

Best Practices against Work Exploitation in Agriculture
BeAware Project

Call for Practices

Background

Agriculture, forestry, horticulture, fish-farming and aquacultures compose the agrifood system, a space where different activities and sectors – which in turn are influenced by many interests, requirements and perspectives – combine at different levels and in various fields. In this context, there is the presence of several forms of illegal and undeclared work, phenomena that concern a significant part of the total number of workers involved in this sector. The progressive growth of this phenomenon, with risks of further rise, it's given by the persistence of weaknesses in the fruit and vegetable sector. In this framework, situations are deeply different from region to region. According to national and international reports, in eastern and southern European States irregularities arise, although these countries are among those with lowest hourly labour cost. In same case, the rate of illegal workers in the agricultural sector is 60 per cent and frequently get around 40 per cent. As a result, even if in countries like Germany and Austria the rate is very low (in particular 5 per cent and 10 per cent), around 25 per cent of agricultural workers in Europe is classified as illegal (EFFAT 2010). The phenomena of informal, undeclared labour and exploited work are spread all over the European countries, not to say in the international context.

In Europe, agriculture is one of the main sectors that face the scourge of informal or undeclared work and serious forms of work exploitation. Between the main factors that determine this phenomenon, there is the lack of attention for the primary sector, caused by, among others, the assumed inadequate economic return of this sector and by the inherent availability of an abundant manpower at a low-cost regime. This situation started in the '60 with the creation of the Common Agricultural Policy (CAP), that fixed the transition from a small-scale farming to an industrialised one. This passage resulted in a prolonged decrease of the agricultural products' cost, a trend exacerbated by the recent economic crisis started in 2008.

Another relevant factor lies in the presence and role of organised crime. According to *Rapporto sui crimini agroalimentari in Italia*¹, the food sector is largely controlled and influenced by criminal and mafia organisations, with detrimental effects not only towards workers but also

¹ Eurispes, *Agromafie. 1° Rapporto sui crimini agroalimentari in Italia*, Coldiretti-Eurispes, Rome 2011; Eurispes, *Agromafie. 1° Rapporto sui crimini agroalimentari in Italia*, Coldiretti-Eurispes, Rome 2015.

towards consumers, by influencing the price and quality of food stuffs on the market. For the year 2013, Coldiretti and Eurispes have estimated that, in relation to Italy, the agri-food businesses controlled by these organizations were worth to euros 14 billion, considering 7 billion coming from agricultural production².

MCFLP and the BeAware project

The project *BeAware* (Best Practices against Work Exploitation in Agriculture), designed by Milan Center for Food Law and Policy, aims at collecting and presenting the good practices against labour exploitation in agriculture that different stakeholders undertook in recent years. Several case studies that make part of the project's accompanying study were monitored across internationally accepted indicators: in conducting this type of the study, literature review was used as the leading method. Moreover, the project attempts to understand labour exploitation in agriculture by approaching it as a multi-faceted issue that requires clear general theoretical background, but still needs to be put into the specific local context.

Another factor that contributes to the project's complexity is the fact that there is no scientific consensus on the definition of exploitation especially in regard to agriculture. For these reasons, the study used the concept of *continuum of exploitation*, the authors of the project find adequate and acceptable mode to pave the way between the definitions of forced labour and decent work being considered as antithesis. Despite those, the concept of *continuum of exploitation* also includes the term of trafficking due to the fact that relevant legal sources related to exploitation are positioned in criminal law as well as in the constitution and labour law. Eventually, chosen concept offers a broad spectrum for deeper research but again enough space for numerous existing aspects of the subject topic.

The field of the analysis will be the member States of the European Union (with a possible comparison with the U.S. scenario). The research will focus on the *best practices* developed following institution and private (enterprises, civil society, etc.) initiatives fostered to oppose tragic cases.

The research aims at becoming an international survey, that, starting from the Italian experience, elaborates a scenario of the EU countries engagement in countering "caporalato" and other similar phenomena. The census aims at collecting the most possible cases, to give the opportunity to have the best panorama of the different activities that are in place to promote decent work, to fight para-slavery and forced labour. In other words, a useful cross section, a tool for experts and public sensitive to a serious and fast-growing issue.

² Eurispes, *Agromafie. 2° Rapporto sui crimini agroalimentari in Italia 2013*, Eurispes, 2013.

The BeAware assessment system (BAS)

With increasing expectations on European policymakers, stakeholders and other actors to develop more efficient legal, political and economic tools of countering work exploitation in agriculture, it has become necessary to find initiatives around the continent, to identify those that were successful both in opposing negative phenomena and in promoting sustainability. Among these practices, the MCFLP aims at locating those could be seen as the *best*, through an *ad hoc* lens: the *BeAware assessment system (BAS)*.

Based on a large desk analysis of the approach developed by International Labour Organization (ILO) experts, academics and NGOs practitioners, the BAS will be used to evaluate, starting from information given by the promoters, initiatives. While doing so, specific cases of practices against labour exploitation in agriculture will be presented for the comparison purposes.

The study will evaluate the cases in the schematic diagram across forced labour indicators based on Delphi methodology developed by ILO and European Commission in 2009. Other part of the diagram refers to the decent work indicators provided by the same international organization (ILO). The BAS will also use national and international certifications, together with data concerning employees, field dimensions and cultivation typologies as parameters of the diagram. The evaluation of the cases will have the objective to check whether monitored cases are applied in accordance with internationally accepted criteria.

Call for practices

The purpose of the call

BeAware invites you to join us in advocating against labour exploitation in agriculture. The project aims at creating the open online platform where stakeholders from Europe can share practices while collaborate and influence existing international principles related to the project's focus topic. Such call contributes to the intention of the project BeAware to the implementation of monitoring and evaluation framework in the form of comprehensive strategy made of base line study and logical framework-indicators' matrix.

Eligibility

The main objective of the call is to get in touch with those actors that, across EU, have promoted and are promoting anti-slavery and pro-decent work initiatives and practices.

The practices and initiatives submitted must be focused on countering work exploitation in agriculture as main area of the initiative. The present call does not give limit to the way practice's promoters (institutions, private operators, civil society, etc.) has addressed the issue, as long it pursue a general improvement of the past/present situation regarding human right, workers/employers socio-economic condition.

How to participate

To participate to the census, please send a compiled form to progetti@milanfoodlaw.org or to giovanni.venegoni@milanfoodlaw.org before October 1st (first round) or December 31st 2017 (second round).

Results

The results of the assessment of the practices sent during will be presented on June 2018, during a special event at MCFLP headquarter (Milan)³.

³ Venue to be confirmed