



Brussels, 23 July 2020  
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European Commissioner for Home Affairs  
Ms Ylva Johansson

European Commissioner for Jobs and Social Rights  
Mr Nicolas Schmit

Dear Commissioners,

As Members of the European Parliament, we have reiteratively denounced living conditions and exploitation endured by migrants in Europe. We would like to draw your attention to the particular case of seasonal workers in the Huelva province, Spain. Philip Alston, the UN Special Rapporteur on extreme poverty and human rights, visited the Huelva fields right before the outbreak of COVID 19 pandemic. During his visit, he was shocked by life conditions, which he described as “even worse as those in refugee camps”, as “conditions where people are forced to live like animals (...) while big companies are earning millions of euros”.

This is not a new crisis, there are similar worrying cases throughout Europe, as those of migrants harvesting asparagus and tomatoes in Germany and Italy, respectively. But regarding the particular case of Spain, there has been an exponential increase on strawberries and red fruits cultivation. This means the ongoing downgrading on living and working conditions turned into a fundamental pillar of the so called “red gold” economic miracle, that allowed Huelva to rank the first place in strawberry production with a 400.000 tons’ production, 11.500 crops hectares, and exports worth 1.200 million of euros per year.

By contrast, strawberry seasonal workers are obliged to live in substandard housing such as shacks in the margins of the harvesting fields. Even when they can afford renting proper accommodation, both employers and housing owners are reluctant to provide them with housing. These are seasonal workers who became crucial during the COVID-19 pandemic, insofar as food got into our tables because of their day to day work. In this sense, confinement shed light onto who are the people taking essential work on and on which conditions. Regrettably, there are exploitation, semi-slavery, lack of rights, lack of access to water and light, and lack of access to health systems. There are about 5.000 people spread out in 50 settlements, but if we count seasonal workers working in Almeria and Murcia, altogether they reach a 15.000 population.

Although the situation in the shanty towns of the strawberry region in Huelva is not new, the employers and business association and institutions never made any effort to provide housing for these workers. As if this was not enough, some of these towns have been set on fire, and nor the high temperatures or the shack’s instability seem to be the causes. There is a well-founded suspicion that they are arson-related.

Only in the last week, fires in three of these slum towns left about 400 people in homelessness situation, destroying also the migrants’ few belongings and also documents supporting their regularisation files. The last one dated 17 July, near Lepe village, and was allegedly caused by

several neighbours. Meanwhile, the council keeps silence on the housing emergency, despite of the availability of municipal facilities such as empty sports centres and schools. We are all aware of the fact that if local neighbours lose their houses, or if a fire sweeps out a whole neighbourhood, as locals they would get support from the administrations to make sure no one sleeps rough.

Therefore, we want to express our concern on the lack of response on this housing emergency from the institutions, not only due to the fires, but also due to ongoing structural discrimination, which forces thousands of people, year after year, to live in slums without the most basic services and rights. In this sense, we ask not only that people affected by the fires are given an immediate housing solution, but also that the recommendations of the UN Rapporteur for extreme poverty and human rights on living and working conditions of seasonal workers in the Spanish fields, are implemented as soon as possible.

Likewise, we understand that the Spanish Ministry of the Interior cannot continue to allow municipalities to refuse to register migrants, as reported by numerous NGOs. Registration is a first and compulsory step for people to access basic services such as health care and social services, but also for the regularization of their administrative situation. In the case of the temporary workers living in these shanty towns, there is no valid legal title that proves the address for the registration, but according to Spanish Law, Royal Decree 1690/1986 includes options to make this process effective. However, this modality does not apply. For this reason, we demand that the Ministry of the Interior ensure that the provisions of the law are complied with and that all those who request it be registered.

Further to this, Royal Decree 13/2020 allowed young foreigners aged 18 to 21 to acquire temporary work permits in the agricultural sector during the pandemic to ensure that crops were saved. It became clear that broad regularization is not only possible, but necessary, and that there are no legal obstacles, especially if the right to work is considered a universal right. Also, there should not be other approach to regularization other than that of rights, therefore the premise that migrants only deserve consideration if they contribute economically more than they receive from the State, should be rejected.

We would also like to remind you about the last call (19 June 2020) from the EP for better protection of cross-border and seasonal workers, where it is stressed that more action is needed to safeguard the health, safety and working conditions of these workers, including decent housing. The resolution in question was also tabled as a result of the COVID-19 crisis, which further exposed and exacerbated social dumping and existing precariousness of the situations of many seasonal workers employed in the EU's agri-food sectors.

In light of this, we urge you to use your powers as Commissioners to ensure that these workers are provided with affordable housing, that their administrative situation is regularised and that an investigation is conducted on the fires that swept out the workers' camps.

Sincerely

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