



EUROPEAN POLICYBRIEF

Covid-19 and the agricultural sector: Temporary migration in the EU



The policy brief presents the research results of AdMiGov project in relation to the temporary migration in the EU with a special focus on the seasonal migrants in the agricultural sector during the period of the first waves of the Covid-19. It analyses the existing policies on seasonal and circular migration in accordance with the working and living conditions of the migrants. This outlook illustrates the faults of temporary migration schemes in the EU while it introduces possible changes regarding safe EU food production standards in line with both the protection of the labour and human rights of migrants.

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ABSTRACT

This policy brief aims to showcase the results of fieldwork conducted in Spain, Germany, Poland, and the Netherlands, with the research question: how responsive were the state institutions, in supporting the agricultural sector, in a time of emergency? Covid-19 hit the agricultural sector blocking the entrance of seasonal migrants in the EU countries with Poland and Spain depending on third-country nationals and Germany and the Netherlands on other EU nationals. Spain responded by focusing on bilateral agreements, Poland with the flexibility of stay of existing migrants in the country, and Germany and the Netherlands was less affected due to the intra-EU flows. Recruitment procedures seem to be the milestone for effective EU food production and maintenance of good living and working conditions for the workers. Covid-19 illustrated some malfunctions when it comes to hygiene, housing facilities, and flexibility of changing employers. Solutions are linked to the monitoring of the living and working conditions of the seasonal and circular workers, systematic checks of recruitment agencies and employers, flexible national and EU procedures for employers

and employees, and promotion and maintenance of circular migration over seasonal as this strengthens the relations between migrants and locals. Overall, state institutions responded effectively in a time of emergency, however, long-lasting structural problems became more apparent proving the importance of safe and regulated seasonal migration schemes benefiting all involved parties.

INTRODUCTION

The Advancing Alternative Migration Governance project (AdMiGov) researches different types of migration in the EU and eventually aims to build recommendations and indicators for alternative migration governance measures, which are in accordance with the 2018 UN Global Compact for Migration and on Refugees. The project analyses the policies and practices related to the Sustainable Development Goals of Agenda 2030 and evaluates, which are the existing practices, and which potential changes can create a safe space for migrants and host communities.

This policy brief addresses the research conducted during the second year of the AdMiGov project on the topic of temporary migration. More specifically, the focus of the WP3 was the seasonal migration in the sector of agriculture during the period of the Covid-19. The research team asked the following question: how responsive were the state institutions, in supporting the agricultural sector, in a time of emergency? The actors involved in the temporary migration are remarkably diverse and for that reason the researchers came in contact with: trade unions, representatives of public state institutions, recruitment agencies, employers' organisations, NGOs, and immigrants' organisations.

As the entire AdMiGov project addresses the safe and orderly migration in the EU, the period of the pandemic, is an intriguing experiment of how Member States endeavoured to ensure the national food security and the EU Market in a period of limited migration inflows and closed borders for a sector, which is predominantly dominated by migrant workers.

RESEARCH PARAMETERS

In order to structure the fieldwork and set common objectives, WP3 researchers collaborated on a common field guide, which helped setting common directions and the scope of the research. All researchers managed to adjust their fieldwork, during the COVID-19 pandemic, according to the national regulations about social distancing and movement, either with in-person or digitally conducted interviews. The research was implemented by different teams with a shared understanding of:

- **Research techniques:** research relied on the review of statistical data, country regulations on labour market, existing research results, press articles, policy briefs and recommendations. Desk research was supplemented with qualitative data gathered with in-depth semi-structured interviews.
- **Target group:** migrants, representatives of public institutions (ministries of labour, governmental agencies, municipalities), employers' organizations (general or specific, working in the agricultural sector), employers (from agriculture), trade unions, recruitment agencies, migrant networks, NGO's, experts (researching on labour migration).
- **Definition of temporary migrants:** The team remains open to all the potential groups that may fit under the category of temporary workers. This will allow the researchers to better comprehend previous temporary migration schemes and compare them with the period of the Covid-19 and the possibly new agreements that emerged during that time.

EVIDENCE AND ANALYSIS

AdMiGov research on EU temporary migration underlines the ongoing issues and illustrates the findings that are of relevance in the policy discussion regarding seasonal and circular migrants. The focus of the research on Covid-19 supported the importance of these workers in the EU agricultural production but also featured as a wake-up call for effective recommendations for the future of the EU food security.

The abrupt announcement of an unprecedented phenomenon as of Covid-19 had a great impact on the sectors, which operate seasonal and need the inflow of migrants. The agricultural sector, hospitality and home-based care are dominated by foreign workers. The restrictions on movement due to the pandemic created a period of chaos as some migrants were reluctant to travel and others left the country of destination and returned to their countries of origin fearing that they will be stranded away from their families. This situation created some anxiety for the agricultural sector and obviously for the entire EU as food security concerns started to grow during the first months of the pandemic in 2020. Several issues seemed to come to the surface in the farms.

- There are limited opportunities for migration of low-skilled workers to the Member states of the European Union. The pandemic showed how far some sectors rely on foreign labour forces. The Member states adopted tailored strategies to meet their seasonal labour market

needs. Spain and Poland rely on third country nationals (Spain mainly from Morocco, Poland from Ukraine), in contrast to Germany and the Netherlands, which recruit nationals from other Member states (Poland, Romania, Bulgaria).

- Spain based its labour migration schemes on bilateral agreements. Poland implemented a rather employer-oriented and market-driven approach, allowing third-country nationals from neighbouring countries to easily access the labour market. The German and Dutch systems are relying mainly on workers from other Member states, they seemed to be somehow less affected by the restrictions led by the pandemic. However, during the pandemic, all the systems appeared to be ineffective as they rely on the movement of populations and that was not permitted at the time.
- In sectors such as agriculture, hospitality, tourism and services, employers rely heavily on foreign workers. Hence, they prefer to invest in circular migration, and employ the same groups of seasonal workers. These workers carry on with the same employers for many years, gaining experiences and trainings. Therefore, they become a valuable workforce with vast knowledge on the sector. Germany tried to cover the labour shortages in agriculture with the employment of refugees living in the country and that did not yield the desired outcomes.
- Employers in all Member states are interested in the creation of recruitment schemes, which can recruit workers with the needed skills for multiple seasons. Circular migration or repeat migration can be very beneficial for employers looking for experienced workers, as well as for migrants, their families and the local communities. Migrants coming regularly to the same employers can gain professional experiences and develop skills, which provide migrants with the chance to demand/earn higher wages.
- For employers the swift recruitment procedures are very important, especially in the time of unexpected difficulties such as the pandemic, because it is hard to predict the exact needs. Any delays or difficulties in the recruitment of the migrants can have a significant impact on the processes in agriculture. Another risk can be that non-easily adoptive recruitment procedures might make some employers to show interest in the informal economy, if that works faster and easier for them.
- In the cases of Germany, the Netherlands and Poland the system of recruitment is strongly based on private recruitment agencies, which in some cases do not protect workers and their rights. Spain bases its system on national employment agencies. However, regardless of the dependency on the national governments or private-sector recruitment agencies, there are two equally important priorities: flexible response to the employers' needs and protection of the workers' working and living rights.

- In all cases the issue of abuse and exploitation remains the most challenging question for the future reforms. Living and working conditions of seasonal workers seem to be a pressing issue for all researched countries. Due to the pandemic many workers were isolated on the farms with limited access to COVID-19 tests or protective measures. Many workers were very vulnerable at this time, loss of jobs and source of income impacted the livelihood of seasonal migrants in all countries.
- The lack of information about existing procedures, possibilities to access to institutional support in the time of crisis meant higher risk for the exploitation of the workers. Access to information is crucial for migrants in all countries. Information should spread fast among employees and workers and that can be facilitated from both private and public actors.
- In the time of a crisis such as this of a global pandemic, flexible conditions of employment are crucial. The procedures should allow seasonal workers to switch employers during their stay, which is something that currently does not apply in Poland. It can be important for both employers and migrants. Having this possibility migrants can escape from employers, who violate their working rights and are not meeting the living and working basic conditions.

Overall, the EU showed resilience during the Covid-19. The pandemic was a challenge for agriculture but most importantly it underlined already existing structural issues, which have been present before that. With better coordination between the diverse actors involved in the policies and practices, the EU can have orderly and safe temporary migration for the newcomers and the host communities. Better regulations and inspections of the farms can ensure the working and living conditions of temporary migrants and reinforce a sustainable agricultural future.

POLICY IMPLICATIONS AND RECOMMENDATIONS

This policy brief discusses the EU policies and practices regarding temporary migration under the scrutiny of the EU commitment to the Sustainable Development Goals of Agenda 2030 (United Nations, 2015). Research conducted in the *Advancing Alternative Migration Governance* project (AdMiGov) on the temporary and circular migrations shows that:

- The living conditions of the migrants are not always of high standards and particularly during Covid-19, most farms did not fully follow the EU restrictions related to the pandemic. An

example was that protective equipment like masks were not effectively distributed among the workers. In the time of crisis the governmental agencies should control this with even more attention, due to the fact that seasonal migrants are especially vulnerable groups.

- Recruitment procedures are based very often on informal channels. They should be more standardised and transparent, in order to monitor them. Flexible procedures should enable employers and workers to fulfil their needs, which can actively contribute to the win-win-win desired result.
- The Seasonal Workers Directive, whose implementation is ongoing, has introduced the important ability to switch employer. The global pandemic proved that this regulation is particularly important for both employers and temporary workers.
- The protection of the seasonal migrants rights seems to be still the most challenging issue for the EU Member states. The governments do not develop and invest in the monitoring mechanisms and the qualified inspectors to detect abusive practices.

All in all, in relation to the contracts, living and working conditions of the temporary migrants in the EU, it was observed that there is a lack of national and EU inspectors, who can meticulously monitor these practices.

In the light of potential following Covid-19 waves, the EU needs to ensure safe working and living conditions for the temporary migrants; masks, sanitizers and better accommodation should be considered. However, regardless of the pandemic, the living conditions of the labour migrants have been an ongoing issue and that should be taken care of. Unequal pay and excessive working hours should be addressed. Minimum wage legislation for temporary migrants can help solve the problem. More inspectors could be assigned either on the national or EU level to monitor the contracts and the daily work at the farms. This way contractors will find it harder to bend the national laws. Recognition of the migrants qualifications is important. Namely, temporary migrants have knowledge on crops and how to operate a farm and as 60-90% of the seasonal workers in the EU are migrants, it is apparent that there must be more gratification of the qualifications and their vital contribution to the EU food market.

PROJECT IDENTITY

PROJECT NAME

Advancing Alternative Migration Governance (ADMIGOV)

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FURTHER READING	<p>Vincenzo Gomes and Jeroen Doomernik (2020) <i>State-of -the-art on temporary labour migration schemes in Europe</i>. AdMiGov Deliverable 3.1, Amsterdam: UvA.</p> <p>Patrycja Matusz and Eirini Aivaliotou (2020) <i>Circular and temporary migration in Poland during COVID-19</i>. AdMiGov Deliverable 3.2, Wrocław: University of Wrocław.</p> <p>Berta Güell and Blanca Garcés-Mascareñas (2020) <i>Agricultural seasonal workers in times of COVID-19 in Spain</i>. AdMiGov Deliverable 3.3, Barcelona: CIDOB.</p> <p>Jeroen Doomernik, Wendelien Barkema and Vincenzo Gomes (2020) <i>How (seasonal) agricultural demands for labour are met by immigrant workers in the Netherlands and Germany</i>. AdMiGov Deliverable 3.4, Amsterdam: UvA.</p> <p>Pasetti, F. (2019) <i>Measuring 'good' migration governance in turbulent times, a critical state of the art</i>. AdMiGov Deliverable 7.1, Barcelona: CIDOB.</p>

