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# NO CAP



**PEOPLE  
BEFORE  
PROFIT**

**FROM PROTEST TO PROPOSAL**



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NO CAP





# PEOPLE BEFORE PROFIT

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FROM PROTEST TO PROPOSAL

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## COMMUNITY



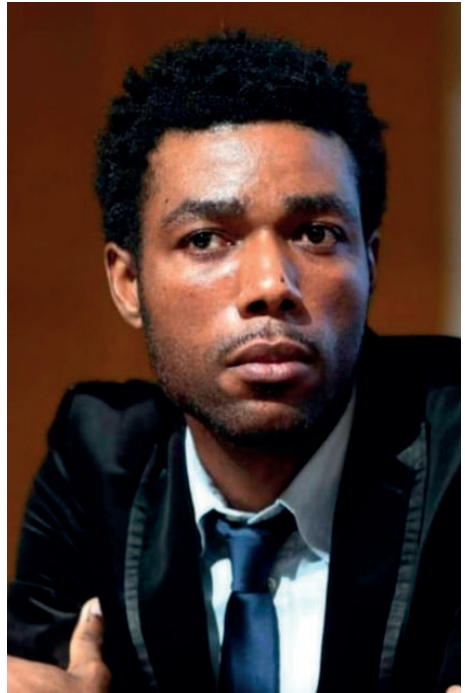
*info@nocap.it*



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*I lived myself through illegal hiring. I was a farmhand and I know what it means to stand the harassment of the caporali. To work without a break under the burning sun, with the constant fear of losing the miserable daily pay. While being forced to accept the worst conditions of exploitation, in order to survive. Being aware of the progressive loss of my identity and my dignity.*




*In 2011, while in Nardò in 2011, the first trial on a European scale finally took place following the strike that I had initiated in support of exploited foreign workers in the fields. Today, Caporalato, until then little known by public opinion but widely practiced, has now become a crime in Italy thanks to the article of law 199/2016 which now amends Article 603 bis of the Criminal Code.*

*Years of protest and constant activity have proven that the phenomenon is not confined to a single country but involves not only European labourers such as Italians, Romanians, Bulgarians and Polish but also non-EU ones.*

*In 2017 a group of activists led to the creation of the NO Cap association. It was then that I decided to share the knowledge I have accumulated over the many years of protest and put it at the disposal of those who, like me believe in change to say enough to exploitation.*

***Following the first few years which saw the protests characterising my commitment, we have now reached a proposal.*** *We have finally progressed to more effective tools: dialogue with the institutions, the businesses and the subjects of the agricultural supply chain in order to propose a new model of development which sees everyone a winner. Human beings, fairness, justice and respect both for fundamental human rights and the environment have finally been brought back to centre stage.*



**Change is possible!** And this is demonstrated by the many companies that have chosen to share our vision and the many consumers who now choose to buy ethical products in order not to be co-responsible any longer for this new form of contemporary slavery. In the current economic model, competitiveness is still played out by decrease of prices which greatly affects the cost of labour. And as long as this model is followed, there cannot be a social Europe. We must go further. We must have a vision. We need a model where we generate and add value.

Today citizens are asking for more because there is an awareness for the need to a return to solidarity and legality.

As such, there must be a common commitment at all levels in order to eradicate the exploitation of workers. This is not a choice but a moral obligation. There is still a lot to do. The road is long and fraught with obstacles but because we still believe in values and an acceptable rule of law. We are sure we can. Once again count on the inviolability of human rights and the power of change.

*Jean Pierre Juan Sagnet*

## THE FOUNDER JEAN PIERRE YVAN SAGNET

Born on April 4th 1985, in Douala (Cameroon), Jean Pierre Yvan Sagnet arrived in Italy in 2008, and having won a scholarship, he enrolled at the Polytechnic of Turin to study Telecommunications Engineering. He graduated in 2013. In July 2011, he moved to Nardò, in Salento (Puglia) where he began working at the Masseria Boncuri, as a tomato picker. Subdued by the corporals and exploited for his work, he decides to rebel and organizes a protest that immediately turned into a long-lasting strike against the inhumane working conditions on the farm.



*President Sergio Mattarella awards the honour of the Knight of Merit of the Italian Republic to Yvan Sagnet on November 12th, 2016.*

He soon becomes a point of reference for the defense of the rights of labourers. Thanks to his commitment, Italy has introduced in 2016, a new law to fight against “caporalato” (gangmastering: illicit intermediation between the employer and the worker). After the revolt in the Nardò farm, Yvan Sagnet worked for a short period as a trade unionist for Flai-Cgil.

The Cameroonian activist wrote two books published by Fandango: “Ama il tuo sogno. Vita e rivolta nella terra dell’oro rosso” (first published in 2012 and reissued in 2017) where it traces the steps of the protest for the protection of the rights of migrant labourers; In 2015 he wrote “Ghetto Italia. I braccianti stranieri tra caporalato e sfruttamento”.

On May 21, 2016, he received the “Livatino-Saetta-Costa” International Award in recognition of his social commitment and courage in reporting and denouncing the issue of Caporalato in his book “Ghetto Italia”.



**In 2017, Yvan Sagnet was awarded by President of Italian Republic Sergio Mattarella the honour of Knight of the Order of Merit of the Italian Republic**, conferred on him for having brought to light the exploitation of farm labourers .

Also, in 2017, he won the XIII ANPI Prize: Partisans of the Third Millennium, for his commitment against social exploitation.

In 2017 Yvan Sagnet was awarded for the film Jululu by Michele Cinque, film which not only did he inspire but also narrates . The film won the short films section at the 74th Venice Film Festival and the Abba Award - Milano Film festival in October.

In 2017 he was conferred the “Renato B. Fabrizi” National Award for the book “Ghetto Italia. I braccianti stranieri tra caporalato e sfruttamento” for having contributed with his work, to the defense of human rights.

In 2018, he received the “Angel of Peace” International Award for his social and political commitment in defense of the many African “brothers”, agricultural labourers exploited and deprived of fundamental rights in various areas of Italy.

In July 2019, Yvan Sagnet was awarded the prestigious Anti-Mafia Award named after Don Peppe Diana “Per amore del mio popolo”.

In October 2019 he played the leading role of Jesus in the movie “Il Nuovo Vangelo” by the swiss director Milo Rau.

Yvan Sagnet has lectured in various universities\* as an expert on Caporalato, labour exploitation and good practices in agriculture.

*\*Università Ca' Foscari Venezia, Università Link Campus Roma, Università Tor Vergata di Roma, Università di Bergamo, Università Aldo Moro Bari, Università di Pisa, Università di Bari, Università di Parma, Università della Calabria, Università di Bologna Johns Hopkins, Università di Antropologia e della Mobilità e delle Migrazioni di Utrecht Olanda.*



On 8 September 2020, the Lecce City Council approves the appointment of Yvan Sagnet as an **Honorary Citizen**.



On June the 20th 2020, Uggiano La Chiesa (LE) names a street after Yvan Sagnet on International Refugee Day.



*Credit photo: Luciano Manna*

## THE NO CAP ASSOCIATION

NO CAP was born in 2011 from the initiative of Yvan Sagnet as a movement to fight against the practice of Caporalato in agriculture and to promote respect for human, social and environmental rights. In 2017 the International NO CAP Network decided to structure itself as an association which recently took on the legal form of Entity for the Third Sector (ETS).

NO CAP is an ETS (Ente per il Terzo Settore) Association managed by a group of volunteer activists who put their wealth of experience and knowledge at the association's disposal.

It includes professionals with different backgrounds and skills such as international cooperation experts, agronomists, journalists, lawyers, engineers, accountants, experts in renewable energy, circular and digital economy, communication and marketing. They not only operate remotely from different parts of Italy but also from abroad. Their contribution in recent years has allowed the association to grow, identify solutions and make proposals. Part of the Association's work takes place by going on location to identify and understand problems in order to find solutions for both workers and businesses.

**NOCAP finances itself through donations. It relies on crowd-funding for fundraising specific projects.** This was recently called for the purchase of three mini-vans which enable female workers and farm workers to be safely transported. Amongst all the activities covered by NO CAP, one in particular aims at the issuing of the ethical seal for businesses who adopt ethical choices in terms of work and environmental sustainability along the entire agricultural chain of products.



*Credit photo: Maria Palmieri*



This activity is supervised by our experts and the CREI Cooperative: Coop International Ethics Network. Together with the association they have signed a memorandum of understanding for the management of the production disciplinary and the execution of checks for the issue of the seal. The cooperative provides workers with free primary services such as medical examinations, assistance for termination of employment contracts, adequate accommodation and assistance on transport.

NOCAP was the first in Italy to turn the spotlight of the phenomenon of Caporalato, triggering a process of awareness at all levels: Institutional- with the adoption of the first national law against Caporalato (Law 199 of 2016)- and entrepreneurial, by proposing a new economic model based both on ethics and sustainable development. With the help of NO CAP, this model has been welcomed by companies whom have started a righteous and ethical path. This is reflected in the regular hiring of female and male workers, favouring natural cultivation processes and using renewable energy sources for the production of their goods. A model that NO CAP defines such as “the ethical agricultural supply chain” against Caporalato not only involving workers, producers, processors, distributors and consumers but also rewarding righteous companies with an ethical seal. In just under a year NOCAP has recruited on a regular basis 400 workers (Italian, European and non-EU Migrants), providing free services such as transport, accommodation and recruitment advice through its legal department. It has also provided for the regularisation of immigrants, helping them obtain their residence permits.



*Yvan Sagnet, Paola Pietradura and Elena D'Anna of the NO CAP legal and management office  
Credit photo: Luciano Manna*

Several international associations now consider the model proposed by NO CAP a *best practice*. Among these : OSEPI-Oxfam and their ethical food label report 2020, the Symbola Foundation and the Rinascimento Green 2020 report for the Green New Deal. These recognitions not only demonstrate that the NO CAP model is possible , but also that it is necessary to preserve the environment in order to offer consumers quality products, all the while restoring dignity to the many farmers so far exploited and deprived of their right to work in fair and equitable conditions. In Italy, the NO CAP Association has actively taken part in the preparatory work for the elaboration of the national strategy to combat Caporalato and labour exploitation in agriculture which has resulted in the drafting of the Three-Year Plan approved on February 20th 2020 by the Ministry of Labour and Social Policies. It is part of the thematic round tables on Caporalato and labour exploitation activated by both INPS (Institute for Social Prevention) and the Ministry of Labour and Social Policies. Together with the Ministry of Agricultural and Forestry Policies it is working on the legislative proposal concerning the ethical supply chain.



*Don Luigi Ciotti, President of LIBERA and Yvan Sagnet at the Italian Senate*

NO CAP collaborates on the territory with various entities engaged in social work, such as Caritas, Emmaus, Libera, and many other associations, most especially with regards to housing and social inclusion. Thanks to their support, we were able to find safe and dignified places to house workers during the seasonal harvest period. We have initiated paths for the social inclusion of both migrants (EU and non-EU) and those who are in a situation of degradation and marginalization.

In recent years, the International NO CAP network has participated and continues to participate in many meetings in Italy and abroad. The association has active collaborations and participations as speakers in some of the most important international universities and study centres on the subject of Caporalato and exploitation of workers.

Not only has NO CAP become a serious interlocutor for the international and national press but it also supports investigative journalism. Our strength lies within the services and the solutions we offer to workers. Concrete and shared actions to preclude fear and submission to degrading forms of work from being a winner.



*link credit press*



*Yvan Sagnet together with Roberto Saviano and Fabio Fazio during the broadcasting of "Che Tempo che fa", aired on November 5th 2012 on Rai 3*

## THE EXPLOITATION OF LABOUR IN AGRICULTURE IN ITALY AND ABROAD

Agriculture is the economic sector that has undergone most changes over time, both in the composition and origin of the workforce but also in terms of contractual framework with the spread of fixed-term contracts, for short -if not very short periods.

But it is also the sector with the highest vulnerability because of its link to the seasonality of harvest and its resulting turnover of illegal workers.

In 2019 the agri-food sector was the leading sector of the Italian economy, accounting for 6.9% of GDP and a turnover of 538 billion euros. In Italy, 62% of workers in the agricultural sector are Italian with the remaining 38% from EU and Non-EU Countries.<sup>1</sup>

Labour exploitation is mainly due to illegal forms of intermediation, recruitment and organisation of labour. It is practiced in total violation of the rules on working hours, minimum wages, social security contributions and health and safety at work. Taking advantage of their state of vulnerability and need, both female and male workers are imposed degrading living conditions.

This particular form of exploitation is referred to as “caporalato”(means illicit intermediation between the employer and the worker). It is practised by so so-called corporals, who act as mediators. They illegally recruit and manage labour and its supply and demand

This form of exploitation is exacerbated by the seasonality of work performance and its short period.

1) Fonte:

Source: *Annual Report 3glli stranieri nel mercato del lavoro in Italia* (Roma 2019)



According to data published by the INL (National Labour Inspectorate), in 2018, out of more than 7,000 inspections carried out, an irregularity rate of 54.8% was recorded with over 5,000 workers affected by violations. The inspections of the so-called spurious cooperatives also ascertained the irregular employment of over 28,000 people. In the same year, the enforcement activities to fight against caporalato, that is the crime of illicit intermediation and labour exploitation, have involved 1,474 workers, 46% of which were found to be totally irregular. Of the undocumented workers, around 74% were employed in the agricultural sector and over half were foreign nationals. This data has no statistical value; however, it highlights the importance of the phenomenon and the need for strengthening prevention and contrast activities<sup>2</sup>; Between 2011 and 2017, the proportion of migrants working in agriculture in the EU increased from 4.3 to 6.5 % of those employed. Denmark, Spain and Italy were the driving force behind the above-average growth of up to eight percentage points .



"Ghana" Ghetto in Tre Titoli, Cerignola (Foggia) - Credit photo: Maria Palmieri

The most surprising and so far, underestimated data, is the increase in the number of EU farm workers, especially Romanians and Bulgarians, victims of exploitation, illegal work and illegal hiring, subjected to poor housing conditions, gruelling shifts, very low wages and often enough, the sexual abuse of women. This does not happen only in Italy, but also in Greece, Spain and France. Similarly affected are Sweden, Germany, Denmark, the United Kingdom and the Netherlands, which take advantage of the margins of informality and irregularity of the rules governing outsourcing of the workforce.

Source: Annual Report « Gli stranieri nel mercato del lavoro in Italia (Roma 2019) Ministero del Lavoro e delle Politiche Sociali

Exploitation of labour is a reality that presents itself in different ways depending on the country. In some, it is closely linked to illicit intermediation (in Italy Caporalato) often linked to forms of organised crime; In others, to legislative instruments - such as the posting of workers - which have so far left ample room for interpretation, making exploitation “legal”.

The recent amendment of the European directive on posting of workers<sup>3</sup> should, if properly implemented and transposed, put an end to the social and wage dumping practiced so far. If governments of countries such as Italy, Germany or Great Britain have felt the need to legislate or develop specific strategies, it means that the problem exists and is real.

Let's take a couple of examples: In 2015 the British government adopted the “Modern Slavery Act” and appointed an independent anti-slavery Commissioner; in 2016 Italy first issued a new law (Law 199 of 2016) against caporalato (illegal intermediation and exploitation of labour). In Germany, as of January 2021, a new bill prohibiting the use of subcontractors within the meat-producing industries and requiring the employment of regularly hired workers, will come into force. This is to ensure that forms of extreme exploitation will not persist in this production sector.

The problem exists and is no longer attributable to a local or national phenomenon or, for that matter, to the migration issue. It is now necessary to clear the equation of labour exploitation being equal to non-EU migration because it is now obvious it also involves Italian workers and EU migrants, especially from Eastern Europe<sup>3</sup>.

It is no longer acceptable for the EU, a model of development and values, a pioneer of the most stringent and important standards for the defense of the environment and for the recognition and affirmation of fundamental human rights, to accept forms of contemporary slavery within the EU. It is no longer acceptable for Europe to have an entire category of workers who live beyond any form of law.

*3) Directive (EU) 2018/957 of the European Parliament and Council of June 28th 2018 amending Directive 96/71/EC Concerning the posting of workers in the framework of provision of services.*



*"Ghana" Ghetto in Tre Titoli, Cerignola (Foggia) - Credit photo: Maria Palmieri*

It is also no longer morally acceptable for agricultural businesses to be rewarded with CAP aid despite denying workers, both EU and non-EU, to the right to work in fair and just conditions, whilst operating out of respect for any human dignity, in clear violation of Article 31 of the Charter of Fundamental Rights, an integral part of the Lisbon Treaty.

The exploitation of labour which not only mainly affects agriculture but also other sectors, is finally coming to light. There is already sufficient literature on the subject, not least the studies published by the FRA- the European Agency for Fundamental Rights- which highlight how widespread the phenomenon is and how it is fuelled by the strong economic disparities and the increasing intra and extra-EU mobility of labour<sup>4</sup>. Today slavery is closely linked to the agricultural production model that leads - as claimed by a recent research carried out by the European Parliament - to **"a general compression of workers' rights, which in some cases becomes severe exploitation or trafficking of human beings"**.



*"Ghana" Ghetto in Tre Titoli, Cerignola (Foggia) - Credit photo: Maria Palmieri*

NO CAP has reason to believe, based on its daily experience and constant activity in the workplace, that is, in the fields, that degeneration into exploitation and reduction into semi-slavery is not a sporadic factor but rather common practice throughout the country .

This phenomenon is complex and it is for this reason that we need a global approach. First of all, we must review the functioning of the agricultural supply chain where the caporalato serves an unfair system; But in addition we need clear legislative rules, greater controls in the fields and in refining and processing companies, adequate services such as safe transport, housing, medical assistance and information both to farms and to farm workers who need to be advised of their duties and rights. In this context, the consumer must also be informed in order to be more aware of his purchasing choices for a critical and conscious consumption.

### ***Exploitation in agriculture. The Figures***

- 1.3 million agricultural workers
- 28% foreigners of which 47% non-EU citizens, while 53% are EU citizens
- 430,000 exploited of which 80% are foreigners (EU and non-EU) who work during seasonal harvesting.
- 18000 work and live in semi-slavery conditions.
- 80 areas of Italy in which caporalato is used to select labour to be employed in the fields
- 60% of the labourers hired through caporalato do not have basic access to sanitation and running water.
- In agriculture, caporalato and illegal work generates a business of 4.8 billion euros a year.

## THE ETHICAL AGRICULTURAL SUPPLY CHAIN



*Credit photo: Luciano Manna*



Often enough, the knowledge we have of the food that arrives on our tables is limited to the country of origin, the expiry date or nutritional values. Even less so on in the case fresh products, for which our interest is limited mainly to the place of production of the produce. We know little or nothing about the impact on the environment and society, and most especially the working standards and respect for human rights of the products we purchase.

Labour exploitation in agriculture is a recurring phenomenon in most EU countries. There are many different causes to it but as far as the agricultural sector is concerned, all of them can be traced back to the model of centred economic development and the strong position of the large-scale retail trade distribution where the double-discount electronic auctions system most often allows and imposes on weak supply chains, ridiculous prizes for their products.



It is clear that this system generates a distortion throughout the supply chain but above all, it allows for the food industry to play its competitiveness through its price rather than focusing on rewarding strategies, such as environmental and ethical sustainability or righteous supply channels. These conditions inevitably affect labour costs and retail price applied by the large-scale retail trade, thus becoming the main obstacle to regular employment contracts. A fair remuneration for workers in the agri-food chain is essential to fight against the phenomenon and guarantee workers' rights.

NO CAP believes it is essential to overcome this model in order to restore workers to their right place in the labour market, thus contributing not only to the emergence of illegal work but also the safeguarding of farms that suffer unfair competition from those who exploit labour.

## ***Our model***

The journey was not easy. It took a continuous and constant commitment over the years and a global approach to propose and implement a more equitable development and economic model that involves the main actors of the agro-food chain. We first identify distribution companies willing to work with NO CAP with whom to trace a path that would see both workers and agricultural companies as winners. Our supply chain model involves both labourers and producers with whom we define the final sale price of their products and retail centres (supermarkets, retail or wholesale). The retail price takes into account both the incidence of the cost of labour calculated on the basis of the provisions of the National Collective Agreements and the services offered to workers, while altogether remaining sustainable for the final consumer. As a result, the producer's alibi for the below-cost prices is thus lost and workers can be employed with regular contracts and at the same time, be protected from exploitation during the harvest period.

NO CAP supports companies in their search for a distributor who is not only able to maintain the established price but also takes care of the information campaign.

This because all agricultural products sold in small supermarkets or affiliated chains of distributions always come with a poster and flyers which explain the aims of the NO CAP project.

The model is therefore based on sharing the social project amongst all actors involved: workers, farmers, consumers and marketing operators and combines environmental social and economic sustainability. Only in this way can we break this chain of unbridled and unscrupulous exploitation.

It is clear that the more the consumer is made aware he is buying ethical products, the greater the demand will be. Thus, becoming an indirect incentive for companies to produce in an ethical and sustainable way.

Many companies now share this new economic model which eliminates the roots of caporalato, and they don't limit themselves to intervening on its effect. These companies are building our future. The NO CAP association believes that giving them visibility and support through acts of protest and denunciation is an effective way to fight against the companies who remain, by choice or by constraint, prisoners of this slavery regime that mortifies the human being and degrades work to pure expendable goods.

Producers who share our model are awarded a Network Certificate and the NO CAP ethical seal in order to make their action and commitment against caporalato visible to consumers.

Our commitment starts with direct contact with farm workers both foreign (EU and non-EU) and local. We travel to places of social contradiction such as slums and suburbs and we meet the labourers defying the corporals and the organised crime controlling them. We place them in a legal work circuit giving them not only a contract when needed but also providing them with decent accommodation and a safe and free transport system.





*Fifty laborers with a national collective agreement, picking tomatoes at the “Prima Bio” farm in Rignano Garganico (Foggia) - Credit photo: Maria Palmieri*



## SERVICES TO BUSINESSES AND WORKERS

- Assistance to producers for the definition of an equitable retail price and search for new outlet channels.
- Legal aid to companies for compliance of workers and verification of National Collective Agreements for agricultural workers.
- Collaboration with the Employment Centres for the selection of manpower and verification of hiring with National Collective Agreements.
- Medical visits and preventive health checks on recruitment and possible medical assistance at the centres in charge of treatment and monitoring of pathologies.
- Assistance to workers to offer “free” and safe transport with suitable means and constant maintenance and sanitation of the same.
- Field monitoring and control of working conditions. Checks to verify the availability of: overalls, gloves, and professional tools to allow labourers to carry out their work safely. Checks to insure the presence of chemical toilets on the harvesting site and, where foreseen, of appropriate canteens with refreshment areas for work breaks.
- Housing assistance for those who do not have a safe place to reside during the harvest period. Agreements and signing of memoranda of understanding with local authorities and organisations to guarantee a dignified life thus encouraging getting away from ghettos.
- Post-work assistance for administrative procedures, document renewals, issuing tax codes, opening current accounts and linguistic assistance.



*Credit photo: Maria Palmieri*



Credit photo: Luciano Manna



Credit photo: Maria Palmieri



Credit photo: Luciano Manna



Credit photo: Luciano Manna



Credit photo: Maria Palmieri



## THE ETHICAL SEAL

It seems to us, we have a moral obligation towards those consumers who wish to make the right choices when purchasing. Therefore, we want for the origin of the products, its production methods, compliance of legal contracts and not least respect for human rights, the environment and animal welfare to be more transparent. This will help fight unwanted aspects of the agricultural supply chain (exploitation of producers and workers, environmental impact). Hence the need to have an ethical stamp to enhance and reward the commitment of those companies who share our same principles and values, but also and above all to raise awareness of consumers and accompany them towards ethical choices. So that they are not unwittingly co-responsible for a system which exploits workers.

NOCAP has developed a multi-criteria matrix to evaluate and select the companies to whom bestow the ethical seal. In addition to verifying that workers receive the right remuneration - as required by labour legislation - and that the worker is guaranteed a safe, healthy working environment and an adequate health service, we also check whether the company makes use not only of materials coming from sustainable sources, but also of technologies that respect the environment and minimize energy consumption from fossil sources, reduce waste, and encourages the use of packaging made from recyclable or easily biodegradable materials.



Products of the first certified ethical supply chain: IAMME-NOCAP



We certify the product and not the company. The seal does not replace the current legislation but simply establishes a specific reference relating to the social, ethical and environmental aspect of the product. The seal is issued, in accordance with the requirements of the current legislation, to agricultural enterprises referred to in art. 2135 of the Civil Code.

The seal logo represents six raised hands - each hand a criterion - each finger of the hand an indicator. The choice of the logo is not a causal one; On the contrary, it is meant to visually convey the strength of the NO CAP message. Hands raised which symbolize both the work of the labourers and the request for help to get out of exploitation.



NO CAP Stores



## The Ethical Seal in brief

**What we certify:** The product and not the company

**What we evaluate:** Hiring with regular contracts. Hours of work in line with the national legislation. Registration with INPS. The Durc (Single Document of Social Contribution Regularity) Workplace safety, adequate health care and access to first aid. Use of renewable energy used in production, recyclable or biodegradable packaging. Ability to create added value. We evaluate, where there are animals, the compliance with regulations in respect of animal welfare.

**How:** Through a field and supply chain processing plants control that accompanies the drafting of the specifications and memoranda of understanding

**Who issues the Ethical Stamp:** CREI-NoCap Verification Team

**Who verifies No Cap's work:** DQA Food Quality Department, Agency accredited by the Ministry of Agriculture, Food and Forestry- which certifies our evaluation systems.

**What the seal represents:** a new model of ethical, social and environmental development of the food supply chain





## THE MULTICRITERIA MATRIX

# NO CAP



**There are six criteria:** work ethics, short chain, waste, energy, added value produce and animal welfare; each divided into 5 indicators.

### ■ **Work ethico**

This is the only compulsory criterion not only to be part of the NO CAP Network but also for the granting of the seal. It is for this reason that we require the full satisfaction of the five indicators (Compliance with legislation and national collective bargaining, workplace safety and health, well-being and training); Only companies who legally hire their employees can also be assessed for additional criteria.

### ■ **Short Supply Chain**

Companies that favour sales systems closer to the consumer are able to guarantee consumers not only a connotation of environmental sustainability of food shopping but also more competitive prices.



## ■ **Waste**

Reduce, Reuse and Recycle are the basic elements to contain the environmental impact of productions. Through this criterion we intend to reward those companies that have started a production cycle that reduces the quantity of waste materials and reuse packaging. Companies that intend to open up to innovative systems are accompanied by our experts to convert their production towards a more sustainable model.

## ■ **Power**

With this criterion we assess whether the electricity needs for production come from fossil sources or from renewable sources. The greater the energy produced by the company for its consumption, the higher the score assigned within this criterion.

## ■ **Added value**

Promotion and diffusion of innovation and increased competitiveness are now indispensable factors for consolidating and developing companies, not only in the area but also in the reference markets. Companies who carry out processing and marketing of agricultural products add value, whether single or associated. It is necessary to invest in logistics, transformation processes and sale systems in order to keep a sector dynamic when it comes to product quality.

## ■ **Animal welfare**

With this criterion, we verify whether the company preserves the health, well-being and vitality of all animals and contributes to an appropriate diet, in compliance with the behavioural and physiological needs and welfare of the species concerned as required by EU Regulation 2018/84 on production and labelling of organic products.

## **Italian Bill Sheet 199/29016**

- *The Article of Law no. 199 of 2016 reformulates the crime of illegal intermediation and exploitation of labour, already included in art. 603-bis of the Criminal Code; It provides for imprisonment from one to six years and a fine from 500 to 1,000 euros for every worker recruited*
- *The person who recruits labour to employ it for third parties in conditions of exploitation, taking advantage of the state of need is defined as a corporal*
- *The employer who hires or employs manpower recruited through intermediation is sanctioned*
- *Payment of wages clearly below the provisions of the territorial collective agreements are to be considered as labour exploitation. Violations relating to wages, working hours, rest, leave of absence and holidays must be reiterated and systemic. Violations must also concern rest periods, in addition to weekly rest*
- *The law sanctions not only the violation of rules on safety and hygiene in the workplace by the employer but also subjecting workers to degrading working and housing conditions and surveillance methods*
- *Illicit intermediation and exploitation are amongst the crimes for which (in the event of a conviction or application of the penalty at the request of the parties) a compulsory confiscation of money, goods or others benefits which the convict cannot justify, is established. This also applies in the event that a physical or legal intermediary seems to have at his disposal and for any number of reasons, a value disproportionate to his income (declared for income tax purposes) or his economic activity*

- *Illegal intermediation and the labour exploitation committed through acts of violence are among the crimes for which arrest in flagrancy of crime is mandatory*
- *Labour exploitation defined as caporalato will be considered as specific aggravating circumstances and sanctioned as such with an increase of one third to half of the sentence*
- *Victims of caporalato will be awarded compensation through the funds confiscated and pooled by the Anti-Trafficking Fund, following a conviction or a plea bargaining for crimes relating to labour exploitation*
- *Amendment of the legislation concerning the Quality Farm Labour Network which registers righteous companies which have never been convicted of breaches of labour, social legislation, income and added value tax and which have not been charged with administrative penalties and are compliant with payments of social security contributions and insurance premiums.*
- *In order to be part of the network, companies must apply the national, territorial or collective agreements signed by unions trades represented at national level, the collective agreements signed by their company union trade representatives and their RSU (Single union representative)*
- *Provision is made for a plan of logistical accommodation measures and support of seasonal workers who collect agricultural produce*
- *Introduction of provisions concerning pay realignment contracts*

## OUR PROJECTS

### ***The NO CAP Women's' Project***



*Farm labourer with regular employment contract, during the grape harvest in Taranto*

When it comes to exploitation in the agricultural world, attention is always paid to migrant labourers and men. Instead, there are many women, including Italians, who live the same situation of exploitation - which is often accompanied by abuse, violence and humiliation by agricultural entrepreneurs and corporals.

This is precisely what happened to Apulian and Lucanian agricultural labourers. According to recent estimates, there are about 30 000 women who have seen their rights violated. It is for them that NO CAP has created the “women against caporalato” project, carried out in collaboration with some of the agricultural companies in the area that have joined the ethical chain and obtained the NO CAP network certification and ethical seal.

The women were engaged in harvesting the grapes purchased by two very important food distribution chains: Aspiag-Despar - which operates in north-eastern Italy and by the Megamark group of Trani which supplies several supermarkets in Southern Italy (*A&O, Dok, Famila, Iperfamila and Sole365*). Agricultural farmhand regularized with CCNL during the grape harvest in the province of Taranto.

No discounts were applied to the products and a communication campaign against caporalato was promoted in their stores.

At the end of the grape harvesting campaigns all female labourers were employed for the citrus and vegetables harvests of the following months to ensure working continuity. In addition to a regular employment contract which provides as per legislation 6 and a half hours of work and a daily wage of about 70 euros gross, (against the 10 working hours imposed by the corporals for a wage of 30 euros, in addition to the cost of transport on the so called 'death vans') the workers also had at their disposal - if they so requested- accommodation and free transport to the workplace on a 9-seater van, purchased through fundraising launched by NO CAP between June and July 2020.

This project, which made possible the safe transport of workers, was financially supported by over 250 supporters.



*Fifty Italian farm labourers with collective labour agreements together with the Prefect of Matera, Dr Rinaldo Argentieri, at Aba Bio Mediterranea, July 29th 2020*

We'd like to pay tribute to Lucia Pompigna, a 58 years old mother of three children who has been working in the fields for more than 30 years. Victim of labour exploitation, she was amongst the first to denounce the injustices suffered. She brought forward her experience through trade union activity and participated in technical discussions with local institutions.

Today she has become an example and a point of reference for her many colleagues who experience the same exploitation and oppression. She has endured intimidation not only from corporals and agricultural entrepreneurs, but also from labourers who, for fear of losing their jobs or worry over the tightening of working conditions, have tried blocking her actions. She has been a member of NO CAP since 2020, and together with Yvan Sagnet, she has coordinated the project that employs about 50 Apulian and Lucan labourers victims of exploitation, involving them in the first Bio-ethical chain against caporalato dedicated to the Italian and European women who live the same condition.



The project was launched in August in Policoro, Basilicata, on the occasion of the fifth anniversary of the death of the labourer Paola Clemente, who died of heat exhaustion and fatigue in a tent in the countryside of Andria, in Apulia, during the grape harvest.



Lucia Pompigna, farm labourer, and Francesco POMmarico – Megamark

## ***“Donne Anti-tratta” NO CAP project***

It is estimated worldwide that out of more or less 40 million people living and working in conditions of slavery, 58% are women, and 99% of these are women victims of trafficking.

On November 25th, NO CAP -always alongside the weakest and most disadvantaged- has launched , in conjunction with the international day against violence against women, the NO CAP Women Anti-Trafficking Project. The project is currently looking after 8 women -Italian and foreign - victims of exploitation and left to fend for themselves.

Thanks to the precious collaboration with associations and local authorities involved in the field for years, offering services and assistance to people in situations of serious social hardship (including Il Dono Diurno Centre, I Fratelli della Stazione, Medtraining and the Sprar Centre in Candela ) a complete and multifunctional project was implemented , offering the eight women a job with a regular contract, decent and comfortable accommodation and personal services (legal and administrative assistance and cultural mediation and minimum training, medical examinations and transport and assistance to the place of work). These women do not only have accommodation in the “Don Bosco” Village - Emmaus where they can live safely, but have also signed a National Collective contract; The workers, who used to live in situations of serious hardship, will now take care of the packaging of vegetables to be sold throughout Italy in the supermarkets of the MEGAMARK group (under the “Iamme - Free to choose” brand), a fundamental partner of the Ethical Supply Chain launched by NO CAP.

A concrete response rather than a simple hope against one of the greatest evils of our times.



*“Donne anti-tratta” project, ten women hired with collective labor agreements, Stornara (Foggia) 2020*

## ***APP against caporalato***

Designed to offer a fast and simple tool made available to all those who suffer illegal treatment in direct violation of labour legislation and regulations on remuneration, working hours, health and safety, and protection of workers.

The language barrier is, together with retaliation and fear of losing their job, one of the main reasons that prevent workers from resorting to justice. For this reason, the application will be available in five languages (English, French, Italian, Romanian and Bulgarian) in order to facilitate its use.



The aim of the project is twofold. On the one hand, it supports victims of exploitation who wish to get justice by making them aware of their rights. On the other hand, it helps denounce the emergence of criminal networks and report companies who recruit through agencies of dubious reputation, operating at national and international level.



We are working on the contents and studying forms of collaboration with the police to optimize the transition, from reporting to intervention, thus ensuring offenders responsible for the exploitation of workers in the agricultural supply chain will finally be brought to justice.

Not only will this application help us map foreigners (Eu and non-Eu) "employed" in the fields for the collection of agricultural products, but it will also be a useful tool for the authorities to assess the territory and its corporals therefore improving the quality of the interventions necessary to free labour and workers from exploitation.

The NO CAP app will also allow for complaints to be transmitted electronically (also anonymously) and addressed directly to the relevant office. These will also be followed-up by the internal staff of the association responsible for the management of the APP, in order to monitor the progress of the procedural and non-procedural process. It will systematically denounce openly any administrative delays hindering the conduct of the proceedings.

The goal we aim to achieve will depend not only on the number of complaints but also on collaboration with the relevant offices and their ability to respond.

Similar systems have already been launched not only in many US cities but also in many other parts of the world. We are committed to make the application available in the briefest of time to restore confidence in justice and challenge the implicit acceptance by society of labour exploitation.



## **NoCap peer to peer international cooperation**

NoCap is also engaged in cooperation and development projects in other areas of the world. One in particular has special significance, the project involving the native indigenous people of the Amazons.

Whilst it is imperative to respect the environment which surrounds us, it is also necessary to give everyone, especially those in need, access to knowledge. The “Digital natives 1x1” project **donates a solar photovoltaic kit to all families taking part in the program.**



*Anna Maria Bombace International Coordinator of Lanterna projects*

This LED lantern generator has a recharging system which operates through a photovoltaic module. After seven years of testing and promoting this new model of cooperation, we are now ready through the NO CAP network and its activists, to provide this material that brings light to those who lack it and allow for children to study. “Digital native “identifies the interactive skills of a person who has grown up with digital technologies. Despite continuous technological advances, the population of the poor and very poor is increasing rather than decreasing.



Hundreds of millions of people around the world suffer from food shortages, housing problems and energy deprivation due to the absence of electricity; Unable to protect their children in early childhood and scrambling to educate or raise them, they struggle to lead a dignified existence and are exposed to serious risks throughout their lives. The first battle on the field, faced by the **1X1 Digital Natives**, has been to conceive processes and ideas of immediate support to those in need and to guarantee to everyone, through renewable, sustainable and repairable technologies, lasting models of support and free transfer skills.



*Prince Verma Ceo Pecs International company creator and manufacturer of the lantern with some children who use the lantern in the region of kerala India*

**The 1x1 Digital Natives** believe in a righteous economy in which the interest of the community prevails over the personal interest of the individual by recognizing that true happiness lies in the experience of compassion and not in the accumulation of subjective wealth.

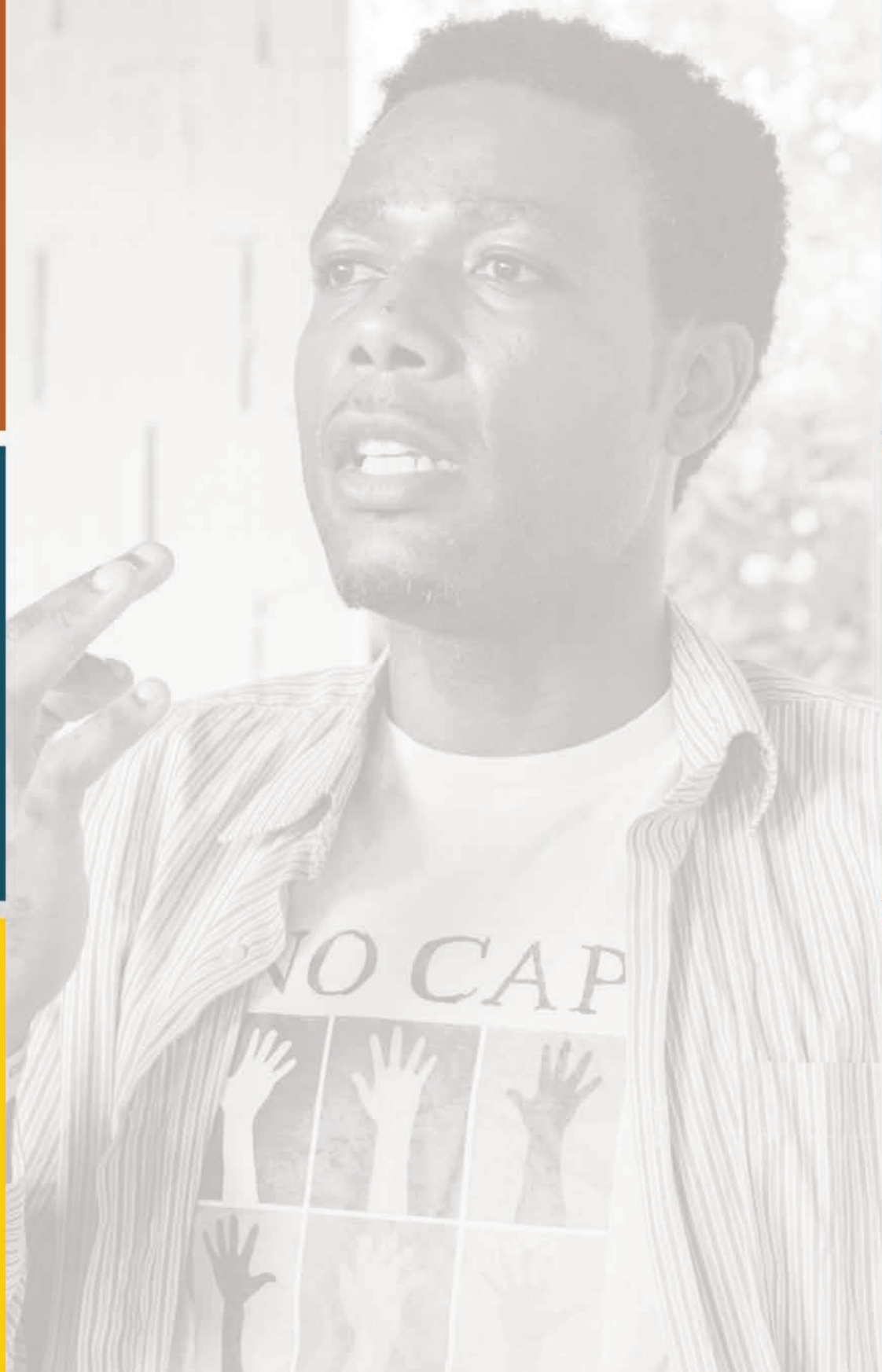






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*Jean Pierre Ivan Sagnet*



ABBIAMO TUTTI UN  
"CAPORALE"  
DA ABBATTERE