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Over the past two years the European Civic Forum has carried out an extensive study of the exploitation of migrants in European agriculture.

It is impossible to examine the question of migration, whether legal or illegal, without seeing it within the context of a labour market in which certain economic sectors depend on the existence of an underpaid and exploited workforce, much of which is undeclared and of immigrant origin.

All European administrations know perfectly well that the decision taken in the 70s to put a stop to most forms of legal immigration drove migrants into the illegal economy. Workers in the textile workshops in the Sentier district of Paris or in the greenhouses of Andalusia are clandestine only by name. Everyone knows that it is thanks to their sweat and labour that European consumers are able to buy fruit, vegetables or clothes at ridiculously low prices. The authorities turn a blind eye, refusing to legalise undocumented migrants, and thus acquiesce to the overall deterioration of labour structures.

These 3D jobs - dirty, degrading and dangerous - are to be found in the construction industry, domestic work and cleaning, textiles, hotel and restaurants, agriculture... Recently new activities have been added, including highly qualified work at the unattractive end of the new technology sector, repairing computers by night etc.

Patrick Taran, Senior Migration Specialist at the International Labour Office, speaks of the *"benign tolerance by some States for poor work conditions and non-regulation - situations that attract irregular labour. Such tolerance appears to be all but official policy in some countries, in order to maintain marginally productive economic activity that nonetheless provides employment, export products etc."*

A French anthropologist, Emmanuel Terray, has a particularly striking image to depict the situation. For him, this "economy based on illegal work" represents a form of *"délocalisation sur place"* – a difficult phrase to translate. It basically means "relocating on the spot". Thus the industries and economic sectors that cannot be transferred to Third World countries, where labour costs are very low, simply import low-wage workers in the form of clandestine immigrants.

As he puts it, *"What do the neo-liberals want? They want a workforce which is as flexible and docile as possible and which is deprived of any protection. Undocumented foreigners represent a totally flexible workforce, because you can recruit or dismiss them as you wish, as orders arrive. The best way to have products at very low prices is to generalise slavery. The fundamental question is whether we accept sectors in which slavery is common practice, or if we are not prepared to accept this"*.

To come back to agriculture, our attention was drawn to the situation by the vicious racist riots that broke out in February 2000 in the Andalusian town of El Ejido. The victims were Moroccans working, mostly illegally, in the 30.000 hectares of greenhouses in the area.

The European Civic Forum sent an international commission there to investigate, which resulted in the publication of a detailed report. The commission of enquiry soon realised that the presence of thousands of illegal immigrants working and living in intolerable conditions was vital to this economic "miracle". They make up an instantly available cheap labour force at moments of picking.

15,000 farm businesses produce up to 3 million tonnes of fruit and vegetables, half of which is exported to northern Europe, mainly Germany. According to the Office for the social integration of immigrants in Almeria, almost 92% of the region's agricultural workers are immigrants, 64% of them Moroccans. In 1998 the Office estimated the number of legal immigrants at 15,000 and the number of illegals at between 15,000 and 25,000.

The municipality of El Ejido has a deliberate policy of segregation and makes a point of harassing immigrants with the aim of discouraging them from "colonising" the town centre. Most of them have to live in old shacks abandoned by the rural population; 55% of them have no drinking water, 57% no washing or toilet facilities and 31% no electricity. Hundreds of people squat in huts made of old wood and plastic. The region's officials put the number of immigrants living in unfit conditions at 17,000.

These immigrants also have to put up with unacceptable working conditions, including heat of up to 50°C in the glasshouses and contact with huge amounts of pesticides. Needless to say, they are poorly paid. The producers are squeezed by bank loans, the farm supplies industry and marketing firms, so they try to survive by making savings in the only area they control, namely employment.

The massive presence of illegal immigrants working in Spanish agriculture was also highlighted by a terrible road accident near Murcia in January 2001, which killed 12 illegal labourers from Ecuador. This led to the discovery that there were some 20,000 clandestine immigrants from Ecuador just in this region and some 150,000 in the Iberian peninsula. The accident victims had all been working without a residence permit or contract for an hourly wage of 2.41 euros.

It was also clear to us that this phenomenon did not just concern Spain. The situation in Almeria is more obviously shocking, but there are abuses in the fruit and vegetable sector throughout Europe. It is for this reason that the European Civic Forum decided to launch an inquiry at a European level.

Take the example of Great Britain where a study has been carried out by Don Pollard, the former chairman of the Rural, Agricultural and Allied Workers Union. There it is the "gangmasters" system that supplies the large number of labourers needed by the fruit and vegetable sector at peak picking times. The gangmasters fix wage levels and working conditions and are paid for this service by the farmers.

In the last ten or fifteen years this has become big business. Some gangmasters employ up to 2,000 people, making a turnover of some 20 million Euros. When the local labour supply is no longer enough, they have to seek elsewhere, especially in Eastern Europe. They are in direct

contact with recruiters based in these countries who "organise" the illegal migrant labour. The recruits pay between 2,500 and 4,000 Euros each for visas and, in many cases, fake passports. They then have to work in atrocious conditions.

In the Netherlands, one of the first countries in the world to have intensified its agriculture, one third of illegal labourers work in the sector and above all in market gardening. One study by Rotterdam University puts the current number of illegal migrant workers at 100,000.

The influence of supermarket chains is enormous. In many countries they control up to 80% of the market, and it is they who decide what must be produced. They constantly cut prices to compete with their rivals and attract customers. Their buyers can call farmers at any moment and ask for a lorry-load, or just one or two palettes, of this or that product the next day. If the farmer is unable to deliver, the buyer will look elsewhere.

In southern France most fruit and vegetables have been sold below the production cost for ten years. In 2000, apples were sold by producers at under one franc a kilo whereas the production cost was 1.50 F a kilo.

The fact that a dozen or more workers are suddenly required for a few hours makes it impossible to have a fixed labour force. A reserve army of unemployed, supplementary benefit claimants and clandestine workers is needed.

This is one of Europe's little known facts: the hidden face of our fruit and vegetables which have the bitter taste of modern slavery. And this is going on in our countryside, far from the towns where there are immigrant communities and human rights associations capable of reacting.

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Over the past few years, European governments and EU institutions have changed their tack on immigration policy. After years of being tacitly tolerated, irregular immigration is now presented as a scourge requiring immediate remedy. The response is above all repressive, particularly against traffickers said to be responsible for much of the problem. But, as Patrick Taran of the ILO puts it, *"basic labour economics theory would suggest that placing barriers between high demand and strong supply creates a potentially lucrative market for services of getting the supply to where the demand is"*.

The supply is enormous: hundreds of millions of people across the world suffer from desperate poverty or political repression. The demand is such that any migrant who manages to make it across the Mediterranean, or across vast distances in Asia, and who is willing to accept appalling working and living conditions, knows that he or she will find a job in the "illegal economy" within weeks of arriving.

At the same time, European governments are now seeking to open up new channels for immigration for the needs of the labour market. This involves creating statuses for temporary, seasonal or fixed duration immigration. A clear aim is to separate the right to a specific work permit from any possibility of obtaining the right to longer-term residence in the EU.

In fact such statuses have existed for many years. For example, several thousand workers have come every year to France from Poland, Tunisia and above all Morocco since the 60s. Their OMI contract allows them to work for up to six or occasionally eight months in agriculture. "OMI" stands for l'Office des Migrations Internationales, a French semi-state body, not to be confused with the Geneva based IOM. OMI contract workers are physically in France, but as far as their rights are concerned they are in Morocco. Although they pay social charges at the normal French rate, the family allowances they receive are based on the Moroccan rate, over five times lower than the French one. The same is true for their pensions.

In many ways, an OMI contract worker has less rights than a clandestine worker. He can come to France every year for 25 years and have no right whatsoever to apply for a residence permit, whereas a migrant who has been illegally in the country for five years has some chance of being regularised.

OMI workers very rarely protest against the abuses they suffer. They know that there is a sort of black list and anyone who complains will not obtain a new OMI contract in France the next year.

In the Lot et Garonne region, fruit and vegetable producers organised a demonstration in July 2001 with the slogan "We want Polish workers!". They were demanding an increase in the number of OMI contracts allowed in the area. The local president of the Rural Coordination, a farmers union, explained to the press that "the employment agency says that there are thousands of local candidates for employment, but we know that this workforce is not adapted to our needs. They come one or two days and then leave because the work is too hard for them. We do not want people from the yoghurt generation, but competent, efficient and readily available workers".

"Available" means that they have no family on the spot, are lodged (badly) at the farm, and are ready to work ten hours a day and at weekends without ever demanding overtime payments. "Efficient" means that they will obey every order for fear of being sent back home.

The Spanish small farmers union, COAG, has expressed great interest in the OMI system and there is a danger that it could serve as a model elsewhere.

Similar contracts exist in other European countries. For example, here in Austria the "*Erntehelfer*" (harvest helper) status was established in May 2000. Up to 7000 seasonal workers can be recruited with this status for up a maximum of six weeks. There is practically no social insurance, the wages are low and the unions absent. The employer saves over 15% because he does not have to pay social charges. It has been reported that in the area of Marchfeld Polish workers have been paid three schillings – or 0,23 Euros – per kilo of strawberries picked.

In 1991 Germany introduced the status of seasonal worker for the agriculture, forest and hotel sectors. It has signed bilateral agreements with Poland, Romania, Hungary, Slovakia, the Czech Republic, Croatia, Slovenia and Bulgaria. The contract is limited to three months. In 2000, a total of 220.000 new permits were issued for agricultural seasonal workers. In theory there is a ceiling on the number of permits for eastern Europeans – 180.000 – but this is not respected as the government has introduced a whole series of exceptions, such as "*the danger of bankruptcy due to an over costly workforce*"...

Germany has helped to establish recruitment agencies in the countries of central and eastern Europe. There are, however, also many private recruiters – which explains the fact that there are about the same number of undocumented workers in German agriculture as legally registered ones. About 90% of the migrants working on German farms are Polish. They work longer hours than permitted and are paid less, but in view of the fact that wages are ten times lower in Poland than in Germany, few will complain. They are keen to earn as much as they can during the months they are in the country.

Through all of these seasonal and temporary work statuses European decision-makers are in the process of cementing an intolerable form of segregation on the labour market. As Alain Morice, a French researcher on Migration and Society, puts it, "*one can imagine that little by little, by adopting one derogation after another, by gradually dismantling the Labour Laws, it will no longer be necessary to resort to illegal workers for the simple reason that the very notion of legality in the field of labour rights will have so strongly receded. When you look, for example, at agricultural work, you can see that the French "Rural Code" includes a vast mass of derogations weakening positive labour rights*".

The consequences will be disastrous, and not only for migrant workers. Europe is creating a new form of underclass of temporary workers, who will replace each other in a sort of permanent rotation of precarious existence, without the same rights as other workers. Immigrants will above all not have the right to live in a normal way with their family or be able to make any clear plans for the future.

There is a last point that I would like to make and this is directed particularly to our friends present here from the countries of central and eastern Europe. I refer to the increasingly widespread phenomenon of immigrants arriving in western Europe from central and eastern European countries, with or without legal papers. Here they are beginning to replace the traditional immigrant labour forces coming, for example, from the Maghreb.

This must of course be seen within the context of the enlargement of the European Union. The social and economic consequences of enlargement, including the destruction of small-scale agriculture in countries like Poland, will force millions of people to seek their livelihood elsewhere. This can only be of great advantage to Europe's employers and I would say also politicians. What better than to obtain a cheap and easily exploitable workforce which is, in addition, white and even Christian.

This is the true background to the El Ejido riots in February 2000. Over the years, the Moroccan community had become organised and had succeeded in holding several strikes that totally stopped production. Shortly before the riots, representatives of the employers from the region had gone to Lithuania and other Baltic countries in the search for workers who could replace the troublesome and, to put it bluntly, detested Moroccans.

Open racism and hostility form part of the recipe for forcing the Moroccans to leave the region. This is no new tactic. It was already used in the 19th century in the fruit and vegetable plantations of California. Jean-Pierre Berlan, a researcher with the French National Agronomy Institute, has studied the history of the "Californian model" which closely resembles today's reality in Almeria. *"It is important", he insists, "to understand that racism plays an essential role in this schema. It is necessary to split up the labour market by various methods, including racism".*

A spectacular example of this phenomenon of immigrant replacement occurred this spring in the Andalusian province of Huelva. Every year, 55.000 workers pick strawberries over a period of three months. Unlike in El Ejido, most of them are Spanish day labourers. Traditionally up to 10.000 workers have been immigrants, the vast majority being undocumented Moroccans.

In 2001 the "sans-papiers" launched a massive campaign in Spain demanding their regularisation. This resulted in well over 100.000 migrants receiving a legal status. They included around 5000 Moroccans who obtained permits specifically restricted to the 2002 strawberry harvest in Huelva. They were not allowed to work elsewhere or in a different economic sector. At the beginning of the season they were all there waiting for the work to begin.

Much to their surprise, they saw thousands of young Polish and Romanian women arrive. They began picking strawberries, often for less money than the Moroccans would have received. What had happened was that, despite having regularised the Moroccans specifically for this job, the Spanish government had decided to offer "contracts of origin" to 6500 Poles and to 1000 Romanians, most of whom were women, for this same job.

The farmers were in fact very reluctant to employ Moroccans with a legal status, as these would no doubt be more likely to demand their full rights and conditions. The farmers had already in the past sought to avoid employing members of combative Spanish unions of agricultural day workers. The Eastern European women are ideal as they are far more docile and do not protest when obliged to work above the prescribed number of hours. There were also many abuses. Many of the new immigrants had 10% of their salaries deducted to cover accommodation costs,

although this was not laid down in the contract. On the other hand, many were not given any lodging at all and had to live in overcrowded apartments.

This left the Moroccans in a state of total poverty and despair in the streets, without shelter, food or even water. The situation became extremely tense, giving rise to a wave of racism against the Moroccans seen as dirty, unshaved and lazy. 4000 local people demonstrated in Huelva against "civil insecurity". For the first time in Andalusia (except at El Ejido), posters of the extreme right-wing "National Democracy Party" could be widely seen.

In fact, the Moroccans also played their part in the strawberry harvest. Desperate for any work and unable to go elsewhere, they stayed in the region. Whenever there was a particularly big harvest, or on Sundays or religious holidays, the employers could turn to this reserve army of labourers. At the end of the season the employers stated with satisfaction that it had been one of the most profitable so far. They now plan to increase the number of "contracts of origin" for next year.

Meanwhile, many of the Polish and Romanian women have stayed in Spain. On the one hand, the employers sought to modify their contracts to enable them to work in other fruit and vegetable producing areas, such as Lerida. On the other hand, many women have ended up in the prostitution business.

This can also have very serious consequences for countries such as Romania. As the *Hermannstädter Zeitung* reported in April 2002, buses leave every day from Sibiu with emigrants going to work in the West. They include factory directors going to pick strawberries in Huelva. This has even become a lucrative business for the Romanian government which has set up the "National Office for the recruitment and placement of workers abroad". For the 961 candidates for the strawberry harvest in Huelva it earned a total commission of 3,5 million lei or 116.000 Euros.

In Morocco there is a phenomenon called "*hriq*ue" – which means literally "burning". This is used to describe the total obsession that countless Moroccans have for emigrating, somehow, anyhow, across the Mediterranean to the mirage of prosperity and success. Burning the bridges behind one, burning one's identity papers to make expulsion more difficult... This is the result of a failed policy of "cooperation" which has created such a North-South divide that for many in the South the only hope is to leave and work in miserable and inhumane conditions in the rich North.

Sometimes one can only ask oneself if this is not one of the basic motivations behind European policies – precisely to maintain countries bordering on its peripheries, in the East, such as Ukraine, or in the South, like Morocco, in a state of permanent crisis and poverty. In this way, one can always be sure of obtaining a submissive and underpaid workforce.

An article in *Le Monde Diplomatique* of July 2002 describes the distress and desperation of thousands of Eastern European immigrants, especially from Ukraine, in Portugal where they work above all in the construction industry. The Ukrainians now make up the third largest immigrant community, after the Cape Verdians and the Brazilians. They left their country full of hope, but most have only found a life of exploitation and fear. They include highly qualified doctors and teachers who end up on building sites.

Curiously, Portugal is still both a country of emigration and immigration. 40% of its population live and work abroad. Many still leave, looking for higher wages than those at home, where the average salary is three times lower than in Germany. But, on the other hand, wages in Portugal are much higher than in Ukraine or Moldavia, so the migration balance sheet has been positive since 1993 and immigration from eastern Europe is in the process of overtaking that from the former Portuguese colonies. It is estimated that there are 45.000 eastern European immigrants

living in Portugal legally, and between 150.000 and 200.000 undocumented ones, most of whom are victims of various mafias.

The Ukrainians have on the whole a good reputation as competent and disciplined workers, even if they are treated practically as slaves. They would even seem to benefit from a sort of "positive discrimination". This is likely to cause resentment and tensions among the African and Latin American immigrants who are seeing their status lowered even further.

It is of course also well known that Berlin is being rebuilt to a large extent by Polish firms working as sub-contractors for German companies for the duration of a particular construction project. They are in theory paid the same wages as their German colleagues (but often for longer hours), while their social, family and retirement payments are based on the Polish rate, thus saving the German company up to 25% of the employment costs.

At the European Civic Forum we are trying to follow these developments as best we can. This is not easy as by definition much is more or less "clandestine" and most of those who are being exploited do not want attention to be drawn to their situation. They rightly fear that the only official response will be to deport them, rather than condemning the practices of their employers.

We have few contacts in central and eastern Europe and would be very interested in developing links with organisations and people working on these questions. This will remain one of the central issues facing Europe in the years to come.

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