

CONTEMPORARY SLAVERY – THE HUMAN TOOL FOR VALIDATING POLITICAL AND ECONOMIC INTERESTS IN EUROPE**JELENKORI RABSZOLGASÁG – EMBERI ESZKÖZ EURÓPA POLITIKAI ÉS GAZDASÁGI ÉRDEKEINEK ÉRVÉNYESÍTÉSÉHEZ**FILIP, Rebeca-Adela¹**Abstract**

This article is meant to study the situation of refugees fleeing armed conflicts and persecutions in their homeland, based on racial, religious or ethnical factors. It also deals with migrants who are not threatened by death or persecutions – but because of the poverty, lack of employment, healthcare or any other reason – choose to move to a Western country by any means. Tempted by dreams about freedom of life, dignity, equality and conscience, they fall prey to human-traffickers, who exploit vulnerable people for financial gain, by forcing them to labour. Human trafficking can be considered as an “investment” that entails one of the lowest risks and highest profits. Following this statement, I shall present a general overview including the presentation of the main migration routes towards Europe and the emergencies occurring in the African continent. I shall highlight the European legislation and preparation tradition in order to combat this phenomenon.

Keywords

human trafficking, migrant routes, forced labour, labour market policies, agromafia

Absztrakt

Ennek az írásnak a célja azoknak a körülményeknek a tanulmányozása, amelyek hatására emberekből hontalanok és menekültek lesznek, arra kényszerülve, hogy saját szülőföldjükéről elmeneküljenek, faji, vallási és etnikai megkülönböztetések miatt, vagy éppen a szegénység, a munkanélküliség, egészségügyi ellátás hiány által sarkallják arra, hogy egy nyugati országba meneküljenek egy jobb élet reményében. Gyakran a lehetőségek álcázott emberkereskedési folyamatok, a csempészek embertelen körülmények között munkára kényszerítve őket. A jelenséget felmérve könnyen megállapítható, hogy az emberkereskedelem az egyik legnagyobb profitot hozó és legkisebb rizikófaktorral rendelkező „befektetés”. A kijelentésből kiindulva, ebben a tanulmányban alapvető bemutatásra kerül sor, a fő Európába irányuló migrációs útvonalakat, az afrikai konfliktushelyzetek, amelyek eredendően szolgálnak a migrációs hullámoknak, valamint az európai biztonsági-és óvintézkedések, a válsághelyzet kordában tartásáért, valamint a saját értékeknek megvédéséért.

Kulcsszavak

Emberkereskedés, migrációs útvonalak, kényszerszermunka, munkapiaci törvénykezesek, agromafia

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INTRODUCTION

The paper will follow the structure of the so-called „human-trafficking” phenomenon from scratch. I will delineate the emergencies occurring in the African continent that are forcing migrants into Europe and their causes including the roots of conflicts in Burundi, South Sudan or Nigeria, for example. I also intend to analyze the main migration-routes, and pre-intermediate level of being a „human tool” for one’s financial well-being by tricking and forcing people into recruiting and transporting them to the land of freedom.

Furthermore, I will present the distinction between human smuggling and human trafficking, since both of them can and are meant to result in forced labour. In the third part I will highlight some of the actions taken by the EU and other organisations in order to efficiently combat the flow of illegal labour done by refugees or migrants, namely some of the main protocols and treaties, including *the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organised Crime*², and *Directive 2011/36/EU*³. And last but not least I will introduce the target of these illicit activities, who are building flourishing industries on clandestine migrants by forcing them to work for the so-called „Agromafia”, or known in Italy as „Caporalato”. Reviewing the working environment of these people, all the hardships crossing their way during the transition to the target country only to face a cruel reality must be a warning sign to local authorities in order to confine the rate of illegal work in third nation countries.

Finally, the comparison of the regularizations of labour market policies for European citizens and the one illegally applied for migrants and refugees must be dealt with to lay down the facts that the treatment of the two kinds of employees are highly uneven.

PRESENTING THE CONCEPT OF HUMAN-TRAFFICKING

According to one of the most recent Directive issued by the European Parliament and the Council, 2011/36/EU: trafficking in human beings is a punishable, intentional act consisting of *the recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those 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 or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation*.⁴ In several cases this kind of humiliation results in forced labour, prostitution or even removing and selling organs. Theoretically, this statement was adopted in order to raise awareness, to fight against the main push and pull factors of smuggling people and human trafficking and to provide support for potential victims.

²Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially in Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, 2000, accessed on 6th of July, 2020, <https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/united_nations_protocol_on_thb_en_4.pdf>

³ Directive 2011/36/EU, accessed on 6th of July, 2020, <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0036&from=HU>>

⁴ Article 2 from Directive 2011/36/EU, accessed on 6th of July, 2020, <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0036&from=EN>>

The directive states several rules, including the penalties, the prosecution and investigation method of this crime, the sanction on legal persons, the jurisdiction of countries, the protection of victims and prevention. All of the above-mentioned rules form the basis of the main policies for such cases.

The directive, in article 4 states a maximum penalty of 10 years of imprisonment if the offence was committed against child victims, within a criminal organization, *deliberately or by gross negligence endangered the life of a victim*⁵, the person was abducted with violence that caused several injuries.

Article 12 expressly enunciates the fact that victims cannot be prosecuted because of criminal activities committed during their abduction, if it was committed as a direct and inevitable consequence of the offences committed against them. Furthermore, *Member States shall ensure that victims of trafficking in human beings receive appropriate protection on the basis of an individual risk assessment, inter alia, by having access to witness protection programmes or other similar measures, if appropriate and in accordance with the grounds defined by national law or procedures.*⁶In addition, the directive stipulates the right of the victims of human trafficking to solicit the access to witness protection programs, in accordance with the national law.

If trafficking in human beings was easier to project and overcome, Directive 2011/36/EU could be followed as it defines the trajectory of such cases, from prevention to prosecution, witness protection programs to child protection. However, in many situations, the hidden nature of this phenomenon excludes the possibility for authorities to proceed this way. The hardship of preventing human trafficking may be due to the fact that states are being chained to a theoretical solution, when it would require practice instead. The directives are obligatory to implement, but it should be done in such a manner that reflects the countries' possibilities.

Another international regularization similar to the Directive – but on a larger scale, would be the *United Nations Protocol to Prevent, Suppress, Punish, Trafficking in Persons, especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*. The Protocol is meant to serve as a triple action program, not only by preventing and combating trafficking in human beings, but to ensure cooperation between states and to protect the abducted victims. The definition given by the protocol is very similar to the one later used in Directive 2011/36/EU: *trafficking in persons shall mean 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 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*

⁵Article 4 from Directive 2011/36/EU, accessed on 6th of July, 2020, <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0036&from=HU>>

⁶Article 12 from Directive 2011/36/EU, accessed on 6th of July, 2020, <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0036&from=HU>>

*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.*⁷

MAJOR SOURCE COUNTRIES AND THEIR CONFLICTING SITUATION

Major source countries / Source countries' conflicting situation

According to several surveys the main push factor determining migration is fleeing war and persecution. In the lack of these patterns, other push factors are economical crisis, well fair and livelihood conditions. One of the top origin countries is Syria, due to social-political suppression, under the government of President Bashar al-Assad. The crisis followed by a civil-war, resulted in a massive migration flow to Europe. By December 2017, UNCHR estimated about 1.000.000 asylum applications for Syrian refugees in the European Union.

Afghan refugees account for the second largest refugee population. The push factors are the same as in the case of Syrian refugees, which are war and the fear of persecution. As a consequence there are as many as 2.5 million registered refugees from Afghanistan. The presence of the Taliban is a major source of migration, since the Taliban had been condemned internationally for massacres against Afghan civilians. One of the most radical actions taken by them was denying the UN's food supplies in 2001, starving to death almost 160.000 civilians, destroying thousand of lands and homes by burning vast areas of territories and cultural genocide.⁸

The third and the most disturbing category, the ISIL members, who are using fake Syrian documentations in order to avoid Greek government controls and to make their way into Europe. In 2017, *The Guardian* reported that ISIL is paying *the smugglers' fees of child refugees in a desperate attempt to attract new recruits, according to a report highlighting the potential vulnerability of unaccompanied minors to radicalisation.*

According to the UNHCR the main migration route would be the Mediterranean Sea, through which migrants would arrive from *Syria, Afghanistan, Iraq, Pakistan, Nigeria, Sudan, Somalia, Gambia and Mali.*⁹

The UNHCR follows nine main "emergency" countries, including some of the above mentioned. All of these countries represent the centre of the action programs driven by the organization. Humanitarian life-saving aid, including medicine, food, *stoves and fuel for heating, shelter kits as well as protection services and psychosocial support,* for those

⁷Article 3 of UN Protocol on Preventing, Suppressing and Punishing Trafficking in persons, especially Women and Children, accessed on 6th of July, 2020, <https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/united_nations_protocol_on_thb_en_4.pdf>

⁸*Taliban massacres outlined for UN*, by GARGAN, A. Edward, Chicago Tribune, 2001, accessed on 6th of July 2020, <<https://www.chicagotribune.com/news/ct-xpm-2001-10-12-0110120312-story.html>>

⁹Migration Flows to Europe – 2017, Quarterly Overview September, International Organization on Migration, accessed on 4th of July, 2020 <https://migration.iom.int/docs/Q3_Overview_Arrivals_to_Europe.pdf>

who decided to remain in Syria. Although a vast majority of Syrians remained in Lebanon, Turkey hosts a number of 3.3 million Syrians, being the largest hosting country.¹⁰

Yemen is facing a humanitarian catastrophe; too, due to the hardships in its homeland, as almost 2 million Yemenis¹¹ need to find shelter in desperate conditions. In this case, the UNCHR not only provides humanitarian aid for those in foreign countries, but to those 280.000 Yemenis who decided to return home even though it was not safe. The protection action emerges with similar approaches as the Syrian one.

The latest updates on Iraqis show a significant number of 3 million people, who are in need to flee their homeland because of the massive spread of violence and constant attack on fundamental human rights. The UNCHR estimates that almost 1.5 million Iraqis seek shelter in the Kurdistan region of Iraq.

MIGRANT ROUTES TO EUROPE

In the spring of 2017 *Frontex*, the European Border and Coast Guard agency identified six main routes for irregular migrants to enter Europe, including sea and land routes.

The Western African and Central African route provide sea passages for Western Africans, mostly from Morocco and Senegal into the Canary Islands, which is under Spanish jurisdiction, according to *Frontex Risk Analysis for 2019*. This route gained popularity during 2019, with exactly +264% to around 1500.¹² This route has several difficulties and some of them are more critical than the others. Migrants have to endure crossing the desert, to shuffle in a convoy with 150-200 persons and Islamic terrorist groups such as AQUIM and MUJAO roaming the dessert¹³. The Eastern African route is mainly used by migrants from the Horn of Africa (Eritrea, Somalia, Djibouti and Ethiopia), traversing Sudan, Egypt and Libya to Northern African countries, for example Tunisia, or crossing the European border using the Central Mediterranean passage.¹⁴ The main route is through Darfur and Chad, but it can alter due to the political situation of the regions. Not only passing 7000 km on a route reigned by smugglers, risking their life and health, these migrants have to pay approximately 1000 USD and 1000-2500 USD more if they want to cross the Mediterranean

¹⁰ UNHCR emergencies, Syria emergency overview, accessed on 4th of July 2020, <<https://www.unhcr.org/emergencies.html>>

¹¹ UNCHR emergencies, Yemen emergency overview, accessed on 4th of July 2020 <<https://www.unhcr.org/yemen-emergency.html>>

¹² *Frontex Risk Analysis for 2019*, page 17, accessed on 26th July 2020. <https://frontex.europa.eu/assets/Publications/Risk_Analysis/Risk_Analysis/Risk_Analysis_for_2019.pdf>

¹³ János Besenyő, Security Preconditions: Understanding migratory routes 2016, page 6, accessed on 12th of July 2020. <http://jssidoi.org/jssi/uploads/papers/21/Besenyo_Security_preconditions_understanding_migratory_routes.pdf>

¹⁴ János Besenyő, Security Preconditions: Understanding migratory routes 2016, page 22, accessed on 12th of July 2020. <http://jssidoi.org/jssi/uploads/papers/21/Besenyo_Security_preconditions_understanding_migratory_routes.pdf>

sea.¹⁵ According to a study,¹⁶ the Eritrean migrants are exposed to the sovereignty of the Rashaida Arab Tribe, who kidnaps them for ransom, and they can only continue their way if they pay. Furthermore, despite of the fact that they pay, each month some of them are killed.

The third route, which is the Western Mediterranean route, integrates sea passage from North Africa to the southern coast of Spain and the land route through the borders of Ceuta and Melilla. It is considered to be one of the most preferred routes, due to Mauritania poor border management. In order to suppress the growing migrant flow to the Spanish enclaves of Ceuta and Melilla, Spain made an agreement with Senegal, Mauritania and Morocco in 2005 to stop migration before reaching the Atlantic Coast in exchange of financial support. This agreement was followed by a repatriation accord between Spain and Senegal, Mauritania and Morocco, aiming to send back the illegal migrants to their homeland. Since then, according to IOM¹⁷, the migration flow has changed and the nations need to take a new view in order to provide a viable solution.

The Central Mediterranean route – sea passage from North Africa, especially Egypt and Libya towards Italy and Malta – is the main trajectory for people smugglers. Several NGOs like *Save the Children* and *MSF* operate search and rescue vessels in this area. During the Kaddafi regime in Libya the country had flourished due to its economic and political security and it also enhanced several international relations. (*János Besenyő, Understanding migratory routes*)

Apulia and Calabria are parts of another Central Mediterranean route, the sea passage of migrants from Turkey and Egypt, entering Greece by crossing the Ionian Sea to finally arrive in Italy. This route is primarily used by Asian migrants, who are trying to reach Europe by the help of smuggler groups using different methods. Most of the time smuggling groups are in contact with Islamic radical forces that benefit from this activity for sponsoring their suppressing and terrorist acts.¹⁸

¹⁵ János Besenyő, Security Preconditions: Understanding migratory routes 2016, page 7, accessed on 12th of July 2020.

<http://jssidoi.org/jssi/uploads/papers/21/Besenyo_Security_preconditions_understanding_migratory_routes.pdf>

¹⁶ János Besenyő, Security Preconditions: Understanding migratory routes 2016, accessed on 12th of July 2020.

<http://jssidoi.org/jssi/uploads/papers/21/Besenyo_Security_preconditions_understanding_migratory_routes.pdf>

¹⁷In 2018, the Western Mediterranean Route (WMR) – from West Africa towards Spain – became the most frequently used route into Europe with over 58,000 arrivals (compared to 5,300 in 2015 and 22,100 in 2017). Senegal was one of the top West African nationalities of arrivals in 2018, ranking behind Guinea, Mali, Côte d'Ivoire and The Gambia, according to an IOM study on Migration trends in Senegal

<<https://www.iom.int/news/latest-iom-study-migration-trends-senegal-explains-peak-arrivals-spain>>

¹⁸For more information and an elaborate work regarding this issue, read more in PhD. János Besenyő study, *The Islamic State and its Human Trafficking practice 2016*. <http://real.mtak.hu/83721/1/the_islamic_state_and_its_human_trafficking_practice.pdf>

The Western Balkan route is commonly used by Asian immigrants – from Syria, Iraq and Afghanistan -, from the Greek and Turkish border to finally arrive in Hungary, Romania or Croatia.

The last one, the Eastern borders land route of almost 6000 km length is situated between the EU's eastern member countries and Russia, Ukraine, Belarus and Moldova. In 2018 a slight increase in interest was detected, mostly because of *migrants abusing the FIFA FAN ID, which allowed travellers visa-free entry in Russia, from where, coming also from Belarus and Ukraine, the migrants attempted to enter EU illegally.*¹⁹

According to the Frontex's database, the total number of irregular migrants in 2017 reached 500.248; the highest ranks being the Eastern and Central Mediterranean routes with 182.277 and 181.459.

TARGET COUNTRIES

Globalization and the growth of population require fast-forward solutions in order to provide the European retail section with low cost food. Even though the agricultural industry has developed in several aspects, cheap labour is still needed. Due to this situation, the countries in need of procuring solutions tend to choose irregular migrants, employing them as undeclared workers with low wages, in inhuman conditions and without due respect to their fundamental human rights.

According to the International Labour Organization 2012 Global estimate of forced labour Executive Summary²⁰ approximately 20.9 million people endure forced labour, against their will, without any rights. Data show that almost 90% of these forced workers are exploited in the private sector, while the rest of them do state-imposed forced labour in prisons.²¹

This “trend” is dominant in the Italian market, where there are undeclared workers, especially smuggled people from the African or poorer European region. These migrants fall for the recruiters' offer for a better life. In Italy, agricultural labour is normally temporary and requires workers to move from farm to farm according to seasonal farming demand. Most migrants end up working on the production of canned vegetables and fruits, including tomatoes, strawberries, grapes or olives, namely - Sicily tomatoes, Brescia green salad, Lombardy grape, Basilicata strawberry.

According to a survey, *the latest official figures show that in 2015 around 405,000 foreign people were regularly employed in this sector, 4 making up 48% of the total workforce in agriculture. Women comprised about 27% of the agricultural labour force in Italy*

¹⁹Frontex Risk Analysis for 2019, page 17, accessed on 26th of July.

<https://frontex.europa.eu/assets/Publications/Risk_Analysis/Risk_Analysis/Risk_Analysis_for_2019.pdf>

²⁰ ILO 2012 Global Estimate of forced labour Executive Summary, accessed on the 24th of June, 2020, <http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_181953.pdf>

²¹ ILO 2012 Global Estimate of forced labour Executive Summary, accessed on the 24th of June, 2020, <http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_181953.pdf>

in 2015.²² The main problem with the estimation of a realistic number is the lack of regularization and recording of irregular workers, who are not employed with an official contract. This way, on the employers take a double advantage of the situation by avoiding paying taxes and social security for the authorities and ensuring that the workers can't defend themselves against the low wages and their treatment during working hours.

The *Italian and international press* conducted several investigations on the treatment and living conditions of these workers. Although *European labour market policies*²³ limit the daily working hours to 8 – weekly 40 –, which can, in certain situations be altered, farm workers in Italian agriculture can work 10-12 hours a day. They also need to endure the heat or cold, depending on the region, breathing in the chemical materials used in agricultural activities and endangering their health. They are either kept in isolated inhuman living conditions or miles away from their workplaces.²⁴

The Agromafia's pyramidal structure ensures the control on every level, usually referred to as “the Caporalato”, where every field is supervised by ‘caporalis’. They are usually Italian, Romanian or other European nationals, who often use power and violence to suppress the farmers. The main weapons of these gang master systems are intimidation and the exacerbation of workers.

According to an article written by Oxfam *estimates by the Italian trade union FLAI-CGIL show that of the 430,000 workers irregularly employed in the Italian agricultural sector in 2015, 42% were women. 15 Data on the most affected regions indicates the prevalence of exploitation of women farm workers. Of the 45,000 women employed in Campania, contractual obligations were not respected in 80% of cases.*²⁵ Regarding the first part of this study (the presentation of migration routes, the correlation between target and origin countries and the push and pull factors for this behaviour) most of the time these illegal workers are crossing the borders by the help of the smugglers in exchange for debt-bondage. This can be categorized as a contract of consent up to a point, despite the dangerous conditions. They often have to perform inhuman tasks in very little time, without toilet or meal breaks in unbearable heat or cold.

The legal minimum daily wage in Italy, according to 2017 data, was 47 euros. However, a farmer earns 20-30 euros daily, which is almost 50% lower than the legal minimum.

²²< [Human Suffering in Italy's Agricultural Value Chain, page 2. accessed on July 6th, 2020,
 https://oxfamlibrary.openrepository.com/bitstream/handle/10546/620479/cs-human-suffering-italy-agricultural-value-chain-210618-en.pdf?sequence=4](https://oxfamlibrary.openrepository.com/bitstream/handle/10546/620479/cs-human-suffering-italy-agricultural-value-chain-210618-en.pdf?sequence=4)>

²³ EU's Working Time Directive (2003/88/EC) enunciates the primary regularization in this field, a directive, by its nature requires the member states to achieve the particular result without a mandatory trajectory to follow.

Directive 2003/88/EC of the European Parliament and of the European Council concerning certain aspects of the organisation of working time of 4 November 2003, consulted on 6th of July, 2020, <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003L0088&from=EN>>

²⁴ *Workers are paid on average between 20 and 30 euros a day, and women get 20% less than their male colleagues, [...] and in some cases they have to pay for their gangmasters transportation and for different basic necessities like water or food.* <<https://www.fondazionemetes.it/agromafias-and-gangmasters>>, English version of the Placido Rizzotto Observatory, accessed on 9th of July, 2020

²⁵ <<https://oxfamlibrary.openrepository.com/bitstream/handle/10546/620479/cs-human-suffering-italy-agricultural-value-chain-210618-en.pdf?sequence=4>>, page 3, accessed on 6th of July, 2020

Of course this number only appears on paper in several cases; in real-life some of them worked straight 10-12 hours for 3 or 4 euro.²⁶

The ‘caporalato’ system is not a novel phenomenon. Not only are the caporales taking care of the recruitment of local producers, they control the farmers daily life, including housing, meals, travelling to work or issuing the farmers’ working pattern. The Italian Government concerns resulted in an investigation in 2018²⁷, which was conducted by the Chamber of Deputies’ Joint Committees XI (labour) and XIII (agriculture).

In October 2017 the British newspaper ‘The Guardian’ issued an article – *The terrible truth about your tin of Italian tomatoes*²⁸ – which spread the horrendous death of the 47 years old legal Sudanese immigrant worldwide, who suffered a heart attack while working in the fields of Nardó. As later determined, Abdullah Muhammed’s life could have been saved if he had been transferred to the hospital. This was the first red light to draw attention to the inhuman life of the farmers.

In order to combat labour exploitation and the caporalato, Italy introduced a legislative package in the autumn of 2016²⁹, including sanctions on employers, land requisition, enhanced protection for victims, organized labour inspections and an integrated approach to punishing and ending labour exploitation.³⁰ The kickback of the legislation is the same as in the case of the European Union’s combating the labour exploitation of immigrants and the fight against human trafficking. It concludes the theoretical side of the norms, which are only applicable in the concrete case, once the situation occurs, based on the report of workers and employees.

The progression of this situation lays not only in the hands of the governmental actions and measurements, but in the main food chain markets, the costumers and small-

²⁶‘In my payslip, the wage was €46 per day. But I’ve never seen that money. I only received €28 per day.’

Woman farm worker, Campania

We were working from 6.00 in the morning to 6.00 in the evening, every day of the week, for €25 a day. We could just take 10-minute breaks for eating.’ Aversa, a 24-year-old male agricultural worker from Mali. Ibidem, page 5, accessed on 6th of July, 2020

²⁷<https://ec.europa.eu/migrant-integration/news/italian-parliamentary-investigation-on-exploitation-of-migrant-workers-in-agriculture> The first hearing held in January 2019 resulted in adopting Law No. 199 of 2016, which referred to the caporalato system as a crime and *imposes criminal penalties for intermediation and exploitation of irregular labour*. Accessed on 17th of July, 2020

²⁸<https://www.theguardian.com/global-development/2017/oct/24/the-terrible-truth-about-your-tin-of-italian-tomatoes>, accessed on 17th of July, 2020

²⁹*Law No. 199/2006 in order to combat undeclared work and labour exploitation, providing victims with a long-term program of assistance and social integration, and a residence permit for social protection,*

<https://www.opensocietyfoundations.org/uploads/ba12312d-31f1-4e29-82bf-7d8c41df48ad/is-italian-agriculture-a-pull-factor-for-irregular-migration-20181205.pdf>, accessed on 5th of August, 2020

³⁰ These measures included several humanitarian actions, especially after the incident of the Lampedusa shipwreck of 3 October in 2013, which resulted in the death of 386 migrants after their boat failed to reach the Italian shores.

scale farmers. There should also be full transparency in regards to legally employed workers, not only on paper, but in real-life too.

EUROPE COMBATING ILLEGAL MIGRATION AND LABOUR DIFFICULTIES OF ELIMINATING ILLICIT ORGANIZATIONS

In several cases the person concerned has no other choice than to accept the abuse from the traffickers. European citizens have freedom of movement and freedom of travel within the EU's internal borders, which ensures the chance to fulfil the labour shortages of certain sections.

When it comes to policies issued in order to combat illegal work, it can be said that they are often based on several factors and are often contradictory. It is because they are meant to welcome the migrants by promoting their integration into the society, as well as to cut off the chance of hiring unauthorized workers.

In 2005 the European Commission adopted a *policy plan on legal migration* based on the need of adopting a common set of rules in order to ensure the admission of legal economic workers, entitled *Green paper on EU approach to managing economic migration*³¹.

Following the initiative of the European Commission in 2009 a program was developed that was later entitled the *Stockholm Program*³². It was a measurement which set out a line of rules for common politics on privacy, fundamental human rights, minority rights and additionally it defined the rights of groups of people in a need of special protection. After the *Tampere Program*³³ in 1999 and the *Hague Program*³⁴ in 2004 this is the third program that deals with the treatment of subjects such as homeland security and migration and methods of combating organized crime. Furthermore, the program debated delicate problems like the usage of military against migration, the expansion of EuroJust and Euro-pol, police intervention outside the EU and the intensified cooperation of secret services. Among the three actions, the *Stockholm Program* emerged as the most practical five year guideline for justice and national problems for the years 2010-2014.

In the spring of 2015 the European Commission presented the *European Agenda on Migration*³⁵, in order to prepare the State members to tackle the challenges that occurred during migration management. It included regularization on irregular *migration, asylum, borders and illegal migration*. In 2017 the updated *Agenda* focused on matters like refugee crisis, common visa policy and Schengen. This measurement helped in providing safe pathways, integration programs for legally arriving migrants at both local and national levels.

³¹<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52005DC0669&from=EN>, accessed on the 3rd of July 2020

³²<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:115:0001:0038:EN:PDF>, accessed on the 3rd of July 2020

³³<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:115:0001:0038:EN:PDF>, accessed on the 3rd of July 2020

³⁴[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52005XG0303\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52005XG0303(01)&from=EN), accessed on the 3rd of July 2020

³⁵https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf, accessed on 23rd of June, 2020

Above the enunciated programs and objectives the European Union has prepared several *Directives* in order to harmonize the migration flow and the asylum seekers situation. They were intended to provide them with a chance of integration, to respect the inherent human rights and not only on international, but on regional and local levels too. It's worth mentioning Directive 2011/36/EU *regularizing the prevention and combating trafficking in human beings and protecting its victims*.³⁶

Between 2007 and 2009 the European Union funded a project called the *Clandestino project*³⁷ with regard to the monitoring of undocumented migration. A database was created by the Hamburg Institute of International Economics and it collected data between 2001 and 2008. The estimated numbers are specifically divided between age, gender, nationality and the sector of economic activity.

Besides the European organizations, including the Commission, the Council and the Parliament, several other organizations are fighting against human trafficking. The Organization for Economic Cooperation and Development, for instance *works to build better policies for better lives* goal is to shape policies that foster prosperity, equality, opportunity and well-being for all. We draw on almost 60 years of experience and insights to better prepare the world of tomorrow. The OECD works on a different platform for procuring solutions facing the migration problems. It focuses on aspects like the economical aspects of the migration, integration policies and indicators, migration and development and monitoring migration.

To suppress human trafficking and labour exploitation diverse legislation systems must be established that can be held responsible for regularizing the situation of illegal immigrants who are seeking a better and healthier life in Western countries. However, focus should not only be placed upon third-world migrants. On top of that, creating safe border entry routes and providing solid assistance and protection for those in need improve the labour inspection, especially in the private industries, such as agriculture.

CONCLUSION

Pope Francis defined human trafficking as '*a scourge, a crime against the whole of humanity. It is time to join forces and work together to free its victims and to eradicate this crime that affects all of us, from individual families to the worldwide community*'³⁸. In the 21st century, when the fundamental rights of human beings, freedom of movement, social security, equality and equity are theoretically provided for every human being, there are some regions, where these are still the least common values. It is a problem relevant for all the nationalities, countries and citizens, even for stateless persons. To tackle this problem, we need humanism, common sense, and cooperation above anything else. Suppressing this theft of human life could be the most significant moral calling of our time.

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