

Labour mobility in the Pacific: creating seasonal work programs in Australia

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Paper for conference on “Globalisation, Governance and the Pacific Islands”

State, Society and Governance in Melanesia Project (SSGM)
Australian National University, Canberra, 25 - 27 October 2005

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The views expressed here are those of the authors alone, and do not represent any of the industry partners or funding bodies. Comments and feedback for this ongoing research can be sent to the authors at pmares@swin.edu.au and nicmaclellan@optusnet.com.au

1. Introduction

Australia has long benefited from the labour of working people from the Pacific islands: from the Kanakas who helped build the Queensland sugar industry in the 19th century, to women today, sewing Country Road shirts for a dollar an hour in a Fiji garment factory.

Pacific workers today are international and mobile: i-Kiribati and Tuvaluan seafarers staff the global shipping trade; Samoan and Tongan labourers work in factories and building sites in Sydney and Auckland or pick fruit in Australia's Murray Valley (often as "illegal" or undocumented workers); more than one thousand Fijians work in Iraq and Kuwait as security guards, truck drivers and labourers, while Fijian soldiers and police officers serve in peace-keeping operations around the globe. Meanwhile Indo-Fijian and Tongan computer technicians, nurses, accountants and teachers migrate to get a better life, in the face of political turmoil and limited career opportunities in their homeland.

This movement of peoples has had a massive impact on the Pacific. In the colonial era, plantations of sugar in Fiji and pineapples in Hawai'i were largely built on migrant and indentured labour on alienated indigenous land. "Blackbirding" in Melanesia robbed many islands of their young men between 1860 and 1900 and helped build the sugar industry in Queensland.¹

Today, there is extensive domestic migration to Pacific towns and cities from rural areas and outlying islands. This internal population movement is often the precursor to international migration, either to other Pacific Island nations or to industrialised countries. It can also be "circular" migration, with people returning to their home areas after fulfilling their desire for earnings, education or career advancement. Large numbers of people in the Pacific islands migrate in search of the three E's - education, employment and enjoyment. Often they end up instead with the three D's - jobs that are dirty, difficult and dangerous.

A high percentage of Polynesian and Micronesian islanders now live overseas, especially in Pacific Rim countries such as Australia, Aotearoa / New Zealand, Canada and the United States. Some freely associated states and territories have migration rights to their former colonial power. In smaller islands such as Niue, Cook Islands, Rotuma and Wallis and Futuna, the number of people living overseas is greater than the numbers who remain. There are more Cook Islanders in New Zealand than in the Cook Islands, more American Samoans in the USA than in their home islands. The geographer Gerard Ward suggests that the Polynesian triangle needs to be extended to incorporate Los Angeles, Sydney and Auckland.²

Migration has become an outlet for the population pressures evident many island nations and remittances sent home play a vital part of the economy of countries like Tonga, Samoa, Niue, Tuvalu, Kiribati, the Cook Islands, Wallis and Futuna and Fiji. In turn, there is concern in Fiji, Tonga and Micronesia over the import of Asian labour as domestic workers, sex workers and garment industry labourers.³

These patterns of migration provide benefits such as the transfer of remittances, the repatriation of skills and education, the promotion of tourism and the seeding of funds for small business development.⁴ However migration also has social costs. The immigration policies of developed nations favour those with skills and high levels of education, and there is an extensive literature on the “brain drain” from the Pacific as rugby players, teachers, nurses, accountants and other professionals and tradespeople move to jobs offshore that offer better pay or career advancement.

In this way, Pacific Island nations are robbed of the skilled workers who are most needed, while low or semi-skilled workers who most need jobs are left behind and remain unemployed, with limited job opportunities in the formal wage sector. Given the youth bulge in most island nations, the issue of employment generation will become increasingly urgent in the Pacific in coming decades, and there is growing discussion about the potential to address it through greater international labour mobility.

The pressing need to find jobs for Pacific Island workers coincides with the emergence of gaps in the labour force of developed nations. In countries like Australia, lower birth rates, the ageing demographic profile, increased personal wealth, the provision of social welfare, sustained economic growth, low unemployment and higher levels of education have combined to reduce the supply of workers who are available (or willing) to undertake physically demanding labour for relatively low pay. This has opened up debate about the potential for temporary employment schemes for Pacific Islanders to work in overseas labour markets, particularly in seasonal pursuits in agriculture.

This issue of labour migration and seasonal work is on the agenda of Pacific island governments and donor agencies:

- a 2003 inquiry by Australia’s Senate Foreign Affairs, Defence and Trade References Committee on Australia’s relations with the Pacific recommended that the Australian government support civil society and private sector organisations to develop a pilot program for seasonal workers to come to Australia from the Pacific.⁵

- the Forum Secretariat hosted a Remittances Roundtable in March 2005, studying the link between remittances, migration and labour market flexibility in current regional trade negotiations.⁶
- the Asian Development Bank (ADB) has published a new overview of the role of remittances in Pacific island economies, in the context of research on poverty and hardship in island countries.⁷
- the World Bank is currently conducting research on labour mobility and market access, investigating ways of improving migration opportunities so that Pacific labour can move to where the jobs are found in the region.
- the Australian Agency for International Development (AusAID) is developing “Pacific 2020” scenarios that look at demography and development projections over the next 15 years.⁸

As part of a wider research project conducted with the Institute for Social Research (ISR) of Swinburne University⁹, this paper will briefly discuss the role of remittances in Pacific economies and development, before outlining a proposal for a pilot program of seasonal work for islanders in Australia’s horticulture industry. It will discuss Canada’s Seasonal Agricultural Workers Program (CSAWP) as a model for seasonal work programs, but look at a range of issues – concerning regulation, labour rights and social impacts – that would need to be addressed if seasonal work schemes were to operate without evoking memories of blackbirding.

2. Remittances and Pacific Development

2.1 Labour Mobility and Trade Negotiations

Pacific Island governments have made gaining greater access to the labour markets of Australia and New Zealand an explicit policy goal. They see it as a crucial element in long-term job creation and social development. As a result, the issue of labour mobility has emerged as a key element in regional trade negotiations. The starting point of these various negotiations focussed on trade in goods, but trade in services and labour mobility have become increasingly central to the discussions. There are three main strands to the trade negotiations involving Pacific Island nations:

PICTA - the Pacific Island Countries Trade Agreement - covers trade in goods for the fourteen Forum island countries *excluding* Australia and New Zealand. PICTA was endorsed at the Forum Heads of Government meeting in Nauru in August 2001 and provides for the phased elimination of tariffs between island countries. The larger island economies should have abolished most tariffs by 2009 and the smaller ones by 2011. The phasing in of the agreement over this period is to be accompanied by strategies to help governments adopt alternative taxes and economic reform measures to compensate for the revenue they will lose from tariff reductions.

PACER - the Pacific Agreement on Closer Economic Relations – was also endorsed at the Forum meeting in Nauru in 2001. It sets out a broader umbrella agreement for all Forum members *including* Australia and New Zealand.¹⁰

EPA – an Economic Partnership Agreement is being negotiated between the European Union and Pacific members of the African, Caribbean and Pacific grouping (EU-ACP), under the Cotonou Agreement. A deal is scheduled to be finalised by December 2007.

These three strands of trade negotiations are interlinked. For example, PACER requires that Australia and New Zealand be treated at least on the same negotiating basis as the European Union. Hence, any provisions agreed to by Pacific Island nations under the EPA will have a flow on effect on deals with trade agreements with their more immediate neighbours. This is important since Pacific Island negotiations toward an EPA with the EU include discussions on labour mobility. As such they open the door to similar negotiations under PACER, a forum seen as far more crucial to Pacific island government given the much greater significance of the Australian and New Zealand labour markets as a potential source of future employment for Pacific Islanders.¹¹

The issue of greater labour mobility is a sensitive topic for Forum member governments, as the pace and manner of structural readjustment and trade liberalisation are being widely debated in the Pacific. The ADB acknowledges that the Forum Economic Ministers' Meeting Action Plan is based on "market friendly policies widely accepted as economically sensible, albeit politically difficult to implement."¹² But many non-government and church organisations are critical of the process, arguing:

- that trade agreements are finalised without parliamentary debate or extensive community consultation,
- that there has not been enough research and analysis of the social and cultural impacts of economic and trade reform,
- that economic models proposed for developing nations in Africa, Asia and Latin America are not appropriate for Small Island Developing States,
- that the severe imbalances between the political and economic weight of island countries against Australia, New Zealand and Europe makes rhetoric of "level playing field" negotiations a joke.¹³

The "temporary movement of natural persons" (known as "Mode 4") forms part of negotiations under the General Agreement in Trade in Services (GATS). However the focus of Mode 4 discussions is on skilled workers, even though the lower-skilled services workforce is not excluded. Currently, the movement of labour from the Pacific to Australia focuses mainly on skilled trades and professional staff – nurses, teachers, accountants and trades people – who have the necessary points for immigration and residency requirements. As well as permanent migration, there is already an increasing trend towards temporary entry for employment of skilled migrants in Australia – but discussion about temporary entry for unskilled workers is only just beginning.¹⁴

The loss of skilled workers is causing significant problems for island nations, but another concern is the growing pool of unskilled and semi-skilled workers who cannot find employment in the formal sector of island economies, especially as 40 per cent of island populations are aged 0-14.¹⁵ For example, the Fiji government estimates that there are about 17,000 new job seekers each year in Fiji (school leavers and late entrants to the job market), but only about 9,700 job opportunities in the formal sector.¹⁶ It is here that politics trumps economics and we see a shift from the language of "trade" to the language of "migration" in regional negotiations. As Professor Jane Kelsey of Auckland University notes in a recent study of the EPA negotiations:

“Richer countries fear an influx of workers from poor countries, so they treat this as a trade issue when it involves skilled workers from those countries that fuel the ‘brain drain’, but it reverts to an immigration issue when it involves low-skilled workers.”¹⁷

2.2 Growing importance of remittances

Traditionally, smaller Polynesian states like Tonga, Samoa, Tuvalu, Wallis and Futuna, Niue and the Cook Islands have been reliant on remittances from migrants or seasonal workers, to complement Overseas Development Assistance (ODA) and very limited access to Foreign Direct Investment (FDI).

There is currently renewed investigation of the ways in which remittances contribute to social and economic development in the Pacific, as part of a global academic debate about the role of remittances in investment as well as consumption.¹⁸ But it’s clear that more Pacific workers are seeking employment in Pacific Rim countries and that remittances continue to play a central role in island economies for many Forum member countries.

For example, a crucial source of revenue for Tuvalu and Kiribati are the remittances of seafarers who crew vessels for international shipping companies from North America and Europe. The number of i-Kiribati seafarers has risen from 788 (1989) to 1366 (1999) and the number of Tuvaluan seafarers from 67 (1996) to 241 (1999). Maria Borovnik’s study of seafarers’ remittances in Kiribati estimates that 57 per cent of funds remitted to wives are spent on basic needs, 30 per cent saved for investment and 13 per cent spent on school fees.¹⁹ For the seafarers themselves, 36 per cent don’t save, 20 per cent have bought a house and land while 44 per cent are saving for house and land. Because of the i-Kiribati tradition of *bubuti* (a request by a family member that cannot be refused), cash and goods coming into the community spread through the extended family, rather than remaining with one individual.

For its overseas exchange transactions, Tonga has seen a steady increase of private receipts through remittances over the last four years, from P\$105 million (2001) to P\$184 million (2004) - in comparison, in 2003-04 trade in merchandise raised just P\$28.3 million and services P\$52.7 million.²⁰

Even one of the Pacific’s largest countries, Fiji, is increasingly reliant on overseas remittances, which are playing a crucial role in Fiji’s foreign exchange earnings. The country has historically relied on sugar and gold mining, and more recently tourism and garment manufacture, but over the last decade, the amount of remittances has increased to a level where they earn more foreign exchange than other sectors except tourism (see table).

Table: Increase in foreign exchange earnings for Fiji, 1994-2004

Year	Tourism	Remittances	Textile clothing footwear	Sugar and molasses	Gold	Fish	Mineral water
1994	393	56	163	266	63	64	-
2004	682	306	291	188	88	85	53

Source: Reserve Bank of Fiji - figures in F\$million.

Of more than F\$306 million of remittances earned in 2004, F\$200 million came from the salaries and allowances of Fiji citizens working overseas. Given that significant amounts of remittances are transmitted directly within the family (e.g. cash carried by hand), these Reserve Bank figures probably underestimate the real amount.²¹

Fiji faces significant problems as skilled workers move offshore seeking better career paths, training and job opportunities. Many left Fiji after the 1987 and 2000 coups, including teachers, nurses, doctors and other professional staff.

But many unskilled workers are going overseas too. Fijian women travel as domestic workers, aged carers and nannies in the United States or other Pacific countries, while Fijian men are increasingly recruited in military-related roles. As the US and British armed forces fail to meet their recruiting targets, they've been expanding their recruitment overseas. There are currently more than 2,000 Fijian soldiers in the British Army, and the UK government is expanding recruitment in its former colony.²² Large numbers of Fijian men are also being recruited by private companies to work as soldiers, security guards, truck drivers and labourers to work in or near the conflict zone of Iraq.

2.3 Case Study - Iraq

In January 2005, Fiji's Minister for Labour Kenneth Zinck announced that "the Government knows that more men are leaving for Kuwait and Iraq and it is a good thing because it is providing employment for the unemployed. This is one solution to the increasing unemployment rate in the country today."²³

By mid-2005, there were more than 1,000 Fijians working in Iraq and Kuwait. They were employed by local subsidiaries of US and British security corporations, such as Global Risks Strategies, Homeland Security Limited, ArmorGroup, Sabre International Fiji, Triple Canopy and Meridian Services Agency.

More people are signing up for work in the Middle East, despite growing public concern at the number of casualties in Iraq, and even though returning troops have complained about the failure to obtain the promised benefits and welfare payments to families.²⁴ 80 Fijians recruited by Meridian Services as drivers in Iraq claimed in July 2005 that they had not been paid for the past three months. The men said that PWC Logistics had not met the promised pay rates and conditions set out in contracts signed in Fiji, with 100 men either terminated or simply walking off the job. One driver said: “Out of the 350 officers that are left here, we have quite a few who have been terminated, some have just left the job because they are not being paid and only those that have been paid buy food for the whole group. Some of us who could not stand this kind of living have returned to Fiji but the rest are here because we need the money to support our families.”²⁵

By mid-2005, Meridian’s local co-ordinator Timoci Lolohea was being investigated by Fiji’s Labour Ministry and police. 20,000 people in Fiji have paid a registration fee of at least F\$150 to Meridian, in order to be listed for work in Kuwait, even though there were only 2,000 jobs on offer. Fijian journalist Samisoni Pareti has reported that villages have used their development funds to pay for application fees and that Meridian’s recruitment drives have touched on Methodist Church networks – using church funds to pay for application fees, with the money repaid if a job is found in Kuwait.²⁶

The experience of recruitment of former soldiers and unskilled workers in Iraq and Kuwait raises some pertinent issues for any proposed recruitment for temporary work in Australia. Obviously, the security hazards and pay rates are different, but the boom of recruiting for Iraq and Kuwait has raised many issues for the Government of Fiji: the unregulated role of private recruitment contractors, the social impact on family life, and the capacity of government to support workers with pay disputes or post-deployment health problems.

The Iraq/Kuwait experience also raises another set of questions about the social impact of labour migration on the family and community life of those left at home.

2.4 Social impacts

The “paradise” image of Pacific life promoted by the tourist industry belies the significant changes in social structures in the Pacific, with changing patterns of work, urbanisation and gender roles. A number of people interviewed for this research stressed that traditional economies of rural villages are under challenge, and that seasonal worker schemes could exacerbate some trends.²⁷

- Current deployments of Fijian men as UN peacekeepers, British soldiers or private security guards in Iraq has provided evidence of psychological stress on children and negative impacts on educational standards.
- Church leaders reported a number of cases of family break-up, infidelity and new relationships forming, as one spouse worked overseas for lengthy periods. There are a number of anecdotal reports of Pacific men who had married in Australia to obtain residency rights, even though they had a wife and family at home.
- Community leaders are worried about how increased amounts of migrant work will affect gender roles in rural villages. There are concerns about the loss of male role models, and the potential impact that departing young workers will have on the traditional gendered allocation of jobs.
- An ageing population in rural areas, as young people migrate to urban centres or overseas, may impact on agricultural production and add burdens on already stressed health services.
- There are particular burdens on ageing women. Women who haven't worked in the formal sector do not have superannuation like the Fiji National Provident Fund (FNPF), and are reliant on financial support from working children. There is often an added burden of unpaid childcare for older women, as their daughters enter the workforce.

Women's groups like the Fiji Women's Rights Movement (FWRM) and the Catholic Women's League of Tonga have reaffirmed concerns over a range of impacts on overseas workers: on women, on family life, and on children. FWRM has conducted research surveys on sexual harassment in the workplace, and these problems could be exacerbated if women were working overseas as seasonal agricultural workers, unless there was close regulation and support to stop workplace harassment and bullying.²⁸

A growing concern is a pattern of suicides amongst Pacific youth in Fiji, Samoa, Federated States of Micronesia, the Marshall Islands, Palau and Guam, with the Pacific having the highest youth suicide rates in the world.²⁹ For Indo-Fijians and in Samoa, suicides amongst young women exceed those for young men, which is unusual for almost all populations in the world.³⁰ This youth crisis is in part connected to the absence of parents and relatives: researchers such as the Micronesia Seminar's Father Fran Hezel have highlighted the effects of globalisation as one of the many elements in youth suicide, as customary and family mechanisms for conflict resolution have been shattered by migration.³¹ While extended families often used tight authority systems, they also provided older relatives with whom young men and women could talk to about their problems. With family members working overseas, traditional family reconciliation mechanisms are not working as effectively.

Pacific regional organisations have done some studies of the actions of overseas workers that have negative as well as positive impacts on the social and economic circumstances of dependants and communities. One interesting case study was conducted by the Secretariat of the Pacific Community

(SPC) on Tuvalu and Kiribati seafarers' remittance spending and the economic and social implications of seafaring for community development.³² Although the type of work, recruitment and skill levels for sailors and length of absence are different to seasonal agricultural work, the SPC study provides important pointers on social issues that would be useful in designing pilot programs for temporary agricultural work in Australia.

- The seafarers' wages were the basis of economic support for many people within the home community, ranging from 1 – 30 people. The report estimates that 4,200 people in Tuvalu (population 10,000) and 10,200 people in Kiribati (population 85,000) were directly dependant on the seafarers' income.
- Loss of employment by seafarers due to illness or injury had “catastrophic” effects on the economic circumstances of some families.
- Wives and partners of seafarers reported difficulties maintaining contact with overseas workers, causing stress and depression. This was exacerbated because depression is not considered a real “health problem” in many Pacific cultures.
- Some seafarers engaged in unsafe sexual activity while overseas, often under the influence of alcohol. There is an increased risk of HIV / AIDS and STIs for these workers, but also for wives / partners who find it difficult to refuse unprotected sex when their husbands return from overseas, and face violence if they refuse.
- An increase in violence against spouses was also related to alcohol abuse, with returning sailors engaging in drinking sessions with their mates. Women were reluctant to report domestic violence to police in this case because 70-80 per cent are dependant on their spouse / partner's income.
- The majority of wives / partners and children reported difficulties resuming relationships with returning seafarers.
- There are complex gender and childhood development issues, when parents communicate largely with their spouse rather than their children while overseas. Children also reported anger or annoyance at their father on his return, for disrupting household routines, ignoring their personal development, or diverting their mother's attention to caring for her spouse rather than her children.
- There is some internal migration from outer islands to Tarawa, as seafarers' families move to the capital to avail themselves of more time with their spouse / parent in between voyages.

2.5 Remittances and development

There has been a long debate amongst Pacific academics over economies based on Migration, Remittances, Aid and Bureaucracy - the MIRAB model - and the role of remittances in national development.³³

Many research studies around the world argue that remittances from second and third generation migrants will decline over time, due to family reunification in the overseas country or greater

integration of the migrant into the host community. This suggests that it is dangerous for governments to base economic strategy on an ongoing stream of remittances, which will ebb and flow according to a range of factors (e.g. migration policies, economic recession in receiving countries, or the adoption over time of individualistic values that clash with communalist village traditions). However, the Asian Development Bank's recent overview of remittances in the Pacific questions the generalisation of the unsustainability of remittance flows.³⁴ Although there is a need for further research, there are already Pacific case studies that indicate ongoing financial support to family members at home from long-term migrants.³⁵

There are a growing number of case studies on the impact of remittances in the Pacific Islands, and researchers such as Richard Brown, John Connell and Avelina Rokoduru are looking at issues such as savings, investment, consumption and social impacts on women and family life.³⁶

The World Bank, the Forum Secretariat and Pacific universities are engaged in new research programs to update data on remittance flows, and key questions:

- Significant amounts of remittances are for consumption support rather than investment, but is this trend changing? Also, consumption is not necessarily a negative – it can have positive benefits for family welfare if it results in improved housing, better sanitation and better nutrition. (For example the replacement of wood burning stove with gas stoves in kitchens can dramatically improve women's health).
- Do some people remit more than others? (e.g. nurses are excellent remitters). Seasonal workers, returning home after temporary employment, are also likely to remit a large proportion of income.
- Not all remittances are in cash and significant amounts go back through informal means rather than formal banking system. Can finance services be developed to assist cheap and efficient transfer of funds?
- Some people are more likely to invest (older and returning migrants; people with small businesses in home country; occupational groups who remit generously). Can policies be tailored to encourage them to invest in community / co-operative / small business schemes?

A central issue is whether Forum member countries can develop options for seasonal and temporary work, rather than permanent migration, to allow new opportunities for work and remittances.

Pacific Islands Forum Secretary-General Greg Urwin notes that one major stumbling block to negotiating increased labour market access is the issue of reciprocity – whether Pacific island countries will have to open their labour market to Australian and New Zealand workers in return for access for unskilled workers in the larger economies.³⁷

Australia's Parliamentary Secretary for Foreign Affairs Bruce Billson has stressed that opening the Australian labour market would be a two-way process.³⁸ He has also stated that the issue of labour market access would be negotiated as part of a package of trade issues, rather than as a separate treaty.³⁹

But presenting the issue of labour market access as a trade issue removes the development focus of the whole process, and downplays many of the adverse social impacts – an issue of concern to Pacific island governments, which see labour market access as primarily a development issue and one that should not require reciprocal rights of access for Australia and New Zealand.⁴⁰

Pacific economists see an increase of remittances as an important source of boosting foreign reserves and addressing the severe balance of payments gap between Australia, New Zealand and Pacific island neighbours - a gap which is only likely to worsen if tariff protections are dismantled under PACER and imports replace domestic production.⁴¹ As USP economist Professor Wadan Narsey points, in a future era of ‘free’ trade, remittances from temporary or seasonal labour schemes could replace key agricultural industries like sugar as a source of revenue.

“PACER will almost certainly add to the already substantial pool of unemployed labour, so remittances from the export of unskilled labour to Australia and NZ may turn out to be an important counterbalancing flow which reduces the size of the deficit, even if it is unlikely to completely eliminate it, and relieve pressure on the high rates of unemployment in Fiji.

“It may be emphasised that what needs to be investigated is not free and permanent access for Fiji unskilled labour, but temporary worker schemes for specific periods of time, in specific industries where Australia and NZ face labour shortages.”⁴²

3. Modelling Seasonal Work Schemes in Australia

3.1 Seasonal work and horticulture – Australia and the world

While Australia allows temporary entry only for skilled workers, the growth of this component of the migration program reflects an international trend towards micro- or niche migration schemes designed to overcome labour shortages in particular industries at particular times.

In other countries such schemes also extend to low or semi-skilled workers, particularly in agriculture. There has been “a generally steady upward trend in inflows of seasonal workers since the beginning of the 1990s” and each year, half a million seasonal workers from non-EU countries are employed in EU agriculture, especially in Germany, which issued 260 000 seasonal work permits in 2001.⁴³ In fact

Australia and New Zealand may be the only developed nations that do not import seasonal labour for agriculture.⁴⁴

Currently primary producers in Australia's agriculture and horticulture sectors rely on both documented ("legal") and undocumented ("illegal") workers to meet seasonal labour market needs. The documented workforce includes itinerant farm labourers, family members, local casual workers, students, grey nomads (retirees travelling around Australia) and backpackers on the Working Holiday Maker Scheme.⁴⁵ The undocumented workforce consists of unauthorised residents (primarily from Pacific Island, Southeast Asian and Chinese backgrounds), overseas students working in excess of permitted hours, Australians working while in receipt of benefits and foreign travellers working without authorisation.

The rural sector is one of the four major areas of employment for undocumented workers in Australia.⁴⁶ Union officials claim that "a significant proportion" of Victoria's fresh fruit crop is picked by undocumented workers who are highly vulnerable to exploitation and in some cases are offered wages as low as A\$3 per hour.⁴⁷ Meanwhile primary producers are vulnerable to immigration raids that can have a devastating effect on output during highly time-sensitive harvest periods.

The gross value of horticultural production in Australia in 2002 was estimated by the industry to be A\$9.65 billion dollars, and by the ABS to be A\$6.75 billion.⁴⁸ However after rapid growth in the late 1990s, the fruit and vegetable industry currently faces significant challenges:

- Internationally, the high dollar has made Australian fruit and vegetables more expensive in markets where it must compete with subsidised European and North American produce and with produce from lower-wage countries like China, South Africa and Chile.
- Domestically, the supermarket duopoly, increasing concentration in the food processing sector, cheap imports of canned and frozen food and rising input costs (like water, fuel and fertilizer) have growers in the grip of a cost-price squeeze.

As a result of these pressures, traditional family farms are increasingly giving way to industrial scale agriculture that can produce more efficiently through economies of scale (The number of farms in Australia declined by 25% over twenty years to 2002-03 and average farm size increased from 2,720 hectares to 3,340 hectares).⁴⁹ The romantic image of the Australian family farmers struggling to scratch a living from their own block of land is increasingly giving way to a more prosaic reality of professional farm managers and low paid farm workers whose only connection to the land is that it supplies them with a job.⁵⁰ Agricultural workers are the lowest paid workers in the economy and their

jobs are more likely to be casual and part time than in most other sectors.⁵¹ Combined with the process of rural flight, this has led to growing labour shortages that are often temporary and seasonal in nature.

In response to pressure from the farm lobby, Immigration Minister Amanda Vanstone has created additional incentives for young travellers to take up agricultural work by allowing “working holiday makers” who do three months of “seasonal harvest work in regional Australia” to apply for an additional 12 month visa. But the changes do not guarantee that backpackers will undertake a second stint of agricultural work and primary producers complain that backpackers’ travel plans often take priority over working.

3.2 Canada’s Seasonal Agricultural Workers Program

Of the existing seasonal agricultural workers schemes overseas, the one operating in Canada appears to provide the most useful lessons for Australia and the Pacific - not because it offers a perfect model that could be translated to Australian conditions, but rather because it has been subject to extensive study and critique.

Canada’s Seasonal Agricultural Workers Program (CSAWP) has operated to bring temporary workers from the Caribbean since 1966 and from Mexico since 1974. In 2002, the program brought 19,000 workers to Canada (85% of them to the province of Ontario) for an average of 4 months employment. (The maximum stay allowable under the scheme is 8 months). Farmers need approval from local employment centres to certify that no Canadian workers are available to fill the jobs (though after the first year of involvement in the scheme such approval is largely perfunctory).

Farmers must provide the migrant workers with free housing (including meals or cooking facilities) and must guarantee them a minimum of 240 hours work over six weeks at or above prevailing minimum wage rates. Employers must take out workers compensation insurance to cover the migrants in the case of industrial accidents, and must pay the cost of the migrants’ international airfare, which can be partially recouped (to about 50%). While working in Canada the migrants pay local taxes and are covered by Canada’s universal health care system.

A major study of CSAWP as a “model of best practice and migrant worker participation in the benefits of economic globalisation” was undertaken by the North South Institute in Canada.⁵² This research suggests that CSAWP has benefits at a number of levels.

For Canadian growers and Canadian rural communities:

- CSAWP increases labour reliability at times of peak demand, and enables growers to plan production increases with greater confidence.
- Seasonal employment of foreign workers maintains and expands employment in higher skilled jobs, through the expansion of associated rural industries (eg transport services, construction, food processing).
- Local spending by seasonal migrant workers provides an economic boost to Canadian country towns and helps to sustain local businesses (eg shops) and services (eg banks, post offices) that may otherwise be in danger of closing.
- The scheme offers a legal route to farm jobs that would probably otherwise be filled by undocumented workers. Growers need not fear being in breach of the law or suffering the disruption of immigration raids.

For migrant workers:

- CSAWP provides opportunities for un- or underemployed Mexican and Caribbean workers to earn income at pay rates well above those on offer in their home countries.
- Workers return home each year and use their savings and remittances to improve housing, nutrition, clothing and health care for their families. Workers and their families enjoy greater income security and increased access to consumer goods.
- The scheme has long term development outcomes in source countries; in particular, the children of migrant labourers are likely to stay longer in school. (Jamaican workers were found to spend up to 35% of remittances on children's education⁵³ and there was a positive correlation between the number of years workers are employed in CSAWP and their children's school leaving age.⁵⁴) This finding is consistent with other surveys on the high proportion of migrant workers remittances used to fund spending on children's education.⁵⁵
- Workers are spared the smugglers' fees and risky journeys required to enter North America without the appropriate papers, and can live free of the corrosive fear that they may be discovered working illegally. Unlike undocumented workers, they return home regularly and are not forced to endure long years of separation from loved ones.
- The scheme is more accessible to the very poor in the source countries, those who do not have the financial resources required to pay the guides or bribes required to engage in cross border travel as undocumented migrants. Greater equity is achievable, because recruitment of seasonal workers can be targeted at impoverished regions, the unemployed and the landless.
- The scheme creates mechanisms (at least on paper) to protect the rights of foreign workers in terms of wages, health and safety and regulated work hours - protections that are completely denied to undocumented workers.

The Canadian scheme is not without its problems however. The United Food and Commercial Workers (UFCW) union in Canada says the exploitation of migrant workers under CSAWP is "Canada's shameful little secret."⁵⁶ There have been occasional protests and strikes by migrant workers, cases of abuse and exploitation, examples of sub-standard or overcrowded accommodation, and industrial accidents due to insufficient training, inadequate safety equipment or overlong working hours.⁵⁷ In Ontario, where most migrants are employed, agricultural workers are not allowed to organise and are not covered by workplace health and safety legislation (though these restrictions are under legal challenge and may soon change).

One strength of the Canadian scheme is that it operates under umbrella of bilateral (government to government) agreements, which provide for an annual review. This means that problems and inadequacies in the scheme can be addressed, and contracts and regulations updated. The agreements also provide a formal mechanism (consular liaison officers) for workers to raise grievances through their diplomatic mission. However there is also a downside here: the consular liaison officers are seen to be too remote from the workers and to suffer from a conflict of interest (maintaining good relations with Canada and the smooth operation of the scheme versus taking up the fight on behalf of individual workers). Government officials in Canada and Mexico express frustration at the large amount of bureaucratic activity generated by a scheme that employs relatively small numbers of people.

Another positive feature of the Canadian scheme is that it provides continuity. Growers can request the same workers back each year, which means that they retain the skills that workers have built up and do not need to invest constantly in retraining. This can also be a plus for the migrant workers as they become familiar with their employer, their work, the local community and each other. However again, this strength of the scheme can also be a weakness. Workers are essentially “bonded” to a particular employer for the duration of their stay in Canada, and the employer has an almost absolute power to send them home before their contracts expire, on the basis of “non-compliance, refusal to work, *or any other sufficient reason*”.⁵⁸ Workers can thus be trapped in exploitative or abusive situations and have very little power to refuse unreasonable demands such as working excessive hours or in unsafe conditions.

3.3 Labour mobility from the Pacific

There is growing pressure for Australia to establish seasonal work schemes for the Pacific. Forum island governments are lobbying Canberra on the issue and the Melanesian Spearhead Group has argued for temporary access for workers with qualifications below tertiary level, including seasonal agricultural workers.⁵⁹

In its 2003 inquiry on Australia’s relations with the region, the Senate Foreign Affairs, Defence and Trade Committee received numerous submissions suggesting schemes to bring workers from the Pacific and recommended “a pilot program to allow for labour to be sourced from the region for seasonal work in Australia.”⁶⁰

However, in its formal reply to the Senate report, the Australian government simply “noted” the recommendation for a pilot study, adding a one line response: “Australia has traditionally not

supported programs to bring low skilled seasonal workers to Australia.”⁶¹ The obstacles to such a scheme are political and bureaucratic.

- Firstly there is a popular antipathy to “cheap foreign labour” from Asia and the Pacific that has historical roots stretching back at least as far as the Victorian gold rush. Memories of “blackbirding” also raise concern over the wages and working conditions for foreign workers.
- Secondly, there is an entrenched orthodoxy within government that sees only high-skilled or capital-rich migrants as being of value to Australia. The bias against low-skilled migrants was formalised by the Fitzgerald report into Australia’s immigration program in 1988 and intensified further after 1996, as the Howard government decisively shifted the emphasis of the migration program to favour skilled and business migrants at the expense of family reunion.⁶²
- Thirdly, despite the increase in temporary skilled migration, there remains a well established bias towards permanent, rather than short term migration. Australia’s Department of Indigenous and Immigration Affairs (DIMIA) believes that temporary migrant labour schemes “fail to provide long-term benefits for either sending or receiving countries.”⁶³ Prime Minister John Howard responded to the idea of using overseas workers to pick fruit on ABC Regional Radio by saying that “for a long period of time we have put our face against a guest worker approach” which could result in “[losing] control of a significant part of our immigration programme”⁶⁴, while Treasurer Peter Costello has voiced the view that visas for short-stay “guest workers” would be “against the national ethos.”⁶⁵
- Fourthly, importing labour is problematic for the Australian labour movement. The national leadership of the Australian Council of Trade Unions (ACTU) has expressed some sympathy for the idea of a Pacific Island labour program with a developmental component and has even been involved in discussions about a proposed pilot program to bring workers from Fiji to Shepparton in central Victoria.⁶⁶ However, there has been vocal opposition from specific unions to the idea of bringing in “cheap” labour. Bill Shorten, President of the Australian Workers Union (AWU) says “guest work arrangements are exploitative of the guest and exploitative of unemployed Australians.”⁶⁷ Australian unions have stressed that they would only support schemes that involved government and union regulation of wages and conditions and respected union membership.

A common argument for opposing temporary labour programs from the Pacific is that it would be discriminatory under Australia’s immigration policy. However there are precedents for country specific programs, such as the Working Holiday Maker Scheme in Australia, which provides travellers aged 18 to 30 with a 12-month visa that entitles them to work in Australia for up to 3 months at a time with any single employer. This scheme, based on bilateral agreements with 18 states or territories, does not take in any Pacific Island nations.⁶⁸ Other countries have quotas restricted to

Forum member countries, such as New Zealand's Pacific Access programs or the European agreement for a quota of i-Kiribati and Tuvaluan seafarers in the EU offshore shipping fleet.

Another frequent objection to the idea of seasonal labour programs in Australia is the fear that temporary workers will overstay their visas and “disappear” into the community (adding to the stock of undocumented migrants). The Canadian experience suggests that this fear is greatly exaggerated. Of the 15,123 workers who entered Ontario under CSAWP in 2004, only 221 (or less than 1.5%) were listed as going AWOL (absent from their jobs without leave) and some of these would have returned to their homeland early. All workers were reported to have left Canada and returned home by the end of the year.⁶⁹ Initially, the low overstay rate in the Canada scheme was engineered through recruitment criteria that were skewed to select those seasonal workers deemed most likely to return to their homeland – that is, male workers who were married with children still at home.⁷⁰ Recently however, the scheme has also been opened up to single men and to women.

The most important factor in the low overstay rates in the Canadian scheme appears to be that workers can return to their homeland with the expectation that they will be re-engaged to work in Canada under CSAWP the following year. This “partly explains the lower number of overstayers compared with those in other similar programs” in other countries.⁷¹ For example, a scheme in the UK to allow final-year university students from non-EU Eastern European countries to work in agriculture has an estimated overstay rate of 10%.⁷² In the UK case, the seasonal migrants know that the opportunity to work in the UK is a one off so the incentive to overstay is greater.

4. Requirements for Effective Seasonal Workers Schemes

Government officials and community leaders interviewed in the Pacific for this research all welcomed the idea of developing seasonal work schemes to allow Pacific islanders greater access to the Australian labour market. However church and NGO leaders all raised a range of issues about social impacts – on labour rights, family life and development outcomes for women - that would need to be addressed if such schemes were to function effectively.⁷³

Global trends and the appealing symmetry of a scheme to allow foreign workers to fill seasonal gaps in Australia's rural labour market should not blind us to potential obstacles and dangers. The problems experienced with the Canadian scheme – despite its “world's best practice” status – underline then need for careful design and implementation.

The following sections outline some issues that need to be addressed in creating pilot seasonal work schemes.

4.1 Labour rights and working conditions

In Australia, trade union leaders stress that any seasonal work scheme must not be used to undercut wages and conditions for Australian workers, and must adhere to core labour conventions and standards.⁷⁴ The International Labour Organisation (ILO) also has a range of conventions covering core labour standards. The ILO also has specific conventions 97 and 143 covering migrant workers, yet these have not been ratified by Australia or by any Pacific island governments.⁷⁵ The Pacific Conference of Churches (PCC) has also called on Pacific governments to sign, ratify and implement the provisions of the Convention on Protection of the Rights of All Migrant Workers and Members of Their Families (Migrant Workers Convention).⁷⁶ The Convention came into force in July 2003, but thus far has not been signed or ratified by Australia, New Zealand and any other member of the Pacific Islands Forum.

The experience in Canada suggests that problems will arise when migrant workers are tied to a specific employer, especially if there is no ability for them to organise collectively. Any seasonal labour scheme in Australia needs to have safeguards built in to protect workers' rights, and guarantee freedom of association. There should also be mechanism of independent dispute resolution to manage conflicts when they arise.

Together with sectors such as construction and mining, farming and agricultural work are amongst the most hazardous industries for workers and compliance with occupational health and safety laws will be essential – there could be complex legal and practical issues for workers to claim treatment and compensation for workplace injuries after they return home. There is also a need to develop training programs for health and safety issues such as use of pesticides (which could have positive spin-offs for farm safety when the worker returns to farming and fishing in the Pacific).

4.2 Recruitment and government regulation

The 2003 Senate Committee into Australia's relations with the region recommends a pilot scheme, but says that:

“the model developed provide for management and organisational arrangements to be the responsibility of the source country and adequate mechanisms be put in place for training and transfer of skills.”⁷⁷

However, such a proposal places the burden on small island states, while the Australian government and private sector reduce or avoid their responsibility for the costs as well as the benefits of seasonal work schemes. A more realistic approach would involve some government-to-government framework or treaty as in Canada's CSAWP, outlining the responsibilities of both host governments. Pacific governments will need extra resources to effectively manage the scheme, and in our view its operation should be integrated with the official aid program to ensure maximum development outcomes. There is a problem seeing these programs as simply an issue of "trade in services", instead of a component of the social and economic development of Australia's nearest neighbours.

Unions believe that any seasonal workers scheme must involve more than monitoring of conditions for temporary workers – the scheme must be regulated by government, and there must be a system of sanctions for breaches of those regulations. Australian and Pacific unions, through the ACTU and SPOCTU, would seek collaboration with and involvement in any institutions created to regulate the scheme.⁷⁸

The need for targeted and ethical recruitment of seasonal workers takes on particular importance, given the disparities in wage levels between Australia and most island countries. There is anecdotal information on skilled workers travelling to Australia for fruit picking and unskilled labouring work, because they could earn more than their own trade or profession (e.g. school teachers who travel to Australia on a tourist visa during the long summer break, and go fruit picking for a couple of months after briefly visiting relatives). It is our view that recruitment schemes should be targeting the unskilled, rather than taking skilled trades and professional staff away from the workforce.

One pitfall for a more regulated scheme is that many rural villagers from the Pacific would have less comfort with a complex bureaucratic scheme, especially where the only High Commission is located in the capital city. Given low levels of literacy in Melanesian countries like Papua New Guinea, Vanuatu and Solomon Islands, and "a cultural aversion to lots of paperwork"⁷⁹ from many islanders, there may be costs and delays in regulation and recruitment procedures. Experience in Canada suggests that complexity can result in migrant workers missing out on their entitlements – for example tax returns or workers compensation – because they do not have the skills to negotiate bureaucratic systems. Similarly, horticultural producers do not have time to deal with complex paperwork at the height of the harvest - so while a scheme must be regulated it also needs to be user friendly for both workers and employers. There is also a need to develop "a culture of saving", to encourage investment of remittances.

There is also a question of where employment contracts are signed, as this has some implications for labour rights: for example, under Fiji's Employment Act, signing a contract in Fiji allows provisions of the Act to apply, while signing a contract overseas does not. This has implications if an employee wants the Ministry of Labour to follow up breaches of contract, unpaid or delayed wages, and long-term occupational health problems etc.

Similarly, any seasonal labour program will need to take account of taxation agreements (or the lack of them) between Australia and the Pacific. Currently non-residents who perform harvest labour in Australia (working holiday makers) are taxed at a higher rate than resident workers (29% rather than 15%) and do not benefit from the tax free threshold.⁸⁰ Unless this provision is altered, Pacific Islanders performing seasonal work could find themselves subject to double taxation.

4.3 Addressing social impacts on families

Emele Duituturaga, Chief Executive Officer of Fiji's Ministry of Women, Social Welfare and Poverty Alleviation, states that the government of Fiji "would support a regulated, managed scheme for seasonal workers. We have few jobs and a limited industry and manufacturing base, with a young and growing population."⁸¹

However Ms. Duituturaga stresses that there are significant social impacts from migrant worker schemes – the benefits of increased income for the family and community must be weighed against the social costs, especially for women and children. There are also questions of how many benefits from remittances go directly to families, while the costs and burdens of welfare and social adjustment are carried by government, at a time when many Pacific governments are often stretched to capacity in providing basic services.

In response to these social impacts, the SPC's Regional Maritime Program has developed social responsibility modules for training seafarers – it would be worth further study to see whether elements of these pre-departure training programs (e.g. on HIV / AIDS) could be adapted for use in pilot programs for seasonal agricultural workers.

It is also worth considering whether a maximum length of absence should be imposed on the scheme to ensure that workers are not separated from their families for extended periods of time – for example, visas to work in Australia could be capped at 6 months within any twelve month period so that workers would be sure to spend at least half the year in their home communities.

4.4 Information and community support

There is a need for pre-departure training and information sessions for seasonal workers, as a crucial element of any scheme. Informants stressed the importance of providing accurate and timely information to prospective seasonal workers before they join schemes or travel. Such information could cover a spectrum of issues, including wage rates, labour conditions (hours, meal breaks, occupational health and safety), cultural issues, visa and consular advice, banking and remittance procedures etc. There could also be discussion of social issues that may face bored, isolated workers, including substance abuse, gambling and the risk of HIV / AIDS.⁸²

Local communities could collectively discuss issues of the increase of funds into the community, with: advice on family budgeting or allocation of savings; planning family business ventures or investing in local community projects.

Our proposal suggests that pre-departure recruitment, training and orientation should involve a range of participants, representing governments of the sending and host nations, growers / employers, unions and church leaders. The funding of such orientation programs could be funded by a levy on both employers and applicants, or with government subsidy.

Employers and governments could assist with communication between seasonal workers and their families / communities at home. Employers could provide telephones and computer terminals with Internet and email access in church or community centres in Australia, while sending governments, NGOs and aid donors could assist with computer training programs for families at home.

There is also a potential role for Pacific island communities and churches in Australia to play a support role for seasonal workers.

4.5 Creating incentives to avoid overstaying

As discussed above, a key concern with temporary labour programs is that workers will fail to return home when their seasonal work is ended. There is the potential for both positive and negative incentives to reduce overstaying, which would involve governments developing policy that could assist seasonal workers to return to their home country.

Under its “risk factor list” for assessing visa applications, the Australian Department of Immigration and Indigenous Affairs (DIMIA) already has strict requirements for visitors from Fiji, Tonga and

other Pacific countries because of people overstaying in the past. DIMIA told the 2003 Senate inquiry into Australia's relations with the region that without "very strong enforcement", the non-return of seasonal workers would incur significant expenses for government:

"Overstay issues associated with low-skilled guest worker schemes also cannot be underestimated, given the experience in other places. It is certainly true that overstay rates, non-return rates and the rates of protection visa applications from visitors from the South Pacific are quite high. They would be amongst the factors that we would need to take into account in considering any guest worker scheme."⁸³

However Reverend Jason Kioa, President of the Tonga Australia Association, stresses that "most overstayers are homesick – they really want to go back home, but are restricted by the potential legal and financial costs of being caught by Immigration."⁸⁴

The dilemma for all undocumented workers is that they must stay below the radar for as long as possible in order to maximise their earnings in Australia: they know that once they are caught or decide to leave the country voluntarily, there will be no possibility of future return. Pacific church leaders in Australia are often involved in supporting parishioners in times of crisis (e.g. when a family member dies at home, but the overstayer cannot return home because of visa restrictions). Rev Kioa believes that a scheme that would allow people to travel back and forward between Australia and Tonga would help reduce overstaying and the stresses on family life, and the breakdown of families by the extended absence of undocumented or migrant workers.

Pacific Islands Forum Secretary General Greg Urwin has also noted that seasonal migration to Australia by Pacific islanders is different to past waves of post-war migration from southern Europe, in that many islanders are landowners, maintain connections with extended family groups and have an ongoing status in their home country.⁸⁵ There is an extensive literature discussing the "transnational network of kin."⁸⁶

USP's Professor Wadan Narsey has suggested:

"An essential part of the scheme could be the payment of a large proportion of the wages into trust funds for each worker, which are released in Fiji upon the satisfactory completion of the labour contract and return of the worker. This would not only ensure that Fiji enjoys the remittance benefits, but there is also an incentive for workers to abide by the rules and return after the end of the labour contract."⁸⁷

There is an important reservation to make in response to Dr Narsey's suggestion: if compulsory savings are to be deducted from the workers' wages, then it is imperative that at least some of this

money is immediately available to family members in the home country for necessary living expenses.

There are other ways to maximise the likelihood of return. For example, it could be a requirement that workers return home before they can claim a refund for taxes paid in Australia, or before they can access superannuation contributions made by them or on their behalf. As in Canada, the recruitment criteria of seasonal workers could be skewed to select migrants deemed most likely to return to their homeland – that is, workers who are married with children still at home. However, there is a significant trade off here, since such a selection bias requires the extended separation of a parent from his or her children. Selection criteria of this nature also discriminate against young, unmarried workers (such as school leavers) who may be those most urgently in need of a job.

It is our contention that the most powerful factor in ensuring that workers return home at the end of the season will be the secure knowledge that they can be re-engaged to work in Australia for a similar amount of time in subsequent years.

4.6 Government policy to support migrant workers

As well as developing “negative” incentives, there is also a need for Pacific governments to develop positive policies that encourage remittances and legal return. At present, few Pacific governments have comprehensive legislation or regulations to assist migrant workers with:

- roll-over of any superannuation or pension rights
- reduced freight costs to bring home goods
- tax benefits for repatriated funds
- maintenance of seniority and leave entitlements for former government workers.

Another problem is that costs of transferring remittances are relatively high, and sometimes insecure. Governments find it difficult to accurately account for the transfer of personal remittances, as people returning from overseas often carry cash or goods and hand it directly to family members, without any record in financial institutions.

Western Union is a major means of transferring funds from overseas, even though the rates are relatively expensive. The attraction of sending money through Western Union is the ease of access especially in rural areas and outer islands where there are few commercial banks – an estimated 300,000 people in Fiji do not have a bank account, out of a population of 870,000.⁸⁸ With the increase

in overseas remittances, commercial banks are looking to develop new products to tap the market of overseas migrants and seasonal workers in Australia, New Zealand and the United States.

The March 2005 Forum Secretariat Remittance Roundtable has recognised a number of steps that governments could take to enable increased remittance flows.⁸⁹

- revising visa criteria to open up international labour markets to Pacific island workers, particularly the unskilled;
- development and promotion of innovative and appropriate savings and investment instruments for overseas migrants and seasonal workers, encouraging workers to invest their pensions, bonuses and personal savings in the home country;
- development of a more affordable and secure remittance systems (simplifying paperwork, and regulating and reducing costs for transferring money);
- adjustment of tax policies for remitted funds, which are mainly derived from wages and salaries and have already been taxed overseas;
- development of government, NGO and church programs to look after the needs of migrant workers (information, social, consular assistance, human rights etc) and of family members left behind;
- improving financial literacy with advisory and training schemes to encourage returning seasonal workers to invest their earnings (e.g. business set-up advisory programs, micro-credit schemes, investment matching funds);
- adapting the educational, vocational and training curricula to reflect the fact that many workers are contributing to an international rather than domestic labour market.

4.7 Sharing the costs

As the above discussion makes clear, any seasonal labour scheme for Pacific Islanders to work in Australia will involve costs – the bureaucratic costs of regulation, administration and oversight, and the practical costs of airfares, visas, medical checks and accommodation. A key question in the design of the scheme will be how those costs are to be shared between growers, workers and governments without sacrificing equity or efficiency. As Philip Martin has noted, there has been a decline in the role of no-fee public sector employment services, and a rise in the role of for-profit private sector recruitment agencies. As a result “the general trend in the migrant recruiting business has been for costs to be shifted from employers to workers.”⁹⁰ In an unregulated environment, the North-South disparity in wealth and opportunity creates conditions in which recruitment agencies can extract exorbitant “application fees” from would-be migrant workers who are hungry for jobs, and then drive down the conditions and pay under which they are expected to work. As Martin comments:

‘In most cases, migrants who have incurred debts to go abroad wind up being forced to make the adjustments from the promises to the realities, not employers.’⁹¹

This trend is objectionable for obvious reasons – it imposes the greatest costs on the most disadvantaged actors.

It is our view that employers should share the costs of any seasonal workers scheme in Australia. Equity is only one consideration here; another is that there should be a monetary incentive for employers to look first to the local labour market to secure workers.

While Canada’s scheme has been tailored much more heavily to the needs of employers than workers, it does provide a reasonable model of cost sharing. As noted above, growers must provide free accommodation in addition to wages. They also pay a non-recoverable fee of \$35 per worker to the Foreign Agricultural Resource Management Service (F.A.R.M.S), an employer-run, non-profit, federally incorporated agency that is authorised by the Canadian government to coordinate and organise the scheme. Workers’ travel is organised through CanAg travel services, which is a subsidiary of F.A.R.M.S. Farmers pay the cost of all transport within Canada, and must advance the cost of international travel with approximately half of this cost later re-couped via deductions from workers’ wages. Farmers must also pay the visa fee of CND \$150 up front, although this amount can be fully recouped through wage deductions. However, in recovering costs from workers, farmers cannot deduct a maximum of 5% of gross earnings per pay period (in the case of Mexican workers) or \$3.50 per day (for Caribbean workers).

5. Conclusion – beyond trade and economics.

If Australia is to introduce a seasonal employment scheme and open up its labour market to Pacific Island workers, then the starting point should be a series of small-scale pilot projects. However the scheme should not be conceived purely in terms of economic exchange, or as a bargaining chip in trade negotiations intended to further liberalise Pacific Island economies. Rather, it should be regarded as a development opportunity: a mechanism to advance, however modestly, sustainable economic and social development in the communities from which the workers come, and to encourage the expansion of “people to people” contacts between Australia and the Pacific.

A model for this approach can be found in *Agricultores Solidarios* (Farmers for Solidarity) in Spain. The Farmers Union of Catalonia, the Livestock and Produce Farmers of Valencia and the Farmers Union of Majorca have set up a program to meet their need for additional seasonal labour while also

encouraging “human, economic and social development in less favoured agrarian societies.”⁹² Under the program, seasonal migrant workers are recruited from Colombia, Morocco and Romania. There is a strong emphasis on training and on encouraging positive interaction between the migrant workers and their host communities in Spain. Program coordinator Maria Peix describes it as “a two way exchange that involves civil society”, with the temporary workers becoming “development agents that boost new processes led by themselves in their countries of origin.”⁹³

In Australia we envisage building on the model of “sister city” relationships that exist between some regional municipalities and localities in the Pacific. Under this scenario, a particularly region (for example Weather Coast in Solomon Islands) might be twinned with an area in country Victoria (such as the Swan Hill region). In addition to recruiting seasonal workers from a region of Solomon Islands to work in horticulture, associated educational activities could be devised for schools in Swan Hill and community organisations (perhaps Pacific church groups) could take a lead role in organising social events and cultural activities to welcome the workers into the community. Volunteer programs (AVI and AESOP), service clubs (Rotary, Lions etc) and other NGOs could co-ordinate development activities with targeted communities. Workers would be engaged in some level of formal training – for example in first aid, chemical safety and handling – to ensure that they go home with useful skills as well as money in their pockets. Community-based organisations in both countries could co-operate to develop ways for remittances to contribute to general development activities, through micro-finance schemes, small business programs, and the education of young women.

There are currently organisations seeking to initiate seasonal work programs, and regional bodies like the Pacific Islands Forum should facilitate government to government discussions to create a framework for pilot projects – a contribution to the education, employment and enjoyment sought by many people in the Pacific.

ENDNOTES

¹ For discussion, see the special editions on “Migration and labour” of the *Journal of Pacific Studies*, Vol.18, 1994-95 and Vol.27, No.2, November 2004; Clive Moore: *Kanaka – a history of Melanesian Mackay* (UPNG, Port Moresby, 1985).

² R. Gerard Ward: *Widening Worlds, shrinking worlds? The reshaping of Oceania*, Pacific Distinguished Lecture 1999 (Centre for the Contemporary Pacific, ANU, Canberra, 1999).

³ See for example the special edition of the journal “The Contemporary Pacific”: *Asia in the Pacific – migrant labour and tourism in the Republic of Palau*, Vol.12 No.2, Fall 2000.

⁴ Richard Brown and Adrian Walker: *Migrants and their remittances*, Pacific Studies Monograph No.17, Centre for Pacific Studies, University of New South Wales, 1995.

⁵ Senate Foreign Affairs, Defence and Trade References Committee: *A Pacific Engaged - Australia's relations with Papua New Guinea and the islands of the south west Pacific* (Canberra, August 2003), pp69-75. (Henceforth “A Pacific Engaged”)

⁶ Pacific Islands Forum Secretariat: *Summary record – remittances roundtable 21 March 2005* (Forum paper, 29 March 2005).

⁷ John Connell and Richard Brown: *Remittances in the Pacific – an overview* (Asian Development Bank, Manila, March 2005).

⁸ A decade ago, Australian academics and journalists contributed to the ideological push for economic policy change in the Pacific, through the Pacific 2010 project. See Rodney Cole (Ed): *Pacific 2010; challenging the future* (Canberra, NCDS, 1993).

⁹ Peter Mares and Nic Maclellan work as journalists and are currently research fellows at the Institute for Social Research at Swinburne University in Melbourne, Australia. This paper draws on their ongoing research for the ‘Pacific Labour and Australian Horticulture’ project, funded through the Australian Research Council Industry Linkage scheme. Their industry partners are Oxfam / Community Aid Abroad, Swan Hill Rural City Council, and the Sunraysia Mallee Economic Development Board.

¹⁰ PACER entered into force in October 2002 and PICTA entered into force in April 2003 after six countries ratified it. The text of the two agreements can be found on the Forum Secretariat website at www.forumsec.org.fj

¹¹ Interview with Forum Secretary General Greg Urwin, Suva, June 2005. See also Professor Wadan Narsey: “PIC development: Remittances and other alternatives to regional integration”, Paper presented at the FDC workshop on Remittances, Microfinance and Technology: Leveraging development impact for Pacific States. Brisbane 10-11 June 2004.

¹² Asian Development Bank: *Pursuing Economic Reform in the Pacific*, Pacific Studies Series no.18 (ADB, Manila, 1999).

¹³ For church and NGO critiques, see World Council of Churches Pacific Office: *Islands of Hope – a Pacific alternative to Economic Globalisation* (WCC, Geneva, 2001); Professor Jane Kelsey: *Big Brothers Behaving Badly - the implications for the Pacific Islands of the Pacific Agreement on Closer Economic Relations* (PANG, Suva, 2004); Professor Jane Kelsey: *A People's Guide to the Pacific's Economic Partnership Agreement* (WCC, Suva, March 2005).

¹⁴ James Riley: “Temporary visa jobs coming and going”, *The Weekend Australian*, 5-6 March 2005.

¹⁵ Population data and demographic trends for island nations are detailed by the Secretariat of the Pacific Community (SPC) Demography / Population program: <http://www.spc.int/demog/>

¹⁶ “Rebuilding confidence for stability and growth for a peaceful, prosperous Fiji”, *Strategic Development Plan 2003-2005*, Parliamentary paper No. 72, 2002, p.42.

¹⁷ Professor Jane Kelsey: *A People's Guide to the Pacific's Economic Partnership Agreement* (WCC, Suva, March 2005).

¹⁸ For discussion, see the March 2005 ADB report by Connell and Brown, op.cit.

¹⁹ Maria Borovnik: “Remittances – an informal but indispensable form of income for seafarer families in Kiribati” paper to Remittances, microfinance, technology workshop, Brisbane, June 2004. Ms. Borovnik is a PhD scholar at the University of Canterbury in New Zealand, researching: “Seafarers in Kiribati - Consequences of international labour circulation.”

²⁰ “Overseas Exchange Transactions”, National Reserve Bank of Tonga, Annual Report 2003-04, p.6.

²¹ Interview, Resina Katafono, Senior Economist, Reserve Bank of Fiji, June 2005.

²² “Fiji's 'unsung heroes' of UK army”, *BBC News Online*, Tuesday, 9 November 2004.

²³ “Worker exodus a drain on Fiji manpower”, *Fiji Times*, 19 January 2005.

²⁴ “Fijians survive bloody shoot-out”, *Fiji Sun*, 23 December 2003; “Iraq guards sent home in disgrace”, *Fiji Times*, 26 December 2003; “Iraq guards come home to pay battle”, *Fiji Times* 20 January 2004.

²⁵ “Officers reveal Iraq woes”, *Fiji Times*, 7 July 2005.

²⁶ Samisoni Pareti: “Fiji's long, risky road to Kuwait”, *Islands Business*, April 2005.

²⁷ Interviews with Prof. Ron Duncan (PIAS-DG, USP), Seema Naidu (FWRM), Avelina Rokoduru (USP), Tupou Vere (PCRC), Suva, June 2005; Betty Blake (Catholic Women's League of Tonga), June 2005.

²⁸ Fiji Women's Rights Movement: *Sexual harassment in the workplace – the Fijian perspective* (FWRM, Suva, 2002). See also Fiji Women's Rights Movement: *Labouring under the Law* (FWRM, Suva, 1998).

²⁹ *State of Pacific Youth Report 1998* (UNICEF Pacific, Suva, 1998), p28.

³⁰ Heather Booth: “Suicide in the Pacific Islands”, in Brij V Lal and Kate Fortune (Eds) *The Pacific Islands: An Encyclopedia* (University of Hawaii Press, Honolulu, 2000), p.439.

- ³¹ See for example: F. X. Hezel: "Suicide and the Micronesian Family." *The Contemporary Pacific*, Vol.1, No.1 (1989), pp43-74. F. X. Hezel et al (Eds): *Culture, Youth and Suicide in the Pacific: Papers from an East-West Center Conference*, Working Papers Series, Pacific Islands Studies Program (University of Hawaii, Honolulu, 1985).
- ³² Jennifer Dennis: *Pacific Island seafarers – a study of the economic and social implications of seafaring on dependants and communities*, Pacific Seafarers Training Program, Regional Maritime Program, Secretariat of the Pacific Community (SPC, Suva, 2003). See also research by Maria Borovnik, op.cit.
- ³³ Geoffrey Bertram and Ray Watters: "The MIRAB economy in Pacific Microstates", *Pacific Viewpoint* Vol.26, No.3 pp497-519; Geoffrey Bertram: "The MIRAB model 12 years on", *The Contemporary Pacific*, Vol.11, No.1 Spring 1999, pp.105-138.
- ³⁴ John Connell and Richard Brown: *Remittances in the Pacific* op.cit, p.23
- ³⁵ Aunese Makoi Somati and John Gibson: "Do remittances decay? Evidence from Tuvaluan migrants in New Zealand", *Pacific Economic Bulletin*, Vol.16, No.1 May 2001. Richard Brown: "Do migrants' remittances decline over time? Evidence from Tongans and Western Samoans in Australia", *The Contemporary Pacific*, Vol.10, No.1, Spring 1998, pp.107-151.
- ³⁶ Avelina Rokoduru: "Fiji's women migrants and human rights – the case of nurses and teachers in the Republic of Marshall Islands", *Journal of Pacific Studies*, Vol.27, No.2, November 2004. See John Connell and Richard Brown: *Remittances in the Pacific* op.cit, for a recent bibliography of relevant studies.
- ³⁷ Interview with Forum Secretary General Greg Urwin, Suva, June 2005.
- ³⁸ Interview with Parliamentary Secretary for Foreign Affairs Bruce Billson: "Australia to consider movement of labour around the Pacific", *Pacific Beat*, Radio Australia, 12 August 2005.
- ³⁹ Interview with Parliamentary Secretary for Foreign Affairs Bruce Billson: "Forum countries consider regional trade framework", *Pacific Beat*, Radio Australia, 1 June 2005.
- ⁴⁰ Interview with Sanjesh Naidu, Ministry of Finance and Planning, Government of Fiji, Suva, June 2005.
- ⁴¹ Interview with Resina Katafono, Senior Economist, Reserve Bank of Fiji, Suva, June 2005.
- ⁴² Professor Wadan Narsey: "PIC development: Remittances and other alternatives to regional integration", Paper presented at the FDC workshop on Remittances, Microfinance and Technology: Leveraging development impact for Pacific States. Brisbane 10-11 June 2004. Until his retirement in 2005, Professor Narsey was Director of Employment and Labour Market Studies at the Pacific Institute of Advanced Studies in Development and Governance (PIAS-DG) at the University of the South Pacific.
- ⁴³ United Nations Department of Economic and Social Affairs: *World economic and social survey 2004, part II, international migration*, p128; Dilip Ratha: "Understanding the importance of remittances" Migration Information Source, 1 October 2004 [online] <http://www.migrationinformation.org/Feature/display.cfm?id=256>
- ⁴⁴ Sue Pickering and Helen Barnes: "Towards a sustainable workforce across horticulture", *The Orchardist* (New Zealand) May 2005 pp30-34
- ⁴⁵ Glenys Harding and Elizabeth Webster: *The Working Holiday Maker Scheme and the Australian Labour Market*, Melbourne Institute of Applied Economic and Social Research, University of Melbourne September 2002, [online] <http://www.econ.unimelb.edu.au/iaesrwww/mipub/other.html> .
- ⁴⁶ The other main sectors being hospitality, the sex industry and factories.
- ⁴⁷ Gary Hughes and Larry Schwartz: "Outlaw labour, rorts and all", *Sunday Age*, 28 March 2004, pp 1 & 8.
- ⁴⁸ Horticulture Australia Limited: *The Australian Horticulture Statistics Handbook 2004*
- ⁴⁹ Productivity Commission: "Trends in Australian Agriculture", Research Paper, Canberra, June 2005 p.31.
- ⁵⁰ Ibid. p.99. Over the 20 years to 2003-4, the proportion of employees in the agricultural workforce has increased from 33% to 51%, while the combined share of employers, own account and contributing family workers has fallen from 67% to 49%.
- ⁵¹ Ibid. p.106-107.
- ⁵² Kerry Preibisch: "Social relations between agricultural workers, their employers, and the residents of rural Ontario" North South Institute 2004 [online] <http://www.nsi-ins.ca/ensi/research/completed/c05.html>; David Griffith: "The Canadian and United States migrant agricultural workers programs: parallels and divergence between two North American seasonal migrant agricultural labour markets with respect to "best practices"" (executive summary), North-South Institute 2004 [online] <http://www.nsi-ins.ca/ensi/research/completed/c05.html>; Andrew Downes and Cyrilene Odle-Worrell: "Canadian migrant agricultural workers' program research project – the Caribbean component" (executive summary) North South Institute 2004 [online] <http://www.nsi-ins.ca/ensi/research/completed/c05.html>
- ⁵³ Roy Russell: "Jamaican workers' participation in CSAWP and development consequences in the workers' rural home communities" (executive summary) North South Institute [online] <http://www.nsi-ins.ca/ensi/research/completed/c05.html>
- ⁵⁴ Gustavo Verduzco and Maria Lozano: "Mexican farm workers' participation in Canada's seasonal Agricultural labour market and development consequences in their rural home communities" (executive summary) North South Institute 2004 [online] <http://www.nsi-ins.ca/ensi/research/completed/c05.html>
- ⁵⁵ United Nations Department of Economic and Social Affairs: *World economic and social survey 2004, part II, international migration*, pp95-111 [online] <http://www.un.org/esa/policy/wess/>
- ⁵⁶ United Food and Commercial Workers Union, Canada): *National report: status of migrant farm workers in Canada*, December 2002 [online] http://www.ufcw.ca/publications_main.cgi

- ⁵⁷ For details, see Phillip L. Martin: *Managing Labour Migration: Temporary Worker Programs for the 21st Century*, International Institute for Labour Studies, Geneva, September 2003; Tanya Basok: *Tortillas and tomatoes: transmigrant Mexican harvesters in Canada* (McGill-Queens University Press, Montreal and Kingston, 2003); Sue Ferguson: “Hard Time in Canadian fields”, *Macleans*, 11 October 2004.
- ⁵⁸ United Food and Commercial Workers Union, Canada: “National report: the status of migrant farm workers in Canada, 2003” [online] http://www.ufcw.ca/publications_main.cgi (emphasis added).
- ⁵⁹ Interviews with Greg Urwin (Forum Secretariat) Emele Duituturaga (Fiji), Sanjesh Naidu (Fiji), Akilisi Pohiva (Tonga) in June 2005.
- ⁶⁰ *A Pacific Engaged*, op.cit, p.76.
- ⁶¹ Government response to “*A Pacific Engaged*” (Canberra, April 2005). This formal response to the August 2003 Senate report was dated 5 April 2005 but only issued on 24 June 2005, the day after Parliament broke for its winter recess.
- ⁶² James Jupp: *From White Australia to Woomera: the story of Australian immigration* (Cambridge University Press, 2003), pp.145-6.
- ⁶³ Submission to 2003 Senate inquiry. See “*A Pacific Engaged*” (Canberra, April 2005).
- ⁶⁴ John Howard, radio interview with Kathy Bedford, *ABC Regional Victoria*, 20 April 2004: <http://www.pm.gov.au/news/interviews/Interview805.html>
- ⁶⁵ Elizabeth Colman: “‘Guest’ workers prop up economy”, *The Weekend Australian*, 5-6 March 2005, p1.
- ⁶⁶ “Unions support Senate report on labour mobility”, Interview with ACTU President Sharan Burrow, “Pacific Beat” Radio Australia, 13 August 2003. Interviews with Alison Tate, International Officer, Australian Council of Trade Unions (ACTU), Melbourne, June 2005; Alan Matheson, former ACTU International Officer, Melbourne, May 2005.
- ⁶⁷ Mark Metherell: “Labour-starved nation flirts with overseas recruits”, *Sydney Morning Herald*, 24 February 2005.
- ⁶⁸ Australia’s current reciprocal working holiday arrangements are all with the developed states or territories that the Immigration department regards as posing a ‘low-immigration risk’, namely Belgium, Canada, Cyprus, Denmark, Finland, France, Germany, Hong Kong, Ireland, Italy, Japan, Korea, Malta, Netherlands, Norway, Sweden, Taiwan and the UK. NSW MLC Charlie Lynn has called for the working holiday scheme to be extended to Papua New Guinea. “It’s time to dump our “unofficial” White Australia policy against black Melanesians”, media release, 23 February 2005.
- ⁶⁹ F.A.R.M.S (Foreign Agricultural Management Service) Regional Report – Caribbean/Mexican Seasonal Agricultural Workers Programs as of 31/12/2004.
- ⁷⁰ Tanya Basok: “He came, he saw, he ... stayed. Guest worker programs and the issue of non-return”, *International Migration* Vol.38 No.2, 2000, pp 215-236.
- ⁷¹ United Nations Department of Economic and Social Affairs: *World economic and social survey 2004, part II, international migration* [online] <http://www.un.org/esa/policy/wess/>
- ⁷² UK Home Office: *Review of the Seasonal Agricultural Workers’ Scheme 2002* Work Permits UK, May 2002 [online] <http://www.ind.homeoffice.gov.uk/filestore/Review.of.SAWS.Issues.Paper.V9.pdf>
- ⁷³ Interviews with Reverend Jason Kioa (Tongan Australia Association), Melbourne, May 2005; Father Kevin Barr (Ecumenical Centre for Research, Education & Advocacy ECREA), Suva, June 2005; Betty Blake, Catholic Women’s League of Tonga, Nuku’alofa, June 2005; Revered Simote Ve’a, Tonga National Council of Churches, Nuku’alofa, June 2005; Reverend Leva Kila Pat, Pacific Conference of Churches, Suva, June 2005; Feiloakitau Kaho Tevi, World Council of Churches Pacific Office, Suva, June 2005.
- ⁷⁴ Interview with Rajeshwar Singh, President, South Pacific Council of Trade Unions (SPOCTU), Suva, June 2005; Interview with Tate, Matheson, op.cit.
- ⁷⁵ ILO C. 97 Migration for Employment Convention (Revised), 1949 and ILO C. 143 Migrant Workers (Supplementary Provisions) Convention, 1975.
- ⁷⁶ Interviews with Tevi, Kila Pat and Ve’a, op.cit
- ⁷⁷ *A Pacific Engaged* op.cit., p76.
- ⁷⁸ Interviews with Tate, Matheson, Singh op.cit.
- ⁷⁹ Interview with Reverend Jason Kioa, May 2005. The issue was also raised by Avelina Rokoduru, interview, Suva, June 2005.
- ⁸⁰ Australian National Audit Office Audit Report No. 47 2004-05 ‘Australian Taxation Office Tax File Number Integrity’ pp 95-96
- ⁸¹ Interview with Emele Duituturaga, Suva, June 2005.
- ⁸² Avelina Rokoduru: “Remittances, the case of Fiji’s skilled migrant workers in the Republics of Kiribati and the Marshall Islands”, presentation to Forum Secretariat Remittances Roundtable, 21 March 2005.
- ⁸³ Senate Foreign Affairs, Defence and Trade References Committee: *A Pacific Engaged - Australia’s relations with Papua New Guinea and the islands of the south west Pacific* (Canberra, August 2003), p74.
- ⁸⁴ Interview with Reverend Jason Kioa, May 2005. Ironically, Reverend Kioa was himself an over stayer during the 1960s!
- ⁸⁵ Interview with Forum Secretary General Greg Urwin, Suva, June 2005.
- ⁸⁶ For the example of Tonga, see Helen Morton Lee: *Tongans Overseas – between two shores* (University of Hawai’i Press, Honolulu, 2003).
- ⁸⁷ Professor Wadan Narsey: “PIC development: Remittances and other alternatives to regional integration”, Paper presented at the FDC workshop on Remittances, Microfinance and Technology: Leveraging development impact for Pacific States. Brisbane 10-11 June 2004.

⁸⁸ *ANZ Coconut Wireless*, Issue 3, November 2004 (official newsletter of ANZ's Rural Banking Programme).

⁸⁹ Pacific Islands Forum Secretariat: *Summary record – remittances roundtable 21 March 2005*, published 29 March 2005.

⁹⁰ Philip Martin: "Merchants of labour: Agents of the evolving migration infrastructure", International Institute of Labour Studies' Decent Work Research Program, Discussion Paper DP/158/2005, ILO Geneva.

⁹¹ *Ibid.* p.3

⁹² Andreu Peix 'Farmers for Solidarity', *Dossier Migrations et Developpement*.

⁹³ 'Agricultores Solidarios (Farmers for Solidarity) promote regular migration flows between temporary workers countries of origin and of destination' Forum Barcelona, Press Release, 4 September 2004.