Mazara, a small town in the west of Sicily. This study was carried out during the 2018 autumn season olive harvest. Less than 3 kilometres from the nearest local inhabitants, this agricultural ghetto is at the immediate periphery of the city. It lies between dark-green olive plantation fields and a giant olive oil factory approximately 100 metres from the main highway which leads to the city in the olive (also Mafia) heartland of the Province of Trapani, Sicily¹³⁰.

This agricultural ghetto is clandestine and unauthorised. It symbolise a very poor and helpless Senegambian village. It was set up so as not to be known to the locals of Campobello di Mazara, the regional authority of Trapani nor to the Sicilian government. This ghetto has been reported by many studies, campaigns, activists, Non-Governmental Organisations and the media and is now an open secret. Letizia Palumbo in 2016 (15-18) observed a close scenario. At the same time, Campobello di Mazara and its municipality produced a large amount of olive (oil) for local consumption and

¹³⁰Campobello di Mazara is a mafia-controlled area as is also for most agricultural areas in Trapani. One famous mafia goes by the name Matteo Messina Denaro. See for example the investigation of ‘Golem’ of 2009; ‘Golem II’ of 2010; and ‘Eden’ of 2014 and Angelo, 2015.

international exportation mainly in the names of ‘*Valle del Belice*’ and ‘*Nocellara del Belice*’¹³¹ which are guaranteed by *Protected Designation of Origin* (PDO) trademarks. Every autumn, hundreds of sub-Saharan migrants are hosted in several agricultural ghettos in Campobello di Mazara for the olive harvest. These workers live and work under tough conditions and without basic services¹³².

4.1.1 Defining terms related with the case study

As already discussed in chapters 1 and 3, “Agromafia” extensively means organized crime in agriculture for the purpose of exploitation. It however, characterised by certain fundamental concepts and agencies such as ‘agricultural ghetto’ “Caporalato”, “caporali”, “Lavoro nero”, ‘gang-mastering’, ‘trafficking and smuggling’ and ‘contemporary slavery’ for labour exploitation. The term *agricultural ghetto* refers to the temporary living environment of physical and psychological discomfort caused mainly by low wages through gang-mastering and lack of protection, and which produces degrading housing conditions for migrant workers — and in this case, Senegalese and Gambian migrant workers. This agricultural ghetto is the most active social complex for migrant workers during olive harvest in Campobello di Mazara. It is characterised by multi-coloured shanty, cardboard and plastic houses, tents, makeshifts, and abandoned buildings turned into overpopulated slums shared with reptiles and amphibians, and without electricity, running water, kitchen, toilets or any form of proper sanitation. “Agromafia” is the main functional theme which runs all through this thesis. In fact, as a terminology, it is both extensive in theory and complicated in practice¹³³. Aside from its long and history, technically, the “Agromafia” of Trapani is increasing in scale, scope and sophistication.

Beyond the rhetoric of total lack of public health as in many other agricultural ghettos, the organised crime prevailing in the “Agromafia Trapanese” (of Trapani origin) is very particular and complicated. Thanks to its history of secrecy, it has economically ‘imprisoned’ six hundred *Senegambian* migrant workers in the agricultural ghetto of Campobello di Mazara during the 2018 autumn of olive season.

The expression *Senegambian* (plural Senegambians) is used to refer to Senegalese and Gambian migrant workers who predominantly lived and worked in this agricultural ghetto largely as pieceworkers on zero hours. These Senegambians have over the years created a concrete social

¹³¹ The ancient tree of ‘*Nocellara del Belice*’ is considered as the queen of the whole Campobello countryside

¹³² The two names marked by PDO are ‘*Valle del Belice*’ which specialised in extra virgin olive oil and ‘*Nocellara del Belice*’ from Campobello di Mazara, Santa Ninfa, Partanna, Castelvetro, Salaparuta and Poggioreale within the Mafia dominated region of Trapani, Sicily. Meanwhile, according to ISMEA (2018) Italian olive oil travel as far as the global trade in olive oil is concerned, from south Italy to Spain and nordic countries among them: Germany, Switzerland, United Kingdom and to the North Americas: Canada and the United States and beyond to Brazil in Latin America. However, the European Union product certification (PDO) registered as protected and guaranteed the ‘*Valle del Belice*’ and ‘*Nocellara del Belice*’ coming from Campobello di Mazara and its geographical areas.

¹³³ However, it is use here to refer to the general illegal agricultural context, usually but not always marginalise small, medium-size and big agribusinesses/enterprises which operate as a form of organised criminality and carry out illicit activities such as but not limited to illegal recruitment for cheap or unpaid labour, to the imposition of imbalance and unlawful working relationship, transportation and accommodation of migrant workers for the final aim of imposing precarious living and working conditions (as describe in article 603bis and as amended by Law 199/2016 of the Italian criminal code. See chapter 6).

reality which caricature an abandon African village setting in Europe. *Zero hours* refers to their prevalent employment relationships that do not guarantee regular work and most workers were paid only the number of hours they actually served or, as usual in their case, the quantity of piecework performed.

In particular, the term ghetto is also use as a metaphor signifying the presence of “Agromafia” as a phenomenon which overwhelms all others¹³⁴. Distinctively, “Agromafia Trapanese” is:

- (a) An aggressive and violent model of agricultural production influence both by individual and collective instincts of gang-masters and unscrupulous employers to exploit migrant labour for profit. This ghetto was overcrowded with needy young men, ambitious and courageous, in largely piecework employment relationships defined by tedious and long working hours with or without contracts to climb and pick olives during the 2018 autumn season — from October to December.
- (b) Maintained this ghetto as a crucial scrabble ground for exploitable labour of TCNs. This agricultural ghetto is a success for the “Agromafia Trapanese” as a huge source of labour for producing ‘*Valle del Belice*’ and ‘*Nocellara del Belice*’ for both the local and the international markets. The Queen *Belice* olive oil is a very dark green with a herbal aroma and has a grassy flavour. Today, Italy grows about 20 percent of the world's olives, not far behind only Spain which grows 45 percent of the world olive supply. Of course, this ghetto’s picture on the queen ‘*Belice*’ would not make good publicity. That would not sell the ‘liquid gold’ (olive oil) exported from this zone. As a matter of fact, any good market publicity that shows the imagery of exploitation in this ghetto has the potential to kill the olive interest of the “Agromafia Trapanese”. However, this ghetto has for the last 5 years consistently served as a real labour market; where employers meet the would-be employees and where the long chain of exploitation begins. Their ghetto life contributed to the success of the local agricultural economy of Campobello di Mazara which exports olive oil (liquid gold) internationally. Consequently, these ‘Senegambians’ lived and worked under poor and precarious employment situations which produced vulnerability, degrading conditions and caused short and long-term serious health risks¹³⁵

¹³⁴ Many of these ‘Senegambians’ have fall as frequent targeted migrant workers who are govern by the material and psychological conditions of this agricultural ghetto confining them as ‘economic prisoners’ of the “Agromafia”. It is an exploitative agricultural ghetto which operate annually despite prevailing circumstances of sufferings. Form one agricultural ghetto to the other, and from the south to the north, agricultural ghettos like this (small Senegambian village in Sicily) demonstrate the growing imagery of the “Agromafia” within the national scene. This seasonal agricultural ghetto was defined by lawlessness and these workers move like nomads almost always in precarity.

¹³⁵ On the one hand, the absence of the state guarantees agricultural corruption and therefore, fuel the mafia’s green interest, on the other, economic pressures on the agricultural system as a direct impact of the restructuring of agri-food chains (CAP) also explain the trickle-down effect pushing farmers recruiting cheap illegal labour. This top down effect of the neoliberal totalitarian tendencies in the agro-food (fruits and vegetables) industry, has created recruiting exploitable black-market labour such as this ghetto as a zone of abandonment where exploiters and local farmers take advantage of the legal and social vulnerability of migrant workers during the autumn harvest of olives. This ghetto is by every measure the profit margin of this local agricultural economy — is serves as a scramble zone for agricultural labour especially during olive harvest. For these Senegambians, it is a limbo between a non-choice scenario of extreme poverty and agricultural exploitation. This ghetto was most significantly characterised by unfair employment relationships with or without contracts and chronic lack of basic essential services such as electricity, running water, sanitation, medical assistance, and hygienic conditions. Nothing is more observed than the perception of the absence of law and presence of the “Agromafia”.

4.1.2 The case study period

The field trips, survey and special interviews for this case study were carried out during the autumn period of olive harvest. This harvest started in October and ended in early December 2018. Nevertheless, the study captured various working contexts such as the picking up of the left-over olives after harvest; pruning of the olive branches to prepare them for the next season which extended the case study period into January 2019 for the picking of mandarins. These were all activities that immediately followed the 2018 olive harvest and ultimately defined the autumn season as well as the lives of the TCN's involved. Therefore, respondents were followed as a matter of research objective and methodology from when the autumn activities started in October 2018 to when they ended in the month of January 2019. The last interview was conducted on the 7th of January 2019.

4.1.3 Why Senegambians as targeted group?

Firstly, this case study was influenced by my firsthand experience of agricultural exploitation in the greenhouses in the tomato fields of Vittoria and Comiso in 2014. As explained already in the preface, I underwent this agricultural exploitation when I was awaiting European protection in the asylum camp of Comiso. Secondly, this case study was set out to examine the labour and living conditions of today's Senegalese and Gambians in Italian agriculture in order to compare and contrast with the TAST. Today's marginalised agricultural contexts of Italy witness an increase in young African populations living between abject poverty situations and vulnerability. Yet again, this European model of capital-intensive industrial production presents an expansive invisible economy which revitalises slavery in our own times. Thus, this research makes a historical link between the two generations both 'institutionally'¹³⁶ enslaved under European agriculture plantations. Thirdly, this case study investigates the motives for Senegambian labour migration through the Mediterranean and why and how they end up in this agricultural ghetto¹³⁷. This case study connects to Chapter five (5) as a (sociological) — four (4) months — field study in Senegambia to study the

¹³⁶ As noted already in Chapter 2, and still very important to emphasise; 'institutions' are to be understood in Amartya Sen's terms as formal and informal arrangements that creates values, cultures and responsibilities that sustain a society whether tangible or intangible. And institutional facts in John Searle's terminology, are facts dependent on human agreement, in contrast to non-institutional, or brute facts which do not need human existence or co-operation. However, whether we strictly recognised an active solid reality as an 'institutional fact' or not, social facts like the agricultural ghetto of Campobello di Mazara with a population of a small village require human institutions such as the mafia and other criminal organisations for its existence. Searle noted that conscious agents (like the Mafia) can create social facts by assignments of functions to objects, which are assigned relative to the interests of users and observers. Institutions can therefore be seen as social creations. This agricultural ghetto of Campobello di Mazara is a direct agency for the "Agromafia" which in turn manifest the lack of government. This small 'African village' is not given my nature, rather, it is a part of the "construction of social reality" (Searle, 1997). Migrant workers lived under makeshifts, tents and assembled cardboards that served as accommodation without lights under national political, provincial and community exclusion.

¹³⁷ This case study encouraged me to do a documentary film during my research period in Senegal to examine today's enslave Senegambian migration history to give a similar (historical) experience formerly suffered by their ancestors who also crossed the Mediterranean and were enslaved in the sugar and cotton plantations and in the mining industries during the so-called Transatlantic Slave Trade. This documentary was necessitated by the need for proper documentation to bridge the growing negligence and denial towards the importance of African labour migration and history of labour enslavement to European industrial agricultural success. This video documentary presents the other side of their poverty imposed constrains of having to migrate for income diversification as a mean to minimise risks through remittances to support family and local development (Chapter 5).

impacts of remittances in local development. In short, this case study motivates the field work on Senegalese remittances.

4.1.4 Inquiry method and context analysis

This case study used a sample of fifty (50) respondents of which twenty-nine (29) Senegalese and twenty-one (21) Gambians. Sixty-eight (68) questions in English and Italian (see Annex 1 & 2) were asked to the respondents. The questionnaire was designed to investigate different perspectives and to provide a wide range of information. The respondents were posed questions in 5 main areas, in order to make a comparative and holistic analysis. Accordingly:

- (1) general information about the respondent, a total of 9 questions (13%);*
- (2) special information about the respondent's family, a total 6 questions (9%);*
- (3) special information on the respondent's work experience and migratory status experience both in Italy and in Europe, a total 34 questions (50%);*
- (4) special questions that focused on the respondent's money sent back home, his health and wellbeing, a total of 13 questions (19%) and;*
- (5) special information the respondent's prospects, a total of 6 questions (9%).*

These questionnaires were printed and were also accessible on smartphones and on two iPads. During the research period, respondents were given my telephone number and allowed to make WhatsApp (video) calls and offer themselves for interviews whenever they wanted and in their own languages as it suited them and as they felt most comfortable. My understanding of Mandinka, Wolof, and Jahanka among the languages of these Senegambian workers helped me to interact with them. This understanding enhanced confidence, trust and hope concerning the key questions which surrounded the research. Telephones and cameras were strictly controlled to prevent taking unauthorised pictures and audios at the ghetto. Video recordings were not openly permitted for privacy and security reasons and were thus avoided in a way that suited their circumstances. This was also done to build confidence in the respondents to be able to narrate their own stories without fear of intimidation or defamation. Hence, note taking was essential in cases of total condemnation of audio and video recordings. These notes were taken, and the interviews were conducted without the need for an interpreter. Therefore, (because of our shared language, socio-cultural and political backgrounds) interviews were double-checked, and no single case of misunderstanding or quarrel occurred.

This case study used personal interviews, questionnaires and field trip observations and made a review on the working and living conditions. Their living and working conditions were examined using a variety of information which included their migratory status (with or without legal protection), health and safety condition, educational and career development/opportunities to measure their social and economic integration. Their employment relationships were investigated to see whether there was an active contract to establish decent work. Aside from the lack of legal and social protection, their agricultural ghetto life was analysed to determine their vulnerability and exposure to exploitation. It used Italian and EU law as the core legal and standard instruments. It focused primarily on the employment relationships to capture the subtle details of “Caporalato” and “Agromafia”.

The field visits, surveys and personal interviews were carried out between the month of October 2018 to January 2019. During this period, twenty-one one-on-one interviews¹³⁸ were conducted. Of these interviews, twelve (12) was conducted in Palermo (Piazza Bologna, Department of Law, Arci Ikenga, Arci Porco Rosso, Moltivolti and in Santa Chiara) and nine (9) in Campobello di Mazara (ghetto environs and city square and in random bars and cafes) respectively. These locations were used as interview and meeting points. On the one hand, this choice was necessary because Palermo served as my base and a strategic position to meet and interact with my respondents, and on the other hand, Campobello di Mazara was used as the main field study ground for investigations in and out of the ghetto, and interviews were also carried out there. Many of my respondents lived in Palermo and those in its surrounding cities were often there for documentation, to meet lawyers, friends and ran other errands. Many of them are refugees, asylum seekers. Some others were involved in legal cases (as alleged traffickers and smugglers). They all went to Campobello di Mazara for seasonal works. Many of them came to the legal clinic in Piazza Bologna, Arci Ikenga, Porco Rosso, Moltivolti and Chiesa di Santa Chiara when in Palermo for social and legal assistance. At the same time, that is where they could meet friends, arrange meetings, transact, or use Wi-fi. For this reason, this case study has had consistent contact with its subjects of study. Arci Ikenga, Arci Porco Rosso and Arte Migrante Palermo were important realities in this respect. The self-organised groups of various volunteers have participated in various activities with these Senegalese and Gambian workers of Campobello di Mazara. I have over the 2018 autumn and 2019 autumn (together with members of these organisations) visited the ghetto of Campobello di Mazara on several occasions. Aside from the legal and educational assistance, this case study has been able to give out some clothes and medical help. As a matter of reality, some subjects of this case study ended up being hospitalised during and after the autumn season. With the help and collaboration of friends (who deserve their anonymity), we have organised meetings and shared ideas, and made several visits¹³⁹.

This case study presents data on special one-on-one interviews and the result of the questionnaire used. The data collected from the questionnaire and special one-on-one interviews and the analysis provided, use Italian and EU law in order to present a contemporary institutional scenario of the “Caporalato”, and Sicilian “Agromafia” in marginalised and not so marginalised agricultural context of Campobello Di Mazara¹⁴⁰.

Most importantly, my direct interaction in spending time in and out of the ghetto —sharing feelings of hope in ‘the world they live’— enhanced this research intuitively but most importantly,

¹³⁸ Special one-on-one interviews refers to the survey interviews that were conducted specially to gain more details and observe if possible, the psychological impacts of working and living in this agricultural ghetto.

¹³⁹ I want to note that I have given out painkillers open prescriptions from doctors. However, I shortly stopped sponsoring buying painkillers. At a personal level, I think these boys needed right medical attention not at the start of season ‘fake medical checkups’ done at the ghetto for seasonal work permission. The medical permission for seasonal work is given by a so-called ‘medical personal’ who is paid 20 euros after palpating to-be workers. I understood the negative consequences to be far damaging. The risks involve in supplying more painkillers are also enormous. For me, more painkillers mean more exploitable strength with long and short-term health implications.

¹⁴⁰ I continued to visit Campobello di Mazara during the autumn of 2019 as well. From an ethical point of view, to visit my respondents to confirm my 2018 autumn research and share with them the results gathered. As a researcher, it gives me the opportunity to observe the evolution (if any, in living and working condition) in the encampment. As an activist, I am also visiting this ghetto to help campaign for change within provincial and national level, to achieve better protection to our friends and brothers who are deprived of their human dignity.

persuasively and emotionally. The phone calls, field and home visits, the long chats and conversations led to the most interesting and life changing interview experiences and direct interactions and exchanges — beyond observer-subject relationship. Through thorough investigation, I have understood that true understanding is the presentation of the reality as it is, and not as a simulacrum of how things 'ought' to be.

4.2 Special one-on-one interviews on work and life in the ghetto

Interview with “Fo” (Gambian) on the 30/11/2018¹⁴¹

Well, it is funny how people ask about our life here. Think about someone asking me, oh, 'Fo' can you do other things also? I try to calm myself down, and then answer in the normal way, yes. Many people, journalists and others, they try to be curious about how we ended up in this scenario. They feel shy to call it its real name: slavery, our own time of slavery. We here, are all slaves from Africa. We work in the plantations like did our ancestors three or four centuries back. What has changed is very small, perhaps because I am not in chains. I can speak to you and explain to you what I feel, what me, and other brothers here are constrained to do. Bro, you can see how we are used like instruments. I do other stuff. I am not here because I chose to do this work. I have no other thing, no opportunity bro. Look, I am here like everyone else because the world 'there' gave us this. There is someone who think it is fair. That yes, this is, the only thing we can do, that this is normal. That this is the kind of treatment we deserve. Yes, let them live in these ghettos. Let them work in the farms for us. Let them do all those things that Italians and Europeans do not want to do. After all, tell me which Italian wants to work on Italian farms and live in this kind of situation. And still many people think it is normal. This is slavery. But to tell you the reality. This is my second time here. Some people have been coming here for more than five years. Bro, bro, Jah bless man. We are surviving. This is it for us. Some brothers do this all-round Italy, believe me, the system is riding upon on us.

Imagine: We have come here to look for job. Although this is not what anyone of us wanted. I have a document and a contract, but the real problem lies in the three euros or less per crate and the living condition without shower or the ability to afford good food. I work for nine or more hours a day, every day of the week. I cannot still earn enough to take myself outside of this place. I am so tired. I have a lot of pain in my body. We are all tired of toiling for nothing. Who can you help in this condition?"

Interview with “Bai” (Senegalese) 02/11/2018¹⁴²

“After L called me from the asylum camp to come and work here, I left but as you can see, we can only sleep here and pay for the little services we cannot live without like food and water. We cannot pay regular rents without money or permits. It is twelve days since I had my last shower and 5 days now without changing my cloths. Well, it makes no sense changing cloths in this condition. I cannot wash them when they are dirty and even if I do, within a moment they will turn dirty again. There is

¹⁴¹ Source: Case study interview with “Fo” (not his real name), Gambian migrant worker, Palermo. See Annex 3, Reference nr. 1; 30/11/2018.

¹⁴² Source: Case study interview with “Bai” (not his real name), a migrant worker from Senegal at the ghetto of Campobello Di Mazara. See Annex 3, Reference nr. 2; 02/11/2018.

no washing machine here and I have neither the time nor the energy to do all the washings needed. It is not easy as you can see it yourself, from any point of view we suffer and earn nothing. Nothing compared to the 8 or 9 hours doing this work.

Brothers, yes, we are all brothers and we try to share everything, no matter how little. This is what keep us going. We are all one people; we have the same problems and we are all here together. Simply, we get along. We need to be friends, also because he can call me when an Italian call him for work.

There is no difference here. We all like to have work, earn what we earn: 30, 40, sometimes 50 euros. Sometimes less, many times no work offer. So, when you have work. When you are lucky, yes bro, because you even must be lucky to be called for a job that use you very badly. Yes, you going to work, and you need to work because the wages are very low and there is no negotiation. If you play stubborn, they recognise you and side-line you. They never call people who want to discuss. They are not interest in that. It is the number of olive bags or trees you harvest a day. Sometimes 10 up to 12 hours of work. If you eat or drink it is up to you. This is the story. This is nothing different from what was happening in Libya from my experience. You work for a Libyan man. He can pay you or not. He can also kill you. Perhaps here the killing is gradual dumping of black people. We are dumped you know, from one situation to the other. I do not want to live in Italy. I tried many places. I came back because my fingerprints are here in Sicily. They say it is Italy which must give me documents. Italy does not want to give me protection. Italy does not want to give me work. Italy discriminates me. So, I cannot live here bro. It is too much, too much.

My brother is a good person. He is the one the family is depending on. He is really very strong, but you know, he is now always complaining, when will you be able to help us? When are they going to give you a document to work? He does not know that I also want to have these documents. He cannot understand how troubled I am. I cannot give them a continuous financial assistance when I do not have a work. What I am now doing is not my ideal work. This is slavery. I mean work that will give me a place to sleep, cook and rest. A place I can feel well. This is not the situation from which I can contribute to the family's wellbeing. I am not well myself. Bro, who is well here. You know, who can make a life here.

Interview with “Malangkebbba” (Gambian) 29/11/2018¹⁴³

“Well, these people are racist! Very bad. They employ us but would not want to see us even in the town square. They do not rent to us. They would not even want us to drink from the fountains. Could you imagine! They laugh at us from work and will sometimes boo us as we march to the ghetto. It is a shame on them but also because of them our conditions here will never improve. They do not have sympathy for us. I am not Italian, but I am a human being. I am also working for you, am doing everything you know to legally earn some money. The first real job I did in Italy was to be a waiter for 6 months in Catania. I was not having a contract. I was working for some time up to twelve hours a day especially during the summer when there are many tourists. But that work was giving me house, good food and something to send to the family. What I am doing now is called ‘keep this until you have something else’. It is now kept this before you die. We are using all our energies to

¹⁴³ Source: Case study interview with “Malangkebbba” (not his real name), a migrant worker from The Gambia, Campobello di Mazara. See Annex 3, Reference nr. 18; 29/11/2018.

help ourselves and our families back home who also depends on us. We hope for a better life, but I cannot construct a better life in this situation.

I was collecting some money to go home to visit the family, but I have nothing now. It all went to family, documents, and living. At the end of all these efforts we hope that we will be able to improve our lives and the lives of our families. Our situation is a situation of discrimination, racism and slavery. Yes, they are making us slaves every day. Nobody wants to be termed as a slave of another person, but this is our situation. We are all living and working in situations that have no regards for who you are. We are Africans, so, nobody really cares about us.”

Interview with “Juma” (Senegalese) 29/11/2018¹⁴⁴

“I came here every year from October to December. This is the third time I am here. I have a lot of friends here. We have built a brotherhood already: Baye Fall. We struggle and do everything together here. But I have not started this work because I love it. No! Am here because I have nothing else, no other job to do.

I have a family to keep and I must stand to help them. But, since 2013 I continue to work in the bush (‘Campania’) in Ragusa! It was even better. I know Sicily and this ‘bush’¹⁴⁵ work. It is only hard work here and for nothing compared to the nine hours of work and the conditions at the ghetto are even the worst. This ghetto is bad. There is nothing here. Not even toilets. We are abandoned here by the Italian government. I have my papers, but papers do not give me work. You know! I need a job to get out of this system. I am tired. I am tired of moving from one place to the other. From tomatoes, oranges, grapes, olives. Everything in the bush is harvested by us but I could not go to Casamance (Senegal) since I arrived here in 2013!”

I think that things will improve. I think about this every day and repeat it every day, the same thing. Nothing has improved really. This ghetto keeps getting worse, but people keep coming every year. Every year there are more people. Sometimes when you see people early in the morning in hundreds. Wow, it is like in a military march: everyone gets up and follow work. Now work is decaying because the season is also ending soon. Also, there are more people and the payment are bad. The conditions have always been bad. People run for work every day. That is what we are here to do. Unfortunately, things are very bad, very ugly. We all see and know that”.

Interview with “Serign Bi” 05/01/2019¹⁴⁶

¹⁴⁴ Source: Case study interview with “Juma” (not his real name), a migrant worker from Senegal, Campobello di Mazara. See Annex 3, Reference nr. 18; 29/11/2018.

¹⁴⁵ ‘Bush’ is mostly expressed in Senegal as in The Gambia to mean the countryside: towns, villages and hamlets scattered in unconnected areas without electricity, running water, hospitals or good road services. Moreover, modernisation and the speed of urbanisation turned it to be almost a derogatory term referring to the lack of basic infrastructure induced by political failure towards decentralisation. At the end, most far distanced African villages are politically marginalised realities surviving under difficult conditions without modern infrastructure. Therefore, the inhabitants of this ghetto used the word ‘bush’ to moderately express their conditions of work and life.

¹⁴⁶ Source: Case study interview with “Serign Bi” (not his real name), a Gambian migrant worker, Palermo. See Annex 3, reference nr. 10, 05/01/2019.

“I live with my friend under a squalid tent like you can see. I did not know it was this condition I was going to find here. My friend has a contract, but he is paid nothing. He is presently ill but continues to work and has no health insurance of course. This is the worst of all lives brother! It is not so far from the old memories of Kunta Kinteh, you know that! The only time we can relax is when we are sick or deep at sleep. At midnight you literally here guys snoring their fatigue out. It is hard. Many brothers are sick, but you only know that when you live here. Yes, it is a hell here but every day we are on the search for work, any type of work. We all want to leave for a better place. That is the hope¹⁴⁷. But sometimes, in this situation, you just hope, hope something miraculous can help you get out of here. It is only hope we must keep in this situation. We work all day long. You must work even if you are sick. Whether it is raining, hot or cold. Work here is the first thing. People will work until their last breath almost for nothing, not even enough food to eat.

We risk everything here, but this has become our life now. Brothers are left to suffer unnecessarily. We are the soldiers of our families but most importantly of this olive trees. We harvest them and we do not eat them. That is the paradox. We cannot buy it. It is too expensive for us. But it is also the best for our health to eat olive fruit and cook with olive oil. But look at what we eat here. Bad, very bad for every human being. Is a big shame.”

Interview with “Mam Sarr” 19/12/2018¹⁴⁸

“There is no electricity, or gas here. Can you see light here? There are less than 10 bulbs here for 600 and more people! These bulbs are located in the service points: small shops and mobile charging points. When you want to charge your mobile you take it there and pay 1 euro.

We must collect some wood for cooking and also for warming ourselves. But this is only possible before going to sleep because you have to put out the fire. The cold here is too much. Blankets cannot warm you up. It is too cold and windy here. Naturally you get cold inside of you. You cannot adapt to the cold at work and especially because of the conditions here.

Look at how open we are here! There is no condition for privacy at all. You do everything right in front of everyone’s eyes. Your brothers, uncles and some here can even be my father’s age mates. But we are constrained to do everything together. It is not nice.”

Interview with “Bamba” (Senegal) 05/01/2019¹⁴⁹

“We light these woods to warm ourselves up every day: early in the morning and in the evening. It is basically our life protection. Other than that, it is what we use to cook and warm water. It also informs people that we are here! It is terribly cold here even if you wear four cloths. You can put all your cloths on yourself but nothing without these woods to warm us up before we go to work and after we return. It is unbearable to live here. We must live here between the olive trees and the town. We are not allowed to live in a comfortable place where we can rest and think about future. Here,

¹⁴⁸ Source: Case study interview with “Mam Sarr” (not his real name), a migrant worker from The Gambia. Campobello Di Mazara. See Annex 3, Reference no. 19/12/2018.

¹⁴⁹ Source: Case study interview with “Bamba” (not his real name), a migrant worker from Senegal. Palermo. See Annex 3, Reference nr. 12; 05/01/2019.

you can hardly sleep. How can you relax in such a place? It is basically impossible. People here wake up just to see the other day. Sometimes you do not have water to wash up your face. Your mouth and your body. It is everything you do not want to discuss to other people. We live in all the bad conditions, here and at work. We also face a lot of other problems from our families who need our support.

At the end, you kind of say, what is wrong? What can I do with all these problems? But I cannot just give myself a job.”

Interview with “Bady” (Gambian) 05/01/2019¹⁵⁰

“I eat two times a day: at breakfast and dinner. The breakfast from 6:00 am to 6:30 am before the van arrive. I also have my café Touba before setting for work. It gives me energy and keeps me strong the whole day. I then have to payback all the day’s prayers I have missed at work! I then go to the food point to have my dinner. Sometimes I make calls and then chat with some friends here before getting back to the tent. This life is so boring. You see people using telephone to communicate to their love ones all the night before going to sleep and prepare for the next day. This is the way of life here. You have nothing to do other than doing that work which is on offer. We cannot choose what we saw here. At most, we just choose where we earn a bit more among the bad choices available to us. Contracted or not and especially when the non-contract work is more profitable even by a margin of 50 cents. One- or two-euros difference are uncommon. Everyone wants a better pay and if you have a longer permit of stay, you just carry on with those jobs that earn you more even if they are usually slightly more exploitative because you cannot have a document with that work.

The issue is that most of us would like to live a better life. We would like to work in less risky jobs and earn more. You can get injured here and even die without your people been aware of it. Just like no one knows that we are here. My people just know that I am living but they cannot imagine this will be the situation. Myself I cannot imagine this for any human being to live in such a life. This is not life. This is just another thing. Wickedness. The employer, the police and the government all do not care about us. They all maltreat us for their interest. They are everyday running their agricultural business on us and I do not tell you this because that is what I feel. No. It is the truth. They exploit us like they want. We do not have houses, we do not have employment, we do not know where to ask for these rights. We are not Italians; we are Africans and they do not care about us. It is not a new story. We know that the agricultural system depends on us and does not benefit us. It kills us. It gives us diseases. It completely disables you. You cannot help yourself or your people.

Jah bless bro, he who feels it, knows it. Who Jah bless, no one cause. We are a blessing no matter what, no matter what, we will survive. Yeah, we will manage to make a future for us and for our parents who wish all good luck every day.”

¹⁵⁰ Source: Case study interview with “Bady” (not his real name), a migrant worker from The Gambia, Palermo. See Annex 3, Reference nr. 13; 05/01/2019.

Interview with “Mbakeh” (The Gambia) 07/01/2019¹⁵¹

“Most of the times I buy things from the supermarket from work. Or on Sundays when I can create time. But it is far, and therefore we all buy stuffs here. Anything you need you must go to the town. So, at the end we all contend with what is available here. Old things, very few and dirty¹⁵². Life here is very tough. We just hold on few things. To get a work, buy food and water and to sleep under your blanket. You need to manage with this few thing. You eat what is available. You go with the struggle to call Italians or ask friends for work. You need to keep yourself alerted so that you can get a work. To be able to buy food to eat you must earn something.

Most of the times you are hungry for many things, but you have to manage. You need to keep yourself strong to be able to deal with the reality. If you want to cook what you want, that’s a problem because there is nothing like that. There is no kitchen or materials or time. So, you just eat the food there is for sale. Sometimes I prefer to buy things from the supermarket from work but most of the times this is not possible due to many reasons. Because the supermarket is far, because you finish from work very late, because you are very tired, because you do not want to have money. Many things really. At the end of the calculations, you need to decide. So, I prefer to live but I also want my family to live. I want a better life for all of them. But how can I make this happen? They are also hungry, they want the kids to go to school, hospital and have better living conditions. So, it is really really difficult to think about all these.

Interview with “Sane” (Senegalese) 28/11/2018¹⁵³

“We are four guys. We work from 7:30 am to 16:30 pm. We eat breakfast at the ghetto and sometimes carry a loaf of bread to the fields. The employer is only responsible for the pay of every crate we filled. He paid us 3.50 or 4 euros per crate but without any contract. He does not care about our transportation or the time we spent at work. It is over timing all day, every day. His main concern is about his olive trees and the work he has assigned us to do. Whether we are sick is not his business.

But this is better than the contract job that pays you 3 euros or even less for a crate and the working conditions are the same. I care about receiving a call for tomorrow’s work than a work contract in this ghetto. Employers know that we live in this condition but pay us very badly. What is the difference then?

I do not have to renew my documents, so I went for the highest pay which is 4 euros with the same conditions at work. We all sleep here and eat the same things at the end of the day. I even earn more than many people with contracts. But it is generally very bad to have to experience this and not being able to do anything is the worst. No? Brother! We are in the bush here, uncontactable even by telephone. Here is a prison. Where can we go? You know that life is nice, that is what we think. But life cannot be nice under this type of treatment. Italian government, people and these employers do

¹⁵¹ Source: Case study interview with “Mbakeh” (not his real name), a migrant worker from The Gambia. See annex 3, reference nr. 21; 07/01/2019.

¹⁵³ Source: Case study interview with “Sanè” (not his real name), a migrant worker from Senegal, Campobello Di Mazara. See Annex 3, Reference nr. 14; 28/11/2018.

not like to help us. They simply benefit from this. All of them and because of them, we all suffer here. I call here a graveyard. It is a graveyard for all those who have no employment, no chance.

If you think about it. It is a waste of life. We are constantly in the same worsening situations every year. We do not want to meet here every year in the same situations. This is not progressive for anyone of us. In this situation, contracts do not matter. Bro, this contract is false. They do not guarantee you anything. They cannot give you a house, no good wages, no security, you do not even know if you will work the next day. They are just playing on our lives. We know all these, but we must get the money to live. The issue is that, they use the name of contract to their own interest, but it does not benefit us. In fact, if you have a contract, it is likely that you will be used more because they try to abuse you. Since you do not want to lose your position of work.

You work and they insult you. You got injured and sick, they do not care. You are hungry, they do not care. You need to work that is the rule. They know that the ghetto is full of people who want to work even for 1 or 2 euros to get something to survive. The few euros for a crate or a bag is what defines our lives for these Italians. They do not consider the human being behind all these. They only see the olive. They want you to treat the olive like a human being. Remove all the leaves and other particles or dirty things but they do not want to treat you like a human being. They are the animals really. They are animals who think about their profit. No love, their profit is what they care about. They love maltreatment. They really enjoy denying us anything that is good. No fair treatment at all. That is exactly what is happening and this is why they will not like to see our situation is changed. They do not see us. This people see us as profit —their profit. They use us like that. Nothing can change in this situation. The employer does not care about you. He never ask about your feelings. So, you know, bro. That is it.”

Interview with “Ndims” (Senegalese) 24/11/2018¹⁵⁴

“This is not what I wanted. I work for 9 hours every day. I have a monthly contract. My ‘Capo’ paid me 50 euros every day. I transport myself to work which cost me 10 euros minimum every day. I used my motorbike. I then get 40 or less at the end. I eat what I take to work and that is it. I sleep here in the ghetto. This contract makes you also do all types of work. They know that we need a permit of stay. That means we need a job contract that allows us to stay in Italy. They know that we are here because there is no other chance for us out there. They know that we are poor, without houses and many of us without any other opportunity to better our own situations. I came from Palermo where I lived with friends who are also in poor conditions, but nothing compared to what I face here. This is the worst. All of us cannot wait to see our situation changed. We are everyday praying that we stay healthy and find a good job. It is interesting that it is only African migrants doing this and nothing is being done about it. We also need better conditions of work. I will not do this if I could stay in Palermo or in Milano and find another job. I will not also do this if I do not want a good future for myself and family. But no matter the conditions I must work and get something to start with.

If I want to go to Catania after the season, I need some money. If I want to go elsewhere like to meet my friends in Torino, I need to take a bus which costs money. I also like to go to other countries to

¹⁵⁴ Source: Case study interview with “Ndims” (not his real name), a migrant worker from Senegal, Palermo. See annex 3, reference nr. 8; 24/11/ 2018.

look a better life, but it is very complicated. You need to consider a lot. It makes you crazy, angry and it isolates you. You struggle with a lot of negative thoughts in you. Sometimes to have a positive mood is not easy. You are surrounded by your friends, who are also facing their own difficult situations. We help each other by staying together. By listening to each other. Sometimes even music brings back very tough thinking. You do not want to listen to some thoughts. They can make you feel very bad. But really you cannot run from these problems. Because if you try to forget that this is the reality. That you are in a big big confusion and helplessness, if you are hungry you cannot refuse that. If you are sick you cannot deny that. If your people do not have food to eat you cannot deny that. If you do not have documents, you cannot move. If you do not have all these and you cannot solve all these alone, sometimes you never know if it can be solved. You go crazy.”

Interview with “Fall” (Senegalese) 07/01/2019¹⁵⁵

“This is my fourth season here. It is called Campobello. I called it ‘Campobrutto di Mazara!’ What is nice about this ghetto? What is nice about these employers? This year we are seven boys in our working group: two Gambians and the rest of us are from Senegal and Casamance. Our ‘Capo’ come for us with his car every day at 6 am. Even on Sundays which is a half day. We all have a one-month contract. When we arrive at the field, we organise ourselves and exchange roles during the harvest. After spreading the net under the olive tree, one or two people climb, others collect and so on.

After we cleaned it and filled in all the bags, we then carry them to the truck for transportation to the factory. We are paid 45 euros a day for working from 7 am to 16:30 pm. We take an hour break every day. That is when we eat the food, we brought with us. We can pray, make calls, and take a little rest before we start again. This is the routine. The contract guarantees us a permit of stay even if the work is very hard and the pay very bad. When we reach home, we have very little time for any other thing. So, we go to bed directly after dinner waiting to start another difficult day. Nothing can be more painful”.

Interview with “Kawsu” (Senegalese) 07/01/2019¹⁵⁶

“I have not been picked for a week now. They said there is no work because they want to pay the few guys, they selected for all the field works they have. Like they all the time do. This is unfair to many of us without any other means. I cannot buy anything, make calls to my family in Casamance or even change city to look for a job somewhere else. This season is really bad. It has never been good. I have been here for two months now. I have worked but for almost nothing.

I used to have two contracts: one was for 20 days and the last that just got finished was for a month. I must renew it also for my permit, but this is impossible at the moment. Some of the Italians prefer employing very few people who will do all what they want for a very little pay. It is wickedness. No one is happy with this work but like me, many of us continue to do this for 8 years now. We are tired, sick and desperate but we need a permit of stay, you know. I want to get a better

¹⁵⁵ Source: Case study interview with “Fall” (not his real name), a migrant worker from Casamance, Senegal. Campobello di Mazara. See Annex 3, Reference nr. 15; 07/01/2019.

¹⁵⁶ Source: Case study interview with “Kawsu” (not his real name), migrant worker from Cassamance, Senegal, Campobello di Mazara. See annex 3, reference nr. 16 07/01/2019.

job and live a better life. I want to create a future for my children. And not only this; we are also waiting for the mandarins and orange seasons. This is what I do from here to Puglia, and then to Ventimiglia. In 2016, I was in Saluzzo but it is really a tough working situation everywhere I move. Whether you pick tomatoes, oranges, or climb olive trees, if you are paid equally bad and lives in a ghetto like everyone else, your contract makes very little difference. This contract helps to renew a permit of stay and that is the end of its importance. The cause of our exploitation is also because of the need to renew our documents.”

Interview with “Samba” (Senegalese) 19/11/2018¹⁵⁷

“There was this day, on the 27th October I cut myself at work. I was bleeding. I spent some time taking care of my wound. Dudu came to help me wrap it up with a cloth and we continued work for the whole day. I still collected olives. I did everything that everyone was doing. I have no other chance. My ‘capo’ was not there and when he saw my wounded hand he asked if I wanted to be replaced. I said to him no —that it was not going to stop me from working. That wound took me time to heal. You know how bad it is here! So, it was infected, but I had to work with it. My friends were aware of this. But I am not the only one. I cannot afford to miss this contract no matter what! We do not have any protections here —from the ghetto to work— nothing. I will have these ugly marks on my body for the rest of my life. Luckily, I can show this to my kids. It can help them to know that life is not easy. It is nothing but survival and survival. We cannot change our own conditions.

I would like to know a lot about my body. I would like to go to the hospital and talk to a doctor. I feel a lot of strange things in my body and I cannot hide them. It is evident that I am sick physically and psychologically. The pressure here is destabilising for anyone. Nobody will ever have imagined this. But this is Italy for us. There is not justice for us. There is no freedom for us. We need to fight for our rights, right! But before you do that, you must have food in your stomach. You must know where you can go and what you must do to claim for your rights. This is all not possible for us.”

Interview with “E” (Gambian) 07/01/2019¹⁵⁸

“This time I follow collectors of the left-over olives. The season is finish and there is almost no work. I go to the factory where I meet them. Sometimes they call me, and we have each other’s contacts. It is not easy: I leave Palermo when they call me to come buy it. I know they suffer even more. We all know this. I am also doing what I can do to survive. I buy what they sell to me. I do olive harvest myself, but the season is gone. I buy this oil and sale it in Palermo. I also travelled from Palermo to come for this oil. It also meet the person who buys it from me. All these is time and it costs money. First, I make contacts with the boys, then buy the oil from them. Secondly, I have to discussed with the Italian man who collects it from me. Many times it is difficult but that is the only possibility for me after the season. So, I invest the money I gathered during the season and sale the olive oil collected this way. I help the boys by helping myself. They will do this anyway and I have

¹⁵⁷ Source: Case study interview with “Samba” (not his real name), a migrant worker from Senegal, Palermo. See Annex 3, Reference nr. 17; 19/11/2018.

¹⁵⁸ Source: Case study interview with “E” (not his real name), a migrant worker from Casamance, Senegal, Campobello. See Annex 3, Reference nr. 20; 07/01/2019.

contacts. We negotiate about the price and I call the Italian man and the oil is sold. We all get our part.”

Interview with “Kebis” (Gambian) 30/11/2018¹⁵⁹

“When I arrived here in October, it was hard, but everyone was almost there working or looking for work. I have already started work but without a contract because I earn more. My friend who invited me referred me to a tall slim man called the ‘capo nero’ here in the ghetto. You know him.

He is the one I surrendered my papers and promised he can help me get a job. But it is two weeks now I have not heard from him. Perhaps I will have to continue working without a contract before I get one. I do not know any employer who will give me a contract. I do not know how it works here. This is my first time after I left the asylum camp. I cannot speak Italian and I am here. So, I have to rely on him to get me a contract from his Italian bosses. That is his role they said.

Bro, there are nothing to know about this ghetto. You can apparently see everything. No? We are here without anything. Nothing is here. We do not have houses, there is not water, no electricity, no toilets, no kitchen and no services close. It is cold here. It is also windy. It rains. It is dirty. You cannot sleep well, you adapt anyway. So, you want to know about how much I earn or how I work. You want to know if I earn some money and if I am worried about all these. It is out of respect that I speak to you about my personal situation. I do not speak to journalist or other arrogant people who come here and what to know what we do here. I think it does not matter if I explain my situation to other people. Many times it is better I keep it to myself. If I work 10 or 12 hours every day and earn little less than 50 euros, it is not you who suffers. It is me who suffers. You do not suffer by listening to me. Maybe yes, because you are my brother and you know what are the conditions like at home, so you will want them to treat us better. But really, every one of us individually suffer under the tent without heating. Every one of us suffer day and night and you do not have to speak out. We know that we are suffering but what else.

We are struggling to work to earn something from our labour. Italian employers use us badly and make us to live in this ghetto under conditions like in Libya. If you have passed through Libya, you must know that. What is the difference between our living conditions here from the detention camps and prisons in Libya? What is the treatment we receive from the Italian government? So, for me this is really a very difficult life. Brother, you know how we call it back in The Gambia. “If you don’t want to sleep behind your grandma, it is because your mum is not far away from you”. We neither have our grandmas nor our mums. We are together and lonely. We are hustlers, in the desert, sea, and the plantations. We stand everything. We must be brave and do what we do in order to live. I will not kill myself. I can hope that things can change, and that they must change. What else do you want to know, bro? What?”

Interview with “Sam” (Senegalese) 24/11/2018¹⁶⁰

¹⁵⁹ Source: Case study interview with “Kebis” (not his real name), a Gambian migrant worker, Palermo. See annex 3, Reference nr. 9; 30/11/2018.

¹⁶⁰ Source: Case study interview with “Sam” (not his real name), a Senegalese migrant worker, Palermo. See annex 3, Reference nr. 7; 24/11/2018.

“Only God can change our situation. That is what I believe. I believe in God, that he and he alone can help us. But of course, we suffer because many other people do not care about our conditions here. These people benefit from exploiting us. They make us to work like their slaves and they do it every day. We are not respected. We are not given our human rights as workers who need all the things: shelter, food, water, good payment, toilets, electricity and contracts that are good. They do not want to do all these. From whom do we ask for these rights? We do not ask about these things anymore; we know that they are not what we expected to have here. We ended up here because of different reasons. We end here because we did not have another job, and we must live.

But it is not talking which solves it. We all know that is not the problem. People of Campobello di Mazara know what we do and how badly we live in this ghetto. Italian employers know this, the government also know. It is the same thing for my friends in Foggia also. So, we are not the only people in these circumstances, but we the Africans suffer more than anyone else. I have been doing this since five years, all around. But yes, for us, it is a continuous struggle to make ends meet. To live in this way is not easy.

I survived under these conditions supporting all the odds. Those works Italians would not do. I am now 49 without any form of security. I have a family. I have 3 beautiful kids of my own. They are all going to school and doing well but I cannot meet my own needs. They are my hope. They are my future. They are the reasons why I do what I am doing. I want to do everything for their sake, but it is not easy. But Allah is good! I am a Murid. We also feel pain, we have hope and we want the best for our families like everyone else who benefits from doing this to us. We want to sleep and relax well, eat good and think and make something better. We cannot do anything much under this condition. All your projects fail gradually. You cannot do anything about that. You see yourself very very lonely and without a help. We are going to make it, in the name of Cheikh Amadou Bamba Touba. Yes, I really believe that.”

Interview with “Bass” (Senegalese) 10/11/2018 ¹⁶¹

“It is life that is like this. It is not always what you think or expected. It is sometimes very tough and brutal. But it cannot be worse than this. You work for 11 hours and fill up to 15 big crates or bags, but you can get only up to 50 euros, a day. That is injustice. It is haram. God will punish them for their evil. These people deserve to be taken to prison and be jailed for their evil doings. They should all be fined, and the monies given to us.

When I was in Calabria. This people have even guns. They take us to their cannabis farms and make us work. There, they have guns, you do not dare talk or want to take a permission. But they pay us better anytime I go to the cannabis farm. But they can also kill you one day. I have worked in many situations in Italian agriculture: tomatoes, oranges, citrus, vegetables, olives, grapes and many other things. I never did this in Senegal. Here I must do them. I do everything on the farm. I just wait for any work, any season, every year.

¹⁶¹ Source: Case study interview with “Bass” (not his real name), a Senegalese migrant worker, Campobello di Mazara. See annex 3, Reference nr. 6; 10/11/2018.

I get sick. I get underpaid. I get injured. I get hungry. I cannot do what I want. I cannot even send money to my people, my family. In fact, If I can ask financial help from them I will, but that will be crazy because they depend on me. They ask from me. I also struggle more because of them. So, I cannot wait, I must do everything to help them and therefore I accept all the conditions of living—all the ghetto life. Do I have rights? We are considered nobody. These employers thought of us as workers without needs, without dreams, without rights. That is also exactly how we are treated from the asylum camps and then to the ghettos in the bush. I think it has to do with other things. I can speak Italian. I have a diploma but there is no workplace for me. How? I have a resident permit and have being living here for 7 years now. I jump from one area to the other doing only agricultural jobs with bad contracts. From picking tomatoes, sorting grapes, oranges and mandarins, climbing olive trees, you name them. I did it all. I am paid for 2.50 and 3 euros maximum for every crate I filled”.

Interview with “Badu” (Senegalese) 10/11/2018¹⁶²

“Baye Fall’, I have not been speaking about my personal conditions to anyone for so long. I prefer to keep silent. It is better. To be brave also means to be able to keep quiet, to keep it inside you. That is what I learn to be manhood. Many of us speak about our lives, but I keep a lot of things inside. Tell me the use of telling everyone all these heavy things that are personal to you. Things that keep on coming into your mind, sometimes they coverup your positivity. Many people around you cannot understand your feelings.

My situation, and our situation in this ghetto speaks for itself. Here, we come healthy and we go sick. We come for work: some get work and many people do not. We work for money but we work for the interest of those who employ us. They do not give us the right payments. They do not give us the rights we need. They ask even for more. Because if you complain or ask for more pay, you will not be contacted the next day.

I use my bicycle but sometimes also on foot, I go searching for work during the season. Sometimes people call me, friends who are called by Italians and need workers. If you do not have a transport, you loose those chances. No body want to miss a single work offer here, even for a day. Even when you are sick.

As a Baye Fall, I believe in work. But this one is not work. This is suffering, maltreatment and poverty. We are doing this because of our situations: no body like to be a slave. It is better to work in Senegal than do this. It is better to be with the family at least.

This condition makes it difficult for my projects. What can I do without a good work and shelter? A good work is not what brought me here. No! You do not look for a good job here. Everybody wants a dignified living: no? It is difficult for me without the formal diploma to work. I have none. I am a qualified tailor. That is my job. I am 52. Can you imagine?¹⁶³”

¹⁶² Source: Case study interview with “Badu” (not his real name), a Senegalese migrant worker, Campobello. See annex 3, Reference nr. 5; 10/11/2018.

¹⁶³Source: Case study interview with “Badu” (not his real name), a migrant worker from Senegal at the ghetto of Campobello di Mazara. See Annex 3, Reference nr. 5; 10/11/2018.

Interview with “Serign” (Senegalese) 10/11/2018¹⁶⁴

There is no good thing about this ghetto. There is freedom? We are in a big darkness here in this Europe. This is the Europe for us! 'Baye Fall', we think it should change and that tomorrow everything will be better. Every day, it gets worse for us, for me. The basic things are absent. As you create your own tent from cardboards, you also need to get everything. Some of those things like water, a place to sleep with electricity, toilets and a kitchen could be provided for all the hundreds who live here. I do not think we can work, and we pay taxes without any benefit. This is the Europe for us. We have to create them, all that. We do not have that power. We do not even have good food. If you drink you must suffer. We suffer here for the basic things. Before you get anything, you must prepare for it. But as non-Italians, it means we must start everything, we have to do more and more. We do not get documents, houses, jobs. We need to gather a lot of energy to start every day. You do not want to starve to death.

But it is difficult to start from afresh. 'Baye Fall', it very painful. It is wrong. It is selfish for the Italians to use us like this. Not to consider us as human beings. Many of these people do not like to see us progress. They want to keep us poor. They do not care if we get this document or not. They consider us anyway as their profit. No just treatment. My experience in Italian agricultural fields, my friends' experience, are very unfortunate. Our day must come soon. Justice for us, does not mean anything for Italian politics. Back home, our own politicians do not care. They are all the same exploiters. Now, we can live in these conditions and the two governments do not have to discuss our situation. They care about their profits.

The employers are mafia and criminals. We do not want to be unemployed and that is why we accept this as a work. It is not work. These people are bandits. They are criminals. When you die it is not their business? Their business is the profit you give to them from your labour. These people should live in prisons. The Italian government must make immediate actions. They can come here and help us. They can give us documents and put these mafias into prison. They must do this, now.

They must come out here and give us proper contracts and houses. These olives are money. Too much labour is needed to harvest them before they get spoiled or destroyed. They need to be harvest quickly. We supply all the labour; but what do we get from our sacrifice? The sacrifice for ourselves, our families. The employers are dishonest, bandits and criminals who feed on us. They are cowards who cheat on us every day. They are cunning and they use you as they like. They deceive us. You cannot do anything. Everyone obeys what keeps him moving, the mafia obeys their own rules. The police and the carabinieri do not care about us. So, the mafia do with us what they want. They know that money keeps us here. We need this money to live a better live. They know that we are really asking for those bad wages just to get something to survive. That is what they use to capitalise on us and do whatever they want.

Everything is literally bad here. Even our mobile networks are bad. Everything really. It is a nightmare for me. I think nobody should live in this condition. It is like the ghettos I have survived in Niger and in Libya, where there is war and hunger. The difference is that in Libya you work, and you are not sure if you will be paid. If you will not be killed. Here you might have a contract, but

¹⁶⁴ Source: Case study interview with “Serign” (not his real name), a Senegalese migrant worker, Palermo. See annex 3, Reference nr. 4; 10/11/2018.

you are paid badly while living on a dry floor in open air. Well, is it not all slavery somehow? We just do what they ask of us. God shall punish them”.

Interview with “Buldem” (Senegalese) 02/11/2018¹⁶⁵

“You know, the first thing to say for me has always being that I am a ‘Baye Fall’. I believe in the teachings that Sheikh Amadou Bamba Touba said to all his student: that we must struggle to help others. We must struggle honestly; we must work hard because through work we can always help others. But he also said that we must be tolerant, that we must make peace with others. We are very different people. He said that we must collaborate and do things to help ourselves and others. He taught us not to fight our brothers and our neighbours. Not even disturb them. He told us that we must be patient even in the most difficult situations. That we must be ready to forgive others. He always said we must always practice love. That we do good, we must be ready to help others in need of help. He told us not to do evil: if you do evil, evil will follow you. As a student of Cheik Bamba Touba, I believe in these principles. It is called humanism. To believe that, no matter how difficult, if the sun rises, therefore, it must also fall. That tomorrow can be better. To be a “Baye Fall” means to do good, to be hospitable and friendly, to be honest, to work hard, to fight for others all the times. This help us to live well everywhere. We do not steal, we do not cause problems, we work hard, we also help our brothers in need.

We go to work every day, we earn very little, but we live. We live here, anyhow, but we live. We live in peace. If a brother is hungry, we share food. If he has work, he does the same thing. We all help each other to manage. If someone is sick, we give him a painkiller. The next day he can go to work and keep strong. We ask for help every day, or else we will not live. We support each other. We are brothers. We know that it is not correct what is happening to us. We believe that it is injustice and Sheikh Amadou Bamba Touba condemns this.

All of us are going out there without any real security. What is the alternative? Many of us come here directly from the asylum camps without much information. The moment we reach here, you are physically stuck and after some time, you also get mentally stuck into putting some euros together until the season ends. And then move to other places. I have planned to put some money together and meet friends in Puglia where they said it is somehow better. We all want to go to Germany but have not gathered enough money. I have put together less than 100 euros in my almost three months stay here and because I do not spend anything.

I am now collecting the left-over olives which I take to the factory and then sell it to the collectors. It takes approximately 4 kilos or more of olive to produce one litre of oil. This roaming about for the leftovers takes a lot of my time and energy. I have a lot of pressure: to meet the basic needs for myself and the family I support. They cannot understand if I am not able to send them money. Even to buy credit and call them affect my account very well. I have to pay for everything: the lawyer to change my documents; support family and plan to go to France. It is too much that you are confused at the end. But the employers are wicked and the Italian government do not care about our welfare here. No one knows who we are, whether we are sick, dead or alive”.

¹⁶⁵ Source: Case study interview with “Buldem” (not his real name), a Senegalese migrant worker, Campobello di Mazara. See annex 3, Reference nr. 3; 02/11/2018.

4.3 The Senegambian Agricultural ghetto of Campobello di Mazara

Table 4.1: Sicily 2013-2019: Foreigners residing with Senegalese citizenship on January 1st of each year.

Province	2019	2018	2017	2016	2015	2014	2013
AG Agrigento	712	667	634	600	486	413	281
CL Caltanissetta	109	117	113	114	96	49	39
CT Catania	1.070	939	845	797	629	535	384
EN Enna	90	78	61	54	39	7	8
ME Messina	317	264	244	220	212	201	194
PA Palermo	383	351	340	295	247	123	82
RG Ragusa	210	191	173	112	81	69	49
SR Siracusa	209	187	175	144	105	53	37
TP Trapani	485	430	404	364	195	49	40
Regional Total	3.585	3.224	2.989	2.700	2.090	1.499	1.114

Source: Istat

4.3.1 The Senegambians agricultural workers of Campobello di Mazara

The people of this agricultural ghetto came from different cultural and religious backgrounds. They were speaking a wide range of languages and dialects. The majority were *Wolof, Mandinka, Serrer, Fula, Jola and Jahanka*, people from Senegal and The Gambia. There were no official figures however respondents to this research confirmed that the inhabitants of this ghetto is over one thousand people, predominantly of Senegambian origins (Senegal and The Gambia)¹⁶⁶. They have many diverse skills: students, technicians, drivers, painters, plumbers, welders, tailors, artists,

¹⁶⁶ In 2019 autumn, this research later found out the numbers of people in this ghetto rise to nearly two thousand people. It has increased in size because a new ghetto was developed along it, side by side. In fact, this new ghetto was called The Gambian Ghetto.

fishermen, carpenters, and peasants (usually without possession of certificates or professional diplomas) who were trapped into olive picking during autumn but had to live in this ghetto season-in season-out.

The percentages of the number of respondents who was taking part in the survey was: 29 respondents (58 %) out of the 50 were Senegalese and 21 (42%) were Gambians. The respondents were all males. No females. (See Annex 4)

Questions that were inquiring about their family background, have provided the following results: Question number 10. *How many people do you have in your family?* (A) 5 (B)10 (C)15 (D)More . The responses were: (A) 10% (5 people) (B)60% (30 people); (C) 26% (13 people); (D) 4 (2 people).

It cannot be known how many people live in this agricultural encampment. Here, irregular workers came and went throughout the 2018 autumn season. According to Filliera Sporca Report (2015) *“Dozens of inquiries, documentaries, reports, have told us what happens in the exploitation fields, the tent cities, slave labour. But what happens to the products picked in those fields and what is the responsibility of multinationals, of large-scale distribution, of retailers, producers, transport companies, international agencies for temporary work? [...] The harvesting of the different agricultural products has for years involved tent cities, health kits and containers. The use of underpaid foreign labour is a “model” of production, not a humanitarian emergency”*.

Like the disease “Citrus Tristezza” (Citrus Sadness in English) that affected Sicilian citrus plants in 2013, the phenomenon of severe labour exploitation—which exposes migrant workers to inhuman living and working conditions— can also be explained naturally like that. The Sicilian “Virus of Sadness” (“Citrus Tristezza”) begins with symptoms of slow growth, loss of leaves and eventually the branches. It finally affects the fruits. The disease is caused by the excessive growth of a single branch that consequently kills the tree. The exploitation of agricultural workers is like the citrus tree whose stems, trunks, branches and leaves, are the migrant workers. The excessive growth of the “Agromafia” and gang-mastering has reached the level of a social cancer. The exploitation of agricultural workers is an implicitly accepted Italian reality. Like the Citrus virus, this exploitation will eventually kill the rights of all workers and condemn them to slavery conditions. Exploitation is the widespread effect of an undesirable social virus that has long since characterised Italian agriculture. Agricultural exploitation of especially TCNs is the new norm.

Autumn is the harvesting season of olives at national and regional level and this ghetto was unique for several reasons not least, its unprecedented inhumane and degrading living and working conditions (as explained by “Juma” not his real name). This ghetto has changed location from one place to another not least the need for keeping it from political attention. Due to the geopolitical interest coupled with its ostracised location, it is kept completely clandestine, consequently making the inhabitants constantly invisible to both the local community and government inspectors. Today, its current position is counting five years without substantive improvement in living and working conditions. The Mafia ‘caporali’ assembled Senegambian workers in this particular underground encampment for the whole autumn harvest to climb olive trees and picked them daily, weekly and sometimes monthly with and without contracts.

4.3.2 Work conditions in Campobello area

It was extremely difficult to quantify the degree of exploitation involved and to which extent they each went. In this regard, taking all the relevant issues into consideration, information was extrapolated from *Question No. 23: How do you describe your work and working conditions? More than one option can be given.* (A)Easy and good (B)The work is easy but working conditions are hard (C)The work is difficult but working conditions are good (D)The work is difficult and

working conditions are hard (E) The work and working conditions are very difficult and very hard (F) Slavery . Responses: (A) 0% (B) 0% (C) 0% (D) 15 (30%) (E) 14 (28%) (F) 21 (42%). These Senegambians struggled slave-like conditions (42% supra) between severe exploitation, irregular migratory status and the need to maintain a permit of stay. The result as in this case study, was their abandonment into a type of atypical employment relationships predominantly in industrial agriculture that feeds off exploitation.

The respondents have been asked about their current living conditions in *Question No. 22: Where do you live here (in Italy)? More than one option can be given. (A) In an independent rented apartment (B) In a shared rented apartment (C) Live in my relatives' or friends' house (D) Ghetto (E) I live where at my work place (F) I live in my employer's house (G) I live in non-residential premises (storehouse)* . In response: (A) 6 (12%) (B) 6 (12%) (C) 0% (D) 12 (24%) (E) 0% (F) 3 (6%) (G) 21 (44%).

Conducive working weather also matters; a sunny instead of cold and rainy day was generally preferred. They do not go to work when it rains. It became impossible to pick olives. Sometimes given their living conditions at the ghetto, workers were able to walk from the ghetto only when it was not raining. Other than such natural conditions like unfavourable weather, absence from work (for whatever reason) the worker in concern loses automatically. In this particular scenario, there was no explanation for absence from work and therefore, workers were hard pressed to finish one task after the other to start the hunting again, for more menial tasks.

Many of these migrant workers like “Ndims” (not his real name) had no other choice during the autumn than to stay in this agricultural ghetto and work in the olive plantations of Trapani. The black “capo” who was a regular migrant ensured as part of his given precise role that the ghetto was full of such vulnerable workers constrained enough and compelled by their difficult circumstances to give all their energy out to the system. Generally, these precarious pieceworkers were not difficult to find. There are refugees, asylum seekers and persons forced into doing such seasonal jobs from asylum camps, near towns, moving and living like nomads. They were everywhere and had already established these seasonal networks. They march across the country from one precarious job to the other, season-in season-out, living in ghettos in such decrepit conditions from the south to the north, cultivating and harvesting.

This case studied alienated, some unschooled and very poor vulnerable workers who in anyway had no or very little information on their labour rights for instance: the number of legal working hours; regular and commensurable payments (wages); fair and decent working and living conditions; health and safety; leave and paid holidays.

All these Senegambian workers have some shared common goals such as income diversification through remittances, professional development and return migration. However, the largest number of them have not been able to visit their families for more than 5 years (see Survey data presentation Annex 4). Most Senegambians of this case study, were initially pushed away by the formal asylum system to face a job market they were largely unprepared for; chiefly, the so-called ‘lack of requisites’ into the formal job market; the need to renew and maintain their permits of stay; their poor economic status; and for some, the urge to regularise their (irregular migratory) status eventually pushed them into this marginal economy where labour rights are virtually non-existent

and their precarious availability in the informal economy made them an easy target to do the dirty, dangerous and dull jobs.

4.3.3 Labour organisation

This field study confirmed that Senegambians who live in the ghetto and work on the olive plantation fields suffered from arbitrary underpayment, non-payment and fraud from employers after they had been made to toil under inhumane conditions. There were several techniques used by labour brokers and fraudulent employers to keep wages low and overwork as a norm. Firstly, in Campobello di Mazara, these workers might have to group themselves or they were grouped by brokers and employers for a huge work for an amount of pay that was never negotiated. For instance, to avoid individual bargaining on payments, brokers and employers assigned a group (4 or more labourers) to harvest a verse olive plantation that will take a couple of days, a week or more, for 45 euros or less a day or 2.50 or very rare prices 4 euros per crate/bag.

Depending on the various conditions of the olive trees, such as: young and healthy olive trees; the plantation's general conducive working environment; and a well-coordinated team of labourers who will work together to spread the nets under the olive trees on the ground. Climbing, picking, cleaning, and then filling the crates all at once takes a lot of effort and considerable time. Working as fast as they can, workers can at best take up to 25 minutes or more, not considering carrying the filled crates to one or several strategic positions as the harvest proceeds. Apart from the condition of the olive trees, some of these workers were able to fill up to 10 crates or more a day depending on how fast, strong and experienced one was. It takes skills, strong muscles and enormous energy to fill a 20 kg crate for average three (3) and at most four (4) euros. It was exactly this type of laborious work and toiling in the tomato fields of Comiso and Victoria that gave me a very troubling and painful vertebral hernia (L4 & L5).

Several respondents have expressed during special-one-on-one interviews that they were picked up and driven to the fields at 5 and 6 am in the morning, to when they end work at 6 or 7 pm or even later, depending on the terms of the day, the 'negotiation' met between the black gang-master and the Italian employer or at the entire mercy of the fraudulent employer, the minimum number of hours daily was eight, depending on when the day's work commenced (most frequently from 7 am to 4 pm).

For example, *Question 42: How many days per week do you work in current job?* (A) 3 (B) 4 (C) 5 (D) 6 (E) 7 (F) I dont know, when they call me . The responses were: (A) 0% (B) 0% (C) 0% (D) 3 (6%) (E) 27 (54 %), (F) 20 (40%).

Question No. 41: How many hours per day do you work in your current job? (A) 6-7 (B) 8 (C) 9 (D) 10 (E) I do not know. The respondents have responded with: (A) 3 (6%) (B) 10 (20%) (C) 37 (74%) (D) 0% (E) 0%. They zero hours. They were not even certain whether they were going to work the next morning and the day after, and what time they will get back; how they will get back and if they will be paid; if they will have food to eat or water to drink or be able to take a much needed shower. They were worried that they do not have enough time to relieve themselves from the cumulative fatigue that caused them unending pain, and work-related ailments form the long hours served at a pittance, like slaves. However, these were pieceworkers in the world's most expensive and oppressive olive plantation fields. Most of these victims were working to renew their residence permits but all of them were indeed struggling to hunt the Gambian dalasi and the Franco CFA on the euro for themselves and their family (see Chapter 5).

Most working hours were generally left to the pieceworker himself so that his gains entirely depend on the number of crates or bags he was able to fill and not the number of hours he worked or was made to work. Hence, he decided how fast or slow, whether to take a break or continue to work. His personal situation of absolute lack of other possibilities conditioned the amount of energy he finally gave out to the system spontaneously.

Generally, these pieceworkers of Campobello di Mazara had a so-called “contract”. They were daily, weekly or monthly atypical “contracts”. However, in majority of the cases, these so-called “contracts” were only informal agreements based on the parties involved. Therefore, according to legal terms, they cannot be considered contracts. It is almost impossible to estimate how many of those who considered they had a contract, were having a real one. This unclarity is ruling and pervading the whole agricultural scenario. It is a basic element in the operations of the “Agromafia”. Some of the people who were ‘contracted’ for the whole harvest season and living in the ghetto for long time, were doing every sort of laborious work assigned to them. They were not only pickers of olives, mandarins or oranges, they were also cleaners and stewards in these plantation fields from cultivation to harvest. It was this predictable scenario article 603 bis (see chapter six (6)) has failed to foresee.

4.3.4 Atypical Employment Contracts

Question No. 44: *How do you receive your wages/salary?* (A) *It is transferred to my bank account* (B) *I get it in cash by signing the payslip* (C) *I get it in cash without signing anything* (D) *I get it in cash directly from employer or mediator without signing in anything* (E) *Other (please, specify)*. Responses: (A) 3 (6%) (B) 12 (24%) (C) 29 (58) (D) 6 (12%) (E) 0%. By assigning this task to a handful of precarious migrant workers who competed among themselves for the next tasks and so on, brokers and employers independently assigned their own payment terms and reaped huge benefits. These migrant workers worked for more hours unrecorded, and since they were paid on the amount of crates they were able to fill during the day and were paid mostly at the field, the maximum price paid for filling a crate or a bag was independently decided by the employer and the “caporali”: it can range from 2.50 to 4 euros maximum for big crates. Those paid four euros per crate were normally workers without the so-called contracts who choose to work for a slight increment (rather than the normal pay under the same working conditions).

Question No. 43. *How frequently are you paid?* (A) *Monthly* (B) *Weekly* (C) *Daily* (D) *By hours* (E) *Other (please, specify)*—. Answers: 3 person is paid monthly (answer A), 12 people have responded, they are paid daily, and 35 in ‘other’ way, which, according to their explanation is to be payed by bags or crates filled by them.

Therefore, these atypical contracts they have do not avoid or explain many forms of work exploitation, because they do not provide the number of hours that these pieceworkers served —a situation of no vouchers. As a result, some workers preferred to work without such atypical contracts to maximise their gains in filling more crates and bags which assured them job offers the next days. They were seen as committed workers (‘Baye Fall discipline’) who could quickly harvest a whole plantation within a short span. Their living and working conditions are a real measurement of our human rights rhetoric or labour rights as human rights. ‘Employment contracts’ were used in this ghetto to employ labourers with regular migratory status for example, refugees, asylum seekers and those with residence permits. However, this does not serve as a form of security or prevention from exploitation. As a matter of fact, it was this ‘fake contract’ syndrome which obscures “Caporalato” and muddies the waters when conducting institutional investigations and inspections.

The Italian mafia and fraudulent employers directly linked to the ‘capo nero’ for labour result in workers at best eventually getting daily, weekly and monthly so-called ‘contracts’ or informal agreements which do not guarantee decent and regular work or better working and living conditions.

Question No. 36: *In your opinion, what is the easiest way to get a work in Italy? (A) It is easier by irregular way, i.e. without getting work permit and registration* *(B) Through regular ways by getting work permit* *(C) I do not know* *(D) Other (please, specify)* _____. In response; (A)11 (22%) (B)27 (57%) (C)12 (24%) (D)0% (E)0%.

Question No. 37: *Do you know the kinds of documents needed to work legally in Italy and where the execution of these documents are made? (A) Yes, I know very well* *(B) I know, but not exactly with full information* *(C) I do not know* *(D) I do not have documents* *(E) Other (please, specify)* _____. Response: (A) 11 (22%) (B)27(57%) (C) 12 (22%)(D)0%(E)0%.

Workers under such fake contracts toiled more hours than others and were also paid less. Unfortunately, this behaviour of giving all out to the exploitative system, unreservedly, fuel a system of unfree labour competition between these pieceworkers to fill more crates or bags to satisfy their Italian employers such that they were called the next days and so on, eventually voting themselves as the most devoted workers for the next tasks or season.

Question No. 31: How much time did you spend to find this work? (A) A week *(B) I just call the mediator* *(C) I just go to the fields searching for work* *(D) I just wait for a particular season* *(E) Other (please, specify)*— In response: (A)6 (12%) (B)23 (46%) (C)21 (42%) (D)0% (E)0%.

These migrants worked for a lot of hours and their wages do not correspond to the quantity and quality of work performed or, in other words, below legal standards for seasonal agricultural workers. They were never to be paid legal wages or with justice. This was why these atypical contracts were a premeditated textbook description purporting to be (and passing off as) ordinary seasonal-employment contracts. These so-called ‘contracts’ served to camouflage the behind-scenes exploitation. It is also used to deceive labour regulators and inspectors. This atypical contract phenomenon has formalised the exploitation of hundreds of migrants in this condition. A lot of unhealthy employment situations which these individual workers daily faced were in those so-called contracted relations. However, as shown in the data presentation in the table below, with or without contracts these ‘liquid diamond’ pieceworkers underwent similar working conditions, and both lived in the ghetto. Therefore, contracts were irrelevant to the sufferings incurred here at work. These workers were all severely exploited, considering the quality and quantity of work they (had to) perform and by that minimal standard alone, most of those contracts were not proportionate and hence fake.

4.3.5 The “Capo Nero” as a symbol of colonial and mafia administration

The position of the black boss (‘capo nero’ in Italian) in the agricultural ghetto symbolise the mafia symbol as a system of colonial administration. The position of the “capo nero” can be seen in parallel lines: (a) on the one hand, he was, as well, a victim of a system he subsequently benefited from and on the other, (b) as a benefactor and a kind of employer himself, he was an accomplice of the political and economic machinery of “Agromafia”. Therefore, he is a criminal in that regard¹⁶⁷. His position is crucial in the sustainability of this the system and that was his only source of

¹⁶⁷ The “black capo” (known as *Capo Nero*) who live in the ghetto as an ordinary migrant worker (gang-master worker or ‘caporale lavoratore’) is an accomplice of the fraudulent ‘agromafia’ and Italian employers.

survival. From the position of an economic prisoner himself, and from a position of an ‘innocent’ targeted pieceworker, he now cooperates with mafia employers, as a sub-contractor and targets his fellow countrymen. The mafia-type culture has become a part of him. According to ‘Kebis’ interview, the “capo nero” was equally a mafia, hence, he was the so-called ‘black mafia entrepreneur’ who received commands from the Italian or ‘Maghrebian’ mafia to execute precise functions. This collaboration was necessary for the effective and indeed efficient functioning of the oppressive system throughout the season (and has in that regard replaced the bureaucracy ‘Flow Decree’ or the official quota system that was supposed to regulate the employment of foreign workers in Italian agriculture.) This collaboration played a crucial part in the organised criminality. The role of ‘capo nero’ in this criminal organisation was that of a labour go-between and sometimes sub-contractor, responsible for recruiting men to be exploited with or without contracts in the agricultural sector. This ‘capo nero’ knows more or less how many people there were in the ghetto and the job offers available through him. Usually, these job offers came through him or better, must come through him, for his direct collaboration. The ghetto assured him a mafia-type co-operation and coordination with unscrupulous employers and labour brokers. For instance, Question No. 21: *Who is your employer here (in Italy)?* (A) *The black boss* (B) *The individual person* (C) *Private firm* (D) *Government organisation* (E) *I do not know* (F) *Other (please, specify)* ___. In response, (A)20 (40%) (B)21 (42%) (C)3 (6%) (D)0% (E)6 (12%) (F) 0%.

In response to Question No. 26. *Had you known all what you would be doing in this work (i.e. did you have information about your job condition)?* (A) *Yes, exactly* (B) *Yes, I had prior information, but didn't have exact idea* (C) *No* (D) *Other* , the following results have arrived: (A) 14 people, (B) 7 people, (C) 23 people, (D) 6 people. Question No 27. has been asking: *If you had not known what kind of work you would be doing here, how did you find this work?* (A) *Through labor office* (B) *Through private company agency* (C) *Through family members who do the same work* (D) *Through friends* (E) *Through newspapers and internet* (F) *Through mediators (“caporale”)* (G) *Other (please, specify)* ___. As expected, a large number of respondents (20 people) have found the job through a mediator/caporale (answer F), while also many of them, through friends (answer D – 21 people), or family (answer C – 6 people). Only 3 people (6% of all respondents) have selected answer B, therefore found the job through an agency.

In order to administer the ghetto and control vulnerable workers for the benefit of Italians, it was therefore necessary for the mobilisation of that illegal labour that job offers went through the “capo nero”, and lodging was entirely his area of responsibility but most disturbingly, lodging also served as a tool to cause threats and to suppress those reluctant (workers). He collaborated with others (close colleagues or relatives) to be in total control of what went in and out assuming the role of the overseer within the ghetto of pieceworkers without real alternatives and rights. But fundamentally, it was by virtue of his position as the ghetto figurehead, a kind of headman responsible for lodging and other logistics and most importantly as a go-between which guaranteed continuous exploitation and control of ghetto affairs¹⁶⁸. These black ghetto bosses are persons who through their submission to the Trapani mafia derive benefits through direct collaboration. It is important to note that, the role of the “capo nero” has changed (over the years) since the legislation of article 603 bis (in the Italian Criminal Code in 2016), from primarily serving as labour go-between to being responsible for ghetto affairs from the interior. His role is not precise. This was necessary to keep in part as a mafia technique to cover themselves, and the emergence of fake contracts further supports the exploitation

¹⁶⁸ Read for instance the interview with “Kebis” (not his real name), a Gambian migrant worker, Palermo. See Annex 3, reference nr. 9; 30/11/2018.

machinery. He is the most important figurehead as far as the exploitation link from the ghetto is concerned. But like all others, the ‘black boss’ faced several unwelcome obligations and almost inevitably many threats due to exploitation and manipulation by the Italian mafia and fraudulent employers. His earnings surely came from his absolute intimidation, and therefore power, through making threats in the ghetto: a colonial indirect rule or system of control employed through mafia tactics and agricultural entrepreneurship. To understand this greater complexity, it is essential hence to observe the principal role played by the black ghetto leader or labour intermediary. For that reason, the “capo nero” who lived in and out of this ghetto, served as the spirit of the outside mafia authority to assemble man power, communicate wages, logistics including work types and offers, time arrangements and transportation to the various fields with or without food. In brief, the “Caponero” is the henchman of the “Agromafia”.

He functions as the pivot in the long chain of exploitation. His privileged position is made possible also by his shared historical origins, migratory experience and ethnolinguistic backgrounds with his fellow ghetto inhabitants. They also share religious, cultural and regional affiliations as Senegambians. His position is indispensable for having direct cultural and ethnolinguistic affiliations with other Senegambians in the ghetto. It is important to emphasise the strong religious brotherhood of the “Baye Fall” doctrine which manifests in this ghetto in various aspects. “Baye Fall” as a dominant Senegalese Islamic culture and doctrine, is based on principles such as tolerance, peace and solidarity, strong dedication, commitment and work ethic. It requires unquestionable trust and obedience towards authority. The ‘capo nero’ (and the agro-mafia itself) therefore, can largely benefit from this predisposition and attitude of ghetto inhabitants towards him as a leader, and towards their conditions of work and life.

The “capo nero” serves as an immediate mask for the fraudulent Italian employers. He commands the ghetto to execute precise functions given to him and rarely permits visitors: investigators, journalists, NGO and and so forth can meet an unwelcoming atmosphere or even serious confrontations. His position in the ghetto gives confidence both to his Italian collaborators and the “Agromafia”. As a result, institutional and organised visits were usually known ahead due to his dominion over ghetto affairs and affiliation with mafia networks. About the agricultural ghetto, ‘all roads meet to him’ —the “capo nero”. Where he was not physically present, his dominion could be felt all around ghetto affairs. However, he was the most likely to be identified and convicted in cases of inspections (both at work and in the ghetto) not least because he is not like his colleagues; the invisible Italian mafia who are almost non-prosecutable. By stealth, the black boss added to the camouflage and the invisibility syndrome of the fraudulent Italian “Agromafia” by serving as the direct go between by using a kind of sub-contract from inside the ghetto. He has contacts all over Italy that connect him easily to precarious migrants. The lack of social and economic integration has made this agricultural ghetto a common passage for many Senegambians from north, central and southern Italy. The position of the so-called ‘capo nero’ gives him the possibility of making

threats of unemployment and flogging for migrant workers who were unwilling to cooperate with the slavery conditions or practices he actively encourages¹⁶⁹.

4.4 Migrant workers' biopsychosocial health

This African male-only village was a hidden reality of growing threats against hundreds of lives enslaved and whose temporary or permanent migratory goals as per case study results and interviews were: improvement in health, income maximisation, studies, entrepreneurship, professional advancements, family empowerment and security and return migration. These ambitions were made difficult to attain: for many was unattainable. Essentially, the mafia of Campobello di Mazara has established this agricultural ghetto which has deteriorated for years with the help of the "capo nero". By populating this ghetto annually, the mafia has therefore maintained the supply of labour on the olive plantations (orchards, gardens, farms) which stretch thousands of hectares within Trapani and utilise the unfree labour of these extremely exposed and below-poverty line migrant workers without any real alternative.

Illustratively, I have tried to highlight some major concerns which cause threats on the wellbeing and the biopsychosocial health status of these migrants, especially focusing on the effects appearing in exploitation contexts. These negative impacts are genetically related to this type of migration, beginning from the migration decision-making. Most importantly, the dependency syndrome with their poor extended families, polygamous systems and communities add to their struggles and impact on their personal wellbeing particularly when they are unable to fulfil these demands. Some of these impacts have been demonstrated in the interviews conducted at the agricultural ghetto (which the field work in Senegal corroborated as evidence. See Chapter 5.

According to the survey (Question No. 56 and 58, Annex 1 and 2), 58% of respondents reported about worsened health, 24% felt socially excluded and 16% expressed reduced self-esteem. Besides these numbers, 28% of migrants responded they could not support their families with enough money, which can be considered to increase their level of stress as well. 34% of respondents expressed a worsened relationship with their spouse and 8% divorced since they left their country.¹⁷⁰

¹⁶⁹ This particular olive harvest was previously based on the labour force mainly from North Africa (Algeria, Tunisia, Morocco, Egypt) who are largely used to olive cultivation and have by now become much more stable in the region of Trapani as opposed to the present production model that survives largely on migrants from sub-Saharan Africa, who are more flexible, accept less pay and are made to struggle under degrading conditions. The shift of labour from North Africans to sub-Saharan Africans, particularly Senegalese and Gambians is two-folded: while many Algerians, Tunisians, Moroccans, and Egyptians in this region are long-time seasonal workers and long-time residents, living in the cities and more socially, and economically integrated, most sub-Saharans who live in Sicily have arrived through Libya to Sicily, many are in irregular conditions and are yet to be presented equal opportunities. As opposed to the first group, these Senegambians are more exposed to exploitation and socio-economic exclusion. Many have since then been stuck into difficult realities. There was no official registration concerning the number of workers that can be hosted in this agricultural ghetto. It was open to everyone: regular and irregular migrants, with or without documents. It was a temporal encampment but can be even shorter for some of the pieceworkers who cannot find job or meet the labour demands. Workers can come in and go out depending on their needs or/and situations. Some respondents left after their first twenty (20) days of contracted work. Others thought of leaving but had to wait to put some monies together and then head elsewhere in Puglia. Many had also reached here without any clear information. It was a mumbo jumbo situation for these migrant pieceworkers and could be seen or smelled from the ghetto gate.

¹⁷⁰ However, the documentary 'The back-way to Contemporary European Slavery of Senegambians' also explains many of the implications, including the impact of migration on the family itself.

Answering to Question No. 30: *What kind of work-related difficulties do you face?* (A) Problems with registration of documents (B) Problems with acquisition of work permits (C) Bad relation from mediators and employers (D) Attacks by locals and nationalistic groups (E) Could not find appropriate work (F) Other (please, specify) _____. The respondents have indicated: (A) 17 (34%) (B) 12 (24%) (C) 10 (20%) (D) 11 (22%) (E) 0%.

Notably, most Senegambians migrate to help themselves and their family members. Many also escaped from family dependency or ill-treatment. For example, motherless orphans, victims of family maltreatment (abuse by the second wife, father or uncles and older brothers) are situations of domestic violence and exploitation. Households or domestic dependency on the diaspora breeds grounds for psychological disturbance which worsen for migrants in situations of labour exploitation (and increase family dependency).

Here, I endeavour to give a summary of key factors which this research identified as possible contributors to stress, frustration, reduced well-being and the degradation of the biopsychosocial health state of Senegambian migrants of this case study. Factors include:

1. Disillusion after higher expectations of a “dreamland Europe”.
2. High level of dependence and expectations of the household for remittances of that could support the daily life of family and relatives in Senegal or The Gambia (including expenses for living, farming, healthcare, education, investments in entrepreneurship etc.)
3. Moral dilemma: giving up personal wellbeing (professional development and success) for family interest/investment.
4. Family disintegration: separations and divorces lead to single parents and smaller households.
5. Social exclusion and the presence of racism in societies.
6. Lack of possibility to maintain and practice the lifestyle and culture of origin.
7. Work-related, untreated injuries or and infectious diseases such as Coronavirus.
8. Risk of transmission of STDs.
9. Drug abuse as a temporary 'refuge'.
10. Lack of capacity to contribute and be part of the civic activities and work serving the development of the community of origin in Senegambia.
11. Post-traumatic stress disorder (PTSD) from migration-related experience (journey, abuse, social exclusion, exploitation).
12. Concern to return home (to the country of origin) poor or ‘unsuccessful’, after a considerable time.

Continually for years, their labour, just like their lives, were unprotected within the fake contract phenomenon. Even those who have had the so-called contracts and other medical papers, found it enormously challenging to access medical care due to their setting (conditions of work and living) and lack of information. They either buy painkillers through acquaintances in Palermo or appeal for medical attention from friends who visited them occasionally from Palermo. Without any diagnosis, such medical assistance arrived from the humanitarian will and ability only. Neither the sick workers nor their helpers knew exactly what their sickness was nor what health problems they had and what consequences might be involved. Maintaining these pathologically fatigued (many ill but some of them self-diagnosed ‘sick’ people) led to their survival techniques such as consuming unmeasured doses of pharmaceuticals (such as Moments, Oki, Tachipirina and so on) on their own terms without any regulation or formal medical advice. What these well-wishers do is to supply painkillers to the sick, and the rest is left to the migrant workers who consume them as they arrive or as their conditions continue to deteriorate.

CHAPTER V.

SECOND CASE STUDY: IMPACTS ON THE LOCAL DEVELOPMENT OF SENEGALESE MIGRANTS' REMITTANCES

5.1 Introduction

“For centuries, people have left home and crossed countries, continents and oceans in search of better opportunities for themselves and their families. Today, more than 240 million people live outside their countries of birth. And half of them are women. Some people will risk everything – even their lives – for the chance of a brighter future for themselves and their families. Almost every day we are confronted with the human tragedies arising from this need, here in Italy, in Europe, and all around the world”,

Global Forum on Remittances and Development 2015, 16-19 June, Milan¹⁷¹.

Underestimated for a long time, migration is an increasingly recognised global concern. Being influenced both by environmental and human factors, migration is powerful and important for individuals who migrate, the societies they migrate to, and those they left behind. Many movers are in search of personal security, as well as better opportunities for themselves and their families. This increase of labour migration has brought about economic, political, social, cultural and intellectual development, as well as challenges.

Today, figures in the number of international migrants show an upward trajectory. According to the United Nations Department of Economic and Social Affairs (2017a) more than 3% of the world population live outside their countries of origin. The economist Kenneth Galbraith (1979) wrote that migration is the oldest action against poverty. Migration helps to break the equilibrium of poverty in countries of origin and as a strategy, it selects those seeking help. He postulated that this human mobility is good for host countries (Galbraith, 1979, 5-15)¹⁷². Eventually, Senegalese migration towards the European Union also diversifies not least the restrictive immigration policies. Senegal has a strong diaspora community in Europe especially in France, Spain and Italy. Therefore, young Senegalese are willing to reduce risks by migrating.

According to ISMU (2019) amongst the top twenty-five nations having foreign residents in Italy in 2017, Senegal (with 103,572 residents) is in the sixth place in terms of remittances, sending 226 million dollars annually to their country of origin. Remittances are used here to reflect the number of migrant workers' financial earnings sent home to support families and relatives and which serve as a method of security, or as a form of life insurance, particularly in difficult times.

According to Knomad (2019), remittances to low- and middle- income countries were on track to reach 551 billion dollars in 2019 and 597 billion by 2021. The World Bank's Migration and Development Brief stated that remittances to low and middle-income countries reached \$529 billion while global remittances including flows to high-income countries reached \$689 billion in 2018. Remittance flows to low- and middle-income countries were predicted to reach \$550 billion in 2019

¹⁷¹ Welcoming Speech by Her Majesty Queen Máxima of the Netherlands and the UN Secretary-General's Special Advocate for Inclusive Finance for Development, in Global Forum on Remittances and Development 2015 16-19 June, Milan.

¹⁷² As demonstrated in the previous chapter, Senegambian migrants boost the constant labour needed in Italian agriculture. According to FLAI/CGIL, non-EU migrants make up to 47 per cent of the agricultural labour force in Italy.

this being their biggest source of external financing¹⁷³. Meanwhile, in 2017, remittances made up 15 per cent — 2.3 billion dollars — of the GDP of Senegal (Knomad, 2017). However, a significant part of remittances sent into Senegal are not reflected in these figures since they are transferred by other means.

According to Land and Fourier (2012) 70 per cent of Senegalese households have one or more members who migrated internally or externally to support their families. This chapter examines Senegalese remittances. It explores the migration history of Senegal and illustrates some major motives. Methodically, this chapter is supported by a four 4 months field study of households in Senegal to examine the impacts of remittances on local development. Senegalese migration history is generally viewed here as a strategy for risk management through income maximisation and diversification. Correspondingly, it reviews both empirical and theoretical literature on Senegalese remittances.

Secondly, this chapter emphasises the correlations between the exploitation of Senegalese migrant workers in Italian agriculture and their financial support of the families left behind. As investigated by the previous case study, their migratory pattern and status help to determine their integration into the formal economy. The lack of real job opportunities for many Senegalese in the Italian integration and protection system, inescapably influence their marginalisation *into the agricultural sector under exploitative living and working conditions* (“Agromafia” and “Caporalato”) and determine the support of remittances to millions of people in Senegal. The same is true of Gambian migrants too. For instance, in our case study conducted on 50 (fifty) Senegalese and Gambians at Campobello di Mazara, 74 per cent of the respondents said they were able to send remittances only at the end of the season’s harvest while 26 per cent said they could not send monies even after the three months of the olive harvest. The impacts of this correlate positively as well as negatively to induce the increase and decrease in Senegalese migration patterns to Europe. For this reason, this chapter focuses on the sociological field study on households in Senegal in order to analyse what might be called an unsuccessful or undesired migration. In this regard, a ‘successful migration’ will thus refer to the informal migration experience of Senegalese who made it to Europe; integrated into the formal economy; and are able to send remittances to support local development. Therefore, a successful Senegalese migrant worker in Italy economically serves as a life insurance and also maintains an active social bond to the families left behind.

5.2 History of Senegalese migration

Historically, migration is an intrinsic part of Senegalese culture. Senegalese culture ideologically, as far as in practice, see migration as a fundamental aspect of human growth, experience and survival. Migration enables Senegalese to become successful entrepreneurs, professionals, businessman, athletes and opens them to the world of sacrifice. Migration patterns from Senegal to Europe have a long history going back to post-independence. The Senegalese economist and Islamic Scholar Sheikh Amadou Bamba Touba is celebrated for his voyages in propagating the ‘Mouride’ doctrine of Islam. Through his work ethics and influential writings on the “Baye Fall” principles of pacifism, hard work and good manners, Sheikh Amadou Bamba Touba propagated a solidarity-based economy through his voyages. Accordingly, the uncertain journey of Senegalese youths through the Sahara desert to Spain and most recently through the Mediterranean in their struggles to reach Italy

¹⁷³ Accordingly, remittances flow to Senegal has witnessed an increase growth from 511 million US\$ to over 1.1 billion US\$ between 2003 and 2010 and up to 10.3% (of the gross domestic product (GDP)) in 2011 (World Bank, 2011).

is perceived as a necessary sacrifice for self-development, for the development of the local economy and as a fulfilment of the Mouride doctrine — the most influential culture in modern Senegal. It is a Senegalese culture to pray and give rituals for the success of the diaspora.

However, the first well-known Senegalese migration to Europe was pioneered by its soldiers, some elites and sailors who were going to France in the 1960s for work and training. The need for a labour force to rebuild Europe which was largely destroyed by World War II was evident and the absence of that large and flexible labour force attracted foreign workers who added to the domestic labour market needs of Europe. This so-called period of reconstruction and industrial growth has since then opened the way for a greater interaction between colonial powers such as France, Britain, Belgium and the Netherlands and their former colonies. Accordingly, Senegalese migration to the North had to do with the colonial legacy of receiving countries and consequently, immigrants from former francophone colonies met an ‘open policy’ towards labour migration and ‘special rights’ indeed, including the citizenship of France.

Furthermore, the Fordist system of industrial production was channeled through regular and active policies of recruitment by companies in France. The bilateral agreements between so-called motherlands national and ex-colonies (France and Senegal) worked hand in hand and many Senegalese were going directly to France (Beauchemin, C. et al, 2015, 173-199). The Office National de l’Immigration (ONI) was the colonial institution in charge of Senegalese who were leaving to supply the labour demand that was needed in France at the time. Therefore, Senegalese met favourable recruitment policies as workers from former colonies, especially in the automobile industry. These people were largely Soninke, Toucouleur or Mandjak who were travelling between their rural settlements and France. The easy mobility between the two countries declined after the closure of labour immigration in 1974 and eventually, most movers turned out to be females moving for the purpose of family reunification (Flahaux, 2009, 223-228).

Today, the ONI based in Dakar was previously responsible for the recruitment of such Senegalese workers in three places: Senegal river valley, Tambacounda and Casamance regions. Consequently, since 1960s most Senegalese who moved internationally used regular routes and legal documents. However, many were for family reunification. The study conducted by MAFA (Migration between Africa and Europe) conducted with migrants from Senegal, DR Congo and Ghana, indicated most Senegalese had reached their destinations directly and legally using the traditional emigration countries (Flahaux, 2009, 223-230).

5.2.1 In search for greener pastures: rural-urban and sub-regional migration of Senegalese

It must be emphasised that Senegalese migration is concentrated within the urban centres and in the sub-region (Adepoju, 2000, 383-390)¹⁷⁴. Senegalese youths in the rural settlements move to cities in search for jobs and better opportunities within their own borders. Since these cities provide employment opportunities, career development and essential amenities, Senegal rapidly witnesses persistent urban drift. Farmers, nomads, artisans, and sellers also target urban markets and eventually many settle there. It is important to note that most Senegalese are poor rural farmers and they depend on a rainy season only three months (maximum 80 days). Thus, as a matter of necessity, many leave for the urban centres after harvest to sell their agricultural products and look for white-collar jobs or menial jobs in order to complement their seasonal harvest. Eventually, those who can find good jobs and better opportunities settle in the cities. The nomads head towards the

¹⁷⁴ For instance, many Senegalese migrate to the Gambia and live within the sub-regional block.

markets in the urban centres to sell their animals or otherwise to look for grazing land and water for their animals¹⁷⁵.

The urbanisation in Senegal started since post-independence. However, many rural populations are still left without the basic infrastructure which constrains the movement of youthful population to the towns and cities where, after failing to make good they eventually migrate internationally towards Europe. Most of these movers continue their journeys outside of Senegal in the sub-regions, and beyond after failure to find jobs or better opportunities. However, some Senegalese now move directly towards Europe. Hence, urban and coastal cities such as Dakar, Thiès, Saint-Louis, Koalack, Tambacounda, Ziguinchor, and Kolda, gradually become points of work and eventual settlement.

Today, regions such as Senegal River Valley, Louge, Diourbel and Dakar represent the largest international migration hubs and departure points of the Senegalese diaspora. Dakar for its strategic position situated just at the mouth of the Atlantic Ocean is open for people smugglers. Also, for its dense youthful population which is exposed to every day 'western patterns of lifestyles'. The lifestyle in contemporary Dakar ("petit Pari") is largely influenced by French civilisation and creates unrealistic expectations in youths. Young Senegalese are enticed to migrate to France, Spain and Italy in order to broaden their opportunities. Meanwhile, some human movements coming from the conflict zone of Casamance are largely conflict driven¹⁷⁶.

5.2.2 The Economic Communities of West African States (ECOWAS)

In the migration analysis of Senegalese, it is also contextually crucial the agreement on the free movement of persons within Economic Communities of West African States (ECOWAS). The free movement of citizens of ECOWAS has simultaneously speeded up regional integration and given way for more international movements. In the same way, it is equally important to note the geopolitics in the African context: wars, conflict zones, porous borders, languages, democracies, cultures and traditions, both constrain and stimulate the movement of people. Most porous borders and border conflicts in Africa originate from the colonial legacy and since the post-colonial era, Senegalese migration to Europe has been directed towards France. The movement of the first generation of Senegalese migrants met an open migration policy in France influenced largely by France's economic development, friendly entry facilities and the possibility of being eventually regularised in Italy or Spain which within the pace of a few years have turned out to become countries of immigration rather than countries of emigration. However, the economic crisis of the 2000s badly hit Senegal and sub-Saharan population.

It is important at this point to closely look at some of those new trends of present-day migration whose significance, power and characteristics of occurrence largely shape contemporary patterns of Senegalese migration into a globalised economy. Moreover, in analysing Senegalese migration and

¹⁷⁵ Nomads most commonly move to sell their animals such as cows, goats, and sheep during Muslim festivals ("idul adha and idul fitir").

¹⁷⁶ Generally, many Senegalese (who) use Dakar as a transiting point to prepare themselves and make money for their journeys internationally previously through the Atlantic Ocean (directly from Dakar) and now predominantly on buses transiting other West-African countries (Mali, Burkina Faso, Niger) before taking the inflated boats in Libya through the Mediterranean into Italy, Spain, Greece or Malta. Many do not have the visa requirement to travel to Europe. These patterns of movements make both Italy and Spain a direct target for many Senegalese.

remittance induced local development, it is crucial for any comparative study about the institutions of migration¹⁷⁷ to note some major theories and facts at play.

On the one hand, it is hard to see any form of migration without a precedent of some other types of migration and on the other hand, contemporary forms of Senegalese migration—which is largely motivated by socio-economic conditions—are as well related to the labour demands (which form the various workforce categories) in industrialised economies such as France, Spain and Italy. However, most literature on Senegalese remittances has focused on migration to Europe and North America (Riccio, 2008, 69-100; Tall, 2008a, 37-47, Tall, 2008b, 153-178). For this reason, despite its importance, very little is written about internal migration within Senegal and its intra-regional migration and flows of remittances (ANSD, 2013). Analogically since 1960, the unofficial Senegalese migration towards Europe was previously done taking the Sahara-desert into Spain and most recently through the Mediterranean into Italy. These unofficial routes encompass four main phases: the individual or family decision making on migration; the perilous journey to be made; job market integration in Italy; and the local development through remittances. The World Bank (2011) stated about 632.000 Senegalese live in the diaspora. This is estimated to be 4.9% of the total population of Senegal excluding those unregistered. Accordingly, about 70 percent Senegalese households have one or more members who migrated externally or internally (Land & Fourier, 2012) and remittances made up 15% (2.3 billion dollars) of the GDP of Senegal (Knomad, 2017) which serve as a crucial life support.

5.2.3 Marginalisation of traditional livelihoods

The traditional fishing population encountered difficulties such as the decline in fish stock and bad competitive fishing policies. The liberalisation of the local fish market for global multinational fishing companies discouraged traditional households who depend on fishing for their livelihoods. Eventually, many local fishermen had lost their jobs, traditional livelihoods, and fishing cultures. At the same time, many are ill-equipped, unproductive and unprofitable compared to the opposing industrial technology use by fishing companies in the Atlantic. In Senegal today, traditional fishing communities face a tough choice: protectionism or they cease operation¹⁷⁸. Basically, many traditional livelihoods are under strong attack and have no other alternative defence systems. This rural-urban migration and the international migration of Senegalese are largely due to the lack of real opportunities and essential infrastructure with which their governments are yet to provide them. The lack of decentralisation of economic and political power makes the rural population a subject of marginalisation and hence less capable of availing itself of opportunities. Other than the poorly yielding agricultural production caused by global warming and primitive agriculture, rural settlements also witnessing increased loss of fertile land for cultivation caused by deforestation and desertification.

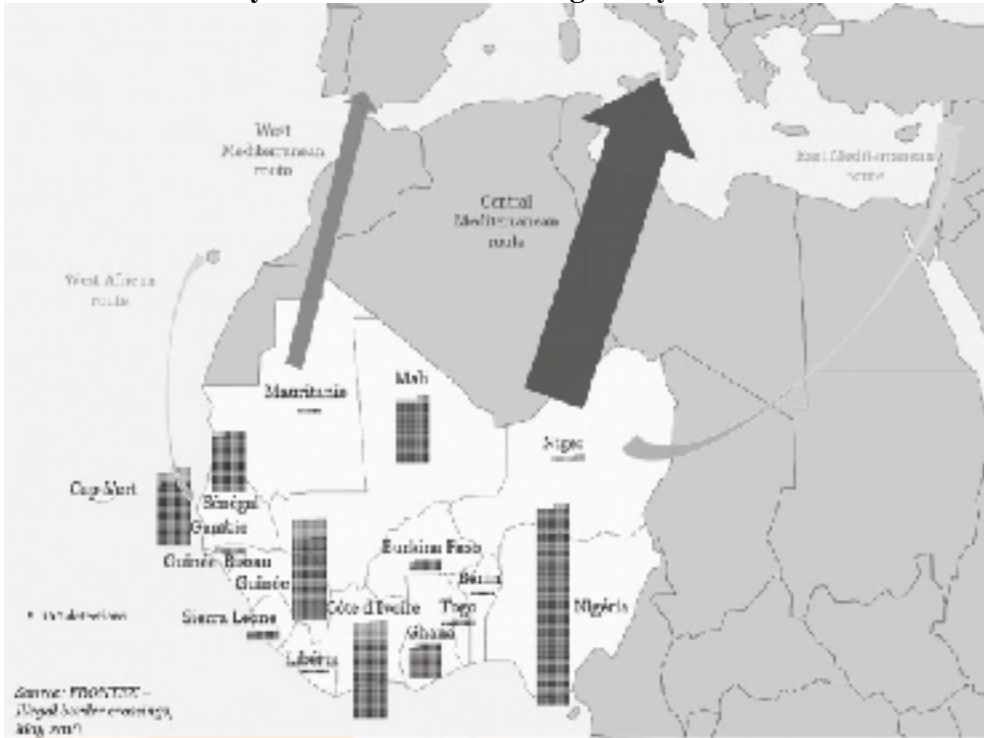
Therefore, push factors of Senegalese migration vary from the 1970's largely characterised by unemployment in the formal sector (Diop, 2008, 13-36); high population growth and the desire to meet family obligations or to escape from it; the lack of rain and chronic droughts; the failure of the groundnut economy (in the world market); the introduction of big and foreign fishing companies

¹⁷⁷ Institutions of migration here, refer to the individual person, the family, the local community, the state and the media (of both origin and destination country).

¹⁷⁸ However, the impacts are far beyond economic down performance of the local fish market, the ecological damage induce by big fishing trawlers is increasing in Senegal as in the Gambia. There is little need to explain this, as is exactly what has already happened in the Mediterranean which overwhelmed fishermen and the impoverishment of the fauna.

with big trawlers (leading to the decline of the local fishing sector); while the negative impacts of the structural adjustment policies from 1982-1992 impoverish many rural populations, highjack their local development patterns, cultures and democracies. All these speeded up the migration of Senegalese internationally. In the light of this, France has remained since the 1990s the destination of many Senegalese migrants.

Map 5.1: Countries of origin of migrants who entered the EU irregularly between January 2016 and February 2018 and the main migratory routes in West Africa



Source: Frontex - Illegal border crossings, May 2018

5.3 The geopolitical agencies of present-day migration of Senegalese to Europe

In examining Senegalese migration history up to this point, three questions were framed. Firstly, why do Senegalese migrate to Europe? Secondly, what are some of the major challenges these migrants face in their new communities? Thirdly, how does this experience directly or otherwise affect most particularly, the migrant's family and at large, the country of origin? We will now focus on the impacts of Senegalese migration to Europe and highlight some of the key issues.

Recently, a significant Senegalese use informal channels to enter Europe through Italy, Spain, Greece or Malta. Records on the number of West African citizens since 1990 indicate a substantial number of Senegalese have entered Spain using the Mediterranean into the Spanish enclaves and recently into Italy largely through Libya. For those who used the desert, movers had to penetrate the wire fences between Morocco and Ceuta and Melilla, and these informal entries have increased in recent years (Favell, 2008b). However, restrictive European policies have significantly reduced these movements from Libya. In the last two decades, the EU designed a complex multilateral border regime which aimed at creating a 'securitized' and 'humanitarian' European border (Cutitta, 2018a). The so-called 'integrated border management' (IBM) between the EU and third countries centred around directives, regulations, bilateral and multilateral agreements (Adepoju et al., 2010; Campesi, 2014, 126-134, 196-221; Jeandesboz & Pallister-Wilkins, 2016, 316-320; Campesi, 2018,

196-205). However, borders in various contexts disintegrate due to the forces of neoliberal globalisation (de Sousa Santos, 2002, 67-73). Nevertheless, the discussion of borders as a space of political demarcation (De Genova et al., 2017, 2-35) goes globally around two main issues. Firstly, borders liberate money circulation by opening financial and real markets globally. Secondly, borders continually control human movement to include or to exclude. As a result, new borders emerge as frontiers to human circulation and movement. Therefore, as human movement over borders persist, this 'political demarcation' also produces differentiated forms of access and "rights" for would-be migrants (De Genova et al., 2017, 2-35). Today, the so-called migration 'crisis' brought about a continuous political and military border reconfiguration (Cuttitta, 2018b, 75-86) as exclusion policies used by states to obstruct human migration to European borders with the political aim of reducing the arrival of migrants as well as the deaths at sea. However, these migrants are prosecuted, imprisoned, maltreated, and many (can) die in Libya or other third countries. Externalising migration management to third countries, for example: The Turkey-EU statement (2016); the Libya-Italy memorandum (2017); and the Morocco-Spain (2019) agreement needs to be addressed for the proper protection of human rights since human rights of people cannot be externalised. According to Frontex (2017) the 180,000 who reached the shores of Italy in 2016 came from Nigeria, Eritrea, Guinea, Ivory Coast, Senegal, Mali and Somalia. Other than the bilateral treaties between Libya and Italy and the increase in the number of coast guards preventing informal entry, the reduction in the number of migrants came partly as a result of the bilateral agreement between Spain, Senegal and Mauritania. Meanwhile, it remains unclear all the routes of these migration patterns, but the changing policies of France has also influenced the Senegalese to try other ways and strategies to both Spain and Italy. These Mediterranean countries underwent an economic development during the 1980s which attracted many Senegalese (as well as Gambian) migrants turning Spain and Italy into primary destination countries. Meanwhile, this economic growth also slowed down the emigration of Spanish and Italians due to job opportunities that were available to them in their own countries. Gradually, with the availability of precarious, more flexible and manipulable migrant workers primarily from sub-Saharan Africa, the local labour force became less attractive.

Other than the economic growth in Italy and Spain during those times, for many Senegalese it was, and still is today, easier to work in the agricultural sector without a proper contract and street sales are moderately accepted. For example, Senegalese still have a saying "Roma walla darà" (Roma or nothing), "Milano moko yorr" (Milano is better). But sayings such as "Barcelona walla Ma Dai" (Barcelona or death) points directly to the humanitarian tragedies many young Senegalese (boys and girls, men and women) undertake and consequently, their living and working conditions in Europe. Italy (Rome, Milan, Florence, Turin and Palermo) and Spain (Madrid, Barcelona, and Valencia) are considered by many Senegalese as friendly atmospheres for street trade, piecework and employment in the agricultural sector to make an income within a 'short span' and send remittances. Apparently, the "death" in these expressions is associated to the dangerous journey into Spain or through the Mediterranean into Italy.

As highlighted so far, most issues raised (here) concern geopolitics, how it examines migration and how those views (almost) auto-catalytically produce different value systems and theories on the institutions of migration which shape public opinion and policies. The speed of occurrences and motives of migration have both shaped and significantly compromised the established migration systems or institutions in most European countries - with inflows of third country nationals who arrived for different reasons such as work or as asylum seekers. And many had also entered and stayed largely through the pathway of globalisation itself, as tourists, as businessmen and women, as researchers or students, and many others had entered irregularly. For both pro-globalisation

regimes of the UK and Ireland and the more social protectionist regimes such as Germany and the Netherlands as well as the anti-migration regimes in Italy, new control mechanisms were built and new flexible policies introduced for temporary migration while discouraging meaningful integration of new comers. These efforts hampered the progressive economic integration of TNCs and can be generally observed through the living and exploitative working conditions of migrant workers. Today, Europe speedily moves towards borders as spaces of exclusion especially for TCNs.

The integration of migrants with sub-Saharan origins faces several problems which can be understood as barriers of integration due to various reasons. In Italy today, the propaganda that politicians use to oppose migration and shape public opinion through anti-immigration policies leading to little research on workplace conditions: discrimination, xenophobia and racism, is complemented with sources that present more data on the job market. The *Non Persone* of Dal Lago (2004) described very well the poor concern for migrants in the job market. The 'implicit' Italian model of integration is spontaneous, rather than an effective institutionally organised effort, and as a result, a constellation of identifiable characteristics of weaknesses. Accordingly, the integration of Senegalese into the formal job market is made difficult by irregular migratory status, downgrading of their skills (de-skilling) or the non-recognition of their skills or diplomas and the institutional constraint therefore, to acquire European diplomas in order to be employable into formal jobs. Meanwhile, poor reception conditions in Italian asylum camps and the economic crisis during 2008 combined as structural barriers and marginalised many migrants into doing those jobs many native Italian citizens no longer want to do. However, the first generation of Senegalese migrants who reached France the regular way and live in other European countries were better qualified than those who entered through the Mediterranean into Spain and Italy, and who are most prevalent in the marginalised agricultural economy (Castagnone et al., 2015, 200-231).

While the positive impacts of migration continue to attract immigration policies at European level, for instance, Germany has opened its borders to Syrian refugees who are mostly degree holders, the challenges of integration for other third country nationals such as Senegalese and Gambians (usually without diplomas and with low levels of western education) continue to deepen in Italy as in Spain. The line between economic migrants and those persons fleeing because of political instability, oppression, ethnic clashes, climate change, extreme structural poverty or the lack of real opportunities in their countries of origin is still very unclear. Consequently, those fleeing for political reasons sometimes use or are constrained to use economic migration channels, either legally or otherwise, while those migrants who have been pushed away by unemployment, poverty or climate change, all present their applications as asylum seekers. Even though this was getting quite apparent towards the end of the 90's and in the beginning of the new millennium, Southern European societies are still today, institutionally ill-prepared politically, economically, and socially. Consequently, when these migrants arrive into these societies that largely see themselves as mono-cultural and mono-religious, the challenges become enormous. Italy for example, had to cope first with adjustments to regularise the status of largely undocumented migrants and next, work on models of integrating them politically, economically and culturally. So far, cultural rights of

migrants have received some recognisable status, however, their political and economic rights remain to be the most difficult challenges for Southern Europe – almost a taboo subject in Italy¹⁷⁹.

5.4 The evolution of migration and development research

Now, let us carefully look at the literature concerning the shifts and analysis in migration and development research from 1973 to 2001. Hein de Haas (2008) studied these fundamental shifts in the historical and economic analyses of migration among scholars, politicians and institutions of migration (de Haas, 2010, 227-234) and this is illustrated in his table below. This theoretical study focused on the historical shifts between views which connect migration and development and those that remain pessimistic of migration as an agency of development. In 2006, de Haas & Plug (2006) and Gamlen (2006) have shown an interesting change in the perception of sending countries who they claimed have begun to renew their hopes on transnationally oriented migrants and diaspora as potential investors and actors of development. The change in perception of sending countries makes them see the migration of youths not as sheer brain drainage but as an empowerment, when it goes well (for example, through remittances and return migration). The interlinkage between migration, remittances and migration induced-development captured by de Haas (2010) in his work “Migration and Development” showed that migration has been out of sight for the last three decades of the 20th century and only in the beginning of the new millennium have researchers turned their attention to it.

Table 5.1 –Main phases in migration and development research and policies

Period	Research community	Policy field
Until 1973	Development and migration optimism	Developmentalist optimism; capital and knowledge transfers by migrants would help developing countries in development take-off

¹⁷⁹The other challenge that will affect international migration and our perceptions about it in both US and Europe is the assault on the World Trade Centre and the Pentagon on 11 September 2001. If anything, more politicised that triggered the shift towards restrictive measures to migration, September 11, 2001 did appear to play a crucial part. The 9/11 has significantly affected the migration system in the US as well as in Europe. Strengthening security measures becomes a priority. Even though there is no concrete evidence showing that terrorists systematically used the flow of refugees to enter Europe, (Europol, TE-SAT, 2016) it is foreseeable that irregular migration will continue to dominate social discourse in Europe and right-wing extremists will try to use this to portray the asylum policy and other laws on integration in a polarised way for their own purposes and win political support. The aftermaths of 9/11 prompted debates everywhere in Europe and voices of politicians and media houses could be heard connecting terrorism and irregular migration in general as more immediate issues, leaving largely unattended exploitation and the welfare of migrant workers. Although the personal profiles of most of these attackers and alleged ‘terrorists’ are found to be legal migrants indeed, many skilled: computer experts, technicians and diligent students. Largely, both the US and Europe compete for such skilful migrants, attracting them through creating job opportunities or scholarships. Germany is a practical example of European countries who welcome high skilled migrants most recently, Syrian refugees. The main concern reported by Europol (2016) is that the general security concerns of the EU has increased over the years and “remains on an upward trajectory” emphasising “jihadist terrorism and the closely related phenomenon of foreign terrorists fighters, travelling to and from conflicts zones” overshadowing the hundreds of thousands of enslaved agricultural migrants workers and other migration motives.

1973-1990	Development and migration pessimism (dependency, brain drain)	Growing scepticism; concerns on brain drain; after experiments with return migration politics focused on integration in receiving countries. Migration largely out of sight in development field.
1990-2001	Readjustment to more subtle view under influence of increasing empirical work (N W L M, livelihood approaches, transnationalism)	Persistent scepticism, tightening of immigration policies
After 2001	Boom in publication: mixed, but generally positive views	Resurgence of migration and development optimism under the influence of remittance boom, and a sudden turnaround of views: brain gain, diaspora involvement

Source: Hein de Hass, Migration and Development: A theoretical perspective. International Migration Institute, University of Oxford, 2010, 230.

While emphasising the impact of labour migration and remittances, this study underlines in the table below, the extent to which there are other influential perspectives and variant shifts that concerns migration and development from 2001 to date. Today, many views and policies have come into being to shape other shifts which are due to a number of reasons: (1) the human rights perspective which came about due to the humanitarian disasters primarily in the Mediterranean sea, as well as the wars in Libya and Syria. Human rights regimes such as Germany sought that migrants ought to be treated in a manner that is in accordance with the principles of international justice; (2) the socio-economic importance of remittances and challenges of labour migration for both sending and receiving countries increases. Most economic inequalities increase and many youths from Africa and Asia migrate to look for better security and support for their families through remittances. According to the World Bank (2018), remittances for low-, middle- and high-income countries increases every year. (3) The rise of right-wing politics and ultranationalist xenophobia makes human mobility more difficult though border configuration and reconfiguration of the EU

and the United States. Thus, the economic, socio-political intellectual and cultural contribution as well as challenges faced by migrants in their destination countries looms into governing the political sphere. The latter seems to attract national and European politics; meanwhile, the economic and historical analyses provided by many literatures in this respect are mixed: some are development oriented while others are pessimistic depending on the historical times, perspectives and research goals.

Today, migration has certainly moved from sitting outside of the public discourse and has become an issue which calls for international attention towards better protections, better regimes for human rights empowerment and consistent academic research; hence, the first table by De Hass explaining the main phases in migration, development, and research on immigration policies from 1973 up to 2001. I have tried to extend the discussion underlying other issues that have changed from 2001 onwards, and which have caused global economic and political shifts as well.

When we summarise all these scholarly narratives and immigration policies directed at human migration until today, we can observe sharp contrasts as well as convergences in the global geopolitical sphere, among academics, politicians and the media. Universally, we can underline three significant periods: the turning point between 2001-2014, the beginning of global human right crisis (rise in the number of refugees, displaced people and asylum seekers) between 2014-2016, and from 2016, when global polarisation of migration discourse took the centre stage. For this reason, to analyse migration and remittances and their interrelation to development, I have added to de Hass's analysis giving more focus to the global geopolitical atmosphere¹⁸⁰. It does not matter for the purpose of this thesis which theory wins.

Table 5.2: Evolution in migration, development research and policies from 2001 to 2019

Period	Research community	Policy field
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¹⁸⁰ In the era of border configuration and reconfiguration, it is crucial for comparative study on the institutions of migration to observe some major theories which change the cards at play and are demonstrated in state and interstate immigration policies.

2001-2008	<p>Turning point: Sep. 11, views linking irregular migration with terrorism</p> <p>Increase in global unemployment, financial crisis and widening inequality and rise in migratory flows of displaced people and climate refugees</p>	<p>Protectionism: security towards terrorism and national welfare ahead of would-be migrants, irregular migrants</p> <p>Cosmopolitanism: “No Borders”, concerns for humanitarian tragedies and victims of global warming and global inequality and structural poverty</p>
2008-2015	<p>Human right crisis: resurgence of neoliberal economic theories and international labour mobility</p> <p>Classical labour rights of migrant workers in marginalised sectors</p>	<p>Resurgence in anti-migratory politics, reemergence of remittances in local development, calls for better sustainable strategies from a bottom-up approach</p> <p>Building stronger political and economic institutions to reduce vulnerability as foundations for international labour rights of migrant workers in less protected zones</p>

2015	<p>Global polarisation: increase crimmigration of irregular migration aimed at national sovereignty and exclusion</p> <p>Growing criticism on humanitarian migration, European asylum politics, institution and policies of integration of migrants</p> <p>Increase call for stronger global collaboration (between sending and receiving countries)</p> <p>Diaspora as potential investors and actors of development</p>	<p>Border configuration and reconfiguration: towards “zero migration” of TNCs into the EU and the US</p> <p>Concerns for bridging widening political divergence on sustainable development in a migratory world</p> <p>Increase pessimism on humanitarian policies</p> <p>International co-operation and bilateral migratory policies to address human migration</p>
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Source: Author’s own illustration

5.5 Remittance inflows to Senegal

The two main remittance channels in Senegal are the conventional and unconventional channels.

5.5.1 Conventional and unconventional technologies

In order to explore how the transfer of remittances works, together with the costs and benefits that are involved, we must contextualise them within the systems of money transfer used by Senegalese migrants. According to the World Bank’s Remittance Prices Worldwide Database (2018), banks were the most expensive remittance channels with an average cost of up to 11 percent (in the first quarter of 2019) and national post offices (which have an exclusive partnership with money transfer operators) charge on average 1.5 percent to 4 percent worldwide in the last quarter of 2018. The global average cost of sending for instance, \$200 remained high at about 7 percent. It stated that remittance costs to many African corridors remain above 10 percent. Therefore, reducing the cost of

remittances to 3 percent by 2030 is now a global target under the Sustainable Development Goals (SDGs) 10.7¹⁸¹. “Remittances are on track to become the largest source of external financing in developing countries. The high costs of money transfers reduce the benefits of migration. Renegotiating exclusive partnerships and letting new players operate through national post offices, banks, and telecommunications companies will increase competition and lower remittance prices,” Dilip Ratha, lead author of the World Bank’s latest Migration and Development Brief and head of KNOMAD.

There are several market mediums or channels available for Senegalese migrant workers to transfer or send euros from both Italy and Spain. In examining the growing phenomenon of Senegalese money transfer, it is extremely important to consider two phases that define this money transaction: the sending and the receiving phase. As such, there are two approaches which can be categorised as conventional (Banks, Western Union and Money Grams) and unconventional transfer through local ‘agents’ or acquaintances. The so-called ‘local’ or unconventional transfer does not conform to the formal rules. This is precisely why it is also commonly thought of as a ‘local transfer’. The term ‘local transfer’ means it is not regulated by the conventional system of money transfer which regulates the Banks, post offices and other money transfer operators. This model of local transfer is imprecise and can happen under different contexts — on personal transactional rules agreed upon between the sender (who does not need to be a regular migrant) and the transactor (always a regular migrant). There are no formal rules, however, the trends can be stated as follows (see the rectangular description below): (a) there must be a sender, a person who has money and willing to pay the commissions (costs) for the execution of the transaction; (b) a receiver, the person in whose name the transaction is addressed to, in other words, the individual who can receive the money in the country of destination. For now, let us examine the methodologies use in local transfers. Transfers can vary depending on what and who is involved and are commonly done through telephone calls. The transactor can be anywhere within Europe and the sender can as well be anywhere within Europe. The sender can transfer monies (euros) either through the bank account of the transactor or through physical transfer (which is by physically handing over the money) as a primary procedural requirement (to the one who physically carries the euros to Senegal). A minimum fee of 1 euro is applied to every 10 euro-transaction. For every hundred euros that is sent to Senegal, 10 euro minimum is charged as local/black market transaction fee. This does not include the time and resources necessary: telephone calls, and the exchange rate applied in the home country. Receivers of these monies, villagers especially, travel sometimes long distances to collect their monies addressed in their names. But what makes local transfers popular and a widely spread generational technology among Senegalese diaspora?

Local transfers have always existed and have grown side-by-side the conventional transfers. However, what makes local transfer convenient is that it permits irregular Senegalese migrants who would not under the conventional models (be able to) send euros home. Under the conventional models only individuals with regular migratory status can send monies, usually at higher transaction fees, and at a fixed amount and exchange rates regulated by state monetary laws. One major difference is that under the system of local (unconventional) money transfer, Senegalese can now send any amount of euro they want (within the EU limit of 9000 euros) through their local European agents (who frequently fly to Senegal) and local transfer agents can also be found in towns and villages throughout Senegal. This way, Senegalese migrants can easily evade the bureaucracies demanded by conventional transfers (regular status, occupational status, motive of money transfer) and the risks.

¹⁸¹ See, World Bank’s Remittance Prices Worldwide Database, 2018.

As Senegalese migrant networks spread, so do local transfer agents purposefully to reduce higher sending costs and formal barriers that impede irregular migrants from sending monies. This creates an invisible and unconventional market system of money transfer, which enables Senegalese migrants to reduce costs and facilitates immediate transactions. Eventually, hundreds of thousands of migrants are interconnected with their villages. Receivers in the home country can either receive these transfers in the local currency (FCFA) or in Euros. Here too, receivers tend to collect monies in euros for the possibility of a higher exchange rate (out there) in the local market ('black markets'), if the exchange rate offered by the local transactor is (deemed) lower than can be available (in the market). This model of transfer moves migrant workers' monies through a network, from the sender to the receiver, without having to pass under the formal regulatory and surveillance system. Transaction costs can be even lower depending on the personal agreement met but did not need the sender to be a regular migrant or an employee. What is fundamental here, is the affordability to pay for the transaction cost as agreed. The agent of the transaction can be a neighbour, a friend or a nearby villager and the local agent might be in the closest town to the addressee of the sender.

Local transfers are usually built on social relationships as a necessary alternative economic system for migrants. This is facilitated in a manner that confirms trust, minimises cost, reduces barriers and empowers migrant networks between their countries of origin and destination. This social relationship makes financial flow strictly between Senegalese migrants and their local communities, and between senders and receivers without conforming to any formally established business rules. This makes local transfers invisible and hence it is difficult to measure their impacts in local development and cannot be captured in official statistics of remittance.

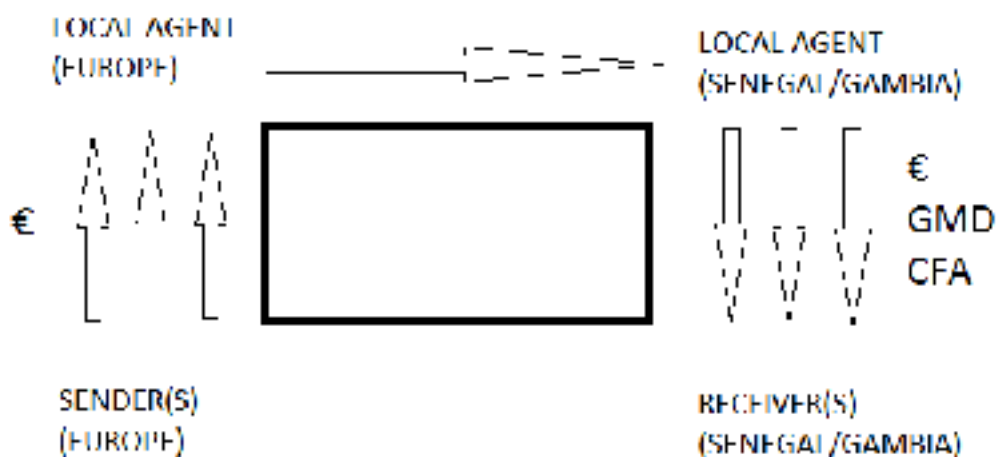
Due to its informal characteristics, local transfers permit friends and relatives to receive monies they have not yet paid for but agreed to pay in the future either in cash or through an exchange for consumer and non-consumer goods. This is very useful in poor regions in Senegal where insurance markets are absent or imperfect and local transfer agents and services, especially during emergencies, serve as the only insurance for those who have family members abroad who agree to borrow money, make an exchange deal (barter) or take loans from the local agents. In most of those scenarios, many Senegalese are excluded from taking loans from the banks or from government institutions and hence, local transfer becomes even more important as a local alternative to risk management.

5.5.2 Illustration of unconventional money transfers

It is important to emphasise that these transactors are engaged in many other business activities. They also send materials such as food, electronics, and household goods. They are like middlemen between the Senegalese diaspora and their local community; from Palermo in Italy to the villages in Senegal sending cash, clothing and other domestic goods connecting Senegalese and Gambian diaspora with their families frequently through (the business of) local transfer. They have well-built connections in Europe and in different places in Senegal, by means of the containers in ports and in aeroplanes, from Europe to Senegal and vice versa continually. Through this mechanism, this business also makes Africa a ground to recycle all types and kinds of secondhand materials from Europe.

The model below illustrates the mechanism through which local transfers are conducted among Senegalese and Gambian diaspora in Italy and Spain.

Illustration 5.1: The unconventional money transfer technology



Source: Author's own illustration

5.6 Socio-economic impacts of remittances on Senegal's development

According to the World Bank Annual Remittance Data of October 2019, remittances made up 9.9 percent of the GDP of Senegal showing a decline from 13.6 percent from December 2018. Similarly, in The Gambia remittances made up 13.5 percent of the GDP showing a decline from 20.5 percent in December 2018. These interesting shifts observed by de Hass, as discussed earlier in this chapter, brought into sharp focus the widespread acceptance and increasing importance of remittances in (not only) developing or transiting regions of the world. According to ISMU's 2019 analysis of WB and Istat data on remittance flows, Italy received \$9.8 billion as remittances in 2017 while it sent \$9.3 billion as remittances abroad. In 2016 it received \$9.5 billion against \$9.2 and in 2015, it received \$9.6 billion as against \$9.4 billion sent outside. It is in the 15th position as recipient of most remittances and 17th position as remittance sending country worldwide. Most remittances that enter Italy come from the United States, Germany, France and Canada. However, despite the indispensable role remittances play in modern and globalising economies of the world, they are also poorly understood types of international financial flow.

According to Taylor (2006, 701-710), the role of remittances to the lives of millions is indispensable, but their usage to boost economic development depends on other issues such as political stability, investment security and better policies to support macroeconomic growth. Simply put, the efficient use of remittances needs stronger collaboration between the sending and receiving countries. Meanwhile, the development relations of labour migration as it applies to the Senegambia region can be seen in two main ways: on the one hand, through remittances and on the other,

through return migration. In fact, remittance flows to sub-Saharan Africa grew to \$46 billion in 2018 (almost 10 percent) and in terms of remittances as a share of the gross domestic product (GDP), Comoros has the largest share, followed by the Gambia, Lesotho, Cabo Verde, Liberia, Zimbabwe, Senegal, Togo, Ghana, and Nigeria. Senegalese and Gambian migrant workers are significantly more constrained to work and stay under temporary and largely unfavourable legal or illegal contracts than the unemployed natives, if they can earn ‘stable wages’ that enable them to send their income to their families.

The contributions of immigrant labour cannot be fully understood in marginalised contexts in deregulated market environments in global economies and cities. However, the income of Senegalese migrants in Italy and Spain go to shape millions of life patterns as insurances for risk management. Without such inflows in remittances, Senegal as an emerging economy would face even more challenges, not least being economic down-performance and even more labour migration characterised by unemployment in the formal sector. On the other side, the cheap and flexible labour provided by Senegalese migrants from Senegal contribute to the developed world’s growth, and undocumented immigrants’ labour in particular has been a catalyst especially in Southern European countries such as Italy, Spain, and Greece (Reyneri et al., 2011, 31-43).

Various research works and field studies in sub-Saharan Africa affirm that migration plays a pivotal role in both local and regional development through various ways, and remittances serve as the main catalyst. Remittances at both micro and individual level improve household income and spending on education, health and consumption of domestic goods. On the other hand, macro level investments of remittances on public facilities such as the provision of potable water, hospitals, markets, gardening, common stores, roads and in the construction of social amenities impact direct development. Moreover, remittances help to overcome natural disasters such as flood, droughts or accidents that cause loss of lives and properties. In cases of chronic droughts, remittances support local development and serve as insurance against risks faced by households running micro agricultural enterprises. Due to the lack of resources, their governments’ machinery can neither prevent some of those calamities (like artificial droughts, bush fire and floods) nor can they predict them.

Empirical evidence has shown that remittances (the monies migrant workers send to their families in developing and transiting countries) serve as a lifeline towards their welfare, food, healthcare, nutrition, education, leisure, businesses, and protection against natural disasters, According to UN report, about 200 million people live outside their countries of origin (about 3.3 percent of the world’s population). Millions of them work and send remittances to support local development. Similarly, former President of IFAD, Kanayo F. Nwanze observed “These financial flows constitute a critical lifeline for millions of individuals. They help families raise their living standards and contribute to improved health, education, and housing. Remittances also make it possible for recipients to be more entrepreneurial. This is particularly the case in the poorest countries with large rural populations¹⁸²” of which both Senegal and The Gambia are good examples with sometimes 15% of their GDP surviving through remittances.

Accordingly, the importance of remittances towards economic development and poverty reduction in developing countries has increased since 1990s. Today remittances officially constitute more than 10% of the GDP of many developing countries (Knomad 2019; World Bank, 2019). In the case of Senegal, the exact figures of remittance flows cannot be known but are certainly higher since many remittances flow to Senegal through private and unconventional channels (as illustrated above).

¹⁸² See, <https://www.ifad.org/documents/10180/219b188b-7b79-4bf1-af00-003d90ba29d6> [Accessed 10 January 2018].

However, the increased figures have led to optimism for policy makers and migrants alike. Policies seek to advance the development potential attached to remittances.

The increased importance of remittances (to support generations of poor people deprived of basic living standards in the developing countries) being effective as instruments for alleviating poverty, and leading to better distribution of income for economic growth is acknowledged (De Hass et al, 2008). Potentially, when migrant workers can march into the formal job markets and send remittances to support their families in their countries of origin, that sense of 'success' is important for any development. Ratha, co-author of the the Migration and Remittances Factbook noted, "At more than three times the size of development aid, international migrants' remittances provide a lifeline for millions of households in developing countries. In addition, migrants hold more than \$500 billion in annual savings. Together, remittances and migrants' savings offer a substantial source of financing for development projects that can improve lives and livelihoods in developing countries"; also, these remittances transcend many development programmes or development aid.

The impacts of remittances have been observed to be greater than the international aid, trade, foreign investment communication and transport between countries. Remittances are also seen to have more potential than direct investment as well as lasting impact. For one reason, remittances especially those sent directly to households cover expenditures in many poor countries and serve as foreign exchange. Today, given the potentials of migration in development discourse, migrants also face several problems in their destination countries. Migrants nonetheless, contribute immensely to their new communities where they are not integrated; and if integrated well into the formal job market, their contributions to the communities they left behind, as in the case of Senegal, can be more impacting than the efforts of their local government and international aid put together. This is true, at least, but not only, on livelihood at household levels in terms of improvement in living and working conditions, but also in the acquisition of consumer goods, time off from housekeeping, healthcare and the provision of education.

5.7 Discovering the connection between the two case studies: Senegalese' remittance flows within the contexts of Italian agricultural exploitation

Notwithstanding the patterns of Senegalese migration today and the increasing importance of the diaspora, labour migration has always existed and dates to the time of industrial revolution. Problems of migration still prevail in our contemporary globalised economies in different states and in different dimensions. According to the International Migration Report (2017) "Despite the significant benefits of migration, some migrants remain among the most vulnerable members of society. Migrants are often the first to lose their jobs in the event of an economic downturn. Some work for less pay, for longer hours, and in worse conditions than native-born workers. While migration is often an empowering experience, some migrants endure human rights violations, abuse and discrimination. Migrants, particularly women and children, may fall victim to human trafficking and the heinous forms of exploitation that it entails."

Analogically, labour market trends vary greatly from country to country and region to region in a globalising manner that has made them segmented. As observed by Anna Triandafyllidou and Ruby Gropas, (ed.) (2007, 4-5) the categorisation of countries into "first", "second" and "third" world after the post-world war era is to be noted. Countries with a growing service sector and functioning welfare systems largely built on organised labour were referred to as the "first world" hence synonymous to those countries we now class as Western countries. Countries characterised by state driven industrialisation and state-run services (largely former communist states) whose economic turbulences are usually abetted by a "flexible barter economy" are referred to as the "second"

world. The last in this economic and political categorisation is the so-called “third” world mostly seen as developing, emerging or transiting countries. These economies highly depend on primary products (commodities) that is basically oil and other natural resources on the one part and primitive eco-friendly agricultural production on the other, such that any structural changes in the World Market (like the failure of the groundnut market of Senegal or the SAPs impacts on the Senegambian region,) (Anna Triandafyllidou and Ruby Gropas, (ed.) (2007, 4-5) will have (usually negative) effects on the producer. While some countries such as Nigeria, Libya and so on, are rich in oil, others such as Senegal and the Gambia depend on subsistence agriculture, traditional fishing and artisan cultures. Countries such as Mali, Burkina Faso, Guinea, blessed plentifully with natural resources are increasingly becoming uninhabitable, conflict and poverty driven countries. Many citizens in those conditions migrate as a matter of survival technique. Meanwhile, all the so-called emerging countries suffered from the failures that come with economic globalisation. The conditions imposed by the World Trade Organisation, World Bank and IMF (Stiglitz, 2002, 24) as we have seen in the implementation of SAPs in Senegal and in sub-Saharan Africa in general, have failed to address the most fundamental problems. Such structural failures and biases (WTO, WB, IMF or/and a combination with dictatorial or totalitarian governments) or natural causes (such as floods, chronic droughts, tsunami and killer infections (such as Ebola or Coronavirus), massively interrupt a whole process of local development for short and long periods.

In most of those poor zones, livelihoods are largely meliorated through remittances. In those scenarios and situations, these emerging countries without basic infrastructure are too poor, and too ill prepared to handle such crises and provide sustainable solutions and consequently, migration becomes the only survival technique. Although in some developing countries the situation is improving, however, the habitability condition of many developing countries is still questionable and causes increased threats to sustainable local development. Such gross poverty, technological underdevelopment, security impotency in cases of conflicts, infections (such as Coronavirus, Ebola) and wars and the general organisational or managerial incompetence towards natural resources in transiting or developing countries in times of economic difficulties are some inescapable reasons compelling millions of people to migrate for better survival opportunities elsewhere either in the so-called ‘first’ or ‘second’ world.

As stated before, high cost of labour in industrialised democratic countries in North America, Western Europe and Japan has speeded up the technological revolution globally such that what is said or done in one part of the world could be heard, seen or even felt in villages in Senegal. The history of formidable physical infrastructure and rich human capital has made many citizens of the developed industrialised world meet their necessities and more. Therefore, the West or industrialised world were seen in this perspective to be able to influence the type of work force needed. Anna Triandafyllidou and Ruby Gropas (ed.) (2007) underlined that indeed production in most of the productive sectors of industrialised countries is highly specialised and requires highly educated individuals, highly organised and creative developers and managers (type A); and a highly disciplined, well-educated production force (type B)¹⁸³. The main differences in the push and pull factors that exist in these different regions are crucial for development and understanding migration properly especially as regards the impacts of remittances on local development in poor countries.

The 'Type A' segment of highly educated immigrant labour force are allowed and attracted by European countries mainly in non-productive sectors of tradable goods such as in health services.

¹⁸³ This type of workforce is mostly concentrated in the develop world (North America, Western Europe and Japan) nevertheless, other industrialising countries in East Europe, South America and Asia also create some pull factors too but not as much as can be provided by Western Europe and North America whose increase taste for highly skilled foreign labour force persist.

The authors noted professionals from both type A and B labour force are largely recruited from the native (citizen) labour market and even that has been reduced due to the increase in competition for the limited available job spaces. Therefore, it is becoming increasingly difficult for non-EU immigrants to work in productive sectors of tradable goods or high-tech fields in order to send more and steady remittances. In this scenario, when international labour becomes systematically frowned upon through immigration policies and oppressive employment conditions (even for highly educated type A immigrants), domestic labour is protected from international competition (Triandafyllidou and Gropas, (ed.) 2007, 4-7).

On development induced labour migration, Freedman and Jamal (2008) argue “The types of jobs into which they are recruited are often largely unskilled, low-paid and insecure in terms of having little social or legal protection. The fact that many... are working irregularly because they do not have the requisite work permits makes their conditions of work even more insecure and exposes them to the risk of violence from employers” (Freedman and Jamal, 2008, 10). This violence leads to severe exploitation and cases of contemporary slavery as we have seen in the previous case study. Consequently, these segmentations of labour market and the categorisation of different countries and regions on the one hand and the increase in restrictions on the other, have allowed a large part of migrants’ labour to be concentrated in the lower sectors of the labour market under precarious conditions and low pay. The various existing Senegalese migrant labour forces in Italy depend largely on their migration status implying whether they enter Europe as asylum seekers or economic migrants under formal working conditions such as diplomats or through the flow decree.

Therefore, when closely observed, all these patterns of migration are fashioned by two main items; the immigration history and the immigration policies (that control migration in various EU member states). As noted already and as indicted also in the previous chapter, Senegalese migrants in Italy crowded out the agricultural sector due to various reasons such as the availability of work in those areas neglected by the locals, their readiness to work under difficult conditions with low wages (in order to be able to earn steady income to be sent home as remittances), with or without a contract and the hopes and chances of regularisation of their migratory status (Molinero-Gebeau and Avallone, 2018, 22) one day.

Another compelling factor for this precarity is the neoliberal model of organising (small, medium, and large) markets that operate on complex and long chains of global production (Moore, 2015). Hence, small farmers, producers and rural models of production had to adjust to the competitive global model or cease operation. For the local and small producers, this involves a long chain of production, cost cutting in production and (acceptance of) dictats from the top of the global neoliberal machinery of the Californian model of production. Rural agricultural production has hence witnessed an explosion in the number of greenhouses (warehouses) and factories as an example of the Fordist system —turning them into export-oriented rural producers and settlements. A perfect example was the case study on Campobello di Mazara, a coastal village in the region of Trapani which depends on hundreds of sub-Saharan migrant workers every autumn to produce olives for global consumption.

Essentially, this is why when migrants are exploited due to lack of protection in their new communities, the primary intention or (moral) obligation in the case of Senegalese and Gambians to help their families through remittances becomes difficult to attain. As a result, their exploitation deepens their poverty at home and the lack of remittances stagnate local development. This thesis confirms that when these migrant workers are left unprotected without real economic opportunities in Italy or Spain and are left unintegrated into the formal job market as the first step, their potential help to their countries of origin becomes difficult to attain. It can end up being a sheer brain drainage or loss of a healthy and younger labour force from countries of origin. Many of these

Senegalese had intentions for a temporary sojourn, and to be able to return home in an economically better situation. However, the lack of any real opportunity for many had made that ambition unattainable and for some, it has led to their continuous exploitation. Through this exploitation, the potential decrease in global inequality is missing and the benefits of labour migration are reduced if not mixed. Not only is exploitation an individual problem for those who suffer from it, but it becomes a systemic problem. The pronouncement of J.K Galbraight who referred to migration as “the oldest move against poverty” is irrefutable; nevertheless, contemporary Senegalese migration patterns can also be understood as a pathway to labour exploitation and contemporary slavery in Italian and Spanish green zones.

This is the sharp point of contact between agricultural exploitation in the destination and remittances for the country of origin. While the positive impact of remittances in these less opportune, unindustrialised, many times impoverished ex-colonies increase, migrant workers face what Serena Marcenò and Alessandra Pera (2018) called as exclusion “from the recognition of a full political and labour subjectivity” (p.76). This pushes them to be subjects prone to zones of abandonment. At a global level, when we examine poverty and development in relation to empowerment, and human resilience, we can observe how neoliberal governance (with totalitarian tendencies) regulates life and death between development policies which scrutinise (to qualify or not to) and induce precarity by abandonment and lack of protection (Marcenò and Pera 2018, 176). Human movement from countries of origin deprived of real political and economic participation where hopes diminish and migration becomes a potential mechanism to reduce the inequities they face, to destination countries where they become subjects of resilience as a direct byproduct of structural vulnerability and institutional exclusion.

At global level, when we examine the distribution of international migrants by countries’ income group, the World Migration Report 2018 (IOM) stated that 33 percent, that is about two thirds of international migrants lived in high-income economies in 2015 – (around 157 million). This compares with 77 million foreign-born who resided in middle-income countries (about one third of the total migrant stock) and almost 9 million live in low-income countries in the same year. Correspondingly, with the increased growth in inequality and structural poverty (as opposed to both productive and consumption potential versus the demand for migrant labour in industrialised contexts in marginalised sectors in Italy and Spain), many youths moved from low opportunity (poor) regions, countries and continents to other places where they hope to find work and earn an income. Serena Marcenò (2018) criticises the politics of neoliberal financial institutions in addressing world inequality which underline profound responsibilities for individual and collective agencies, which neoliberal ideologies are yet to address through structural transformation. According to her, neoliberal ideologies of empowerment of the global south are seriously flawed on mutual relationships between empowerment, resilience and poverty which as concepts undergo continuous transformations creating more inequality (Marcenò, 2018, 124-126). The transformation of these terms, she argued, led to the implementation and failures of the SAPs and led the foundation stones for the transformation of these terminologies into the MDGs to addressing structural poverty and imposing vulnerability through “conditional cash transfer” in the local development and democratisation processes of the south (Marcenò, 130-136).

Gary Becker (2011) observed that recent inflows of migrants have been towards the developed world where employment opportunities and expectations for a better life are understood to be higher or even guaranteed. Walmesley and Winters, (2002) “by increasing developed economies’ quotas on inward movements of both skilled and unskilled labour by just 3% of their labour forces, world welfare would rise by \$US 156 billion –about 0.6% of world income. This figure is half as large as the gains expected from the liberalisation of all goods trade restrictions (US\$ 104 billion)”.

Senegalese migration history can be understood as the movement of people for survival from poverty and other insecurity threats they confront by moving from one place to the other, internally and externally, regularly or otherwise imposed. UNDP’s 2009 Human Development Report, entitled *Overcoming Barriers: Human Mobility and Development* (UNDP 2009: 49) stated that “the majority of movers [i.e. migrants] end up better off – sometimes much better off – than before they moved”. The report understood the gains to be potentially highest for people who move from poorer to the wealthiest countries but our case study (in Chapter 4) indicated that this assertion is not always (and uniformly) true for thousands of migrant workers. It depends most importantly on whether they are regular migrants in decent employment conditions or not. On the contrary to Senegalese in marginal contexts in both Italy and Spain, Europeans living in Senegal and the Gambia where they have posts of responsibility or are highly paid by international organisations having more money and better living standards.

By using this approach to explore, analyse and understand the new trends of Senegambian labour market, it is important to note that, it is not within the scope of this chapter to specify a full account of all the push and pull factors, hence, not an accomplished understanding of all the patterns of Senegalese labour migration to the EU. Notwithstanding this, the table below provides some policy instruments for the proper management of remittances towards what might be called sustainable local development.

Table 5.3: Policy instruments on remittances and development

Policy Instruments	Objective	Methods
Technical assistance	Strengthen institutions and address a particular policy need	Final product design, research, training, project formulation and evaluation
Communication and outreach	Engage a policy community (diasporas)	Workshops, policy dialogues, visits, meetings
Funding facility	Provide material resources to achieve a concrete outcome	Loan, grant and investment schemes
Partnerships	Collaborate with stakeholders on mutual grounds	Cooperative agreements between governments, diasporas, NGOs, financial institutions, or other foreign governments
Regulation	Enforce norms to benefit the community	Legal review and reform

Education	From needed skills among remittance senders and recipients	Financial education
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Source: UNCTAD (2012) Maximising the development impact of remittances

Orozco (2007) critique that “although remittances play an important role as a social protection mechanism in many instances and practices, is important to bear in mind that the overall effect of these flows will depend in large part on the capacity of the local economy and services to absorb these savings”. The help of the local government to support their diaspora is indeed indispensable to realise the full potentials of remittances in local development. In fact, to stimulate the positive impacts of labour migration, such things like a favourable climate for investment purposes and viable business opportunities are great incentives to stimulate the best management of remittances in the local development of Senegal. If migrant workers continue to send remittances, in other words, if they maintain the inflow of euros back home, at some point for the better management of these inflows, households of migrants might be encouraged to do banking which will affect more positive development of local economies. As indicated in the table above, any intervention from the government towards remittances is to be meticulously done to support migrants’ investments in numerous local projects (O’Neil, 2003) and avert mismanagement of remittances. The growing pace of economic globalisation speeds up both inequality and the number of migrant workers around the world hunting for better opportunities with millions working in quasi slavery conditions in developed countries. In the case of Senegal, the acceleration in the migration of the youthful and healthy labour force to Spain and Italy in search of better opportunities and “greater human security for themselves and their families” (also the “raising economic and demographic differences between nation States makes the transfer of people over borders a natural response” (ILO)) will only add to the stimulus to migrate. Indeed, the International Labour Organisation (ILO) has estimated that one in every eight migrants are within the age limits of 15 to 24. This also emphasises the importance of remittances to the economies and lives these migrants support in return. The UN 2017 International Migration Report surveyed the median age of international migrants worldwide to be 39, which is a slight increase from 38 years in 2000. Yet in some major areas, the migrant stock is becoming younger. Africa is recognised as the youngest continent in terms of labour force with the highest fertility rate. But also, the movement of the younger generations of these poor countries means the movement of their human resource: best brains, plus the youthful and healthy labour force needed to develop and sustain those ‘poor’ regions’ economies. Their exploitation in the developing world - poor working and living conditions, higher remittance taxes (up to 10%) and the fixed foreign exchange rate established by global neoliberal financial institutions is enormous. Therefore, this exploitation should be analysed within the existing regional neoliberal market differences in exchange rates, for instance, 1 Euro equals to 655,91 franco CFA (de África Occidental) of Senegal or 54 up to 57 Gambian Dalasis (GMD). Instead, migrant workers should be integrated into the formal economy and paid according to the quantity and quality of work performed as legislated by national, provincial and international laws and be able to send remittances at lower costs as envisaged by SDG 10.7. It is naive and unfair for exchange rates to determine the earnings and prospects of migrant workers in precarious conditions. The result of our analysis should not be what migrant workers are to earn in their new communities as compared to what they will earn if they were in their countries of origin. Since the 1994

International Conference on Population and Development (ICPD) in Cairo, discussions were directed at how to cooperate in the protection of the rights of migrants in an increasingly migratory world. This raised hopes and since called for a global collaboration to share the challenges that come with migration. The importance of labour migration as the most politically scandalous case in Italy as in Spain (and as a growing concern at European level) calls for a stronger interstate and global collaboration and serious human rights organisations for better management such that immigration policies meet both national and international legal standards. The Italian law, for instance, article 603 bis of the CC and law No. 199/2016 are crucial in that regard (if made implementable (see next chapter)), but also the international recognition of labour standards of all workers wherever they find themselves as ratified in several ILO conventions, and as once promised by EU laws and other international instruments. This will also ensure the UN Sustainable Development Goal 8 which involves economic well-being, to: “Promote sustained, inclusive and sustainable economic growth, full and productive employment, and decent work for all.” One of these targets (Target 8.7) is to put an end to slavery: “Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking...”. The legal architecture should be made applicable and embodied into societies in order to guarantee labour rights of migrant workers and protect them from exploitation. The chronic exploitation of migrants can lead to the non-realisation of their personal migration goals, benefits and individual potentials in destination countries. As a result, a denial of their personal human rights and their development potentials to their countries of origin. In general, agricultural exploitation of Senegalese migrants is making it difficult to reach SDG 8 (target, 8.7).

CHAPTER VI.

ITALIAN AND EUROPEAN LEGAL FRAMEWORK AND POLICIES TO CONTRAST LABOUR EXPLOITATION: CONTEXT, POTENTIALS AND LIMITATIONS

6.1 The Italian legal provisions against the phenomenon of “Caporalato” and labour exploitation

The Italian legal journey on agricultural gang-mastering and labour exploitation began with the elaboration of its criminal code in 1938 and received considerable influence through subsequent European Directives. The current national legal framework to counter agricultural labour exploitation cuts across mainly four main areas which are:

- (i) ‘*Employment and exploitation of illegally staying third country nationals*’ (Article 22(12) and 12 bis of Legislative Decree No. 286/98, Consolidated Immigration Act);
- (ii) ‘*Illicit intermediation and work exploitation*’ (Article 603 bis of the Italian Criminal Code as amended by Law No. 199/2016);
- (iii) ‘*Trafficking in persons*’ (Article 601 CC) and;
- (iv) ‘*Reducing or holding a person in a condition of slavery or servitude*’ (Article 600).

The new millennium witnesses both policy reflections and the increase in unlawful intermediation and labour exploitation simultaneously in the green zones. The Upper House of the Italian Parliament (“Il Senato della Repubblica”) declared a 10 per cent increase in criminal activities in Italian agriculture over the last decade. At the centre of this exploitation debate lies ‘organise criminality’ of the “Caporalato” and “Agromafia” as crucial agencies of agricultural exploitation and criminal economy¹⁸⁴. Since the 2010 and 2011 organised revolts, riots and strikes of migrant workers in Rosarno and Nardó against their living and working conditions, the regional and national debate on labour exploitation has been triggered. The Summer of 2015 especially invoked general discontent at European Council. Eventually, from 2013 more than 1400 farmworkers lost their lives: in fires at the ghettos (for example, in Campobello di Mazara in 2013, Rosarno in 2018, Rignano Gragnanico and Borgo Mezzanone in 2019), during accidents by tractors, falling trees and cars, suffocation in the green houses, and overwork under strong heat and others by direct police brutality and Italians citizens who take justice into their own hands.

Evidences of instances of severe labour exploitation and slavery conditions largely masterminded by gang-mastering and “Agromafia” has been denounced by Caritas Italy (2018, 37-65), International Labour Organisation (ILO, 2018), Amnesty International (2012), International Organisation for Migration (IOM, 2017), and Global Slavery Index (2018)¹⁸⁵. Activists, academics, and policy makers at both national and European Council level perceived serious crisis of Italian

¹⁸⁴ According to Oxfam and Terra! Onlus (2018) “Gangmasters (caporali) arbitrarily decide who can be part of their teams. Because there are often more workers than jobs and because the workers do not have means of transportation, the caporale takes advantage of workers’ fragile socio-economic status and illegally profit by directly deducting money from workers’ daily wages. For each day of work, some workers must pay the caporale a fee of €5 for transportation to the farm; workers may be also forced to buy food and water from the caporale at a higher price than it would cost at the local supermarket (e.g. €1.50 for 50ml water and €3.50 for a sandwich). At the end of the day, a sum up to €10 per worker – one-third of a worker’s daily wage – could be illicitly earned by the caporale and his or her team”.

¹⁸⁵ See Chapter 3.

agricultural laws. Like the organised revolts and strikes of farmworkers in Rosarno and Nardó (2010 and 2011 respectively) which brought about the first criminal provision against unlawful intermediation and labour exploitation (*Article 603 bis*), however, suddenly after the tragic death of Paola Clemetine in 2016, Italian authorities decided to amend the so-called 2011 “Caporalato” provision (*Article 603 bis*) with *Law No. 199/2016 (Provisions to counter the phenomenon of undeclared employment, of exploitative labour in agriculture and the realignment of wages in the agricultural sector)*.

6.1.1 Unlawful intermediation and labour exploitation in Italian Agriculture (*Article 603 bis* as modified by *Law No. 199/2016*)

The exploitation of workers and the phenomenon of unlawful gang-mastering was first criminalised by Italian law in 2011 under *Article 603 bis (Unlawful intermediation and labour exploitation)* of the Criminal Code. *Law 29 October 2016 No. 199 on Provisions to counter the phenomenon of undeclared employment, of exploitative labour in agriculture and the realignment of wages in the agricultural sector* was published in the Italian Official Gazette no. 257 of 3 November 2016 and came into force on the 4 November 2016. This law (*Law 29 October 2016 No. 199*) centred on the unlawful accumulation of wealth through the exploitation of workers to profit from them in violation of the basic rules that guarantee workplace safety, as well as the fundamental rights of the worker and therefore, expose contemporary situations of slavery. The adoption marked a legal milestone¹⁸⁶. As a legal tool therefore, the *Law No. 199/2016* both broadened and simplified the legal interpretation of *Article 603 bis*. While *Law Decree No. 138/2011* introduced the crime of illicit intermediation and work exploitation (*Article 603 bis CC*) and provides for the first time criminal prosecution, as we will learn further, *Law No. 199/2016* reformulated the criminal offence and broadens the scope of the crime. It provides for the criminal liability of the employer’s company¹⁸⁷. Therefore, in a logical and harmonising manner of the pre-existing relevant norms, *Law No. 199/2016* amended the *Article 603 bis* of the Italian Criminal Code and reinforces the work of contrasting the drastic “*phenomenon of undeclared employment, of exploitative labour in agriculture and the realignment of wages in the agricultural sector*” of which most victims¹⁸⁸ are TCNs. Accordingly, we witness a recent evolution of the Italian Criminal Law countering labour exploitation in agriculture.

6.1.2 Indicators of exploitation under *Law Decree Article 603 bis* modified by *Law No. 199/2016*

¹⁸⁶ Article 22(12) of the Migration Law (Legislative Decree 25 July 1998, No. 286, as amended by Legislative Decree 16 July 2012, No. 109) – punishes the employment of third-country nationals in an irregular situation, without reference to the conditions of Article 9 (1) (c) to (e) of the Employer Sanctions Directive. This offence is punishable by imprisonment for a period of six months to three years. For article 22 (12-bis), an aggravating circumstance means the employment of foreign workers without residence permits under particularly exploitative working conditions or if they are minors under 18. These aggravating circumstances can increase the penalty stipulated under Article 22(1) by one third or can double the sentence.

¹⁸⁷ *Law Decree No. 138/2011* actually marked the first time the crime of illicit intermediation and work exploitation was introduced, and criminal prosecutions established. Indeed *Article 603 bis* has brought about the exclusive criminal prosecutions of gang-masters and justice to some Rosarno and Nardó victims (Amnesty International, 2012) during those emergencies while leaving those who benefit from such exploitation such as companies (third parties).

¹⁸⁸ By victim, this research infers to generally all workers who have been or are being exploited in the agricultural fields. ‘Potential’ victims refer to those migrant workers in such conditions of poverty and vulnerability or unemployment that their freedom of self-determination is impaired. Therefore, victim can be regular migrants or migrants in irregular conditions, with or without contract, EU citizens or not.

Paragraph three (3) of *Article 603 bis (Unlawful intermediation and labour exploitation)* established the indicators of exploitation as:

(1) *The systematic payment of wages that are excessively below the level fixed by national collective agreements or local collective agreements or anyway lower than the quantity and quality of performed worked (para. 2, Art. 603 bis).*

In the current wordings of *Law No. 199/2016 (Provisions to counter the phenomenon of undeclared employment, of exploitative labour in agriculture and the realignment of wages in the agricultural sector)*, the indicators of exploitation have been simplified (so to say), and the word *systematic* (in *article 603 bis* above) was substituted by the word *repeated*¹⁸⁹.

(2) *The systematic violation of regulations on working time¹⁹⁰: compulsory leave, weekly-off and holidays (para. 2, Art. 603 bis).*

In the current wordings of *Law No. 199/2016*, the word *systematic* (in *article 603* above) was substituted by the word *repeated*¹⁹¹.

(3) *Violations of laws on safety and hygiene in the workplace with consequent exposure of workers to health and safety risks (para. 2, Art. 603 bis).*

In the current wordings of *Law No. 199/2016*, it does not matter if this creates a concrete danger for workers' safety.

(4) *Subjection of workers to particularly degrading working conditions, surveillance methods or housing conditions (para. 2, Art. 603 bis).*

In the current wordings of *Law No. 199/2016* stated no more than *degrading working conditions*.

According to this exploitation index (spectrum) of *Article 603 bis* has been modified by *Law No. 199/2016* and, a condition of "exploitation" is hence determined when one or more of the following conditions occurs: *repeated* payment of the wages in a manner that is apparently different from the provisions of the employment contracts; *repeated* violation of the relative legislation working hours; violation of the rules on safety and hygiene in the workplace; and exposure to degrading working conditions. However, this list is merely illustrative. Usually, a single violation is not considered relevant for prosecution. This exploitation index inferred to regular practice and which calls for damning evidence.

Meanwhile, it is commendable that while this crime could be committed only by the "Caporale" under the *Article 603 bis (Law Decree No. 138/2011)* clearly, *Law No. 199/2016* of the penal code aims at both the "Caporale" and the exploiting employer, and companies whether or not there was any intermediary activity. It is also important to remember that in the previous *Law No. 138/2011*, the punitive measures for the "Caporale" can only come in case of an organised intermediation

¹⁸⁹ Section 36 of the Italian Constitution, provides for the right of liveable wage of each worker and worker's family. Although the Italian law provides no statutory minimum wage, workers could be generally protected by a minimum wage agreement that is agreed upon collective bargaining (and a judge could fix a minimum wage upon request). Article 28 of the Charter of Fundamental Rights of the European Union provides for the right of collective bargaining and action.

¹⁹⁰ See also Act no.25 of 1999 (Special pay increases), Act 63/2000 (*part-time work*), and Sect. 10 of Act 300/1970 (*Statute of the Workers' Rights*)

¹⁹¹ The Act no.692 of March 1923, provided that the hours of work (by employees) must not exceed 8 hours a day or 48 hours a week. Later, with the introduction of Act no. 196/1997, Sect. 13, the number of weekly hours is changed to 40. Though collective agreements determine the normal weekly working hours and also regulates occasional overtime arising from exceptional reasons which cannot be met by hiring an additional worker. Act 623, of 1923, provides that overtime must be paid with an increase of not less than 10 per cent (and not more than 30 per cent) over the regular rate.

activity. Additionally, while under *Law Decree No. 138/2011* the employer could be charged with complicity (under *Article 110, CC*), the provision *Law No. 199/2016* target both the illegal gang-master and the exploiting employer. In *Law No. 199/2016* however, the role of the gang-master (“Caporale”), is not said to be necessarily regular, stable and organised. In fact, as gathered by our case study in Campobello di Mazara (Chapter 4), the role of the “caporale” is usually irregular, highly unstable and unorganised. *Law No. 199/2016* further amended the law on the Quality Agricultural Work Network (*Law No. 116/2014*) and adopt measures toward Quality Farms. It establish that (i) companies which apply for the collective labour contracts can register for the Network; (ii) employment centres can join the Network through special agreement and; (iii) this Network is made at territorial level based on *Cassa Integrazione Salariale Operai dell’Agricoltura* (CISOA) who are delegated the modulation of employment services, promote organisational form of workers’ transportation at territorial levels and formulate indicators of corporate behaviour.

6.1.3 The punishable conducts: Article 603 bis modified by Law No. 199/2016

The punishable conducts were according to the *Article 603 bis*:

(i) Carrying out organised brokering activities, recruiting workforce, or organising work involving exploitation, by means of violence, threats or intimidation, taking advantage of the state of need or needs of workers.

While the punishable conducts are according to the present wording in *Law No. 199/2016*:

(i) the recruitment of workers on behalf of third parties under exploitative conditions, taking advantage of their state of need; and (ii) the employment of workers under exploitative conditions, taking advantage of their need. As such, when the means of violence and threats is involved, it constituted an aggravating circumstance (*Law No. 199/2016*).

Like in human trafficking, unlawful labour intermediation and exploitation (*603 bis/Law No. 199/2016* of the Criminal Code), serious exploitation (referred to *Article 22 paragraph 12 quater*, of the *Legislative Decree No. 286/1998*) and reduction into situations of slavery can also be interpreted and analysed similarly from three aspects: (I) *the act*: to carry out organised intermediation activities, to recruit labour force, or organising any work involving exploitation (*Article 603 bis*) or to recruit workers on behalf of third parties under exploitative conditions (*Law No. 199/2016*); (II) *the means*: through violence, threats, or intimidation (*Article 603 bis*), or under exploitative conditions (*Law No. 199/2016*) and (III) *the purpose*: to take advantage of the state of need (*Article 603 bis and Law No. 199/2016*). Gang-master and exploitative employers take advantage of workers’ state of serious vulnerability, whose genuine freedom of will is impaired by their legal and socio-economic status and exploit them. Here, the actor of this particular crime can be the labour broker (the “Caporale”) or the employer which include also the companies who take advantage of the workers’ state of need and exploit them¹⁹².

6.1.4 Punishments under Article 603 bis as modified by Law No. 199/2016:

The *Article 603 bis* provides:

¹⁹² It is important to emphasise that Article 603 bis aims at the gang masters sanctions introduced for employers in 2011 in the Penal Code to address the ‘caporalato’, which as explain before: is a form of agricultural labour exploitation characterised by lack of protection, the denial of fundamental human rights and below standard living and working conditions. This phenomenon is largely characterised by TCNs who could not enter into the regular labour market in Italy either for lack of information and regular documents or for lack of required professional skills. The regular job market information is generally lacking or difficult to access and most migrants end up in the so-called “Agromafia” as the last but unrealistic alternative.

(i) 1 to 6 years of imprisonment and a fine of 500 to 1.000 euro for each recruited worker¹⁹³.

Meanwhile, under *Law No. 199/2016* the employer who uses, hires or employs workers recruited in the manner as stated above, the penalty ranged between 5 to 8 years imprisonment and a fine of 1.000 to 2.000 euro for each recruited worker if the crime, that is, such forms of recruitment are committed by means of violence or threat (under paragraph 2).

Under *paragraph 4, article 603 bis*, particular aggravating circumstances remain as;

(b) *the number of recruited workers is more than three;*

(c) *one or more recruited persons are minors of non-working age;*

(d) *the offence has been committed exposing exploited workers to seriously dangerous situations, given the characteristics of the tasks to be performed and working conditions.*

Furthermore, *Article 603 ter CC* gives other measures in particularly severe accessory punishments. They are: (a) disqualification from managing corporations and enterprises; (b) disqualification from entering into contracts with the public administration for works, (“cittimo fiduciario”) fiduciary task-work contracts, contracts for the supply of works, goods or services, and related subcontracts); (c) exclusion for a period of not less than two years – and up to five years (from when the fact is committed by a repeat offender under *Article 99, para. 2, n. 1*) and *n. 3*) – and also from loans, grants, subsidies, and benefits from the State or other public bodies and from the European Union relevant to the field of activity where the exploitation took place¹⁹⁴.

6.1.5 The relevant procedural aspects of Article 603 bis modified by Law No. 199/2016

Law No. 138/2011 provides for (a) optional arrest in *flagrant delicto*; (b) *no corporate “criminal” liability (under the Legislative Decree No. 231/2001)*; (c) *it was not clear if the victim have a clear access to Social Protection (under Art. 18 of the Consolidated Immigration Act) now called “Special Cases”*; (d) *very few judgements of the Supreme Court (see, Cass. Pen. n.14591/2014; n. 16737/2016 and 2021/2017)*; and (e) *no provision regarding confiscation of proceeds of the crime.*

Remarkably however, under *Law No. 199/2016*, the relevant procedural aspects are (a) the obligatory arrest in *flagrant delicto*; (b) victims have access to Social Protection residence permit (*Art. 18 Consolidated Immigration Act*); (c) it also introduce corporate ‘liability’ (under *Legislative Decree No. 231/2001*); (d) provides for the mandatory confiscation of the proceeds of the crime; and (e) *Judicial control* of the company can be ordered in the place of confiscation when the suspension of the business activities could create severe consequences at employment level. The legal interpretation of proceeds is wide and infers to the mandatory confiscation of every means used to commit the crime such as land, work barracks, prices of produced goods, the goods and profit made out of it, and the vehicles used to transport workers. The extension of criminal liabilities express a more open interpretation to include the beneficiaries. Therefore, this new amendment has put into focus the interwoven relationship between value chains, power asymmetry and law.

6.1.6 Limits of article 603 bis and Law No. 199/2016

In Italy today, labour laws are codified and as a result, basic information concerning work contracts and workers’ rights are partly reserve for technical legal expertise: lawyers and judges. Other than the victim, only few specialised group of experts such as non-governmental organisations (NGOs),

¹⁹³ Meanwhile, the unlawful conduct of the “Caporale”, which according to the current wording (*Law No. 199/2016*) is simplified to the recruitment of labor on behalf of third parties, under exploitative conditions, taking advantage of their state of need.

¹⁹⁴ Corporate ‘criminal’ liability is provided by *Art. 25 quinquies*, *Legislative Decree No. 231/2001*. Sanction: monetary penalty from 400 to 1000 quotas.

police, lawyers, have the credentials to report a case of exploitation, while the judges and prosecutors face the burden of the legal interpretation of exploitation. Them and only them have the ‘authorise’ power to analyse the severity of labour exploitation, report, interpret or judge it. For instance, whether a ‘formal’ agricultural contract should allow a worker to live in ghettos without the basic needs under degrading and unhygienic conditions is a strict reserve expertise. The interpretation of labour exploitation in Italian agriculture is not crystal clear. However, exploitation in general is a continuum spanning of relatively less serious forms of exploitation and depending on the severity of the penalty (Mancini, 2017, 1-11) it is punishable by law. Therefore, to establish whether a case is labour exploitation, trafficking or a case of slavery, the judiciary will have to make a case by case analyses and on the merit of each individual case putting all the other factors at play, of most important, the vulnerable position of the individual. Crucial questions as to ‘why an individual does not leave a certain exploitative relationship’ for example, to understand whether there are alternative choices, the possibility of that existence. This is a daunting task in an atmosphere of economic recession, corrupt governments and administrations in marginal and clandestine economies and with increasing inequality. Meanwhile, thousands of workers, particularly TNCs live in ghettos and derelict buildings against their genuine will, in aggravating conditions which cause damage to their psychological and physical well-being. Hence, agricultural exploitation cannot be read in isolation to the living and working conditions of the worker. However, even where labour laws and rights are explicit to migrant farm workers such as Italians and other EU citizens and where to ask for help or assert their rights, most will likely prefer to keep their jobs for lack of any other opportunity. This shifted competition to between workers as a race to the bottom. Such workers might even conspire with companies at risk of external sanction just to keep their jobs. The lack of any efficient work program proposal provident of recent laws (such as *Law No. 199/2016 and Security Law 2018*) that will integrate migrants fully, coupled with the growing demand for underpaid labour (and for low paid agricultural produce) guarantee a healthy ground where slavery can persist¹⁹⁵. For many reasons, migrant workers are the most at risk, although not alone. Hence, when we put different multiple actors into consideration, the deficiencies of *article 603 bis* and *Law No. 199/2016* are:

1. For *Article 603 bis* to be applied, paragraph 3 (a) and (b) calls for the consistency of such practices which makes it extremely difficult to prosecute occasional culprits. *Article 603 bis*, identifies the role of the intermediaries in such a way that it is difficult to know or even to punish them. The minimal level of organisations of capital and labour required as a punishable conduct of the gang-master is too high (*Article 603 bis*) as: (i) *Article 603 bis* fail to fill the legal loophole between organising and hiring, and between hiring and exploiting. The nature of “Caporalato” is not organise and their cannot be any fix definition of what a “Caporali” can do. Unlawful gang-mastering involves different stages. For instance, Mr. X organises, hires, and exploit workers but he does this with Mr. Y who was never involved in the organising or intermediation activity but employs or benefit from the unlawful conduct. Therefore, under *Article 603 bis*, Mr. Y was not

¹⁹⁵ Apparently, this exploitation itself is a byproduct of absurd social inequality gaps which keep widening. However, the rise in unemployment rate and the decline in particularly national economic forces in creating better alternatives make many of these workers to see their work no matter the exploitative conditions, to be their last hope and would not be willing to report their oppressors. This amalgam of socioeconomic problems of migrants coupled with the high sense of insecurity make the legal fight against exploitation difficult to effectively implement. The general precarious nature of the global economy whose effects have since 2008 heated hard on Italy with high unemployment reaching agriculture (Centro Studi e Ricerche Idos, 2015; Istat, 2015) making it a race to the bottom situation. Consequently, it is difficult to denounce once work or employer for labour exploitation without having a real alternative. “Agromafie” and gang-master free-riders therefore capitalise on the vulnerable states of migrant workers, and in some case, kill migrant workers next to nothing because they are “invisible” even to the law.

involved in the intermediation. As such, there lies the judicial ambiguity if Mr. Y was prosecutable for exploitation. (ii) The call for “systematic” violation and payment, and ‘particularly’ degrading conditions and ‘exposure to danger’ makes article 603 bis difficult to implement. The call for violence, threats or intimidation and to be substantiated with damning facts makes it too demanding and less helpful to the workers who wish to report their exploitation. By default, this high threshold of unlawful conduct of the gang-master and exploiting employer permits and marginalise subtle forms of exploitation under both *article 603 bis* and *Law No. 199/2016*. This is because culprits are not easily identifiable and problems or complaints cannot be lodged for the lack of competent authorities, proper and secured judicial procedures or in the absence of damning evidences. By default, the perpetrators are less likely to be investigated and more unlikely to be convicted. It is as described by judge Francesco Florit, the Italian criminal system is such that culprits “are convinced that if you ever get caught up there, you make a plea bargain and they let you free. They know that justice is not efficient, and the system is such that, after a while, they are released and can restart as before”¹⁹⁶. (iii) To the already existing difficulties of implementing *Article 600 and 601*, there is also the almost inapplicability of the exploitation index and the reference to the condition of need (instead of vulnerability) under *Article 603 bis as modified by Law No. 199/20176*. (iv) Finally, the overdue agricultural exploitation is criminalised and victims can seek redress. At the same time, by modifying *Article 603 bis*, *Law No. 199/2016* aims at indicting abusive intermediaries, employers and companies (OSCE, 2013; GRETA, 2014; Barbieri et al 2015) rather than combat labour exploitation and the “Agromafia” in their most extensive complexities. (v) Both laws were approached from a criminal point of view and are therefore reductive of the general agricultural work atmosphere and the power relations involve. Thus, they are ineffective in terms of general applicability on the one hand, and on the other, applicable only in exceptional circumstances.

2. Meanwhile, Global Slavery Index (2018) observed that inspections carried out by Italy’s labour inspectorate to detect cases of modern slavery of migrant workers have been termed ineffective and inadequately resourced. For instance, in the agricultural sector, inspections can often be known in advance and carried out in large areas of agricultural land, which enables irregular workers and those who employ them to escape controls. On the one hand, gang-masters are sophisticated in their approaches to dodge authorities, on the other, unscrupulous Italian employers are attentively suspicious of authorities and can usually manoeuvre their ways around the law. They can make sure everything is intact during periods of inspection or by making false declarations on pays, time, days of work and working conditions (Lo Cascio and Rinaldi, 2015). In particular, the aggressive laws against TCNs serve as an obstacle to the prosecution of legal persons¹⁹⁷. Hence, inefficient and ineffective inspections and investigations that do not arrive at prosecutions remain as an obstacle and a risk factor towards combating and eradicating labour exploitation.

3. *Article 603 bis* as modified *Law No. 199/2016* (against agricultural exploitation) and *Article 62 (Law Decree 1/2012)* and the EU Directive on Unfair Trade Practices (*EU 2019/633*) fail to

¹⁹⁶ Il Giornale (24 September 2014) E il giudice ammette: "Per gli stranieri siamo il Paese dell'impunità. <http://www.ilgiornale.it/news/politica/e-giudice-ammette-stranieri-siamo-paese-dellimpunit-1054183.html> [accessed 28 November 2017].

¹⁹⁷ Investigations are still ongoing, but they proof difficult to ascertain the potential culprits. Deaths and the disappearances of farm workers bodies, etc are at the end describe or indeed archive as ‘natural deaths’

address current arbitrary price setting of agricultural produce¹⁹⁸. These laws do not capture the inadequacies such as the power imbalances within the value chain to identify all the dots which meet to induce agricultural exploitation. The agro-food industry involve illicit activities involving big companies, retailers and supermarkets who disproportionately set their prices with little or no consideration for the welfare of farm workers, small and medium size producers who have little bargaining power. However, many small farmers criticised the law in terms of its requirements of health checks, equipments as burdens and that such requirements favours the interests of large producers. According to Donato Fanelli in an interview with Amnesty International (December 2012) “larger producers with seasonal workers can offer better prices. The new law should also help the hundreds of small and medium producers”. Like the olive oil, “the oranges went to the markets and the processing industry, just as if they had been picked by non-exploited workers”¹⁹⁹.

6.2 The employment and exploitation of illegally staying third-country nationals (Art. 22, par. 12 and 12 bis)

By extension, *on the employment and exploitation of illegally staying third-country nationals (Article 22, para. 12 and 12 bis)* or whose permit has expired without applying for renewal in accordance with the law, revoked or withdrawn, the punishment range from six (6) months to three (3) years of imprisonment and a fine of 5.000 for each employed worker. Paragraph 12 *Article 22, 286/1998 (Consolidated Immigration Act)* provides for aggravating circumstances if the employed workers are: (i) more then three (ii) minors of non-working age and; (iii) subjected to particularly exploitative working conditions (as called for also by *para. 3 of Article 603bis*). However, after a decade, it was until 2012 when Italian authorities included the condition of work of the TCNs into *Article 22 (12bis)*. The *paragraph 5 of Art. 12 (Aiding and abetting of illegal immigration)* applies as residual provision except when the fact constitute a more serious offence (*Consolidated Immigration Act*). The punishable conducts are (i) to facilitate an illegal stay of a third-country national in order to gain an unfair profit from the illegal condition of the foreigner (ii) and making work an irregular migrant in particularly exploitative conditions is considered as a way to aid and abet illegal migration. The punishment for this crime is an imprisonment of up to 4 years with up to 15.000 euro. Additionally, *Article 22 paragraph 12 ter* applied administrative sanction in the payment of the cost of the repatriation of the illegally hired TCN. In the same way, pursuant of *Article 24, paragraph 6, (of the Consolidated Immigration Act)*, the same punishments are established also for the employment of seasonal workers illegally staying in the Italian territory²⁰⁰. In this case as in many other provisions, there is a general over-amplification of undocumented TCNs. Actually, many victims today are not irregular nor are they undocumented. Some are Italian, refugees, asylum seekers, economic migrants, and regular seasonal workers. Some are Italian citizens, many others are East and Central European citizens. Most of these Senegambians in

¹⁹⁸ See, #FilieraSporca (2016). Spolpati. La crisi dell'industria del Pomodoro. Tra sfruttamento e insostenibilità. Third campaign report. http://www.filierasporca.org/wpcontent/uploads/2016/11/Terzo-Rapporto-Filierasporca_WEB1.pdf

¹⁹⁹ Palmi Creazzo, public prosecutor regarding the “Migrantes” operation that started after the 2010 Rosarno revolt of agricultural migrant workers. See Ref. archive <http://www.terrelibere.org/tag/schiavonea/> [Accessed 15 January 2017].

²⁰⁰ See also Art. 24, para. 6 of the Consolidated Immigration.

Chapter 4 are regular²⁰¹ and accustomed seasonal workers always on the move for seasonal jobs throughout Italy, from south to north: on foot, bicycles, vans, buses or at the back of gang-master trucks and clandestine networks. Some have been coming to the ghetto of Campobello di Mazara annually from Puglia, Campania, Piemonte, Calabria while others were invited from nearby cities by friends and relatives. They were refugees, asylum seekers, and those characterised as irregular economic migrants (some with protection and others without any form of protection). All of them accumulated a lot of fatigue, others struggled with stress-related ailments, but some were physically sick and wounded at work. Generally, they are all psychologically disturbed. Majority of the inhabitants were practicing muslims (Murids of the Sufi discipline) and have eventually created a tent that served as a mosque where they make their prayers and various rituals. It is difficult to employ the term ‘organised’ in a social context that was totally out of the everyday reality of life. These Senegambian migrant workers were extemporarily there for some weeks, a month and some stayed for the whole autumn but had to subdue conditions of physical and psychological sufferings that were by almost every measure out of any imagination that could be associated to ‘free wage and contracted’ workers. This is the contemporary form of slavery that this research has followed all through like a line of thread. These victims like their enslaved ancestors (in Chapter 2) were economic prisoners caught up within industrial walls and their institutionalised ‘free-fall’ into the marginal economy made them the primary victims of the aggressive “Agromafia” on the one end and on the other, the capitalistic model of agricultural production (which feeds on low cost production²⁰²) meet to work hand-in-hand with state laws and anti-migratory polices which generate grounds for exploitation of vulnerable workers (see, also chapter 3).

6.2.1 Victims’ protection targeting irregular migrants

Under the offence of exploitation of illegally TCN (*article 22, paragraph 12 bis (consolidated Immigration act)*) residence permit in case of judicial cooperation (*article 2, paragraph 12 quarter, Immigration Law*). Under the offences of Slavery (*Art. 600 CC*), Human Trafficking (*Art. 601 CC*) and Unlawful intermediation and labour exploitation (*Article 603 bis CC amended by Law No. 199/2016*) a residence permit for “humanitarian reasons” (*Article 18, Consolidated Immigration Act*) may be given if the safety of the victim is expose to tangible danger on the condition of the victim’s adherence and cooperation in social assistance and protection programme. There is a permit for both social and humanitarian reasons.

6.2.2 Residence permit for social protection (now “Special Cases”) reasons (*Article 18 of the Consolidated Immigration Act*)

A residential permit for social protection is provided under *Article 18 (Consolidated Immigration Act)* and *Article 27 and 28, Presidential Decree No. 394/1999* (as amended by *Legislative Decree No. 24/2014 transposing 2011/36/EU*). However, judicial conditionality lie such as: (1) (i) police operations, investigations or court proceeding (as set out by *Article 3 of Law No. 1958*) or obligatory arrest (as set out in *Article 380 of the Code of Criminal Procedure*), and (ii) situation of abuse or severe exploitation identified by social workers;

²⁰¹For more information at national level, other studies on the camp and on migrant workers by for instance Jesuit Refugee Service 2014; Osservatorio Placido Rizzotto 2014; Lewis & Waite 2015; Palumbo & Sciarba 2018; Barbieri *et al.* 2015 and most particularly by Garrapa 2016) all noted that most of these agricultural workers today are not irregular migrants. This case study confirmed their proposition is true.

²⁰²Osservatorio Placido Rizzotto (2014) and Perrotta (2014) pointed out that the liberal market system and international competition especially in agricultural production since the economic crisis led agribusiness to lower wages of migrants. Small farmers accept the prices put on their products by big companies resulting and hence labourers are paid badly. And the poor marketing strategies of agricultural produce from Sicily also potentially affect wages of agricultural workers and the earning of small farmers.

(2) when the safety of the victim seems to be endangered as a result of attempts to escape from the situation of the abuse or conditioning perpetrated by the criminal organisation or statements made during court proceedings or preliminary investigations;

(3) the victim has to participate in the social assistance and integration program.

The social protection issue permits provides: (i) six months;

(ii) may be renewed for 1 year or longer if required for justice's reasons;

(iii) access to social services, educational institutions and registration at the Employment Bureau;

(iv) possibility to be converted into a residence permit for education or for work and;

(v) the permit can be revoked if the holder drops out from the social program depending on if the victim engages in conducts which are incompatible with the program or if the victims conditions (which warranted the insurance of the permit) do not exist anymore.

There are two ways to get the permit:

a) the *Judicial path* which depends on the will of the victim to report the crime and after criminal proceedings upon the request of the Public Prosecutor, The Chief of the Police issue the permit and;

b) the *Social path*, the victim does not need to report to the competent authorities, however, the issuance of a permit will depend on his/her participation to a social integration programme or assistance (an NGO or association (specified under *Article 18*). In this case, the opinion of the prosecutor is not required and this social programme is also suitable for EU citizens (*Article 8, Legislative Decree No. 24/2014 and paragraph 6 bis of article 18 (Consolidated Immigration Act)*).

6.2.3 Humanitarian permit (under Article 22, paragraph 12 Quarter, (Law No. 286/1998)

The conditionality imposed are:

(a) 'particular' work exploitation (*Article 22 paragraph 12 bis as Law No. 199/2016*);

(b) victim has to report a complaint against the employer and cooperate in the criminal proceedings and;

(c) upon proposal or with the approval the Public Prosecutor, the Chief of the Police may issue permit.

There are different permits:

(a) residence permit 'for humanitarian reasons' pursuant of *Article 5 paragraph 6 of the Consolidate Immigration Act*;

(b) six months permit;

(c) this permit can be renewed for 1 year or longer for a period depending on the criminal proceedings; (d) it can be revoked if the holder engages in conducts which are incompatible with the goal of the permit.

It is essential to note that *Article 22 paragraph 12 quarter (286/1998)* provides a 6 months or longer, for undocumented migrants who cooperated with authorities to denounce their exploiting employers. It is a lesser protection compared to *Article 18*.

Accordingly, there are other rights for exploited TCNs which are introduced by the *Legislative Decree No. 109/2012 Implementing Directive 2009/52/EC* such as:

(i) right to social security contribution, also in case of repatriation (*Article 1, paragraph 20, of Law No. 335/1995 and Article 22, paragraph 13, Consolidated Immigration Act*);

(ii) right to be informed (*Article 2, Decree 10 February 2017* provides for systematic and objective information about rights of TNCs) and

(iii) the right to outstanding remuneration (as called for by both *Article 3, Legislative Decree No. 109/2012, and Article 1 Decree 10 February 2017*)²⁰³.

²⁰³ See also, the Civil Code 2126 and Article 6 Directive 2009/52.

However, the law implies to regular contracts which assure access to minimum salary through national collective bargaining (7.13 per hours for agricultural workers. That is approximately 1.201.84 euro per month. Therefore, as oppose to the atypical and false contract phenomena (in the agricultural ghetto of Campobello di Mazara) regular agricultural contracts manifest financial conditions, allow workers decent housing, access to credits, and make the monthly payment of contributions to INPS.

6.3 Reducing or holding a person in a condition of slavery or servitude (Article 600 CC)

Article 600 CC was reformed in 2003 and 2014 (L. 11 August 2003, n. 228 and D.lgs 4 March 2014, n. 24, respectively)²⁰⁴ as a wide interpretation which establish punishable conducts as follows:

- (1) *to exercises over a person powers corresponding to those of the right of ownership*’;
- (2) *to reduce or hold a person in a state of continuative subjection (realised through violence, threat, deception, abuse of authority or profit from a situation of vulnerability, physical or mental inferiority or a situation of necessity, or by the promise or payment of sums of money or other advantages from who has authority over the person), forcing the victim to perform work or sexual services or to beg or to perform any other illegal activity that involves exploitation or to undergo organ removal.*

This offence is punishable with imprisonment from 8 to 20 years. Meanwhile, many of the conditions named above can be found within the criminal and submerged agricultural sectors of Italy dominated by “Caporalato” and “Agromafia”. According to ASGI (2017) the implementation of *Article 600* remains exceptional. The difficulty in the interpretation of *continuative subjection*, the reference to *violence, threat, in a situation of necessity* (instead of the condition of vulnerability as defined in *Article 2(1) of the Anti-Trafficking Directive 2011/36/UE*) coupled with the difficulty of substantiation with damning evidence, compromise the rationale of worker and victim protection. Meanwhile, to testify or report their situations providing testimonies will include transnational studies which can be both costly or sometimes dangerous. As a matter of fact, the law’s fundamental shortcoming is its inherent incompatibility with the socio-economic and legal situation (such as the irregular migratory conditions) of most workers and victims of labour exploitation.

However, an inter-institutional committee which includes both the European Commission and ILO and Third sectors, brought about the *National Action Plan 2020-2022*. It is the most recent and most comprehensive approach to counter Italian agricultural exploitation at multi-levels.

6.4 Human trafficking in the context of Italian agriculture: potentials and limits

All types of businesses in Human Beings is prohibited and criminalised under Italian law. However, FLAI/CGIL has since 2014 recognised human trafficking as an integral part of the Italian agribusiness particularly aggravated by migration rules. For instance, the fact that other EU citizens can freely travel in and around Europe, consequently, Romanians citizens can be trafficked and exploited in the agricultural fields almost unnoticeably. Like many others, they are part of the invisibles farmworkers whose disappearance are explained in terms of “natural deaths”. The death cases and ‘disappearances without trace’ of Polish migrants in Apulia is a special case and extends to Senegalese, Gambians, Malians. However, trafficking for labour exploitation is not easily perceivable because unlike urban sexual exploitation —and displays of needy and vulnerable Nigerian girls in Italian streets— labour exploitation in Italian agriculture takes place in far

²⁰⁴ L. 11 August 2003, n. 228; D.lgs 4 March 2014, n. 24.

distanced, isolated fields and ghettos in submerged atmospheres. At world estimates by UN, males make up 28 per cent of the victims while the 72 per cent are female. These statistics make it difficult to directly associate human trafficking with the males. Consequently, the difficulty also to perceive the male side of it. Although females are the most victims, the recent 'slavery market of Libya' has tilted the balance and called for international reconsideration towards all the vulnerable and needy people.

Unlike trafficking for the purposes of sexual exploitation, victims of trafficking for labour exploitation are intended for direct exploitation in the fields making it difficult to trace the victims. Meanwhile, sexual exploitation is as well a becoming a ghetto phenomenon and many Nigerian girls are prostituted in the green zones in the periphery and in 2019 prostitution was introduced in the agricultural ghetto of Campobello di Mazara. Already, in a complex social mixture of hundreds of vulnerable people and victims of exploitation (in such places like the Ghana ghetto, Saluzzo encampment, Rosarno, Campobello di Mazara, Victoria, Catania or in Ballarò), it is of course difficult to find a clear-cut scenario. Almost immediately you get behind the scenes into some of these ghettos, you will be amazed with the margin of pain, precarity and despair. How then can you then tell with certitude who is not a victim of trafficking or smuggling and if they have arrived in Italy through Libya or come from Bulgaria, Romania or Poland directly to some fields in Puglia, Campania or in Sicily? The recent begging of Nigerian boys in Italian streets, in front of supermarkets and in the churches are manifestations of a compelling force behind their sufferings. Largely, the untold part of these Nigerian boys' exploitation, presents a clear-cut scenario of human trafficking but immediately they enter into agriculture, concerns about trafficking seems to fade away. Most of these cases of human trafficking are largely an open politicised matter. In "*Unpacking the trafficking discourse*" Sanghera (2012) noted that "In view of the overall paucity of evidence on the issue of trafficking globally, it is nearly impossible to make a claim that trafficking is entirely or even largely a problem of organised crime. Neither is there enough evidence or data to establish the extent or nature of involvement of members of organised crime in various countries" and sadly it has become that legal sphere were impunity breeds precisely since both the concept and its purpose are not so precise.

6.4.1 Italian legislation: Article 601, Italian Criminal Code - Trafficking in persons

Trafficking in persons is defined in the Italian Criminal Code specifically by *Article 601* as:

(a) to recruit, introduce into the territory of the State, transfer even outside said territory, transport, yield authority over a person to another person, offer lodging to one or more persons are in conditions as set out in Article 600;

(b) to perform the said conduct against one or more person through deceit, violence, threats, abuse of authority or taking advantage of a situation of vulnerability or of a weaker physical or psychic condition or a condition of need, or by promising or giving money or any other advantage to the person having control over that person, for the purpose of inducing or forcing him/her to perform work, sexual services or to beg or, in any case, to perform unlawful activities entailing his/her exploitation or removal of organs;

(c) to perform the said conducts, even without using the above means, against a minor.

Indeed *Article 601 (CC n. 228/2003)* was essentially a needed legal innovation with all its limits, nevertheless. The historical evolution of Italian law in this regard is especially an interesting legal revolution, at least as far as the criminal law's theoretical perspective is concerned. Several criminal legislations such as *Article 600*, and *602 (Crimes of slavery and the commercialisation of slaves)* all

complemented and continue praxis to complement *Article 601* of the Italian Criminal Code and specifically punish crimes of human trafficking, basically the business in people.

It is crucial to observe the difference between smuggling and trafficking within the Italian law, both as a host and mainly as a transitional country and how the two meet in Italian agriculture. Smuggling refers to the facilitation of entry of a foreign national into a country to which s/he is not a national, a resident or authorised visitor and usually done for financial or other profits. In the case of human trafficking, more explicitly within the Organisation for Economic Co-operation and Development (OECD), victims experience the complete loss of freedom to traffickers who buy and sale them for profit. In short, if these victims of smuggling are later in anyway compelled or constrained to either work in agricultural industries, are prostituted or marginalised into “invisibility” in the construction sectors or domestic works, whatever the final purpose or objective of their been trafficked, it can be considered as a scenario of contemporary slavery and forced labour since such practices potentially interfere with the genuine freedom or will of victims and impose them concrete harms. These concepts are written but it is not yet quite clear in practice what they mean to different competent and interventionist authorities such as governments, judges, prosecutors, lawyers, and police. For instance, traditionally, trafficking must entail a single transnational network by which the recruitment from his/her (victims) country of origin and his/her exploitation in the destination country must involve —the same network. Literally, the law calls for the involvement of the same criminal group of people from the origin of the trafficking. As pointed out by different experts throughout this discourse, especially in the case of labour exploitation, the trafficking process is complicated and involve a lot of steps. The fundamental steps are (a) *migration* (regular or otherwise, the chief stage of victims’ vulnerability) and to be (b) *carried out by a passer* (‘passeur’) (a criminal) and (c) *for an illegal fee*, whether high or low. This is another type of trafficking where individuals pay extremely high sums of money for the so-called service. If these people arrive in Italy without money or any contact and cannot proceed to their intended destinations or elsewhere, they can easily end up in a context of exploitation due to their bare vulnerability. If such a person is stuck in Italy thereof, there is high probability s/he can end up being exploited in the agricultural industry where migrants are predominant. In those circumstances, the criminal networks can mount pressure on such individuals for quick profit especially those in debt bondage (individuals who took heavy loans or borrow money from relatives).

Meanwhile, rather than focus on exploitation, the trafficking discourse seats firmly on “transfer” (*Article 601*) which is difficult to substantiate with damning evidence. Much judicial energy should focus on the purpose or intention of trafficking which is to take advantage of the vulnerable situation of people and exploit them for profit. Another significant obstacle towards the identification of cases of trafficking for labour exploitation, is the very fact that Italian authorities already find it extremely hard to implement *Article 603 bis* as modified by *Law No. 199/2016, Article 600, Article 602 CC*). The heavier penalty of 8 to 20 years of imprisonment associated to it, its various legal inadequacy and the way the offence of trafficking was innovated before its implementation in 2014 of the *Directive 2011/36/EU*, make it hard to apply and almost “impalpable” (Mancini, 2017) to prove all the elements of the crime (ASGI, 2017, 2-3). Therefore, the severity of the penalties associated to *Article 600* (see, Cass. Pen. Sez. VI, 11-04-2014, No. 24057), the abstractness of ‘the situation of continuous subjection’ calls for by the provision. Consequently, prosecutors often charge culprits with less offences like ‘extortion’, ‘abuse of family and relatives’, ‘kidnapping’ or ‘private violence’ which are easier to win and convict, but obviously

with less severe penalties²⁰⁵. The report by the Ministry of Justice examined 15 tribunals nationwide and presented only 136 files. The results of this national report is not so convincing towards the aim of the Anti-Trafficking Protocol when Palermo come last with only 4 cases²⁰⁶, Catania, Florence and Turin with 8 cases per tribunal, followed by Bologna with 9, Bari with 12, Naples 20 and Rome as the capital city led with an ordinary 32 cases between year 2009-2013. These statistics are not the least proportional to the actual reality on the ground perhaps due to the legal requirement of proofs. However, the report confirmed the enslavement of victims to be the main purpose or end, making up 73% of all cases, human trafficking at 23 per cent, and trade in human being at 4 per cent.

The 2017 National Report from the Anti-mafia Office (June 2015-July 2016) registered 64 people in Sicily (Catania) regarding *Article 600 CC*, followed by Naples with 48, Cagliari 27 and again Palermo coming with 22 cases as Rome²⁰⁷. As far as *Article 602 CC* is concerned, apparently Nigerians are the highest victims both within the Mezzogiorno as well as in Turin.

I have argued from the beginning that slavery is not time-bounded. It persists and contemporary slavery does not only exist but is prevalent in different forms and defines Italian agriculture at a stampeding pace and in many cases like this, it affects mostly the people from the so-called poor global south. In the case of Italy, they are disproportionately Africans who are also distanced from the justice system. The report from the Ministry of Interior also confirmed that TCNs particularly the female folks, suffer the most, making up 77.5 per cent and 22.5 per cent are men. Of the whole figure, minors made up a further rise of 22.3 per cent of victims. Like slavery (*Article 600*) and illicit gang-mastering and agricultural exploitation (*Article 601*), the situation of trafficking is legally conflated. The inadequate application of these important articles implies an increase policy threat against human rights of these victims and the fight against exploitation. Hence, there is a growing disjuncture between the infeasibility, and sometimes inefficacy (GRETA, 2014, 50) of these criminal codes within the social reality.

Article 601 explicitly spelt out the means which include violence, coercion and exploitation, however, smuggling differs, or might not include all the legal features of trafficking and hence the approach of the *Legislative Decree 286/98 Art. 12 l.d. 286/1998 (Consolidated Immigration Act)* is principally to avoid illegal entry into Italy and not trafficking, at least implicitly. Notwithstanding, in practice trafficking and smuggling are not so easy to cut a crystal line with certitude. Meanwhile, the so-called Anti-trafficking National Plan aim to prevent trafficking, prosecute culprits, and protect and assist victims and collaborate with stakeholders in all related spheres. The push factors of the victims according to the same report gathered by the Ministry of Interior are that 4.4 per cent out of coercion, 5.8 per cent for prostitution and the rest declared job as their main intention. Unsurprisingly, push factors related to the economic needs of victims is noted as the main reason

²⁰⁵ Article 600, 601 and 603 bis and Law 199/2016 all call for damning evidence which make them breed impunity by default. For the large part, there practicability is loose.

²⁰⁶ It is crucial to note Palermo's position in this whole discourse not only because it is where the historical and International Protocol against trafficking was signed, but most importantly, Palermo serves as a strategic location for all types of organised crimes. Both at European and national level. Statistics do not tell much about Palermo's role both as a transitional location and host for many victims. It is incredible therefore that only 4 cases came out of its tribunal.

²⁰⁷ See, Antimafia National Office (2016) Annual Report. Ministry of Justice. Available <<http://www.avvisopubblico.it/home/wp-content/uploads/2017/06/RELAZIONE-DNA-1.7.2015-30.6.2016.pdf>>

for their trafficking, enslavement and exploitation²⁰⁸. Meanwhile, according to the 2003 Measures Against Trafficking in Persons Law, the penalties can range from 8 to 20 years conviction.

6.4.2 European legislation on trafficking in human beings

It will be after 5 years before the Council of Europe joined in to adopt its own in 2005, with the Convention on Action Against Trafficking in Human Beings. The adoption of the Anti-Trafficking Directive in 2011 with an expanded definition, also take a gender-based agenda and victim-centred approach. Therefore, the most essential framework is the council of Europe Convention on Action against Trafficking in Human Beings. The Directive 2011/36/UE also brought the central matter of vulnerability into the already conflated discourse. But precisely vulnerability is marked as a key factor to all these types of exploitation. The case of prostituted Nigerian girls is a humanitarian tragedy, but the discussion is marginalised and politically less relevant²⁰⁹. According to National and EU laws, these irregular migrants and asylum seekers must pass through various identification and regularisation, asylum and hosting centres. However, many young girls and boys end up in ghettos, detention centres, prisons and in the streets as 'drug abusers', alleged 'criminals' or with criminal records, becoming subjects of police attention which lead to their institutional marginalisation —living in the society but outside the society.

Hence, Article 3 of the UN Protocol, better known as the Palermo Protocol, defines Trafficking in Human Beings as: *'the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments and benefits to achieve the consent of a person, having control over another person, for the purpose of exploitation'*.

6.4.3 International law on trafficking in human beings

The most authoritative instrument against trafficking in persons at international level is the Palermo Protocol, which supplement the UN Convention against Transnational Organised Crime (2000). *Article 5* of the Protocol demands states to criminalise trafficking, attempted trafficking, and any other intentional participation or organisation in a trafficking strategy. *Article 3 (a)* of the *Palermo Protocol* defines trafficking as: *'the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of*

²⁰⁸ However, as noted already, the November 2017 report by IOM on Displacement Tracking Matrix, showed 52 per cent of their respondents (third country nationals) left their homes because of violence or prosecution, 35 per cent reported economic reasons, and 21 per cent gave war or conflict as their reasons for migration.

²⁰⁹ Carmela Grillone (2019) has perhaps turned that picture around with her case study on the prostitution of Nigerian girls in Italy. She has investigated elements such as the 'wudu' traditional spirits, national corruption, and the Nigerian mafia which both sustain and connect Nigerian villages to Benin city and up to Palermo, Sicily. In explaining the live experiences of enslaved Nigerian girls from Nigeria to Europe through a pattern of violence and organised criminality, Grillone observed a connection between the Nigerian mafia and the Sicilian "Cosa Nostra" through smuggling, and trafficking for the purpose of sexual exploitation. Her investigation underlined that: these Nigerian girls are not prostitutes but victims of organised criminality as a direct consequence of lack to proper protection. She has entered prisons, asylum camps and hosting centres and followed these girls in their areas of activities. Her encounter and interviews with most young girls showed blackmailing by their own local authorities; brainwashing by their local churches; Nollywood booming propaganda (showing Europe as "The Promised Land"); some by lack of protection within their own families, traditions and cultures. For most of these would-be migrants, the journey to Europe was considered necessary to reach the so-called "Promise Land" but once these misinformed and ill-informed Nigerian girls reach the shores of Sicily, the story becomes different.

deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.'

Consequently, trafficking is analysed basically from three aspects (a) *the act* which means recruitment, transportation, transfer, harbouring or receipt of persons; (b) *the means*, (*how it is done*), inferring to threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person; and (c) *the purpose* of exploitation which shall include, [...] forced labour or services, slavery or practices similar to slavery, servitude [...].

However, a person rescued before final exploitation is still a victim of trafficking and hence, the final execution of purpose is irrelevant. Therefore, trafficking in persons should gain even more attention at this time of forceful international migration of vulnerable and needy persons. Ours' is the biggest movement of people since World War II and consequently, migration has moved from the periphery to the centre of contemporary international political discourse. The United Nations Office on Drugs and Crime (UNODC) has called on intergovernmental attention and cooperation in addressing migration and prevent criminals from trafficking and smuggling people²¹⁰.

6.5 The Triennial Plan (2020-2022) to combat labor exploitation and unlawful gang-mastering in Italian agriculture

On 20 February 2020, the Inter-Institutional Committee on labour exploitation adopted a *National Action Plan* to tackle labour exploitation in agriculture. The Committee's aim is to prevent and tackle labour exploitation and is co-chaired by the Ministers of Labour and Social Policies (MLPS) and of Agriculture. MLPS Secretariat has been set up within the Directorate for Immigration and Integration Policies of the MLPS. The Triennial Plan (2020-2022) is the joint effort of ILO and European Commission which also provide technical assistance and financial that is co-funded by the *Structural Reform Support Programme (2017-2020) of European Union*.

6.5.1 National strategic coordination and implementation

The ILO (2020) embraced the *National Action Plan* as a very important shift and called it the first-ever "more comprehensive and multi-dimensional approach". The 2020-2022 implementation strategy has three phases: the first phase is to analyse the phenomenon, the second, emergency interventions in the most critical areas and third, systemic action at national level. The ILO and EC provides assistance for:

- (1) establishing a management and information system that pulls together the data and information available from different sources;

²¹⁰ The UNODC, Global Report on Trafficking in Persons 2016 recorded 79 per cent of victims to be women and children, showing the most vulnerable and unprotected groups. Among the 500 detected trafficking flows between 2012-2014, 137 are within Western and Southern Europe and comprises different citizens. See also, The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (*Palermo Protocol*); Convention on the Rights on the Child and its Optional Protocol on the sale of children, child prostitution and child pornography; The Slavery Convention (1926); UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949).

- (2) strengthening the implementation and monitoring capacity of national and local institutions;
- (3) setting up a national referral system for the identification, assistance and protection, and socio-economic inclusion of victims through decent work opportunities;
- (4) improving the effectiveness and transparency of labour intermediation in agriculture and;
- (5) promoting ethical trade initiatives.

Law Decree, No. 119/2018, as converted with amendments by Law No. 136/2018 (containing urgent provisions on tax and financial matters) established the operating Table²¹¹. As the natural home therefore, MLPS is responsible for hosting, supporting and coordinating the work of the Table and involve institutional actors at central and decentralised level and with the representatives of workers and employers of the agricultural sector and associations of the Third sector —civil society organisations, and social partners. This round Table hence, constitutes the coordinating body at national level responsible for addressing, the planning of institutional activities and for monitoring the implementation of the said interventions of this Triennial Plan. It is organised into six working groups:

- (1) Prevention, supervision and repression of the phenomenon of hired workers, which is coordinated by the INL;
- (2) Agri-food production chain, prices of agricultural products, which is coordinated by the Ministry of Agricultural, Food and Forestry Policies;
- (3) Intermediation between labor supply and demand and enhancement of the role of the Employment Centers, which is coordinated by ANPAL;
- (4) Transportation, which is coordinated by the Basilicata Region;
- (5) Temporary accommodation and foresters, which is coordinated by ANCI;
- (6) Quality agricultural work network, which is coordinated by INPS”

According to MLPS (2019), the plan is a “synergic and transversal action”, “an inter-institutional collaboration model based on the legality and dignity of the work”, and “the reinforcement of investments in agri-food chains”. The strategy composes of four priority axes which concerns: (i) prevention, (ii) vigilance and contrast to the phenomenon, (iii) protection and assistance for the victims (enforcement), (iv) their socio-working reintegration (remedies). According to the Triennial Plan, in order to *Combat labor exploitation and unlawful gang-mastering in Italian agriculture, 2020-2022*, for each of these axes, there are 10 priority (operational) actions to be taken, seven (7) of which are dedicated to prevention with a multi-level governance model (involving national, regional and local level actors) immediate measures and long-term interventions.

According to the ILO and the co-founder of the project, the Triennial Plan, “takes into account all the dimensions of labour exploitation in agriculture by fostering the efficiency and organisation of the supply chains of the agro-food industry, promoting decent work and economic and social sustainability of enterprises, strengthening the effectiveness and transparency of labour intermediation, improving labour law enforcement and compliance, protecting and assisting victims, including through measures for their socio-economic inclusion. The Plan engages several public and private actors through a multi-level and multi-partner governance arrangement that leverages human and financial resources from the national and local levels, as well as from the public and private sectors, for the in the implementation of these priority measures” (ILO, 11 March, 2020).

²¹¹ See, <https://www.gazzettaufficiale.it/eli/id/2018/12/18/18G00162/sg>.

With the *National Action Plan 2020-2022*, a more holistic and interdisciplinary approach is therefore given to the phenomenon of unlawful gang-mastering and labour exploitation. However, since this plan is quite recent, there is no recorded evaluation of its impact.

6.6 Praxis to avoid legal provisions regarding workers' safety and dignity

According to the 2019 EBAN report on Italian farm-work, there are 1.1 million agricultural workers and 90% of them work for 87 days on temporary contracts²¹². The Observatory Placido Rizzotto 2018 report stated that victims of this exploitation work between 8 to 12 hours a day characterised with little or no rest a day, and with payments seriously below legal standards and more than 50 per cent (of the 400,000 irregular and undeclared agricultural workers) do not have proper access to clean water and sanitation services. Oxfam and Terra! Onlus, (2018) declared that workers in Italian agriculture are exposed to health and safety risks. The unhygienic conditions of these ghettos such as the Senegambian Village of Campobello di Mazara, is alarming and makes them highly at risk of contagious infections. As a matter of fact, after the declaration of the Coronavirus pandemic and national emergency was declared, FLAI/CGIL and the civil society appeal to the Italian institutions for immediate sanitary and safety intervention for migrant workers living in agricultural ghettos²¹³. Italian gang-mastering and “Agromafia” is strong and spreads like the Coronavirus. They are interconnected and a country wide phenomenon (Caritas, 2018, 37-54). Hundreds of thousands of farmworkers are being exploited in the agricultural fields of Italy and migrant workers are on the one hand the worst victims of this gross exploitation and on the other, the most exposed (p.55-65). The regular job market information is generally difficult to access for most migrant workers. Meanwhile, many farmworkers are discriminated by formal qualifications coupled with socio-legal vulnerabilities, they end up in the so-called “Caporalato” and “Agromafie” as the last but unrealistic alternative²¹⁴. Meanwhile, it is useless in actual sense to try to administer the exploitation of farmworkers as a case of humanitarian emergency or completely approach it from a criminal perspective. In reality, agricultural exploitation has been apparent for more than half a century (Caritas, 2018, 13-35; Pugliese et al., 2012, 1-12) and qualified estimates by FLAI/CGIL trace the closest origin of unlawful agricultural gang-mastering to 1950 (Caritas, 2018, 13-14). Official reports and studies have spread since 2000 and stamped in 2005 with the report of Doctors Without Border (March 2005). Today, agricultural exploitation is studied as a phenomenon. However, employers “used the possibility of managing the labour supply for a great number of estates and companies to exploit the underpaid labour of foreign citizens without a residence permit or anyway in such conditions of poverty that their freedom of self-determination was impaired”²¹⁵. And in economic terms, this enables employers to maximise profit by clandestinely using illegal gang-mastering as their principal source of ‘cheap’ labour.

²¹² See, Nomisma, Osservatorio EBAN sul lavoro agricolo, Nomisma, 2019.

²¹³ See, <https://www.flai.it/primo-piano/emergenza-coronavirus-lettera-appello-della-societa-civile-alle-istituzioni/> Consulted on the 20/03/2020.

²¹⁴ Many victims of this phenomenon are migrants who could not enter into the regular labour market in Italy either for lack of information and regular documents or for lack of required professional skills — deskilled, as a matter of nonrecognition of their capacities and therefore the precarisation of their skills.

²¹⁵ FilieraSporca report (2015) Request to the judge for a personal precautionary measure, Reggio Calabria, May 2009,

Connecting the value chain which involves the “Agromafia” enables us to understand the phenomenon properly and identify the channels they use in order to prosecute with successful conviction both gang-masters and unscrupulous Italian employers and companies. This is not enough however, we must consider exploitation in these fields as a product of a complex value chain involving and sometimes engineered by the “Agromafia” and partly as lack of socio-political interest²¹⁶ for the human rights of others. But the discontents (costs and hardships) of the “Agromafia” and migrants’ agricultural exploitation are often inevitably transferred to the lowest and so-called weakest group within the production chain. The so-called ‘invisible’ migrant workers, whose labour make up 47 percent of Italian agricultural capital. Without these vulnerable and very resilient migrant workers, there might be no such ‘cheap’ production and therefore, no ‘cheap’ fruits and vegetables or obscure labelling. Yet, migrants are being treated within the value chain as if they do not matter. They are being treated below the minimum standards of human dignity (see, Chapter 4). Hence, contemporary slavery in the agricultural fields of Italy is directly influenced by the unfair value chain. The gross exploitation of agricultural migrants cannot be studied outside the context of globalisation. And when we talk about global food chain of Italian agricultural produce²¹⁷, we refer to a global market system that is primarily driven by the motive to lower production costs with an oppressive economic model which maximises (as much) profit (as speculations can permit). This context we now appropriately relate to today's oppressive capitalism of the free market.

This final part focuses on how the socio-economic, political and legal systems of administrative practices produce the favourable conditions for big companies, mafia-type entrepreneurs and criminal organisations to profit from farmworkers particularly TCNs. It examines in which ways Italian and European immigration and agricultural policies correlate to agricultural exploitation of Senegambians. Accordingly, the Conventional Agricultural Policy (CAP) which integrated Italian agriculture into capital intensive Neo-liberal framework is criticised (in chapter 3) for rural depopulation, favouring large food processors, big retailers, companies, large farmers. CAP discourage family farming substituting the native rural labour with more precarious and flexible migrant labour in Italy.

Therefore, in connecting the dots to see the disruptions that offload their costs and effects on the weakest group (who are migrant workers) within the global value chain of Italian agro-products, we can now continue our categorisation of the praxis and legal mismatches behind the labour exploitation of farmworkers in Italy, which makes migrant workers as the final ‘subsides’ of the value chain.

6.6.1 Legal challenges on the fight against labour exploitation

According to Simon Deakin in the book *Boundaries and Frontiers of Labour Law: Goals and Means in the Regulation of Work* (2006), “We can understand better the limitation of existing models if we improve our knowledge of the conditions under which they emerged and then developed. The study of the origins will help to reveal whether their weaknesses are structural and

²¹⁶ When observed from the increasing available statistics on Italy’s agricultural progress both at European and global level, it is therefore appropriate to accuse both the Italian state and EU of incentivising this gross exploitation at least implicitly: the more the gang-mastering, the lower the agricultural prices and vice versa. Italian agricultural produce are sold usually at very cheap prices globally making it convenient for (both state’s and Union’s) interests consequently inducing perpetual impunity.

²¹⁷ See, for example, the Fruitbook 2015: The buyer’s guide to Italian top fresh fruit suppliers, fruit-book.com.

deep-rooted, or merely contingent and temporary” (p.91)²¹⁸. The history of contemporary labour rights discourse as a scholarly endeavour contributes to shape our knowledge about their origins, evolution, and their inherent policy goals. As a scholarly endeavour, our perceptions of human rights are influenced by time as by social realities. The evolution of labour laws as a human right discourse has taken us centuries and their impacts cannot be overstated: workers defence, dignity and therefore, human rights, has become the benchmark of labour law. In contemporary Italian agriculture, exploitative employment is centred on global food products (vegetables such as tomatoes and fruits such as olives) which call for constant labour supply. This raise concerns about how these products are produce and sold worldwide (ANSA, 2019)²¹⁹ under alarming degrading conditions. What is the role played by different actors within the value chain from the farm to the fork —production, transportation, marketing and up to consumption? What are the significant intersection between the demand and supply of these agricultural products? Meanwhile, despite the legal milestone reached today, there are still many legal loopholes which make it difficult to avoid exploitation and help victims (Caritas, 2018, 55-62; ASGI, 2017, 6-9).

Italian farm employers can cut production cost through undeclared employment on the one hand and illicit intermediation through gang-masters on the other. Through unlawful gang-mastering, farm owners or employers can directly avoid negotiations or bargaining with farm workers. This way, bargaining is made impossible and the role of a gang-master becomes instrumental for group and flexible work. There still exists a lot of organisational structures within companies, and private businesses in Italian agriculture which expose workers to exploitation and degrading working conditions (Mancini, 2017, 1-11, #FiliaraSporca, 2016, Global Slavery Index, 2018, Plasio Rizzotto, 2018 and Caritas Italy, 2018).

6.6.2 Criminalisation of irregular migration of TCNs

A combination of the criminalisation of “irregular entry and stay” and the employment of irregular TCNs (Consolidate Immigration Act) discourage victims from reporting their exploitation. So, despite the criminal prohibition of gang-mastering and the availability of legal tools, labour exploitation is still dominant, socially ‘acceptable’ and is seriously under reported to the competent authorities. Both the “Caporalato” and “agromafia” rely on atypical contracts to exploit vulnerable and needy workers. Actually these issues such work value²²⁰, fundamental human rights of migrant

²¹⁸ In his article entitled “The Comparative Evolution of Employment”, Deakin (2006) agreed that labour laws cannot be the same everywhere because of the different histories and evolution of rights in different geopolitical contexts. For instance, labour rules in Italy are certainly different from those in Senegal, Bangladesh or The Gambia, not least the different economic settings.

²¹⁹ See, Ansa.it, 24 October 2019, available at http://www.ansa.it/canale_terraegusto/notizie/business/2019/10/24/pomodoro-italia-secondo-trasformatore-al-mondo-48-mln-ton_66cee169-79be-4fec-af7c-6c3d41a97474.html [Accessed 22 January 2020]

²²⁰ Work value: the constitution of the republic of Italy protects and guarantees all workers regardless to their nationality a remuneration proportionate to the quality and quantity of the job or work and which is enough to live decently.

workers²²¹, working with or without a residence permit²²², and the criminalisation of regular migration and stay, are many contradictions and inadequacies of Consolidated Immigration Act of Italy on the conditions of TCNs. As an amalgam they potentially affect the efforts to counter agricultural exploitation (Amnesty International, 2012; GRETA, 2014, ASGI, 2017, Global Slavery Index, 2018) and do not address the pre-existing injustices in Italian legal system concerning TNCs. There is also another issue, perhaps more threatening towards the fight against unlawful gang-mastering and “Agromafia”: the involuntary ‘conspiracy of silence’. A lot of victims among migrant workers or those in conditions of exploitation remain silent instead of reporting to the competent authorities or rebelling against the oppressors. This is potentially due to their uncertain legal status and absence of recognised rights which contribute to their conditions of need and vulnerability. Hence, this gang-mastering capitalise on the vulnerable and needy conditions to blackmail, manipulate and exploit vulnerable and needy migrant workers. This conspiracy of silence makes it difficult to bring gang-masters and criminal employers to justice and therefore, perpetuate exploitation (see, Chapter four 4). The landowners and employers have close ties with the mafia administrators of their agricultural plantations and firms.

6.6.3 Narrow legal interpretation of the “Caporalato” leaving the insidious mafia

The criminalisation of labour exploitation in present agricultural atmosphere should make the mafia a point of focus. According to Chapter 4, what actually lies behind this gross exploitation of farm workers is correlated to the mafia-entrepreneurship in Italian agriculture. In the most essential respect, the “Caporalato” and Mafia are very similar in their organisational intentions, tactical activities and collaborative mechanisms within the value chain—from the greenhouses and ghettos in the fields towards the urban markets up to the final consumer. Even in instances where culprit gang-masters are identified to be sheer criminals, our investigations should ask deeper questions about the mafia and the genesis of such a criminal power. Therefore, criminal legislations such as Article 603 bis amended by Law No. 199/2016, article 601 and article 600, and Article 22(12 and 12 bis) of the Legislative Decree 286/98 fall short of feeling the legal gaps which involve the mafia from since the legal interventions begun in 1998.

The mafia must be part of the wider legal interpretation of labour exploitation because it plays a decisive part. From the many accounts already given in chapter 3 and 4 respectively, it will be unwise thereof, to approach illicit intermediation and agricultural exploitation disproportionately from the side of the gang-master and criminal organisations, to the unscrupulous Italian employers and companies, and then to the mafia only in extraordinary circumstances. There needs to be a

²²¹ Fundamental Rights of persons: The Italian law guarantees everyone including migrant workers without residence permit to the right to life, health, individual freedom, education, freedom of conscience and religion etc

²²² Working with a residence permit: The constitution guarantees full equality of rights to all migrant workers with a residence permit and to their families. For migrant workers without without permit, it is impossible to get regular i.e contracted works and get work permits renewed. Therefore, such migrant workers are especially at risk of exploitation. According to Italian law, they lack sufficient legal bases for residence permit from the point of view of their welfare sustenance.

stronger interest in persistent mapping and investigating the “Agromafia”. Indeed, confiscations of agricultural lands and properties are found to be mafia related²²³.

The jurist, historian and political thinker, Gaetano Mosca considered the Mafia as a power within power, alluding that the invisibility of the mafia is a power embedded in its organisational structure, not a weakness. Today, we still talk of the invisibility of the mafia even if we can see evidences of cases of contemporary slavery (preventable work accidents including deaths, man-slaughter, smuggling and trafficking for the purposes of labour exploitation, violence, and the aggressive ghettoisation of Italy) remains as the mafialogist Salvatore Lupo puts it, “the lasting consistency of things that are seen, felt, touched” (p.181). Many commentators tend to refer to the exploited TCNs as the ‘invisibles’ but in reality, ‘invisibility’ should refer more to the mafia which is by design (made) ‘invisible’. The mafia’s shape, activities, and consequences are still quite invisible under many contemporary analyses of agricultural exploitation. The mafia is precisely ‘invisible’ and ‘submerged’ but accordingly, this so-called ‘invisibility’ of the mafia is well-defined, highly sophisticated, carefully at work with its insidious mechanisms. In other words, the invisible nature of undeclared work and degrading working conditions in agriculture is partly a direct byproduct of “Caporalato” and “Agromafia” among many other factors. Today, Italian food products are sold globally²²⁴ but hardly do we know (and many consumers are rather preoccupied with their most immediate problems than) if those food products they purchase from their local supermarket stalls are actually free from exploitation. That is if they have not been produced under exploitative conditions by predominantly migrant workers who are underpaid in the agricultural fields of Italy. For example in the Lecce trial case, one of the defendant was the famous Latino family paradoxically the owner of the ‘Fiordifrutta’, “a company which alone accounts for about 70 percent of the high-quality watermelon production in Salento, which goes from Nardò to markets in northern Italy and from there also to England and Germany”²²⁵. We can make sense of this exploitation when we associate it to the model of production that directly influence the living conditions of those left at the bottom. The migrant workers who serve as a fundamental labour force in the production chain are so absurdly and indeed shockingly always at the bottom of the agricultural pyramid from all interrelations considered in this research concerning the value chain. The precarious situation of thousands of these migrants makes no sense when imagine from the perspective that Italy is among the top countries in agricultural production at European level and the second major global exporter of tomatoes, with a dominating role in the market of global olive oil. It exports 14 per cent of world tomatoes while the US exports 30 per cent, China 13 (Istituto di Servizi per il Mercato Agricolo Alimentare, ISMEA, 2018). Even though Article 38 of Charter of Fundamental Rights of The European Union states that “Union policies shall ensure a high level of consumer protection”, consumers barely know where their products come from. They do not know whether their oranges arrive from Rosarno under hash working conditions, or if their tomatoes are being picked by minors in Foggia or if their expensive wine at bars and and olive oil on restaurants

²²³ One of the weakness of this law, therefore, is its approach towards the mafia. Indeed, we cannot talk of any modern trend of agricultural exploitation induced by gang-masters, companies and private employers without an iota of mafia infiltration. The mafia invests more in agriculture and are involve in every step of the production chain but art. 603 bis has treated the issue as if though the ‘caporalato’ and the unscrupulous Italian employers are entirely different from the mafia.

²²⁴ See the Fruitbook (2015). The buyer’s guide to Italian top fresh fruit suppliers, fruit-book.com

²²⁵ See: <http://www.corriere.it/inchieste/reportime/societa/pomodori-angurie-le-accuse-schiavitu-processo-imprenditori/bde8d57a-5910-11e4-aac9-759f094570d5.shtml> [Accessed 14 December 2017]

tables are produced by migrant workers under low or no pay at all in green houses and in agricultural ghettos. Despite the severity of living in slums and ghettos working for longer hours for the lowest possible wages with very little security or in total precarity, the diverse effects of exploitation on the lives of these migrant workers still persist and exploitation receives judicial attention only at high level cases when severe coercion by offenders was involved. For example, in 2012, authorities in Lecce, Apulia region issued a warrant to arrest 22 Italian, Tunisian, Sudanese and Algerian nationals for alleged trafficking of human beings for the purposes of labour exploitation. These cases concerned predominantly Tunisians and Ghanaian migrants in Southern Italy who had undergone slavery-like conditions in agricultural fields. From the calculus of, for instance, the phenomenon's damage on the victims wellbeing and their families; its impact on the legal economy; and its overall consequence on the justice system in upholding the labour rights of migrant workers, this labour exploitation is a humanitarian disaster.

The absence of healthy grounds for small and medium farmers to independently operate without the mafia's infiltration and compete freely in the market remains a big concern. The mafia gain more power through the legal gaps in the production chain and consequently influence market prices. The direct consequences of this produces illicit intermediation, severe underpayments, ghettoisation, psychological and psychical violence, power imbalance and exploitation (at the epic of which criminal activities such as smuggling, human trafficking, force labour, servitude and contemporary slavery for the purposes of labour exploitation proliferate). Many criminal activities are supported implicitly by the "Agromafia" and other affiliated organised criminality and pseudo-slavery or pro-exploitation laws. Therefore, despite the milestone reached, we are still at the beginning of a legal revolution. The fact is that many workers are yet to benefit from these reforms and provisions (see Chapter 4). The only consistent thing is the competition among workers for the next exploitative work—the race to the bottom of agricultural workers.

6.6.4 Few case law coupled with the administrative demand for victim's direct cooperation

There is also few case law on which to build strong and healthy trainings, activities and information dissemination on exploitation (GRETA, 2014) probably because while trafficking for labour exploitation is term as a new phenomenon, the "impalpability" and the inadequacy of provision 603 bis makes implementation rare (Mancini, 2017, 1-11). However, the disinterest on the part of the judiciary to refer to landmark cases at the European Court for instance, *Rantsev vs Cyprus* (App. 25965/04, ECtHR, 7 January 2010) and *Siliadin vs France* (App. 73316/01, ECtHR, 26 July 2005) which are intrinsically essential in the interpretation of both trafficking and slavery in Italy, is part of the judicial interpretation dilemma. Different expert views on how to interpret *Article 601 CC* which has adopted the broad definition of the *EU Directive 2011/36* is still diverse. Others suggest that *Article 601* be linked to *Article 600* and then be applicable 'when the self-determination of a person is impaired such that he/she lives in a 'condition of subjection'.

The difficulty to give damning evidence of the 'condition of continuous', 'systematic', 'repeated' 'violence' practices limits the applicability of *Article 600*, *601*, *603 bis* and *Law Decree No. 199/2016* of the *Criminal Code*, respectively. Accordingly, by referring to the 'condition of subjection' in *Article 600*, we all testify to the severe penalties associated to human trafficking meanwhile, it should not rest on the vague ideology of 'continuous condition of subjection', it should equally be the case also in slavery and in *Article 603 bis* as amended by *Law No. 199/2016*.

Thus, while it is important and required under *Article 603 bis*, the administrative demand for the direct cooperation and participation of the victims through investigations processes into labour

exploitation might be in itself unnecessary for its effective implementation. The potential negative consequences of —self-incrimination— *Article 10 bis of Consolidated Immigration Act*²²⁶, *Article 361 and 362 of the Italian Criminal Code* continue to create a sense of fear and consequently, victims reluctance to report or collaborate with the right authorities even when they are in sever conditions of exploitation. In addition, many victims and potential victims of this exploitation would not also collaborate in the investigation process for fear of deportation or imprisonment or potential risks like retaliation from the employer²²⁷. Meanwhile, due to their “alienation”²²⁸, many do not know the help they might get under *Article 18* for reporting their cases to the competent authorities. But like *Article 601, 603 bis CC*, both *Article 22 and 18 (Consolidate Immigration Act)* had all been rigidly critiqued for inadequate application and in helping victims (ASGI, 2017).

6.6.5 Lack of legal regulation and control of submerged agribusiness

There are several risk factors which emanate from the working environment such as working in insolation, with little or no contact with outsiders, or the precarious nature of the employment relationship especially in agriculture: not least the marginality of many macro and micro agribusinesses. It is worth emphasising that the accumulation of these various risk factors leads to all other degrees of exploitation as captured through the spectrum of exploitation. But at the same time, it is these risk factors that put an obligation of “due diligence” on the Italian state as a member of the European Union and as a signatory to other international conventions, to put up measures to investigate and identify labour exploitation, and protect victims or those at risk of this exploitation. This will also avoid widespread impunity among the exploiters and criminals²²⁹.

Unregulated and so-called submerged economies make it difficult to draw the border between formal and informal work. Therefore, strengthening labour laws while critically thinking about their possible loopholes as well as boundaries is instrumental. The amalgam of killings, physical abuse and psychological violence of the “Caporalato”, and the human trafficking, tax evasion and organise criminality of the “Agromafia”, ignite the gross labour exploitation and stampeding degrading working and living conditions of workers. These atrocities largely happen in informal sectors where many firms are design to operate clandestinely.

²²⁶ In a sense, art. 10 bis, Consolidated Immigration Act, is an impediment to the fight against labour exploitation not least because the largest part of the victims or potentials victims will not collaborate where there sense of insecurity is probably high even if that means ‘continuous subjugation and subjection’ to the will of ‘Agromafia’.

²²⁷ It is important to note that, the act of entering and staying in the Italian territory is without the regular procedures is illegal and therefore constitute a criminal offence (Art. 10 bis, Consolidated Immigration Act). So, for the thousands of migrant workers such failed asylum seekers, and others in similar irregular conditions, it appears to be ‘self-harming’ reporting case of exploitation to the right authorities for fear of the negative consequences (unwanted deportation, ‘potential’ detention or imprisonment).

²²⁸ “Alienation” of workers (see chapter 2 and 4) refers to the sense of separation, disorientation and exclusion. Workers are alienated not only from their labour but also from their fellow workers and gradually from the society. They spent all their times in the fields with little or sometimes no contact with outsiders. To hope that victims or potential victims of exploitation know the possible benefits including the potential benefits that can arrive from self-reporting is at best too ambitious and at worst, naive. The law should be able to capture that many of the potential victims and already victims of this exploitation are people who live in ghettos, shanty building and abandoned factories, or in similar conditions and spend all their times between the ghettos and fields, with no electricity, and little outside contact, it is intangible therefore, to expect that such people will know anything as such.

²²⁹ See, International Covenant on Economic, Social and Cultural Rights (ICESCR), ILO Forced Labour Convention, 1930 (No. 29); ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).

Legal ineffectiveness as it concerns implementation of labour laws in the agricultural sector can be observed within these gaps in social reality. So often, these gaps are easily overshadowed by the impression of seeing labour laws (such as *Article 602 bis, Law Decree No. 199/2016* or *Article 18 of the Consolidated Immigration Act*) as a matter of (unitary) public policy. Although politicians, experts of labour, lawyers and international organisations tend to use a unitary labour rights language and ideals in order to win social support and achieve labour reforms, however, this is because such laws are intrinsically social²³⁰. The gaps in the complexity of labour exploitation can be seen from workers’ collective agreements, employment contracts, housing, transportation and social security (insurance) such as unemployment benefits, pension and healthcare. Therefore, institutional origins of labour rights cannot be restricted to certain workers, it should be wide enough to capture all types of workers²³¹. For instance, the discourse of ‘minimum wages’ —for decent work— largely follow the line of contractual workers in formal and public sectors (whose functioning do not always depend on the mass exploitation of predominantly so-called irregular and undeclared work of unregulated and undeclared workers. Big firms in formal sectors comply with labour standards such as to create a solidified work force where employers are accountable for promoting a pro-healthy work atmosphere. This enables them to protect their market image and keep their workers, clients and partners. Therefore, labour law should enhance the social responsibility of agribusiness by analysing the legal loopholes at play within the social reality. For many victims it is difficult to substantiate the existence of an employment relationship which is atypical or totally informal. At the other end, it is even much harder to obtain oral evidence against submerged agricultural businesses or firms.

The drastic speed of agricultural exploitation of workers confirms first of all, the social acceptance of institutional vulnerability of farm workers. Consequently, their appears to be no deterrent to labour exploitation in submerge economies which are control and administered by the mafia, illegal gang-mastering and criminal organisations²³².

Table 6.1: Inspections and irregularities in agricultural work 2006-20017

	2006	2008	2010	2012	2014	2016	2017
Inspected Agricultural businesses	14,397	10,762	7,816	5,652	5,434	8,054	7,265
Irregular Agricultural Employees	10,048	9,543	7,102	4,297	3,720	5,612	5,222
Inspecting staff	6,453					4,500	

²³⁰ Notwithstanding, the authority of such a language has long being undermined by the different economic and social contexts in which such right claims are made. The triumph of liberalised global trade and the decline of socialist ideals of a welfare state had also negatively impacted on universal values of human rights for all categories of workers.

²³¹ Legal pluralism legitimatises states’ desire in administering labour laws as it suits their interests mainly through regulations and contract law.

²³² The market image of big companies can be potentially damaged by a collective worker strike and complains (channelled legally and administratively). But basically, this is almost confined to skilled workers in so-called formal sectors in significant organised categories.

6.6.6 Institutional construction of vulnerability for asylum seekers and refugees

Accordingly, Italian and European laws have promised to guarantee human rights on the one hand, their restrictive immigration policies on the other hand have created new informal migratory routes known for humanitarian disasters. As a result, restrictive EU immigration policies gave way to exploitation including slavery, human smuggling and trafficking of TCNs. The asylum system is a strong influential factor that pushes a number of migrants into ‘irregular migratory status’²³³ and gradually into agricultural exploitation in the fields²³⁴. Asylum seekers who live in camps especially in the south, are at risk of exploitation when they are employed in the agricultural fields. While the numbers of migrants arriving into Italy continue, the system keeps thousands in needy conditions and kicks others outside the asylum camps into irregularity. Asylum seekers awaiting their results from the territorial commission, or those 58 percent failed asylum seekers (Ministry of Interior 2016-2017) and without any form of protection, can work in the agricultural fields under zero standard labour conditions. Like it was in my personal experience, employers go to asylum camps to search for daily and weekly workers. This exploitation also arises from the desire to work and meet one's needs especially in asylum camps where conditions are tough without the monthly pocket money. Furthermore, the Dublin regulation recommended that asylum seekers finish all their asylum procedures in their first country of entrance into the European Union (GRETA, 2017, 19) but should stay even if they fail to pass the asylum and other protection tests. Therefore, asylum seekers waiting for their results, or those failed and without any form of protection cannot move outside Italy. As a result of their conditions of need and vulnerability, many migrants ended up being exploited by gang-masters and unscrupulous Italian employers into agriculture²³⁵. Therefore, risk factors arising from the legal and institutional frameworks potentially (can) give way to general pessimism and allow endemic impunity on the side of exploiters to perpetrate fundamental human rights of TCNs.

As the most important pillar of due diligence²³⁶, legal and institutional frameworks contribute risk factors through some significant deficiencies in their structures, formulations and resource insufficiency concerning monitoring the activities of migrant workers who have moved into Italy and work in the agricultural sector. As migrant workers continue to increase, the capitalist model of low-cost production depends on the most vulnerable workers who eventually end up between the ghettos and agricultural fields.

²³³ See, Ambassador Tomáš Boček, Special Representative of the Secretary General on migration and refugees (2017) *Report of the fact-finding mission to Italy, 16-21 October 2016*, Council of Europe. Available from: <http://www.statewatch.org/news/2017/mar/coe-italy-report-rights-of-migrants-refugees-3-17.pdf>. [7 March 2018].

²³⁴ See, Dipartimento per le libertà civili e l'immigrazione 2017, *Dati asilo 2016-2017*, Ministero dell'Interno. Available from: http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/dati_asilo_2017_.pdf. [10 March 2018].

²³⁵ See, Dipartimento per le libertà civili e l'immigrazione 2017, *Dati asilo 2016-2017*, Ministero dell'Interno. Available from: http://www.libertaciviliimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/dati_asilo_2017_.pdf. [1 July 2018].

²³⁶ ‘Due diligence’ means that if migrant workers are at risk of being exploited due to the accumulation of risk factors as stated above, it becomes an obligation for the relevant authority (in this case, the Italian state) to put up measures to investigate and identify labour exploitation, and protect victims or those at risk. This will also avoid widespread impunity among the exploiters.

Perhaps the most common risk factors are these legislations that make the situation of migrant workers irregular and as a result make them even more prone to severe exploitation, and law proofed so far, the most effective to that goal. These mostly non-EU migrant workforce in most productive sectors, and those areas many Italians would prefer not to, are being label as felons: ‘alleged smugglers and traffickers’, ‘drug dealers’, ‘prostitutes’ and ‘delinquents’. Therefore, government efforts in improving the condition of these work force has largely being overshadowed (by those defining discriminatory policies) rather than direct researches towards the living and working conditions of farmworkers. Italy uses an “implicit model” of integration which is neither able to address nor does it tangibly improved the problems of labour migration it faces (Ambrosini, 2001, 26-28). If anything, this implicit if not convoluted model, is supported by the so-called propaganda that politicians use to oppose migration and negatively shape public opinion. The low and sometimes absence of continuous research on workplace discrimination, xenophobia and racism, is complemented with sources/researches that present mere data on the job market. This poor concern for migrants in the job market is itself discriminatory and not least important than regularising their residency status. Ambrosini (2001) analysed the “implicit” Italian model of labour integration to be spontaneous, rather than an organized effort of institutions therefore, “a constellation” of identifiable problems (p.28). Due to ineffective and inefficient investigations, and investigations that do not end into prosecutions and convictions, many culprits of labour exploitation in the agricultural fields are hence granted widespread impunity for free riding the agricultural landscape.

For these Senegambians, agricultural work remained the least of all ultimatums where all other avenues have been tried, reviewed and exhausted. They are workers without any other alternatives and unreservedly use their energy to maximise wealth accumulation of exploiters.

Meanwhile, it seems to have escaped many commentators that what obligated these workers is not merely their poor economic status-vulnerability, but more importantly, the institutional malaise which both create and accommodate their vulnerability, status-need and violence. During this case study (Chapter 4), no police report or investigation has been done or confirmed to this research. Rather than anything else, to my mind, it is Italy’s institutions to blame for the most part: the presence of the mafia and other criminal organisations manifested the lack of government machinery and apparently, nothing can be more evident than the absence of Italy’s central government (machinery) in most of the south where both the country’s olive production and other agribusinesses are dominant and the “Agromafia” even more aggressive. Furthermore, Sicily is also the region of entrance for most irregular sub-Saharan migrants.

6.6.7 The capitalist construction of vulnerability in a globalised economy

‘The globalisation of vulnerability’ negatively disempower migrant workers in general and ‘seasonal migrant workers’²³⁷ in particular. Migrant workers share crucial features in such as: (a)

²³⁷ Throughout this research, a ‘seasonal worker’ refers to agricultural workers carrying out seasonal works in Italy. However, Article 3 of the Seasonal Workers Directive defined a ‘seasonal worker’ as a person who retains his or her principal place of residence legally and temporally in a Member State to carry out an activity dependent on the passing of the seasons, under one or more contracts between the third-county national and an employer. This research interests are substantively to look at the rights of these migrant workers who might or might not find themselves under a regular situation of work, but, whose rights as persons and as seasonal workers are equally important and protected under the criminal law.

regular workers²³⁸ or workers in irregular conditions²³⁹; (b) people from underdeveloped or developing countries (usually from the global south); (c) housed under sub-standard and sub-human conditions; (d) working for extremely longer hours than required by law; (e) no salary paid or paid wages below the minimum standard set by law; (f) hardly had any contact with their families or persons from outside where they work or live (alienated); (g) confiscation of documents by employers or limited movements are not uncommon; (h) very few or no days of leave; (i) lack of social security payments; and (j) working conditions differ significantly from what was previously agreed (IOM, 2010, 6). These characteristics are not peculiar in the modern society of Italy (“La Brava Gente”) but far from a good life (“La Dolce Vita”) for the farmworker.

This increasing vulnerability is a combination of several factors which are innately socio-economically and politically influenced. The increase spread of criminal organisations coupled with the mafia has made the so-called “caporalato” and labour exploitation a socially ‘acceptable’ phenomenon like many others (such as human trafficking and the prostituting of Nigerian girls in Italy). The needy condition of farm workers, favoured by the economic crisis, and the growing number of immigrants fleeing hunger, famine, wars and persecution present a more complex problem box. Big agribusiness will only comply with labour laws out of fear. If they know that their employees, consumers and partners, will negatively react and which can potentially keep them out of businesses. Consequently, exploitation becomes implicitly accepted in the society because of its so-called ‘invisibility’ and “impalpability” (Mancini, 2017, 1-11). The legacy of racism, xenophobia and prejudices (see *M. and Others v. Italy and Bulgaria*, No. 4002/03, ECtHR 2012) against minorities can potentially shape or inform the decision of authorities against the oppressed minorities.

While forced and constrained migration increases globally due to economic instabilities and catastrophes induced by the World Bank and the IMF (Stiglitz, 2002, 166-195), at the same time, slavery and human trafficking for the purpose of labour exploitation remain still the most profitable illegal activities on the face of our planet (Global Slavery Index, 2018)²⁴⁰. Therefore, a population which is prone to residual poverty, lower security and whose living standards continue to deteriorate are equally a population prone to forced migration which expose them to Italian exploitation. As such, economic instability and poverty, increasing inequality gaps caused by globalisation through free-trade agreements or trade liberalisation and the mountainous debts so-called poor countries owe to the world financial institutions (Stiglitz, 2002, 166-195) are push factors to forced

²³⁸ ‘Regular migrant’ is a third-country national who under domestic immigration legislation is entitled to stay in Italy. This person can also be referred to as a ‘migrant in a regular migratory status’ or simply as ‘documented migrant’.

²³⁹ ‘Irregular migrant’ refers to foreign national whose migratory status does not comply with the domestic immigration legislation. Therefore, an irregular migrant is any foreign national who by law, is not entitled to stay in Italy. The term ‘irregular’ is used here to refer to the condition(s) of individuals entry or stay and does not intend to express the personality or quality of the individual. Basically, an ‘irregular migrant’ means a foreign national in ‘an irregular migratory status’. In Italy, a person in an irregular migratory situation can be called an ‘undocumented migrant’ or even the term ‘clandestino’ -a derogatory Italian term for migrants under irregular migratory status.

²⁴⁰ It appears to me, however, that we will continue the fight against slavery that began more than 400 years ago as a common project, to eradicate exploitative agricultural conditions which allow this cancer to triumph conquering fields, people and markets since the industrial revolution in England. As we lamented about the Transatlantic Slave Trade (in moves such as 12 years as a Slave), we see its resemblance (in the agricultural ghettos and fields of Italy) which survive on the ‘blood, sweats and tears of predominantly TCNs

migration. As we have seen in Chapter 5, certain migrants from highly indebted countries such as Senegal and the Gambia, were left without any other alternative but to migrate to destinations where they hope to find a market for their labour —the only thing they have left for sale. Some were heavily indebted already before reaching the fields which all further expose them to exploitation for the hope to pay back their loans and realise their expectations. According to Richard Seymour on the Guardian, (1 May 2014), “Precarity is something that isn’t reserved for a small specialised group of people – the precariat or whoever. It spreads, it affects us all. The whip of insecurity disciplines even those who were recently comfortable ... We are all zero hours”.

Hence, the fight for migrant workers right will be inefficient unless our primary purpose is first to understand qualifiable ‘risk factors’²⁴¹ which cause vulnerability²⁴². Ian Brinley (2013) as quoted in *Vulnerability, Exploitation and Migrants: Insecure Work in a Globalised Economy* by G. Craig et. al., “firms are almost obliged to treat workers on zero hours contracts badly — for example, avoiding making offers of work on a regular basis — if they want to make sure that the employment status of the individual remains that of a worker [rather than an employee]”²⁴³ and economic recession makes it more difficult.

While the above stated characteristics are merely illustrative and sometimes subjective to the individual migrant worker, there are other risk factors that generally render TCNs who work in the agricultural field equally vulnerable and prone to exploitation.

Firstly, the personal situation of the migrant workers is crucial here. Many migrant workers doing seasonal jobs criss-crossing the length and breadth of Italy have several obstacles including:

1. Extreme poverty, and the complete sense of insecurity experienced in their home countries and destination countries, generate a situation of a globalised vulnerability. In reality, this is largely as a lack of opportunities, especially of economic resources, good governance and lack of human rights in their countries of origin and destination (see, chapter 5 and 4).
2. Many migrant workers and TCNs in particular, have difficulties in communication. Many others do not have the opportunity to interact or study Italian intensively as an essential tool for their active socio-political, economic and cultural participation. Generally, the isolated living conditions of many migrants make it difficult for them to speak or understand Italian (in Chapter 4). The language barrier is one of the most important obstacles that make the social and economic ‘integration’ of migrant workers in Italy a strong point of concern²⁴⁴. This crucial barrier makes it

²⁴¹ ‘Risk factors’ means those conditions that render migrant workers vulnerable to labour exploitation in the agricultural fields of Italy. It can also be said that risk factors are what inspectors must observe for the purpose of encouraging and enhancing workers right and human dignity. ‘Due diligence’ means that if migrant workers are at risk of being exploited due to the accumulation of risk factors, it becomes an obligation for the relevant authority (the Italian state) to put up measures to investigate and identify labour exploitation, and protect victims or those at risk. This will also avoid widespread impunity among exploiters of migrant labour. But as emphasised in many reports and studies (Observatory Placido Rizzotto, 2012, 2014, 2016 and 2018, we have seen many cases went ‘mysteriously’ into thin air.

²⁴² ‘Vulnerable status’ here means any such condition (or state of need) in which a person has no real alternative but to submit to the prevalent atmosphere of violence and oppression consequently producing ‘exploitation’ (the unfair use of an individual’s precarious position) that is typical of Italian agriculture.

²⁴³ Ian Brinkley, The Work Foundation, August 2013 as quoted in Craig G. et. al.. *Vulnerability, Exploitation and Migrants: Insecure Work in a Globalised Economy*

²⁴⁴ In segregated or abandoned zones whether they find themselves in Italy, Spain or Greece or if they are in France, or Germany, many are socially distanced from the native population.

difficult for migrants to report their problems as recommended by *Article 18* and *603 bis* in the legal fight for their labour rights. However, in as much as the importance of Italian, Spanish or other European languages cannot be overstated, I do not share the idea that migrants' economic integration starts from been able to speak a foreign language fluently and hence, those migrants who speak Italian fluently or are able to pass the Spanish or German language test are therefore, supposedly integrated. In my opinion, language, though a crucial part of survival, it cannot be used as the principal measurement of integration. Effective and impactful integration should start with creating alternative job opportunities and simultaneous language courses which do not isolate them. Italian language is important for the fight for their labour right, especially so that their voices and feelings can be heard and felt without interpretation and second parties. TCNs should not merely be 'there' between the camps, ghettos and greenhouses. Instead, these migrants must be given the chance and not be judged as 'they are not willing to integrate' as if integration is defined by language alone or is something that is picked and seared on the body. After all, language cannot tell us of someone's character or about someone's integrity. That is if one is obedient or not, 'good or bad', 'hardworking or lazy'. Can it? The fact that many migrants are not able to speak Italian for example, do not mean they are not appreciative of their rights and privileges under the Italian Constitution. But rather than endeavour to understand the many factors pinning the barriers and provide help, anti-immigrant policies such as the *Security Law* (2018) and the non-implementation of their labour rights make the centre stage for social dumping of migrants. Many politicians are bent at measures of increasing the social distance between migrants and the natives. In particular, the new arrivals. In my opinion, using language as a measurement is not telling and therefore, unfair to the many migrants who are not able to speak Italian for lack of opportunity and whose rights are hence, institutionally ignored, abused and violated. I am convinced that one can be considered 'integrated' without being able to speak Italian fluently. 'Integration' should mean the presentation of 'equal opportunities to all as a matter of fundamental rights' and the full participation of all right holders in a society. The proper integration of TNCs will have to involve: (a) proper education not elementary courses; (b) proper health services not first-aid boxes; (c) proper housing not ostracised asylum camps; (d) detention centres and inner- and outer-city agricultural ghettos, afar from active native social life and; (e) formal employment and descent wages not the "dirty, dangerous and dull". Therefore, if language becomes the principal measurement of integration and rights and privileges for TCNs move in that order, it will turn out as a process of forceful assimilation. As such, thousands of TCNs, especially the non-schooled will be discriminated and unjustifiably alienated into ghettos and exploitation fields. Contracts and labour rights should be provided to migrant workers in their own languages or those understandable to them and other languages only secondarily. Therefore, 'integration' should mean giving equal opportunity to all in order to to develop their skills to become competitive and make real alternative choices for dignified living outside the abandoned zones. Migrants' integration should start with real economic integration and all other will follow gradually.

3. Lower level or no formal education or lack of recognised diplomas make the vast majority of these migrants do jobs that are degrading to their human dignity. But also because of their lack of documented or certified formal skills and information about the regular job market in Italy (Global Slavery Index, 2018), many end up accepting working conditions that are seriously below the standards set by law. In such contexts, employers create risk factors too. In cases of a written contracts in Italian, for migrant workers who do not understand Italian. It is important to emphasise that some of these migrants cannot read or write in any language, not least because of their distinct backgrounds of origins. Most of them have taken journeys that also left them without any documentation which make it enormously difficult to proof their formal qualifications or other

professional competences. A lot were too poor to have earned any advanced education before they reached Italy and the asylum camps have not help to integrate them into the formal economy, or education partly as because of rigid state laws. They are at best considered ‘unskilled’ and at worst deskilled and condemned to a production system that turned them into ‘servants and labourers without rights’. These enslave migrant workers become the invisibles ‘without’ rights, claims and power. In the long run, statistics cannot capture such scenarios and correctly relate their stories. The result is their social, political and economic alienation or dumping living in such contexts as ghettos or encampments (parallel societies) so that they are not integrated or better, non-integrable into the formal job market and hence, dumped into submerge economies. Another risk factor, employers maintain is not to inform their employees of their entitlements. Employers basically keep their workers in the dark about their rights and privileges. One of the most predominant risk factors use to access the full control of these migrants is accommodation. Employers increase the dependency of their employees by accommodating them on their plots of lands far from inhabited lands. This might also include the provision of transport or the employment of a friend or a member of the workers’ family. This is one of the most common ways use by unscrupulous Italian employers to limit the movement of employees contact with the outside world. This is the most effective way of asserting totalitarian control over a migrant worker.

6.6.8 Socio-political indifference

There are no official data on the number of illegal agricultural employment, however, FLAI/CGIL-Observatorio Placido Rizzotto (2018) estimates that there are between 400,000 and 430,000 workers in Italian agricultural sector “expose” to labour exploitation and abuse by gang-masters. The study emphasised that there are “more than 132,000 are in a condition of serious social vulnerability and severe occupational suffering.” These figures have not decline, if anything, the reports and studies since 2012 show progressive development. Hence, thousands of these legally disadvantaged and vulnerable migrants now found themselves in ghettos, shanty houses derelict buildings just about survival-level in situations of peril between irregularity and agricultural exploitation and gradually into contemporary slavery conditions and practices. Questions about what happens in the agricultural fields of Italy have raised political awareness all over Europe. What actually produce these ghettos and what transpires in these shanty villages or tent cities, and container houses have been investigated in Chapter 4.

Usually, harvest is the clearest part of the precarious life of thousands of migrant workers living between ghettos and fields. The violence paused by low wages through gang-mastering and “Agromafia” under the auspices of the Italian state, produce degrading housing conditions for thousands of workers. But even with stampeding virtual evidence of this agricultural exploitation and the introduction of the law against “illicit intermediation and agricultural exploitation” in 2011 and in 2016 into Italian criminal law respectively, thousands of migrant workers are still held in slavery-like conditions in and out of the ghettos under continuous threats, coercion, violence and manipulation (Bureau of Democracy, Human Rights and Labour, 2016; Global Slavery Index, 2017, Placido Rizzotto 2018). In some cases, deaths and injuries are not uncommon (Leogrande, 2008 5-15) even if many of such circumstances went uncountable or counted as natural deaths. Be it in Orta Nuova (South Foggia) Rosarno, Gioia Tauro, Sibari Plans (Calabria), Victoria, Trapani, or in Campobello di Mazara (Sicily), agricultural ghettos are appalling living quarters of migrant workers who cannot afford or have not the prerequisite documents to rent houses on their own. These ghettos are grounds created out of frustration, maintain by oppression, and full of depression. These

migrant workers put-up cardboards, sticks, old cloths, fragile tents, beds and mattresses to forge a place to live lacking the basic services for months and years—in every season.

Gradually, as migrant workers increase in number, so do the ghettos and the precarious nature of their lives of not having any real alternative but to live in ghettos infested with rats, frogs and insects causing serious threats to their health. Many ghetto inhabitants had intended for temporary stays, but are stuck there for years. In some of them, gang-masters rent all the dirty infested mattresses, sale electricity and water which migrant workers pay for from their merge wages, or have it subtracted from their pays.

Some gang-masters compel migrants to buy from their chosen supermarkets with a given ticket (called “Buono” in Italian). Hence, they had to adjust to their needs and as a matter of necessity, there might be small outlets to buy few food items. Various alternative service arrangement such as repairing bicycles is also visible in some expanding ghettos such as the 'Senegambian village' of Campobello di Mazara (see Chapter 4)²⁴⁵ .

Ghettos are commonly found outside inhabited areas of the locals but not always. They are often clandestinely located in agricultural areas as a temporal refuge for workers and their proximity to agricultural fields is therefore, first in order of importance. Some ghettos or shanty houses can be found in the middle of Italian cities in derelict buildings like the former Ex-Moi (the 2006 ex-Olympic Village) of Torino near Lingotto. These sub-Saharan migrant workers move between Saluzzo, Cuneo and other green zones in Piemonte searching for any (menial) job available. There are also many other ghettos in Palermo in Ballarò, and in Catania where Gambians and Senegalese live and work.

By all standards observations regarding active human (social) relations, some of these abandoned ghettos are qualified to be labeled as some sort of economic prisons for migrant workers who have no active human contact with others outside their own realities, or order than the occasional part-time social workers and volunteers.

In Campobello di Mazara, the gang-master and first arrivals who establish some connections, build agricultural ghettos and rent out beds to their fellow workers who were there briefly. The mattresses are owned and rented from Italians who collaborated with some few African workers and gang-master in the ghettos. African gang-masters provide a place to sleep whether in the open air or in some crafted cardboard tents. It must be noted that conditions in these ghettos differ. In a way, they are all uniquely representative of precarity and “agromafia”. Campobello Di Mazara for instance maintains a unique agricultural ghetto scenario in Italy: degrading, overpopulated, and completely dark in all spheres of life. Depending on how one looks at it, the degrading living conditions in these agricultural ghettos go beyond than physical violence and psychological vulnerability. It impacts can be overwhelming and for some, damaging forever. Many youths, women and young men are physically sick and yet to access proper health services. Many others are psychologically unstable and some are expose to heavy drug and pharmaceutical abuse, crimes and accidents, violence and even sex work characterise many of these ghettos. For them, it has become a vicious circle. As a result, exploitation and slavery like practices occur in the south as in the north conquering fields, workers and markets. This degrading treatment is not an exception but most

²⁴⁵ These ghettos are disguise pictures of some African villages and slums in the real so-called developed world.

evidently, a part of Italian agricultural production that feeds off exploitation on the predominantly vulnerable and disadvantaged migrant population.

At a time when gang-mastering and “Agromafia” continue to play a dominating role in Italian agriculture, Italy is paradoxically one of Europe’s biggest exporters of fruits and vegetables and the world’s second supplier of tomatoes after the US²⁴⁶. Legal enforcement is not particularly a southern Italian problem only. It is a national worry. Meanwhile, the legal conundrum in the area of agriculture has to particularly do with the lack of political interest particularly towards TCNs. The fact that labour rights, de jure de facto, fall under labour law. The criminal proceedings related to *Article 603 bis* as amended by *Law No. 199/2016*, *Article 600* and *Article 601* are small (GRETA, 2014; ASGI, 2017)²⁴⁷. Although *Article 603 bis CC* and *Law No. 199/2016* are at work, their impact on the general fabric of the ‘legal culture’ and how it can extend to produce the law’s goal remain inadequately applied. *Article 22* of the *Legislative Decree No. 286/1998* amended by *Legislative Decree No. 109/2012 Transposing Directive 2009/52/EC* into national law regarding penalties for employers employing irregular migrants workers proves to be ineffective towards labour exploitation as it calls for ‘particular working condition’ difficult to match the Directive (ASGI 2017). Furthermore, several legislations naturally face inefficacy since most victims or those at risk of this labour exploitation are not strictly ‘irregular’ rather, they are refugees, asylum seekers, economic migrants and needy Italians and EU citizens²⁴⁸.

The exploitation of these workers employed for instance, in Campobello di Mazara and its periphery and their subsequent condemnation to degrading living and work conditions has never totally caught the attention and interest of Italian politicians, law enforcers and employers in the agribusinesses. From discriminatory policies and politics of disinterest at communal and provincial level, this clandestine ghetto was also defined by conflicts between the residents of Campobello di Mazara and their workers from sub-Saharan Africa. Accidents, violence and arrests of these migrant

²⁴⁶ See, *FoodWeb*, available from <https://www.foodweb.it/2019/01/pomodoro-italia-3-miliardi-fatturato/> [Accessed 16 February 2020]

²⁴⁷ Most criminal proceeding often concerns sexual exploitation for a wide range of motivations and challenges. Not least because it easier to win than slavery, trafficking and labour exploitation which due to their legislative nature makes it difficult to implement.

²⁴⁸ Historically, the clearest statistics on emigration and immigration in Italy came in 1981 Census and prompted authorities towards the legalisation of the status of irregular residents. But the increase of migrants in Italy has been felt since in the 70s. These mostly non-EU migrants were thought to be in Italy for temporary stays but continued to stay, work and pay taxes even as so-called “illegal” residents. This legalisation procedure also permitted Italian authorities towards the drastic procedure of no more issuing further permits to non-EU citizens. This was the very first time the Italian authorities stopped issuing work permits to non-EU citizens residing within the Italian territory; also, the first move of discrimination between EU citizens and non-EU citizens who work in Italy. However, 2013 has already marked an increase in the number of irregular non-EU workers in Italy since immigration will continue unbeatable in other areas exactly as a natural phenomenon or survival move from insecurity, or more apparently, poverty for many sub-Saharan Africans. In retrospect, another law that will seek to address the situation came in 1986 followed by a more comprehensive 1990 law both looking at foreign citizens concerning most essentially their work, health care, education, housing and so on and hence, a comprehensive data on the number of foreign workers/citizens residing in Italy. Meanwhile, while Italian authorities wanted to know how many non-EU citizens were residing in Italy, researches on the labour market and its relation to immigration were largely ignored and only started in the 90s. The 1986 and 1990 law both provided for the Italian authorities to provide data on the number of non-EU residents in Italy, however, it was only in 1997 that it came to function and migration flows were reduced almost towards “zero”. Thereof, the inflows of migrants workers continued but had to work under irregular conditions and authorities work towards periodic regularisation (amnesty) and legalisation of the status of certain work forces provided by migrants but their economic rights were largely not absorbed under those so-called ‘emergency moves’ or frame works.

workers appeared too apparent while their general living and working conditions remained as a matter of fact, that of contemporary slavery working like elephants but eating and living like rats. Evidently, they were employed to be exploited under real conditions of contemporary slavery. Therefore, the living and working conditions of these workers (in Chapter 4) were a manifestation of the fragility of the rhetorics of ‘labour rights as human rights’. This case study adds to the many alarms already made but most importantly, this case study critique our current human right politics and present it both at national and European level as a discourse afar from liberating these Senegambian workers (chapter 4) from gross exploitation.

6.6.9 Italy’s immigration policy and its relation to agricultural exploitation

Theoretically, Italy’s agricultural sector is regulated both at provincial and national level by Italian law. At the national level top of the legislative hierarchy, Italy’s immigration policy for instance the Legislative Decree No. 286/1998 which is the *Consolidated Act on immigration and on the condition of the foreign person*²⁴⁹ is literally the highest extend to which Italy’s government use legislative power to try to control migration flows. In the first instance, this case study found strong connections between labour exploitation of these Senegambians (most of them asylum seekers and few refugees) and Italy’s immigration policy. This single text on immigration is the result of many interventions and normative stratifications, born in different periods and with different political goals, with many absurd parts. The apparent legacy of racism and the construction of institutional vulnerability can be seen in punitive and xenophobic laws against migrants²⁵⁰. Policies and laws such as the Security Law 2018 (‘Salvini Law’) are harmful. This law keeps TCNs within irregular status and asylum seekers under conditions of need, isolation and expose them to the continuous threats of being reported. Meanwhile, most of them (TCNs) remain in Sicily, as a lack of alternative due to the Dublin Regulation. As such, they cannot legally move to the North where opportunities are expected to be higher.

The *Consolidated Act on Immigration and on the condition of the foreign person (Legislative Decree No. 286/1998)* has some very good aspects, for example article 18 even if applied inadequately, provides long term programme of assistance and social integration and residence permit for non-EU citizens regardless to their cooperation with the competent authority. Nevertheless, Legislative Decree No. 286/1998 has absurd applicable aspects such as Law No. 189/2002 (the Bossi-Fini law) that keep people in forced illegality.

²⁴⁹The Legislative Decree No. 286/1998 is called in Italian: ‘*Testo Unico delle disposizioni concernenti la disciplina dell’immigrazione e norme sulla condizione dello straniero*’.

²⁵⁰Historically, it is only now that the country that was largely known for its hospitality “brava gente”, who were equally known for their emigration history has drastically turned to be known as a county of immigration. The growing aggressive, inhospitality features, xenophobic and racist attitude that tends to define its public opinion and policies towards migrants is ahistorical of the “brave gente”. Though Italy is to be noted as the country of the “brava gente” who has always moved especially towards the US, Germany, Argentina and other Nordic countries for centuries (which it still continue receive millions as remittances (see Chapter 5). The situation today, faced by many vulnerable non-EU migrants most evidently, was the very former picture of Italians in other continents and countries before these more recent flows largely from Africa, and Asia. Rather, than from the fact of being the people of the “brava gente”, today Italy accepted most foreign migrant workers because they have begun to understand the need for such labour force which can only be provided by foreign labourers, largely by young non-EU citizens who can be easily discriminated not least because of their nationalities and socio-legal vulnerability profiles. More interestingly, the country of these “brava gente” also equally frown and even work towards discriminatory policies such as the so-called security decree that see this large migrant workforce as a threat to the welfare of Italy.

This case study of Chapter 4 confirmed fifty (50) young men faced with a triple burden of contemporary slavery, irregular migratory conditions and the struggle to maintain a work contract (for eventual document renewal). The result as in this case has been their general abandonment into a type of imbalance employment relationships where 22 percent (11 respondents) were without any form of work contract while the remaining 78 percent lived in some atypical employment relationships²⁵¹ (see, chapter 4). Empirically, this research investigated to which extent Italy's government use legislative power to control migration flows and why the 'Decreto Flussi' ('Flow Decree') amended by Law No. 189/2002, resulted to what I considered here as 'the orchestration' of a large unprotected migrant labour force into marginalise and criminal agricultural economy. In 2019, the 'Decreto Flussi' allocate 30,850 positions of work. Of this number, 18,000 was allocated to seasonal quotas in agriculture, hospitality and tourism industry. Of the 18,000, 2,000 was allocated to seasonal workers who have already worked in Italy and their employers have applied for multi-year permit. When we examine the percentage of non-EU seasonal migrants in Italian agriculture, the quota system invites very few seasonal migrant workers as compared to the labour demanded by its industrial agricultural model. This can be seen in increase number of irregular migrants in the agricultural sector. For instance, both Senegal and The Gambia are among the nationalities who can apply for seasonal work in Italy but none of my respondents came to Italy through the 'Flow Decree' nor have I met any such seasonal worker who came purposefully for seasonal work.

Therefore, while the recent migration flows and Italy's migration policies concentrated mass unprotected migrant labour force into the agricultural sector, meanwhile, they continue to shape our understandings about growing threats and new forms of exploitation. For instance, the old phenomenon of fake contracts has moved from one end to the other in several forms and styles: while gang-masters, companies, employers and criminal agribusinesses endeavour to maximise profits through violence and unlawful manners, the Italian government has failed to increase control of agribusinesses to mediate work related conflicts and injustices such as the imbalances of employment relationships. On the one side, poverty deepens vulnerability in workplaces and discriminatory migratory policies induce vulnerability especially for those non-EU migrants. All this work-related violence happened outside the constitution and other laws that should legislate agricultural employment. Hence, the Italian law *Article 603 bis ("Illicit intermediation and work exploitation")* and as amended by *Law No. 199/2016 ("Countering undeclared work and labour exploitation in the agricultural sector")* are yet to establish their plausibility structure and physical societal embodiment. As a result, agricultural exploitation remained unattainable practically at social level through criminal law. The criminal law still adjudicate for instance, in private cases before it, but can never control the agricultural domain full of small, medium-sized and big agribusinesses so difficult to control especially in a marginalised sector.

It is fundamental therefore to note the various factors that contributed to the ineffectiveness of this 'Flow Decree' such as the "Agromafia" and as already observed for instance (Ambrosini, 2001; 1-11, Caritas, 2018, 241-252) noted: (1) the long bureaucratic process involved to invite a non-EU worker; (2) the fact that employers do not want to take the risk of employing workers they do not

²⁵¹ These Senegambians were defined by various challenges, namely: the so-called "lack of requisites" into the formal agricultural job market; the need to renew, regularise and maintain a permit of stay; and for the largest part, their extreme poor economic status and the absence of other real alternatives eventually pushed them into this marginal economy where labour rights are virtually inexistent and as a consequence, their precarious availability in numerous numbers made them an easy target to do the dirty, dangerous and dull jobs.

know before hand; (3) the increase numbers of Mediterranean migrants (refugees and asylum seekers) and; (4) the availability of workers from Romania at the door as EU citizens make employers to easily shift their options consequently serving as an alternative to the quota system²⁵². However, the oppressive nature of Italian agricultural production as shown in this study, relentlessly produce degrading conditions thousands of migrant workers face and constituted sad evidence concerning the inefficacy of the existing state laws supposed to guarantee and protect farmworkers rights.

Table 6.2: Programmed annual quotas of seasonal labour: 2001-2018

	TOTAL	SEASONAL LABOUR
2001	89,400	39,400
2002	79,500	60,000
2003	79,500	68,500
2004	79,500	50,000
2005	99,500	45,000
2006	550,000	80,000
2007	252,000	80,000
2008	230,000	80,000
2009	80,000	80,000
2010	184,080	80,000
2011	60,000	60,000
2012	62,850	35,000
2013	47,850	30,000
2014	32,850	15,000
2015	30,850	13,000
2016	30,850	13,000
2017	30,850	17,000
2018	30,850	18,000

Source: Data elaboration of Fondazione Leone Moressa 2011

The collective bargaining system which was transposed into provincial law concerning provincial agricultural workers was supposed to regulate contractual work. It also administers the hours that can be served in agricultural work which is maximum 40 working hours a week for permanent agricultural workers. This legislation has been endorsed but is yet to achieve fundamental labour rights of agricultural workers such as their hiring processes, piecework, workers health, shelter and safety. The institutional intervention that brought a tent city to Rosarno is now the shadow of the

²⁵² Hence, it the *Consolidated Act on immigration and on the condition of the foreign person* which regulates personal and cooperatives be it small, medium-size or big agribusinesses.

former ghetto and yet, another institutional failure. The tents were built to address the accommodation problem temporarily, but soon enough, they fell short. There were more persons than there were accommodation and facilities. The failure of administration turns it into a new government sponsored agricultural ghetto.

Part of Legislative Decree No. 286/1998 main goal (and perhaps which overshadowed the welfare of these vulnerable migrant workers) is the economic and occupational development of the local territories which is revisited every four years. Paradoxically, the living and working conditions of migrants in the agricultural ghetto of Campobello di Mazara subjected to everyday violence is a shameful manifestation of the institutions that are supposed to regulate the agricultural sector and agribusinesses at both provincial and national levels. This case study disputes any active function of this provincial and national regulations as far as the regulations' physical embodiment in the agricultural atmosphere was concerned in this ghetto as well as in the agricultural region of Trapani. This study confirmed a correlation between their dependence employment relationships, needy and vulnerable situations and the lack of protection²⁵³.

Matters will be worse with the introduction of a what I like to call a 'pseudo-slavery and anti-migratory' law that will direct a lot of migrant labour yet into this marginalised economy. The so-called "Provisions on public security, prevention and combating terrorism and mafia crime" targeted migration as a key threat to the national security of Italy. The so-called 'Salvini Law' was adopted in October 2018. The text of the decree-law 14 June 2019, n. 53 (in the Official Gazette - General Series - No. 138 of 14 June 2019), coordinated with the conversion law of 8 August 2019, n. 77 (in this same Official Gazette) contain: "Urgent provisions regarding public order and security." This law was conjured in my opinion as an anti-migratory policy and authoritatively dump a large migrant labour force into abandon zones like agriculture, to feed the constant labour need of Italian agriculture and other marginal sectors and as a result, those who have not arrived through the 'Flow Decree' face many threats.

In the name *the politics of security threats*, Lega Nord has been able to bring an arrest to Italian humanitarian protection formerly provided to irregular staying third country nationals with special needs or failed asylum seekers. This law brings about a lot of negative changes that expose migrants, especially non-EU citizens to exploitation. For instance, this so-called emergency law, halt the operation of SPRAR ("Sistema di Protezione per Richiedente Asilo e Refugiati") and replaced it with CAS ("Centri di Accoglienza Straordinaria"). Most CASs are located in the rural or peripheral areas and many centres already lack adequate standards such as the provision of inclusion programmes and protection for minors, women and victims of torture.

The 'Security Law' (*Urgent provisions regarding public order and security*) brought about a radical transformation and deregulation of the Italian Immigration system which put asylum praxis into their worst crisis since 2018. Seven areas are important to highlight around this law such as:

²⁵³ The lack of inspections that will lead to prosecution on the labour conditions of these migrant workers combined with Italy's anti-migratory policies particularly as currently formulated and legislated with accompanied discrimination, racism and xenophobia placed high risks thousands of migrants face every day and those in irregular migratory conditions even more. These are all institutional concerns which push migrant workers into this marginal economy and directly fuel agricultural exploitation through free riders.

- (1) *Requesting for political asylum*: Asylum can be suspended, and the asylum seeker deported if convicted of crimes relating to sexual violence, drug dealing, theft and injuries aggravated to a public official.
- (2) *No humanitarian protection*: in case of humanitarian emergency situations like natural disasters and civil reasons in countries of origin, residence permit of one-year.
- (3) *Detention in repatriation centres*: The detention time have been doubled from 90 days to 180 days.
- (4) *From SPRAR to CAS*: small hosting centers under Municipalities can no longer accommodate asylum seekers. They can only unaccompanied minors and those with international protection.
- (5) *Added funding for repatriations*: At the moment, € 500,000 is allocated for 2018, € 1.5 million for 2019 and € 500,000 for 2020 for deportation of foreigners
- (6) *Revocation of citizenship*: If a person is considered as a possible danger to the public security (state), citizenship could be revoked after final convection for crimes related to terrorism. His or her citizenship application can be rejected even if presented by someone who has married an Italian citizen or citizen.
- (7) *No free sponsorship appeal*: No free sponsorship for migrants if appeal against the refusal of humanitarian protection is declared inadmissible.

Therefore, there is a strong correlation between agricultural exploitation and irregularity created by restrictive immigration policies. The urge to maintain a permit of stay through every possible means ransom these Senegambians to contemporary slavery (chapter 4).

MSF (2018) recorded up to 10,000 people who were affected and highlighting more future risks. According to Amnesty International (2020), the number of irregular migrants in Italy will surpass 670,000 in 2020. This number is more than twice as many as only five years ago. The apparent legacy of racism and the construction of institutional vulnerability can be seen in punitive and xenophobic laws against migrants²⁵⁴. Policies and laws such as the Security Law 2018 ('Salvini Law') are harmful. This law keeps TCNs and asylum seekers within irregular status under conditions of need and isolation and expose them to the continuous threats of being reported. Meanwhile, many TCNs remain in Sicily, as a lack of alternative due to the Dublin Regulation. They cannot move to the North where opportunities are expected to be higher.

Hence, the Legislative Decree No. 286/1998 is the Italian migration policy that has up-to-date negatively impacted and concentrated predominantly migrant labour force into agriculture. The quota system which regulate the demand for Non-EU workers from abroad and the availability of work in Italy ('*domanda e offerta di lavoro*') is found to be inadequate to meet the labour demand and supply or regulate irregular migration (Amnesty International, 2012) consequently pushing

²⁵⁴ Historically, it is only now that the country that was largely known for its hospitality "brava gente", who were equally known for their emigration history has drastically turned to be known as a county of immigration. The growing aggressive, inhospitality features, xenophobic and racist attitude that tends to define its public opinion and policies towards migrants is ahistorical of the "brave gente". Though Italy is to be noted as the country of the "brava gente" who has always moved especially towards the US, Germany, Argentina and other Nordic countries for centuries (which it still continue receive millions as remittances (see Chapter 5). The situation today, faced by many vulnerable non-EU migrants most evidently, was the very former picture of Italians in other continents and countries before these more recent flows largely from Africa, and Asia. Rather, than from the fact of being the people of the "brava gente", today Italy accepted most foreign migrant workers because they have begun to understand the need for such labour force which can only be provided by foreign labourers, largely by young non-EU citizens who can be easily discriminated not least because of their nationalities and socio-legal vulnerability profiles. More interestingly, the country of these "brava gente" also equally frown and even work towards discriminatory policies such as the so-called security decree that see this large migrant workforce as a threat to the welfare of Italy.

large unprotected migrant labour force into sectors such as agriculture, gardening and domestic work. Resident employers are expected through the law no. 40/1998 to send their request following numerous bureaucratic requirements and processes in order to invite a non-EU worker into Italy for seasonal and non-seasonal agricultural work²⁵⁵.

As a result, the convoluted nature of Italy's legislative framework to regulate irregular migration on the one hand and on the other, the nature in which it is being put into effect in the agricultural domain and in the area of immigration continue to establish frontiers that prevent decent agricultural work contracts for most unprotected migrant workers. These Senegambian pieceworkers, refugees and asylum seekers whose documentation requires from 1 year up to 5 years or even more, faced institutional oblivion in asylum camps, hosting centres and in urban and agricultural ghettos between atypical contracts, irregular migratory status and eventually agricultural exploitation constrained largely by status need. The need to maintain a permit of stay pushes them to helpless zones of abandonment where they can be used, reused and dumped next to nothing. As agricultural workers in this situation, they were employed into this marginalised economy in what is largely seen as an unrecognised skilful work discriminated as 'low-skilled' or even worse 'unskilled', and therefore, poorly paid, unprotected workers almost always in seasonal encampments and worked in olive plantations to climb and pick olives during autumn (chapter 4). Rather than unskilful work or workers, the work(s) these Senegambians do is skilful and needs both mental and physical strength. However, the impact of labour segmentation led to direct discrimination of worker protection and hence on 'unrecognised' skilful workers predominantly in lower economic sectors such as agriculture worsen situations for migrant workers.

6.6.10 European policies in the context of Italian agricultural exploitation

Most critically, it is important to point out to some relevant articles of the Charter of Fundamental Rights of the European Union.

Article 1 (Human Dignity) states that: *"Human dignity is inviolable. It must be respected and protected."*

Article 3 (Right to the integrity of the person): *"Everyone has the right to respect for his or her physical and mental integrity."*

Article 4 (Prohibition of torture and inhuman or degrading treatment or punishment): *"No one shall be subjected to torture or to inhuman or degrading treatment or punishment."*

Article 5 states that: *"No one shall be held in slavery and servitude." "No one shall be required to perform forced or compulsory labour." "Trafficking in human beings is prohibited."*

Article 31 (Fair and just working conditions), states that: *"Every worker has the right to working conditions which respect his or her health, safety and dignity." "Every worker has the right to limitation of maximum working hours, to daily and weekly rest periods and to an annual period of paid leave."*

However, since the 1990s EU policymaking on migration follows the paradigm of regulating irregular migration while simultaneously restricting legal entry channels to the EU towards "Zero" irregular migration. Directive 2014/36/EU "On Conditions of Entry and Stay of Third Country Nationals for the Purpose of Seasonal Workers" was adopted to meet the need for seasonal workers in the EU. Principally, this directive provides for the equal treatment of seasonal workers. The law provides for

²⁵⁵ The law No. 286/1998 discriminated a large part of Senegambian migrant population into Italian agriculture and in particular migrants from Africa who entered into Italy irregularly through the Mediterranean face even more problems. This 'Flow Decree' makes particularly Non-EU migrant workers vulnerable to manipulations and exploitation induced by "Caporali" and unscrupulous Italian employers.

housing, compensation and bargaining and complains of workers, rights to strike, paybacks, education and social security. While the directive requires member states to facilitate, the entry and reentry of seasonal workers, they as well have the discretion to restrict equal treatment by not providing provisions for long-term resident status for long time seasonal workers. Therefore, the directive gives member states the discretionary power in implementation and hence, increase employer-employee dependency²⁵⁶. Status-need coupled with dependency are prerequisites for exploitation of seasonal workers —technically constrain to maintain their to-be employers.

The 2015 EU Agenda on Migration and 2017 Mid-Term Review centred around the “root cause” of irregular migration but its primary political interest focuses on border management, controlling human smugglers and traffickers in cooperation with sending and receiving countries. Meanwhile, for the Senegambian migrants, this policy of restricting human movements through formal channels gave way to other forms of informal and mostly disastrous entry channels such as the Sahara-desert and the Mediterranean Sea through smuggling and trafficking. When these migrants enter into Italy or Spain, they are usually employed in marginalised sectors. This 2017 report referred to irregular migration as a “potential source of exploitation”.

Asylum procedures and reception systems in Italy expose refugees and asylum seekers to agricultural exploitation and abuse. For the last two decades, the EU has been paused with the challenge to address trafficking and labour exploitation²⁵⁷ (The EU Directive 2004/81/EC). In 2012 the EC adopted EU Strategy towards Eradication of Trafficking in Human Beings (2012-2016) and remarkably set out the centre on prevention, protection and prosecution and partnership and education. But even this strategy failed to provide non-prosecution of victims and their unconditional assistance. The EU blue card is provided for high-qualified non-EU workers which discriminates thousands of unprotected TCN workers who might be highly qualified and lives in the lower or marginalised economic sectors like agriculture.

The data collected on this case study (Chapter 4) of 50 Senegambians gathered substantiations of typical cases of gross exploitation and contemporary situations of slavery leading to conditions that violated both article 603 bis as amended by Law No. 199/2016 of the Italian criminal code and Italy’s obligations under several EU conventions on labour rights especially as regards to: low wages and arbitrary wage reduction; unhealthy and risky working and living environment; and very tedious and unnecessary long working hours without breaks or holidays. In fact, on September 2017, as a matter of concern, The European Commission on the Mid-Term Review of the EU Agenda for Migration has mentioned undeclared work as a “pull factor” for irregular migration into the EU²⁵⁸.

Historically, when the European countries introduced the “zero migration” policies in the 1970’s, there has been a sharp reduction in the number of migrants entering into Europe previously from

²⁵⁶ Archain, 2017 observed that Posted Workers Directive failed to provide balance work and fair competition and has “fostered social dumping dynamics”(see, Posted Workers Directive 96/71/EC). See also, Directive 2008/104/EC on Temporary Agency Work; Directive 2014/64/EU on Enforcement.

²⁵⁷ See, 1930 ILO Convention of Forced Labour, the 2000 UN Protocol on Trafficking, 2005 Council of Europe Anti-Trafficking Convention.

²⁵⁸ Many Senegalese are attracted to Italy with the hope that someday they will live a regular status, though this is not statistically true for the migratory status of many Senegalese and Gambians. See Chapter 5.

eastern European countries, but soon after the introduction of these restrictive European immigration policies, and economic recession and recent conflicts, migration has since then shifted from diplomatic or “suite case migration” (Triandafyllidou and Gropas, 2007, 6) to the inflows of hundreds of thousands of migrants from eastern Europe (predominantly Romania, Bulgaria and Albania), Asia, and above all, from Africa many of whom present themselves as asylum seekers. Most of these migrants in Italy have arrived through the very channel of globalisation itself and whose negative effects push them to migrate. A lot have been smuggled, trafficked and others sold into slavery before they end up in Italian fields. A pocket few through “suitcase migration” (Triandafyllidou and Gropas, 2007, 6) have arrived through the regular ways but end up into exploitation somehow. Agricultural workers and migrant workers are particularly the most oppressive workers in contemporary Europe (Triandafyllidou and Gropas, 2007, 1-12) and experience physical and psychological abuse at work and in the most extreme cases they live under conditions of contemporary slavery. Many of them work against their will under severe conditions of violence and other threats and punishments degrading of their human dignity (Carchedi et. al., 2005, 1-32).

The *Senegambian Back Way migration*²⁵⁹ (chapter 5) using the perilous life journey through Libya, crossing the Mediterranean into Italy characterised by smuggling and human trafficking maintained a lucrative source of young labour force into marginalised sectors like agriculture (chapter 5). And since Sicily is the main entrance point, agricultural Sicily witness an increase in the number of young, flexible and vulnerable sub-Saharan labour that can be easily exploited (chapter 4).

What is not pointed out however, this unprotected young labour will continue to be exploited as long as they remain unprotected and the impact on countries of origin is enormous (see, chapter 5). Analogically, just like their enslaved ancestors who have not benefited from their labour in the European plantations and how their expatriation undeveloped their communities and families (chapter 2), many of today’s Senegambians face a similar situation of years of contemporary situations of slavery, personally, collectively, and generationally. These Senegambians in situations of helpless nostalgia, are being separated with their families and alienated from their labour. However, their energies —blood, sweats, and tears— generate tones of fruits and vegetables for the Italian agricultural economy. Their exploitation makes a big profit for Italian agriculture which involve big companies, “Agromafia”, gang-masters, criminal organisations, employers, and small farming communities. In general, it boosts the Italian agricultural economy and this so far, has been left conveniently resolved at European level. Italian fruits and vegetables can be found almost in every globalised economy around the world, but fewer people are actually aware of the contemporary slavery conditions of Italian agricultural workers most particularly TCNs.

²⁵⁹ “Senegambian Back Way migration” refers to the informal migration of Senegalese and Gambians through the subregion, most recently through Mali, Burkina Faso, Niger and Libya into Europe. Usually, neither the journey nor the destination is precise. The name originated from the lack of access for entry into Europe for many youths. On the one hand the refusal of visas and on the other, the lack of the immigration requirements. Therefore, many boys and girls take up the ‘Back Way’. The first irregular Senegambian migrants used the Sahara-desert into Morocco and Spain. However, before the fall of Gaddafi, boats started to smuggle right from the Atlantic ocean (From Senegal and The Gambia) to the Grand Canaries, Spain, Italy and Malta. This migration is a very strong phenomenon that has killed thousands of Senegambians, led to family disintegration, and loss of culture, traditional ways of life and young labour almost from all spheres of life. During my research in Senegambia, I did a video documentary which set out to examine what the reality of ‘Back Way’ means for modern day Senegambian culture? The Back Way has been in existence since the last three decades without any solution. (See, chapter 5).

CAPITOLO VII.

CONCLUSIONI E RACCOMANDAZIONI

7.1 Lo sfruttamento circolare come un fenomeno che coinvolge tutti noi

E improvvisamente quelli che si sono sentiti al sicuro fino a ieri, non lo sono più. Quelli che non sono al sicuro si trovano a dover recuperare, non importa quali siano le conseguenze, anche se ciò vuol dire diventare uno schiavo contemporaneo. Le cose stanno così. Noi – tutti – contribuiamo al nutrimento della schiavitù. Per fermarla, dobbiamo lavorare insieme contro la vulnerabilità strutturale e colmare i crescenti modelli globali di povertà assoluta.

La circolarità dello sfruttamento è un fenomeno che travolge e sopraffà tutti noi. È un fenomeno in continua crescita che dà forma a modelli di insicurezza e che aumenta i gap di diseguaglianza tra gli sfruttati lavoratori migranti e gli sfruttanti datori di lavoro, tra gli schiavizzati e quelli che schiavizzano, tra i ricchi estremamente privilegiati e gli estremamente impoveriti, tra le grandi aziende di distribuzione e i piccoli contadini, tra i cosiddetti Sud e Nord del mondo.

La schiavitù contemporanea di Senegambiani nell'agricoltura italiana è estremamente simile alla già citata tratta degli schiavi della storia moderna e sono entrambi un prodotto diretto del capitalismo e dell'economia di libero mercato. L'eredità lasciata dalla tratta degli schiavi insieme al colonialismo, la povertà strutturale economica ed educativa, la cattiva *governance*, l'erosione di stili di vita tradizionali legati ai propri paesi di origine, la combinazione di politiche restrittive in tema di migrazioni dell'Unione Europea e di leggi nazionali xenofobe e inefficienti, la inadeguata protezione legale e socio-politica, espongono i migranti Senegambiani a sfruttamento agricolo.

Questa forma di schiavitù contemporanea esiste e persiste al giorno d'oggi a causa di ragioni, sistemi socio-economici, politici e legali, di interessi e istituzioni simili a quelle che hanno contribuito alla formazione e al sostentamento della famigerata tratta degli schiavi che ha caratterizzato tutta la storia moderna.

1. I pomodori e le olive che sono coltivate e raccolte da Senegambiani in Italia possono, al giorno d'oggi, attraverso il libero scambio e la globalizzazione del commercio, tranquillamente raggiungere le tavole delle famiglie Senegambiane in Senegal e in Gambia. Allo stesso modo, prodotti come lo zucchero e il cotone, raggiungevano i mercati africani durante il periodo della tratta degli schiavi. In sostanza gli antenati dei Senegambiani di oggi furono ugualmente ridotti in schiavitù dall'agricoltura industriale europea, il cui retaggio negativo li segue come degli innocenti "prigionieri economici" del settore agricolo italiano. Oggi, la madre di un lavoratore Senegambiano che compra pomodori italiani da un moderno supermercato a Banjul e a Dakar, potrebbe addirittura indirettamente contribuire allo sfruttamento del proprio figlio!
2. La principale differenza tra la contemporanea forma di schiavitù nel settore agricolo italiano (come discussa nei capitoli 3 e 4) e la precedente tratta degli schiavi che ha caratterizzato la storia moderna (discussa nel capitolo 2) sta nella condizione legale del lavoratore sfruttato: nella prima lo schiavo non è legalmente considerato proprietà di un mestro, nella seconda sì. A differenza di uno schiavo di tratta a cui è dato del cibo e un posto per dormire e potrebbe anche essere concessa l'autorizzazione a formare una propria famiglia o a ricevere delle cure mediche con la finalità di mantenere costante e non perdere forza lavoro, uno schiavista

contemporaneo non perde nulla se uno dei suoi lavoratori muore, considerando il fatto che avrà accesso a molti altri lavoratori in fila e pronti per essere sfruttati.

3. Sebbene queste persone sono state tutte sfruttate in contesti differenti, hanno condiviso analogie rilevanti riguardo alle loro pessime condizioni di lavoro e di vita, di decadenza e disperazione. In entrambi i casi, il lavoro agricolo ha presentato un mondo senza alcuna prospettiva.
4. I Senegambiani vittime di tratta in differenti epoche storiche, hanno tutti attraversato il Mediterraneo prima di essere schiavizzati in campi europei. Storicamente, soprattutto durante la fase della rivoluzione agricola industriale, schiavisti europei hanno salpato attraverso il mar Mediterraneo per Gambia e Senegal per trovare e acquistare forti e preparati lavoratori, uomini e donne. Più schiavi presenti in una piantagione, maggiore sarebbe stato il profitto e il prestigio politico che questa ottiene. Inghilterra, Portogallo, Spagna, USA e Brasile si sono sviluppati in economie industrializzate e formato governi che hanno strutturato, legalizzato e incentivato la schiavitù. Differentemente, la forma di schiavitù contemporanea, in un contesto di libero mercato, dona invece semplicemente all'Italia un vantaggio comparativo sugli altri paesi europei sulla produzione di beni agricoli. Oggi i Senegambiani potranno non essere direttamente catturati o acquistati, incatenati e venduti come schiavi come lo sono stati Kunta Kinteh o San Benedetto il Moro di Palermo, tuttavia la fotografia è estremamente simile. L'unica differenza è che i Senegambiani sono contrabbandati e trafficati attraverso il Sahara prima di finire in questa condizione di schiavitù contemporanea.
5. Certamente ci sono importanti differenze tra le due forme di schiavitù che vanno aldilà dei differenti periodi storici, metodi e impostazioni legali. Tuttavia, la pratica della schiavitù del lavoro per scopi di profitto e industriali ha caratterizzato e influenzato sia lo scopo che i risultati di entrambe le forme di schiavitù e ha reso gli africani sub-sahariani, in particolare quelli provenienti dall'Africa occidentale, i più esposti a questa forma di schiavitù agricola contemporanea. Molti paesi dell'Africa occidentale siedono geograficamente sull'Oceano Atlantico e la loro vicinanza all'Europa (rispetto all'Africa centrale e orientale) favorisce i trafficanti di esseri umani che hanno la possibilità di sfruttare il mare e il deserto per raggiungere l'Europa.
6. I cosiddetti sistemi di protezione internazionale Italiano ed Europeo insieme alle politiche di immigrazione nelle loro più ampie complessità convenzionali, stanno contribuendo alla creazione di soggetti estremamente vulnerabili e bisognosi, mettendoli nelle condizioni di cadere vittime di sfruttamento.

In molte aree falliscono nell'aiutare e proteggere individui le cui esperienze di vita hanno contribuito allo svuotamento della propria persona e alla privazione delle proprie potenzialità. Questo disastro umanitario richiede immediate e realistiche misure protettive di lungo periodo, come teoricamente sancito e promesso dai trattati fondanti l'Unione Europea. Più che mai è estremamente opportuno comprendere che la maggior parte di questi lavoratori agricoli e lavoratori migranti non hanno delle reali e concrete alternative. Numerosi sono quelli che sono innocenti "prigionieri economici" e vittime di discriminazione istituzionale e sociale. Esattamente come io stesso sono stato vittima di sfruttamento e abuso nel campo agricolo di Comiso e Victoria nel 2014, un grandissimo numero di Senegambiani che vivono e lavorano nel ghetto agricolo di Campobello di Mazara sono persone che godono principalmente degli status di rifugiato e di richiedente asilo e che vengono dal sistema nazionale dei centri di accoglienza.

Così come qualsiasi altro problema che la specie umana abbia mai affrontato, per citare J.F. Kennedy, “i nostri problemi sono provocati dall’uomo stesso - perciò possono anche essere risolti dagli uomini. E l’uomo può essere grande quanto vuole. Nessun problema legato al destino dell’uomo va al di là dell’essere umano stesso. La ragione e lo spirito dell’uomo ha spesso risolto ciò che sembrava irrisolvibile – e crediamo che possiamo farlo di nuovo”.

Personalmente sostengo e appoggio una cooperazione internazionale volontaria ed egualitaria e credo che solamente dopo aver definitivamente messo fine alla tratta di schiavi Transatlantica, alla prima e seconda guerra mondiale, alle invenzioni politiche della World Bank, delle Nazioni Unite, dell’Unione Europea, della World Trade Organisation, del Fondo Monetario Internazionale e dell’International Labour Organisation, alla celebrazione di anniversari per l’indipendenza di molte ex-colonie e alla crescente convergenza del cambiamento climatico e delle sue conseguenze (anch’esse provocate dall’uomo), possiamo allora iniziare a credere, senza alcun dubbio, che gli uomini di tutto il mondo possano equamente godere dello stesso potere politico ed economico.

Ed è per questo motivo che è nel nostro stesso interesse cooperare per intraprendere delle azioni immediate e realistiche al fine di porre fine a un mondo (il nostro) in cui i poveri, i bisognosi e le persone vulnerabili sono sempre più soggette a forme di schiavitù come quella che è stata descritta ed analizzata in questa tesi.

È opportuno e necessario ricordare e sottolineare che la maggior parte delle persone che cadono vittima e che vivono queste situazioni di schiavitù contemporanea sono quotidianamente soppraffatti dal semplice bisogno di trovare del pane, dell’acqua e un tetto da mettere sopra le loro teste. E la volontà di queste persone non sarà mai sufficiente a far fronte a questo dramma.

Senza il sostegno e la volontà politica delle istituzioni nazionali ed europee e senza la compartecipazione proattiva della comunità internazionale dei consumatori, sarà impossibile prevenire lo sfruttamento lavorativo e liberare questi innocenti individui che si trovano prigionieri dentro le mura di una prigione che si chiama “agricoltura italiana”.

Alla luce di ciò, la ricerca descrive e presenta anche cosa possa significare avere un lavoro in una situazione di non-sfruttamento:

- a) Un trattamento e servizio legale dignitoso per i lavoratori sfruttati;
- b) Evitare una gara al ribasso tra nativi e migranti (il celebre illusorio “noi” e “loro”) dove né gli Europei, né i migranti vincono. Gli unici a vincere sono quei pochi che traggono vantaggio da queste condizioni e guadagnano sulle spalle della sofferenza dei più deboli. Per evitare questa situazione “lose-lose”, nativi e migranti devono cooperare contro il comune oppressore.
- c) Un modo per ridurre diseguaglianze interne e globali è quello di aumentare la mobilità umana tra stati e nazioni per ragioni “meno dolorose” (ciò contribuirebbe anche a ridurre una migrazione basata sul bisogno).
- d) Il lavoro in condizioni di decenza e di non sfruttamento è un incentivo reale allo sviluppo poiché la diseguaglianza rappresenta un grosso freno allo sviluppo economico e sostenibile delle comunità. Perciò una redistribuzione più giusta della ricchezza e dei diritti porterà a uno sviluppo sostenibile di comunità anti-schiaviste sia nei paesi di origine, sia in quelli di destinazione.
- e) Il lavoro in condizioni di non sfruttamento promuove il benessere umano e aumenta la sostenibilità delle comunità e la prosperità dell’individuo.

Infine, questa ricerca ha come obiettivo quello di proporre delle raccomandazioni per far fronte a problemi di breve o lungo periodo che sono stati ampiamente trattati e studiati in questa ricerca.

7.2 Raccomandazioni

7.2.1 Adottare una prospettiva globale

- Ridefinizione della terminologia e della definizione di “rifugiato”: includere soprattutto persone che provengono da zone estremamente impoverite e affette da cambiamenti climatici. Nel caso di Senegal e Gambia, ex-colonie impoverite, le famiglie, i cittadini e, soprattutto, gli agricoltori, si trovano quotidianamente ad affrontare gli effetti del cambiamento climatico, andando a cambiare profondamente i propri stili di vita. L'agricoltura e la pesca, settori che danno lavoro e sfamano gran parte della popolazione, sono al giorno d'oggi l'una minacciata dall'inaridimento del suolo provocato e dalla scarsità delle piogge provocati dal cambiamento climatico e, l'altra, dalla presenza di grandi multinazionali di pesca. Questi fenomeni portano poi ad aggravare la situazione provocando uno sviluppo non ben organizzato e pianificato, forzando un gran numero individui a migrare.
- È necessario richiedere a istituzioni, organizzazioni e aziende (pubbliche e private) che contribuiscono in maniera significativa all'aumentare delle disuguaglianze causate da attività volte all'esclusiva realizzazione di profitto e da comportamenti dannosi all'ambiente (come estrazione intensiva di risorse naturali), una presa di coscienza e di assunzione di responsabilità.
- Cooperazione internazionale in materia di rimesse monetarie al fine di ridurre la tassazione sulle stesse nei casi di trasferimenti di denaro verso paesi a basso e medio reddito.
- Una miglior gestione delle migrazioni con l'obiettivo di facilitare la mobilità lavorativa e di promuovere e realizzare una migrazione meno dolorosa, rischiosa e traumatica, soprattutto per persone provenienti da regioni che soffrono di povertà strutturale. Riflettendo bene, mentre la mobilità di risorse, di beni e di denaro è libera e garantita, il movimento del capitale umano è fortemente limitato e subisce costanti restrizioni, criminalizzando la migrazione irregolare o, meglio per meglio definirla, la migrazione informale.
- Facilitare, incentivare e abilitare delle politiche al commercio più giuste ed eguali tra paesi più e meno industrializzati. Fino al giorno d'oggi, molte ex-colonie come Gambia e Senegal importano la maggior parte di ciò che viene consumato e producono in eccesso molti prodotti che non vengono consumati o che sono parzialmente consumati. Insomma, vengono prodotti beni che non soddisfano i reali bisogni della popolazione. In una concezione opposta a “produrre ciò che si mangia e mangiare ciò che si produce”, la fotografia globale di entrambi i paesi (sia che ci troviamo a Dakar – la piccola Parigi – o a Banjul) è quella del sopravvenire di moderni supermercati che forniscono prodotti provenienti da tutto il mondo, sui mercati locali e su quei produttori che producono prodotti naturali e sani, anche se privi di licenze o packaging.
- Le nazioni più sviluppate devono contribuire alla redistribuzione della ricchezza globale, investendo, senza interessi, nei paesi in via di sviluppo in termini di infrastrutture sanitarie, educative, telecomunicative e produttive.
- Istituzioni politiche più serie, giuste ed affidabili che si impegnano a creare politiche (attraverso tasse, doveri, sussidi...) ed ad incentivare delle attitudini positive per la promozione di un'ecologia non solo fisica, ma anche sociale per raggiungere la sostenibilità di quelle comunità che soffrono e sono sopraffatte da quei problemi che inducono a una

migrazione forzata e non pianificata (cambiamenti climatici, povertà strutturale, malattie infettive e alti tassi di mortalità).

- Strutturare una cooperazione internazionale più forte, giusta e coesa fondata su istituzioni politiche democratiche.

7.2.2 Senegambia

- Maggiori investimenti, protezione e sviluppo dei seguenti settori: agricoltura, pesca e acquacoltura, manifattura, telecomunicazioni, turismo sostenibile e terzo settore.
- Miglioramento del settore educativo, infrastrutture e sistema sanitario, garantendo un ambiente più vivibile e sostenibile.
- Migliori politiche e leggi verso la sicurezza della persona e la protezione sia del bene comune e sia delle risorse e delle proprietà personali.
- I diritti umani, ambientali, politici, economici, sociali, culturali e intellettuali devono essere garantiti.
- Politiche volte al miglioramento della stabilità ambientale, economica, politica e sociale.
- Appoggio e supporto all'autoimprenditorialità e alle imprese locali tramite la costituzione di un ambiente economico e finanziario positivo fondato su un sistema legislativo più chiaro e incentivante.

7.2.3 Italia

- Protezione sociale e umanitaria, inclusione economica e partecipazione democratica di tutti i lavoratori migranti.
- Creare condizioni adeguate alla realizzazione di un sistema finanziario inclusivo rivolto a un'eguale partecipazione dei lavoratori nel settore primario, in particolare dei lavoratori migranti.
- Realizzazione di politiche anti-schiavistiche attraverso il monitoraggio delle condizioni di vita degli impiegati nel settore agricolo in termini di: salario minimo garantito, ore di lavoro, condizioni di lavoro e di vita, accesso al sistema sanitario, sicurezza sanitaria e sociale, sicurezza sul lavoro, esistenza di un effettivo contratto di lavoro.
- Garanzia di contratti collettivi realizzati dai sindacati che dovrebbero aumentare la consapevolezza sui diritti dei lavoratori agricoli, in particolare dei lavoratori migranti.
- Riconoscimento delle competenze e delle qualifiche dei cittadini delle nazioni del terzo mondo (TCN) fornendo opportunità di riqualificazione, riapprendimento e miglioramento delle skills sin dal momento del loro arrivo. Questo può essere realizzato attraverso: orientamento lavorativo, educazione vocativa, opportunità di tirocinio.
- Educazione per tutti i migranti che desiderano studiare e per quelli "non qualificati" che desiderano essere "qualificati". Questo tipo di condizioni dovrebbero essere garantite per tutti i livelli di istruzione, fino a quello universitario.
- Sicurezza e protezione sociale deve essere garantita a tutti i lavoratori migranti, a prescindere dallo status migratorio. Promuovere e migliorare le politiche agricole in maniera efficace ed efficiente; applicare l'articolo 18 del Decreto Legislativo no. 286 del 1998 e condannare gli individui colpevoli di reato secondo gli articoli 600, 601 e 303bis come modificato dalla Legge no. 199/2016.
- Condurre e pubblicare studi più realistici sui *mismatch* del mercato del lavoro e sulla catena di valore. Istituire cause giudiziarie per i colpevoli di sfruttamento, con particolare

attenzione all'assunzione di lavoratori agricoli extra UE (ad esempio, il decreto flussi che è inadeguato e irrealistico sotto molti aspetti).

- Favorire un ambiente finanziariamente inclusivo per attività di imprenditorialità e di start-up per migranti extra EU.
- Policy-making serio e realistico che traccia e monitorizza le filiere agricole in modo da prevenire lo sfruttamento lavorativo.
- Regolarizzazione dei migranti in condizione di irregolarità al fine di ridurre il rischio di sfruttamento. Il decreto flussi dovrebbe semplicemente regolarizzare tutti i lavoratori agricoli “irregolari” e offrire alternative migliori a coloro che desiderano lavorare nel settore agricolo. Lo stesso principio potrebbe essere applicato ad altri settori quali quello turistico-alberghiero.
- Modificare le leggi che si oppongono ai diritti umani e che hanno posizioni discriminatorie e xenofobe.
- Appoggiare e incentivare la partecipazione civica e politica dei TCN, mettendo i lavoratori agricoli nella posizione di poter scegliere e prendere (non subire) delle decisioni.
- Relazione datore di lavoro – lavoratore proattiva al fine di evitare “datori di lavoro fantasma” attraverso la scrittura di contratti in un linguaggio comprensibile dai migranti. Questo potrebbe evitare che datori di lavoro senza scrupoli possano abusare di fondi europei e negare ai lavoratori migranti diritti che dovrebbero spettare loro.
- Perseguire con maggiore forza e con sanzioni più serie (quali la detenzione) gli sfruttatori di lavoratori migranti.
- Accelerazione del sistema di richiesta di asilo volto alla protezione e alla regolarizzazione dello status giuridico. Pianificazione di politiche economiche, sociali, educative e integrative “migranto-centriche” più realistiche ed adeguate che si fondino su ricerche empiriche sul campo e non su mere teorie politiche.
- Prevenire la diffusione della xenofobia tramite leggi nazionali e campagne di sensibilizzazione su social network.

Se non collaboriamo ora, in maniera globale e realistica, ma continuiamo a rimanere isolati, con interventi miopi di breve termine, questo grave sfruttamento di lavoratori precari moderni andrà immediatamente e gravemente a minacciare e danneggiare la nostra civilizzazione fondata sui diritti umani. Se agiamo subito, possiamo prevenire un'imminente catastrofe umana, ma se falliamo di agire insieme, all'unisono, ancora una volta cadremo vittime della nostra stessa negligenza e della mancanza di compassione per la vita degli altri, per la vita dei più poveri, dei più vulnerabili e bisognosi, in una società che abbiamo il coraggio di chiamare industrializzata e democratica. Forse non esiste momento più urgente per queste vittime di schiavitù contemporanea.

ANNEXES

ANNEX 1

QUESTIONARIO PER CAMPOBELLO DI MAZARA

Per chi compila il questionario: ricordo che tutte le informazioni saranno usate solo per scopo di ricerca. Spero pertanto che risponderai a tutte le domande onestamente ed in modo esaustivo! Il tuo nome non viene messo e la tua identità sera tutelata.

I. INFORMAZIONI GENERALI

1. Vuoi parlare della tua vita: (A)No (B) Si
2. Et : (A) Minore (B)18-25 (C)26-35 (D)36-45 (E)46-60 (F)Above
3. Nazionalit : (A)The Gambia (B)Senegal
4. Residenza: (A)Sicilia (B)Puglia (C)Campania (D)Lombardia (E)None (F)Senza residenza
5. Sesso: (A)Maschio (B)Femmina
6. Stato Civile: (A)Single (B)Sposato/a (C)Vedovo/a (D)Separato/a
7. Educazione: (A) Primaria (B)Secondaria (Media) (C)Diploma (D)Laurea
8. Abilit  Linguistiche

Lingua	
Italiano	A <input type="checkbox"/>
Inglese	B <input type="checkbox"/>
Francese	C <input type="checkbox"/>
Spagnolo	D <input type="checkbox"/>
Altro (specifica, per favore)	E <input type="checkbox"/>

9. Professione: (A)Ingegnere (B)Agricoltore (C)Falegname (D)Altro (Specificare, per favore) _____

II. INFORMAZIONI GENERALI RIGUARDANTI LA FAMIGLIA

10. Da quante persone   composta la tua famiglia? (A) 5 (B)10 (C)15 (D)Pi 
11. Quanti minorenni (under 18)? (A) 3 (B)5 (C)7 (D)Pi 
12. Quanti sono occupati con uno stipendio mensile? (A)Nessuno (B) 1 (C) 2 (D)4 (E)Pi 
13. Quante persone devi mantenere (economicamente)? (A)Nessuno (B) 3 (C)5 (D)10 (E)Pi 
14. Hai membri della tua famiglia attualmente che vivono e lavorano all'estero? (A) Nessuno (B)1 (C)2 (D)3 (E)Pi 
15. Quanti anni hanno? (A)Tutti minorenni (B) Adulti (C)25-45 (D)46+

III. INFORMAZIONI RIGUARDANTI LAVORO E MIGRAZIONE

16. Per quanto tempo hai lavorato all'estero (tutta la tua esperienza lavorativa, non solo in Italia)? (A)Meno di 4 anni (B) 5 anni al momento (C)Pi  di 5 anni (D)Altro (per favore specificare) _____.
17. Lavori permanentemente o solo stagionalmente? (A)permanente (B)Stagionale (C)Altro (per favore specificare) _____.

18. Da quanto tempo fai questo lavoro? (A)1 anno (B)2 anni (C)3 anni (D)4 anni (E)5 anni (F)Di più .
19. In quali Paesi hai lavorato prima? (A)Spagna (B)Grecia (C)Germania (D)Franca (E)Altro (per favore specificare) _____.
20. Cosa facevi prima di iniziare il tuo lavoro in Italia? (A)Lavoravo (B)Disoccupato (C)Studiavo (D)Servizio Militare (E)Altro (per favore specificare) _____.
21. Chi è il tuo datore di lavoro qui in Italia? (a) Il capo nero (b) Una singola persona (Italiano) (c) Azienda Privata (d) Governo (e) Non lo so (f) Altro (per favore specificare) _____.
22. Dove vivi qua in Italia? (Più di una risposta può essere data). (a) In un appartamento affittato indipendente (b) In un appartamento condiviso (c) A casa dei tuoi famigliari o amici (d) Ghetto (e) Vivo dove lavoro (f) In una casa del mio datore di lavoro (g) In qualsiasi luogo non residenziale (seminterrato, magazzino...) .
23. Come descriveresti il tuo lavoro e le condizioni in cui lavori? (Più di una risposta può essere data). (a) Facile e buono (b) Il lavoro è facile ma le condizioni sono difficili (c) Il lavoro è difficile ma le condizioni sono buone (d) Il lavoro e le condizioni sono difficili (e) Il lavoro e le condizioni sono molto difficili (f) schiavitù .
24. Perché hai deciso di andare a lavorare all' estero? (Più di una risposta può essere data). (a) Gli stipendi dove vivevo erano molto bassi (per favore, scrivi il tuo stipendio nel tuo paese di origine) _____ (b) A causa della disoccupazione (c) Avevo bisogno di soldi per incominciare un'attività commerciale (d) Per guadagnare soldi per una piccola attività commerciale (e) Per guadagnare soldi per costruire una casa (f) Per guadagnare soldi per un matrimonio (g) Per pagare studi universitari (h) Sono un richiedete di asilo/rifugiato.
25. Come hai finanziato le tue spese di viaggio giornaliera per andare al lavoro? (A) Il datore di lavoro copre le spese (B)con bus (C) machina di amici (D) bicicletta (E) Altro _____.
26. Avevi tutte le informazioni relative al lavoro prima di iniziare a lavorare (ad esempio informazioni sulle condizioni di lavoro) ? (A)Sì (B)Sì, avevo alcune informazioni, ma non un'idea esatta (B) No (C)Altro _____.
27. Se non avevi idea di quale lavoro avessi fatto qua, come hai trovato il lavoro? (a) Attraverso un ufficio del lavoro (b) Attraverso un'agenzia privata (c) Attraverso familiari che fanno lo stesso lavoro (d) Tramite amici (e) Attraverso giornali e internet (f) Attraverso mediatori ("caporale") (g)Altro _____.
28. Quale mezzo di trasporto hai usato per venire in Italia? (A)Aereo (B)Mare Mediterraneo (C) Altro (per favore specificare) _____.
29. Quali difficoltà hai dovuto affrontare per essere assunto qui? (a) Non ho avuto nessuna difficoltà (b) Problemi relativi alla registrazione di documenti (c) Il mediatore ha preso i documenti illegalmente (d) Il datore di lavoro ha preso I miei documenti illegalmente (e) Altro (per favore specificare) _____.
30. Quali difficoltà relative al lavoro hai dovuto affrontare? (a) Problemi relative al registro dei documenti (b) Problemi con l'acquisizione di un permesso di lavoro (c) Cattive relazioni tra il mediatore e il datore di lavoro (c) Attacchi da gruppi locali e nazionalisti (d) Non riesco a trovare il lavoro giusto (e) Altro (per favore specificare) _____.
31. Quanto tempo hai impiegato per trovare lavoro? (A)Una settimana (B) Ho solo chiesto al mediatore (C)Vado solo nei campi cercando lavoro (D)Aspetto una stagione in particolare (E)Altro (per favore specificare)

32. Quante volte hai cambiato lavoro in un anno? (A) Nessuna, ho un lavoro permanente (B) Ogni volta cerco lavoro nei campi (C) 3 o più (D) Altro (per favore specificare quante volte) _____.
33. Hai mai fatto più di un lavoro a volta? (A) Si (B) No (C) Altro (per favore specificare) _____.
34. Tra I candidati al tuo lavoro, erano presenti anche persone locali? (a) Si (b) No, I locali non vogliono fare il lavoro che facciamo (c) Non lo so (d) Altro .
35. Se erano presenti dei locali tra i candidati, perché il datore di lavoro ha scelto te? (puoi dare più di una risposta) (a) Perché sono più qualificato (b) perché chiedo uno stipendio più basso non lo so (c) perché non sono italiano (d) perché sono più forte (e) Altro (per favore specificare) _____.
36. Per te, quale è il modo più facile per trovare lavoro in Italia? (a) Più facile attraverso una via non regolare e illegal (senza un permesso di lavoro per esempio) (b) Ottenendo il permesso di lavoro (c) Non lo so (d) Altro (per favore specificare) _____.
37. Sai quali sono i documenti che ti servono per lavorare in Italia e dove possono essere richiesti e ottenuti? (a) Si, lo so molto bene (b) Si, ma non di preciso (c) Non lo so (d) Non ho documenti (e) Altro (per favore specificare) _____.
38. Se hai un permesso di lavoro, quanto tempo e risorse (£) hai impiegato per ottenerlo? (a) 1 anno (b) 2 anni e marce di bollo (c) 3 anni più marce di bollo (d) 4 anni più marce di bollo (e) 5 anni più marce di bollo (f) Ha pagato la mia comunità _____.
39. Se non hai un permesso, quali sono le ragioni per le quali non lo possiedi? (a) Non volevo averne uno (b) Non ci ho neanche provato (c) Ho provato a ottenerlo, ma non ce l'ho fatta (d) Il mio datore di lavoro non mi aiuta ad averne uno (e) Ai mediatori non piace (f) Altro (per favore specificare) _____.
40. Nel caso non hai potuto ottenere il permesso, perché non lo hai ottenuto? Quali sono stati gli ostacoli che te lo hanno impedito? (a) Non sapevo come e dove richiederlo (b) La procedura è molto lunga e complessa (c) Richiede troppe risorse (£) ottenerlo (d) I mediatori e i datori di lavoro non ti hanno aiutato (e) Altro (per favore specificare) _____.
41. Quante ore lavori al giorno nel tuo attuale lavoro? (a) 6 (b) 8 (c) 9 (d) 10 (e) Non lo so .
42. Quanti giorni alla settimana lavori? (a) 3 (b) 4 (c) 5 (d) 6 (e) 7 (f) Non lo so, lavoro quando mi assumano.
43. Con quale frequenza vieni pagato? (a) Mensilmente (b) Settimanalmente (c) Giornalmente (d) a ore (e) a cassette (f) Altro (per favore specificare) _____.
44. Come ricevi il tuo stipendio? (a) Attraverso un trasferimento bancario (b) Contanti dopo aver firmato la busta paga (c) Contanti direttamente dal datore di lavoro senza firmare nessun documento (d) Contanti direttamente dal mediatore senza firmare nulla (e) Altro (per favore specificare) _____.
45. Ci sono stati casi in cui non hai ricevuto il pagamento/salario? (a) No, mai (b) Si, ci sono stati alcuni casi (c) Si, spesso (d) A volte cambio lavoro perché non vengo pagato Altro (per favore specificare) _____.
46. Perché non hai ricevuto lo stipendio? (A) Il datore di lavoro ci ha imbrogliato e non ci ha pagato (B) Il mediatore ci ha imbrogliato e non ci ha pagato (C) Il datore di lavoro non ci ha potuto pagare perché in crisi (D) Ti hanno minacciato di denunciarti alla polizia (E) Altro (per favore specificare) _____.
47. Secondo te, quali sono I principali fattori che creano difficoltà e minacce nel trovare lavoro in Italia per i migranti? (Puoi dare più di una risposta) (A) Gruppi nazionalisti e ufficiali della polizia

(B) Documenti per il lavoro e condizioni particolari (C) Datori di lavoro e mediatori disonesti
 (D) Infortuni sul lavoro e cattiva salute (E) La possibilità di perdere il lavoro e di subire una deportazione (F) Discriminazione e razzismo.

48. Quanto spendi al mese, in media, per vivere qua in Italia o in questo ghetto? (A) Non lo so
(B) 300 € (C) 450 € (D) 600 € (E) Di più _____.

49. Quanto spendi in: (A) cibo 50-100€ (B) Vestiti 75-100€ (C) Alloggio 100-200€
(D) Spese mediche 50€ (E) Tempo libero 100€ (F) Mediatori 25-50€ (G) Altro (per favore specificare) _____.

DOMANDE SPECIALE RIGUARDANTE ALLE RIMESSE DEL RISPONDENTE (PER FAVORE, RISPONDE!)

50. Spedisci soldi alla tua famiglia? (a) Sì, fine stagione (b) No (c) Non ho nulla da spedire
(d) non voglio rispondere .

51. Come spedisce i soldi a casa? (Più di una risposta può essere data) (A) Tramite persone che vanno a casa mia (B) Raccolgo i soldi e li porto io direttamente a casa (C) Attraverso sistemi di trasferimento di denaro (Western Union/Money Gram (D) Tramite gli conosciuti che torno in Senegambia (E) Altro (per favore specificare) _____.

52. Cosa spedisce a casa oltre a soldi? (Più di una risposta può essere data) (A) vestiti di seconda mano (B) cibo (C) Elettrodomestici (D) Cose per la casa (E) Cose d'oro (F) Medicine (G) Niente (H) Non ho risposte .

53. Chi, a casa, gestisce i soldi e le cose che spedisce dall'Italia? (A) La mia consorte (B) I miei genitori (C) La mia famiglia e parenti (D) Non voglio rispondere (E) Altro (per favore specificare) _____.

54. A quali scopi, i soldi che spedisce sono spesi? (Più di una risposta può essere data) (A) Cibo, educazione, spese mediche, vestiti, elettrodomestici e prodotti per la casa (B) acquisto di una automobile e costruzione di una casa (C) Ristrutturazione della casa per matrimoni e altre celebrazioni (D) risparmio capitale (iniziale) per iniziare una piccola attività commerciale (E) espansione di una attività commerciale già esistente .

55. Il fatto che tu lavori all'estero, quali effetti positivi ha avuto su te e sulla tua famiglia? (Più di una risposta può essere data). (A) Ho imparato una nuova professione, acquisito nuove abilità ed esperienze lavorative (B) Abbiamo costruito una nuova casa e la nostra situazione finanziaria è migliorata (C) La nostra posizione nella società è migliorata perché le nostre condizioni di vita e il nostro benessere sono aumentati (D) Abbiamo avuto la possibilità di migliorare la nostra salute e abbiamo avuto l'opportunità di dare un'educazione migliore ai nostri figli (E) Abbiamo risparmiato una considerevole somma di denaro e abbiamo iniziato una piccola attività commerciale (F) Non lo so .

56. Secondo te, quali effetti negative questo lavoro ha avuto su di te? (A) Ho molti problemi di salute (B) Non ho abbastanza soldi per me e per la mia famiglia (C) Non posso continuare i miei studi (D) Mi sento meno socievole a causa del lavoro (E) Ho avuto un abbassamento di autostima (F) Altro (per favore specificare) _____.

57. Cosa vorresti che migliorasse sul tuo posto di lavoro? (più di una risposta può essere data) (A) Il salario (B) Generali condizioni di lavoro (C) vorrei avere un regolare contratto (D) Altro (per favore specificare) _____.

58. Quali sono gli effetti negativi del lavorare all'estero (Può essere data più di una risposta)? (A) Le condizioni di salute sono peggiorate (B) Sono diventato invalido (C) La relazione con la mia consorte è peggiorata (D) ho divorziato (E) Ho speso più di quello che ho guadagnato (F) Altro (per favore specificare) _____.

59. Quali sono gli effetti negative che il tuo lavorare all'estero hanno avuto sulla tua famiglia (più di una risposta può essere data) (A) Le nostre condizioni finanziarie sono peggiorate (B) Ho divorziato e la nostra famiglia si è divisa (C) La crescita e le prospettive per i miei figli è peggiorata (D) I risultati scolastici dei nostri figli sono peggiorati (E) Altro (per favore specificare) _____.

60. Pensi di essere trattato ingiustamente? (A) Sicuramente sì (B) non ne sono sicuro, ma non mi piacciono le condizioni di lavoro (C) No, mi piacciono le mie condizioni di lavoro (D) Altro (per favore specificare) _____.

61. Se ne avessi opportunità, lasceresti il tuo lavoro? (A) Sì (B) No, mi trovo bene qua (C) Voglio mantenerlo perché mi piace il mio datore di lavoro (D) Altro (per favore specificare) _____.

62. Sei soggetto a bullismo al lavoro? (A) No (B) Sì (C) Sono maltrattato a volte (D) Altro (per favore specificare) _____.

SUL IL FUTURO DEL RISPONDENTE (PER FAVORE, RISPONDE!)

63. Per quanto tempo pensi di continuare a lavorare in questo particolare lavoro? (A) Solo per 3 mesi (B) non più di 6 mesi (C) 1 anno (D) non lo so, posso andarmene quando ne ho voglia (E) Altro (per favore specificare) _____.

64. Vuoi rimanere in Italia e lavorare? (A) Sì (B) No (C) Mi piacerebbe andare al nord (D) Altro (per favore specificare) _____.

65. Secondo te, sarebbe possibile guadagnare la stessa quantità di soldi nel tuo Paese di origine? (A) Sì, potrebbe essere possibile (B) No, impossibile (C) Sì, ma ho bisogno di un diploma o di una laurea (D) Non so (E) Altro (per favore specificare) _____.

66. Quali sono i tuoi piani futuri riguardanti la tua attività lavorativa? (Più di una risposta può essere data) (A) Voglio rimanere qua e continuare a lavorare (B) Sto pensando di tornare e stare a casa (C) Voglio tornare a casa e iniziare una piccola attività commerciale (D) Voglio iniziare a studiare (E) Non lo so (F) Altro (per favore specificare) _____.

67. Se volessi tornare a casa e iniziare una tua piccolo attività commerciale, di quale tipo di support avresti bisogno? (A) Supporto finanziario (B) Aiuto per la documentazione necessaria (C) Supporto nell'educazione per iniziare un business (D) Altro (per favore specificare) .

68. Se volessi tornare a casa e iniziare una tua piccolo attività commerciale, quale tipo di difficoltà troveresti o pensi di trovare? (A) Mancanza delle risorse finanziarie sufficienti (B) Mancanza di capacità manageriali (C) Dipendenza dalla famiglia estensiva (D) Eccessiva burocrazia e corruzione (E) Altro (per favore specificare) .

CARO RESPONDENT, QUESTO PROGETTO È MOLTO GRATO PER IL TEMPO DONATO NELLA COMPILAZIONE DEL QUESTIONARIO E PER SUOI RISPOSTE ONESTE! GRAZIE MILLE É AUGURI PER IL FUTURO.

ANNEX 2

ENGLISH QUESTIONNAIRE FOR CAMPOBELLO DI MAZARA

Dear respondent, all information you provide through this questionnaire will be used only for research purposes. We hope that you will answer all questions fully and honestly! Your name is not recorded; therefore your identity will be protected.

I. GENERAL INFORMATION

1. Would you like to talk about your life? (A) Yes (B) No
2. Age: (A) Minor (B) 18-25 (C) 26-35 (D) 36-45 (E) 46-60 (F) 60+
3. Nationality: (A) The Gambia (B) Senegal
4. Residence: (A) Sicily (B) Puglia (C) Campania (D) Lombardia (E) None (F) Senza residenza
5. Gender: (A) Male (B) Female
6. Family status: (A) Single (B) Married (C) Widow (D) Separated
7. Educational background: (A) Primary (B) Secondary (C) Diploma (D) Graduated
8. Language skills

Language	
Italian	A <input type="checkbox"/>
English	B <input type="checkbox"/>
French	C <input type="checkbox"/>
Spanish	D <input type="checkbox"/>
Other (Please, specify)	E <input type="checkbox"/>

9. Profession: (A) Engineer (B) Farmer (C) Carpenter (D) other (please, specify) _____

II. GENERAL INFORMATION ABOUT RESPONDENT'S FAMILY

10. How many people do you have in your family? (A) 5 (B) 10 (C) 15 (D) More
11. How many of them are minors (under 18)? (A) 3 (B) 5 (C) 7 (D) More
12. How many of them are employed and have monthly income? (A) None (B) 1 (C) 2 (D) 4 (E) More
13. How many people do you support (i.e. provide financial assistance)? (A) None (B) 3 (C) 5 (D) 10 (E) More
14. Are some members of your family living and working with you abroad? (A) None (B) 1 (C) 2 (D) 3 (E) More
15. How old are they? (A) All minors (B) Adults (C) 25-45 years (D) 46 years+

III. INFORMATION ABOUT MIGRATION OF THE RESPONDENT

16. How long have you been working abroad (your total work experience abroad)? (A) Less than 4 years (B) 5 years now (C) More than 5 years (D) Others (please, specify) _____
17. Do you have permanent job or fulfil seasonal works? (A) Permanent job (B) Seasonal works Other (please, specify) _____

18. Since when are you doing this work? ___(A)1 year (B) 2 years (C) 3 years (D) 4 years (E) More
19. In which countries you worked before? (A)Spain (B)Greece (C)Germany (D)France (E)Other countries (please, specify)_____.
20. What have you been doing before beginning this work? (A) I had been working (B)I had been unemployed (C)I had been studying (D)I had been in military service (E)Other (please, specify)_____.
21. Who is your employer here (in Italy)? (A)The black boss (B)The individual person (C)Private firm (D)Government organisation (E)I do not know (F) Other (please, specify)_____.
22. Where do you live here (in Italy)? More than one option can be given. (A)In an independent rented apartment (B)In a shared rented apartment (C)Live in my relatives' or friends' house (D)Ghetto (E)I live where at my work place (F)I live in my employer's house (G)I live in non-residential premises (storehouse)
23. How do you describe your work and working conditions? More than one option can be given. (A)Easy and good (B)The work is easy but working conditions are hard (C)The work is difficult but working conditions are good (D)The work is difficult and working conditions are hard (E)The work and working conditions are very difficult and very hard (F) Slavery.
24. Why did you decide to go and work abroad? (A) The wages where I live are very low (please, write how much was your monthly income in your place of origin) _____ (B)Because of unemployment (C)Needed start-up capital for entrepreneurship activity (D)To earn money for starting my own small business (E)To gather money for purchase of a house (F)To gather money for wedding (G)To gather money for higher education (H) I am an asylum seeker/refugee.
25. How did you finance your daily travel expenses while coming to work? (A) Employer covered the travel expenses (B)Use a bus (C)Friend's car (D)Use a bicycle (E)Other (please, specify) _____.
26. Had you known all what you would be doing in this work (i.e. did you have information about your job condition)? (A)Yes, exactly (B)Yes, I had prior information, but didn't have exact idea (C)No (D) Other
27. If you had not known what kind of work you would be doing here, how did you find this work? (A) Through labor office (B) Through private company agency (C) Through family members who do the same work (D) Through friends (E) Through newspapers and internet (F)Through mediators (“caporale”) (G) Other (please, specify) _____.
28. Which transport means do you used to come to Italy? (A) Air transport (B) Mediterranean sea (C) Other (please, specify)_____.
29. What kind of difficulties do you face to be hired to work here? (A) Did not have any difficulties (B)Had problems with registration of documents (please, specify)— (C) The mediator took my documents by fraud (D) The employer took my documents by fraud (E) Others (please, specify)_____.
30. What kind of work related difficulties do you face? (A)Problems with registration of documents (B) Problems with acquisition of work permits (C) Bad relation from mediators and employers (D) Attacks by locals and nationalistic groups (E) Could not find appropriate work (F) Other (please, specify) _____.
31. How much time did you spend to find this work? (A) A week (B) I just call the mediator (C) I just go to the fields searching for work (D)I just wait for a particular season (E)Other (please, specify)—.

32. How many times did you change your work place during a year? (A) No, I am permanent here (B) All the times searching around in the fields (C) Three or even more (D) Other (please, specify how many times) _____
33. Have you ever worked in several jobs at the same time? (A) No (B) Yes (C) Other (please, specify) _____.
34. Were there other candidates for your work place from local people? (A) Yes (B) No, local people do not want to do the work we do (C) I do not know (D) Other .
35. If there were some candidates for your work place from local people, why the employer has hired you? (More than one answer can be chosen) (A) Because I am more qualified (B) Because, I take less pay (C) Because I do not have any other to do (D) I do not know (E) Because I am not Italian (F) Because I am stronger (G) Other (please, specify) _____.
36. In your opinion, what is the easiest way to get a work in Italy? (A) It is easier by irregular way, i.e. without getting work permit and registration (B) Through regular ways by getting work permit (C) I do not know (D) Other (please, specify) _____.
37. Do you know the kinds of documents needed to work legally in Italy and where the execution of these documents are made? (A) Yes, I know very well (B) I know, but not exactly with full information (C) I do not know (D) I do not have documents (E) Other (please, specify) _____.
38. If you have work permit, how much time and resources (\$) did you spend to get this permit? (A) 1 year (B) Two years and 'marca di bollo' (C) 3 years and 'marca di bollo' (D) 4 years and 'marca di bollo' (E) 5 years and 'marca di bollo' (F) My asylum centre paid for me
39. If you do not have work permit, what is the reason for not having it? (A) I did not want to get it (B) I did not even try (C) I tried to get it, but could not (D) My employers is not helping (E) Mediators do not like that (F) Other (please, specify) _____.
40. If you could not get your work permit, what was the obstacle? (A) I didn't know the procedure of application and where to apply (B) It requires a lot of time and is very difficult procedure (C) It requires a lot of financial expenditures (D) Mediators and employers are not helping (E) Other (please, specify) _____.
41. How many hours per day do you work in your current job? (A) 6-7 (B) 8 (C) 9 (D) 10 (E) I do not know.
42. How many days per week do you work in current job? (A) 3 (B) 4 (C) 5 (D) 6 (E) 7 (F) I dont know, when they call me .
43. How frequently are you paid? (A) Monthly (B) Weekly (C) Daily (D) By hours (E) Other (please, specify) _____.
44. How do you receive your wages/salary? (A) It is transferred to my bank account (B) I get it in cash by signing the payslip (C) I get it in cash without signing anything (D) I get it in cash directly from employer or mediator without signing in anything (E) Other (please, specify) _____.
45. Have there been cases when you couldn't get your wage? (A) No, never (B) Yes, there have been some cases (C) Yes, frequently (D) Sometimes I change job because of non-payment (E) Other (please, specify) _____.
46. Why could you not get your wages/salary? (A) The employer cheated us and did not pay (B) The mediator cheated us and didn't give our money (C) The employer could not pay us because of crisis (D) He threaten to report me to the police (E) Other (please, specify) _____.
47. In your opinion, what are the main factors which create the biggest threats and difficulties for migrant workers in Italy? (More than one answer is allowed) (A) Nationalistic groups and police

officers (B) Working documents and conditions (C) Dishonest employers and mediators
(D) Work related injuries and bad health € To lose the job and possible deportation (F) Other
(please, specify) _____

48. How much on average do you spend for your monthly living expenses in here (in Italy)? (A) I don't know (B) 300 euros (C) 450 euros (D) 600 euros (E) More —.

49. How much do you spend in: (A) Food 50-100 euros (B) Clothes 75-100 euros (C) Accommodation 100-200 euros (D) Health 50 euros (care) (E) Leisure 100 euros (F) Mediators 25-50 (G) Other (please specify).....

SPECIAL QUESTIONS (PLEASE, ANSWER!)

50. Do you send money to your family? (A) Yes, at the end of the season (B) No (C) I am left with nothing to send (D) I do not want to respond

51. How do you send money home? (More than one answer can be chosen) (A) Through the people going back home (B) I gather the money and take with myself while going back home (C) Through money transfer systems (D) Through friends who are going to Senegambia (E) Other (please, specify) _____.

52. What do you send home besides money? (More than one answer can be chosen) (A) Clothes (B) Foodstuffs (C) Household electronics (D) Household stuff (E) Golden jewellery (F) Medicines (G) Nothing (H) Other (please, specify) _____

53. Who at home receives and manages the money and other things sent by you from Italy? (A) My spouse (B) My parents (C) My relatives (D) I do not want to respond (E) Other (please, specify) _____.

54. For which purposes the money you sent is spent? (More than one answer can be chosen): (A) Food, education, healthcare, purchase of clothes, household electronics and household products (B) Purchase of a car and building of a house (C) Renovation of a house, weddings and other ceremonies (D) Saving for a start-up capital for a small business activity (E) Extension of the existing business .

55. What kind of positive effects has your working abroad had on you and your family? (More than one answer can be chosen) (A) I have acquired a new profession, skills or work experience (B) We built or purchased a house and our financial situation has improved (C) Our position in the society raised because our wellbeing raised and living conditions improved (D) We got opportunity to spend more on our health and we got opportunity to provide better education to our children (E) We saved considerable amount of money and we established small business and began entrepreneurship activity (F) I do not know _____.

56. In your opinion, what kind of negative effects has your work had on your life? (A) I now have many health problems (B) I do not have enough money for me and my family (C) I cannot continue my studies (D) I feel less social because of work (E) I recently grow low self-esteem (F) Other (please, specify) _____.

57. What would you want to be improved in your work place (more than one answer can be chosen)? (A) Wages/salary (B) General working conditions (C) I would want my employer to give me a regular contract (D) Other (please, specify) _____.

58. What kind of negative effects has your working abroad had on you (More than one answer can be chosen)? (A) My health worsened (B) I became invalid (C) My relation with my spouse worsened (D) I have divorced (E) I spent more than earned (F) Other (please, specify) _____.

59. What kind of negative effects has your working abroad had on your family (more than one answer can be chosen)? (A) Our financial conditions worsened (B) I have divorced and our

- family collapsed (C) Upbringing and prospects of our children worsened (D) School results of our children worsened (E) Others(please, specify)_____.
60. Do you think you are being unfairly treated? (A)Certainly, yes (B) Am not sure but I don't like my working conditions (C) No, I like my working conditions (D) Other (please, specify)_____.
61. If you have a chance, would you leave your current job? (A) Yes (B)No, I am fine here (C) I would stay here because my employer is nice (D)Others(please, specify) _____.
62. Are you bullied at work? (A) No (B) Yes (C) I am sometimes maltreated (D) Others(please specify)_____.

ABOUT RESPONDENT'S FUTURE PLANS

63. How long are you planning to continue working here (in this particular work)? (A) 3 months only (B) not more than 6 months maximum (C) 1 year (D) I do not know, I can leave anytime (E) Other (please, specify)_____.
64. Do you want to stay in Italy and work? (A)Yes (B) No (C)I would love to leave for the North (D)Other (please, specify)_____.
65. In your opinion, is it possible to earn the same amount of money which you are earning in Italy in your place of origin? (A) Yes, it is possible (B) No, it is impossible (C)Yes, but I need a diploma or a degree (D) I do not know (E) Other (Please, specify) _____.
66. What are your plans regarding your future work activity? (More than one answer can be chosen) (A) I want to stay here and continue working (B) I am planning to go and stay back home (C) I want to return home and establish my own small business (D) I want to start studies (E) I do not know (F) Other (please, specify) _____.
67. If you want to return home and establish your own small business or begin entrepreneurship activity, what kind of support would you need? (A) Financial support i.e. credit (B) Support for documentation (C) Educational support to start a business (D) Other (please, specify)_____.
68. If you want to return home and establish your own small business or begin entrepreneurship activity, what kind of obstacles would you find? (A) Lack of financial resources (B) Lack of skills and knowledge for management (C) Family dependency (D)Bureaucracy and government corruption (E) Other (please, specify) _____.

DEAR RESPONDENT, WE ARE VERY THANKFUL FOR YOUR TIME SPENT ON THE QUESTIONNAIRE AND YOUR HONEST ANSWERS!

ANNEX 3**DATA PRESENTATION OF SPECIAL ONE-ON-ONE INTERVIEWS**

No	Name	Country of birth	Age	Data Collection	Place of interview	Role	Date
1	Fo	The Gambia	24	Notes	Palermo	Employee	30/11/18
2	Bai	Senegal	23	Notes	Campobello	Employee	02/11/18
3	Buldem	Senegal	27	Notes	Campobello	Employee	02/11/18
4	Serign	Senegal	30	Notes	Palermo	Employee	10/11/18
5	Badu	Senegal	52	Notes	Campobello	Employee	10/11/18
6	Bass	Senegal	31	Notes	Campobello	Employee	10/11/18
7	Sam	Senegal	26	Notes	Palermo	Employee	24-11-18
8	Ndims	Senegal	28	Notes	Palermo	Employee	24-11-18
9	Kebis	The Gambia	26	Notes	Palermo	Employee	30-11-18
10	Serign Bi	The Gambia	26	Notes	Palermo	Employee	05-01-19
11	M a m Saar	Cassamance , Senegal	34	Notes	Palermo	Employee	19-12-18
12	Bamba	Senegal	23	Notes	Palermo	Employee	05-01-19
13	Bady	The Gambia	25	Notes	Palermo	Employee	05-01-19

14	Sanè	Senegal	29	Notes	Campobello	Employee	28-11-18
15	Fall	Cassamance , Senegal	20	Notes	Campobello	Employee	07-01-19
16	Kawsu	Cassamance , Senegal	19	Notes	Campobello	Employee	07-01-19
17	Samba	Senegal	30	Notes	Palermo	Employee	19-11-18
18	Juma	Cassamance , Senegal	25	Notes	Campobello	Employee	29-11-18
19	Malangk ebba	The Gambia	26	Notes	Palermo	Employee	29-11-18
20	E	Cassamance , Senegal	34	Notes	Campobello	Employee	07-01-19
21	Mbakeh	The Gambia	28	Notes	Palermo	Employee	07-01-19

ANNEX 4
SURVEY DATA PRESENTATION

Question no.	Alternative								% per response								Total %
	A	B	C	D	E	F	G	H	A	B	C	D	E	F	G	H	
1	50	0	-	-	-	-	-	-	100	0	0						100
2	0	20	8	18	4	0	-	-	0	40	16	36	8	0			100
3	29	21	-	-	-	-	-	-	58	42							100
4	25	4	2	2	5	12	-	-	50	8	4	4	10	24			100
5	50	0	-	-	-	-	-	-	100	0	0						100
6	17	25	0	8	-	-	-	-	34	50	0						84
7	16	14	20	0	-	-	-	-	32	28	40	0					100
8	22	34	28	6	0	-	-	-	44	68	56	12	0				180 *
9	5	30	13	2	-	-	-	-	10	60	26	4					100
10	10	3	10	27	-	-	-	-	20	6	20	54					100
11	0	6	10	34	-	-	-	-	0	12	20	68					100
12	33	10	7	0	0	-	-	-	66	20	14	0	0				100
13	0	6	7	13	24	-	-	-	0	12	14	26	48				100
14	23	18	7	0	2	-	-	-	46	36	14	0	4				100
15	0	50	0	0	-	-	-	-	0	0	0	0					100
16	9	11	14	16	-	-	-	-	18	22	28	32					100
17	3	47	0	-	-	-	-	-	6	94	0						100
18	4	8	12	16	10	-	-	-	8	16	24	32	20				100
19	3	0	7	11	29	-	-	-	6	0	14	22	58				100
20	2	20	21	2	5	-	-	-	4	40	42	4	10				100
21	20	21	3	0	6	0	-	-	40	42	6	0	12	0			100

22	6	6	0	12	0	3	21	-	12	12	0	24	0	6	42	100	*	
23	0	0	0	15	14	21	-	-	0	0	0	30	28	42		100	*	
24	3	12	8	5	0	0	0	22	6	24	16	10	0	0	0	44	100	*
25	10	0	12	18	10	-	-	-	20	0	24	36	20				100	
26	14	7	23	6	-	-	-	-	28	14	46	12					100	
27	0	3	6	21	0	20	0	-	0	6	12	42	0	40	0		100	
28	0	50	0	-	-	-	-	-	0	10	0	0					100	
29	0	17	13	7	13	-	-	-	0	34	26	14	26				100	
30	17	12	10	11	0	0	-	-	34	24	20	22	0	0			100	
31	6	23	21	0	0	-	-	-	12	46	42	0	0				100	
32	3	26	21	0	-	-	-	-	6	52	42	0					100	
33	47	3	0	-	-	-	-	-	94	6	0						100	
34	0	50	0	0	-	-	-	-	0	10	0	0	0				100	
35	0	28	0	22	0	0	0	-	0	56	0	44	0	0	0		100	
36	11	27	12	0	-	-	-	-	22	54	24	0					100	
37	11	27	12	0	0	-	-	-	22	54	24	0	0				100	
38	0	0	9	13	7	21	-	-	0	0	18	26	14	42			100	
39	0	0	12	0	0	38	-	-	0	0	24	0	0	76			100	
40	0	6	0	6	38	-	-	-	0	12	0	12	76				100	
41	3	10	37	0	0	-	-	-	6	20	74	0	0				100	
42	0	0	0	3	27	20	-	-	0	0	0	6	54	40			100	
43	3	0	12	0	35	-	-	-	6	0	24	0	70				100	
44	3	12	29	6	0	-	-	-	6	24	58	12	0				100	

45	29	6	5	10	0	-	-	-	58	12	10	20	0	100			
46	6	10	0	5	29	-	-	-	12	20	0	10	58	100			
47	8	11	10	6	4	11	-	-	16	22	20	12	8	22	100 *		
48	42	8	0	0	0	-	-	-	84	16	0	0	0	100			
49	50	0	6	12	0	10	0	-	10	0	0	12	24	0	20	0	156 *
50	38	0	12	0	-	-	-	-	76	0	24	0		100			
51	12	0	38	0	0	-	-	-	24	0	76	0	0	100 *			
52	5	0	12	10	0	0	23	0	10	0	24	20	0	0	46	0	100 *
53	0	0	50	0	0	-	-	-	0	0	0	0	0	100			
54	17	11	6	12	4	-	-	-	34	22	12	24	8	100			
55	0	0	12	12	14	12	-	-	0	0	24	24	28	24	100 *		
56	13	14	3	12	8	0	-	-	26	28	6	24	16	0	100		
57	5	6	39	0	-	-	-	-	10	12	78	0		100 *			
58	29	0	17	4	0	0	-	-	58	0	34	8	0	0	100 *		
59	12	4	9	4	21	-	-	-	24	8	18	8	42	100			
60	32	0	18	0	-	-	-	-	64	0	36	0		100			
61	29	21	0	0	-	-	-	-	58	42	0	0		100			
62	8	19	21	2	-	-	-	-	16	38	42	4		100			
63	37	0	2	11	0	-	-	-	74	0	4	22		100			
64	3	17	29	1	-	-	-	-	6	34	58	2		100			
65	13	13	12	12	0	-	-	-	26	26	24	24	0	100			
66	3	0	28	7	12	0	-	-	6	0	56	14	24	0	100 *		

67	21	17	12	0	-	-	-	-	42	34	24	0	100	
68	21	12	11	6	0	-	-	-	42	24	22	12	0	100
* = multiple answers are possible														

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