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JOINT STATEMENT

# WITHOUT RIGHTS FOR AGRI-FOOD WORKERS, EUROPE'S FOOD SUPPLIES REST ON SHAKY GROUND

## THE IMPACT OF THE CORONAVIRUS PANDEMIC ON EU AGRICULTURE

As the novel coronavirus pandemic sweeps across Europe, the consequences for European agriculture are also making themselves felt. The European Union institutions and national leaders have pledged to ensure that food supplies will not be affected, and a number of short-term measures are being implemented.

Governments are also trying to ensure that labour shortages are filled to avoid produce going unharvested or being wasted – and, ultimately, possible food shortages. Restrictions on travel within the EU and from third countries mean that seasonal workers cannot travel, although some governments have granted exemptions for this category and the European Commission has clarified that seasonal labourers from third countries are not covered by the [temporary restriction on non-essential travel to the EU](#).

**What the labour shortages demonstrate is that European agriculture depends to a large extent on migrant workers, many undocumented, who make up a significant proportion of those picking our fruits and vegetables as well as packing and processing our food. What the lack of workers in the fields should also demonstrate is that labour conditions in the agri-food sector have been ignored for too long.**

As the European Federation of Food, Agriculture and Tourism Trade Unions (EFFAT) recently highlighted in a [letter to the European Commission](#), the agricultural sector is the most affected by

workplace accidents and illness. It is blighted by extremely low wages, a high proportion of undeclared work and poor working conditions.. Workers often fall prey to exploitation, including gang-master practices and other forms of modern slavery. Thousands of migrant farm workers – both EU and third country nationals - live in shacks and unsanitary settlements where observing physical distancing is impossible and the pandemic could have devastating effects. In the fields and in many food processing plants, labourers toil in close proximity, with no protective equipment.

Even before the pandemic hit Europe, the agricultural system was struggling to remain economically viable despite substantial EU funding. It was also both environmentally and socially unsustainable, depleting soil, poisoning aquifers and concentrating power in the hands of retail cartels which have been driving prices so low that in many cases they are below production costs. As existing and forthcoming [research published by the Open Society European Policy Institute](#) (OSEPI) shows, pricing is one of the key factors driving the demand for exploitable labour in Southern as well as in Northern Europe.

Short-term measures are not enough. While supporting farmers in this crisis is important, injecting more cash into a broken system will not fix it. Instead, these measures may end up subsidising polluters and may not benefit workers at all, as more money for farmers is [no guarantee of higher wages](#) and of decent working, employment and housing conditions for agricultural workers. Cutting red tape and suspending reporting requirements, as the short-term CAP measures set out to do, may also only make working conditions even worse.

## WHAT CAN THE EU DO?

**The pandemic presents the EU with an opportunity to overhaul its agricultural and food system to make it both greener and more rights-compliant, with fairer supply chains, adequate prices for both farmers and consumers, and guaranteed labour rights for workers.**

The following actions are needed:

- 1. Address the situation of agri-food workers as a matter of urgency during the COVID-19 pandemic.** The working and living conditions of many labourers along the food supply chain, and in particular in agriculture, are generally sub-standard. They now also put these workers at heightened risk of contracting the virus. The EU and Member States should do whatever it takes, including mobilising additional funding, to ensure decent accommodation, access to water, rapid testing and the provision of protective equipment for workers in European fields and processing plants. Separate and decent accommodation must also be ensured regardless of residence status. EU funds should also be directly channelled to civil society organisations who are carrying out outreach among farm workers and addressing their basic needs. Moreover, all workers who are affected by the coronavirus or whose family members are should be able to take leave with full pay without fear of losing their jobs or income.
- 2. Transform the new CAP to make it both socially and environmentally sustainable.** The EU's Common Agricultural Policy (CAP) has thus far favoured unsustainable farming practices and its social dimension has focused almost exclusively on farmers, but not farm workers. In line with the European Green Deal, the new CAP is expected to strengthen environmental conditionalities for granting farming subsidies. It is long past time to also make CAP direct payments conditional on respect for labour regulations, social standards and collective labour agreements.

- 3. Include a focus on workers in the Farm to Fork Strategy.** The forthcoming EU Farm to Fork Strategy should include a greater focus on agri-food workers and ensure that value is distributed more equally along the supply chain. The EU Treaty makes this a clear objective by stating that the CAP should ensure ‘a fair standard of living’ for the broader ‘agricultural community’ (Art. 39 TFUE).
- 4. Ensure full access to declared employment for migrant and refugee workers.** The EU should call on national governments to grant permits to undocumented workers, who are the most vulnerable part of the pool of exploitable labour already in the EU and who are excluded from accessing subsidised services in many member states. In most EU countries, the suspension of asylum and immigration procedures due to the pandemic has thrown millions into limbo and may deprive many of papers. Permits should therefore be automatically prolonged and pending applications accepted, as some member states have already done, with permits of a reasonable duration issued, to provide some stability and security to individuals and families in precarious circumstances. Return procedures are de facto on hold in many countries and, given additional challenges to access remedies, should be formally suspended, with people in detention released and provided appropriate support.
- 5. Improve functioning of work permit routes for non-EU migrants to reach Europe and enforce respect for migrant and refugee workers’ rights.** Existing EU legislation on regular migration such as the [Seasonal Workers Directive](#) and the [Blue Card Directive](#) have proven to be inadequate both in ensuring that migrant workers’ rights are respected and in meeting demand. The European Commission should therefore expand and strengthen existing legal migration pilot projects in dialogue with trade unions and other organisations working with migrant workers. These mechanisms should enable migrant workers to apply in country, accrue residence rights, convert permit types and change employer. EU instruments like the Seasonal Workers Directive should also be amended accordingly to make these provisions binding on all member states. Member states participating in the projects should commit to and be held accountable for providing decent working conditions. Provisions on workers’ and victims’ rights in EU and national instruments should also be better enforced so that enforcement does not focus predominantly on migration status.
- 6. Roll out mandatory EU legislation on human rights and environmental due diligence.** The definition of human rights in the new EU framework should include trade union and workers’ rights, as well as environmental rights. It should establish mandatory and effective due diligence mechanisms covering companies’ activities and their business relationships, including their supply and subcontracting chains, and cover SMEs as well as large companies. Strong accountability systems and legal remedies for victims should be included. The vast majority of European businesses surveyed for a [recent study published by the European Commission](#) have demanded a binding EU instrument on human rights due diligence.

**The crisis unleashed by the spread of the coronavirus has shown just how fragile and unsustainable our food supply system is. The EU institutions and member states should act now, to make sure the food we eat is not produced by exploiting people and planet – and so that we build a fairer and more sustainable food system.**