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COVID-19, AGRI-FOOD SYSTEMS, AND MIGRANT LABOUR

THE SITUATION IN GERMANY, ITALY,
THE NETHERLANDS, SPAIN, AND SWEDEN

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Cover photo: Agricultural workers harvest greens at a farm in Rome, Italy, on 2 April 2020.

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EXECUTIVE SUMMARY

Since the outbreak of the Covid-19 pandemic, a rise in the demand for essential goods has meant that workers in core sectors, such as agri-food, have been recognised as fundamental in the economic and societal functioning of EU countries. At the same time, by immobilising thousands of foreign seasonal workers from EU and non-EU countries, border and mobility restrictions have caused labour shortages and food production losses in many EU countries. All this, in turn, has thrown into stark relief how **agri-food supply chain systems rely significantly on migrant labour**.

Building on exhaustive Open Society European Policy Institute and European University Institute publications on migrant labour in the agri-food system in Southern and Northern Europe, this short brief focusing on the impact of the Covid-19 pandemic on agri-food systems and migrant labour in Germany, Italy, the Netherlands, Spain and Sweden is being published alongside a report — *Are agri-food workers only exploited in Southern Europe? Case studies on migrant labour in Germany, the Netherlands and Sweden* — for which the research was carried out in late 2019, before the pandemic.

As all the country sections in this brief highlight, the Covid-19 crisis has further exposed **the limits of long supply chains**, including in terms of **price distortions, unfair competition and distribution dynamics**. The pandemic has also further **exacerbated the conditions of precariousness and vulnerability of many workers** employed in the agri-food system, especially migrant workers. As the cases of Germany and the Netherlands show, during the pandemic there have been a number of complaints by migrant farmworkers concerning **wage deductions, housing conditions and violations of their rights**. In some contexts, such as in Spain, the decrease in seasonal workers has resulted in **harder and more abusive working conditions**. In Italy, a lack of labour inspections due to pandemic prevention measures has contributed to **increasing recourse to irregular migrant labourers** working in exploitative conditions, who have offset the labour shortage of Eastern European workers. In all the countries, very few companies have provided farmworkers with masks or other types of safety equipment and information. Conditions in warehouses have been particularly problematic. The **meat processing industry** has emerged as an epicentre of Covid-19 infections in all the countries examined, especially in Germany.

In response to the alarm around labour shortages, and given the general reluctance of nationals to work in the agri-food sector due to its substandard conditions, national governments have adopted several measures to facilitate the mobility and recruitment of seasonal migrant workers. While some actions have consisted in the organisation of charter flights to bring migrant workers to the European fields, other measures have included **short-term solutions**, such as an Italian **regularisation scheme** for undocumented migrants. The Spanish approach to regularise migrants through a mix of targeted and broader measures may result in better long-term outcomes, although these provisions do not go far enough and still exclude large swathes of the undocumented population.

Covid-19 has clearly highlighted that **temporary and selective short-term regularisation measures cannot be the only response**, above all to combat the exploitation of migrant workers. **A profound revision of migration policies** to

develop safe and legal entry routes for low- and medium-skilled workers is needed. It is also necessary to adopt structural interventions to **strengthen wages and labour rights, ensure decent living conditions, develop adequate welfare services and tackle subcontracting**. New actions to bolster an **alternative agri-food system** that can guarantee **fair working conditions and ecological sustainability** are also essential. As underlined in this brief, national institutional responses to the Covid-19 crisis have paid little attention to supporting more sustainable agri-food systems.

Recent initiatives by the EU institutions – such as a European Parliament resolution on the protection of seasonal and cross-border workers during Covid-19 – aim to strengthen the **EU social dimension** using the Covid-19 crisis momentum. As this brief highlights, the pandemic may constitute a **crucial opportunity for a new EU drive** to forge **more environmentally sustainable and rights-compliant agri-food systems**.

INTRODUCTION

Since the outbreak of the Covid-19 pandemic, a rise in the demand for essential goods has meant that workers in core sectors, such as agri-food, have been recognised as fundamental in the economic and societal functioning of European Union (EU) countries. An evident tension has emerged between containing the pandemic through mobility restrictions, on the one hand, and preventing labour shortages (especially in core sectors) and making business work as usual, on the other. In this scenario, EU institutions and national governments have adopted several measures to address the consequences of the Covid-19 crisis in sectors such as the agri-food one. In particular, the EU Commission has issued guidelines on the free movement of workers during the crisis to facilitate the mobility of frontier workers, especially in the food and health sectors, and exempted seasonal workers from non-EU countries from the travel ban which was rolled out in March.¹ In EU countries such as Germany, special measures for the mobility of Eastern EU farmworkers have been adopted, although concerns have been raised about the application of health and physical distancing rules. In Italy, a regularisation scheme for undocumented migrant workers in the agri-food, care and domestic work sectors was adopted in May 2020. However, there are significant shortcomings that will probably

affect the impact of this measure and result in a limited number of regularised migrants. In Spain, the government adopted a decree in April to allow young third-country nationals (between 18 and 21 years old) to work in agriculture over the summer so they could then apply for a two-year residence permit. This measure has also been criticised as being inadequate as it applies to a limited target group. In June, the Spanish government introduced other measures to make it easier to access a temporary regularisation scheme (*arraigo*), family reunification and permit renewals.

Building on exhaustive Open Society European Policy Institute and European University Institute reports on migrant labour in the agri-food system in Southern and Northern Europe,² this short brief focuses on the impact of the Covid-19 pandemic on agri-food systems and migrant labour in Germany, Italy, the Netherlands, Spain and Sweden. The pandemic has shone a spotlight on the substandard working and living conditions experienced by most farmworkers, especially migrant workers. This may constitute an opportunity for a new EU push to enforce labour rights, strengthen migrants' rights and support sustainable supply chains, ensuring fair labour conditions, adequate prices and product quality standards.

GERMANY

1. OVERVIEW

Measures to contain the virus in Germany started with local quarantines after isolated infections in late January 2020. In mid-March, the federal government and the heads of the 16 federal states agreed on an extensive lockdown in most public institutions and educational facilities. However, the agri-food industry was declared “systemically relevant infrastructure”³ and so no general restrictions were therefore imposed.

Germany started temporarily controlling the EU internal borders and third-country nationals were prohibited from entering the country on 17 March. While cross-border commuting remained permitted, on 25 March seasonal and harvest labour migration was banned. All the federal states issued separate ordinances on entry, quarantine and infection prevention.

2. THE CONSEQUENCES FOR THE AGRI-FOOD SYSTEM

Compared to previous years, in 2020 the asparagus and strawberry harvest will decrease by an estimated 30 to 40 per cent.⁴ The average number of seasonal workers working on cultivating these products is 28 per cent below requirements and the costs per employee have increased by €880 (due to airfares and additional lodging expenses).⁵ As a result, some asparagus growers have been forced to abort the harvest and some have abandoned growing asparagus entirely. However, farmer bankruptcies, short-time work and lay-offs have not materialised on a large scale, although some cultivators may be hit later.⁶

Outbreaks in a number of plants due to extremely poor hygiene conditions have spurred a public debate over whether the price of meat products should increase. However, reacting to low demand, ALDI, one of Germany’s biggest retailers, cut meat product prices and there is a risk that other retailers will follow suit despite government action to limit recourse to sub-contracting in the sector.

Throughout the crisis, employers have struggled with uncertainty due to poor communication on the part of the authorities and vague, sometimes short-sighted, measures which have been insufficiently coordinated within the federal system.⁷ This has led to a distortion of competition due to additional costs for employers, who continue to face price pressure from retailers. An increase in the prices of regional products has meant that consumers have to pay almost five per cent more for groceries.⁸

3. THE CONSEQUENCES FOR WORKERS

Various employers in the agri-food sector are reportedly violating transport, working and housing regulations, particularly regarding social distancing. Compared to previous years, counselling services have registered increased numbers of complaints and calls for help from seasonal workers concerning wage deductions, dismissals, housing and boarding conditions, confiscations of passports, their rights during the quarantine and invoicing for flight tickets, which employers legally have to cover.⁹ Many seasonal workers in Germany do not have health insurance, and the federal government is currently looking into how employers can be mandated to provide collective health insurance.¹⁰

During the pandemic, foreign seasonal workers have fallen victim to the virus in several areas. In April, the death of a Romanian worker on an asparagus farm South of Freiburg made headlines.¹¹ The most severe and risky practices have pertained to various industrial slaughterhouses and meat-packing plants across the country in which hygiene measures and contact restrictions have been largely disregarded. Several mass outbreaks resulted in a total of more than two thousand workers being infected by the end of June 2020, most of whom were from Central and Eastern Europe. Whole plants have been closed and the respective municipalities have locked down public life once again.

4. GOVERNMENT ACTIONS TO ADDRESS DEMAND FOR SEASONAL LABOUR AND THE AGRI-FOOD CRISIS

To address labour shortages in agriculture, the federal government has adopted several measures to make temporary manual labour in agriculture more attractive, e.g. further exemptions from social security contributions (also covering foreign seasonal workers) and allowing pensioners and welfare recipients to keep benefits whilst working in the agricultural sector.¹²

Following severe concerns on the part of employers' associations, the federal government agreed to set a quota of 80,000 foreign seasonal workers to be airlifted to Germany.¹³ However, the quota was not exhausted because farmers were unable to recruit sufficiently in Romania, Poland and Bulgaria. Just over 40,000 seasonal workers had arrived through this corridor until travel restrictions were relaxed in June. Following criticism from the parliamentary opposition, trade unions, agri-businesses and the Romanian government, the federal ministry of food and agriculture sought to make its policy on hygiene and accommodation more coherent with the general Covid-19 labour standards issued by the federal ministry of labour and social affairs.¹⁴

Mass infections in several meat plants that particularly hit foreign contract workers have led to reactions by policymakers and debates about exploitative conditions in the meat industry.¹⁵ On 20 May, the federal government adopted an occupational safety programme with stricter regulations on meat production, announcing that contract workers and hiring temporary staff would no longer be permitted.

In financial terms, small agricultural businesses affected by the pandemic were entitled to ad-hoc allowances of up to several thousand euros, depending on their size and the federal state they operate in and the *Rentenbank*, Germany's development agency for agriculture and rural areas, has created a programme of substantial loans for agri-businesses.

5. INITIATIVES BY FARMERS' ORGANISATIONS

The German Farmers' Association was the federal government's major partner in its endeavours to safeguard seasonal labour. It hosted a website on which farmers had to register their foreign workers for entry by air. The most important initiatives by farmers' organisations, however, pertained to online activities to recruit agricultural helpers domestically. Several online portals were established in March and April in an attempt to find willing citizens and match them with farmers in need. Tens of thousands of people were reportedly referred and helped to compensate for the drop in migrant workers. However, the majority left their jobs after a short time.¹⁶

There have been several further initiatives, particularly by individual businesses, aimed at selling their produce directly to consumers or even renting their fields to private households for maintenance and harvesting, given that the hospitality sector has more or less broken down completely.

6. INITIATIVES BY TRADE UNIONS, WORKERS, AND OTHER CIVIL SOCIETY GROUPS

Trade unions expressed their concern about the recruitment of seasonal workers early on. They also demanded that workers be informed about quarantine and hygiene regulations before entry, which the agriculture ministry defined as the responsibility of employers.

Counselling services, such as *Faire Mobilität (Fair Mobility)*, have been present at airports to advertise their services to workers upon arrival. Additionally, they have increased their social media activities and set up a hotline, which has received positive feedback from seasonal workers.¹⁷

At times, trade unions and workers have responded to loss of pay, bad housing and poor hygiene conditions with protests. Over 200 seasonal workers on an asparagus farm in Bornheim took to the streets as three-month contracts were terminated with just one day's notice. Their former employer faces 180 lawsuits over pending payments. In other instances, workers have protested against unacceptable working conditions, bad pay and inexistent quarantine measures. In some cases, employers have enticed workers from other farms with better working conditions and pay. Occasionally, workers have left Germany to go to the Netherlands or the United Kingdom, where work is better remunerated.¹⁸

ITALY

1. OVERVIEW

On 31 January 2020, Italy was the first EU member state to declare a state of emergency. This was followed by a series of government decrees establishing lockdown measures aimed at containing the pandemic that were progressively extended to the entire country. The measures included the closure of borders, high mobility restrictions and controls, hygiene and sanitary controls and the closure of all commercial and retail activities with the exception of those deemed to cope with the emergency – such as the agri-food-sector. On 3 June, the Government lifted the quarantine restrictions and reopened the borders.

As well as the high number of deaths and infections, which had a severe impact on the national health system, the country is expected to suffer dramatic social and economic consequences.

2. THE CONSEQUENCES FOR THE AGRI-FOOD SYSTEM

Pandemic measures significantly affected the Horeca (hotels, restaurants and catering) sector (with an estimated loss of around €34 billion), which in turn has hit the demand for agricultural products,¹⁹ especially with regard to quality products.

While agri-food export flows reduced, a rise in demand for domestic food consumption²⁰ and a decrease in imports (especially from Spain and the Netherlands) as a consequence of border closures contributed to maintaining or in some cases – such as in the fruit and vegetable market in Vittoria (Sicily) – increasing the prices of products.²¹ However, since the end of the lockdown prices have dropped.²²

Lockdown measures sharply revealed the limits of long supply chains, not only in terms of price distortions but also with regard to distribution dynamics. Indeed, while retail chains benefited from the lockdown, small and medium-sized producers suffered major consequences due to the restrictions on access to local markets.

While most productive sectors have been affected by the crisis, the agricultural sector is the only one that has maintained employment rates close to those of 2019 and has been growing from 4 May onwards.²³

3. THE CONSEQUENCES FOR WORKERS

National farmers' organisations sounded the alarm on labour shortages due to border restrictions, especially of Eastern European workers (mainly Romanians, Poles and Bulgarians). This has highlighted the dependence of the agri-food sector on cheap and flexible migrant labour, one of the results of power imbalances in long supply chains. However, in many areas this labour shortage was largely fictitious. In addition to preventing the arrival of seasonal workers from abroad (especially from Eastern Europe), the lockdown measures initially made it impossible for many migrant farmworkers, especially those without a residence permit or a regular contract (mainly sub-Saharan Africans), to move. These workers were therefore already in Italy, but could not access farms.

The pandemic measures also initially undermined the actions of illegal gangmasters (*caporali*), who in some areas of Italy maintain near-total control – in an exploitative way – over the recruitment, transport and accommodation of farmworkers. However,

police controls have progressively relaxed, allowing *caporali* to move and transport workers in order to complete the harvest, as in the area around Foggia.²⁴ In some areas, the labour shortage of Eastern European workers has therefore been offset by a reserve army of irregular migrant labour. In fact, a lack of labour inspectorate controls in the fields during the pandemic has contributed to an increase in recourse to irregular workers.²⁵

Few businesses have provided workers with masks and enforced safety measures. Trade unions have received several complaints from workers, especially in packaging warehouses.²⁶

Particularly in the South, thousands of migrant workers have been stuck in makeshift encampments, living without basic protections against Covid-19. In April, a group of workers in an industrial meat processing plant in the province of Bari were infected by the Covid-19 virus. In June, an outbreak hit Bulgarian Roma farmworkers living in degraded buildings in Mondragone (Campania). This situation and the ensuing lockdown of the entire residential area caused protests and clashes with the Italian inhabitants.

4. GOVERNMENT ACTIONS TO ADDRESS THE DEMAND FOR SEASONAL LABOUR AND THE AGRI-FOOD CRISIS

Government measures adopted in March and April 2020 to provide a financial support package during the crisis also covered the agri-food sector, establishing for instance an increase from 50 to 70 percent in advance payments from the Common Agricultural Policy (CAP) as well as incentives for exports. The measures also provided for a two-month €600 transfer to agricultural workers on short-term contracts, subsidised lay-offs for all employees in the sector and rolled out social protection for seasonal workers. However, many migrant farmworkers who were employed informally could not benefit from this aid.

In order to address the labour shortage, a scheme to formalise “irregular employment relationships” was

included in a new decree adopted by the government in May as a post-pandemic economic stimulus. The scheme only applies to the agri-food, care and domestic work sectors, and aims to cover all those doing undeclared work, be they undocumented foreign workers, Italian citizens, EU migrants or regular non-EU migrants.

The scheme establishes two channels. The first allows employers to apply for a fixed-term employment contract for foreign nationals who were in the country before 8 March 2020 or to declare the existence of an irregular employment relationship with Italian citizens or foreign nationals. Undocumented migrants receive a residence permit for work reasons. The second channel allows foreign citizens with a residence permit that expired after 31 October 2019 and who are able to prove they worked in the above-mentioned sectors before this date to apply for a six-month temporary residence permit to look for a job in these sectors. The temporary permit can be converted into a longer residence permit for work reasons. In both channels, if the employment relationship ends, foreign nationals have the possibility of applying for a one-year residence permit to seek employment.

However, the scheme contains some significant shortcomings which will affect its impact. First, while the plan suspends some ongoing criminal and administrative proceedings against employers, it may not be sufficient to convince employers to regularise employment relationships. Second, as in the past, the lump sum cost to employers of regularising an employment relationship (€500) will probably be offloaded onto the workers, and there are reports of an illegal market in fake contracts which cost up to €5,000. Third, the conditions required to apply for the second channel significantly limit its scope, leaving numerous migrants in situations of irregularity and precariousness.²⁷ Finally, the scheme excludes sectors (e.g. logistics, construction, tourism and food services) that also have high rates of undeclared work and irregular migrant workers.

Given the few applications (as of 30 June, 69,721, of which 12 percent were in the agri-food sector), there has been an extension of the deadline for submission to 15 August 2020.²⁸

5. INITIATIVES BY FARMERS' ORGANISATIONS

Reacting to the shortage of seasonal migrant farmworkers, some of the main national farmers' organisations, such as Coldiretti, have suggested implementing a voucher system in the agri-food sector so as to recruit Italian pensioners, students, the unemployed and those eligible for the basic income support scheme (the *reddito di cittadinanza* or citizenship income). However, trade unions have opposed the use of vouchers, stressing that rather than helping to attract more workers, this instrument, which concerns occasional work relationships, would only contribute to making agricultural work even more precarious.

Farmers' organisations have also asked for the establishment of special "green corridors" facilitating the mobility of seasonal workers within the EU. This proposal has been supported by the Italian minister for agriculture, food and forestry. However, no concrete agreements have been reached so far.

During the lockdown, Romanian migrants preferred other destinations (i.e. Germany or the UK) to Italy, presumably because in these countries the working conditions are better, wages are higher and they have access to facilities or services such as organised trips.

Businesses, especially in the Northern regions, have looked for workers through employment agencies or local employment centres.²⁹ The Confagricoltura farmers' organisation organised special charter flights to bring 254 specialised farmworkers from Morocco to the province of L'Aquila. Concerns have been raised about respect for pandemic prevention rules during these flights.

Farmers' organisations have also created online platforms to match labour supply and demand.³⁰ It is worth noting that there seems to be an increase in the number of Italians looking for jobs in agriculture.³¹ In Asti, the farmers' organisation CIA and the local association PIAM have supported the recruitment of asylum-seekers. Many farmers, such as Coldiretti members, have organised home delivery services, directly addressing consumer demand.³² Community-supported agriculture

projects and solidarity purchasing groups have promoted similar initiatives, some in collaboration with municipalities.³³

Farmers have been supported by rural development policies and other regional funds geared at overhauling and modernising farms, incentivising digitalisation and delivery services and better connecting rural and urban areas.³⁴

6. INITIATIVES BY TRADE UNIONS, WORKERS, AND OTHER CIVIL SOCIETY GROUPS

Since the outbreak of the Covid-19 crisis, workers in the logistics and agri-food sectors have frequently taken industrial action. Trade unions, NGOs and workers have claimed that the Italian agri-food sector does not suffer from labour shortages, but from a shortage of rights for workers. While they have called for the regularisation of undocumented migrants, also to ensure that migrants have full access to healthcare, many of them have spoken out about the significant limits of the current regularisation plan, stemming from the fact that it is employer-driven.³⁵

On 21 May 2020, hundreds of migrant farmworkers went on strike against the regularisation scheme and to demand a strengthening of their rights. Following the death of a worker in the last of a series of fatal fires in the informal rural settlement of Borgo Mezzanone (Apulia), a protest by migrant farmworkers was organised in Rome. These actions have highlighted the limits of temporary and selective regularisation and called for structural interventions to overhaul a system that relies on labour exploitation by taking advantage of – and simultaneously engendering – the vulnerability of workers, and in particular of migrant workers.

The civil society campaign "Ero Straniero" and the Tavolo Nazionale Asilo (which brings together NGOs and international organisations working on asylum) put forward amendments to extend the scope of the regularisation scheme, but they were rejected by Parliament.

THE NETHERLANDS

1. OVERVIEW

The first stringent Covid-19 prevention measures in the Netherlands were announced on 12 March 2020. Working from home whenever possible featured centrally in these measures, except for employees in industries considered essential to the Covid-19 response, including workers in the food supply chain. One week later, education facilities and hospitality services were closed. After a gradual decline in the number of infections in April, the preventive measures were slowly relaxed from May onwards.

2. THE CONSEQUENCES FOR THE AGRI-FOOD SYSTEM

Covid-19 prevention measures in the Netherlands and elsewhere, such as the closure of the hospitality sector, slowed down growth in exports of key agricultural products during the first quarter of the year. Floricultural exports dropped by 35 per cent in April compared to the previous year.³⁶ Between January and March, demand for meat and fruit from other EU countries declined, while sales to non-EU countries increased.³⁷

The drop in demand was partially compensated for by initiatives to shorten the agri-food chain between growers and consumers. At the same time, an increase in consumer demand for healthy food further fuelled the rise in organic food sales. In April, the Dutch consumer price index for food, beverages and tobacco signalled relatively high inflation.³⁸

3. THE CONSEQUENCES FOR WORKERS

The employment and health risks faced by Central and Eastern European (CEE) migrant workers in Dutch agriculture as a consequence of the Covid-19 pandemic are severe.

To address labour shortages in selected sectors as a result of the lockdown, in early April workers from Romania and Hungary were flown in, largely for employment in the asparagus and strawberry harvest. Physical distancing rules were ignored on these flights. In sectors with peaking seasonal labour demand, working hours often increased, up to 14 hours a day in extreme cases.³⁹

The slump in demand in other sectors further worsened migrant farmworkers' employment conditions and income insecurity. A survey among employment agency workers showed that at the beginning of April about half of them – especially women, older workers and those with low education and incomes – had little or no work anymore. Half of those still employed had experienced wage cuts.⁴⁰ For CEE migrants who have lost their jobs, related problems have been aggravated by travel restrictions to Poland, Romania and Bulgaria, resulting in an increased number of homeless migrants.

Cracks in CEE migrants' access to healthcare have widened during the pandemic. Between March and April, surplus mortality was about 50 per cent higher among migrants from the Western hemisphere,⁴¹ including CEE countries, compared to a 38 per cent rise among the native population.⁴²

The bulk of employment agency workers do not benefit from preventive measures against Covid-19 contagion provided by their employers.⁴³ Disinfection is lacking in workers' housing, where compliance with social distancing measures also seems almost impossible.⁴⁴ As a consequence, compared to 2019, the support organisation FairWork received four times as many complaints between mid-March and mid-April – mostly from CEE nationals.⁴⁵ This rise is likely to underestimate the increase in the risks that workers face, given that they are often afraid to report a lack of protective measures due to a fear of dismissal, which commonly also entails the loss of health insurance.

The meat processing industry, followed by the fruit sector, turned out to be epicentres of Covid-19 infections. Several affected meat plants were temporarily closed as a result. Despite a significant number of infected employees, the country's largest meat processing plant was kept open on the basis of an agreement with the public health service, justified by the need to avoid bottlenecks in meat supply.⁴⁶

4. GOVERNMENT ACTIONS TO ADDRESS THE DEMAND FOR SEASONAL LABOUR AND THE AGRI-FOOD CRISIS

The Dutch government took a *laissez-faire* stance with regard to bottlenecks in seasonal labour demand in agriculture while directly supporting selected groups of growers. While some municipalities fined employers for violations of Covid-19 prevention measures, in Westland, a global hub of greenhouse horticulture, the municipality announced that, in order to guarantee food security, controlling the transportation conditions for workers offered by employment agencies was not a priority.

Following a temporary emergency scheme for job retention, from April companies that suffered a loss of revenue could apply for up to 90 per cent wage cost compensation. This also included the wages of employees with flexible contracts. In addition, the government provided subsidies totalling €650

million to growers of flowers, potatoes and other food crops that were hit hardest by Covid-19. Requests for environmental conditionalities for these subsidies were rejected by the government.

In May, the social affairs and employment ministry (SZW) established a Migrant Workers Protection Taskforce to address accommodation, working conditions, transport, health and border issues. Given the high number of infections in the meat industry, in June the Dutch Labour Inspectorate began a project on labour market fraud and occupational health and safety in this sector.

5. INITIATIVES BY FARMERS' ORGANISATIONS

Reacting to the Covid-19 emergency, farmers' organisations and employment agencies have developed initiatives both to guarantee adequate employment levels and to protect the health of workers.

Sectors which saw a drop in consumer demand experienced large labour surpluses, compared to a lack of a skilled workforce in others. The Corona Crisis Personnel Platform is a joint initiative by different employer organisations and trade unions FNV and CNV,⁴⁷ while "Help us to harvest" was initiated by the largest employers' association, the Netherlands Agricultural and Horticultural Association (LTO), with employment agency Nedflex.⁴⁸ A few days after the introduction of the platforms, a thousand job seekers had already registered, mainly Dutch nationals such as students, hospitality and travel agency workers, who began work in the seasonal harvest. In May, the minister of agriculture, nature and food quality declared that there was no labour shortage.⁴⁹

The Dutch Federation of Private Employment Agencies (ABU) and LTO joined forces with trade unions to formulate protocols for safe working conditions in the agricultural sector.⁵⁰ Criticising the first advice by the Migrant Workers Protection Taskforce to accommodate one worker per room and to apply physical distancing during transport,

ABU argued that its own protocol providing for a maximum of two workers sharing rooms and shared transport for workers living in the same household offered an alternative.⁵¹

6. INITIATIVES BY TRADE UNIONS, WORKERS, AND OTHER CIVIL SOCIETY GROUPS

In a letter to parliament, NGOs FairWork and CoMensha and trade unions FNV and CNV highlighted how the ongoing pandemic aggravates migrants' working conditions. They demanded effective protection of migrants at work, during transport and in their housing by the ministry of social affairs, also to avoid risks to public health at large and specific the food supply.⁵² In addition, FNV emphasised the need to reduce migrant workers'

dependency on their employers by separating employment and housing contracts.⁵³ In addition, the abovementioned organisations and CEE migrant groups offer multi-lingual platforms and helplines to inform migrant workers about their rights and about grievance procedures.

The CNV criticised the large number of employment losses among agency workers despite the fact that companies received billions in wage subsidies to stabilise employment.⁵⁴ In a similar move, NGOs advocating for environmental justice, including Greenpeace and Milieudefensie, demanded that pandemic-related public support for companies be made conditional on meeting specific sustainability goals. In parallel, civil society groups such as the Short Chain and Local Food Task Force in The Hague seek to shorten agri-food chains and to stimulate sustainable production.

SPAIN

1. OVERVIEW

Several containment measures have been rolled out in Spain to slow the spread of Covid-19. On 14 March a state of emergency was enacted. It was then extended on 27 March even more rigidly for a further 15 days, during which a total ban on all non-essential work activities was established. The restrictions were progressively relaxed until 21 June, when the government declared the end of the state of emergency.

The agri-food sector was declared strategic and therefore excluded from the so-called economic hibernation measures.

2. THE CONSEQUENCES FOR THE AGRI-FOOD SYSTEM

The closure of the Horeca (hospitality, restaurants and catering) sector as well as logistical and operational difficulties slowed down the sale of agricultural products, in particular fresh produce. The difference between the February and April 2020 forecasts⁵⁵ reveals a drop in production by about 20 percent for tomatoes (from 975,000 to 839,000 tonnes) and 30 percent for strawberries (from 352,000 to 260,000 tonnes). However, while there was a generalised collapse in Spanish exports (a 39.3 decrease in April 2020 compared to April 2019), the food sector was the only one to grow, by 0.8 percent. These exports went to Germany, France, Italy and Switzerland in particular,⁵⁶ mainly due to significant growth in the fruit and vegetable subsectors there.

Farmers' organisations sounded the alarm about labour shortages as a consequence of border and travel restrictions. In particular, border restrictions had serious repercussions on the *contratacion en origen* (contracting in countries of origin) mechanism, through which for over ten years the Spanish farmers' associations have been able to recruit seasonal workers (mostly women) directly from employment centres in Morocco. Before the state of emergency, only 9,000 of the 24,000 workers who had initially been contracted had entered Spain.

3. THE CONSEQUENCES FOR WORKERS

Official data show that in 2020 the traditional spring surge in agricultural employment was significantly impacted by the coronavirus, with 17,100 less jobs than in 2019⁵⁷ (791,163 employed in 2020 against 808,255 in 2019). Migrant labourers were the most affected by this dynamic.⁵⁸

However, 30 percent of regularly employed EU migrant farmworkers are concentrated in the province of Huelva, where roughly the same number of contracts was recorded in the March-May period in 2020 as in 2019. A similar trend has been recorded with respect to regularly employed non-EU migrant farmworkers, of which 50 percent are concentrated in the provinces of Almeria and Murcia.

In practice, there has been substantial employment stability in these enclaves of intensive agriculture. As local organisations have reported, during the pandemic working conditions in the fields have

been much more abusive, with workers having to harvest larger quantities of produce and to do more overtime.⁵⁹ In the informal camps where many seasonal workers settle, pandemic prevention measures have been practically impossible to implement due to a lack of drinking water, electricity and essential minimum services, as well as generally precarious and overcrowded housing conditions.

When the harvests ended, the Moroccan government prohibited the return of the (mostly female) workers, who remained in the Spanish countryside with no means of subsistence and are being supported solely by trade unions.

Various outbreaks of Covid-19 have been reported in the agri-food sector. In Huesca, 14 farm workers employed by the Frutas La Espesa company were infected with Covid-19. Trade unions reported a total lack of compliance with safety protocols. In the town of Totana (Murcia), a team of farm workers was infected during transport to the fields organised by a temporary work agency because distancing rules had not been respected inside the bus. In two slaughterhouses in the province of Huesca, 374 workers were found positive in Covid-19 tests.

4. GOVERNMENT ACTIONS TO ADDRESS THE DEMAND FOR SEASONAL LABOUR AND THE AGRI-FOOD CRISIS

In order to deal with this emergency, the government approved economic measures to support businesses via loans, aid, extraordinary subsidies and a halt to debt payments. To support agricultural employment, the validity of migrants' residence permits was extended until 30 June and migrant workers without work authorisation were allowed to work in the agricultural sector (*medidas de flexibilización del empleo agrario*). In addition, young third-country nationals (between 18 and 21 years old) in a regular situation were allowed to work in agriculture, initially until 30 June, and then until September. After this date, they can apply for a two-year residence or

work permit which is renewable for a further two years anywhere in the country, without sectoral or activity limits. However, apart from the fact that the provision covers a limited target group, there are also some requirements that limit the possibility of young migrants applying.⁶⁰

In order to support a return to the land of unemployed nationals and to discourage internal mobility, the Spanish government decided to impose a mandatory requirement for workers to have their domicile or temporary residence in municipalities adjacent to their workplace. In addition, it has allowed unemployed persons to carry out agricultural activities while continuing to receive unemployment benefits. Partly as a result of these policies, the number of native workers employed in agriculture has only slightly dropped (by -1.4 percent) (542,183 in 2020, compared to 549,386 in May 2019).⁶¹

In June 2020, the government rolled out specific short-term measures to stop more migrants falling into an undocumented status. Income thresholds and other requirements were lowered so as to facilitate access to permit renewals, family reunification and the temporary residence permits known as *arraigo*. Residence permits will also be renewed for those who are unemployed or receiving income support or the minimum living income, and for those who depend on their families.

During the pandemic, some local authorities have provided temporary shelters for farmworkers, such as those in Fraga, Lleida and in several municipalities in Catalonia. The regional government of Andalusia has allocated over €1.1 million to guarantee minimum services (drinking water, cleaning and rubbish collection, food, hygiene and sanitary materials, and other basic products) to around 2,200 inhabitants in the 79 settlements in the province of Almeria and another €1.1 million for 2,200 people in 30 villages in Huelva.

In some municipalities in the province of Lleida, local authorities set up pavilions to house seasonal workers who had arrived for the harvest and were sleeping on the streets.

5. INITIATIVES BY FARMERS' ORGANISATIONS

Farmers' associations have implemented some initiatives to attract workers. UPA-Unión de Pequeños Agricultores, Coag, Asaja-Asociación Agraria de Jóvenes Agricultores, for instance, have joined forces with the public employment services of the federally devolved autonomous communities to set up online platforms to match labour supply and demand. However, in some cases, after applying for work in the agri-food sector, many nationals have left their jobs because of hard and substandard working conditions. In other cases, the lack of a residence permit makes the regular employment of migrant workers impossible, as was the case of most of the applications (around 3,500) received by the Unión de Agricultores y Ganaderos de Aragón (UAGA).

Spanish producers' organisations were authorised to derogate from Covid-19 measures. A dozen or so livestock farms were allowed to organise a special flight from Montevideo in May to bring in 250 skilled Uruguayan sheep shearers.

Farmers' organisations have also requested a derogation from the safety rules for the transport of teams of workers to the countryside.

6. INITIATIVES BY TRADE UNIONS, WORKERS, AND OTHER CIVIL SOCIETY GROUPS

Covid-19 has certainly contributed to lowering trade union conflict in the countryside, while there are serious consequences in terms of safety at work. During the first four months of 2020 there was a 90 percent fall in the number of strike days in the agricultural sector compared to the previous year (119 compared to 1,920 in 2019), while the number of deaths at work in the fields increased from 8 to 40.

Several humanitarian organisations have tried to support agricultural workers by distributing drinking water and essential goods to those in informal settlements, such as in Hueva and Almería. The Sindicato Andaluz de Trabajadores (SAT) union has provided migrant workers with basic necessities and personal protective equipment.

More than 700 organisations from all over the country have asked the national government and the relevant ministries (agriculture, fisheries and food, and consumer affairs and health) to address the impact of the Covid-19 crisis on small-scale agri-food production and to support short food chains, local markets and the agroecological transition through the #SOSCampesinado campaign.⁶² Over 100 organisations have called on the government to regularise the around 600,000 undocumented migrants in Spain via the #RegularizacionYa campaign.

SWEDEN

1. OVERVIEW

The Swedish strategy against the Covid-19 pandemic has been to avoid a complete lockdown. Instead, large gatherings have been banned and physical distancing is practiced at workplaces and in other locations in which people congregate.⁶³

Swedish unemployment benefits and social security schemes have been adapted to the strains on workers and labour markets, making them more inclusive and covering more precarious workers.⁶⁴ However, the qualifying periods for these schemes and the way the short-time work allowance (furlough) system works render them de facto unavailable for migrant workers. This applies in particular to those employed in the agri-food sector, who have flexible, hourly-based forms of employment contracts with limited access to sick leave.⁶⁵

Furthermore, lockdown measures – travel bans, curfews etc. – were implemented before the start of the harvest season in Sweden. This has limited the possibilities for workers to travel to Sweden in order to search for employment in the agri-food sector.

2. THE CONSEQUENCES FOR THE AGRIFOOD SYSTEM

Any private company which suffers a significant decrease in turnover due to the pandemic is covered by a specific government financial support scheme⁶⁶ worth a total of roughly the equivalent of € 4 billion. The size of the grant varies depending on the actual loss of turnover and covers up to 75 percent of the enterprise's fixed costs, excluding wages. Companies must have had a minimum €25,000 turnover during

the last fiscal year and the drop in turnover must exceed 30 percent to qualify.⁶⁷ Agri-food companies unable to harvest produce due to Covid-19 restrictions will likely benefit from these grants.

Companies have faced a shortage of workers, given that access to Sweden was limited by travel restrictions.⁶⁸ For a couple of months, the ban on travelling to Sweden also covered migrant workers in the agri-food sector. However, following political pressure from the sector this category of migrants was included among the exceptions to the travel ban.⁶⁹ However, travel restrictions in other parts of the world make it very hard to actually travel to Sweden.

Employers report a dire situation and an acute demand in the green sector for 5000 workers in the fields and 3000 workers in forestry.⁷⁰ While workers from EU countries could mostly travel to Sweden to take up jobs in farming, those from third countries, particularly Thailand, who mostly pick wild berries in forests, could not.⁷¹

Despite an increase in unemployment, Swedish workers are not applying for jobs in the agri-food sector.⁷² Researchers assume that the unemployed in the domestic workforce will not take up the positions not filled by migrant workers who are unable to travel to Sweden. It has been suggested that the harsh working conditions, not salaries, are the prime reason nationals do not take up jobs in the green sector.

The shortage of workers may be contributing to an increase in consumer prices for fruit and vegetables.⁷³ In April, these products became 4 and 4.4 percent more expensive, respectively.⁷⁴ Sweden has had no shortage of consumer goods, while demand for food

has shifted away from restaurants to home delivery of foods and groceries.⁷⁵ The domestic transport system is largely unaffected by the pandemic.

However, companies operating in the agri-food sector have not experienced a large difference in terms of productivity before and during the pandemic. The demand for agricultural products has decreased from restaurants, but has increased from supermarket retailers.⁷⁶ Accordingly, some companies have had to adjust their sales models, partially modifying the regular agri-food supply chain.⁷⁷

3. THE CONSEQUENCES FOR WORKERS

No significant new consequences of the pandemic have been reported on the working conditions of labourers in the green sector.⁷⁸ The flexible and precarious conditions of employment in the sector have been exacerbated, but at the same time the travel restrictions have enabled migrant workers who are already in Sweden to work more hours, thereby possibly receiving a decent salary. In workplaces where precarious and flexible employment is the norm, no significant changes have been reported due to the shortage of migrant workers. Migrant workers can travel to Sweden to work in agriculture, but are often not allowed to return to their countries because of restrictions there – especially for travellers coming from Sweden – which might affect their decisions to take up employment there in the first place.⁷⁹ Overall, there have been significant increases in both the numbers of individual remittances and the total amounts, although the costs of sending money have increased. A possible explanation might be that migrants are stranded in Sweden and that their relatives in their countries of origin are experiencing a greater need for resources.

In the green sector, safety officers have not reported any corona-related incidents or asked the Swedish Work Environment Agency to require employers to implement particular safety measures due to the pandemic.⁸⁰

The trade union responsible for organising workers in the green sector is also responsible for the health care sector. The pandemic has put enormous strain on the latter and its workers, requiring a massive effort on the part of the trade union, who may have given less attention to agri-food workers as a consequence.

Collective bargaining for the renewal of national sectoral collective agreements has been postponed to the autumn. These collective agreements – which cover most agri-food sectors, but not berry-picking – were supposed to expire on 30 June and are now due to do so on 30 November. The shortage of seasonal workers from Thailand in berry-picking will be filled up by so-called free workers from Central and Eastern Europe, who most likely will not be formally employed and will therefore not be covered by a collective agreement. In negotiations at the workplace level, the pandemic has been instrumentalised by employers to reject claims for better conditions, threaten to close down the company or refuse to negotiate at all.⁸¹

It has been highlighted that the working environment in agriculture reduces the risk of spreading the virus because the work is in open fields and often in isolated conditions.⁸² However, this does not apply to all activities in the agri-food sector. In processing plants, space is very limited and no special measures have been taken by employers to protect the workers' health. A widespread problem has concerned access to information for migrant workers regarding health and safety standards and on how to receive access to unemployment schemes and sick leave.⁸³

4. GOVERNMENT ACTIONS TO ADDRESS THE DEMAND FOR SEASONAL LABOUR AND THE AGRI-FOOD CRISIS

The Swedish government is supporting the green sector indirectly through a programme worth the equivalent of €15 million aimed at hiring unemployed and low-skilled workers to maintain publicly owned fields and forests.⁸⁴ The idea is that these workers will develop skills and take up employment in agri-food businesses.

Employers are generally satisfied with government measures, except for complaints regarding miscommunication between the Migration Office (*Migrationsverket*) and the Border Police (*Gränspolis*), who obstructed the entry of third-country nationals who were lawfully allowed to enter Sweden to work in forestry.⁸⁵

5. INITIATIVES BY FARMERS' ORGANISATIONS

The farmers' organisation and the Swedish Public Employment Service have upscaled a pre-existing project aimed at supporting and promoting employment in the agri-food sector.⁸⁶ According to the employers' organisation in the green sector, recruiting workers from within the EU does not present any problem, implying that no particular initiative is needed at this point.⁸⁷

6. INITIATIVES BY TRADE UNIONS, WORKERS, AND OTHER CIVIL SOCIETY GROUPS

No organised strikes or concerted actions on the part of employees in the Swedish agri-food sector have been reported. Wildcat strikes not supported by unions have occurred in individual workplaces. These strikes were only partially related to the pandemic, which could have exacerbated situations of precariousness and a lack of information about working conditions.⁸⁸

CONCLUSIONS AND RECOMMENDATIONS

As all the country reports highlight, the Covid-19 crisis has thrown into stark relief how agri-food supply chain systems rely significantly on migrant labour, often in conditions of irregularity and exploitation. Even before the pandemic hit Europe, OSEPI and EUI reports⁸⁹ showed how the employment of farmworkers, especially of migrant farmworkers, is characterised by high flexibility, low wages and substandard working conditions. The pandemic has exacerbated these trends.

The Covid-19 crisis has further exposed the limits of long supply chain dynamics, including in terms of price distortions, unfair competition and distribution dynamics. As the economic recession bites, there is a risk that large retailers will offer products at lower prices, with the consequent effect of an additional compression of farmers' revenue and workers' wages.

In all the countries examined in this brief, very few companies have provided farm workers with masks and other types of safety equipment, or with information about health and security. While for farm workers working in the fields it is easier to keep physical distancing measures, conditions in warehouses, where these measures have been more difficult to apply, have been particularly problematic. In particular, the meat processing industry has emerged as an epicentre of Covid-19 infections in all the countries examined in this brief, especially in Germany.⁹⁰

In response to acute labour shortages, and given the general reluctance of nationals to work in the agri-food sector due to its hard and substandard conditions, national governments have adopted several measures to facilitate the mobility and recruitment of seasonal migrant workers. These have included charter flights to bring migrant workers to European fields, often ignoring pandemic prevention measures, or other short-term solutions such as regularisation schemes for undocumented migrants.

Covid-19 has clearly highlighted that temporary and selective regularisation measures cannot be the only response, and above all that they are not enough to combat the exploitation of migrant workers. Migration policies need to be overhauled to include safe and legal entry routes for low- and medium-skilled workers.

As a recent resolution of the European Parliament on the protection of seasonal and cross border workers during Covid-19⁹¹ has highlighted, it is also necessary to adopt structural interventions to strengthen wages and labour rights, ensure decent living conditions, develop welfare services and tackle subcontracting. European Commissioner for Jobs and Social Rights, Nicolas Schmit, has announced a commitment to roll out measures to put an end to the exploitation of slaughterhouse staff and seasonal workers. In particular, the Commissioner has pledged support for an initiative on an EU minimum wage, presented as an essential element of the coronavirus recovery.

The pandemic has also shown the need for new agri-food systems that can guarantee both fair working conditions and ecological sustainability. In this regard, it must be underlined that while most recent national responses to the Covid-19 crisis have been mainly aimed at addressing shortages of labour and food, little attention has been paid so far to supporting and developing more sustainable agri-food systems. Indeed, most national initiatives seem to strengthen large retailers, the agri-food industry and logistics platforms.

The European Commission's recovery proposal suggests the Common Agricultural Policy and the Farm to Fork Strategy can have roles in "strengthening our supply chains and addressing the issues that were exposed during the crisis."⁹² Significantly, the recently adopted Farm to Fork Strategy highlights the need "to mitigate the socio-economic consequences impacting the food chain and ensure that the key principles enshrined in the European Pillar of Social Rights are respected," especially with regard to precarious, seasonal and undeclared workers.⁹³

All these initiatives and statements reveal a new effort to make the **EU social dimension stronger**, using the momentum spurred by the Covid-19 crisis. In particular, they demonstrate a **new EU drive** to address the deplorable working and living conditions of some categories of workers, including seasonal and posted workers, whose vulnerability depends on by cracks in EU social and employment legislation. As a joint statement by several organisations including OSEPI has highlighted, the pandemic may constitute a **crucial opportunity for the EU to overhaul its agricultural and food system** to make it both **greener and more rights-compliant**, with more sustainable supply chains, guaranteed labour rights, fair wages for workers and adequate prices for both farmers and consumers.

RECOMMENDATIONS FOR EU POLICYMAKERS

1. **Support national governments that grant permits to undocumented migrants**, ensuring them full access to healthcare and declared employment. Any regularisation plan **should cover all migrants, irrespective of their roles in the labour market**. As some member states have already done, permits should be automatically prolonged and pending applications accepted, with permits of a reasonable duration issued in order to provide some stability and security to migrants and their families in precarious conditions.
2. **Call on national governments** to ensure that all workers who have contracted the Covid-19 virus, or whose family members have, are able **to take leave with full pay without fear of losing their jobs or income**.
3. Adopt an initiative to ensure **adequate minimum wages** for workers in the Union, with a statutory minimum wage being set at above 60 percent of the national median wage, which is the at-risk-of-poverty threshold. Furthermore, it must be coupled with measures to promote collective bargaining, in particular at the sectoral level.
4. Support and encourage member states to implement measures to **improve the working and living conditions of agri-food labourers**, including through the EU recovery funds. All workers, including those employed informally, should have access to decent and adequate accommodation, water, rapid Covid-19 testing, provision of protective equipment in the workplace and adequate transport services. Special attention needs to be paid to support **gender-sensitive actions**. EU funds should also be directly channelled to civil society organisations which are carrying out initiatives to address farmworkers' needs.
5. Support, as part of the **EU green transition and through the EU recovery funds, alternative food systems, short chains and community-supported agriculture**, which should meet the objective of accessible, healthy and sustainable food provision as well as ensuring fair work and wage conditions.

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