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Importing workers, exporting strawberries

Working Conditions on Strawberry Farms in the Huelva Province, Spain

<http://www.fidh.org/Importing-workers-exporting>

FIDH - Worldwide Human Rights Movement

In the province of Huelva, in Andalusia, intensive farming of strawberries, destined to supply European markets early in the season, calls for a large temporary work force for a period of several months. Some 50,000 seasonal workers, mainly foreign migrant workers, are employed on farms each year. Economic conditions push producers to reduce their costs and to use workers as an adjustment variable. The FIDH report, [« Importing workers, exporting strawberries »](#), published today, investigates the working conditions for seasonal workers on strawberry farms in Southern Spain and highlights the human rights impact of the « circular migration » system.

In order to regulate migratory flows and to meet the labour needs of a sector which is generally unattractive for workers, even in a context of high-unemployment, the Spanish government has put in place a system whereby workers are recruited in their countries of origin (contratación en origen). Each year, thousands of workers are transported to the farms where they work until the end of the strawberry season. Workers must commit to returning to their countries of origin at the end of their contracts.

Following the entry of Eastern European countries to the European Union, allowing workers from those countries to circulate freely, this system is used only to recruit Moroccan women migrant workers. Recruitment criteria specify that women must be married with young children, supposedly in order to ensure that workers return to Morocco at the end of the season and do not attempt to prolong their stay on European territory.

The legal framework offers little protection to seasonal agricultural workers in Andalusia: days not worked are not paid and union representation for these workers is almost impossible. These factors, combined with the system of circular migration, generate violations of workers' rights who find themselves completely dependent on their employers.

By increasing barriers to immigration and creating only rare windows of opportunity to work legally, European Union migration policy, and Spain's policy in particular, increases migrants' vulnerability, maintains them in a position of dependency on their employers and recruitment intermediaries and obstructs their right to a family life. These are negative consequences of the circular migration system itself, a model promoted by the European Union as way of meeting European labour needs, while ensuring that migrants do not remain on EU territory.

Key recommendations:

In order to strengthen protection of the rights of seasonal agricultural workers, **FIDH calls on the Spanish authorities to:**

- Facilitate the possibility for seasonal workers to obtain permanent residence permits and to bring their families with them;
- Reform labour laws, in particular the Huelva Collective Agreement, in order to strengthen protection granted to agricultural workers;
- Strengthen labour inspections;
- Ratify the Convention on the protection of the rights of all migrant workers and members of their families.

FIDH calls on the Moroccan authorities to abolish discriminatory recruitment criteria and **on both states** to take all necessary measures in order to guarantee the social rights of migrants and their families (medical cover, unemployment, pension etc.).

FIDH calls on mass retailers to take all necessary measures to ensure that their suppliers respect the human rights

of their workers.

FIDH calls on the European Parliament to amend the draft "seasonal workers directive" to increase the level of protection and access to rights by reinforcing equal treatment, non-discrimination, decent accommodation and working conditions and social security protection. Finally, **FIDH calls on the European Union** to put respect for human rights and the principles of non-discrimination and equal treatment at the core of its migration policy.

Report in English:



PDF – 1.1 Mb