

RED ZONES, BLACK LABOUR

Health emergency and endemic exploitation

VIII Report on the living and working conditions of foreign agricultural workers in the Plain of Gioia Tauro (Calabria, Italy)



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SUMMARY

JUNE 2021

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*Dedicated to Gassama Gora
and to all the laborers of yesterday and today
who lost their lives
in the Plain of Gioia Tauro*

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THE EIGHT REPORT ON THE LIVING AND WORKING CONDITIONS OF MIGRANT LABOURERS IN THE GIOIA TAURO PIANA JUNE 2021

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Images

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For further information on the Terragiusta project:

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Medici per i Diritti Umani (MEDU) is an international non-profit humanitarian and solidarity organization, independent of political, 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 democratic and participatory spaces within civil society for the promotion of the right to health and other human rights. MEDU's action is based on the militancy of civil society, on the professional and voluntary commitment of doctors and other health professionals, as well as citizens and professionals from other disciplines.

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The context

For the eighth consecutive year, Medici per i Diritti Umani (MEDU) operated in the Plain of Gioia Tauro, Calabria, during the citrus harvest season. From October 2020 to April 2021, a multidisciplinary team reached several official and informal settlements by means of a mobile clinic with the aim of promoting the protection of the health and fundamental rights of foreign agricultural workers employed under conditions of severe exploitation in this area of Southern Italy.

Once again this year, around 2,000 workers arrived during the peak months of the citrus season in the municipalities of the Piana, where nothing, or very little, seems to have changed compared to past years: undeclared and under-declared work continue to be the norm, exploitation remains serious and widespread, and accommodation conditions - including official tent camps that quickly give way to overcrowded and unhealthy shanty towns and dilapidated farmhouses scattered across the countryside - are still disastrous. Access to care is often hindered by bureaucratic obstacles, lack of information and the isolation of living and working places. The exercise of basic rights such as civil registration, renewal of residence documents, access to agricultural unemployment or sickness benefits is still denied to many workers, due to contractual, wage and contribution irregularities that systematically characterise employment relationships.

During the second wave of COVID-19, particularly in October and November, numerous positive cases were reported both at the ministerial tent city of San Ferdinando and at the container camp in Rosarno. The critical sanitary conditions and overcrowding in the settlements provided fertile ground for the spread of the virus. Interventions by local health institutions to try to contain the spread of the infection proved to be

ineffective, given the impossibility of guaranteeing social distancing and the absence of external structures for the fiduciary isolation of positive cases. The pandemic made long unresolved problems even more disruptive and clearly exposed the correlation between ghettos, labour exploitation and the serious social issues of the area, against which local institutions once again proved to be impotent.

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In addition to the health emergency, since December 2020 several road accidents have involved agricultural labourers cycling to or from work, one of which cost a young man's life, Gassama Gora, who was hit by a car on December 21, 2020 and left without rescue.

The Terragiusta project

The Terragiusta project was launched in 2014 to address the health needs of the population of exploited and marginalized foreign agricultural workers, while denouncing the serious human rights violations they are exposed to. During the seven months of intervention in the 2020-2021 citrus season, MEDU's mobile clinic operated three days a week in the following settlements in the Plain: the New tent city of San Ferdinando, the farmhouses in the countryside of Rizziconi and Taurianova, the container camp of Contrada Testa dell'Acqua in the Municipality of Rosarno. Despite having different characteristics in terms of structural conditions, number of inhabitants and location, the precarious settlements share some common elements such as overcrowding, the isolation from inhabited areas and the precariousness of the hygienic and sanitary conditions.

The mobile clinic offered primary medical assistance and guidance to access the social and health services. The team worked in a network with other local organisations and strengthened the socio-legal orientation

activities to support agricultural workers in accessing their rights, in dealing with legal procedures and bureaucratic practices such as the request/renewal of residence documents, civil registration, the procedure for the recognition of sickness benefits, registration with the National Health Service (Servizio Sanitario Nazionale - SSN). In all the activities, the role of cultural mediators allowed to guarantee a culturally sensitive approach and to promote the effectiveness of the intervention. MEDU has also maintained a constant dialogue with the municipalities, local health institutions, the Police Headquarters and the Prefecture, in order to address the main issues related to the access to rights and services by labourers.

Profile of the population

In the 2020-2021 season, 324 people turned to the mobile clinic for medical assistance or socio-legal support or, in some cases, for both services. This year, as in the past, the population of precarious settlements employed in agriculture was made up of young men legally residing in Italy with an average age of 32 years and coming in all cases from Western Sub-Saharan African countries, in particular Mali (45%), Senegal (18%), Gambia (18%), Ghana (7%) and Ivory Coast (5%). Out of the 260 people who answered the questionnaire, 70% said they were staying in Calabria only for the citrus season, while 30% reported a stable presence in the Region. Regarding the length of stay, only 8% had been in Italy for a period going from 0 to 3 years, 73% from 4 to 9 years, and the remaining 19% for more than 10 years.

The assisted agricultural workers came from Western African countries and in 94% of cases had a regular residence permit, with a high prevalence of asylum seekers, refugees and holders of international protection

Health conditions and access to care

The mobile clinic team provided health care to 216 people during 379 medical consultations (including first and follow-up visits). Only 13% of patients reported being registered with the National Health Service and having a General Practitioner assigned in the Plain (4%) or in other regions (9%). There was also increasing difficulty for patients to access primary care and specialist visits as the health emergency forced the health services in the Piana - many of which are in a critical structural condition - to suspend many services to cope with the increase in COVID-19 cases.

In October and November, the presence of numerous positive cases in precarious settlements led to the establishment of two red zones: the New tent city in San Ferdinando and the container camp in Rosarno. The epidemio-

logical surveillance initiatives that local health authorities adopted in order to contain the virus were not adequately communicated to the labourers and proved to be inconsistent and ineffective. On the other hand, the fear of new red zones and the consequent impossibility of reaching workplaces led the workers to avoid turning to health personnel in case of need. The gradual recovery of a trust relationship made it possible to correctly inform the labourers about the COVID-19 prevention and containment methods, also making it possible to send symptomatic people to the mobile clinic of the Local Health Unit (Azienda Sanitaria Locale - ASP) to carry out the molecular swab.

With regard to the pathologies found, 26% of the patients assisted were suffering from osteo-articular system pathologies, 18% from respiratory system pathologies (they were 26% in the year 2019-2020), 17% from digestive system pathologies and 10% from dermatological pathologies.





Medical consultations at the Hospitality School (Nuova Tendopoli). Valerio Muscella, February – March 2021

29% of patients reported other diseases, namely dental, central nervous system, urinary, ocular-visual and cardiovascular systems diseases. The percentage of detected respiratory system diseases (bronchitis, flu syndromes, pharyngitis, cooling syndromes) decreased compared to previous years, as most likely people with respiratory symptoms decided not to turn to doctors fearing to be forced into isolation in the event of testing positive for COVID-19.

As in previous years, a small but certainly underestimated percentage of patients with psychological distress was found. More generally, many farm workers reported going through a period of great emotional stress and some of them abused alcohol 'to try to forget about their problems', with important consequences from a psychological, physical and relational point of view. These statistics confirm an epidemiological situation related to the precarious living and working conditions of farm workers characterised by social exclusion, overcrowding, poor sanitation, lack of drinking water and heating, inhumane working conditions, poor or insufficient nutrition and obstacles to access to basic rights.

Only 13% of the assisted patients was registered with the National Health System and had a general practitioner assigned in the Plain of Gioia Tauro or in different areas

The deterioration of living and health conditions during the peak months of the pandemic and the necessity, for those with an employment contract, to apply



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for sick leave in the event of testing positive or close contact with a person who tested positive, made registration with the SSN and access to a general practitioner of primary importance. Consequently, requests for guidance and support for the issue/renewal of the health card and for recognition of the sick leave multiplied. In spite of the numerous bureaucratic obstacles encountered and the frequent illegitimate practices carried out by the counter staff of local health units, the health guidance activity allowed 78 labourers to obtain the health card. Out of the 21 farm workers that MEDU supported in applying for sickness benefits, only 11 met the requirements and only in one case did the National Social Security Institute (Istituto Nazionale Previdenza Sociale - INPS) recognise the benefit.

The spread of Covid-19 and the establishment of red zones

The citrus season started with the establishment of two red zones following a screening activity conducted by the local health authorities at the container camp in Rosarno and the New tent city in San Ferdinando. Despite the fact that the second wave of COVID-19 affected two very populated settlements, the local health institutions did not immediately set up facilities for the quarantine of suspected or positive cases (the so-called "COVID Hotels"), as repeatedly requested by MEDU together with other local organisations. The impossibility of observing social distancing in the precarious settlements, the absence of facilities for quarantine of positive cases and of an effective epidemiological surveillance plan, made the measures adopted by the institutions ineffective, generating a growing distrust and hostility towards health personnel in general among the labourers forced to stay in the red zones, with consequences also on the activity of the mobile clinic. In order to cope with the rapid spread of the infection among the

population of the Plain during the second wave of the pandemic, MEDU, in collaboration with the FCEI's Mediterranean Hope project, extended screening activities with rapid antigenic swabs to the population of Rosarno, in support of the Regional Health Service. In addition, more than 200 rapid swabs were delivered to family doctors in Rosarno, San Ferdinando, Taurianova, Rizziconi and to the Outpatient Clinic of Medicina Solidale "Smile" in Villa San Giovanni.

Legal and working conditions and access to rights

The precariousness of legal conditions is one of the main problems perceived and reported by labourers and constitutes a major obstacle to access to rights and social inclusion. In seven months, from October 2020 to April 2021, 166 people approached the socio-legal desk of the mobile clinic, 58 of whom also received medical assistance.

Out of the 324 people who referred to the MEDU team for visits or legal advice, 299 provided information on their legal status. 94% were legal residents, while 6% stated that they had not residence permits. Among the legally residing persons, 26% held a

residence permit for asylum (in many cases these were persons who applied as asylum seekers again after losing their humanitarian protection following the entry into force of Legislative Decree no. 113 of October 4, 2018), 18% were granted subsidiary protection residence permits; 15% held a residence permit for work reasons (including those who applied for regularisation in 2020) and 15% for special cases. 12% were still in possession of humanitarian protection that was not renewed or converted (valid until the end of the state of emergency, extended until July 31, 2021). 10% were awaiting recognition of special protection, 3% had refugee status, 1% had been granted special protection.

Only 56% of the assisted agricultural workers had a work contract. The so called "grey work" (under-declared work) is the most common employment system and laborers are generally recruited through gangmasters (caporali)

Out of the 263 labourers who provided information on working conditions, only 53% said they were working at that time. However, many other people assisted had been working until few days before and contacted MEDU only at the end of the citrus harvest season. Of the 138 labourers who said they were working, only 56% had an employment contract. Of these, only 52% had a payslip. In all cases, the number of working days recorded in a month never exceeded 10, despite the fact that the majority of the labourers encountered from October 2020 to February 2021 worked between 5 and 7 days a week in high season, on average 8 hours a day, with an average remuneration of 35 euros per day, or, in the case of piecework, 1.20 to 1.50 euros per 25-kilo box. The pandemic has made working

conditions even more precarious and the few guaranteed rights even less enforceable. Unlawful recruitment of labourers through gangmasters (the so-called caporali) is still the most widespread system of recruitment. It is the caporale who recruits the labour force and often there is any direct relationship between the workers and the employer. In terms of transport to and from work, the gangmaster system (caporalato) has less influence, as in most cases the labourers move by bicycle.

One of the main obstacles to access to rights for people who live in informal settlements is the difficulty to obtain the civil registration

The most common form of employment is under-declared work (the so called “grey labour”): although a contract is registered, only a few days' work are recorded in the payroll and the remaining are paid in cash. Another common way of employment is 'piecework', sometimes even when



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an employment contract is present, with remuneration between 0.60 cents and 1.50 cents per 25-kilo box. Working and housing conditions are crucial for the legal stability of foreign workers, as the presence of a regular employment contract and suitable housing conditions are conditions for the issue/renewal of a residence permit. The entry into force of Decree-Law No. 113 of 4 October 2018 resulted, inter alia, in the abolition of humanitarian protection, making the legal conditions of foreign workers, many of whom held this residence permit, even more precarious. The consequence has been a percentage increase in asylum seekers and irregulars.

Eight years after the beginning of the project, the number of people who have a regular residence permit and a residing in Italy work contract rose, but "grey work" and exploitation are still the norm

seven months of intervention, it emerges that out of 13 workers who have applied for amnesty, none has yet completed the procedure because the applicants are waiting for the controls by the Labour Inspectorate, or for the convocation at the Prefecture, for the temporary residence permit to be converted into a residence permit for subordinate work.

Access to rights

One of the main obstacles to accessing rights for people living in informal settlements is the difficulty in obtaining civil registration. In fact, all labourers who have applied for registration with the municipalities of the Plain have been denied this right because they cannot prove their residence in the informal settlements. Those who are not registered at the population registry office cannot exercise a number of rights, such as applying for a renewal of their residence permit or a residence permit for work purposes, or obtaining an identity card, in absence of which they can not open a bank account. This problem remains unresolved to date, despite numerous reports to the relevant institutions.

The impact of the regularization provision (the so called "amnesty")

A year after its enactment, it is possible to say that the concerns expressed in the MEDU report a few days after the entry into force of Decree Law 19/05/2020 n.34 (so-called Decreto Rilancio), which in art. 103 enunciated the so-called "amnesty" procedure, turned out to be realistic.

From the data collected by the MEDU team in the

Conclusions and recommendations

Eight years after the launch of the Terragiusta project, the scenario of the Plain is still bleak: tent camps turning into shanty towns, piles of waste in informal settlements as well as in city centres, non-existent public transport, collapsing health services, impotent and often placed under external management institutions, widespread undeclared and under-declared labour, an agricultural sector in crisis. At the same time, the local population and public opinion are increasingly accustomed to the situation, as if it was a natural, seasonal and inevitable phenomenon.

Based on data collected by MEDU, in 2014 the population of seasonal labourers consisted, as it does today, of young men from Western Sub-Saharan Africa. The proportion of legal residents increased in seven years from 77% to 94% and the proportion of people with a labour contract also increased dramatically, from 18% in 2014 to 56% in 2021. However, these indicators point to changes that are more apparent than real. Indeed, the legal conditions of migrants remain for the most part precarious and labour exploitation continues to be the norm. The increase in the percentage of contracts has not led to better living and working conditions for foreign farm workers, as undeclared work has been replaced by under-declared work, with serious irregularities in wages, payroll, working hours and payment of contributions.

The enactment of important regulatory measures - first and foremost Law No. 199 of 2016 to combat "caporalato" - the institution of Tavolo caporalato (Inter-institutional Committee on labour exploitation, established in December 2018 for the planning and implementation of the Three-Years Plan to tackle labour exploitation and unlawful recruitment in agriculture) and the intensification of controls on farms have not had a significant impact on exploitation and have not in any way affected the functioning mechanisms of the food supply chain, which is the main cause of the phenomenon. Particularly worrying is the situation of health integration, bearing in mind that in a pandemic crisis like the one we are currently expe-

riencing, only one out of ten farm workers has declared to be registered with the SSN.

MEDU asks the Government to implement the 10 priority actions of the Three-Years Plan to combat labor exploitation and illegal hiring

Against this background, MEDU reiterates a number of recommendations, in particular:

To the Government:

- Give full implementation, with clear timeframes and transparent monitoring and evaluation mechanisms, to the 10 priority actions foreseen in the Three-Year Plan (2020-2022) to tackle labour exploitation and unlawful recruitment in agriculture, with the involvement of Regions, Municipalities and local entities;
- Increase the resources available to inspection bodies to enhance surveillance activities and to combat the exploitation of undeclared, under-declared labour and tax evasion;
- Strengthen and make the services for matching supply and demand for agricultural labour more effective;
- Fully implement the European Directive (no. 633 of 2019) on unfair trading practices in business-to-business relationships in the agricultural and food supply chain, first of all by completing the parliamentary process for the approval of the bill on limitations to the sale of agricultural products below cost and ban of double-low bids in electronic auctions;

- Promote the transparency of the supply chain by introducing a 'narrative label', containing information on companies, production methods, price composition and respect for workers' rights.

To the Calabria Region:

- Strengthen territorial public services, in particular Health Homes, Mental Health Centres and Outpatient Clinics for Temporarily Present Foreigners (STP);
- Strengthen and make more effective the employment centres, adapting their operating methods to the local reality;
- Establish and monitor good practices favouring housing integration in the urban centres of the Plain of Gioia Tauro;
- Promote and guarantee access to vaccination for labourers, both with and without residence permits, residing in official and informal settlements in the Plain of Gioia Tauro.

To the Municipalities of the Plain:

- Enable the civil registration of migrants with a regular residence permit who live in informal settlements;
- Promote the implementation of "widespread housing" practices in city centres.

To the Prefecture of Reggio Calabria:

- Monitor the effective access to the civil registration in the municipalities of the Plain of Gioia Tauro affected by the presence of precarious settlements;
- Allow the issue of the residence permit for awaiting employment to the workers who have presented an application for regularization, for whom the working relationship has ended before the convocation at the Prefecture.

To the Police Headquarters of Reggio Calabria:

- Reduce the waiting time for issuing temporary residence permits both for those who have applied for regularisation and for asylum seekers.

MEDU asks the Calabria Region to strengthen territorial public services and to guarantee access to vaccination for laborers residing in precarious settlements

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