

Temporary labour migration in Central America: ethical issues and the work of non-governmental organisations

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Little known on the other side of the Atlantic, temporary labour migration is highly developed between Central America and its North American neighbours in particular. Some NGOs see it as a panacea, others as a trap. The author explains how it works and the way ahead.

When we talk about migration in relation to Central America, it is almost always a matter of “irregular” migration, with migrants trying to enter the United States (US) or Canada without going through the official immigration channels. From the Darién Gap to the “caravans” of migrants travelling to Mexico, irregular migration is a phenomenon of considerable magnitude affecting all the countries of Central America. However, another form of migration from Latin America and the Caribbean, this time regular, has been on the rise in the last few years: temporary labour migration. As a result of programmes set up from the 1970s onwards by countries such as Canada, the US and Spain, Mexican, Caribbean and Central American workers go over to work in these host countries for periods ranging from a few months to several years, sometimes in the form of circular migration where workers alternate periods of a few months working overseas and periods in their home countries. Shortage sectors in demand are varied, ranging from hospitality to construction to food processing. However, farming remains the most in-demand shortage sector.

The forms of migration vary considerably depending on the host country, labour mobility agreements, specific programmes and the type of labour in question. Furthermore, it is important to start by making a distinction between well-paid, high-skilled temporary labour migration, and low-paid, low-skilled temporary labour migration, such as agricultural or hospitality trade workers, since this article will only deal with the latter.

For the host countries, the recruitment of temporary foreign workers is a means of alleviating local labour shortages and population ageing by harnessing cheap labour. For the home countries, temporary migration offers large numbers of citizens the chance to take up relatively lucrative jobs, thereby stimulating the local economy by way of the personal remittances (*remesas*) workers send to their families. These agreements appear to be mutually beneficial from an economic perspective. Moreover, they are increasingly popular among both workers and employers.

However, despite the considerable potential of temporary migration to improve the economic circumstances of participating workers and their families, few non-governmental organisations (NGOs) choose to get involved with the system. The topic remains highly contentious in the host countries. In Canada, for example, for a few years there has been an increase in reports, documentaries and

testimonies exposing the at times inhumane living and working conditions endured by foreign workers,¹ reports that have recently been taken up by the United Nations Special Rapporteur as modern-day forms of slavery.² Furthermore, as we will see, projects aiming to facilitate the recruitment of temporary workers from countries in the Global South very frequently involve a partnership with private or public sector recruitment agencies, whose interests do not always align with those of the workers themselves. Therefore, it is risky from an ethical and reputational perspective for an NGO to take part directly or indirectly in temporary labour migration programmes. However, this understandable caution does restrict both the potential benefits of these programmes for the communities of workers and the support that the workers could receive in their home countries.

The major repercussions of temporary migration

By signing a trilateral statement on their joint commitment to Central America in May 2023,³ the Canadian, US and Spanish governments confirmed what observers had been saying for several years: not only is temporary labour migration going to be on the rise over the coming years, it is increasingly being regarded by countries in the Global North as a means of promoting the economic development of countries in the Global South.

While the share of *remesas* in local economies is known (around 19% of Guatemala's gross domestic product [GDP] and 4.3% of Mexico's GDP in 2022,⁴ for instance), temporary labour migration's specific economic repercussions are more difficult to measure. A recent study for Action Against Hunger did however show that temporary circular migration has a noticeable impact on the workers' families and home communities, and it has a greater impact than irregular migration.⁵ Families with a member participating in a circular migration programme receive larger and more regular *remesas*, leading to improved infant nutrition and an increase in women's participation in the economy, not to mention fostering attachment to the community through the worker's cyclical and planned returns home.

Apart from its economic impact, temporary labour migration also helps to protect workers from the considerable dangers of irregular migration. It is worth reiterating that since 2014 the International Organization for Migration (IOM) has reported at least 8,200 migrants as missing in the Americas (South America, Central America, North America and the Caribbean combined), 1,432 of whom went missing in 2022 alone.⁶

¹ For example, see Nadia Gaudreau, « Abus, harcèlement, logements surpeuplés : des travailleurs étrangers exploités au N.-B. », *Radio-Canada*, 1^{er} mars 2023, <https://ici.radio-canada.ca/nouvelle/1959740/exploitation-travailleurs-etrangers-temporaires-usine-homard-rapport-nb>

² Amélie Mouton, « Les travailleurs étrangers, un terreau propice à une forme contemporaine d'esclavage », *Radio-Canada*, 7 septembre 2023, <https://ici.radio-canada.ca/nouvelle/2008522/travailleurs-migrants-temporaires-esclavage-contemporain>

³ Government of Canada, *Trilateral statement on joint commitment to Latin America*, 3 May 2023, <https://www.canada.ca/en/immigration-refugees-citizenship/news/2023/05/trilateral-statement-on-joint-commitment-to-latin-america.html>

⁴ World Bank, "Personal remittances, received (% of GDP)", <https://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS>

⁵ Isabela Gonzalez-Enriquez, Ursula Torrez-Parejo, Maria Vera, Beau Brodbeck and Miguel A. Garcia-Arias, *Different ways to get to the North, different ways to live in the South: Circular migration and its potential to promote development and belonging in Western Guatemala*, Action Against Hunger, June 2022.

⁶ International Organization for Migration, *Missing Migrants Project, the Americas*, <https://missingmigrants.iom.int/region/americas>

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Pros not without cons

Temporary labour migration therefore does have major benefits. Nevertheless, as we mentioned, it is not a panacea, and many temporary workers find themselves in exploitative situations, which are increasingly being exposed. Despite the oversight provided by the government programmes regulating this form of migration, particularly in the US and Canada, local media outlets frequently report on the different types of abuse suffered by foreign workers: substandard housing, dangerous working conditions, worker isolation and poor access to healthcare are unfortunately all too frequent. The lives of temporary foreign workers are not easy, even if in principle they benefit from the same protections as national workers. A large part of this abuse is due to the procedures practised by the foreign worker recruitment programmes, which make the workers heavily dependent on their employers. Consequently, in Canada and the US, agricultural workers are hired with closed work permits, meaning that they cannot change employer without the authorisation of the relevant authorities. For the vast majority of the workers then, a lack of knowledge of the local language and the fact that they are easily replaceable – often their contracts are for one season only, while thousands of their compatriots are knocking at the doors of the recruitment agencies to take their place – make the balance of power between the employee and the employer even more out of balance. In such a context, it is easy for some employers to take advantage of this captive workforce by refusing to provide them with the working and living conditions they are entitled to. Finally, it is important to mention that participants in the low-paid temporary foreign worker programmes are rarely able to obtain leave to remain in the host countries, even if they spend many years there, yet another example of the discrimination they face.

These reasons explain why temporary labour migration is inherently controversial, and why several observers and activists criticise it as a further example of the exploitation of workers from the Global South to the benefit of the Global North's economies.⁷ It is not just anecdotal employer practices that are criticised but also the temporary migration programmes themselves, which partly explains the widespread reluctance of NGOs to get involved in temporary migration.

Ethical challenges facing NGOs

The international organisations and NGOs that attend to the subject of temporary migration tend to have two main, and not mutually exclusive, objectives. The first objective is to provide the migrant workers with resources enabling them to ensure that their rights are upheld, notably with regard to working and living conditions, healthcare access and other forms of protection. This is the work done by many NGOs in the host countries, such as the *Réseau d'aide aux travailleuses et travailleurs agricoles du Québec*. The second, more ambitious, objective is to facilitate labour migration, by offering training to potential workers, simplifying bureaucratic formalities or supporting worker recruitment processes. The aim here is to offer workers more job opportunities and in this way foster the development of their home communities. This is the approach taken by international organisations, such as the IOM and the International Labour Organization, governmental agencies, such as the United States Agency for

⁷ Martin Gallié, Jeanne Ollivier-Gobeil et Caroline Brodeur, *La néo-féodalisation du droit du travail agricole : Étude de cas sur les conditions de travail et de vie des travailleurs agricoles migrants à Saint-Rémi (Québec)*, Cahiers du GRIEPS, n° 8, 2017, http://www.gireps.org/wp-content/uploads/2017/08/Rapport_DroitTravail_Online.pdf

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International Development, as well as NGOs, such as the Centre for International Studies and Cooperation (CECI) – Guatemala.⁸

Obviously, the first objective is far less controversial than the second and leaves little room for criticism. Temporary labour migration exists and is on the rise: acknowledging this state of affairs and supporting the workers involved does not equate to promoting it. However, it is a rather modest objective, meaning that organisations do not have to take a stance on the legitimacy of temporary labour migration but also ignore the potential benefits of such a system.

The second objective is more ambitious, as it involves using temporary labour migration as a development tool. It is also more open to criticism, as it implies direct or indirect involvement in the worker recruitment processes and therefore benefits the recruiters and employers. As we saw, for many critics, the temporary migration programmes themselves are responsible for the somewhat frequent cases of worker exploitation. Some therefore regard efforts to encourage the recruitment of more workers to these programmes as acceptance or endorsement of these programmes and therefore of the exploitation they practise. Obviously, it is possible to encourage temporary migration because of the benefits it offers while making efforts to better protect the workers, as CECI – Guatemala does. The fact remains that direct involvement in temporary labour migration can spark controversy, something that many development and international cooperation organisations fear with good reason.

Despite the current and potential benefits of temporary labour migration, it is therefore hardly surprising that several NGOs prefer to confine themselves to the first objective, in this way eliminating the risks of controversy and their work being misinterpreted. However, even when only safeguarding workers' rights, NGOs often find themselves having to liaise with recruiters and employers to gain access to the beneficiaries, which once again for some seems like a tacit endorsement of the current temporary foreign worker programmes and their shortcomings.

In the host countries, the temporary workers are often gathered on the same farms and in the same agricultural regions, and picked up from the airport in some cases, which makes the work of the local organisations easier. However, in the home countries, the workers are scattered across different regions and consequently are difficult to contact. It is often necessary to join forces with the recruitment services hiring the workers, be they public (such as the *Servicio Nacional del Empleo* [National Employment Service] in Mexico and the *Departamento de Movilidad Laboral* [Department of Labor Mobility] in Guatemala) or private-sector services in order to offer pre-departure support. While private sector recruitment firms are of course profit-making, unlike state institutions, the fact remains that in both cases the aim of these services is to send as many workers as possible abroad. This does not mean that worker well-being is never taken into consideration (some recruitment services have a better reputation in this regard than others), but abuse can occur. Migrant workers have complained about high recruitment fees, a lack of reasonable care by some recruiters who continue to send workers to abusive employers, as well as a lack of responsiveness and support when they try to assert their rights. However, they often give up complaining or calling for better working conditions out of fear of losing this lucrative employment opportunity.

⁸ Centre for International Studies and Cooperation, *Temporary Work Program (PTT)*, <https://www.ceci.ca/en/projects/temporary-work-program-ptt>

Discussion topics

It is therefore difficult for an NGO to maximise the benefits of temporary migration without endorsing, or at least appear to be endorsing, the exploitation suffered by many temporary workers. However, some potential solutions can be identified for NGOs keen to overcome these stumbling blocks.

Firstly, constant attention must be paid to the project beneficiaries, *i.e.* the workers. This firstly means worker consultations without the presence of the recruiter or employer during the project development phase. It then involves monitoring and evaluation mechanisms that do not solely focus on the material and economic outcomes of the projects but also on beneficiary well-being and overall satisfaction. Indeed, it would be perfectly possible to develop projects that manage to offer good job opportunities to beneficiaries while keeping them in exploitative situations, which would be far from a desirable outcome. This pitfall can be avoided if efforts are made to take into consideration overall worker wellbeing.

Furthermore, partners need to be carefully selected and regularly evaluated, and NGOs need to give themselves the contractual means to retire a partnership if unacceptable situations come to light. Once again, beneficiary-focused project monitoring and evaluation is vital.

Finally, it is important that the projects developed do their utmost to focus on worker reintegration into their communities of origin, specifically by maximising the lasting impact of monies earned abroad. Facilitating the temporary worker recruitment process would therefore become a real tool for local development rather than an end in itself.

Translated from the French by Gillian Eaton

Biography

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