HesaMag
#20
Migrant workers in Fortress Europe
She works hard for the money: tackling low pay in sectors dominated by women – evidence from health and social care
Torsten Müller

This working paper provides data confirming that workers in lower-skilled health and social care assistant positions earn considerably less than the national average wage in their country. The publication argues that the wage penalty for working in female-dominated sectors and occupations such as health and social care can be explained by the underfinancing and privatisation of social care, weaker bargaining power in these sectors than many male-dominated sectors and the fact that care work is subject to a general undervaluation of what often continues to be seen as "women's" work.

The platform economy and social law: Key issues in comparative perspective
Isabelle Daugareilh, Christophe Degryse and Philippe Pochet

This Working Paper brings together two parallel but complementary approaches to the impact of the platform economy on working conditions and social law. The first part of the study shows that the business models of some platforms is a combination of technological disruption and social evasion. The second part of this working paper confirms that it is in the gaps and ambiguities in social legislation that platforms are trying to legitimise a business model abrogating all social responsibility. It is in this sense that we can talk about the risk of "social evasion" of several major platforms, exactly in the same way as fiscal evasion.

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Newsflash

66% of employees pushed to work “very fast”

The results of the SUMER 2017 survey were presented in France on 9 September 2019. SUMER is the acronym for the French “surveillance médicale des salariés aux risques professionnels”, i.e. the medical monitoring of employees’ exposure to occupational risks. Carried out for the fourth time, the survey maps the main work-related risks.

As with the previous surveys, SUMER reveals major differences among private sector employees. For instance, shift work affects just 2.8% of managerial staff, but 22% of unskilled workers. 1.7% of managerial staff are exposed to at least three chemical products, compared to 32.7% of skilled workers.

Looking at the general trends, we find that more than 1.8 million employees are still exposed to at least one carcinogenic product (some 10% of all workers). This percentage dropped significantly between 2003 and 2010 (going down from 13.8% to 9.4%). Since then however, it has remained at the same level or even increased slightly, though we are seeing a major increase in the construction sector. While exposure to the majority of physical risks has gone down (with the exception of noise), work intensity remains high, with 66% of employees stating that they are called on to work very fast, 35% stating that they have excessive workloads and 30% saying that they do not have sufficient time to do their work properly. As regards the factors defining work intensity, we are seeing a development in the constraints facing workers. They see themselves less controlled directly by line management but more by IT systems. The lack of autonomy is also worrying. In 2017, 42% of employees said that they had no influence over set deadlines, against 35% in 2003.

High levels of endocrine disruptors found among children

For the first time, the French public health agency Santé publique France has measured the presence of substances of very high concern (SVHCs) in the bodies of children and adults in a large sample (1,104 children and 2,503 adults) that is representative of the French population. A cross analysis of the results from the biological tests and the questionnaires enabled the presence of these pollutants in the population to be quantified and greater insight to be gained into the sources of exposure.

The results show that these substances, omnipresent in everyday products and often proven or suspected endocrine disruptors or carcinogens, are "present in the bodies of all French people", with "the highest levels found among children". Generally speaking, these levels are consistent with those found in other studies conducted abroad, for example in the United States and Canada. This initial large-scale bio-surveillance study is to be followed by two further studies focused on metals and pesticides. Taking no specific account of occupational exposure, the study "reflects an unfortunately all-too-common shortcoming in the majority of public health policies," stated Laurent Vogel, senior researcher at the ETUI. "We have several other data sources available, all of which show that occupational exposure in many different scenarios plays a key role in assimilating such substances."

Link between night shift work and breast cancer

In June 2019 a working group of 27 scientists from 16 countries met at the International Agency for Research on Cancer (IARC) in Lyon, France to finalise their evaluation of the carcinogenicity of night shift work. This evaluation will be published in volume 124 of the IARC Monographs and an initial summary of their work was published in The Lancet in July 2019.

The updated 2019 evaluation is based on the publication of numerous studies since 2007 that have refined knowledge of the subject. The working group chose the term "night shift work" to better describe the exposure circumstances and to reflect the main evidence base for the human cancer studies.

It is estimated that around 20% of workers around the world do some form of night work, and it is particularly common in some sectors, such as health care, transport, industrial activities and trade logistics.

The group concluded that night shift work was linked to breast cancer, based in particular on an important study on the health of nurses, the "Nurses Health Study II". Other studies revealed a similar association for prostate and colorectal cancer. The classification of night work as "probably carcinogenic" is based on limited evidence of cancer in human studies, sufficient evidence in animal experiments studies and strong mechanistic evidence in animal experiments.
France Télécom: institutional harassment before a court

A landmark trial ended on 11 July 2019 at the Paris Tribunal de Grande Instance. It was triggered by a complaint filed with the Paris public prosecutor by the union SUD PTT in December 2009, accusing France Télécom and its senior executives of "moral harassment" and "endangering others".

In the mid-2000s, France Télécom was in difficulties. To return this formerly state-run company to profitability, CEO Didier Lombard decided to launch two programmes aimed at saving the company: "Next" with its targets of getting 22 000 employees to leave the company and relocating a further 10 000 over the next three years, and "Act", its social counterpart which was supposed to provide support to those affected. In practice, the policy used to ensure this downsizing of staff was particularly brutal and destabilising. Managers were trained in "the art of war" to get rid of surplus staff, applying tactics aimed at humiliating employees or shunting them around from one location or position to another. This was accompanied by a share option scheme rewarding the most zealous managers. Extremely cynical practices using cruel methods were implemented, ignoring the many warnings issued by both occupational health doctors and members of the company’s health and safety committee. The disastrous result: a spate of suicides among France Télécom staff. The accounts provided by the victims and their relatives heard in the court over a period of two and a half months bear witness to the violence and suffering endured and the despair caused.

Followed closely by the ETUI and the French media, one of the results of the trial has been to position psychosocial risks in the general context of management methods and work organisation. The verdict is expected to be handed down on 20 December 2019.

Italy: industrial pollution boosts health inequality

The fifth SENTIERI report was published in Italy in June 2019. SENTIERI is an ambitious Italian project collecting data on sites with identified industrial pollution.

Generally speaking, the study reveals high excess mortality involving 5 267 men and 6 725 women. These figures are calculated on the basis of the average mortality in the regions in which the polluted sites are located. With specific regard to cancers, excess mortality involves 3 375 men and 1 910 women. The most striking excesses of cancer involve mesothelioma, lung cancer, colon cancer and stomach cancer.

The situation among children and adolescents (between 0 and 19) and young adults (between 20 and 29) is also greatly affected by industrial pollution. Looking solely at the first year of life, we see an excess of 7 000 hospitalisations (2 000 of which are linked to perinatal health problems). Among the hospitalisation excesses in the 0-14 age range, acute respiratory problems (4 000 cases) and asthma (2 000 cases) play a significant role.

Estimates point to some 342 000 contaminated sites in Europe, of which just 15% have been subjected to remediation. This situation is contributing greatly to health inequality, especially as the populations living near the contaminated sites generally belong to the least privileged social classes.

Austria bans glyphosate

On 2 July 2019, the Austrian parliament approved a complete ban on the use of glyphosate in Austria. At the initiative of the Austrian socialist party, the SPÖ, this new act bans the marketing of any herbicide containing glyphosate as its main agent. This makes Austria the first EU Member State to adopt such legislation with a view to protecting public health and preventing cancer. The bill was supported by all parties except the populist centre-right ÖVP.

According to certain observers, the Austrian decision to ban glyphosate could conflict with the renewed authorisation of the substance decided in 2017 by the European Commission. This renewal took place under very polemic conditions, with the EU regulatory bodies basing their recommendation on studies financed by Monsanto. The positions of the European Chemicals Agency (ECHA) and the European Food Safety Agency (EFSA) were contradicted by those of the International Agency for Research on Cancer which classified glyphosate as "probably carcinogenic" in 2015.

Other EU countries have also adopted partial bans of glyphosate, including Belgium, France, Italy, the Netherlands and Czechia.
Trump jeopardises the regulation of chemical risks

Since the arrival of Donald Trump in the White House, the US Environmental Protection Agency (EPA) has shifted its policy focus towards reducing the "regulatory burden" on the chemical industry. Public health and occupational health have been sacrificed for the benefit of business interests.

Current EPA policy is chipping away at the hierarchy of prevention measures. Instead of eliminating the risks at source by banning the most hazardous substances when safer alternatives exist, the EPA now considers that a ban is just one of many possible measures and that, in certain cases, simple mitigation of the risks could suffice. This is evidenced by the withdrawal of the planned ban of a solvent used as a paint stripper: dichloromethane (DCM or methylene chloride). Tens of thousands of workers are exposed to it, despite it being highly toxic and the cause of many deaths each year. Use of DCM in most of its applications – including paint stripping – has been banned in the European Union since 2010.

The EPA refuses to take the occupational exposure of workers into consideration when analysing problems, stating that a different federal agency is responsible for this. This stance ignores the fact that the exposure levels tolerated by the OSHA are much higher than those for the population in general. This refusal to take account of occupational exposures in the overall system for regulating chemical risks is leading to a further growth in social inequality.

Workers and chemicals: fifteenth ETUI seminar

The fifteenth annual ETUI seminar on chemicals and worker protection took place on 27–28 June 2019. Held in Lisbon in collaboration with the General Confederation of the Portuguese Workers (CGTP), the meeting brought together more than 40 unionists from 21 European countries. Its aim was to coordinate union action on chemical risks.

Attendees were able to re-discuss the prevention of risks related to asbestos, a still very much present risk in Europe due to the massive presence of its carcinogenic fibres in many private and public buildings.

The meeting also allowed participants to take stock of the three recent revisions of the Carcinogens and Mutagens Directive (CMD) as well as of the actions needed for the ambitious national-level transposition of the new occupational exposure limits (OELs) for the carcinogens. The topic of the plastic-induced health crisis was also addressed, as was the use of bio-monitoring for protecting workers. The heated discussions on these topics will serve as a basis for defining a harmonised union position in these fields.

An expert from the European Chemicals Agency (ECHA) provided participants with information on the implementation of the REACH and CLP regulations, as well as on the new tasks assigned to the ECHA regarding the preparation of future OELs for workers.

A representative from the European Agency for Safety and Health at Work (EU-OSHA) gave an overview of what the agency was currently working on with regard to chemical risks and on recent initiatives.

New ILO convention to combat violence and harassment at work

On 21 June 2019, the International Labour Conference adopted a new convention on violence and harassment at work. It will formally become ILO Convention 190. Complemented by a recommendation adopted that same day, the text was adopted by the tripartite conference as part of the centenary celebrations of this international organisation.

This convention calls on all ratifying governments to adopt legislation defining and prohibiting violence and harassment in the world of work, including gender-based violence (GBV). In many states, such legislation will be completely new. The approach taken by the Convention avoids reducing issues of violence and harassment to the level of conflicts between individuals, instead highlighting the importance of a collective and preventive approach. It calls on states to “identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them”.

We should also note that the Convention calls on Member States to cover the whole world of work, including the informal sector. It also aims to mitigate the impacts of domestic violence in the world of work. The Convention goes beyond the traditional definition of a workplace, applying to violence and harassment occurring in the course of, linked with or arising out of work, for example covering work-related travel, work-related communications, including those enabled by ICT, or employer-provided accommodation.

Welcoming the adoption of this new convention, Per Hilmersson, Deputy General Secretary of the European Trade Union Confederation (ETUC), had this to say: “Everyone should have the right to earn a living without fear of violence or harassment and employers should have a clear duty to create transparent and clear procedures to prevent violence and harassment, to support the victim and deal with the perpetrator appropriately”.
It has been known for some time that the exposure of parents to carcinogens can endanger the health of their children. Ever since the 1950s, researchers have been studying children born to persons irradiated by the American atomic bombs dropped on Hiroshima and Nagasaki in Japan.

If we consider the fact that all European countries now have cancer registries, this issue becomes even more interesting. These registries are already pointing to worrying trends such as the rapid increase in the incidence of childhood and adolescent cancers, a finding which contradicts one of the favourite arguments advanced time and again by chemical industry lobbyists, namely that the main cause of the increase in cancers is an ageing population.

Until recently, no research team had tried to match cancer registry data to information about the occupational exposure of parents. Other research had been conducted, but it used different methodologies. For example, in 1998, an overview article highlighted the fact that 48 research papers had been published establishing over a thousand links between childhood cancers and parental employment. If we were to draw up such a list today, it would be significantly longer.

A few months ago, the results of a new Danish study were published relating to childhood and adolescent cancer in the children of parents working in the paint and printing sectors. The novelty of the research lay in its comparison of three data strands. The first strand was the cancer registries, which enabled childhood cancers to be identified. The researchers gathered together cases of leukaemia, cancers of the central nervous system and prenatal cancers (those which had developed in the womb). Then, using the civil status number allocated to all persons residing permanently in Denmark, they were able to identify the parents and then establish their employment history by dint of a further data strand relating to the retirement pensions system.

The research looked at more than 8,000 cases of cancer diagnosed between 1968 and 2015 in children under the age of 19. It made it possible to calculate the risk associated with a father or mother having worked in the paint or printing industry. To do this, they established a control group, selecting over 160,000 children on a random basis.

That research confirms the link between certain childhood cancers and the occupational exposure of parents, whether father or mother. For children with one parent working in the paint industry, the risk of contracting acute myeloid leukaemia was 2.26 times higher. The risk was 2.43 times higher for children with one parent working in the printing industry. The risks of central nervous system cancer were also raised.

The study examines several matters that we will not go into here. However, it demands consideration of two fundamental political issues.

In terms of cancer research, scant attention has been paid to social inequalities caused by working conditions. The history of science is also a story of unaccomplished science, of unanswered questions or questions never even formulated. That blank in our knowledge is due to many factors: a lack of interest on the part of the scientific community, emphasis on what may be prestigious or not, budgetary considerations, government-funded research priorities, and so on. In the case of cancer, the paradox is startling. Society is regularly solicited by people seeking donations on the basis of emotional arguments. It usually has little choice over how that money is allocated. This pioneering Danish research shows that, by using existing data, it is possible to advance human knowledge in a politically sensitive field. Although huge investments are being made in “big data” (exploitation of very large data sets) where commercial interests or security are at stake, too little effort is being made to tie sensitive data to social inequalities in health.

In European occupational health legislation, the risks associated with substances that are harmful to reproductive health are not being tackled effectively. Cancer aside, congenital malformations, developmental issues, and lowered IQ are also at the root of child inequality linked to the working conditions imposed on their parents. This matter is being sidelined because exposure to substances that are harmful to reproductive health mainly affects occupational groups at the bottom of the social ladder.

Major progress could be made if substances that are harmful to reproductive health were subject to the same rules as carcinogens. Oddly, this is already the case in all areas of European legislation, with the only exception being the field of occupational health. In 2004, the European Commission agreed to include substances harmful to reproductive health in legislation on carcinogens. This is already the case in all areas of European legislation, with the only exception being the field of occupational health. In 2004, the European Commission agreed to include substances harmful to reproductive health in legislation on carcinogens.

Putting an end to this difference between public health and occupational health treatment is an important political battle.

Further reading


The Juncker years and their patchy record on occupational health

After 10 years of almost total paralysis inflicted by the European Commission between 2004 and 2014 under the leadership of José Manuel Barroso, has occupational health finally regained a foothold in European Union policies? The record of the outgoing President, Jean-Claude Juncker, whose term of office comes to an end in November 2019, is ambivalent. There has been some progress on occupational cancer, but performance has been very poor in other important areas.

Laurent Vogel
ETUI

Workplace exposure to carcinogens is the principal cause of mortality due to the absence of prevention measures, with 100,000 deaths a year in the European Union.

Image: © Belga
Between 2004 and 2014, the European Commission stopped treating occupational health as one of its priorities. In the drive towards deregulation, legislation in this area was seen as a burden for businesses. There was one initiative after another, with all sorts of different names, like "Better Regulation" and "REFIT". This opened the door to a lobbying campaign that consistently predicted dire economic consequences whenever the interests of industrialists appeared to be under threat.

When Luxembourgish Jean-Claude Juncker took office in November 2014, he espoused the same principles as the preceding team. The new President of the European Commission inherited a roadmap called the "Strategic Framework on Health and Safety at Work", adopted in June 2014. This document made no proposals to improve the framework of European legislation. During her hearing in the European Parliament on 1 October 2014, the Belgian Marianne Thyssen, who was to become the Commissioner with responsibility for European social policy, did not even mention the word "cancer" once.

**An untenable status quo**

It very soon became apparent that the status quo was untenable. There were many factors at play that would prevent the Commission from burying the subject. Trade union organisations, represented by the European Trade Union Confederation (ETUC), had made this a priority issue. They could draw on a growing public awareness of the harmful nature of many chemicals on the market. The prevention of occupational cancers combines issues relating to both the organisation of work and the chemicals market, as well as environmental concerns. But the common priority is to replace the substances that are of greatest concern in order to reduce the health and environmental burden.¹

An increasing number of Member States were pressing the European Commission to start moving on this. Exposure to carcinogens at the workplace is the main cause of mortality resulting from a lack of preventive measures, with 100 000 deaths a year across the European Union. In addition to the obvious human and social cost, this burden weighs heavily on social security and public health budgets. Many states therefore adopted rules that went beyond the Community minimum, which, in the main, dated back to 1990. In particular, this pressure on the Commission was stepped up with the preparations for the Dutch Presidency of the European Union during the first half of 2016. From summer 2015 onwards, the Netherlands, supported by other countries, such as Germany, France, Belgium and Denmark, insisted that the European Union needed to improve its legislation.

There were many factors at play that prevented the Commission from burying the subject.

¹ According to the World Health Organization, in 2016 the annual impact of a limited number of chemicals was 1.6 million deaths and 45 million years lost due to disability, ill health or early death. As regards substances at the workplace, this estimate covered only 12 carcinogens as well as smoke, vapours and gases.
A political dynamic that improved upon minimalist proposals

Initially, the Commission met these pressures with well-worn arguments: first, existing legislation had to be evaluated, after which a response could be provided. As the evaluation was a long-drawn-out process, there was no precise end date in prospect. At the end of 2015, the floodgates finally opened. Even though the evaluation was not finished, the Commission issued its initial legislative proposal in May 2016. Commissioner Marianne Thyssen announced that the process of revising the directive would be conducted in steps. The first proposal should make it possible to increase the number of substances subject to an occupational exposure limit value (OELV) from three to fourteen. Other proposals were to be prepared during her term of office, with a view to achieving the objective of 50 substances by 2020.

To summarise in quantitative terms, three proposals were adopted, covering a total of 25 substances. In other words, the objective was half-achieved. There is no point in discussing whether the glass is half full or half empty. It is more worthwhile to analyse the political dynamic behind this revision, something that can only be understood in light of the major health scandals of recent years. These include the issue of endocrine-disrupting chemicals—that of glyphosate, in particular, and, beyond that, the excessive use of pesticides—and "Dieselgate". Aside from the specific features of each case, what they have in common is that they highlight the central role played by industrial lobbies in regulation processes. What is new is the rapid succession of health scandals, widely reported in the press. This is a context that helps foster alliances based on a very simple principle: human life takes precedence over industrialists’ profits.

The Commission’s initial proposals for legislative revision were minimalist. They generally reproduced proposals made during the first decade of the millennium, whose adoption was blocked by the Barroso Commission. The Juncker Commission expected a rapid legislative process that would ratify its proposals without major changes. The reality was quite different. The European Parliament proposed amendments that significantly improved upon these texts. Far from regarding this issue as a technical matter that could be left to specialists, Parliament realised that here was a fundamental political debate. Legislated on occupational cancers means imposing rules on employers, and this creates opposing forces regarding choices about what should be produced, and how. The Member States were strongly divided between those that supported the Commission (in particular the United Kingdom, Poland and Hungary) and those that wanted to go further. Different majorities formed from one amendment to the next. The context of Brexit clearly came into play. The British Government, siding with the Commission in this case, saw its credibility unravel. Meanwhile, the other governments sharing the same point of view were relatively passive and quite unable to match the skill of the British in negotiations within the Council of Ministers of the European Union.

The political dynamic can only be understood in light of the major health scandals of recent years.

Questions pending

The record of the first three revision steps remains encouraging. This is all the more remarkable since the general context is not favourable to the world of work. Among the advances achieved as a result of the European Parliament’s amendments, it is worth noting the inclusion of diesel engine emissions within the scope of the directive and a significant reduction in risk levels in terms of the OELVs for several substances. On other matters, the amendments adopted paved the way, but do not yet provide the solutions. These need to be dealt with in proposals from the new Commission, chaired by Ursula von der Leyen.

The most important challenge for the coming revisions of the directive is the inclusion of repotoxic substances. In line with an amendment voted in when the first revision was made, the Juncker Commission was required to issue a statement on its position no later than 31 March 2019. It did not meet that deadline. It merely posted a study by external consultants, which does not represent its own position, on its website.

Extending the scope of the directive to cover dangerous medicines that can cause cancer is also a very important matter. Some 12 million people working in the health sector, including more than 7 million nurses, are potentially exposed to such medicines, which, among other things, are used in chemotherapy. Because of the feminisation of the health sector and, in particular, nursing, the great majority of those exposed are women. Organisation of prevention in this area is still poor, because of the stereotypes that associate care work with an activity “naturally” falling to women. This assumption leads to health risks being neglected, or even being regarded as unavoidable sacrifices. The new von der Leyen Commission is to decide on this question by 30 June 2020. This will be a major test of credibility.

There is a problem about the consistency of OELVs. The 25 OELVs adopted so far correspond to very different levels of risk to health. Some of them allow considerable risks to continue. The inconsistency derives from the arbitrary way in which the Commission proposes OELVs on a case-by-case basis. Easily manipulable cost-benefit calculations are cited in order to justify high risks. The most striking cases relate to crystalline silica, with a limit that is twice that in the USA, and hexavalent chromium, where the OELV initially proposed by the Commission was improved upon by the Parliament and the Council, increasing from 0.025 g/m³ to 0.005 g/m³. Even that improved OELV means a huge risk of lung cancer for 50 workers exposed at that level throughout their working life. An editorial in one of the most prestigious scientific occupational health reviews justifiably commented: "Some of the limits are outrageously high and breach the fundamental rights of safe and healthy working conditions. Moreover, there are still very few binding values, many more are needed in order to protect workers more thoroughly against occupational cancer.”
Beyond cancer

Aside from cancer, the health and safety record of the Juncker Commission is close to zero. The only regulatory initiatives on which there has been progress are about adapting four directives to technical progress and adopting indicative limit values in the context of the chemicals directive.

All the research into working conditions and their impact on health reveals two major concerns relating to trends in the workplace. Psychosocial risks emerge as a central issue. This is linked to trends in management methods within companies, the weakening of work collectives and the support networks they created, and the precarisation of work. The inertia of the European Commission’s Directorate-General for Employment, Social Affairs and Inclusion in this area has paved the way for questionable initiatives, centred on keeping people affected by mental health problems in work or getting them back to work. Within the Commission, these are overseen by the Directorate-General for Health. The issue of the organisation of work is bypassed with an approach focused on “problematic” individuals, with all the risks of stigmatisation that a vision of this kind entails.

Musculoskeletal problems affect about one quarter of the working population. They arise from, among other things, the intensification of work and the inappropriate organisation of work (in terms of both its material elements and the division and breakdown of tasks). It is impossible to envisage a full-length working life in certain sectors, such as cleaning, logistics and the food industry, because of the cumulative impact of these problems over time. A major cause is the absence of workers’ control over their working conditions, limited scope to determine how the work should be carried out and, often, staff shortages and productivity pressures.

In these two areas, the Juncker Commission refrained from taking any legislative initiatives, displaying a naïve trust in the virtue of voluntary actions by employers. It also pursued the previous policy of preventing agreements between European trade union and employers’ organisations from being implemented by means of a directive. The suspended agreement in the hairdressing sector was about health and safety. The agreement on central government administrations was broader, but it specified that workers should be kept informed on all matters of occupational health.4

One factor behind the impasse is the glaring lack of resources granted by the Commission to the unit responsible for occupational health matters in the Directorate-General for Employment, Social Affairs and Inclusion. Staff numbers are in free fall compared with the pre-Barroso period, despite the fact that programmes like Better Regulation and REFIT are diverting most of the existing resources into extremely time-consuming cost-benefit analyses. A complete bottleneck hampering the development of occupational health policies has formed.

What about the future?

In a long interview published in March 2019 in a review of the areas under her responsibility, European Commissioner Marianne Thyssen took stock of the five years of her term.5 She made no mention of the revision of the cancer directive. It is difficult to explain this extraordinary silence on what she might have claimed as a success. The appointment letter sent by the President of the new Commission, Ursula von der Leyen, to the future Employment Commissioner, the Luxembourger Nicolas Schmit, does not even mention occupational health as one of his responsibilities. During his hearing by the Parliament in October 2019, Mr. Schmit put things right by clearly stating that occupational health and safety would be among his priorities during his term, and he undertook to continue with the revision of the cancer directive. However, he remained in line with the previous Commission in saying nothing about substances that are toxic to reproduction. When asked about psychosocial risks and musculoskeletal problems, he expressed doubts about legislative measures. Without giving any details, he stated that, in countries where legislation had been adopted, “no real good solution has been found”. The experience of countries that have adopted specific legislation would seem to indicate the contrary: greater attention to psychosocial risks and a genuine drive to put preventive solutions in place.

We should not, of course, attach too much importance to these initial statements. Experience shows that the complex political dynamic that characterises the European Union can spring surprises. It will be social movements in occupational health, and their ability to find alliances (such as with the environmental protection movements and those lobbying on public health issues, that may provide an opportunity to find contacts in the institutional system) which could then break the logjam on the many issues currently lying idle. This is a major challenge, as working conditions are also a significant factor in social health inequalities.

Further reading


Legislating on occupational cancers means imposing rules on employers, and this creates opposing forces regarding choices about what should be produced, and how.
Migrant workers in Fortress Europe

Special report coordinated by Mehmet Koksal and Laurent Vogel

When the Community Treaties were revised in 1992, one of the legal concepts introduced was that of EU citizenship. The Member States could have granted this citizenship to everyone living within the EU’s borders, but instead they decided to afford this privilege only to individuals who met a particular requirement: being a national of an EU Member State. Although almost three decades have passed since then, the same requirement continues to apply, dividing the population of the EU into “haves and have-nots” in terms of their rights. The number of legally resident migrants stands at over 22 million, but the number of Europe’s “undocumented” migrants, whose status is precarious and whose rights in many areas are limited as a result, is much harder to determine.

These migrants are often forced to tolerate adverse working conditions; since they are discriminated against in the labour market, both male and female migrant workers are pushed into low-skill industries and professions that are more hazardous to health and less well-paid than other jobs, a situation that is justified by racist stereotypes and assumptions.

The goal of the HesaMag editorial team in compiling this report was to introduce readers to a number of real-life examples drawn from a variety of EU Member States. The migrant workers in all of these examples are caught in a metaphorical stranglehold that gradually squeezes the life out of them, and sometimes extinguishes it completely. One side of this is the status of being a non-national in one of the EU Member States, which can mean a denial of rights or even in some cases expulsion to a country where they are likely to fall victim to violence or discrimination. The other is the upswell of xenophobia confronting them, which is being stoked by far-right groups but tolerated with varying degrees of willingness by a much broader spectrum of political parties.

Fortress Europe may be erecting barricades to shut out the rest of the world, but these barricades are encountering resistance in the form of numerous new initiatives launched not only by groups of migrants who have banded together to fight for their rights, but also by other organisations acting in solidarity and out of a desire to build a fairer future. Trade unions – which from their very inception have striven to overcome the divisions and hatred that do nothing but harm workers – have also lent their support to these developments.

Eva María Jiménez Lamas runs a service for migrant workers at the Brussels branch of the Confederation of Christian Trade Unions. Image: © Martine Zunini
"A worker is a worker": the trade unions organising migrants

Migrants are an integral, if often exploited, part of the European workforce, and trade unions across the continent are making efforts to organise them. However, they face a complex set of challenges, particularly if the workers are undocumented. Trade unionists from four different countries talk about their initiatives, revealing a remarkable diversity of approaches.

Bethany Staunton
ETUI

Trade unionists from FLAI-CGIL head out into the fields to talk to migrant labourers.
Image © Pietro Ruffolo
Eva María Jiménez Lamas is a busy woman. She has been running a service for migrant workers at the Brussels branch of the Confederation of Christian Trade Unions (Confédération des Syndicats Chrétiens, CSC) since 2012. In the second-most cosmopolitan city in the world, with 62% of the population foreign-born, this means Eva always has plenty of work on her plate. People come to seek the union’s advice and support on issues ranging from unpaid wages to obtaining work and residence permits. “We are very well organised and very well known,” she says, not without some pride. No stranger to the migrant experience herself, Eva came to Belgium as a child from Spain, and she is passionate about her work. There is one aspect that she is particularly enthusiastic about: the union’s inclusion of undocumented migrants, who due to their precarious legal status are particularly vulnerable to exploitation by employers. The CSC offers not only political support for their cause but also membership – something not all unions do. “What sets us apart is that we actually organise undocumented workers within the union,” she explains. While many organisations provide invaluable support services to migrants, Eva feels there is an important case to be made for trade union action: “Supporting isn’t the same as organising.”

Her work may be a little more removed from the frontline than that of Eva’s, but she has the same goals in mind. The network connects trade unions in different EU countries that offer services to migrants, providing contact information to newcomers seeking assistance and facilitating the exchange of best practices between trade unionists. Her position on the issue is clear: “The trade union movement should be organising migrants and consider all workers as workers.” It’s a conviction that lies at the very heart of international trade unionism: a worker is a worker, wherever he or she is from. But how can unions put this principle into action?

**Not all workers have the same needs**

Migration has become the subject of particularly heated debate in Europe in recent years, with much of the political and media attention focused on the so-called “irregular” arrivals of refugees by land and sea. These numbers have actually diminished since their peak of over a million in 2015 according to data from the International Organization for Migration – just under 69,000 were recorded in September 2019 for the year so far. Nevertheless, migrants, from both within and outside of the EU, are still very much part of our societies. Figures from Eurostat (the EU’s statistical office) show that at the beginning of 2018, there were 22.3 million non-EU citizens living in the EU, which is 4.4% of the EU28 population, plus 17.6 million EU citizens living in a different Member State than their own. For those people who do not have the necessary papers to work or reside legally in the country where they live – the clandestine population of “undocumented migrants” – figures are harder to come by, but their number has been estimated to be in the millions.

Trade unions face a few challenges in their efforts to organise these populations. First of all, migrant workers are often to be found in partly informal sectors such as agriculture, construction and domestic work, where exploitation is rife. They can therefore be harder to reach, because they are not based in the workplaces and forms of

1. See also Berta Chulvi’s article on migrant domestic workers in Spain, p. 25.
2. See also Jean-François Lebrun et Aurélie Decker’s article on migrant female domestic workers, p. 22.
employment where unions tend to be strongest. Language, culture and community are also factors that may create some difficulties. “Some communities are very close-knit, and you need to gain their trust — it’s a work of years,” says Mercedes. “Their primary objectives are often: ‘I need to earn some money to send to my family’. They are often only available on Sundays due to heavy work schedules. They don’t have time to come to your meetings. Then, for some groups, it may be hard to make them understand the importance of the trade union movement.”

Finally, there is the issue that, even once recruited, migrant members may have needs and concerns that warrant particular attention. In their study on trade unions and migrant workers, researchers Stefania Marino, Rinus Penninx and Judith Roosblad outline one of the main dilemmas facing unions if they have chosen to recruit workers from abroad, which is whether these members should receive “equal” or “special” treatment. Should all members be considered in the same way, with common interests, or should unions develop “targeted policies” to help migrant workers? This question is particularly pertinent when it comes to undocumented migrants.

In their study on trade unions and migrant workers, the researchers found that workers sometimes had different priorities from the union. One campaign, for example, focused on achieving better employment rights for all domestic workers and the formalisation of the sector, but for the undocumented workers involved, their legal status in the country came before all other concerns. None of the recognition gained for their work counted for anything if they didn’t have resident rights. “This was a recurring theme, recognition,” notes Van Hooren. She discovered that just the fact of having a membership card meant something to the workers she talked to, as they used it as a form of ID. “Above all, they wanted a voice, to be heard.”

Back at Migrants CSC Brussels, the fight for regularisation is front and centre. The CSC estimates there to be up to 150,000 undocumented migrants in Belgium, almost solely concentrated in Brussels. “People talk about a twentieth district,” says Eva, referencing the nineteen municipalities of the Brussels-Capital Region. “Some workers have been here for ten years and never been regularised.” They have fallen victim to a “hostile environment” created by restrictive government migration policies and by inconsistencies in national legislation on residence and employment rights, particularly as regards the application of European criminal and migration law. The Migrants CSC Brussels unit has two main objectives: raising awareness and campaigning to change the law. This involves political lobbying and media attention-grabbing demonstrations, but also organising the workers themselves, informing them of their rights and about how to record evidence of exploitation and mistreatment by employers. The unit covers many fronts, with an action committee of undocumented workers, a league of female domestic workers, a legal advice service, activist training, and research and communications sections. When it comes to seeking justice for undocumented workers, “the legal is linked to the political and to collective action,” says Eva. This is a doctrine that can be found in numerous other trade union initiatives to organise migrants, undocumented or otherwise. As Mercedes Miletti (ETUC) points out, it’s not just undocumented migrant workers who need attention from unions: “All kinds of migrants are in vulnerable situations to one extent or another.”

Organising workers on the margins of employment in the UK

Originally from Ecuador, Maritza Castillo Calle came to the United Kingdom in 2013 after having lived in Spain for seventeen years. “I found work as a cleaner for a company that the University of London was outsourcing to, but the conditions were terrible,” she says. “These zero-hour contracts... it’s really bad here, worse than in Spain.” However, she soon joined a small, independent union called the Independent Workers Union of Great Britain (IWGB). The IWGB has made headlines in recent years for its loud, vibrant and media-friendly campaigns featuring direct action, boycotts of university buildings, and a fair bit of Latin music on street protests. And the University of London (UoL) happened to be the epicentre of much of this action, as several of its member institutions came under fire for outsourcing their cleaning and support staff to companies that offered them worse pay and conditions than what they would receive in-house.

The IWGB specialises in organising workers on the margins of formal employment who, according to Danny Millum, secretary of the UoL branch, “slip through the gaps of traditional union organising. They are an invisible workforce.” Migrants have been integral to the union since its inception, particularly at the UoL branch which was born out of the “3 Cosas” campaign for sick pay, holiday pay and pensions for outsourced university staff, many of whom were immigrants. Danny points out that “migrant workers were the ones who were most set on doing something about it.” The workers set up the branch themselves in 2012, despite the university’s refusal to officially recognise the union.

Amongst the union members, the cleaners are primarily from Latin America or Portugal; the security guards are generally from African countries. With such a diverse membership, language can be a big issue. “It’s another level of difficulty, which is hard to overcome,” admits Danny. The IWGB offers language courses and holds workshops giving basic legal advice, which can be a huge burden on resources for the small, independent union. Far from being voiceless members, migrants are part of the union’s structure, which aims to be as democratic as possible. Decisions are made at mass meetings (held in Spanish and Portuguese as well as English) rather than in committees, of which there are

One of the main dilemmas facing unions if they have chosen to recruit workers from abroad is whether these members should receive "equal" or "special" treatment.


4. “Zero-hour contracts”, common in Great Britain, place the worker at the disposal of the employer without guaranteeing a minimum number of hours and thus without guaranteeing reliable payment. To read more about this subject, see the ETUI policy brief Regulating uncertainty: variable work schedules and zero-hour work in EU employment policy (2019), Agnieszka Piasna (ETUI) available to download for free on http://www.etui.org.
none, and the IWGB tries to ensure balance in representation. Maritza is now the chair of the UoL branch. "It’s a union for the workers," she proclaims. "A union for the people." Like many of her fellow members, she still doesn’t have a British passport, as she uses her Spanish ID. But Brexit (the UK’s pending exit from the European Union) is now looming over them, threatening to destabilise the rights they do have under EU free movement rules. "Every day, I meet with the workers and they ask me: ‘what’s going to happen?’"

A Polish union for Ukrainian workers

An even smaller and newer trade union can be found in Poland. The Intersectoral Trade Union of Ukrainian Workers in Poland was set up by Yuriy Karyagin, a Ukrainian economics professor, amid a wave of escalated immigration of Ukrainians fleeing the conflict and political unrest in their home country. Estimates have ranged from 800 000 to up to two million Ukrainians currently living and working in Poland, which has been cited as the largest migration wave to a single European country in years. In 2018, Ukrainians received 81.7% of all work visas issued by the Polish government. Replacing the labour shortage left by Poles moving to western Europe, the newcomers often find themselves in sectors with little regulation, labour protection or trade union presence, such as construction, agriculture and domestic care. "Their working conditions are very bad, often working 10, 12, even 15 hours a day," says Yuriy, who has himself been working in Poland since 2009. While he estimates around 90% of these workers to have the necessary legal papers to be in Poland, Yuriy has discovered that many of them don’t have proper work contracts. "The employers convince them that they’ll be paid higher wages if they don’t have an agreement."

The union’s skeleton staff and reliance on the occasional help of volunteers means that Yuriy, as its president and driving force, has to focus on individual casework, offering free legal advice to members in difficult situations with work and residence permits, informs labour inspectorates about unscrupulous employers, and liaises with factories and employers he knows to be fair in order to help find work for Ukrainian newcomers. The union may be small, but its membership is growing, currently standing at just over 1 000. Yuriy has done his job of attracting the attention of the media, and, with deliberately low membership fees, at this point he doesn’t even need to actively recruit workers. "They call him at night!" laughs Katarzyna Duda, international officer at the All-Poland Alliance of Trade Unions (Ogólnopolskie Po-rzumienie Związków Zawodowych, OPZZ). The much bigger and more established federation has given its support to the fledgling union, which has filled a gap in the trade union recruitment of Ukrainian immigrants, made difficult by the language barrier. Yuriy has his office at the OPZZ headquarters and the OPZZ’s Vice President Piotr Ostrowski is also the secretary of the Ukrainian workers’ union. However, the Intersectoral Trade Union of Ukrainian Workers remains independent. Yuriy may have to forego uninterrupted sleep a little while longer.

The trade union on the road in Italy

While Yuriy doesn’t need to step out of his office to recruit members, Monica Ceremi-gna of the Italian General Confederation of Labour (Confederazione Generale Italiana del Lavoro, CGIL), has found that it is sometimes necessary to take the trade union to the workers. Italy has made the news in recent times with harrowing stories of labour exploitation, trafficking and abuse of migrant workers, often from African or eastern European countries, particularly in its agricultural sector. Seasonal field labourers in the southern regions have been found to be living in makeshift camps, forced to rely on the whims of illegal “hirers”, the “caporalati”, who act as middlemen between local farmers and the workers for a cut of their wages. One aspect of the CGIL’s approach has thus been to push for legislative reform. This they have achieved to some extent, with Italy passing a law in 2016 that criminalises the caporalato system. “For the first time, the link between exploitation of workers and mafia crime was highlighted,” says Monica, who is a project officer in the CGIL European and international department. “But it’s still always a fight, as legislation needs to be enforced at the regional level.”

Another big part of the union’s work on this front, however, is trying to organise the workers themselves. The agricultural branch of the CGIL, FLAI-CGIL (Federazi-one Lavoratori Agroindustria), champions a strategy it calls the “Sindacato di strada”. It’s a concept that could be translated as “trade union on the road”. The idea is for trade unionists to travel throughout the country, going directly to the meeting points where workers gather or where they are hired by the caporalati, and informing them about their rights, advising them on employment contracts, and making the union known to them. "You have to go where they are," says Monica. "We are always in the field, trying to empower these people.”

More information
- Union Migrant Net: https://www.unionmigrantnet.eu/
- Confédération des syndicats chrétiens, Bruxelles: https://www.lasc.csc-bruxelles
- Independent Workers Union of Great Britain: https://wbg.org.uk/
- Intersectoral Trade Union of Ukrainian Workers in Poland: http://www.mpupp.kt-sluth.in.ua/en/
- Federazione Lavoratori Agroindustria: https://www.flai.it/campagne/sindacato-di-strada/

"Every day, I meet with the workers and they ask me: ‘what’s going to happen after Brexit?’"
Rocco and his brothers

The writer Angelo Ferracuti takes us across the Gioia Tauro plain in Italy in the company of “roving” trade unionists, seeking out itinerant workers who harvest citrus fruits for derisory wages. These are mostly African migrants who have fled from desperate situations in their own countries, only to find that living and working conditions in Italy often fall well short of what they had hoped for.

Angelo Ferracuti
Journalist and writer

Photos by Angelo Ferracuti
See the full photo reportage by Angelo Ferracuti at www.etui.org

Rocco Borgese and his brothers, the “roving trade unionists” Dumbia Mohamed and Jacob Atta Kwabena, at Contrada Russo, Taurianova (Italy).
The white van sets off at dawn, when the weak beam of the streetlights scarcely illuminates the districts’ deserted buildings, houses, fields, endless industrial zones, and abandoned factory buildings. Rocco Borgese, General Secretary of FLAI-CGIL for the Gioia Tauro plain, with his neatly trimmed moustache and goat-ee and wide-awake eyes, drives slowly, talking animatedly to me about someone who shared his forename, Rocco Pizzarulli. He was the region’s very own Giuseppe Di Vittorio, who worked as a caporale (overseer) for the Duca Sforza, but later embraced the cause of the peasants and set up the Polistena Chamber of Labour. In the back of the van are Dumbia Mohamed, from Côte d’Ivoire, and Jacob Atta Kwabena, from Ghana: “roving” trade unionists, still sleepy and taciturn. Three times a week, they drive around the plain together to talk to the workers picking oranges and mandarins in the countryside, two thirds of them without a proper contract. Fifty cents a box for oranges; one euro for mandarins: starvation wages that might amount to twenty-five euros a day, working from dawn to dusk, minus the three euro commission for the foreman and another three euros for a sandwich and some water. A lot of them do not even pause to eat, so that they can pick more fruit. The roving trade unionists distribute gloves, socks and scarves, and ask them if they need help. On other days, they hand these items over to the Chamber of Labour to help asylum seekers, unemployed people and the needy. “In the morning, I go to the office where foreigners, like me, come to renew their residence permits, and I take the guys to the police station, check contracts and appeals and contact lawyers,” says Dumbia.

“Cases of exploitation are the order of the day,” explains Jacob. “I know a Gambian guy who worked for eight months trimming trees and driving tractors, and he wasn’t paid. I called Rocco, and we suggested that he should lodge a complaint to request an inspection, but right after that he disappeared.”

**Itinerant labourers**

When the harvest period arrives, these itinerant labourers return here in search of work from Trentino, Piedmont or elsewhere in the

1. FLAI – Federazione Lavoratori Agroindustria (Federation of Agro-Industrial Workers) – is part of the main Italian trade union confederation, the CGIL – Confederazione Generale Italiana del Lavoro (Italian General Confederation of Labour).

2. Giuseppe Di Vittorio (1892-1957) was a legendary figure of the Italian trade union movement.
south, such as Naples and Foggia, or from the Sicilian greenhouses. Sometimes entire families with little children arrive, dazed after hours on the road, their luggage piled up on old cars, or travelling for days by train. Before them, in the 1960s, it used to be Italians working in agriculture here, then came the Moroccans, the Poles and the Albanians – people whose story was told by Alessandro Leogrande in a book that has now become a classic of reportage: *Uomini e caporali (Men and Corporals)* (Feltrinelli).

Five thousand people – who had come to Italy from Ghana, Mali, Togo, Côte d’Ivoire, Burkina Faso, Nigeria, Senegal and Niger – were living in the shantytown of San Ferdinando when it was evacuated two weeks ago due to a fire. A mother of six, Lisa Potter, had, it appears, set fire to her shack in a fit of jealousy. Surawa Jalihe, a 17-year-old Gambian, 29-year-old Moussa Ba from Senegal and the young Nigerian Becky Moses, aged 26, all died. Soumaila Sacko from Mali had lived there too. He was a trade unionist with the USB, shot down to the Ndrangheta. The security decree has placed almost all the workers on the wrong side of the law, so now they are much more vulnerable to blackmail.

"He came here wanting to improve his life, and he met with death. We want to give him a dignified burial in Africa, where he was born."

I saw a woman’s badly burned body in a shocking photo taken on a mobile phone, stretched out on a sheet and covered in mud, with just a few areas of flesh that could still be distinguished: dark, scorched flesh with cracks like craters.

**Exploited by Coca Cola, Fanta, San Pellegrino**

"Here, it’s the multinationals that dictate the rules of the market," affirms Rocco. "Coca Cola, Fanta, San Pellegrino. The big landowners prioritise quantity when they sell the product, and this reduces the value of the citrus fruits, and hence the wages: it’s the market that gives rise to exploitation. The rest is down to the Ndrangheta. The security decree has placed almost all the workers on the wrong side of the law, so now they are much more vulnerable to blackmail. If they don’t comply with their bosses’ rules, they get the sack."

The basic pay packet of an agricultural worker should be 45 euros, and can be as high as 60. However, legal workers are very rare; the others are all undeclared, or working in the "grey" economy, according to the jargon: they have a bogus contract, a letter of appointment for a long period – four to six months – then, when the employer "calculates" the days worked on a quarterly basis, there may be only six or seven out of the three months. "The real problem here is that there’s no respect for workers’ rights; these new slaves are a convenience for many people, particularly the criminal underworld, which is, de facto, in charge of the organisation of work in the countryside," explains Borgese. "Where there’s more fruit, they pay 25 euros a day, but where production is lower, they pay piece rates."

At the first light of day, this underground population of young African crop pickers is already on the move. On the almost empty main roads of Rosarno, a town in the Gioia Tauro plain, we see them, like ghosts, pedalling laboriously along on their bikes with their beanies pulled down over their faces and gloves protecting their hands that grip the handlebars. They emerge from all over the place, tirelessly, after spending the night in makeshift shelters, abandoned farmsteads with no drinking water, rat-infested ruins or the tent camp, set up a few hundred metres away from the old Gioia Tauro shantytown to house the migrants after the fires. Before the clearance, 3,500 people lived in these shacks, including Maicol, the butcher, and Issa, the hairdresser. There was also a bicycle repair shop, ethnic restaurants, a discotheque, a mosque (which was just a shack with mats to kneel down and pray on) and an evangelical church. Novels like something from the film *Miracle in Milan*, lined with cardboard and supported by wooden pillars; makeshift shelters put up by these new oppressed people of the world, made of waste materials picked up on the street, with metal sheeting and plastic on the roofs. Inside, there are brazier and tin cans where fires used to be lit for heating, alongside worn-out mattresses recovered from waste dumps. "Whenever there was a..."
problem, the police would let me and the boys know before they brought out the handcuffs. They used to call us from the countryside too, if there were disturbances or brawls,” recalls Rocco. “On 31 December, the rumour spread that three people had died in a fire, but fortunately it wasn’t true. We were there from eleven o’clock at night until five in the morning.”

The men are the only ones who have a truly human relationship with these people; they know and trust them. The roving trade union has rediscovered a human gesture that was there at its origin: mutual aid.

**Dumbia and Jacob**

Before they became trade unionists, Dumbia and Jacob were two of these people. Their journey, as for so many others, involved crossing the desert, reaching Libya and then sailing over the treacherous sea to the island of Lampedusa. Both Christians, they had fled for religious reasons, to escape from authoritarian fathers and Islamist fundamentalists.

“I used to play football. Then, when I was 17, I fled to Burkina Faso, a desperately poor country,” recalls tall, slender Dumbia, with his soft, regular facial features, as we continue our journey in the van. “Later, I got to Tripoli, and I stayed there for five months, working as a labourer.” His epic tale continues with a kidnapping, a ransom demand, a period of captivity in the warehouses, a first voyage that ended before it started, arrest and detention in Libyan prisons, and six days of sailing on the open seas. “I didn’t even know I was going to Italy. I didn’t know where we were heading. The main thing was to get out of Africa,” he says. He landed on Lampedusa and was transferred to a refugee camp in Turin, until he “discovered on Facebook that there was a team of Africans playing in the amateur football league at Bosco di Rosarno, and I decided to come down here.” Every day, he worked in the fields, and at least three times a week, after crop picking, he trained. On Sundays he was on the football field, exploited there too, paid on a “performance” basis – if the team won, he earned more. At that time, he was playing football and living in the shantytown with his wife Hpy, who sold ethnic products in her shop. Rocco used to come around with Jacob and hold meetings to raise the workers’ awareness. “I wanted the union to belong to them, I was trying to get other guys to join the union, and he spoke French, so at first we used him as a cultural mediator. But before I took him on,” he adds, with an amused expression, “I did give him an interview. I asked him to repeat sentences out loud in Italian, like in a meeting, and he was able to do it.” For others, like the weary-looking Ghanaian Nana Boakye Josa, with curly hair and a beard, another FLAI-CGIL volunteer, the journey was even more dramatic. He crossed the Niger desert along with some others. “There were ten of us,” he recounts, looking distressed, “but eight of them died. They were Christians, and the Libyan police decapitated them before my eyes.” He lied to save his skin, claiming that he was a Muslim and asking them where the mosque was. He came across the trade union in the old tent city. He says that when he is picking fruit in the cold and in the rain, he feels angry about how hard he works without earning anything. He regrets coming here, but asks in dismay: “Where am I supposed to go now? I come from Africa, I escaped death in search of a better life, and I sleep in a disgusting place where fires break out every night, and they have already cost three lives.” Jacob, too, lost a friend in the course of his journey: “I don’t want to talk about it any more,” he begins, as we head into the countryside. “It was a terrible journey. We walked for four days without food or water. I had never imagined that, one day, I would be crossing the desert on foot.” When his friend died, they stopped. “We prayed, then we buried him in the sand.” Others, like Paco, another volunteer roving trade unionist, have yet other stories to tell.

Very tall and with a distinguished air, wearing a pair of mirror Ray-Bans and a black leather jacket, with a shiny silver ring on his ring finger, Paco used to be a surveyor. He once designed a multi-ethnic kindergarten in Sweden. When he came to Italy, he worked for a building firm in Schio, but with the crisis in the construction sector he lost his job and found himself out on the street. Then, like so many, he turned up on the Gioia Tauro plain, and he now lives in the porter’s lodge of a factory. On the night Moussa Ba died, Paco’s shack was burned down too. “Before he went to bed, he told me he was really tired because he’d had a long day’s work. A Ghanaian guy knocked at my door. I went out, and the fire was spreading. All I managed to save was the television and my bicycle. You could smell burning flesh. I cried all night; I couldn’t get back to sleep,” he confided.

Even though it is the end of the season, we still find the last labourers at the roundabouts and at the arched bridge in south Rosarno. So Dumbia and Jacob, and Rocco too, get out of the van; they hand out information sheets, protective gloves and woollen socks. A car with a foreman at the wheel takes off.

> “These new slaves are a convenience for the criminal underworld which is, de facto, in charge of the organisation of work in the countryside.”

**Dumbia and Jacob in front of the tent camp, San Ferdinando, Gioia Tauro (Italy).**
at speed, tyres squealing, as soon as he sees them. Jacob stops to listen to Frank, a large Nigerian with a melancholy expression, who used to live in the shantytown but has now moved into an abandoned house in the country with his wife and small daughter. “The house is unsafe and it’s really cold...” he breaks off, unable to finish the sentence. At the Scattareggia crossroads, meanwhile, there is no one, although at the height of the harvest this was where you could find the highest concentration of people in the area. In the mornings, they would get as many as 200 here.

At Contrada Testa dell’Acqua, we come to the container camp where Jacob used to live. His old plot is still there, and behind it the chicken run and kitchen garden, which he still tends. Meanwhile, Gordon is outside the entrance, trimming another young man’s beard. He is 25 and has a shock of black hair that cascades down his neck. He came here from Belgium, where he plays football as a centre-forward in the Third Division, to renew his residence permit. A footballer and barber, he is attending a bee-keeping course in order to obtain his documents. He is one of the few who has managed to free himself from slavery. Moussa, on the other hand, has a bushy beard, fled from the civil war. He is an asylum seeker, and he shows Jacob his papers. Another Ivorian boy at the back is listening to music from a loudspeaker attached to his mobile phone. His name is Baffo, and he is singing the anthem of his country’s national team.

**Gióia Tauro: abandoned industrial zone**

By the time we reach the second industrial area of San Ferdinando, it is late afternoon. Along the deserted main streets, the migrants are cycling back from work. Beyond them is the port of Gióia Tauro and the sea, hidden behind the clumps of cherry laurel; the cranes stretch upwards towards the sky. “This industrial area never took off,” explains Rocco at the entrance, unable to finish the sentence. Another Ivorian boy at the back is listening to music from a loudspeaker attached to his mobile phone. His name is Baffo, and he is singing the anthem of his country’s national team.

After the fire, two hundred day labourers came to live in abandoned farms.

"The roving trade union has rediscovered a human gesture that was there at its origin: mutual aid."
sometimes feels desperate: she thinks it is a ridiculous place to live, wonders why she ever came here and feels homesick for her country.

When she speaks to her daughter on the phone, her daughter implores her: "When are you coming back?" Ibrahim tells us that she fled Ghana in the company of Asuma, who had married two women, but then they quarrelled. She says that, now, where she works as a crop picker, they give her 30 euros a day. "It's not much, but I have to accept it to survive." There is a bed in one corner of the tent, to the side there are bags containing clothes and shoes, and opposite there are pots and pans, overhead sheets hanging on a wire and little, sparkling, coloured lights, of the sort that are used to decorate a Christmas tree, hanging from the ceiling. The work is hard for everyone – all the young people I meet confirm this, like Omar from Senegal, who does all sorts of odd jobs. "Right now, I'm going to be a barman, and in May I'm going to work as a dishwasher in Tropea." Crop picking is particularly tough: getting up at dawn, cycling for miles and miles, wearing light clothing so you can work well, suffering from the cold, the rain, the wind, the water that soaks your clothes, continually bending down and standing up throughout the day, and then cleaning the pesticide-filled greenhouses. "Sometimes you have to take off your gloves, light a fire and warm up," explains Jacob, who has worked in the fields. "If it rains, the water gets in everywhere."

On the return journey, Dumbia gets out at Gioia Tauro with Jacob, takes his leave and says he has to go home. "Madame" (as Rocco has nicknamed his wife) is expecting him – she has been alone all day. When she arrived in Italy, still a minor, she was destined to end up on the street. The woman who had paid for her passage from Nigeria was blackmailing her family, saying that she would kill the girl unless they gave her money. "I took her into care in Riace. She was just a little girl," he had confided to me that afternoon in little more than a whisper, his eyes brimming with tears. "I married her to rescue her."
The status of migrant female domestic workers in Europe: time for an overhaul

An increasing number of Europeans are calling on female domestic workers to help them in their ordinary daily tasks. Too few of these domestic workers enjoy decent working conditions that allow them to live in dignity. Must the well-being of a growing proportion of Europe’s citizens be secured at the expense of a minority that is more often than not invisible to and misunderstood by the general public and overlooked by our policymakers?

Jean-François Lebrun
Personal services specialist

Aurélie Decker
European Federation for Services to Individuals (EFSI)
Defined by the International Labour Organization (ILO) as “work performed in or for a household or households”, domestic work (also called personal and household services, or PHS) continues to be a largely unrecognised sector. Whether referred to as “employé de maison”, “aides-ménagères”, or “assistants de vie dépendance” (in French), “colfo” or “badanti” (in Italian), or “trabajadores domésticos” (in Spanish), depending on the country of provision or the services that they provide, these workers all perform household tasks and provide personal assistance in the recipient’s home. They are employed in that capacity on either a full-time or part-time basis to cook, clean and carry out garden maintenance as well as to take care of children and dependent persons. Today, there are over eight million declared domestic workers in Europe, 91% of whom are women.

Outsourcing and undeclared activity

Demand for domestic services tailored to individual needs will become inevitable in the future owing to societal changes: by 2030, 37 million individuals will be over the age of 80, there will be an increased number of one-parent families and a rise in the employment of women. 76% of unpaid care activities are carried out by women.

Outsourcing domestic work is one of a number of solutions (including, for example, improved allocation of tasks, reduction in working time, and leave for specific purposes) offering households greater choice in terms of the life-homecare balance. However, most of the time this choice still involves excessive costs. Let us not overlook the fact that a household has to pay the domestic worker’s wage costs which cover not only the take-home pay but also taxes and social security contributions, which may sometimes mean a twofold increase of the net pay. This is one of the main factors explaining the extent of undeclared work in this sector, which ranks third in the list of activities most affected by illegal employment in the European Union (EU).

Against a background of stagnation, or even reduction, in state support for making access to these services affordable, undeclared activity presents one alternative for, on average, almost 50% of households (30% in Member States that have developed support measures and 70% in the other Member States), which accounts for eight million jobs. The fact that the equipment and products needed are provided by the users, that the individuals’ homes cannot be accessed for the purpose of labour inspections and that the level of technical proficiency required remains low increases the likelihood that such activity will be carried out on an undeclared basis.

A fragmented sector beset with various challenges

Traditionally, female domestic workers are employed directly by individuals or by organisations providing personal services. The latter are, historically, made up of public services or non-profit bodies subsidised by the state and, more recently, by private undertakings. This is the predominant model in Europe, given that it applies to approximately 70% of these workers.

Direct employment, which accounts for 30% of the declared work, is, as a rule, part-time and involves a number of employers. In some circumstances, the female workers live in the home of their employers. This is especially the case in the countries of southern Europe where a not insignificant proportion of the resident workers are migrants. Occasionally, they may be hired on this basis, erroneously claiming “au pair” status. In recent times, the jobs market has witnessed the emergence of self-employed, female domestic workers as a result of the developing collaborative economy and digital platforms very often associated with insecure, casual and secondary employment.

The complexity of this sector due to the coexistence of various forms of employment, including undeclared work, is underpinned by the following features: the isolation of female workers working alone in private homes, poor social recognition, and major recruitment and retention problems due in particular to the salary and hours of work.

These difficulties notwithstanding, domestic work provides nationals of less developed countries with an opportunity. Although female immigrants do not all work in the homecare services sector, this is often the type of work towards which they will initially gravitate. Thanks to an inadequate local workforce and the diaspora of systems in place, a major migratory movement referred to as the “care drain” (exodus of care professionals) has gradually set in. The proportion of migrant workers in the sector is estimated at 17% worldwide, but this situation varies immensely depending on the countries concerned. Accordingly, some 75% of the sector’s workforce in Italy are migrant workers, whereas the rate is 60% in Spain. It is, therefore, right and proper to focus attention on the specific place occupied by these migrant female domestic workers and their working conditions.

76% of unpaid care activities are carried out by women.

The working conditions in bodies providing services to individuals may be regarded as normal in the sense that the positions are subject to the collective agreements and labour laws common to all employed persons. In terms of direct employment, in the vast majority of Member States, it will be noted that some systems deviate from labour and social security legislation. These derogations are applied in relation to some specific features of domestic employment (for instance, whether or not it is residential, if it is part-time or otherwise, whether it involves a single employer or multiple employers, and whether or not it concerns a private household) and to a desire to reduce labour costs by lowering social security contributions, which usually goes hand in hand with a reduction in rights or social security cover. These distinctions may be highly significant or completely trivial, as is particularly evident in France where, although laying down derogating provisions, the framework of laws and agreements in place offers working conditions that are similar to those normally applied.

Derogating measures in the context of direct employment are a key issue, and they interfere with the implementation of the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization, bearing in mind that the purpose of that convention is to guarantee conditions that are not less favourable than those applicable to workers generally. To date, this text has been ratified by seven EU Member States only (namely, Belgium, Finland, Germany, Ireland, Italy, Portugal and Sweden).

Derogating measures likewise apply in respect of casual employment and jobs relating to the platforms on which domestic workers are treated as self-employed workers, or micro/autontrepreneurs. It should also be noted that casual work is not covered by Convention No. 189.

As for undeclared work, workers do not acquire any rights (to pensions, paid leave, maternity leave, etc.) and are not covered against any of the hazards that may arise when carrying out their tasks (termination of employment, sickness, accident, etc.). Isolation, the fear of losing one’s job, the fear of being deported and the burden of proof lying with the victim are all features that restrict,
to a significant degree, workers’ access to regularisation procedures and to judicial remedies. Furthermore, in order to assert their rights, migrant workers must be in a lawful situation. Determining factors here are whether there is an employment contract and what their original citizenship is. Under freedom of movement for workers of the European Union, female migrant workers from Member States may gain easy access to jobs in this sector, enjoying the same rights as national workers except in the case of “posted workers”, in which case the salary and working conditions depend on the host country, whereas the social security contributions are those of the country of origin.

Workers confronted with working conditions akin to labour exploitation are, for the most part, migrants in an illegal situation and lodging with their employer. Marked by a crippling workload, the complete absence or insufficiency of pay, long hours of work, and a lack of leave and social security cover, these exploitative practices may lead, in rare instances, to some form of domestic slavery. This was made evident in the judgment delivered in 2005 by the European Court of Human Rights in relation to the plight of a young Togolese girl held in servitude in Paris (case of Siliadin v. France, Application No. 73316/01, ECHR 2005-VII). Although slavery has been abolished throughout Europe for many years, 10% to 14% of the trafficking in human beings, in particular trafficking into the EU, would appear to be undertaken for the purpose of exploitation through domestic labour. Generally speaking, restrictive migration policies, the existence of work (and residence) permits linked to the employer, and the lack of legislation on domestic workers lodging in the household where they work contribute to strengthening the dependence and the precarious situation of those workers, thus increasing the incentives to perform undeclared work.

In addition to the employment status and remuneration, the physical constraints and the occupational hazards encountered by female domestic workers must also be taken into consideration. In view of their long working hours, exposure to chemical products, heavy lifting and carrying, solitary work and a significant psychological burden, these female workers face higher risks than in other sectors. In 2016, for instance, health insurance providers in France reported a 9.4% average for accidents leading to a cessation of work or permanent disability in the personal assistance and care sector, as opposed to 6% for the construction sector and 3.3% for the economy as a whole. Simple but repetitive actions, such as wringing out a mop, become problematic and may lead to major musculoskeletal disorders (which make up 87% of cases of occupational illness in the French sector). Prevention in the area of health and safety at work presents a real challenge for the sector simply because the workplace is a private home which is difficult to monitor, and responsibility for any equipment used lies fully with those households. Furthermore, the language, social and cultural barriers experienced by migrants limit their access to the existing preventive measures.

What are the prospects for progress?

Despite these alarming findings, there are also sound practices in place. First of all, in terms of combating undeclared work, some public authorities have adopted systems which give formal domestic employment a competitive edge over undeclared work, by means of measures that reduce the rate paid by service users while also offering workers genuine social protection and training. Examples include titres-services in Belgium, the plan Borloo in France and RUT-avdrag in Sweden. All too often, the Member States turn their back on implementing measures to improve the sector’s employment quality, for fear of the costs incurred as a result, and in spite of the many payback effects which considerably reduce the net cost of state intervention. It is vital for all public policy to be combined with a general upgrading of the sector and its image.

It is necessary to consider the specific needs of migrant workers and this must ultimately lead to a ban on reporting undocumented domestic workers to immigration services through labour inspection, following a routine visit or a complaint. This practice, which is common in many Member States, helps to perpetuate the cycle of exploitation of domestic workers. Therefore, in order to limit their vulnerability and to make the employers accountable, there has to be a discussion about the possibilities of extending labour immigration policies to cover domestic workers. Similarly, granting a temporary work permit to migrants whose residence permit applications are under consideration would enable them to work legally (and thus avoid undocumented work) as a means of subsistence during the months that their files are being examined.

Respect for these workers’ fundamental rights under the UN Migrant Workers’ Rights Convention and ILO Convention No. 189 must be examined. It is also essential to provide migrant workers with access to quality multilingual information regarding their rights and to encourage them to coordinate themselves by creating collective groups, with the support of the trade unions and civil society stakeholders. One example to be cited in this regard is the case of the Filipina domestic workers in the Netherlands who, in 2006, founded UMDW (United Migrant Domestic Workers) which was affiliated to the Netherlands trade union FNV. In this respect, the adoption of ILO Convention No. 189 has highlighted these movements and contributed to upholding the brand image of domestic work.

In 2018, a cooperation exercise between various stakeholders in the sector, spearheaded by the Platform for International Cooperation on Undocumented Migrants (PICUM), was launched at European level in order to discuss the common issues of concern regarding the employment of migrants, in the hope of raising awareness among European policymakers. European Commission support would, after all, make it possible to galvanise a proactive policy in that regard among the Member States. This action might be developed through technical assistance based on the sharing of best practice and data gathering, as well as by including this sector in the European Pillar of Social Rights and conducting an assessment of current European law on lawful immigration.

More information

Webpage on personal services, on the Europa website: https://ec.europa.eu/social/main.jsp?catId=14278&langId=en
The “home front”
How migrant domestic workers cope with unfettered exploitation

They leave their home countries intent on building a better future, but all that awaits them is exploitation. They work without papers in private households, often in exchange for a roof over their heads. Devoid of any specific training, they look after dependent and sick people, having to cope with overbearing emotional demands without outside help. Many of them find themselves subjected to physical and psychological mistreatment, and even sexual violence. Left alone in the face of brutal abuse, migrant domestic workers in Spain have started to join hands to gain mutual support.

Berta Chulvi
Journalist

Many domestic workers face sexual harassment from their employers.
Image © Belga
The solitude of women workers and their lack of knowledge of their rights help aggravate their precarious situation and their inability to defend themselves.

Last August, in the context of what they called "Operation Ayote", Spanish police arrested eight members of a gang recruiting Nicaraguan women to work as home helps in Spain, taking care of elderly or sick dependents. A total of fifty women have been identified as the gang’s victims since 2016. The gang constantly threatened its victims with reprisals against their families left behind in Nicaragua to ensure that they obeyed orders and did not denounce their recruiters. Relatives of gang members living in Nicaragua were tasked with finding the victims, more often than not young, unskilled women with children to look after and on the verge of social exclusion, making them prey to promises of well-paid dignified work in Spain. On accepting, they were given a plane ticket and 1000 euros in cash, allowing them to enter Spain on a ninety-day tourist visa.

Once in Spain, they were contacted by a gang member who sent them to places to stay in La Rioja or Huesca, two provinces in the interior of the country. He immediately confiscated their passports and money, telling them that they were now 6000 euros in debt to the organisation and that this had to be repaid quickly, at a rate of 600 euros a month. The rest was supposed to be paid, it lent them money at a 20% interest rate. This could push up their debts to astronomical heights, making them difficult to repay. Certain victims told us how, in an effort to reduce their debts, they had been obliged to have sex with the gang leader. These episodes were filmed without their knowledge. The women were then subjected to the threat of the pictures being published if they did not pay their dues. Finally, a phone call denouncing trafficking in human beings sparked off the police investigation.

Why do these mafia gangs go unnoticed?

For a long time, the victims of the group smashed by Operation Ayote went unnoticed in Spanish society, a society benefiting from their services. It is estimated that the organisation was responsible for putting some five hundred women on the domestic work market since 2009. The fact that it was able to operate without fear of punishment is undoubtedly due to the generalised exploitation characterising the whole domestic services sector in Spain.

By no means a marginal sector, it is growing constantly: estimates put the number of people working in the sector at 750 000, 83% of whom are women working in private households in Spain. The country has one of the highest numbers of domestic employees in Europe, for two main reasons: it is very difficult for people to reconcile their work and family life, and at the same time, widespread derogation of these services has resulted in very low wage levels and a high percentage of work in the informal economy. Estimates put the percentage of domestic workers without an employment contract at 30-40%. A study recently conducted by the Catalan branch of the Comisiones Obreras (CCOO) union revealed that 51% of domestic employees came from abroad, a percentage higher than in any other sector. In the hotel and catering sector for example, the other sector employing large numbers of adult migrants, the percentage is “only” about 30%.

The term “domestic employee” also conceals major disparities in working conditions. On the one hand there are the women officially employed by cleaning or home-help companies which pay social security contributions, while on the other hand there are the women employed directly by private individuals in need of their services. The latter group of women, the majority of whom are migrants, are the ones suffering from deplorable working conditions: they either work without contracts or they are registered with the Spanish “social security system”, the specialness of which lies in them being excluded not just from unemployment benefits but also from the scope of the law on the prevention of occupational risks, while at the same time subjecting them to particular terms of dismissal, by means of “rescission”.

“If you fall ill, you get fired!”

"Rescission" is the legal procedure allowing private individuals to dismiss their domestic workers without having to justify their action and without having to pay compensation equivalent to 12 days’ wages, a bargain way to get rid of a sick worker, regardless of whether she is a victim of a work-related accident or suffering from an occupational disease or any other normal illness. Even if she has an employment contract, the same rules apply. Such dismissals at no cost constitute in practice a flagrant mechanism for circumventing women workers’ right to health, as they are generally dismissed if they fall ill. This is something often highlighted by representatives of various women’s organisations which, thanks to their extensive use of social networks, constitute social and moral support platforms for their members.

While causes vary and procedures differ in the use of this mechanism, the result is always the same, as Daybelyn Juáres from the association Mujeres Migrantes Diversas (Diverse Migrant Women) explained: “If you fall ill, they’ll fire you. And in many cases, you’ll find yourself without a roof over your head as you were previously housed by your
The most sordid psychosocial risk domestic employees come up against is sexual harassment. The men who harass these women often do it with the complicity of their wives or children who play down the incidents: “Well, my husband was turned on last night, wasn’t he?” This was the question a harasser’s wife put to her employee to let her know that she had also heard her husband drumming on the door of the room where her maid lay in terror.

This controversial subject has attracted the attention of social anthropologist Silvia Bofill from the University of Barcelona. Silvia Bofill and Norma Véliz from Mujeres pa’lante have just published a new study highlighting the sexual harassment faced by migrant housemaids. The study shows that the phenomenon is far from marginal and that we are witnessing hushed-up structural macho violence in one of the most deregulated and precarious markets in Europe.

One of the participants of the survey conducted by Bofill and Véliz, Amina (a fictitious name) found simple but frank words when speaking of the drama facing these women: “Horrible things happen in these homes”. Coming from Morocco, for seven years she was subjected to sexual violence from the husband of the Alzheimer patient she was looking after. She put up with it all to provide for her children, until she couldn’t take it anymore and took sick leave. This led
Their workplaces and their migrant status rule out traditional union action strategies.

to her being dismissed and kicked out of the house. Her testimony for the investigation was shocking.

Several women’s associations have measured the reality of this hidden violence: a study conducted in the Basque Country revealed that 22% of migrant women providing domestic service were subjected to sexual harassment. Another survey conducted in Madrid in 2017 put the percentage at 24%. Bofill and Véliz interviewed eighty women in Barcelona, arriving at similar results: 41% affirmed having received vulgar comments, innuendo or sexual proposals, 28% had endured excessive groping, while 10% had received demands for sex, with or without pressure. Finally, 10% stated that they had been subject to sexual violence.

Magdalena is one of them. She came to Spain from Guatemala to escape the violence there and found work in Barcelona in the home of an elderly couple, where she worked six hours a day, Mondays to Saturdays, without a contract, for 550 euros a month. The wife was basically bound to her wheelchair. Magdalena helped her get dressed and take a shower and accompanied her to the shops. After one month, the husband started harassing her, putting his hand under her skirt while she was cooking. The wife didn’t notice anything. After two months, Magdalena quit, but without denouncing her aggressor as he had threatened to accuse her of stealing if she did so. Similarly, she didn’t explain her reasons for quitting to the recruitment agency as she was afraid of not being understood.

The testimony of a woman named Lourdes is particularly revealing: when she turned to the employment agency which had found her the job to denounce her employer, an elderly widower who made her propositions and spoke of sex during meals, the agency told her that this was quite normal among old men and that she shouldn’t attach too much importance to it. The agency thus legitimised what had happened to her. The case of Rosa Maria, a sixty year-old woman from Colombia, is similarly illustrative: she worked a few hours a week for an elderly couple: “I was up a ladder doing some cleaning when the grandfather came over in his wheelchair and put his hand on my thigh. I was so afraid I almost fell off the ladder.” On getting down, Rosa Maria was furious and asked him why he had done that. He replied that he had not done anything at all and that he would tell his children she had hit him. She decided to discuss the incident with the oldest daughter, but she didn’t believe her.

Union initiatives in defence of domestic employees

Social movements are reacting in many different ways to this situation. First of all, the platforms established by unions and women’s associations are calling on the Spanish government to ratify ILO Convention 189 (the Convention on Domestic Workers) as a first step towards changing working conditions. Ratification would bring domestic services under the umbrella of unemployment insurance, would put an end to “rescission” as grounds for dismissal, would make all income liable to social security contributions and would lead to the full application of labour law, including the law on the prevention of occupational risks.

Simultaneously, the unions are developing various strategies to tackle the complex problem of migrant workers in the domestic services sector. The CCOO’s Federación de Construcción y Servicios (Construction and Services Federation), for example, is currently setting up PROMODE, a project run in cooperation with Italian and French organisations, with a view to developing a joint European programme to make such work visible and valued. For its part, the Instituto Sindical de Trabajo, Ambiente y Salud (ISTAS, the Union Institute for Labour, the Environment and Health) has developed an information package for women workers and their employers presenting the various exposures to occupational risks and providing recommendations on how to prevent these risks. Although private employers are to a large extent unaware of such occupational risks, they have an obligation to prevent them. Regulations covering the special employment relationship in domestic services oblige employers to provide their employees with safe and healthy working conditions. They can incur liability when this is not the case.

The most difficult aspect for the unions is to actually work with the victims of such exploitation: their workplaces and origins rule out traditional union action strategies. In reaction to these difficulties, the Catalan CCOO’s information centre for foreign workers has developed a methodology for establishing a trust-based relationship with groups of migrant women. Carles Bertran i Bruguera, the centre’s director, explained this approach to us: “We need to take account of the solitude of these women workers and their lack of knowledge of their rights, two phenomena aggravating their precarious situation and their inability to defend themselves. This is especially true since a great number of them have no residence or work permits for Spain. Many of them are organised in associations, sometimes grouped around their nationality of origin, which function as personal development groups and which help them to regain control over their lives, but also to claim their rights and denounce the situations of exploitation they are subjected to. The experiment, launched in 2017 in Catalonia at the instigation of the CITET and the CCOO’s Construction and Services Federation, seeks to bring such groups and the unions together. Its outcome is an appreciable increase in union membership among the target audience. It has also heightened the visibility of these employees and the fight for their rights in the media and corridors of power. This visibility has led to concrete progress, as witnessed by the signing of an agreement between the Generalitat de Catalunya (the government of the Autonomous Community of Catalonia), the sector’s main representatives and the principal unions. The agreement lists no less than 37 measures, including some of the key demands of the workers concerned.”
Prostitution: a view from the other side of the window

Prostitution, migration, urban planning, social status and working conditions: the new book by Brussels-based historian and writer Hans Vandecandelaere covers a wide spectrum of themes. Don’t Ask Me Why is a study of the prostitution business and the working conditions affecting female sex workers in Belgium, including foreign nationals.

Interview with writer Hans Vandecandelaere

Interview by Mehmet Koksal
ETUI

Why such interest or special focus on prostitution?

Hans Vandecandelaere – My book’s title is, funnily enough, En vraag niet waarom (Don’t Ask Me Why). I think that’s the big question that every sex worker keeps getting asked: “So, why do you do this job?” In the end, she’ll just reply with “Stop asking me why, will you!” I get the same treatment because journalists constantly ask me the same question: “Why did you write this book?” (Laugh). Anyway, to be serious for a moment, when I wrote my first book on migration in Brussels, I was already doing my research in Rue d’Aerschot in Brussels (the red-light district). Although I had been intrigued at the time by this subject area, my approach to it was clearly no different from that of many other researchers, inasmuch as I wouldn’t speak with the sex workers themselves. So, this means you opt for the main, traditional research methods, such as going to speak with the police and health-sector professionals, but you are less likely to dare to have a conversation with the sex workers themselves. As I said, this subject started to fascinate me as far back as eight years ago, and I just thought there should be a much more anthropological approach, interviewing the sex workers as a journalist right where they work, “on their beds” so to speak.

But weren’t the prostitutes afraid? You have to admit, seeing a client like that is a bit odd. Did you have to pay for these “visits”?

No, they weren’t scared, just a little intrigued. For the girls in the windows, I’d say that, 80% of the time, I did have to pay for the interview, because let’s not forget that they conduct their business in a really expensive rental sector. For a 12-hour shift in Rue d’Aerschot in Brussels, they’ll pay 250 euros a day.

You mean that the prostitute pays the 250 euros for the 12 hours to the landlord?

Not to the landlord, no – to the window operator.

In fact, you describe a somewhat unusual method in this book. Can you tell us a little bit about how you managed to persuade them to talk to you?

The book provides an insight into all branches of the sex industry, from street prostitution and the windows on one hand, to the digital phenomenon of prostitution by webcam on the other. You need to apply a separate methodology to some degree for each branch, but, when it came to the windows, I developed what I call in my book the "twee-minuten-klant-strategie", which means acting as a client for the two minutes needed to make it into the worker’s bedroom before openly revealing the nature of my “visit”: “I’m actually called Hans, and I haven’t come here for that. I’ve come about my book.”

We also find out in the book that the nationality of the women behind the windows has changed a great deal over the years. In the past, there seemed to have been many Belgian and French prostitutes. But the arrival of foreign nationals in the 1990s brought a diversity to the face of window prostitution. There’s a lovely turn...
of phrase in the book about the windows being mirrors that reflect the economic crises prevailing in the women's countries of origin. The shifting nationality of window prostitutes therefore seems to depend on which countries are most affected by economic turmoil.

Yes, I think that gross national product also plays a significant role in the prostitution industry: the higher it is in the host country, the greater the likelihood that this country will attract prostitution. And that's where you'll find a link between prostitution and economic crisis occurring elsewhere. The migration we saw in the 1990s was significant in terms of window prostitution in Belgium. Prostitutes in the early 1990s were still mainly Belgian, but by the end of the decade the whole situation had been turned on its head, with the majority of them now foreign nationals mainly coming from eastern Europe and the Balkans, as well as Latin America and Africa.

Then there was another shift in the noughties towards home-based prostitution and massage parlours.

We acknowledge this shift and the arrival of a new population on the prostitution scene, but where did the Belgian prostitutes go? Did they disappear off the face of the earth? Did they stop touting for business?

I just don't know. Good question.

Prostitution is generally considered to be illegal in Belgium, but you explain in this book that this isn't the case. The illegality lies in the exploitation or promotion of this occupation, and not in the prostitution itself.

It's actually the facilitation of prostitution that is unlawful. And so, in Belgium, we have an abolitionist law which says that you can lawfully be a sex worker. But while this isn't illegal, any third parties engaged in the business are breaking the law and are liable to prosecution. The rule is that money cannot be earned by one party on the back of the prostitution activity of another party. This situation has repercussions for the status of sex workers because while a prostitute may enter into a contract of employment, she has to play around with fictitious job titles, such as "masseuse" or "waitress", so as to avoid divulging that she is a prostitute. Why is that? Because when you have a contract of employment that refers to prostitution, the prostitute's boss automatically becomes a "pimp" in the eyes of the law, and he then runs the risk of prosecution. The other viable option for prostitutes is to adopt self-employed status, but then the same problem will arise when they have recourse to the third-party services of, say, a web designer or an accountant — they all will be treated as benefiting from prostitution, and that’s illegal.

Who are the winners and losers in this system?

The system definitely has its losers. Let's start with the sex workers themselves: without formal status, they cannot gain access to social or medical insurance cover. Then there are the bona fide operators who must live in constant fear of prosecution. I think that bona fide operators have a really important role to play in guaranteeing the workers' well-being. That said, you might well ask yourself how many of those women actually want a recognised social status. To my mind, a vast number of them would reply that they are happy with the system as it stands because it allows them to earn "black" money. And that'll do nicely, thank you!

Is it really black money (undeclared income)?

Often it is, yes, it’s black money, but that’s not always the case everywhere. In the world of the webcam, for example, the workers can download forms and sheets from the online platform for submitting their tax returns. Workers in the pornography industry also operate under artist status, but a major part of the business clearly remains undeclared. Personally, I’m all in favour of making this sector much more transparent through partial decriminalisation.

Would that mean legalisation and putting an end to this abolitionist policy?

No, not legalisation. Prostitution has been legalised in the Netherlands, and in Germany too. But legalisation implies a desire to create — or indeed invent — brand new laws just for the sake of formalising this single profession only. Decriminalising prostitution entails maintaining those provisions of criminal law that are absolutely vital, such as measures to combat human trafficking and child prostitution, but the remaining features of the profession can be transposed into the existing legislation, that is to say, employment legislation. Therefore, nothing actually needs to be invented.

Isn’t that already the case right now in Belgium? Aren’t we already in a system where the public authorities, in particular in Antwerp, are in fact trying to codify the situation by compelling people to register?

What the City of Antwerp is doing in the Schipperskwartier (the red-light district) is simply organising the district and ensuring the quality of the bars. And so the operators are kept on a tight leash, and they can’t afford to have a criminal record or deviate from the rules. However, in relation to undeclared work, the City of Antwerp reacts with: “that’s none of our business. It’s a federal matter, and it’s up to social inspection services to enforce the law”.

What can the local authorities do to improve working conditions? In your book, for example, you clearly explain the change that took place locally in 2011 in Schaerbeek, the Brussels municipality which decided to introduce the requirement that all bars must apply for a certificate of compliance – an idea that was originally developed 10 years earlier by the City of Antwerp.

First of all, there’s no governance for the other sectors of prostitution. Anything to do with local governance is confined to managing street or window prostitution. The background to this is that, after the migration in the 1990s, the districts with windows had completely outgrown their original perimeters. There were many instances of nuisance but also, to some degree, problems associated with human trafficking. The red-light districts were expanding. The municipal authorities decided to take measures to reduce the public space and regulate it more effectively, and Antwerp was at the forefront of the change, delineating the zone of activity and inventing the compliance certificate. To be issued with a certificate, the workplace in question was required to cover a certain
surface area in square metres and to have sanitation facilities, hot and cold water, etc. If you compare, let’s say, work premises in Schaerbeek from before to now, conditions have improved hugely.

You also refer to French tourists who regularly come to Belgium in search of prostitutes. It’s interesting to read how France applied a firmer policy under Nicolas Sarkozy’s presidency, which resulted in French “punters” regularly making the trip to Belgium.

Sarkozy himself launched the measures to criminalise the clients, with France witnessing the overhaul of the legislation in 2014. Sweden was the first country to introduce a “neo-abolitionist” law. The Swedish government is still spouting nonsense now, claiming that prostitution figures have fallen massively, when in fact there are no substantiated figures, and the prostitution scene there is considerably more dangerous than elsewhere.

What can be said about the prostitution laws worldwide?

Most countries apply prohibitionist laws which criminalise the clients, with France involved, namely the sex worker, the client and the third-party facilitators. The United States, Russia and the countries of the Middle East apply this system. Even Thailand – a country with a highly developed sex industry – follows this model. Europe, for the most part, operates a pro-abolition system.

As far as the windows are concerned, I am very pragmatic, and I feel that each neighbourhood should be looked at individually: for some of them, there may well be a legitimate interest in closing them – here, I’m thinking of Saint-Josse near the Gare du Nord in Brussels where conditions have become really harsh due to human trafficking, not to mention the fact that it is a very dense urban area. But there are also other neighbourhoods with these windows that should be left alone, such as in Antwerp or Ghent, areas that present absolute proof that several urban functions can coexist. Antwerp’s Schipperskwartier has become a fantastically upmarket, ultra trendy neighbourhood to live in and yet, right on the doorstep, prostitution is happening without any bother or fuss. The future of the towns and cities will also be galvanised through the improved management of working conditions for all of their stakeholders and residents – which also involves having discussions with those at the lower end of the social scale. Yes, and my theory is that the prostitution windows are currently in crisis. They now account for a mere 17% of business, although the professor did tell me that this finding doesn’t as yet afford us the right to talk of crisis, because a second study is needed to facilitate a comparison. Nevertheless, the tremendous competition from prostitution on the internet or internet-dependent markets, such as the escort sector and massage parlours, are leading to the gradual absorption of the old markets for prostitution, including street and window prostitution.

Is it conceivable that, 20 years down the line, there will no longer be any visible prostitution in European towns and cities?

I really don’t know, and this is precisely what people are wondering. Are we going to be part of an implosion in the wake of a crisis in the window prostitution business and internet competition, or are we going to become increasingly intolerant of visible prostitution, as is already the case in many Belgian towns, especially in Wallonia? Let’s not forget that Wallonia has watched virtually all of its windows disappear: only six windows are left in Liège, and there’s a small district in Seraing. As far as the windows are concerned, I am very pragmatic, and I feel that each neighbourhood should be looked at individually: for some of them, there may well be a legitimate interest in closing them – here, I’m thinking of Saint-Josse near the Gare du Nord in Brussels where conditions have become really harsh due to human trafficking, not to mention the fact that it is a very dense urban area. But there are also other neighbourhoods with these windows that should be left alone, such as in Antwerp or Ghent, areas that present absolute proof that several urban functions can coexist. Antwerp’s Schipperskwartier has become a fantastically upmarket, ultra trendy neighbourhood to live in and yet, right on the doorstep, prostitution is happening without any bother or fuss. The future of the towns and cities will also be galvanised through the improved management of working conditions for all of their stakeholders and residents – which also involves having discussions with those at the lower end of the social scale.
Frontex, keeping a forceful watch at the borders of Fortress Europe

With its coastguards and border guards, this is the European Union institution that has expanded the most rapidly. In the space of 15 years, Frontex has become the key agency in Europe’s migration policy, ensuring control of the periphery of the Schengen Area and policing the Mediterranean, from its headquarters in Poland down to Spain and the south of Albania. But its detractors condemn this as a further manifestation of “Fortress Europe”.

Hugo Boursier
Journalist with Collectif Focus

Photos by Sadak Souici, Agence Le Pictorium
See the full photo reportage by Sadak Souici at www.etui.org

It is particularly dangerous for pateras among the heavy traffic of the Strait of Gibraltar.
The two elderly people waiting by the roadside suddenly vanish, swallowed up by the thick cloud of dust that whirs up behind the passing patrol. Bringing up the rear in the convoy of three vehicles travelling along the bumpy road in the little Albanian village near Kapshtice, on the border with Greece, Dominik has no choice but to wind up the window, to avoid getting the dark leather seats of his rugged 4x4 coated in a beige film. The 29-year-old German wants to keep everything clean. Just two weeks into his mission in this Balkan country, he has been using this Land Rover for work every day. It is a very special “Discovery” model. On the blue emblem superimposed on the metallic grey of the vehicle’s bodywork is the wording: “European Border and Coast Guard Agency”.

Since 22 May 2019, the European Union (EU) Member States have allowed Frontex to deploy 50 border guards in the “Land of Eagles”, split between Kapshticë and Gjirokastër, the other border post further south. This is unlike any other mission in the history of the agency: for the first time, it is taking place in a non-EU country. When it was created in 2004, Frontex was only responsible for coordinating the integrated management of Europe’s external frontiers. Now it is carrying out wide-ranging operations in several European countries and in the Mediterranean. For Fabrice Leggeri, Frontex Executive Director, this “important stage” makes it possible, under the agreement signed with the Albanian government in October 2018, to “combat irregular migration and, in particular, put a stop to the wild fluctuations in migration flows”. The aim is to avoid a repeat of the 2015 episode, when more than 120,000 men and women crossed the region via the ”Balkan route”, often wrong-footing national control bodies.

"Frontex helps us find out who’s crossing the border. In conjunction with the local authorities, it keeps logs, takes fingerprints and fills out forms that help identify people-smugglers, so they can be arrested," explains Izabella Wiewor, one of the organisation’s spokespersons, from the back seat of the Land Rover. She adds that "2,310 migrants" have been intercepted by the surveillance patrols since the start of the mission. In total, there are 12 nationalities represented by those supporting the Albanian police under the aegis of Frontex. Back home in Germany, Dominik belongs to the federal police, following a stint with the riot control police. Here in Albania, he may not be fitted with body armour or a shield to protect against violent demonstrators, but he does carry a revolver, a truncheon, a pair of handcuffs and a flashlight. And he pairs the European agency’s familiar blue armband with a bullet-proof vest. "Frontex is much more interesting: you get to
"The agency reflects a Europe that is becoming bogged down in an increasingly security-centred rationale."

In Albania, citizens are often requested to gather information on people smugglers.

In August 2019, the agency found itself in the spotlight following a joint publication by the German investigative journalism site Correctiv, the British newspaper The Guardian and the German channel ARD. On the basis of "hundreds of internal documents", the investigation revealed that Frontex had turned a blind eye to the mistreatment by local officials of asylum seekers in Bulgaria, Hungary and Greece. These revelations cast a shadow over the impressive rise of the agency, which could have a budget of more than 11 billion euros by 2027, compared with the few tens of millions it had at its inception. "While the agency can suspend an officer deployed by Frontex, it does not have the authority over the national border police forces," responded Frontex in a news release.

Turning a blind eye to abuse

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The Spanish maritime rescue service pales into insignificance compared with Frontex’s finances.

Sailor Manuel Capa denounces the militarisation of the Spanish maritime border.

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They can be transmitted by a camera or by radar installed on our airborne platforms: a plane, a drone, a satellite or even a balloon,” explains the Head of the Situation Centre. This “balloon” refers to an aerostat deriving from two tenders held in November 2017 and October 2018, worth 400 000 and 500 000 euros respectively. Tender records show that, since the 2016 reform, no fewer than 70 calls for tender have been issued, worth a total of more than 340 million euros. This budget rankles with Manuel Capa. A seaman for eight years with the Spanish Maritime Safety and Rescue Society (or “Salvamento Marítimo”), this father and member of the trade union Confederación General del Trabajo (CGT) is first in line to pick up men, women and children who are risking their lives crossing the Strait of Gibraltar. The maritime rescue service pales into insignificance compared with Frontex’s finances. In the port of Tarifa in the far south of Spain, Capa describes one of the vessels that sets out to sea to pick up survivors from the rickety craft they call “pateras”. “This is the María Zambrano, named after the Spanish philosopher who had to flee the Franco regime. There are 10 to 12 people on board. We start by throwing a rope fore and then aft of the boat carrying the migrants, and we approach very carefully,” he explains, pointing to a 39-metre orange vessel. Behind him, lying on the cement floor, a patera has been brought into port. Between the six benches of this fishing boat, used by 60 migrants a few days previously, are the scars of a fatal crossing: among two T-shirts and a stained pair of jeans, there are a number of lifebuoys strewn on the floor of the boat. “They aren’t strong enough to save someone from drowning,” says Capa, who complains of a serious lack of staff and resources for Salvamento Marítimo’s primary mission: to save lives. The organisation has 80 people to cover no less than 600 kilometres of sea border, from Cartagena to Barbate. Frontex is currently deploying five vessels, two helicopters and 292 agents in the field. But Salvamento Marítimo has very little to do with the agency. “We never see them. Actually, no one really knows what they’re doing,” explains one of the organisation’s captains, who wished to remain anonymous for fear of a backlash.

Subcontracting border control

In Spain, Frontex says it is conducting the operations Hera, Indalo and Minerva. The first dates from 2006 and is a groundbreaking mission for the agency. It involves patrolling off the coasts of Morocco, Senegal and Mauritania, together with the fleet of each country concerned, to intercept people trying to reach the Canary Islands and return them to their port of departure. The other two missions have been going on since 2014 in the Mediterranean. “Frontex observes, but does not rescue,” continues the vessel’s pilot. “When we sail in from the open sea after rescuing a patera, there are about 20 Red Cross personnel waiting at the port to receive the refugees and identify any first aid needs, backed up by several Spanish police from the Guardia Civil. There are 15 or so Frontex agents there as well. They take notes and then leave.” It is no coincidence that there is a military presence from the Guardia Civil and the European agency, given that surveillance and rescue along the Spanish sea border are increasingly beyond the control of civil organisations like Salvamento Marítimo. This assumption of control is backed up by bilateral agreements between Spain, the European Union and Morocco. The policy has slashed the number of migrants arriving in Spain from more than 60 000 in 2018 – the year when, according to the International Organization for Migration, Spain was top of the list of European countries for arrivals of asylum seekers – to fewer than 16 000 in 2019. To “congratulate” his partners on this result, Fabrice Leggeri went to Rabat in June, where he met Noureddine Boutayeb, the Moroccan Minister for the Interior, and his staff. In Africa, Frontex is on familiar territory. As evidence of its power outside Europe, the agency has numerous liaison officers posted there, particularly in Niger. Its presence is not likely to encourage NGOs to stop speaking out about the outsourcing of the European Union’s border control and the increasing power that Frontex now wields.
Politics on borrowed time

The walls of Magid Magid’s office in the European Parliament are bare. This is understandable, as the newly elected Member of the European Parliament (MEP) for Britain’s Green Party is in Brussels on a potentially short-term contract. At the time we are conducting this interview, the looming Brexit deadline means he could be packing up again, so decorating may turn out to be a pointless exercise.

Interview with British MEP Magid Magid

Interview by
Bethany Staunton
ETUI

Image: © Chris Saunders
Five months in political office is just long enough to make an impression, and Magid Magid is an expert at this. Black, young, Muslim, and very outspoken, he does not look, talk or dress like your average EU politician.

Born in Somalia, Magid came to the UK as a child with his family, as refugees from the civil war. He grew up in Sheffield, a city with an industrial, working class heritage in the northern region of Yorkshire, where he joined the Green Party. First elected as a local councillor, the young Magid made national headlines in 2018 when he became Sheffield’s Lord Mayor, a civic leadership position that exists in the major cities of the UK. Revolutionising the traditionally ceremonial role, the young activist-turned-politician had his official photograph taken perched on a balustrade of the town hall staircase, pairing his heavy gold chain of office with green Dr. Marten boots.

With strongly pro-immigrant and anti-racist politics, when Mr Magid isn’t challenging the status quo verbally or on his Twitter feed, he lets his T-shirts do the talking, which usually bear such messages as “Immigrants Make Britain Great” or “F*** Fascism”. He is a campaigner for Remain but is not uncritical of the European Union (EU). Now he’s set to shake up European politics, even if he only has a short time to do it in.

Magid Magid, your communication style is a very creative one, even theatrical. For example, as Lord Mayor of Sheffield, you “banned” Donald Trump from the city and declared a “Mexico Solidarity Day” (while wearing a sombrero). Have you brought some of this style to your MEP role?

That’s a good question. I always try to engage people. For me it’s all about trying to capture people’s attention with a positive message. Especially when attention spans are getting shorter, the question is: how do you cut through the noise?

But I’m sad to say that I’ve not done as much as I’d like to in this role, mainly because of Brexit. It’s kind of stifled my creativity in some way. Before, I felt like I could think ahead. I had the privilege of being able to plan things, whereas now it’s just a bit chaotic. A week is a long time in politics, but with Brexit it’s literally hours.

You may only be here for a short time in the European Parliament if Brexit goes ahead. What can you hope to achieve in this time?

I’ve been trying to spend as much time as possible in the UK, because I still think we’re going to have to put Brexit back to the British people, either as a general election or a people’s vote. Or possibly both. I’d hate to think that even out of the four months I was MEP I had a month’s holiday – that’s why I didn’t have a holiday in August. So, in the region that I represent, Yorkshire and Humber, I’ve been having conversations with people, “Brexiters”, who didn’t vote for me. I’m a big advocate of having difficult, awkward conversations and trying to find some commonality.

You’ve voiced support for a second referendum. What do you think about the arguments, from both the Right and the Left, that this could be considered undemocratic?

Democracy is not static. We are currently being pushed towards a no-deal Brexit. That wasn’t on the ballot paper, nobody campaigned for it. Some people who voted for Brexit still want to have some sort of EU rights. It’s in everyone’s interest to vote and campaign against this. At the end of the day, the Leave campaign was based on lies and fear, where they broke electoral rules. We need to have a fair and honest referendum, and Remain needs to be on the ballot.

But I also don’t think anybody can campaign for just “Remain” because that, in my
opinion, is accepting the status quo. We need to remain and reform. We need to put forward a proposition of how we want the European Union to change. For example, Ursula von der Leyen [the newly elected European Commission President], where did she come from? Out of nowhere. It would be great if every European citizen had the opportunity to vote for the Commission President. We should also have multiple candidates, proposed by the European Parliament, rather than just a couple of people suggested by the European Council of heads of state or government of the Member States.

A big focus for me has been refugees. I’m from Somalia and my family had to flee civil conflict. We ended up in Sheffield, which has a very long, rich history of welcoming people from all over the world. But nobody chooses to leave their home, their friends, their community and everything they have unless they have no other choice. A couple of people suggested by the European Parliament asked you to leave on your first day of work, which drew the attention of anti-racist activists. Have you encountered a lot of prejudice in the "EU bubble"?

Definitely. It was one of the driving forces and tools used to get people to vote for Brexit. But it’s nonsense. We know, statistically, economically – every factor you want to look at – that immigrants are more of a gain to the British economy, culture, everything, than they are a drain.

Even the language that’s used, such as being an “illegal” immigrant… Nobody can be “illegal”. All these words have meaning. Dehumanising people causes murder.

It’s nothing that’s exclusive to the European Parliament. You find it in a lot of different spaces and environments. We’ve all been socially conditioned to expect what a politician looks like, and when a person of colour is in a position of authority, people are just genuinely a bit baffled. At the beginning, I got people asking me which MEP I work for.

On the whole, the people that we elect to be our leaders do not reflect the people that they are there to represent. And if we’re really talking about having an equal and fair society, we need to address that problem.

There isn’t a day that goes by that I don’t get some sort of racist abuse, whether that be through social media, email, letters. People always say, “maybe you should tone it down a bit Magid, maybe you shouldn’t be too political”. But I haven’t got that privilege. I’m a black, Muslim refugee living in this current political climate. It would be such an injustice if I didn’t use my platform or voice to really challenge things and champion certain causes. It is what it is and I’m thick-skinned. In any case, here in the Parliament I can’t tell a fascist from a non-fascist because they all wear suits – so I just smile and say hi.

Absolutely, and it’s our responsibility to create it. That means training people to develop new skills to be able to work in the renewables sector. When we talk about climate justice, social justice has to go hand in hand. You can’t have one without the other. So we need to look at how our economy functions, we need to make sure there are sustainable jobs for people, that people aren’t living on the poverty line and that they receive a living wage on which they don’t just survive but also thrive. All these things are interlinked.

Every European country has its own problems, they’re all at different stages. I appreciate that there can’t be one blanket policy for all. But we [the Greens] would love for every EU country, as part of their budget review, to prioritise climate change and to bring emission cuts to the bare minimum. And we need to start working with the developing EU countries and making sure that everyone’s pulling their weight and working towards that – which means there also need to be sanctions. We’re doing this to protect our planet and everyone’s in it together.
Migrant workers: a threat to “our European way of life”? Or vulnerable and exploited?

Discriminations against migrants, engrained in the law, have an undoubtable impact on the quality of their working conditions. And because discrimination creates fiercer competition for jobs, this could, by a kind of boomerang effect, be damaging to employment as a whole. Are these migrants a threat to the “European way of life” or should they simply be seen as people living and working in harsher, exploitative conditions?

Laurent Vogel
ETUI
of the 112 000 people who crossed the Mediterranean in 2018, more than 2 200 perished, according to the Office of the United Nations High Commissioner for Refugees. Hundreds of thousands of people, whose legal statuses can vary enormously, just about survive in Europe in shanty towns, in insanitary housing or with no roof over their heads at all – in numerous cities, in farming areas or close to a border that is hard to cross. In Denmark in January 2016, an overwhelming majority of parliament – encompassing the far right, all the liberal and conservative parties and the social democrats – voted through a law empowering police to strip asylum seekers of their cash and assets above the value of 10 000 kroner (1 340 euros). Just 27 members from green political parties and the radical left opposed this controversial law. The official justification given by proponents of the law is that the state must be able to claw back money from anyone who is a drain on the public purse. Following this line of reasoning, and setting aside any racist perspective, one might logically argue that anyone receiving any form of social benefits should also be fair game. The true justification was provided by the Danish People’s Party (DF), a far rightist group which supports the measure: "Our message [to migrants] is this: if you must come to Europe, stay away from Denmark.”

Harsh utterances like this have touched racism of the worst kind in a number of groups of the population. Cases of discrimination are on the rise, such as punitive raids or individuals being insulted or attacked on public transport because of the colour of their skin. It is reasonable to conclude that it is not migrants who threaten "our European way of life", but rather the self-proclaimed defenders of that way of life who endanger the migrant population and the well-being of the public as a whole.

Inequality before the law

A brilliant analysis of the concept of national identity has recently been published by the French jurist Karine Parrot. Her book is concerned essentially with France, but its analysis could broadly be applied to the other countries of the European Union. She shows that nationality is a recent concept. Far from being a fundamental characteristic of a human being, it is a tool that allows every state to divide populations into two groups. Citizens have specified rights that are denied to foreign nationals. This "fabrication of the non-citizen" first made its appearance amongst the population in the years following the French Revolution. The process spread and was further refined during the era of colonial conquest. It provided justification for the huge inequalities between people who were all subject to the authority of the same state. At certain times, however, when the state was short of manpower for industry or war, surprising solutions were found to help people acquire citizenship fast.

On the matter of European law, Karine Parrot’s verdict is unequivocal. The law is cold and brutal. The construction of tight borders is a profitable business for multinational companies which are increasingly resourceful in devising ways of monitoring people and controlling them by force. The fences erected around the Spanish enclave of Ceuta in North Africa are barbaric, with sharp razor wire that cuts, mutilates and inflicts serious injuries. Europe’s Dublin Regulation, meanwhile, which requires asylum seekers to apply for asylum in the first EU country they reach, seems to be deliberately unworkable and to justify arbitrary and violent treatment.

Karine Parrot’s analysis is valuable chiefly because it points to the continuity between the countless measures that delineate and discriminate against legal immigration and those that seek to curb illegal immigration. Thus, the status of seasonal workers who are not EU nationals condemns them to working in precarious jobs, demand-driven and renewable at the employer’s whim, and in many cases this situation means that their immigrant status swings to and fro between...
In 24 of the 28 Member States of the European Union, the law makes it a criminal offence to facilitate the entry of illegal migrants, even if it was not done for profit.

Legal and illegal. In fact, the European rules are broadly derived from the status created in agreements between France and her former colonies.

The pitfalls of a sensationalist portrayal

One justification for the current arsenal of legal rules relies on the portrayal of some migrant groups as hapless victims with no say in their own fate. Condemnations of human trafficking, or other modern forms of slavery, are doubtless well-intentioned. Tragedies do indeed happen when people have no documents and no rights. But, in the great majority of cases, these references to trafficking and slavery are deceptive. Unlike real slaves who have been trafficked, most migrants have chosen to leave their countries of origin for a wide variety of reasons. Their freedom is compromised by their illegal status, which can work to the advantage of multiple intermediaries involved in their transportation to Europe, their residence and their work. But portraying this as "slavery" shifts the blame for its essential cause (the status of being "illegal" that is decreed by the state) on to those intermediaries. Some of these individuals may be part of a criminal organisation, but that is by no means the norm. Plenty of people-smugglers, landlords or employers have a keen nose for profit and few scruples about how they achieve it, but they are not a part of major organised crime. Organised crime often spreads out its activities very carefully: thus, in Italy, 'Ndrangheta, one of the country's main mafia groups, has received significant funding from the Italian state channelled through cooperatives it set up to run centres for asylum seekers. 2

EU legislation on human trafficking is, in fact, built on highly ambiguous concepts. 3 Legal instruments to combat people-smuggling were adopted in 2002. The scope of these is very broad, because they cover all activities which foster illegal immigration, including entry, transit and residence. Persons involved in entry or transit may be prosecuted as criminals, even if they did not act for monetary gain. Instead of penal sanctions exclusively targeting organised crime, all humanitarian acts and measures of public solidarity with migrants are considered criminal offences.

A recent study shows that this legal framework has led to the criminalisation of solidarity in many Member States of the European Union. Some of them, like Poland and Hungary, 4 have gone far beyond EU law in adopting domestic anti-NGO legislation. Most other countries, meanwhile, have used the punitive EU framework to prosecute NGOs and individuals acting out of solidarity or for humanitarian reasons. In 24 of the 28 Member States of the European Union, the law makes it a criminal offence to facilitate the entry of illegal migrants, even if it was not done for profit. The low point in this campaign against the fundamental duty to save human lives was reached in July 2019 when Carola Rackete, a German activist and captain of the rescue ship Sea-Watch 3, was arrested in Italy for bringing 40 survivors of a shipwreck into port in Lampedusa. She was charged with "assisting illegal immigration".

It is common knowledge that most migrants, whether legal, illegal or somewhere in between, are living in Europe on a more or less permanent basis. The existing rules certainly make them more vulnerable. By condemning them to a precarious existence, the political decision-makers help to perpetuate poor working conditions, low pay, higher occupational risks and, generally speaking, a social climate in which there is less chance that respect for their social and fundamental rights will improve. Whether we are talking about women working in Parisian nail parlours or farm workers in Italy, popular unease and forms of resistance are on the rise. It is the most obvious paradox of this generalised xenophobic demagogy that it feeds on the fears of those whose circumstances are insecure, who are concerned for their future. But by blaming this imagined enemy – the foreigner – it further weakens labour’s position against capital.

Further reading


The Dublin Regulation seems to be deliberately unworkable and to justify arbitrary and violent treatment.
Europe's coal industries: not dead yet

Coal mines are not just found in history books. Although doomed to extinction due to their catastrophic impact on the environment, they remain a reality in several European countries. HesaMag wanted to see what work was like in a coal mine and get to know the views of trade unionists working in the sector. We found a mixture of pride in a mythical trade, denial of the negative effects on the miners' personal health and the environment, and sometimes naive trust in technical solutions and pacts with the sector's employers. Nevertheless, the views of these miners take on a different sense when regarded alongside the photos featured in this report.

Mathieu Glowacki and Sébastien Gobert
Collectif Daleko & Blisko (https://dalekoblisko.com/)

Photos by Sadak Souici, Agence Le Pictorium
See the full photo reportage by Sadak Souici at www.etui.org
"Are Europeans really the champions of the energy transition? Or are they idiots when compared to the Chinese who continue to use cheap coal? I get the impression that the drive to decarbonise the European economy is hypocritical: ‘clean’ statistics are achieved through closing down our mines, while at the same time ‘dirty’ coal is being imported from third countries like Morocco or Colombia," Rubén García is bitter. From his office, the Secretary General of the Comisiones Obreras (CCOO) union within the state-run mining company Hulleras del Norte S.A. (Hunosa) in Oviedo, Spain, watches over "the death of coal", powerless to do anything against it. The move will result in the closure of dozens of mines and the elimination of thousands of jobs. From its peak of 50 800 workers in 1985, the Hunosa headcount has dropped to less than 1 000 today.

The phenomenon is common to the whole of western Europe. Coal was at the heart of the Industrial Revolution in the middle of the 19th century. It was the pillar of the west’s economy until the onset of restructuring in the 1970s-1980s. It should not be forgotten that the European Coal and Steel Community (ECSC) was the forerunner of what is now the European Union. With its centre in Oviedo, the Asturias mining region was one of the richest regions of Franco’s Spain in the 1970s. For a long time flourishing on the backs of a downtrodden labour force, as described by Émile Zola in his epic novel Germinal, the mining sector was also an epicentre of industrial struggles and workers’ movements for a whole century.

The many posters and stickers in Rubén García’s office remind visitors of the golden days of a proud working class, but also of the general strikes which had the country shaking at its knees from the 1980s onwards. What followed was an irremediable decline, in Spain just as in France and Belgium. For profitability reasons and in the wake of its transition to a service economy, western Europe closed down its mines one after another, often under dramatic circumstances. The target of the European Union, as a signatory to the Paris Climate Agreement, to reduce GHG emissions by 40% in relation to 1990 levels between now and 2030 sounded the industry’s death knell.

And yet, coal still accounts for 15% of the EU’s total energy production. According to the European Commission, coal-fired power stations in the 27 EU Member States employ 53 000 people, while the mines employ 185 000. The mines in Germany and Poland are the most active, supported by modern technologies and improved working conditions. But two-thirds of these coal-fired power stations are earmarked for closure between now and 2030.

However, even if the European Union manages to do without coal, it will remain very much in use on the continent, if only because Russia is one of the world’s main producers. Although committed to Europeanising its economic structures, Ukraine remains dependent on coal, which accounts for 35% of its energy mix. The mines there operate under conditions no longer seen in the rest of Europe.

The Spanish “death of coal” under “optimal” working conditions

In Spain, the death knell sounded at midnight on 31 December 2018. ”The European Commission ordered all state-subsidised mining activities to cease,” explains Rubén García. Mining companies wanting to continue operations after 1 January 2019 were required to repay any state aid received. Twenty-six mines sealed off their shafts, with just three pits remaining in operation. The private mining companies have now all closed down. Nine of the country’s fifteen coal-fired power stations, producing 14% of Spanish electricity, are set to close between now and 2020.

Smoke no longer dominates the green hills of the Asturias, and the region now abounds with museums. The Museo de la Minería de Asturias (MUMI) is built in a small valley on the site of a former mine. Tours of recreated mine galleries are now attracting “more than 60 000 people a year,” a guide tells us. “Our visitors are interested in these bygone times.”

“It’s a great pity to have to speak of everything in the past tense,” says Jesús, an employee of the Hunosa mine in the village of Aller for the past three years. ”These days, working as a miner is no easy job, but,” he goes on to say, “the working conditions are optimal”. 32 years old, Jesús Sanchez bears no resemblance at all to any character from Germinal. A miner today earns around 1 600 euros net a month. Workers use state-of-the-art safety equipment, including breathing masks and methane detectors, and receive regular medical check-ups.

The packages offered to the workers affected by the closures of December 2018 avoided a social tragedy, with thousands of miners benefiting from generous early redundancy deals. ”But it remains a tragedy for the region,” says Enrique Moreno, a 43-year-old “pensioner” from the Santa Lucia mine. La Robla, the town where he lives, has lost half of its population in the last ten years. ”I don’t want my children to put down roots here, without any prospects for the future,” he admits. He laments the “bad use” of European funds which have not fulfilled their purpose of restructuring certain mines.
But even if the European Union manages to do without coal, it will remain very much in use on the continent, if only because Russia is one of the world’s main producers.

...
While knocking on the EU’s door, Ukraine maintains a mining tradition built on the suffering and precariousness of its workers.

Ukraine has lost control of 70% of its mines, in particular the ones producing anthracite, the coal with the highest energy density. All that the country has left are sixty-five state and private pits, divided between the Donbass and a region in the west along the Polish border. The sector employs more than 120 000 people. In contrast to their European colleagues, they do not benefit from the work standards in force in the European Union.

“The average monthly wage is 12 000 hryvias, equivalent to 400 euros,” states Yevhen Marousenko, secretary of the independent union of Ukrainian mineworkers (NGPU) at PivdenDonbaske-1, a state-run mine some thirty kilometres away from the front line. “These days, our pay arrives on time, but that wasn’t always the case.” In Ukraine, it is the private sector that offers the best working conditions – to be precise, the state and private pits, divided between the United States, Poland or even Russia, a country still considered as an aggressor state. This would benefit us all, and the European Union. While knocking on the EU’s door, Ukraine maintains a mining tradition built on the suffering and precariousness of its workers.

None of the miners we meet at the coalface have a breathing mask or suitable boots. “Safety conditions? We’ve got safety in our genes!” says head of safety Petro Antoniuk with aplomb. “Our fathers and grandfathers all worked in the mines. If their safety codes were OK for them, then they’re OK for us as well.” Nevertheless, everyone is aware of the lung diseases and accidents their fathers and grandfathers suffered from and which are also a cause for concern for the new generation. “We’re prepared to apply European safety standards,” chief engineer Yevhen Hratchov assures us. “The problem is, however, that there’s no money to finance this transition.”

Coal accounts for more than 35% of Ukraine’s energy mix, according to the International Energy Agency (IEA). And despite the low wages and terrible working conditions, mining remains a career option for young workers, explains trade unionist Yevhen Marousenko who doesn’t understand the government’s strategy of negotiating contracts for importing coal from South Africa, the United States, Poland or even Russia, a country still considered as an aggressor state. The ministry was suspected of resorting to an easy option, saving it from costly investments in the mining infrastructure. According to Yevhen Marousenko (NGPU), however, “the longer you wait with investments, the higher production costs will get, thereby making our coal less profitable.”

From Ukraine to Spain, these are the political and strategic questions preoccupying those working in the sector, much more than working conditions or climate change. At Belchatów, Mr Matyskiewicz reports that the political climate promoted by the European Union and the decarbonisation of the economy were seen as threats by the employees. "If the price of a tonne of CO2 gets too high, our mining will cease to be profitable. We are also going to fight to get the government to give us the green light to open a new pit extending the mine’s life by a further 20 years.” The Belchatów mine currently has coal reserves lasting until 2035. In 2018, it extracted a record quantity of 44 million tonnes of lignite.

In 2017, the share of electricity generated within the European Union by renewables reached 30%, exceeding that of coal for the first time. But, like Poland, certain countries are only planning a slow energy transition. This is all the more true for Ukraine, the victim of a deadly war and outside the EU’s legal and economic scope. The working conditions and standards of miners, workers formerly at the forefront of economic and social progress, are greatly dependent on the national context. Many miners continue to believe in a coal-based future. As Rubén García from the CCOO in Oviedo underlines, “the development of CO2 capture and storage techniques could give us back the possibility of exploiting this inexpensive local resource.” The unionist goes even further, saying that “this could be a technology we could export to China, Morocco and Russia. This would benefit us all, and the environment as well.” This vision, however, is not necessarily the most shared within the current European context.
From the unions 8/9
From the unions 9/9
Sibaté, a Colombian town poisoned by asbestos

Since 2014, there have been numerous articles in the Colombian press reporting illness or illness-related deaths among asbestos workers, members of their families and even individuals with no connection to the asbestos industry who were living ordinary lives – all in the small town of Sibaté. The increasing media interest prompted a team of researchers to study this mysterious town which appeared to be invisibly poisoning its inhabitants.

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The northern part of Sibaté, with the Laguna del Muña visible in the distance (Colombia).

Image: © Lysaniuk, February 22, 2019
Sibaté is a Colombian town with a population of just under 40,000, founded in 1967 when it separated from the neighbouring municipality of Soacha. Some 20 or so kilometres south-west of the capital, Bogotá, it lies adjacent to a body of water, the Muña reservoir. The apparent beauty of the location struggles to compensate for the morning stink of a lake that has been polluted ever since contaminated waste from the Bogotá River was re-routed into this reservoir in the late 1960s. In addition to the heavy metals which killed off aquatic life in the Muña, a less immediately obvious toxin has started to make the head lines in recent years: asbestos.

The relationship between this region and the carcinogenic fibres of asbestos is nothing new. For over 70 years, there has been a plant manufacturing asbestos cement products just north of Sibaté. This plant, still operational today, was for decades engaged mainly in the manufacture of roofing slabs, having previously made asbestos cement pipes. Many residents of Sibaté work or used to work in this plant, and may or may not have known that asbestos fibres are carcinogenic.

People in the southern suburbs of Bogotá are more interested in the immediate benefits of having a steady job and social security cover, and they tend to ignore the hypothetical threat of a deadly disease (deadly, given the link between asbestos and cancer). But a series of events has cut short the relative indifference of this town and created a huge weight of evidence of the carcinogenic nature of asbestos.

Since December 2014, Colombian journalists have frequently reported cases of asbestos workers, members of their families and even individuals with no connection to the industry, who live or have lived in Sibaté, becoming ill and, in some cases, dying from asbestos-related illnesses (mesotheliomas, lung cancers and asbestosis). These early alerts prompted a team of researchers from the Universidad de Los Andes in Bogotá, under Professor Juan Pablo Ramos-Bonilla, to conduct a case study in Sibaté to test the media theories linking people’s health problems to their exposure to asbestos. The study sought primarily to collect health and socioeconomic data from households; it included the identification of persons diagnosed with asbestos-related diseases. Three of the town’s neighbourhoods were surveyed, door to door, between June 2015 and June 2016. During that period, Juan Pablo Ramos-Bonilla headed an international and multidisciplinary team of epidemiologists, pathologists, anthropologists, geographers, etc., with Colombian partners and colleagues from Italy and France. ‘Their aim was to study every dimension of the public health problem which appeared to be emerging.’

Together with this team’s work, a particularly emblematic case — that of Ana Cecilia Niño, a young woman who died in early 2017 — brought into sharp focus the need for measures against asbestos in Colombia and helped to raise public awareness of the situation in Sibaté. This case exemplifies the diversity of means by which asbestos has contaminated life in Sibaté. This young journalist had spent her childhood in the Pablo Neruda district and had never worked in the asbestos industry. To Colombians, she is a typical victim of environmental exposure: someone who did not knowingly sign up to an “occupational hazard.” The foundation headed by her husband and the recent law banning asbestos in Colombia both bear her name.

**Several years of poisoned soils**

In many of the interviews conducted by Juan Pablo Romas-Bonilla and his team, Sibaté residents talked about major contamination of the town’s subsoil. They reported the depositing, in a number of zones, of a greyish heterogeneous material by dumper trucks: according to these interviewees, the locals knew it was asbestos. These materials — dumped over a period of several years in Sibaté — had allegedly been used to landfill low-lying areas and cover wetlands previously occupied by the waters of the Muña reservoir. Residents mentioned smells from the polluted water and a mosquito problem as reasons why no one had opposed this massive dumping of materials.

Cross-sectional analysis of topographic maps from 1950 to 1978 (performed by the Instituto Geográfico Agustín Codazzi), a digital terrain model and present-day satellite images identified 10 sites where there had been radical changes in use of the land or where low-lying areas might have been landfilled. Soil sampling was carried out at four of the ten sites initially identified. The scientific team anticipated finding asbestos residues in the form of pieces of roof coverings, as one example, but an unexpected discovery brought sampling operations to a halt when a layer of grey, semi-fibrous material appeared. At a depth of between 30 centimetres and a metre below the school, the football ground and the athletics track, this greyish fibrous layer was immediately suggestive of asbestos.

Although precautions had been taken to contain the risks of fibres from asbestos cement waste becoming airborne (continuous wet control using soapy water), the team decided to suspend its sampling operations because the protocol adopted was no longer appropriate. The following day, concrete slabs were poured over the sampling site to minimise any chance that fibres from the layer disturbed by the sampling operations might become airborne again. The samples taken were sent immediately to a specialist laboratory in the USA: the results revealed an asbestos content of up to 12% (chrysolite and/or crocidolite) (Ramos-Bonilla et al., 2019).

In addition to the geographical approach aimed at locating the areas of landfill, information was gathered from two participative workshops held together with Sibaté residents in an attempt to model the space-time for this pollution.
Although most participants agreed that the two main areas of contamination were the present-day football ground and the athletics track, they all said that the pollution is probably more widespread than it seems. And indeed, whilst these two areas of dumped asbestos seem to have been fairly accurately identified, residents mentioned that many locals had helped themselves directly to the contaminated material and then used it at home as a cladding material or in the foundations of new buildings. A simple walk with local residents showed that this carcinogen was present everywhere, including in household articles (for example, sections of repainted asbestos cement pipes were found to be in use as flowerpots by the front doors of many houses). It is imperative that contamination of the soil – including soil on or very close to the surface – must be mapped accurately using non-invasive methods. Meanwhile, the research team has repeatedly alerted the municipal and departmental authorities and two Colombian ministries to the urgent need for a proper risk management plan to be put in place. This should cover a huge area, continue until the researchers’ study is complete, and operate in accordance with the precautionary principle.

Abnormally high morbidity

The case study conducted by the research team rapidly produced an impression that would be borne out later by the figures: the number of pleural mesothelioma cases seemed particularly high for a population of only 38 000. After phase one of the study, when more than 350 survey questionnaires had been evaluated, a large number of patients with asbestos-related illness – both alive and dead – was recorded: 25 mesotheliomas, 26 lung cancers, 3 ovarian cancers, 1 throat cancer and 7 cases of asbestosis (Ramos-Bonilla et al., 2019). By common agreement, it was decided that fine analysis of the mesothelioma cases should be carried out. Since these were self-reported cases, it was necessary first to confirm the diagnosis so that later calculations could be based on an incontrovertible starting point. Medical records (for 17 of the 25 cases) were thus obtained from the patients or their heirs. The diagnoses were checked by six physicians (five in Colombia, one in Italy). After phase one of the analysis, 15 cases were deemed “definite” by the Colombian doctors. An Italian doctor then gave her assessment: she too categorised 15 cases (the same ones) as “definite”, one as “probable” and another as “possible”. A more detailed analysis was then conducted of cases arising in the past decade, of which there were

13. Of these 13, only 9 had been living in Sibaté at the time of diagnosis. Subsequent calculations of the age-adjusted incidence of pleural mesothelioma were based on these nine cases only (Ramos-Bonilla et al., 2019).

The study was conducted with meticulous care, which meant that many reported cases were disregarded, but its findings are nevertheless extremely worrying. Although still in the early stages, all the evidence shows that people in Sibaté have been affected by exposure to asbestos, not only at work and in their homes but in the wider environment too. The adjusted calculation of incidences appears very high compared with the figures usually seen in world cancer registries. The findings for Sibaté’s women are comparable to those in Casale Monferrato, the Italian town where a cluster of mesothelioma cases was clearly identified. The findings for men were also very high: higher than those reported in Quebec, for example. The preliminary results of the Sibaté study point very strongly to a mesothelioma cluster in this town.

Help for the community

A number of aspects arising out of this preliminary work point to the need to address the issues not only in greater depth but also on a greater scale. In health terms, the situation as presented in self-reporting by just a fraction of the town’s population already reveals an abnormally high number of cancers.

3. Casale Monferrato is a town in Piedmont where the Eternit group had an asbestos cement plant. Out of a population of less than 40 000, around 2 500 asbestos-related deaths have been recorded in the past 50 years. The plant was closed down in 1987 in response to public protests, but deaths are expected to peak in 2025. See Giampiero Rossi, La Lana della Salamandra: Eternit, La vera storia della strage dell’omiento a Casale, Rome, Ediese, 2008 [not available in English].

4. Quebec has long produced and used asbestos on a massive scale. The prevalence of mesotheliomas in its population is among the highest in the world.

All the evidence is that people in Sibaté have been affected by exposure to asbestos, not only at work and in their homes but in the wider environment too.
The findings presented in this article are drawn from the following publication:


Colombia: Finally, a ban on asbestos

Laurent Vogel EU(201)

On 11 June 2019, the Colombian House of Representatives unanimously voted to ban asbestos as of 1 January 2021. Various transitional measures are now being drafted: to develop substitution plans, to help asbestos miners find other jobs, and to ensure proper monitoring of the health and social rights of the thousands of victims of asbestos-related diseases.

Colombia is a country both producing and consuming asbestos. The mineral is used in many different sectors, with the main use being in the production of asbestos-cement building materials for housing and pipes. Workers in the automotive sector are also greatly exposed to asbestos in the production of brake linings and in vehicle maintenance and repairs.

Unions and victim associations, backed by environmental organisations, have been fighting for some fifteen years to get asbestos banned. Back in 2007, Colombian Senator Jesús Bernal Amorocho (Polo Democrático, a left-wing opposition party) put forward a bill banning asbestos. Although he managed to gain a majority in the initial debate, intense employer lobbying persuaded MPs not to conclude the legislative procedure. This scenario has been repeated at least seven times over the past twelve years, blocking the parliamentary initiatives. Various bills have been presented, often with majority cross-party support in the initial debates, only to disappear from parliamentary agendas thanks to the industry’s lobbying and its links to the traditional political establishment.

Over the past ten years, data on the negative health effects of asbestos has mounted, with the number of deaths recorded as being caused by asbestos rising to 1 700 over the past five years. And this figure is in fact much lower than the reality, as the association with asbestos is not declared in the majority of deaths.

Both the extraction of asbestos and the production of asbestos-based materials used to be dominated by multinationals, though with growing Colombian involvement. The main asbestos mine located in Campamento in the province of Antioquia was opened in 1972 by the US corporation Johns Manville. Named “Las Brisas”, this mine has a chequered history. While the resurgence of the civil war in the late 1990s caused the company to abandon its operations there, the mine continued to operate, more or less chaotically, until production stopped briefly in 2011. Operations restarted the following year, this time at the initiative of the Colombian company Bricolsa.

Eternit also played a crucial role in the massive use of asbestos-based building materials, opening further plants in Colombia (in Cali and Barranquilla) in 1944. Although the multinational gradually stopped using asbestos in its European operations, it continued using it in Colombia until 2015, as evidenced by the 300 million square metres of roof tiles produced by Eternit. Some 40 000 kilometres of pipe for water and sewerage also feature asbestos cement. This situation naturally leads to great health inequality, with the majority of homes containing asbestos (estimates speak of 1.5-5 million) inhabited by the poor or people on low incomes. High-priority social health programmes developed by successive governments in a context marked by cronyism and corruption are one cause of the very high use of cement asbestos. Slowly but surely, the use of such materials is releasing asbestos fibres into the atmosphere, constituting a danger for the inhabitants of poor neighbourhoods in particular.

To prevent the bill from being adopted, Senator Alvaro Uribe (the President of Colombia between 2002 and 2010) argued for the defence of jobs in the Las Brisas mine, which happened to be located in his constituency. Uribe remains a leading figure in the Colombian political scene.

The asbestos ban is all the more of a victory considering that it was adopted in a very unfavourable political context for the world of work, following the victory of the pro-Uribe candidate in the second round of the presidential elections in June 2018. The new government includes a large number of ministers from the employer side of industry and business. Assassinations of union activists are commonplace in the country, with the majority going unpunished. Colombia is one of the “ten worst countries for workers in 2019” according to the Global Rights Index 2019 published by the International Trade Union Confederation.

The activism of four women played a major role in achieving the ban on asbestos in Colombia, with the new law bearing the name of one of them, Ana Cecilia Niño. Suffering from an asbestos-caused cancer, this journalist devoted the final years of her life to mobilising the country in favour of a ban on this fatal fibre. She died in July 2017, well before the vote was taken to adopt the ban.
Environmentalism from the bottom up

The Myth of Silent Spring is perhaps a rather provocative title. It references the book Silent Spring by Rachel Carson, published in 1962, which is often seen as the origin of environmentalism as a mass protest movement. While not denying the original book's merits, Chad Montrie instead highlights the importance of a bottom-up, mass movement that has been more profoundly radical in its challenge to capitalism.

The first chapter deals with the resistance to industrialisation in the north-eastern part of the United States. The origins of this movement can be seen as early as the start of the eighteenth century. While industrialists were building dams to drive hydraulic wheels, the local people, citing traditional common law precepts, were destroying the dams because they blocked the movement of fish. Around 1850, the courts established a new interpretation of the law: the acceptance of damage caused by industry in exchange for financial compensation for the owners affected. At the same time, the conservation movement emerged, with the aim of creating natural parks for recreational use. Environmentalism was thus split into two opposing camps. Some supported industrial development and looked to set aside protected areas for the enjoyment of the ruling classes, taking over communal areas and barring local communities’ access to common land. These communities, who resisted, were seen by their opponents as a mixture of “roaming savages” (Native Americans) and “white Indians”.

The second chapter covers a large number of campaigns between 1870 and 1950. It shows the diversity of local alliances among radical reformers, socialists and public health advocates. These movements, which developed at local level, combined demands on occupational health, environmental protection and public health. This was the basis for the first rapprochements between politically engaged scientists like Alice Hamilton (1869-1970) or John Commons (1862-1945) and activists from the trade union, feminist and civil rights movements. A special role was played by summer camps for the children of workers’ families. On the initiative of the various strands of the workers’ movement and the civil rights and trade union movement, these camps provided an opportunity to get back to nature and experience community living for children from different backgrounds (Polish, Mexican, black American and more) as well as offering a political education. These opportunities became increasingly widespread between the 1920s and the 1950s. It was in 1962, in Port Huron, at a summer camp of the United Automobile Workers (UAW) union that the Students for a Democratic Society (SDS) manifesto was adopted, heralding the radicalisation of the student movement in the 1960s and 1970s.

The third chapter demonstrates the importance of the workers’ environmental movement between 1945 and 1980, often in alliance with black mayors of major cities. Very early on, the campaign against pesticides was launched by the United Farm Workers (UFW) union, led by César Chavez and Dolores Huerta, and it mobilised a large number of farm workers of Mexican and Filipino origin. The Oil, Chemical and Atomic Workers (OCAW) and UAW federations were also very active. Many members of the workers’ movement rejected the blackmail discourse of “jobs versus health”.

It is regrettable that the author remains locked into a purely American perspective. This weakness leaves him unable to understand the ambiguities of leaders like Walter Reuther of the UAW. Reuther’s refusal to take a stand against the Vietnam War and his alignment with the policies of Lyndon B. Johnson (US President from 1963 to 1969) partly explain the difficulties of dovetailing the trade union struggles of the day with the activism of the new generations of the civil rights movement and student youth. In the mining sector, occupational health demands and calls for environmental protection gave rise to a very harsh conflict between grassroots demands and a trade union leadership that adopted anti-democratic practices. But far from being an American peculiarity, the same dynamic can be found in other countries, as, for instance, Paul Jobin explains in his book about trade union renewal in Japan.1

The fact remains, however, that this is a book of fundamental importance. It shows that behind apparent unanimity lie clashing ideas about environmentalism. The question of what kind of society we want is critical, and it is clearly not something to be settled by scientific data alone. By showing that historical accounts often overlook anonymous working-class mobilisations, this book makes a major contribution to the current political debates among the new generation of political ecology activists.

— Laurent Vogel

The epic saga of migrants heading for Europe

A cornerstone of Western literature, Homer's Odyssey recounts Ulysses' perilous wanderings and the many mythological characters he meets before arriving home to liberate his wife Penelope and his son Telemachus. This story is used as a metaphor by journalist Patrick Kingsley in a captivating manner to narrate the saga of Hashem al-Souki, a Syrian refugee who fled his country after being imprisoned, tortured and humiliated by agents of the Assad regime.

Forced to leave Egypt following the military putsch which put an end to the toleration of Syrian refugees staying in the country, our protagonist decided to leave behind his wife and children to risk crossing the Mediterranean, paying smugglers who had become professionals in trafficking in human beings. "Traversing these unforgiving waters and the treacherous terrain that would follow was worth the slim chance of securing a safe home for his children in Europe. If he failed, at least he would fail alone," explains the author, describing, via the account of Mr. al-Souki, the grim reasoning of these refugees who have no other choice in the face of war (Syria), lifetime military service (Eritrea), slavery (Libya) or simply poverty.

The book offers a detailed insight into the world of smugglers and traffickers, replete with risky interviews and exclusive figures on the human trafficking business model in Ajdabiya (Libya), Agadez (Niger) and Izmir (Turkey), and explains how this illegal transportation business continues despite the announced measures to put an stop to it. We also learn why boats are so overcrowded and through which sources (Facebook, WhatsApp, etc.) exhausted refugees gain their information as they make their way through Europe, first to Italy or Greece, then on foot or by train through France or along the hostile Balkan route, intent on seeking asylum. Germany and Sweden are the preferred destinations, due to a more humane welcome and more efficient procedures for family reunification.

As The Guardian correspondent for migration, Patrick Kingsley is not someone who churns out the classic arguments of European elites who flirt with populism, such as "they can seek asylum in Middle Eastern countries" (which is already the case in Lebanon, Turkey, Egypt and Jordan, the four countries sheltering the vast majority of refugees) or "these are not refugees but economic migrants from Nigeria, Somalia or Eritrea" (according to the UN, 84% of migrants arriving by boat are from the top 10 refugee-producing countries, while few migrants come from Somalia or Nigeria; there are, moreover, very good reasons to flee from such countries as Eritrea, Syria, Afghanistan or Iraq). The author is very critical of the role played by the European Union (and its Frontex agency), of the absence of any European-level refugee policy, and of the non-existence among Member States of the solidarity needed to manage the refugee crisis.

Kingsley is no great fan of the distinction made by left-wing liberals between "good" refugees and "bad" economic migrants. Instead, the journalist-cum-author pleads for a return to the original and neutral meaning of the term "migrant", i.e. a term describing a person's action and not their intention, which is inevitably subjective. He rightly explains that the reality is much more complex and that it is becoming increasingly difficult to make such a distinction: "The story of humanity is essentially the story of human movement. In the near future, people will move even more, particularly if, as some predict, climate change sparks mass migration on an unprecedented scale."

The New Odyssey, by this present-day Homer, dismantles the current strategy of dehumanising refugees (in the use of figures and statistics and the categorisation of "foreigners", "slaves", etc.) in certain xenophobic discourses, and reframes the refugee crisis as a potential new starting point for Europe.

— Mehmet Koksal

The New Odyssey: The Story of Twenty-First Century Refugee Crisis