



# EU Policy Updates Note

03 / April – June 2024



This project has been funded by the European Union's Horizon 2020 research and innovation programme under grant agreement No 101094652

# EU Policy Updates Note 3

April – June 2024

## 1. Introduction

This Note provides an overview of relevant **EU policy developments** in the four domains covered by the DignityFIRM project, taking place between April and June 2024. In this period, the European Parliament (EP) and Council adopted the revised [Single Permit](#) and [Anti-Trafficking directives](#), as well as the [Corporate Sustainability Due Diligence Directive](#). The EP and Council also formally adopted the [New Pact on Migration and Asylum](#), concluding a long and difficult negotiation. Meanwhile, **farmers' protests** continued to draw public attention, also leading to changes to the current [Common Agriculture Policy](#) (CAP). In early June, all eyes turned to the [EP elections](#). As predicted, the vote saw a [shift to the right](#), with parties campaigning on anti-immigration positions increasing their presence in the EP. While pro-EU groups will still hold a [majority](#) in the new cycle, progressive voices with human rights agendas [may struggle to be heard](#). The follow-up to the elections, including the nomination of a [new Commission](#) and the definition of new policy priorities, will be covered in upcoming Notes. Other developments not covered in this Note which will be later examined in greater detail include the [extension of temporary protection](#) for Ukrainian refugees until 2026, proposed by the Commission on 13 June, as well as the Council's negotiating positions on the [Victims' Rights Directive](#) (see [Note n.1](#)) and the [EU Talent Pool proposal](#) (see [Note n. 2](#)).

## 2. EU Legislative Developments

*Recast of the EU Anti-Trafficking Directive adopted with a stronger focus on law enforcement*

The revised EU Anti-trafficking Directive was proposed by the [European Commission](#) in 2022. It broadens the scope of exploitative behaviours, aiming to **strengthen victims' protection** through the mandatory establishment of **Formal Referral Mechanisms** for

early detection of victims, and a stronger focus on **law enforcement**. Following a [provisional agreement](#) on the file in January 2024, the final agreement received the [EP's greenlight](#) in April, followed by the [Council](#) in May. Contrary to the EP's [suggested amendments](#) to the proposal, the [adopted text](#) fails to recognise **systemic factors** that exacerbate migrants, refugees, and asylum-seekers' **exposure to traffickers**, such as a lack of safe and legal migration opportunities (see [Note n. 1](#)). Notwithstanding, the text foresees **stronger collaboration between anti-trafficking and asylum authorities** to ensure that victims of trafficking who are also in need of **international protection** are swiftly identified and supported. On the other hand, following a **deterrent logic**, the Directive foresees the [criminalisation of the known use of services](#) of exploited victims of trafficking. It remains unclear if this provision will apply to the employment of trafficked persons, and, in that event, how it will interact with the [Employers Sanctions Directive](#), in instances where it can be proven that [irregular migrant workers](#) were also victims of trafficking.

*Faster labour market access under the 2024 Recast Reception Conditions Directive*

In 2016, the European Commission presented a [proposal](#) to reform the [Reception Conditions Directive](#), aiming to further harmonise material reception conditions and improve the integration prospects for asylum seekers. This included a proposal to **reduce the 9 month waiting period** before they can **access the labour market** after lodging an asylum application. Following [lengthy negotiations](#), the EP and Council adopted the [final text](#) in [April](#). The new waiting period is set at **6 months**. This reduction could **decrease asylum seekers' vulnerability to undeclared work**. However, member states can still apply labour market tests, giving **priority to their own nationals, EU citizens, and lawfully residing third-country nationals**, as under the [previous Directive](#). For asylum seekers

whose application is “likely to be unfounded”, the Directive foresees their **exclusion from the labour market**, potentially pushing them into **irregular work**. In this context, [critics](#) argue that the new Directive presents a missed opportunity to improve the integration prospects for all asylum seekers in the EU.

*CAP reform targets environmental requirements and controls*

In spring 2024, [farmers’ protests](#) continued [across the EU](#) (See [Note n. 2](#)). Under pressure to show support as the EP elections approached, [EU policymakers](#) and national authorities proposed introducing **greater flexibility** into the current CAP, especially in relation to its [environmental conditionalities](#). Among others, the measures include a reduction of [compliance controls and ensuing penalties](#) by up to 50%, with small farmers benefiting from an outright [exemption](#). While [employers’ organisations](#) have welcomed [the measures](#), [experts](#) regret that the **increased flexibility prioritises short-term resilience at the expense of long-term (environmental) sustainability targets**. Despite [calls to the contrary](#), the [social conditionality mechanism](#) remains intact, to the potential benefit of [workers](#). However, considering the reduced controls, which include on-farm visits, **labour exploitation** may fly under the radar. [Ongoing discussions](#) in the context of the [European Commission’s Strategic Dialogue on the future of EU agriculture](#) present an opportunity to reconcile these concerns with a view to the [new policy cycle](#) (see [Note n. 1](#)).

*Strengthened efforts against Unfair Trading Practices*

In response to the recent farmers’ protests, [measures](#) were also proposed to **improve farmers’ position in the food supply chain**. In this context, the Commission presented its [report](#) on the implementation of the 2019 [Unfair Trading Practices](#) (UTP) Directive. [UTPs](#) refer to **dishonest business practices** which are **unilaterally imposed** by one trading partner, such as late payments or purchasing below production costs. With [larger retailers](#) holding **disproportionate purchasing and bargaining power** in the food supply chain, [farmers and small suppliers](#) are especially **vulnerable** to UTPs.

Placing undue financial constraints on farmers, UTPs may push them to **cut labour costs**, which could lead to **further risks of undignified working conditions** and reliance on irregular work. Having found challenges in the implementation of the Directive, the Commission will propose [new rules on strengthening cross-border investigations and enforcement](#) later this year. Complementary to these efforts, the [Commission](#) has also proposed the establishment of an EU [agri-food chain observatory](#) (AFCO), to improve transparency on UTPs.

*Fair working conditions key to the transition pathway for the agrifood industrial ecosystem*

In March 2024, the European Commission published a [strategy](#) to support the [EU’s transition to a green, digital and resilient agrifood industrial ecosystem](#), with a focus on continued consultation with agri-food stakeholders. The strategy focuses on measures to increase the **attractiveness of EU exports** whilst guaranteeing **fair returns for all actors** in the value chain, in an effort to **bolster the EU’s strategic autonomy** and **food security**. The strategy contains **eight building blocks**, including a skills component and a social dimension, which acknowledge that the transition will not be possible without **decent working conditions**. It underscores the need for **fair wages and job security**, as well as **enhanced support for migrant workers** in particular. Furthermore, before the [end of the year](#), the Commission will set up a **Transition Pathway Platform (TPP)**, to disseminate information and facilitate stakeholder interaction. This builds on the [consultative nature](#) of the strategy. While generally welcomed by [stakeholders](#), it is worth noting that the strategy lacks a standalone monitoring mechanism, and currently relies on monitoring efforts in place for related policy areas.

### 3. Other Relevant Developments

*Spanish regularisation proposal could benefit up to 500,000 people*

In recent years, [member states](#) have put in place [regularisation procedures](#), improving irregular

migrants' [access to rights](#) while decreasing their exposure to precarity and exploitative employment conditions. Following this trend, in [September 2023](#), a [civil society platform](#) put forward a [legislative proposal](#) in Spain to grant residency to irregular migrants who had arrived in the country before 2021. In April 2024, the [Spanish Parliament](#) **voted in favour of considering the proposal** with the **support of all political groups except Vox**. The proposal will now go

through the [legislative process](#). If adopted, it could benefit up to [500,000 people](#), significantly **improving their [access to legal protections and integration prospects](#)**, whilst at the same time **increasing contributions to Spain's [social security system](#)**. As political groups now prepare to submit their amendments to the proposal, [experts](#) worry that it could be **watered down** during the legislative process.

*This note is published on a quarterly basis.*

# EU Policy Updates Note

03 / April – June 2024

## ABOUT DignityFIRM

Towards becoming sustainable and resilient societies we must address the structural contradictions between our societies' exclusion of migrant workers and their substantive role in producing our food.

[www.dignityfirm.eu](http://www.dignityfirm.eu)



This project has been funded by the European Union's Horizon 2020 research and innovation programme under grant agreement No 101094652