

# THE BAD SEASON

October 2019 DOCTORS FOR HUMAN RIGHTS

Report on the living and working conditions of agricultural labourers in the Capitanata region  
(Apulia - Italy)



In Collaboration with Associations Idorenin and A Buon Diritto



Health is everyone's right.  
**La salute è un diritto di tutti.**

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Photos by Rocco Rorandelli (August 2019)

Photo of Medu mobile clinic by Andrea Brugnami (team doctor)

## **Front cover photo**

Rocco Rorandelli

Abandoned farmhouse in the countryside of Palmori - Casali di Contrada Cicerone - Puglia - (August 2019)

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## **Further information on the Terragiusta Project**

<https://mediciperidirittiumani.org/terragiusta-nel-sud-ditalia/>

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*Doctors for Human Rights (MEDU) is a non-profit international humanitarian and solidarity organization, independent of political, trade union, religious and ethnic affiliations. MEDU aims to bring health care to the most vulnerable populations, in crisis situations in Italy and abroad, and to develop, within civil society, democratic and participatory spaces for the promotion of the right to health and other human rights. The action of Doctors for Human Rights is based on the militancy of civil society, on the professional and voluntary commitment of doctors and other health workers, as well as citizens and professionals of other disciplines.*

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# SUMMARY

From June to September 2019, the mobile clinic of Doctors for Human Rights (MEDU) operated in the Puglia region, in particular within the informal settlements of the Capitanata area in the province of Foggia. The intervention was made as part of the Terragiusta project, which since 2014 has been working in different areas of southern Italy. Its objective is to provide sanitary assistance, information on rights and access to social and health services including guidance and legal assistance for migrant workers employed in the agricultural sector. MEDUs' team has also been working in collaboration with associations such as Idorenin and A Buon Diritto and with a network of different local organisations and service providers.

## The population assisted

**Every year, during the summer season in the Capitanata district there are between 6.000 and 7.000 permanent and seasonal migrant workers,** with the highest numbers recorded between the months of July and September. They offer low cost labour in exchange for picking different crops, primarily tomatoes, which are in large part destined for processing companies, especially of the Campania region. In this process the latter obtain the peeled and pureed tomatoes that fill the shelves of large retailers. **During the three months of intervention, MEDUs' mobile clinic provided sanitary and legal assistance to 225 people,** performing 292 medical visits to 175 patients and 153 legal orientation interviews with 131 people assisted in 5 informal settlements: the Big Ghetto of Rignano Garganico (Locality of Torretta Antonaccio); the ghetto of Pisa di Borgo Mezzanone and the abandoned farmhouses in the countryside of Poggio Imperiale and Palmori. For about a month, MEDU has also operated in the occupied farmhouses of Contrada Cicerone, in the locality of San Marco in Lamis.

**The population assisted mainly consisted of young men (93%) with an average age of 31 years old,** belonging to 24 different nationalities primarily from Sub Saharan Africa, North Africa, Central and Eastern Europe and South-East Asia. The majority were from:

Mali, Ghana, Nigeria, Ivory Coast, Guinea Conakry, Senegal and Togo, including a small percentage from Morocco, Turkey and Pakistan. In addition legal and sanitary assistance was guaranteed in a protected space to a small number of women (7% of the total number of assisted) all victims of trafficking for the purpose of prostitution. Furthermore, 30% of the total 225 people assisted lived in the Big Ghetto of Rignano, 18% in the ghetto of Borgo Mezzanone former airfield and the remaining in the farmhouses scattered in the countryside between Palmori, Poggio Reale and Contrada Cicerone. **Of the people assisted, 40% had been in Italy for more than a year (between one and three years), 33% for a time period between 4 and 10 years,** (meno dell'1%) era whereas only a small percentage (less than 1%) had been in Italy for less than a year. Despite the medium to long term period spent in the territory, the people assisted lived in a situation of profound social marginality and exclusion from rights.

## The living conditions

Since the 90's many workers, especially migrants and refugees working in the agricultural sector, are concentrated in different types of informal settlements that dot the Capitanata countryside, which are sadly well known because of recurring news reports of incidents, evictions, fires and exploitation from the local and national media. These settlements can be described as big ghettos, like the one of Borgo Mezzanone, the biggest shanty town in Italy, that during the summer season hosts until 3500 people alone not to mention the Big Ghetto of Rignano and Borgo Tre Titoli in Cerignola. Furthermore, there are numerous ruined farmhouses located in different areas of the countryside in the Province (Poggio Imperiale, Palmori, Ortanova amongst many). Although very different from each other, these contexts share common characteristics such as overcrowding, extreme precariousness concerning hygienic-sanitary conditions, isolation, absence of a means of transport and lack of primary services. Electricity, drinking water and gas are usually absent as well as sanitary facilities. In some of the settlements generators and stoves are used to cope with basic

daily needs, and in others such as the Big Ghetto of Rignano, water tanks supplied by the Region are currently in use. In addition, the ghetto of Borgo Mezzanone there is a row of dilapidated bathrooms and to use the electricity the inhabitants illegally connect themselves to the power line of the CARA (Reception Centre for Asylum Seekers). Moreover, the conditions of exclusion and marginality exacerbates the already precarious living conditions of the migrants living therein, worsening the situation of vulnerability and creating an insurmountable distance between the vulnerable population and the access to fundamental rights.

Over the years, ghettos and informal settlements have undergone several eviction operations which, in some cases, were followed by institutional attempts to provide short and long term answers to the complex phenomenon of ghettos and labor exploitation. In 2010 the eviction of 60 foreign laborers that were occupying a building abandoned for years in the Contrada Cicerone took place; in 2014 and 2017 two evictions of the Big Ghetto of Rignano involved acts of force followed by resistance. Furthermore, in the months of February, April and July of this year MEDU has witnessed the multiple partial dismantling of houses and illegal buildings used for illegal activities at the Ghetto Pista of Borgo Mezzanone, as part of an operation called *Law and Humanity*.

**The plans that are elaborated and run by the institutions, in particular the Puglia Region and the Prefecture, never resulted into concrete action against the widespread phenomena of exploitation and illegality, which ultimately create and feed the ghettos.** Worth mentioning in particular is the Operation “Capo Free Ghetto Out” promoted in 2014 by the then President of the Region Nichi Vendola and the Regional Councilor Guglielmo Minervini after the first eviction in the Big Ghetto of Rignano as well as the emergency plan for temporary accommodation at the reception facility “Shankara Home”. The latter entailed the setting up of a reduced number of containers and tents after the first and second eviction of the Big Ghetto in 2017. Finally there was the plan of “Guest Houses for permanent and seasonal land workers”, designed by the then Prefect and Special Commissioner of the Government

for the area of Manfredonia Iolanda Rolli in 2017-18. The only solution that was eventually put into action after the evictions of the Big Ghetto of Rignano of 2014 and 2017 was the installment of the new emergency structures of reception and the expansion of two pre existing facilities in the countryside of San Severo Shankara House and Arena for the projects of temporary stay. However, these solutions still remain unsuccessful since the ghettos are still present to this day.

## **Work**

In regards to the working conditions, the scenario appears tragic in relation to numbers and phenomena of exploitation and illegality. In a territory where a third of the Italian tomatoes is produced, the process of mechanization of collection is still very backward. **The exploitative working conditions are mainly characterized by: irregularities concerning wages and contributions and the failure to comply with the contractual provisions; widespread and pervasive “caporalato”** (gangmaster system meaning an illegal intermediation between labour demand and supply). The latter relates to all organizational aspects of the work: from recruiting, to transport, to housing and the payment of the working days. Organized crime penetrates all levels of the supply chain, from production to transport, to the processing of products, to the recruitment of workers, to distribution. Official controls are insufficient. The illegal practices of the caporalato are a widespread consequence of the absence of effective mechanisms of job and demand supply. Testimony of this blatant criticism is the number of foreigner land workers registered at the special lists for employment in Foggia between May and September 2019: only 30.

Despite the regularity of the stay of most of the laborers, **only 44% of the employed people declared to be in possession of an employment contract**, and of these, 57% declared to receive a pay slip. However, it should be emphasized that among these, **73% declared that they were recognized less than a third of the days actually worked**. Therefore, the difficulty of accessing a regular job also has important repercussions on the regularity of the stay: in the absence of a

work contract, it is not possible to rent a house and without a lease, it is impossible to request a recognized residence, which is necessary for the renewal of the residence permit at the Foggia Police Headquarters.

In regards to the salary, the most frequently used system detected was the hourly pay, which concerned 29% of the employees, followed by the daily salary, which instead constituted 20% of the workers. Only 2.3% , especially in the month of August, reported to have been paid by the box, whereas it was not possible to gather the data concerning the remaining 48.6 % of the workers. In this regard it's important to consider that in the month of August the number of laborers employed in piecework has increased, and questioning about the mode of payment is particularly delicate and uncomfortable since the caporali are also present at the settlements. Concerning daily payments, in 54.3% of the cases the remuneration is between 30-35 euros for an average of 8 hours of work, in 14.3% between 35-40 euros and be-

tween 40-50 euro only for 2.8% of workers.

Of the total number of respondents who are paid by the hour, a very high percentage (43%) claims to receive a fee of 4 euros per hour, while 39% receives a fee ranging between 4.5 and 5 euros per hour and 8% claims to receive a fee of 3.50 euros. The average amount of hours worked per day are 8-9 and overtime is never acknowledged. Finally, 32% of the employees interviewed claimed to work everyday of the week for an average of 7-8 hours a day.

In such a severe context, there appears to have been an increase in checks by the Labor Inspectorate both nationally and locally. In the province of Foggia, following the summer massacre of the 12 laborers who died in a car accident near Lesina in 2018, specific anti-caporalato task forces were established. The results, however, still seem completely unsatisfactory.



Rocco Rorandelli – Ghetto Pista of Borgo Mezzanone (Puglia), August 2019

## Legal conditions and access to rights

In regards to legal status, **61% of the 225 people met were legally resident. More specifically, 28% were in possession of a residence permit for humanitarian reasons, 20% were asylum seekers** (of which 26% in phase of appeal), 6% had a permit for special protection, 4% subsidiary protection, 2% had received a renewal of the permit and 1% had refugee status. Finally, 33% of the interviewed weren't in possession of any kind of residence permit and 6% did not provide an answer.

Only 20% of the people assisted had a good command of the Italian language, whereas 25% had a minimum knowledge and 36% a low or zero level. It's important to point out **that 55% of those assisted came from a first reception project (CAS and C.A.R.A)** mainly from the regions of Campania, Sicily, Tuscany and Lombardy, while 12% lived in an apartment in another region and 4% had completed a SPRAR secondary reception project. This data indicates a clear failure in the reception system for asylum seekers and refugees, which is unable to create social inclusion and promote access to rights. Indeed illegal work, exploitation and marginality for many become the only option in the absence of an adequate knowledge of Italian language, of the Italian territory, of social networks, of information on rights, access to services and job opportunities. It's also worth reflecting on the fact that compared with a minimum percentage of people arriving in Italy for less than 12 months (1%), one fifth of the assisted persons were still asylum seekers. This data is testimony to the excessive length of the procedures for the recognition of international protection.

## Health

During the three months of intervention with the mobile clinic, MEDUs' team assisted 180 patients of which 16 were women completing a total of 292 medical visits. **The main health problems observed amongst the settlement population** - mainly osteomuscular and connective tissue diseases (24%); diseases of the digestive system (18%) and infectious diseases (15.3%)-

**are related in almost all cases to the poor working and sanitary conditions in which the patients are forced to live in.** In addition, a certain percentage of patients experiencing psychic distress or alcohol abuse (5%) and patients with ill-defined symptoms of possible psychosomatic nature (8.5%) was detected. In both cases they were often particularly vulnerable due to the violence and torture suffered during the migratory journeys (especially through Libya) or to the economic uncertainty relative to the regularity of their stay. **Among those in possession of a regular residence permit (61% of the total), 53% were not registered to the National Health System (SSN)** and 41.6% of the registered didn't have (were not assigned to) a general practitioner and if they did have one they did not rely on him/her if in need of assistance.

The set of data collected revealed a poor knowledge and / or understanding of the functioning of the health system and a lack of attention to health protection, to which are added the scarce usability of some health services and the absence of mediators in most of them.

## Conclusions and proposals

The summer of 2019 was therefore another bad season in the Capitanata region. It definitely was for the workers who, once are hired have no choice but to work in conditions of great exploitation and live in dangerous, isolated and unhealthy settlements. It was a particularly bad season because, despite the new anti-caporalato law of 2016, the gangmaster system continues to be the widespread and evident way of organizing work in the absence of sufficient official controls and effective mechanisms for meeting the demand and supply of work. A season made even more disastrous by the effects of the Safety and Immigration Decree on the life of foreign workers, exposed, not only to a growing risk of irregularity, uncertainty and blackmail, but also to real xenophobic attacks.

The seriousness of the situation described **makes it necessary for all institutions to promote first of all a cultural change**, which promotes legality, dignity of work, and values of respect for human rights and non-discrimination.

Concrete measures therefore can take root only on an urgent renewal of the cultural fabric, with the aim of putting an end to this shameful and endless chapter of recent history.

To that end, MEDU makes the following proposals towards this goal, starting from the critical issues described concerning the multiple and interconnected aspects of the ghetto and exploitation phenomenon.

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### **On the housing conditions:**

- Implement any possible eviction action in a step by step and agreed manner and only with the option of reasonable housing solutions, which take into consideration the labor needs of the workers.
- Guarantee minimum hygienic-sanitary conditions in informal settlements to protect individual and collective health.
- Promote a long-term housing inclusion plan for permanent workers through specific policies and actions such as widespread reception, co-housing, housing brokerage.
- Involve the direct recipients, as well as third sector organizations and trade unions in the strategic planning of housing and work inclusion interventions.
- Encouraging housing brokerage programs and measures that favor the meeting between supply and demand.
- Recognize residence in informal settlements to facilitate administrative regularization and access to rights.
- Adopt urgent and widespread measures to combat illegal work, to allow access to decent housing and a real path to social inclusion.
- Take concrete action for a cultural change, which promotes legality, rights and social solidarity, combating exploitation and xenophobia.

### **On work:**

- Strengthen the labor inspection service in terms of human resources and skills.
- Encourage measures and programs of protection and access to work for the victims of labor exploitation who denounce the condition of exploitation.
- Ensure that inspections are free from corruption, protecting inspectors' safety and encouraging collaboration with cultural mediators.
- Reactivate and strengthen the Network of Quality Agricultural Work as a mechanism for preventing and combating illegal employment and monitoring the trend in the agricultural labor market.
- Encourage measures and projects that favor access to dignified work through trainings, internships, job specialization, intermediation with companies, etc.
- Approve in the Senate the Bill 1549 - A on "Provisions concerning the labeling, traceability and prohibition of the sale of agricultural

and agri-food products below cost, as well as delegation to the Government for the discipline and support of ethical production chains", to counteract the distortions of the agri-food supply chain that feeds the exploitation.

### **On access to healthcare:**

- Strengthen Italian courses and socio-sanitary and legal orientation within reception centers.
- Improve the use of services by migrant workers, enhancing the transport service, dedicated outpatient services and maintaining opening hours accessible to workers.
- Guarantee the presence of cultural mediators in all hospitals, clinics dedicated to migrants and counselors.
- Invest in the training of doctors and health professionals on the subject of health and access to the care of migrants and refugees.
- Strengthen and make more accessible the services for the protection of mental health and those for the protection of women's health.
- Counteract the conditions of labor exploitation and housing degradation that determine most of the pathologies diagnosed.

### **On the legal status and access to rights:**

- Reintroduction of the permit of stay for humanitarian reasons to avoid an increase in the number of people in conditions of irregularity and workers forced into exploitative conditions or at the risk of being subjected to the control and influence of petty crime and local organized crime.
- Give the possibility to those who are waiting to conclude the asylum request procedure to renew the six-month permits without the need to present additional documentation with respect to the provisions of the legislation.
- Recognize the informal settlements as usual residence in order to obtain civil registration.
- Allow access without limitation to registration at the virtual residence for the homeless.
- Make the institution of residence for the homeless compulsory for all the Municipalities present on the Italian territory.





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