

Committee on the Application of Standards

Date: 22 May 2023

Governments appearing on the list of individual cases have the opportunity, if they so wish, to supply written information to the Committee.

▶ Information on the application of ratified Conventions supplied by governments on the list of individual cases

Italy

Labour Inspection Convention, 1947 (No. 81) (ratification: 1952)

Labour Inspection (Agriculture) Convention, 1969 (No. 129) (ratification: 1981)

The Government has provided the following written information, as well as the Annual Report on Protection and Supervision in Labour and Social Legislation 2023.

The results of the task forces of the SU.PR.EME. and A.L.T. CAPORALATO! projects from 2020 to 2022 and of the activity against labour exploitation are illustrated in the Annual Report on Protection and Supervision in Labour and Social Legislation 2023. The document in question reports 1,206 non-EU workers without a regular residence permit found at work during inspections. During the inspections, information is provided to migrant workers on their rights, as well as through the delivery of the model adopted by the inter-ministerial decree (Ministry of the Interior, Ministry of Labour and Social Policy and Ministry of Economy and Finance) referred to in article 1, paragraph 3 of Legislative Decree No. 109/2012, also and above all thanks to the support of cultural mediators who explain the role of the Inspectorate and clarify – in a language they can understand – that when a situation of labour exploitation is ascertained, the employer is liable, while the victims can access special protection mechanisms. As stated in the report, within the framework of the actions carried out in the implementation of the aforementioned projects, 598 workers were assisted by the International Organization for Migration (IOM), of whom 239 were granted residence permits as victims of labour exploitation and/or are awaiting a favourable opinion by the Public Prosecutor's Office (there were 3 in 2018).

With specific reference to the request concerning the number of “special cases” residence permits granted, data from the Ministry of the Interior, updated to June 2022, on residence permits both for reasons of social protection and in case of serious labour exploitation is provided in Tables 1 and 2 below. Updated data is being surveyed. This data will be transmitted as soon as provided by the competent authority. In addition, as part of the aforementioned projects, multilingual information leaflets (in Italian, English, French, Arabic, Urdu, Pashto, Bengali, Hindi, Punjabi, Chinese and Romanian) have been prepared and distributed, aimed at

helping foreign workers present on Italian territory to become aware of their possible situation of exploitation and of the possibilities of reporting and rescue. It should also be noted that, to date, at six territorial Inspectorates (specifically Bari, Cuneo, Ferrara-Rovigo, Foggia, L'Aquila and Reggio Calabria), experimental multilingual desks have been activated, dedicated to receiving complaints of irregularity and labour exploitation of foreign citizens and, more generally, to give support and information on their rights. Again, thanks to the collaboration with the IOM, the inspection request form, available online on the Inspectorate's website, has been translated into nine languages (English, French, Romanian, Chinese, Arabic, Bengali, Punjabi, Urdu and Ukrainian).

It is also confirmed that the inspectors ensure adequate protection for migrant workers also from an economic point of view through the power of ascertainment warning (article 12 of Legislative Decree No.124/2004), which allows for financial rights to be immediately and freely satisfied. In pointing out that in recent years data on the effective use of this tool are increasing overall, it is reiterated that the details of ascertainment warnings, contribution recoveries and financial resources specifically related to workers without residence permits are not available according to the survey system in use. As for the time devoted by inspectors to verifying the regularity of migrant workers' stays, this appears to be entirely marginal. In fact, according to Law No. 286/1998, inspectors who ascertain the employment of migrants without residence permits are required to report this circumstance to the police forces: the latter, not the labour inspector, are responsible for identifying the irregular foreigner and charging that person with the offence of illegal entry and stay in the territory of the State, pursuant to article 10 *bis*.

► **Table 1. Social protection (article 18 TUI)**

Citizenship	Total
Afghanistan	2
Albania	30
Algeria	2
Bangladesh	16
Bolivia (Plurinational State of)	1
Bosnia and Herzegovina	4
Brazil	5
China	2
Colombia	13
Egypt	3
El Salvador	1
Eritrea	1
Gambia	3
Ghana	4
India	3
Mali	2

Citizenship	Total
Morocco	17
Myanmar	1
Nigeria	71
Occupied Palestinian Territory	6
Pakistan	11
North Macedonia	6
Republic of Moldova	2
Senegal	8
Serbia	2
Syrian Arab Republic	1
Somalia	1
Sri Lanka	4
Tunisia	3
Ukraine	3
Venezuela (Bolivarian Republic of)	2
Total	230

► Table 2. Serious labour exploitation (article 22 TUI)

Citizenship	Total
Bangladesh	1
Egypt	2
Gambia	7
Ghana	6
Guinea	2
India	2
Mali	1
Morocco	10
Nigeria	17
Pakistan	27
Senegal	7
Sierra Leone	1
Total	83