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Italy: Time to address exploitation of migrant workers

Italy must overhaul policies which contribute to the exploitation of migrant labourers, violating their right to work in just and favourable conditions and their access to justice, Amnesty International said.

In a report published today, [*Exploited labour: Migrant workers in Italy's agricultural sector*](#), Amnesty International focuses on the severe exploitation of migrant workers from sub-Saharan Africa, North Africa and Asia, employed in low-skilled, often seasonal or temporary jobs, mostly in the agricultural sector in the southern areas of Latina and Caserta.

But the report notes that labour exploitation of migrant workers is widespread across Italy.

“In the past decade the Italian authorities have been whipping up public anxiety alleging that the country’s security is threatened by an uncontrollable ‘clandestine’ migration thus justifying strict migration measures. These measures put migrant workers in a precarious legal situation making them easy prey for exploitation,” said Francesca Pizzutelli.

“While the authorities in any country are entitled to control immigration they must not do it at the expense of the human rights of all people in their territory. This includes migrant workers.”

“The outcome for migrant workers is often: wages well below the domestic minimum, arbitrary wage reductions, delays in pay or no pay at all and long working hours. The problem is both widespread and systemic.”

Italy’s current migration policies control the number of migrants by allocating quotas for different types of workers, issuing residence permits based on a written contract of employment, but these quotas are much lower than the actual demand of migrant labour. This system, apart from being ineffective and open to abuse, also increases the risk of labour exploitation.

Employers prefer to hire workers already in the country regardless of the government entry quotas. Some of the seasonal workers may have had their papers expire, while others may have obtained entry visas through agencies but been unable to get residence permits due to lack of contracts.

As a result many migrant workers find themselves without valid papers means they are irregular migrants and subject to expulsion if caught.

Italian legislation has criminalized “illegal entry and stay” in the country thus stigmatizing irregular migrant workers and boosting xenophobia and discrimination against them.

It puts them in a position where they are unable to seek justice for being paid less or not at all or for being made to work long hours. The reality for many of them is that if they complain about the labour exploitation to the authorities they are often immediately arrested, detained and expelled because of their irregular status.

“When amending their migration policies the Italian authorities must focus first and foremost on the rights of migrant workers regardless of their migration status. This includes providing them with effective access to justice,” said Pizzutelli.

"This must include a safe and accessible mechanism that workers use to lodge complaints and pursue labour claims against employers, without fear of being arrested and deported."

Background

At the beginning of 2011, foreign nationals in Italy were estimated to be 5.4 million, i.e. about 8.9 per cent of the population. Of these, 4.9 million have valid documents allowing them to stay in the country. It is estimated that there are around half a million migrants without valid documentation, or irregular migrants.

Labour exploitation of migrant workers in the agricultural and construction sectors in several areas of Southern Italy is widespread. They receive on average about 40 per cent less than the pay of an Italian worker in the same job and work long hours; victims of labour exploitation are African and Asian migrants, some EU-nationals (mostly Bulgarians and Romanians) and non-EU nationals from Eastern Europe (including Albanians).

Indian and African migrant workers in the Latina and Caserta areas in Southern Italy spoke to Amnesty International on condition of anonymity:

“Hari”: For the first four years I worked in a factory that packed onions and potatoes for export. I was paid 800 euros a month for 12-14 hours of work a day. The employer used to tell me that if I worked hard and well, they would get papers for me – they never did so.

“Sunny”: I work 9-10 hours a day from Monday to Saturday, then 5 hours on Sunday morning, for 3 euros an hour. The employer should pay me 600-700 euros a month and my plan was to send 500 euros a month to my father in India. However, the employer has not been paying me my full salary for the past seven months. He gives me just 100 euros a month. I can’t go to the police because I don’t have documents: they would take my fingerprints and I would have to leave.

“Ismael”: “When you don’t have papers you can only get work on the black market, which is badly paid. We get 25 to 30 euros per day for eight or nine hours of work [from 2.75 to 3.75 euros per hour]. But if we get hurt we don’t get anything.”

“Jean-Baptiste”: “When the employer does not pay, what can you do to get your money? Without documents, how can you go to the police? Without documents, you get expelled. But you haven’t done anything wrong...”