Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication

Does this temporary circular labor migration model have the potential to generate co-development in the country of origin?
Acknowledgments

1. Executive Summary

3. Relevance of the topic and EU institutional debate on temporary migration

4. The academic debate on TFWP
   4.1 What is the opinion of scholars on the feasibility of TFWP?

5. The Temporary Circular Labor Migration Project between Colombia and Spain: a model for consolidation and replication
   5.1 Selection of participant workers
   5.2 Support initiatives

6. Research methodology and sample description

7. Outcome of the qualitative research
   7.1 Answer to sub-question 1 - TCLM is an opportunity for change
   7.2 Answer to sub-question 2 – Local government can promote co-development by relying on those workers who are community leaders
   7.3 Answer to sub-question 3 - The meaning of co-development: “shared responsibility” in exploiting this learning opportunity and in working together towards community goals.
   7.4 Answer to sub-question 4 - Careful selection of the employers, professional and continuous support to the worker as a solution to family distress, uncertainty about the condition is Spain and abuses on the workplace
   7.5 Answer to sub-question 5 – Returning migrants are entrepreneurs but they lack sufficient capital and expertise

8. Policy recommendations and conclusions
   8.1 The workers that participate in the TCLM feel a responsibility burden
   8.2 The funding of income generating initiatives should be more transparent
   8.3 What does development mean?
   8.4 Family support is fundamental and should be provided in the future

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
8.5 Technical assistance should be provided to implement productive projects 59
8.6 Returning workers as trainers for future participants 59
8.7 Political changes should not affect the program 59

9. The challenge of guaranteeing the sustainability of community initiatives: a CSR opportunity? 61

9.1 Why should companies embrace CSR? 62
9.2 What is the link between CSR and the development goals of the TCLM project 64

10. The Spanish and Italian contexts - can the program be replicated? 67

10.1 Agriculture and tourism sectors rely on temporary workers 68
10.2 Spanish and Italian migration laws – how temporary work is regulated 71
10.3 Experts opinion on the Italian legal framework regulating seasonal work 75
10.3.1 Strategies for controlling irregular migration 77
10.3.2 Quotas and incentives 79
10.3.3 Is TFWP based on the TCLM model in Italy possible? 80
10.4 Can the TCLM project be implemented in Italy? 82

11. Conclusion 83
12. References 85
13. Appendices 89

Appendix A - TFWP: Criticisms and possible solutions 89
Appendix B – Interview guide for temporary migrants and their families 92
Appendix C – Interview guide for local government staff 93
Appendix D – Interview guide for trade unions and business associations 94

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
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Pictures from the field work in Colombia

Posters prepared by the temporary workers of the community of San Cristobal in order to thank Maastricht University and I for taking an interest in assessing the TCLM project. The workers made the great effort of writing the posters in Italian.

(Left) The focus group of participant migrants from San Cristobal; (Right) A returning migrant (pictured right) showing the improvements of the kindergarten she runs. The improvements were achieved thanks to her savings from the TCLM.
1. Executive Summary

Temporary foreign workers programs are back. More European countries have been reintroducing Temporary Foreign Workers Programs (TFWP) in order to satisfy their seasonal demand for labor. The need for foreign workers arises from three main factors: a growing demand for labor in sectors like agriculture, an aversion of native workers towards 3D jobs (dirty, dangerous and demanding) and the demographic changes affecting industrialized countries.

The critiques on TFWP. TFWP are not new in Europe, USA and Asia. The German Gastarbaiter or the US Bracero programs, for instance, were implemented for decades. All past programs were designed to import labor force in periods of economic growth with the assumption that workers would go home in case of economic slowdown. Many scholars have expressed their concerns on the feasibility of TFWP because past experiences proved to be a failure and the circularity of workers did not occur. The main critiques on TFWP refer to four main aspects.

(1) The migrant and his/her family. Temporary migration has a social and psychological impact on the migrant worker and his/her family; the worker is in a condition of vulnerability because his temporary condition limits his rights in the country of destination and the short period of stay is likely to limit integration. Moreover, an incentive/disincentive mechanism is necessary to make sure that the worker goes back at the end of the working period; an enforcement mechanism is also required to limit abuses committed by employers.

(2) Labor market in the country of destination. TF workers are often perceived as competitors of native low skilled workers and as cheaper labor; moreover, the needs of the labor market in the country of destination are not temporary but suffer from structural shortages.

(3) Labor market in the country of origin. TFWP might lead to the phenomenon of brain drain if the workers leaving the country are highly skilled; this issue is related to the
difficulty of guaranteeing the circularity. Furthermore, without appropriate supervision, criminal organizations or corrupted officials might manage the recruitment process.

(4) Feasibility of TFWP. These programs are believed to be too complex and too expensive; states are often unable to enforce the law, to expel illegal migrants and to sanction employers. Last but not least, there is the ethical issue concerning the asymmetry of power between poor countries offering their labor and developed ones willing to employ workers on a temporary basis: is it ethical to welcome workers only when we need them?

Other authors have also underlined the positive aspects of such forms of human mobility deconstructing the old view that migration is a consequence of under-development. The new paradigm is that migrants, thanks to social and economic remittances, can be agents of change and promoters of innovative initiatives in their communities of origin.

The EU and international debate on temporary migration. There has been a growing debate at EU and International level on temporary migration. The debate has been characterized by an increasing optimism on migration. Recently the EU Commission has been discussing the link between migration and development and the need to implement mobility partnerships between member states and third countries (e.g. COM (248) 2007); such partnerships are considered as a tool to legally manage migration while allowing migrants to increase their income and invest their remittances in their country of origin. Also the Global Commission on International Migration called for more flexible regulations which can facilitate the circularity of migrant workers.

The Temporary Circular Labor Migration Model of Unió de Pagesos and IOM. The Spanish organization from Catalonia, Unió de Pagesos (UP), has been contracting since the 1990s temporary foreign workers who are a fundamental source of labor force for its members. This organization, after the creation of an ad hoc foundation, has been training these temporary workers so that they can be entrepreneurs in their communities of origin. The UP work is based on the concept of co-development: migration should be beneficial for the migrant, for the country of origin and for the country of destination and lead to win-win-win outcome. In 2007, the IOM, with the support of the EU-AENEAS Fund joined the TCLM
program in order to strengthen it, make it replicable and involve some targeted Colombian communities. The innovative aspect of this program is that it goes beyond the contracting of workers. Workers are selected because of their community involvement and commitment or because they had some previous training on income generating activities. Before departure and while the workers are in Spain, migrants’ families receive psychological support. The focus on committed people and the support for the families has allowed to reduce the social distress and has strengthened the link between the workers and the communities of origin.

**Does the TCLM model have the potential to generate co-development in Colombia?** The main goal of this work is to understand whether this specific model has the potential to generate development in Colombia, mainly through income generating activities which can create employment. Thanks to the support of IOM Colombia, stakeholders from three communities of Bogotà were approached (Suba, San Cristobal, Usquèn). The qualitative research was based on the following five sub-questions:

1. *How does this TFWP model affect the community of origin?*
2. *How can local governments promote co-development through seasonal migration?*
3. *Do local governments understand the idea of codevelopment in the same way as the IOM and the employers in Spain do?*
4. *How did UP overcome the many critiques and problems concerning TFWP?*
5. *What is the role of the temporary worker once s/he has returned home?*

The focus of the research was on the potential to generate development because there is evidence that more time is needed for the income generating activities to materialize. This is due to the fact that the money raised after one season in Spain are often used for repaying the debts.

**The TCLM is an extraordinary opportunity of change.** Most of the interviewees (workers and civil servants) perceived the TCLM opportunity as something extraordinary. The local governments understood the need of working together with all the partners (IOM, UP and workers) to impact their poor communities. All the workers were aware of being privileged and felt the responsibility of developing income generating activities so that other people can
be employed and benefit, in an indirect way, from the TCLM opportunity. This commitment is the outcome of the careful selection of participants who come from past experiences of community involvement, volunteering or from previous trainings. The support provided to the workers before departure, and to their families while the workers are abroad, proved to be crucial. Not only it reduced the social distress caused by the separation, but it allowed to indirectly assist the families in channeling remittances towards productive uses (payments of debts, purchasing of durable goods, etc.). One of the issues which emerged is that more training on co-development is needed; migrants felt that the workshops they attended in Colombia and Spain were too short and not very useful. Moreover, most of them were not fully aware of the opportunity to access foreign funds for income productive initiatives. Debts, insufficient capital and lack of expertise were identified as the main obstacles which prevent them from starting a business.

The TCLM impacts the participant. Income generating projects must be sustainable in order to achieve development: an opportunity for CSR? There is no doubt that the TCLM opportunity has an impact on the participants and their families from many points of view. However, the income generating activities do not materialize in a short time. Participants declared that more time is needed so that they can go to Spain again, earn and learn more. Partnerships with existing corporations would be a fundamental support to the development of community initiatives: partner corporations in Colombia could provide training to the community workers, increase the quality of the products and guarantee access to the market. This partnership would generate a social value because it would tremendously improve the life of the vulnerable communities involved. It would be possible to develop a specific corporate social responsibility (CSR) strategy aiming at identifying the stakeholders and at guaranteeing social and economic sustainability. Statistics provide evidence that more investors and consumers pay attention to the social impact of their investment and consumption choices. More resources should be devoted to the follow up of community productive initiatives.

Replication of the program in Italy. Italy and Spain have similar agricultural sectors and both rely on the contribution of temporary and seasonal workers. The Italian immigration law
limits seasonal quotas to those countries which have signed bilateral agreements with Italy. The experts interviewed expressed their interest in developing similar projects in the Italian context not only because there is a demand for workers but also because the astonishing estimates of the number of irregular migrants are a reminder of the urgency to promote best practices and effective migration policies. The Italian legal framework is less flexible than the Spanish one and Italian public offices, in particular in the south of Italy, are not efficient. These constraints should be taken into account and should be considered as opportunities to implement TFWP which can efficiently manage migration, improve the migration management infrastructure while providing a learning opportunity to foreign workers.
2. Introduction

Recently, more and more European countries have been reintroducing or reconsidering Temporary Foreign Workers Programs (TFWP) in order to satisfy their seasonal and temporary demand for labor (Ruhs, 2006).

TFWP are not new in Europe, in the USA and in some Asian countries. The most famous examples are the German *Gastarbaiter* program implemented between 1955 and 1973 and the US *Bracero* program that ran from 1942 until 1964. Both of these programs aimed at “importing” needed labor in times of economic growth (Ruhs, 2006).

The need for foreign labor arises from a variety of factors. First of all there is a growing demand for labor in certain sectors such as agriculture, where the use of intensive techniques has tremendously increased the production causing, for many products, a higher demand for workers. This is because modern machines cannot be used in all phases of the production chain. Also, there has been a growing aversion of European citizens towards 3D jobs (dirty, dangerous and demanding). Such an aversion is the result of a growing tertiary sector that defines most EU member country’s economies. (European Economic and Social Committee, 2007). Furthermore, demographic changes are affecting the population growth of most of the EU countries. In fact, not only has Europe reached a demographically advanced stage, defined by low birth rate and low mortality, but several countries in fact have decreasing population with birth rates lower than the necessary replacement rate of 2.1. This is currently the case in the UK, Germany, Spain, Italy, Portugal and Greece, among others. While these countries have become apt at reducing population levels, they are far less skilled in stimulating population growth (Golini, 2003); a decreasing population can have severe consequences not only on labor-intensive sectors, such as the agriculture, but also on the welfare system (e.g. pensions, health, etc.).

The economic crisis of the 1970s due to the oil shocks interrupted the implementation of TFWP. At this time it was thought that labor could easily be reduced in times of economic slow-down and that temporary migrants would go home (Castels, 2006). The assumption
behind this was that countries were importing “labor but not people.” As will be discussed in detail, the use of TFWP raised several concerns then, and continues to raise similar concerns today. Most important among these concerns is the need to create effective mechanisms or incentives to make sure that temporary workers return to their country of origin at the end of the working season. This has proved to be quite difficult in advanced democracies with legal systems that possess high human rights standards. Another concern is that temporary foreign workers should not be employed in sectors that are not temporary; allowing migrants to work in permanent positions may lead to abuses by both the employer and the migrant. Castels (2006) asks if Europe can meet its labor needs, which are structural and long term, through temporary migration policies. There is still no perfect answer to this question. We can, however, be sure that if incentives to work legally are lacking, or if bureaucratic obstacles lead to mismanagement of temporary workers, illegal migration will not only increase but also expose desperate migrants to abuses committed by criminal organizations who offer themselves as alternatives to an inefficient state. This is particularly true, as we will see, in the case of economic sectors such as agriculture, which rely heavily on a seasonal labor force and, thus, require great flexibility.

Having said this, my work does not aim at answering the many questions on temporary migration policies. This thesis adds to the growing debate on migration by focusing on a program called “Temporary Circular Labor Migration: a model for consolidation and replication” (TCLM). This program was implemented since the late 1990s in Spain by the Unió de Pagesos (UP) and was recently strengthened by the International Organization for Migration (IOM) with the support of the EU Commission.

The aim of this paper is to discover whether the TCLM program has the potential to generate co-development in the country of origin. This paper will answer this question by employing academic information already generated on TFWP as well as making use of original research

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1 “Co-development” is a concept first coined by the French scholar Sami Nair. It is the idea that migration can benefit both the country of origin and the country of destination. The concept of co-development will be further explored and explained in part 3.
conducted by the author in Columbia. To answer this main research question, five sub-questions are also explored. They include:

1. How does this TFWP model affect the community of origin?
2. How can local governments promote co-development through seasonal migration?
3. Do local governments understand the idea of codevelopment in the same way as the IOM and the employers in Spain do?
4. How did UP overcome the many critiques and problems concerning TFWP?
5. What is the role of the temporary worker once s/he has returned home?

I decided to focus my attention on this program because it was presented as a best practice by the EU Commission in the Communication 248, year 2007, titled “On circular migration and mobility partnerships between the European Union and third countries”. Since 2007, it has been supported by the IOM. In this program, Colombian workers have the opportunity to work in the Catalonia region of Spain for one season for one of the employers associated with the regional organization of UP. In 2007, the IOM decided to join the project to assess it, strengthen it, and promote certain targeted groups to benefit from it.

The program is highly ambitious. It obviously aims at satisfying Catalonia companies’ demand for low skilled labor and at managing migration flows in a legal way. More importantly, however, it aims to empower seasonal workers so that they can be innovators and entrepreneurs in their country of origin. The main idea is that the seasonal migration experience is a tool to provide skills and resources to every migrant so that s/he can improve not only individual income and socio-economic status, but also the income of the migrants’ home community. This program is particularly interesting because it is an attempt to tackle many of the problems associated with TFWP, mentioned above.

This paper proceeds as follows: part 3 conveys the relevance of the topic of seasonal migrants. In particular, it will focus on the agriculture sector and outline the international debate on this issue, mainly at EU level. In fact, within the very broad European debate on migration, circular migration programs have been identified as a tool to manage migration.
flows which can lead to a Win-Win-Win situation. Part 4 focuses on the more general academic debate on TFWP and provides an overview of some main publications on the topic. In this part the strengths and weaknesses that characterize circular migration policies are identified. Part 5 introduces the TCLM project implemented by UP in Spain. How this program works, what its goals are and what co-development means will be discussed here in detail. The methodology of the fieldwork research used will be discussed in part 6. The fieldwork aimed at understanding how temporary circular labor can lead to co-development and income generating activities. Part 7 presents the results of the fieldwork interviews and part 8 provides some policy recommendations and conclusions. Part 9 provides suggestions for possible future developments of the project in order to guarantee the sustainability of the communitarian initiatives. Finally, part 10 compares the Spanish legal framework on seasonal workers with that in Italy and presents the possibility of molding this program into the Italian context.
3. Relevance of the topic and EU institutional debate on temporary migration

The debate for a common policy towards migration in the EU has been developing for a long time. EU members have been experiencing the migration phenomenon in different ways. Some countries, such as Spain and Italy, have only recently become in-migration countries while others have been attracting migrants for years. This implies that the EU institutions must create common policies for very different situations. When looking at the development of EU initiatives on migration, it is sometimes difficult to clearly establish the targets or the goal of a specific Directive or Communication. Key expressions such as “return migration,” “migration and development,” “economic migration,” “asylum,” etc. often appear in the same communication or directive without a clear distinction between the terms.

Among the main events that characterize the EU debate on migration is the EU Council in Tampere, Finland (1999). This Council tackled, among other topics, the importance of economic migration. The Council agreed that Europe needs a migration policy that can satisfy the following requirements:

- *Comprehensively approach the management of migratory flows so as to find a balance between humanitarian and economic admission;*
- *Treat fairly third-country nationals and aim at providing them with comparable rights and obligations to those of nationals of the Member State in which they live;*
- *Develop partnerships with the countries of origin and create policies for co-development* (Tampere European Council 1999).

A subsequent Communication (COM (2000) 757) titled “On a Community Immigration Policy” clearly underlined the demographic trends of the EU population stating that the EU15 working population age (20-64) would decline from 225 million in 1995 to an estimated 223 million in 2025. At the same time the over-65 age group would continue to rise and is expected to reach 22.4% of the population by 2025.
The Tampere Council also gave the Commission the mandate to present a Directive proposal dealing with “the conditions of entry and residence of third-country nationals for the purpose of paid employment and self-employed economic activities.” The Commission, in accordance with the mandate, submitted through the COM (2001) 386 a proposal of Directive dealing with economic migration. The Directive was not adopted, however, because of a lack of agreement among member states. This Directive was a strong attempt to legally bind all the EU states towards a common legal framework on economic migration.

After the proposal was dismissed, the European Commission re-launched the debated on migration by publishing a Green Paper on an EU approach to managing Economic Migration (COM (2004) 811) which lead to the communication titled “Policy Plan on Legal Migration” (COM (2005) 669). This communication, once again, warned the Member states about the demographic trends of the EU population and it added that, “immigration does not provide in itself a long-term solution to falling birth rates and an ageing population, but it is one of the available tools within a broader policy mix.” In fact, we can read in the Communication:

“There are no projections indicate that the EU population growth until 2025 will be mainly due to net migration, since total deaths will outnumber total births from 2010. The effect of net migration will no longer outweigh the natural decrease after 2025.” This will have serious repercussions on the number of employed people in the EU25, as the share of population of working age […] in the total population is expected to decrease strongly, from 67.2% in 2004 to 56.7% in 2050, a fall of 52 million […] The decline in the total population is expected by 2025 and in the working age population by 2011. Some Member States (Germany, Hungary, Italy, Latvia) are already experiencing a decline in the working age population, while in others it will happen later (i.e. Ireland from 2035). These demographic trends will not affect all Member States to the same degree, but they are trends that should be addressed in a coordinated and effective way.” (COM (2005) 669).
The same communication acknowledged the rejection by the member States of the Directive on economic migration and proposed the adoption of four separate directives.\(^2\) This communication also recalled the need to build circularity strategies to manage migration and support development. The impact of migration on development was already emphasized in COM (2005) 390 titled “On Migration and Development: some concrete orientations” which summarized the main ways in which migration can affect developing countries. The Commission acknowledged that remittances represent a source of income for poor countries, which is more important than Official Development Aid (ODA) and that the migration phenomenon can lead to development and to the achievement of the Millennium Development Goals. After analyzing the potential of remittances and the role of diaspora communities, the communication underlined the potential of circular migration policies. They stated that such policies allow the transfer of social remittances and should offer more mobility opportunities to those migrants who, in the past, have participated in seasonal experiences and legally returned to their country of origin.

In order to support projects focusing on migration and development, the AENEAS program was established in 2004. The communication mentioned several types of actions that may be supported with the AENEAS fund. The Temporary Circular Labor Migration project presented in this paper falls under the umbrella of “development of actions aiming at maintaining links between local communities in the country of origin and their legal emigrants. [The Fund will] facilitate the contribution of migrants to the social and economic development of communities in their country of origin, including facilitating the use of remittances for productive investments and development initiatives, as well as providing support to micro-credit programs” (COM 2005 (390)).

The European debate on migration was also shaken by several tragedies that only served to reinforce how urgent and relevant the migration issue was, and still is. In September 2005,\(^2\)

\(^2\) The first directive introduced was regarding highly skilled workers (Directive n.17426/08 adopted on March 18, 2009 by act 9057/09 of the Council, introducing the Blue Card system); the second on seasonal workers; the third on intra-corporate transferees; and, finally, the fourth regarding trainees.
security forces killed several migrants as thousands tried to climb the border fences and enter the Spanish enclaves of Ceuta and Melissa. This brutal response to illegal immigration placed a spotlight on migration issues and lead to an informal meeting of EU leaders at Hampton Court in October 2005. This meeting laid the groundwork for a common policy on migration and was followed by the European Council adoption of a “Global Approach to Migration: Priority actions focusing on Africa and the Mediterranean” in December 2005. The Presidency Conclusion of the EU Council of December 15-16 can be divided into three parts: (1) Management of migration that ensures the physical safety of migrants particularly with respect of the International Laws of the Sea, refugees and asylum seekers; (2) The need for stronger operational cooperation and dialogue between member states and African and neighboring countries; (3) The identification of priority countries such as Morocco, Algeria and Lybia.

One year later, in November 2006, the COM (2006) 735 was released titled “The global approach to migration one year on: towards a comprehensive European migration policy”; this communication acknowledged the work done with several African countries and underlined that similar cooperation projects could be implemented with Latin American or Asian countries.

The most relevant communication regarding circular migration policy is the communication COM (2007) 248 titled “On circular migration and mobility partnerships between the European Union and third countries”. This communication was a response to the EU Council invitation for the Commission to present initiatives to legally manage migration flows. The communication identifies two broad goals that can be achieved through the implementation of circular migration policies: first, to use circular migration as an innovative tool for managing migration and, second, satisfy EU labor market needs through migration while allowing knowledge transfer and reducing brain drain.

High levels of labor mobility, the Commissions said, should be preceded by so called “mobility partnerships.” The Commission, in that communication, did not give a clear
definition of such partnerships but it described them as complex agreements that must take into account relations between the EU and a third country. Such partnerships must also account for the EU legal framework - namely the priority of EU workers over third country nationals. Such agreements should include the full cooperation of the third country in readmitting illegal migrants, in cooperating with Frontex and EU member States for exchanging information, and in improving the infrastructure for migration management. Finally, the country of origin must be committed to promoting productive initiatives and decent work conditions for returning migrants. This final aspect is fundamental if the aim of circular migration projects is to create sustainable productive businesses. The EU Member States, on the other hand, should commit themselves to assisting the third country to develop management capacity to simplify and improve consular procedures in order to offer more flexible mobility opportunities to citizens of the partner country. The Communication, in addition to these goals, listed several issues that need to be tackled and debated in order to develop effective circular migration policies. These problems include:

- The incentive mechanisms to promote circularity
- The need to ensure effective return
- Monitoring circular migration
- The reduction of the risk of brain drain
- Bilateral agreements to promote secure circular migration

The focus of the EU Commission on relationship between migration and security, development, and the labor market is very high. The EU Commission has often declared that it will continue presenting legislative proposals aiming at regulating the access of third-country nationals to the EU market with respect to the member States’ right to establish immigration quotas.

In order to better understand why there is such a high institutional interest in TFWP, it is useful to look at the demographic and labor markets of EU member states. Understanding the labor sector allows one to speculate on the potential circular migration projects to achieve the above-mentioned goals.
The agricultural sector is characterized as being highly seasonal and its labor as being loosely monitored. This is due, primarily, to a lack of agreement on definitions: temporary workers contracts range from a few days to 9 months and this makes it difficult to classify the labor force. In 2007, the EU financed the AGRI-INFO portal with the goal of providing information and comparisons on the labor market conditions of the agricultural sector in each Member State. According to the data presented and updated as of January 1, 2007, there were a little over one million employers in the agricultural sector, offering work to 2.8 million full-time workers and approximately 4.5 million seasonal workers. In Spain there are 125,000 full-time workers and 600,000 temporary workers. The figures for Italy are 68,000 and 850,000 respectively. The same portal estimates that there are 35,000 irregular workers in Spain and provides no estimates for irregular workers in Italy. The data on Italy is somewhat in line with the figure provided by the Italian INPS (Istituto Nazionale di Previdenza Sociale), Coldiretti, for example, estimates that 860,000 people are employed in the agricultural sector and 133,000 of them are regular foreign workers (non-EU workers). In the case of Italy, trade unions estimate that there are between 200,000 and 500,000 irregular migrants working in the agricultural sectors.

In the opinion n. 1699 dated December 13, 2007, the European Economic and Social Committee estimated that every year approximately 4 million seasonal and part time workers (50% of whom are migrant workers) are employed in the EU agricultural sector, while the number of full time workers in agriculture is estimated at 2 million. The contribution of migrants is fundamental to EU agricultural output because the local labor force is unable to meet the demand for seasonal labor (European Economic and Social Committee, 2007). The Commission, in the working document accompanying the COM (2006) n. 857 titled

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3 The total figure includes Turkey (700,000 full time workers and 522,000 temporary workers). For this research, an employer is defined as a company that employs workers with mandatory welfare insurance; a full-time worker is defined as a workers who is employed for 8 months or longer, while a temporary worker holds a contract of less than 8 months. Website: www.agri-info.eu.
4 Data collected during interviews with CGIL, CISL, UIL, Confagricoltura and Coldiretti.
“Employment in rural area: closing the jobs gap”, wrote that, “on the basis of current trends it is to be expected that in EU-15 some 2 million workers on a full time basis will leave the sector by 2014. In addition, 1-2 million full-time workers may potentially leave the sector within the ten new Member States, and 1-2 million workers in Bulgaria and Romania. To this must be added around 5 million hidden unemployed persons on farms” (COM (2006) 857).

Given such a forecast, the EESC called for more policies to facilitate the migration of third country nationals because of the EU’s ever increasing reliance on seasonal agricultural workers. The EESC noted that while there are certainly jobs available, migrants lack information on their rights, adequate welfare protection is not in place, nor is adequate housing. The EESC moreover called for common initiatives against illegal unemployment. A proposal that has great potential and that will be discussed again further on in this paper is the creation of a quality label for fair seasonal work. Although not directly mentioned, the EESC proposed several corporate social responsibility (CSR) initiatives that could be implemented in order to inform consumers that a product was produced through fair and legal labor conditions (including worker safety, proper housing facilities, etc.). This mechanism could be combined with a campaign aimed at informing consumers about “fair seasonal work” and the benefits of circular migration.
4. The academic debate on TFWP

Scholars have been increasingly analyzing the link between migration and development. The old idea that a lack of development causes migration has been gradually abandoned. This has happened because migrants have proved to be “agents of development,” facilitating the exchange of resources and ideas: migration can lead to development. The impact of migrants on the development of the country of origin depends on a number of factors including the political and economic conditions in the country of origin, the amount of capital a migrant has (financial, social and human), and the migrant’s relationship with his country (De Haas, 2009).

According to the World Bank, the volume of remittances sent by migrants is expected to exceed $300 billion in 2008. In 2009 it is expected to decrease because of the economic slowdown (The World Bank 2008), however, this amount is still three times the amount of official development aid given to developing countries (GCIM, 2005). Recently, attention towards the impact of remittances on development has grown because they are believed to be more effective than official development aid. As De Haas (2009) summarized in his paper titled “Migration and Development: a theoretical perspective”, it is possible to identify four phases concerning the migration and development debate: Phase 1 began after WWII and ended in 1973, with the economic crisis caused by the oil shock. It was a phase of optimism during which the migrant was considered as an innovator, as a person offering his work, a person who could help the developing countries in achieving their economic targets. It was a period characterized by great State involvement in which governments played an active role in managing quotas of temporary workers (i.e. the Gastarbeiter program) (Ruhs, 2002). Phase 2 (1973-1990) was a period of pessimism. The migration debate focused on the negative effects of migration, such as brain drain. In the third phase, from 1990-2001 the development of new migration theories (New Economics of Labor Migration, trans-nationalism, livelihood approach, etc.) contributed to a slight reduction in skepticism of migration and to deconstruction of the classical migration theories such as The Neo-Classical theory or the
Historical-Structural theory. Since 2001, thanks to a focus on remittances, policy makers have been more interested in migration and a new era of optimism has begun (De Haas, 2008).

This new era of optimism has spurred interest in projects and policies such as TFWP. TFWP could lead to an optimal Win-Win-Win outcome for the country of destination, the country of origin, and for migrants themselves. The country of destination benefits because it can satisfy its temporary and seasonal labor market needs without issuing a permanent residence permit. The country of origin could reduce its risk of brain drain. In addition, through TFWP, the country of origin receives the remittances sent every season by the migrants. The third winner is, without a doubt, the temporary migrant who can improve his/her economic condition through the working period abroad and can also learn and exchange ideas at home thanks to his/her experience (Vertovec, 2007).

Two important documents add to the optimism of the European Commission towards circular migration. First, the IOM published “World Migration 2005,” which emphasizes the benefits of circularity. It called for more policies aiming at simplifying visa regulations in order to guarantee more flexibility and incentivize for migrants to return home. The second was the report published by the Global Commission on International Migration (2005). The Commission reported that both the countries of origin and destination could enjoy development through temporary working programs. In addition to affording migrants rights and fair working conditions, the GCIM stated that the following issues should be tackled in order to overcome difficulties regarding TFWPs:

- Provide adequate information to the migrant on the rights he has in the country of destination and require from him to return after the contract has expired;
- Avoid discriminations and guarantee the same working and welfare conditions;
- Allow the migrant to move from one employer to another; this would allow to respond to market changes and avoid the risk of unscrupulous employers;
- Provide TFWP opportunities to women;
- Carefully monitor the implementation of the working contracts and permits;
• Prosecute employers who employ irregular migrants and allow for the repatriation of the irregular migrant;
• Regulate the activities of agents who recruit temporary workers;
• Granting visas to temporary workers that allow them to easily travel back and forth and facilitate the contacts with the family;
• Support the reintegration of the migrants in the country of origin.

Another issue the GCIM raised was the ability of migrants to access social security benefits. This issue is most urgent in those contexts characterized by a high presence of irregular migrants filling the seasonal labor market gaps. In the case of black market employment, the situation is critical; migrants are vulnerable because they cannot seek legal recourse if their employers do not provide them with such benefits as health insurance or maternity leave. The issue of access to social protection was also raised by the EESC in the opinion mentioned above. In addition, all of the Italian trade unions who were interviewed, demonstrated awareness of the difficulties concerning pension and other social protection rights, particularly for legal seasonal migrants.

“We are often asked to think about incentives that can ensure that the migrant goes home after the working season or after some years in our country. The pension schemes are one of the issues to be tackled. It does not make sense to promote TFWPs if the worker can access his savings only after he is 65.”

(ITALIAN TRADE UNION UIL)

4.1 What is the opinion of scholars on the feasibility of TFWP?

First, it is necessary to understand what scholars mean by TFWP. Ruhs (2006) states the key feature of such programs is that “residence and employment on the basis of a temporary work permit alone does not create an entitlement to stay permanently in the host country.” It is important to note also that States have discretionary power to regulate the legal status of temporary workers.

5 The interviewee is referring to the Legislative Decree n. 286, dated July 25, 1998 (known as “Testo Unico sull’Immigrazione”, article 22, paragraph 1).
TFWP mainly aim at responding to the labor market needs in the country of destination. This means that every TFWP is unique. The number of workers who are allowed to enter a destination country will, for example, vary from country to country. Every country has a different mechanism for calculating the number of temporary workers needed every year; usually the government establishes quotas according to the need of various stakeholders involved (unions, employers associations, etc.). This is tricky since some political factions or public perception may influence this decision negatively. The government could, alternatively, establish a quota based on the interests of the economy as a whole, which might not necessarily coincide with employers’ interests. Another variable factor is the needed skill level. This factor clearly depends on the economic sector of destination (e.g. tourism, agriculture, etc.) and, within each sector, on specific occupations. The duration of a temporary permit can also vary; certain countries, such as Italy, grant a permit according to the initial request of the employer without the possibility of an extension once the temporary worker is in the country. Other countries, like Spain, grant a T Visa (temporary visa), allowing the migrant to work for up to 9 months. This means that an initial contract of five months can be extended, or that the worker can move to a new employer.

As stated, the main goal of TFWPs is to respond to labor market needs; a variety of other goals can also be achieved, however. Such goals may include the legal management of migration flows. In fact, a flexible and easy-to-access temporary workers’ scheme can be an incentive for a migrant to be legal; such incentives could be increased by creating fast track lists for workers who have not broken the law and have returned home on schedule. Moreover, as already stated, temporary work represents a learning opportunity for migrants.

Some scholars (Ruhs, 2002, 2006; Vertovec, 2007; Castles, 2006; Borjas, 2006; Skrbiš, 2008; Rodler, 1994) have been skeptical about TFWP and have presented many critiques; indeed, some problems seem to be common to all TFWP. Appendix A provides a chart briefly
summarizing the main remarks raised. It also provides possible solutions to the criticisms presented.

In the next section, the “Temporary Circular Labor Migration” model of Unió de Pagesos and IOM will be presented in order to assess how some of criticisms raised in the chart have been addressed.

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6 The issue of security, which has become predominant after the terrorist attacks of 9/11, is not addressed here because it touches all migration policies and not only TFWP.
5. The Temporary Circular Labor Migration Project between Colombia and Spain: a model for consolidation and replication

The IOM has been working with UP to consolidate and replicate a Temporary Circular Labor Migration project between Colombia and Spain. UP is the main agricultural union from the Catalonia region of Spain; it was established in 1974 and it currently has 8,000 members. Since the 1990s, UP has been facilitating the recruitment of seasonal and temporary workers in their countries of origin in order to respond to its members’ need for labor. UP offers a contracting service to facilitate meeting its members’ demand for labor.

UP is unique, however, for its focus on co-development. In 2001, UP created the Foundation for Peasant Solidarity (Fundaciò Pagesos Solidaris - FAS), whose goal is to promote co-development through the exchange experience of migrant temporary workers. Co-development was elaborated by the French Algerian philosopher Sami Naïr who defines it as “a proposal for integrating immigration and development in a way that migration fluxes will benefit both the country of origin and the country of destination. This is a consensual relationship between two countries that will allow migration to the country of destination not to imply an equivalent loss in the country of origin” (Naïr, 1997). According to Naïr, the EU has been unable to tackle the real challenges of migration. He argues, moreover, that the only way to deal with the challenge of migration is to create mobility between the host country and the origin country. Such mobility, which must be regulated, will strengthen relations and promote the flow of ideas and resources between countries, and connect the countries through a common and interdependent future (Naïr, 2006).

Based on this view, UP has been considering the seasonal experience of foreign workers as an opportunity of empowerment. In order to empower the workers and make them “actors of co-development” FAS has been developing two areas of intervention that add to the areas of contracting: the receiving area and the cooperation and development area. The work of the first area is a classical recruitment process. UP/FAS is responsible for the logistics of the

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7 Other information available on: [http://www.uniopagesos.org/](http://www.uniopagesos.org/)
8 Website: [http://www.pagesossolidaris.org/archivos/ca/](http://www.pagesossolidaris.org/archivos/ca/)
circular migration process: selection of the worker, travel arrangements, visa procurement, etc. The area of receiving involves providing support to the worker during his/her stay in Spain. “Receiving” is comprised of three main components: providing information on the facilities and services available to the migrant, as well as information on the host village and local culture (Introductory Block); information on the Spanish healthcare system and it may be accessed is provided in the second block (Health Block); the third block is not compulsory but offers a variety of training activities ranging from language courses, to risk prevention, sports, etc. As emphasized in the FAS Activity Report of 2007, UP/FAS also employ a health agent whose sole purpose is to provide professional assistance on all health related issues (logistics, translation, information, etc.) to migrants.

The primary area of intervention is the Cooperation and Development Area, which includes three courses: Introduction to Co-development, Specialization in Family Action Plans, and Specialization in Community Development Projects. The first course informs workers on the main concepts of the subject and helps migrants to identify possible projects to initiate upon returning home. According to UP’s 2007 report, 690 workers took part in this course, 558 of whom were from Colombia. The second course is offered to those workers who have attended the first course. In it, participants are assisted in creating a structured action plan for their initiative. In 2007, 97 migrants participated in this course, 82 of them from Colombia. The third course targets those migrants who wish to carry out a collective project back home. The course is longer than the others (96 hours), but it provides technical, social and practical training to participants. 54 people participated in this course in 2007 (53 from Colombia). The idea behind these courses is that seasonal work should not be the final goal of the worker but rather be a tool for creating opportunities and productive processes back home.

The project submitted by the IOM to the EU Commission, based on the UP/FAS project, has two main goals: to effectively regulate temporary labor migration and to support the generation of wealth in both countries. According to the IOM, the supporting activities that are needed to achieve these goals are the dissemination of information about the TCLM model and on the risk of irregular migration, the development of strategic alliances with third parties, and the channeling of remittances towards initiatives or purchase of goods that can
improve the socio-economic condition of migrants and their home communities. While FAS has supported the program as a development and economic opportunity, the IOM has added a “migration management” component, which is in line with the goals of Communication 248 (2007) and with the goal of the EU AENEAS program.

The IOM project is characterized by the heterogeneity of the communities involved. Without listing all the departments and municipalities, it is enough to mention that participant workers come from vulnerable and displaced populations, from indigenous groups, from agrarian areas or areas at risk of natural disasters. There were a total of 1,519 migrants in 2007 and 1,400 in 2008 who participated in this program. The IOM, through its country office in Colombia, has worked not only to develop strategic alliances with local and national partners and to disseminate information on regular migration but also to identify specific communities to involve in order to strengthen the impact of co-development. Some communities, such as those of Suba, San Cristobal and, to a certain extent, Usaquèn which I had the opportunity to approach, have been particularly keen about the development of community projects. How is such a complex process structured? Figure 1, below, provides a simplified representation of IOM’s circular migration project:

**Figure 1: TCLM structure**

![Diagram of the TCLM structure](image)

Source: IOM Colombia
The IOM has the role of creating and strengthening a network of partners in Colombia. These partners intervene mainly in the pre-selection of migrants, the training provided before departure (on labor rights, social security and possible psycho-social impacts) and in support initiatives for the household members during the program. The preparation work done in the country of origin aims at identifying a specific target population of participants (usually people from levels 1 and 2 in the Colombian poverty scale – scale from 1, the poorest to 6, the richest) and potential productive community initiatives. The communities can then develop specific proposals and present them to FAS, who operates as a facilitator to reach institutional or private donors.

There are two important aspects that should be emphasized as value-adding initiatives. The first aspect concerns the selection criteria that were followed in certain communities to recruit the workers participating in the program. The second is the importance of the support and assistance provided to both the migrants and their families during the program.\(^9\)

5.1 Selection of participant workers

The work that is done by migrants in Spain does not require particular skills; it either consists of picking fruit or processing it (selection, quality control, packing, etc.). Colombia suffers from high unemployment and poverty rates. The unemployment rate, although down from a high of around 15% in the early 2000 to 11% in 2008 is up again to approximately 12%-12.5% in the first months of 2009 (Banco de la Republica de Colombia, 2009). According to a USAID country profile, “the poverty rate for rural dwellers in Colombia is estimated at 80%, of which 42% is considered extreme. Also, only 15% of rural dwellers have access to telephone services, 62% to potable water, and 32% to sewage treatment services. These conditions are exacerbated in rural areas by a 15% illiteracy rate” (USAID, 2009). Because of unemployment and poverty, the opportunity of working in Spain for a season creates a lot of expectations and local governments receive an overwhelming amount of applications. Due to

\(^9\) Due to a variety of constraints, it was impossible to approach all of the communities so the information presented here concerns only the communities of Suba, San Cristobal and Usaquen, which are all part of Bogotá.
the fact that the program aims at creating community initiatives or local productive activities, it is necessary to carefully select participants. A careful selection is desirable in order to make sure that the worker is committed to, and understands, the aim of the opportunity and to minimize the risk that he might “escape” the program while in Spain. Sloppy or uncritical selection of participants could undermine the credibility and the benefits of the entire program.

The community of Suba introduced, as a main selection criterion, the level of community participation of the worker; only those who have proved to be involved community leaders can access the program. On the one hand, this has allowed an existing network of social actors to connect with a network of employers in Spain. On the other hand, it has shown that community activism can also lead to private benefit. This has created a positive incentive mechanism to increase the level of community participation. As is pointed out in all of the literature on migration and development, however, it is important to remember that money saved and remittances transferred by individual migrants is private money; thus, it is not possible to oblige participants to devote earned capital to community initiatives upon their return from Spain. In fact, an evaluation done by Alma Mater University has shown that the income generated from the first season in Spain is generally used to pay personal debts and buy basic appliances (a washing machine, etc.). Only after the second or even third year does the migrant have enough capital for a ‘productive investment.’ Given that it is not possible to coerce migrants to use his/her money in any particular way, the challenge has been to “channel” remittances towards productive uses. This has been done through a better focalization during the selection process and through the provision of information on the importance of devoting remittances to a productive use. The TCLM program is not, and cannot be, a solution to Colombian unemployment but, as explained by FAS, it can be a tool for generating development. If the worker achieves the objective of starting a small business, then there is potential for an income and employment generating effect.

In the case of San Cristobal, the IOM and the local government relied on the support of the local Association of Women for Peace (ASONMUPAZ), which is led by a former participant of the TCLM project and has been preparing and training the workers before departure. This
association, led by former guerrilla fighters, has been extremely proactive in promoting the idea of co-development and this has created a very strong sense of community belonging among the workers who will be participating in the program and their families.

In Usaquèn, the selection committee focused on those people already involved in small productive processes (e.g. fruit processing, mushrooms production, etc.). It appears that there is a very precise selection of people who are involved, or could be involved, in a productive process that has a greater potential.

The participant workers and the community members interviewed in Suba and San Cristobal, all perceived the TCLM as a community opportunity rather than a private one. This communitarian ambition of the program has been strengthening the link between the worker and the community; community members look forward to hearing how the experience in Spain was, what the person learned, how life is there and what can be done in Colombia in order to seguir adelante (not to give up, to improve, etc.). Moreover, a great majority of the participants emphasized that future opportunities offered by the TCLM program depend on their behavior in Spain, which must be exemplary so that employers are satisfied and more people can be invited for the following season.

5.2 Support initiatives

The second innovative aspect of the program concerns the support initiatives. Social workers provide support to migrants and their families before and during the working experience. The main support initiatives concern working, psychological, sociolinguistic conditions, and risk prevention. The support initiatives are usually delivered through workshops although each community and partner could choose a different delivery mechanism. The workshop on working conditions aims at providing as much information as possible on the context of the destination. This reduces uncertainty and helps to minimize doubts, which are often related to migration opportunities abroad (e.g. worries of trafficking, exploitation, abuses, etc.). During this workshop the worker is informed about the Spanish legislation on seasonal workers and on the consequences of an illegal stay. The workshop on psychological health focuses on mitigating the psychological impact of the departure of a family member. This program is
important because it allows migrants and their families to reduce possible distress, anticipate potential family conflicts, and to better design future support initiatives. Finally, the sociolinguistic initiatives are concerned with the cultural context of Spain. They provide information on the geographical division of Spain, the region of Catalonia, local cultural features, etc. The risk prevention activity focuses on the technical aspects of the work in Spain and aims at reducing accidents and promoting healthy life styles.

Once the migrants arrive in Spain, the FAS personnel of the Receiving Area take care of them via health agents, residence coordinators and other staff. During the working period in Spain, workers have access to a great variety of courses, among which is the Cooperation and Development course mentioned above.

While the workers were in Spain, the IOM checks in with the family of the migrant in order to assess if the migrant worker is sending remittances and how this money is being used. It is important that, in line with the private nature of remittances, migrants were not forced to devote such capital to any particular use. Typically, however, the economic situation of most migrants leads most money to be spent on education, housing improvements, debt repayments, and the purchasing of electrical appliances. Moreover, in Usaquén, the data collected by the IOM show that migrant workers returned from Spain with savings of between 1,000,000 and 7,000,000 pesos (between €350 and €2,300).

In the following chart, we can see how the IOM and UP/FAS has responded to some of the difficulties identified in Appendix D that are applicable to this specific TFWP model.

<table>
<thead>
<tr>
<th>CRITICISMS/PROBLEMS</th>
<th>SOLUTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Concerning the migrant temporary worker and his family:</td>
<td>The worker is informed of his/her rights prior to departure. Information on social protection and access to the healthcare system, on hourly pay, accommodation and travel arrangement is provided. The worker knows the destination and all the working conditions before his/her arrival. The migrant is assisted before departure and during his/her time in Spain. The worker is guaranteed that the accommodation is adequate and is provided logistical and sanitary assistance. In case of need, s/he has a local contact person, such as the local health agent or local authorities in</td>
</tr>
<tr>
<td>Migrants’ rights and vulnerability of migrant workers</td>
<td></td>
</tr>
</tbody>
</table>

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
<table>
<thead>
<tr>
<th><strong>Colombia.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bloating phenomenon</strong></td>
</tr>
<tr>
<td>The TVISA (temporary VISA for a period of maximum 9 months) does not allow any change in residence status. The migrant must return at the end of the working period and is informed of the consequences of an illegal stay in Spain.</td>
</tr>
<tr>
<td><strong>Risk of circumvention of the program; incentive/sanction mechanism to guarantee circularity</strong></td>
</tr>
<tr>
<td>It is impossible to avoid this risk because the migrant is free to move and travel in Spain and in the Schengen area. The commitment of the migrant, the strong expectations of the family back home and of the community of origin represent an incentive to go home; moreover, the migrant is warned of all the risks related to illegal conditions. According to FAS statistics, only 5-6% of workers “escape.”</td>
</tr>
<tr>
<td><strong>Overall cost of the TFWP opportunity</strong></td>
</tr>
<tr>
<td>The program is expensive and many resources are used to manage all the phases of the process. The program is considered to be an income generating opportunity not only by the IOM and by workers, but also by local governments, which are free to devote to it available resources. Local governments usually spend 1.2 million pesos per worker; the same amount (often in kind) is spent by the IOM. In Usaquen, an investment by the local government of 240 million pesos generated 680 million pesos.</td>
</tr>
<tr>
<td><strong>Social and psychological consequence on the migrant’s family and on the migrant him/herself</strong></td>
</tr>
<tr>
<td>The social and psychological impact of the migration experience is mitigated through workshops that aim at identifying possible situations of family distress or conflict. The impact of the experiences is discussed not only with the workers but also with the other members of the family who must anticipate the distress they will probably suffer.</td>
</tr>
<tr>
<td><strong>Lack of integration</strong></td>
</tr>
<tr>
<td>Integration in Spain is facilitated both through preparatory activities in Colombia, which inform the worker on the local community, on the cultural context, etc., and through a great variety of activities (from sport to cultural visits, etc.) managed by the Receiving Area of FAS in Spain.</td>
</tr>
</tbody>
</table>

**Source:** own elaboration

In this chapter a brief overview of the TCLM was provided. As said, the model presented here can vary slightly from community to community according to the local partners involved. In general, we understand that the great complexity of the program increases the difficulties of successfully coordinating all stakeholders. In the next section, the research methodology will be presented. The aim of the qualitative research, which was carried out in Colombia, was to understand whether the TCLM opportunity can lead to co-development in the communities of origin. In order to understand this and provide an answer, a variety of people involved at different stages of the program were interviewed.

*Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication*
6. Research methodology and sample description

As previously explained, the aim of this work is to understand whether a carefully designed program, such as the one presented here, can generate co-development in the country of origin.

The interest in co-development in the country of origin is justified by a variety of reasons. First, it is already very clear that TCLM benefits the country of destination; it provides labor that fills the gap of Catalonia’s labor market. The fact that UP/FAS has been supporting this project for many years means that employers are satisfied and that they are attracting the workers they need. There is already ample evidence to show that the impact of such programs on migrants is quite positive, particularly for migrants who are able send home economic remittances and learn from their experiences (social remittances). The challenge is to understand if seasonal migration can impact the community of origin given that these programs aim at managing migration and at promoting income generating experiences. For this research, the expression “co-development in the country of origin” refers to a higher possibility of implementing productive initiatives; a possibility increased by the TCLM experience.

The reason for assessing the interest, likelihood, potential, and possibility of establishing and strengthening productive initiatives is due to the fact that too little time has passed since the migrant workers interviewed have accessed the program. Most individuals interviewed had participated in the program only once and had used the savings accumulated after their first experience in Spain to pay debts, finish building their house or bought basic appliances. This means that more capital is needed to start productive investments. As will be presented, however, most of interviewees have a very clear strategy in mind to start a business. Moreover, local governments have invested considerable amounts into these projects and expect a return in the form of poverty reduction and local development.

Before explaining the sample used for the interviews, it is necessary to explain an important limitation concerning the assessment of co-development. Because of time and other constraints, it was not possible to involve an extensive number of communities participating.
in the TCLM program. The communities that were approached are Suba and San Cristobal, which are both parts of Bogotá. Also a civil servant from Usaquén was interviewed. This limitation implies that the sample is far from being representative and the conclusions that will be presented can refer only to these specific contexts.

Within the main research question, the following sub-questions will be answered:

1. **What does the opportunity given by the TCLM program represent for the community of origin?**
   - With this first question, the view of the workers and civil servants interviewed about this opportunity will be ascertained. The goal is to identify the personal and institutional motivations for joining the IOM program and the expectations concerning the program.

2. **How can local governments promote co-development through the seasonal migration experience of community members?**
   - This second sub-question focuses on understanding how a temporary migration opportunity, which is given to a restricted number of people, can impact those who do not have access to the program. In particular, the goal is to understand what local governments have been doing or could do to promote development projects, channel remittances towards income generating activities for the communities, and how governments can/have been facilitating such initiatives.

3. **Do local governments understand the idea of co-development in the same way as the IOM and employers in Spain do?**
   - This question arises from the fact that there is often a gap between the goal of a project and its implementation. Being that the local authorities are the strategic partners in charge of selecting the participants and supervising the productive initiatives, it is important to understand if there is a common understanding of the goal of the TCLM program.

4. **How were the many issues concerning TFWP, which are often raised by scholars and policymakers, tackled in this project?**
The institutional interviewees are aware of the challenges that must be faced in order to make sure that the TCLM project works; the great majority of such critiques are presented in Appendix A and, with regard to the TCLM, summarized more specifically in Table 1. The goal of this question is to investigate how, in this project, such challenges were tackled and overcome.

5. What is the role of the temporary worker once s/he is back home?

- This question arises from the fact that the TCLM experience affects, above all, the migrant and, as already stated, remittances are private money. The goal of this question is to explore how returning workers have been affecting their communities and what they have been doing or trying to do.

As explained in the following table, 31 people were reached and interviewed through 11 interviews and 1 focus group. All the interviews and the focus group lasted between 25 and 60 minutes. The interviewees are temporary workers (total of 20 people; 5 women from Suba and 15 men from San Cristobal), family members, social workers, civil servants of the local governments involved, and institutional staff (IOM, FAS or academic researchers). For practical reasons, the interviews involved more than one interviewee at the same time, up to a maximum of three. The only focus group involved 15 workers who, in late May 2009 when the research was carried out, were scheduled to travel to Spain for the first time.

The sample of people interviewed is a convenience sample. Respondents were reached thanks to the support of the IOM office in Bogotá taking into account some constraints such as the lack of time for travelling to other communities of the country. The sample of respondents is

<table>
<thead>
<tr>
<th>Communities of origin</th>
<th>WORKERS</th>
<th>WORKER'S PARTNER</th>
<th>SOCIAL WORKERS</th>
<th>CIVIL SERVANTS</th>
<th>INSTITUTIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Temporary workers</td>
<td>Partner of a temporary worker who was in Spain at the moment of interviews or who will soon travel again to Spain</td>
<td>Social workers in charge of the follow up</td>
<td>Civil servants from the communities of origin involved in the project</td>
<td>IOM staff</td>
</tr>
<tr>
<td>Suba</td>
<td>5</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>San Cristobal</td>
<td>-</td>
<td>15</td>
<td>-</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Usaquén</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

TemporaryCircularLaborMigrationbetweenColombiaandSpain:AModelforConsolidationandrepetition
heterogeneous; in fact, not only migrant workers but also all main stakeholders were involved. Such heterogeneity is an opportunity for understanding how the TCLM was understood by all the different stakeholders. All the interviews were recorded with the consent of the interviewees and were as informal as possible. The informality was particularly important for gaining confidence and trust from the workers, who were asked to reveal personal motivations, doubts, critiques, etc. All the interviews and the focus group were semi-structured and an interview guide was used. In all the interviews, the interviewees were informed about the academic purposes of the research, of the confidentiality of the work; they were asked to feel free to add anything they wanted at any time. In order to better generate the information needed, two different interview guides were developed with advice from the IOM (see Appendices B and C). The first guide was used during interviews with workers and members of their family while the second one was used for the civil servants. The interview guide used with temporary workers focuses on the reasons why the worker decided to join the program and on the consequences of that experience. In particular, the worker is asked if s/he is planning to start a business, if s/he is willing and able to share what he learns with others and if s/he thinks that the government should do more to enhance the TCLM impact on the community. The interview guide used for civil servants aims at exploring the position of governmental institutions, which see the TCLM as a development opportunity. The focal point is on the expected goals of the project, on the many problems related to it (from the pre-selection of workers, to follow up, to sustainability of the project), and on future developments. The interview guide for local governments was also submitted to the IOM person interviewed and to the social workers of Suba and Usquen (with the exception of question 2). In the case of the social workers, given the expertise needed for their work, it was difficult to prepare an interview guide. For this reason they were interviewed with the same guide but they were asked to provide an overview of the many social implications of the TCLM project.

The focus group developed in a rather different way. The interview guide that was designed for the workers was used as a list of debating topics in order to generate some interaction among the focus group members. Additionally, the order of the questions was not followed but they were asked questions according to the natural development of the debate.
7. Outcome of the qualitative research

7.1 Answer to sub-question 1 - TCLM is an opportunity for change

The TCLM is different from usual forms of migration. Migrants often decide to leave their country of origin to seek a better life abroad. Not all people can migrate, however, because migration comes at high financial and social costs. In fact, those who migrate are usually not the poorest but rather are people who either have sufficient resources for organizing their trip or who can rely on networks (family networks, diaspora, etc.) to lower migration costs. In the case of the TCLM, the worker is given a very convenient opportunity that is mostly perceived in an simplified way: I am going to Spain for a few months to earn some money. The application procedure starts at the local municipality where the candidate submits the information requested; the final decision is made by an employer in Spain.

“When I first saw this opportunity given by the local government, I was very happy; I just went there and applied. Also some friends told me about this; we went and applied. [...] the reason was to have better opportunities, because here in Colombia it is difficult to find a job”

(Temporary worker, female, Suba)

“We heard they pay a lot; we do not have much money and we want to help our family and our community if possible”

(Temporary worker, female, Suba)

“It was an opportunity to improve from an economic point of view and we did improve. The goal was to pay for the house; we achieved that”

(Wife of a temporary worker from Suba)

This opportunity has generated a great interest among the communities involved. The local governments, who were in charge of pre-screening, had to deal with a great number of applications and had to implement some ad hoc procedures for managing the process. The TCLM was designed to allow further replications; for this reason a database of applicants became necessary to facilitate future developments.

“We received an overwhelming amount of applications already for an old opportunity that we were offered for Canada. We received hundreds and hundreds of CVs. We had to process all of them and choose the right people; my phone was ringing all the time. [...] We decided to turn this challenge into an opportunity. We decided to create a database

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
Almost all the workers perceived the TCLM opportunity as something extraordinary not only for themselves, but also for their communities. This is due to some characteristics of the Colombian labor market and to the poverty levels there. In fact, the TCLM has been targeting specific groups who would ordinarily be excluded from labor opportunities. During the interviews with workers from Suba (5 out of 5 are women), the participants described the TCLM project as a solution to the *machismo* phenomenon.¹⁰

“After I came back I spoke with friends here, with my family, because everybody is kind of jealous about this. Usually we do not have the opportunity even to leave Bogotá. And so many people asked me about this experience”

*(Temporary worker, female, Suba)*

“When they knocked at my door and they told me to prepare all the papers for Saragossa I was so happy; this was the surprise, it was a salvation for me because I had no money […] I started crying, I always cry!”

*(Temporary worker, female, Suba)*

“In Colombia, it is very difficult to find a job if you are a woman; and if you are older than 25 you are already old. […] I had a lot of debt, my dad almost lost his house”

*(Temporary worker, female, Suba)*

“My experience in Spain was like a paid holiday; it is amazing! I’d go around, I earned money, I saw new places and I met new people. In my country I could never have a job; for me it is an amazing experience. And also my family and the community can benefit from it. This year the kindergarten is bigger, I now have a place where the children can sleep”

*(Temporary worker, female, Suba)*

Even though there was a clear “private” element concerning the view of the project (e.g. opportunity for paying off private debt), most of the workers were conscious of the impact that the TCLM experience can have on the community in terms of communitarian projects, income and job generating activities, and future developments of the TCLM project. Only 2 out of 22 people interviewed (20 workers and 2 partners) focused most of their interview on

¹⁰ The TCLM project, as said, has been targeting vulnerable social groups such as women living with their children and without the partner. The selection of applicants for the TCLM has allowed to guarantee a certain balance between men and women. The involvement of women has allowed to tackle social prejudices which has led to the negative idea that women are less productive or “not as good as” men.
purely private benefits. The focus on community development is most likely due to the emphasis placed on the importance of community projects and to the high level of social and familial cohesion. The experience in Spain also represents an important learning opportunity for the migrants. This point, however, did not emerge from the interviews; rather, the income generation aspect of the program was dominant. Again, participants were by and large conscious of impacting the community with the income they generated, in addition to developing a private business.

“We want to open a small copy shop; yes, there is one already here, it has a copy machine but it does not work. We want to open a place with a little bit of everything. There is a big High School here; there is the need of a copy-shop for them. [...] The project we have of starting a business can help the neighborhood.”

(Wife of a temporary worker, female, Suba)

“I do not know how much it would take to earn here what we can earn there in a month in Spain. The idea is to generate co-development; not only to start a private business but also a community business; we have to open doors for other people who are waiting and who will travel.”

(Temporary worker, male, San Cristobal)

“I have a plan to start a small supermarket with cheap prices, the population here is vulnerable. We need to think about the community. I want to offer products that are cheap so that I can earn and also the community can earn because they can afford such products. It is my personal project but I think about the community.”

(Temporary worker, male, San Cristobal)

“I want to open a small restaurant (parrilla) but I want to employ women who live alone and I want to offer cheap meals.”

(Temporary worker, male, San Cristobal)

“We know that the success of our projects depends on our commitment. A person can use all the money for drinking […] but we have an agreement with our families and with our community.”

(Temporary worker, male, San Cristobal)

“If I can save enough money I will open a beauty salon and employ people. There is a lot of unemployment and I would like to give jobs to the people.”

(Temporary worker, female, Suba)

“They gave me permission to keep my job at the Colombian Institute of Family Welfare while I was in Spain. I am happy because I could keep my job […] after the families pay 30 pesos a month for the child, there is no money left, I have a very low salary from the Institute […] but I am happy because I could use the money I saved to improve the Kindergarten and this year I would like to host 30 kids and not 13. This is my social work […] it is so nice when a child kisses me and says ‘thanks.’”

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
Even though debts and a lack of basic goods was a common feature for all the families, it seems that the importance of income generating projects was understood by all the participants. In some case, the need of overcoming private difficulties still remains: the threshold of a minimum amount of funds for a project is definitely the main obstacle.

“Before leaving, during the meetings with the people from Spain, we were told that we were supposed to pay our debts with [money from] the first trip. Then the idea was to use the second trip for a small business […] They told us that it could be a community project or a family project; we thought about a place for elderly people; there are many things which can be done but we did not succeed in finding the money”.

(Temporary worker, female, Suba)

Most of the workers were conscious about the difficulties involved; some of them expressed their concerns about the lack of sufficient training in co-development, project design, and on how the mechanism of reaching institutional donors works; others reported not knowing that they could present a project to FAS in order to get assistance in finding capital and felt as if they missed an important opportunity.

“We did not have much training because when we arrived there, we were told that we were going to have some training on co-development; we had a kind of introduction. We were told we would have another course but it did not happen. […] I also had a small book on co-development […] we just had a training of 1 hour, max 2 hours […] they organized this workshop but they did not go ahead […] but I heard that some people submitted a project and that it was approved”

(Temporary worker, female, Suba)

“We have a project here, in Camino de Esperanza. We need a bigger Kindergarten - there are so many kids! […] We were offered the courses. But we did not know that we could submit a project and that they could support us. We did not know this, we did not know that we could present a project”

(Temporary worker, female, Suba)

In general, the feedback from the workers concerning the overall process and their time in Spain was very positive; they were very satisfied about the assistance they received before departure and during their experience in Spain. Almost all the workers expressed their strong desire to start a small business (a bakery, a small supermarket, fish production, a copy shop, etc.) in response to some urgent challenges such as unemployment or lack of affordable products, but none of these ideas has materialized yet. Moreover, there seemed to be some
confusion on the supporting initiatives aimed at raising funds for such projects; to my question on who they were asking for the funds, the answer was often “we present the project over there,” or “we present the project in Spain,” or “the Pagesos can help us,” or “the Spanish government can help us.” This underlines the need for clarification on the procedure for accessing UP/FAS funds or Spanish Development Cooperation Funds.

This TCLM project responds to, among the other things, the labor needs of Spanish companies. In times of economic slowdown, therefore, the demand for foreign workers also decreases. Since working in Spain is an extraordinary opportunity for many migrants, not being invited back to Spain during the following season causes some distress and is often perceived as a consequence of some negative behavior on the part of the migrant instead of a purely economic consequence. Some workers, however, understood that the crisis affects us all.

“I was not invited this year even though I worked hard last year. I saw in the news that there is a very bad economic crisis in Europe. I don’t know, I just hope I did not do anything wrong when I was working there.”

(Temporary worker, female, Suba)

“Yes, I know that the economy is having problems. And I saw in the news that the economy is bad. We left with a contract of 5 months, renewable up to 9. But unfortunately we did not get an extension. I hope things can improve, because we all lose or win together.”

(Temporary worker, female, Suba)

Some workers, referring to the current economic crisis, pointed out that the TCLM for the summer of 2009 might not involve as many people as expected and felt somehow responsible for developing productive initiatives in order to create jobs for those who cannot directly benefit from the TCLM.

“There is a very bad crisis, we do not know if in Spain they will need the same amount of people; but when we come back we can start businesses here and we can offer job opportunities […] we are privileged because only some of us can go to Spain, but we can try to reduce unemployment with our own initiatives.”

(Temporary worker, male, San Cristobal)

In Usaquèn, the TCLM project developed in a different way. The local government was very interested in the development of productive initiatives; because of a change in the

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
administration, the TCLM was understood differently and the new administrators failed to acknowledge some of the obstacles concerning the project. Productive initiatives were not implemented because, as said, the workers used the money raised for repaying their debts. This was seen by the local authorities as a “violation” of the agreement between the IOM and the municipality of Usaquén, which was aiming at developing income generating businesses. For this reason, the municipality of Usaquén opted out of the project.

“In quantitative terms, the project had a huge impact for Usaquén. The municipality spent 240 million pesos for a group of people [to go to Spain] and these people came back with 680 million pesos. There is a social impact; these people knew Barcelona, lived with other people, they came back and they were even physically different, with different clothes and a different haircut […] the person in charge of the follow up of the project from the municipality did not understand such social impact. He just wanted to see the productive projects and forgot that the workers were using the money for paying previous debts and this is something they can do with their private money”

(Social worker, Usaquén)

All the people interviewed were conscious of the fact that the TCLM opportunity involves a very limited number of participants. The income generating activities were perceived as a tool to generate jobs in Colombia because the TCLM project, on its own, is not a solution to the serious issue of unemployment. Most of the interviewees clearly expressed their willingness to share, if successful, the positive outcome of their business with the rest of the community by employing people in need.

7.2 Answer to sub-question 2 – Local government can promote codevelopment by relying on those workers who are community leaders

One of the main doubts I had when I first read the many goals of this TCLM project concerned the role of the temporary workers as “agents of change” and innovators in their communities of origin. This doubt arose because the IOM has been targeting very specific communities from poor areas (levels 1 and 2 of the Colombian national poverty ranking) and it was unclear to me how the risk of turning these temporary workers into an elite could be avoided. Another concern regarded some of the critiques raised by scholars who stressed that in the past the majority of the migrants settled in the country of destination; this risk could be even higher in this situation considering the fact that those workers who do go to Spain
through this program would otherwise never have such an opportunity. The program, in other words, might act as an incentive to escape from poverty-stricken Colombia and remain in Spain. During the research, I discussed these points with several civil servants. All of them emphasized the fact that the workers were clearly informed about the legal framework and the consequence of an illegal stay in Spain. The most interesting aspect of the responses was that some decisions were made to reduce such risks, and the strategy was to focus on a specific set of people - those people who have demonstrated their commitment to their community and who have proved to be community leaders.

“It is not enough to have a community with a common identity because we still face the risk of having workers who come back and become an élite […] If this were to happen, nothing in the community of origin would change. The temporary migrant must be part of a process of strong social participation, for some years at least.”

(Civil servant, Suba)

“A positive example in the community of Suba refers to a group of people who started auto-construction initiatives. They almost colonized a place and then they started building the houses. This created a very strong level of solidarity, there were leaders there with an attitude like, […] if I take care of you, you take care of me; I depend on you and you depend on me; I am guaranteeing a future for your family and you are doing the same for me. […] Of course, in every group there are people attracted by private interests, but the general tendency was to work for a common purpose.”

“There is always the risk of losing the community commitment. However, I think that the important aspect is to keep working with this idea that they carry a community message […] and when they came back we met them to see how things went, to look into their projects”

(Civil servant, Suba)

The community of Usaquèn, before the unfortunate decision of the local government to opt out of the TCLM, understood the project as an opportunity to generate income through knowledge transfer. The opportunity to go to Spain was restricted to people coming from community or productive projects and was targeted at income levels 1 and 2 of the population.

“We wanted to make sure that the program involved people from levels 1 and 2 […] we wanted people from community and productive projects […] we selected certain people because they had already received some training in Usaquèn to start a small business and we wanted to build on that training”

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
In Suba, being committed to the community, which was one of the selection criteria, reduced the risk of separation of the worker from the project. The project was perceived as a reward for continuous community involvement and there are strong expectations from the rest of the community.

“The people who left received this prize because they proved to be community leaders. This was seen as an example for the rest of the people; others saw that working for the community can also lead to private benefit. And this developed the idea that “if you want to go, you must prove your commitment.” We even gave them a certificate of “Ambassadors of Colombian Workers,” we organized a ceremony with the mayor […] we did our best to create a feeling of community belonging.”

(Civil servant, Suba)

“The TCLM is not just a general call because we cannot satisfy every person. We asked the local government to help us in identifying people who are committed, who are proactive, with a lot of potential, also because we do not know the community […] there is the risk that the pre-selection stage can become a political tool but the final choice always comes from the employer”

(IOM employee)

Also FAS has been matching the working requirements with the “community requirements” in order to facilitate the implementation of community and productive projects.

“We almost always look for specific profiles; poor people, heads of households and, above all, people who are involved in productive processes because it is easier to implement the projects […] The final idea is to help the family, to transfer knowledge, to generate productive processes and multiply income […] We focus on responsible people”

(FAS Representative)

Aside from community involvement and the great expectations from the community, there is also the incentive of being invited to return to Spain during the following season.
7.3 Answer to sub-question 3 - The meaning of co-development: “shared responsibility” in exploiting this learning opportunity and in working together towards community goals.

Before presenting how local governments understood the concept of co-development, it is important to return to the definition given by the French scholar Sami Naïr. Naïr (1997) defines co-development as “a proposal for integrating immigration and development in a way that migration fluxes will benefit both the country of origin and the country of destination. This is a consensual relationship between two countries that will allow migration to the country of destination not to imply an equivalent loss in the country of origin.”

In interviews with civil servants, the focus was on the development opportunity in the country of origin; the seasonal migration aspect of the program was merely secondary. This interpretation is consistent with one of the two main goals of the TCLM project, which is the development of income generating activities.

When asked about their interpretation of co-development, the civil servants touched a variety of relevant points. There was a general agreement on the need of focusing efforts towards income generating initiatives, which can respond to the needs of the communities; such a strategy goes beyond privately productive uses of remittances. Moreover, this project allowed communities to tackle some prejudices because those who travelled abroad, until few years ago, were considered to be involved in narcotics and human trafficking.

“The opportunity of involving workers was a possibility for us to go beyond contracting […] Co-development means that we should use this opportunity for the community of origin to benefit it in a more extensive way; it is more than sending remittances or simple contracting in the country of origin; the community can benefit.”

(Civil servant, Suba)

“Co-development is about communities, not about individuals; agreements like this can help from an individual, familial and community point of view […] For many, it is like a lottery because they can develop a life project […] but in the communities there are people who are leaders or can be stronger leaders […] and we warned them not to go away from their communities because if they improve their personal condition, they can also help the rest of the community.”

(Civil servant, San Cristobal)

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
“A lot of critiques came from the council about this […] In my opinion, they were influenced by some prejudices because often the opportunity to work abroad is seen as exploitation, dangers, low income and little can be guaranteed. We tried to go beyond this negative idea […] and every worker can make a proposal for the whole community in order to get resources.”

(Civil servant, Suba)

The most interesting aspect of these interviews was the consciousness of the complexity of organizing the TCLM program. This complexity can represent an obstacle to the success of the program in case one of the stakeholders involved does not comply with his/her role.

“This project, as well as co-development generally, is inevitably linked with some form of shared responsibility. Because here we all share the responsibility of generating better living conditions for the community of origin.”

(Civil servant, Suba)

“We cannot fully control what those who travelled to Spain will do for the community […] We depend on the human quality of those who went to Spain; they are all people who have been working for 7 or 8 years for the community and in the past we had no problems.”

(Civil servant, Suba)

The TCLM was considered by the local governments as a learning process for the workers, as an opportunity to develop strategic networks, and connect groups of selected community leaders with Spanish companies interested in promoting development through FAS.

“For us, the question was: what is the added value generated by having the participation of a multilateral organization such as the IOM and a local government? […] In Colombia there are already government offices such as the SENA\textsuperscript{11} that call for workers to go abroad and that is it. […] But this was something more than contracting in the country of origin because we can connect a network of companies in Spain and a network of people here who are involved with local communities.”

(Civil servant, Suba)

“For us, the money earned by the worker is marginal; it is important but it is not the main aspect. Because UP/FAS was offering the opportunity to learn […] we thought that we need to use that learning opportunity and the best way is to learn how the cooperative model works in Spain and how this can be implemented here.”

(Civil servant, Suba)

\textsuperscript{11} SENA: National Learning Service, \url{www.sena.edu.co}
One of the civil servants stressed the importance of investing in human capital. During the interview, he emphasized the great impact that the learning experience can have on the implementation of projects once the worker has returned. In addition, in order to strengthen and increase the impact of the experience, he proposed involving young university graduates in the TCLM project. Using graduates, he said, for about 3 months every year, to train and re-train returned workers in project implementation could be useful for their initiatives in the poorest neighborhoods in Colombia. However, it is opportune to provide strong incentives in order to avoid that young professionals leave the country and contribute to the brain drain.

“An aspect that is very important for our community is the opportunities for children and young people […] It would be useful to offer university students or recent graduates a learning opportunity in Spain as we are doing now with the temporary workers. We would be more than happy to sign an agreement that gives people between, let’s say 20 and 25, the opportunity to work for 6 or 7 hours a day and access courses or training for 2 hours a day. Because these people are young and they can really impact our society.”

(Civil servant, San Cristobal)

7.4 Answer to sub-question 4 - Careful selection of the employers, professional and continuous support to the worker as a solution to family distress, uncertainty about the condition is Spain and abuses on the workplace

Based on evidence the Bracero and Gastarbaiter migrant programs, scholars including Castels and Ruhs have presented critiques of TFWP. In Table 1, I presented how the TCLM programs have been designed to tackle some of the issues such as the need to protect migrants’ rights, the bloating phenomenon, the risk of circumvention of the program, the social and psychological consequences of the departure of a family member and the lack of integration into Spanish society. Here, participant explanations of how such issues were addressed are presented as well as some proposals for future improvements.

The protection of migrants’ rights is addressed by reducing the level of uncertainty before departure and by selecting only those employers who can fulfill the requirements for such projects. The workers are informed of all aspects of the experience and are assisted by FAS. Moreover, the IOM has been seen by the local governments as a guarantor against risks such as human trafficking, which characterize many past Colombian experiences of migration.
“Every offer coming from abroad was very likely to become a criminal thing; we were afraid that the IOM was used for other things [...] Then we realized it was the opposite [...] we understood the rules of the game established by the IOM.”
(Civil servant, Suba)

“The IOM is very famous. We had heard of negative experiences, but in our case all of the processes were clear and the IOM helped us a lot [...] We are always in touch with them.”
(Civil servant, San Cristobal)

“We know a lot about where we are going; and our families are less worried. The local government gave us a lot of guarantees about the house, the accommodation, the salary, we saw the videos, etc.”
(Temporary worker, San Cristobal)

“Every 15 days or every month, we had a meeting about our rights, obligations, and about the projects we could propose.”
(Temporary worker, San Cristobal)

“Is it true that many people live illegally in Spain? They told us that that is dangerous; and if we do something bad, they will not invite workers from our community anymore [...] We have an agreement with our communities.”
(Temporary worker, San Cristobal)

“They were very nice, they always assisted us and the accommodation was excellent. During our trip back to the airport, they even gave us a bottle of juice and sandwiches.”
(Temporary worker, San Cristobal)

“We give some basic training to the workers before departure. We explain their rights and obligations, about the accommodation, the payment, the health insurance. They have to know everything [...] In Spain they have support 24 hours a day [...] and they live in selected accommodations. We do not accept any employer. For instance, the UP has agreements with the regions of País Valenciano and Islas Baleares but they have not been involved yet in the project because, for the accommodation for instance, we look for certain guarantees [...] and in order to avoid rumors, we invite people to visit the residences.”
(FAS representative)

In general, the information provided seemed sufficient and some of the workers said that more than once, while they were in Spain, they even called the local government for further clarification. In other cases, some doubts remained, but more careful preparation could easily solve such issues. The main doubts concerned payment conditions, which were not understood well and the workers did not feel comfortable asking for clarification. Other confusing aspects were related to what a worker is allowed to do according to Spanish migration law, because some of them received other offers of part time work.
“Something I saw is that we were getting 4.86 Euro per hour; but we heard that others were earning 8 Euro [...] Even if that were true, I am happy because this is a great opportunity [...] As you can understand, they might get angry if we ask or protest about this.”

(Temporary worker, Suba)

“When we were going to the market, many people from the village were asking if we were willing to clean their houses a few hours a week. I would have done that! They were offering 10 Euro per hour; but I was not sure if I could do that.”

(Temporary worker, Suba)

The issue of lack of integration did not seem to be a problem. The continuous support received by UP/FAS allowed the migrants to solve many of their problems, which were often cultural in nature. The working conditions there were different from Colombia and the workers experienced an informal relationship with their employers - something they found very unusual.

“We could not communicate with people from Morocco, but after some time it seemed I could understand one or two words [...] we used our hands with gestures.”

“As you know here in Colombia we have some formal expressions; so there I was always saying “Yes sir.” The boss told me that I should not say “yes sir” because he is not old and because it is used only in the army. He told me that if I said “yes sir” again I would have to repeat “Yes, yes, yes” 1000 times . . . and after he told me that I replied “yes sir” . . . we laughed so much!”

(Temporary worker, Suba)

“I was surprised to see that the boss was among us, he was talking to us and he was even having lunch with us; his daughter was working with me, she was doing the same thing I was doing. In Colombia this does not happen.”

(Temporary worker, Suba)

The most important aspect highlighted by all the people interviewed concerns the psychological support that the workers’ families received before the migrant’s departure, during his/her time in Spain, and after their return. The social workers are perceived by the families as a bridge with the institutions involved and as a point of reference for every kind of necessity. The social workers could also deal with the situations relating to the absence of the household member and provide solutions. The work done before the departure of the worker aimed at identifying the worries of the families and mitigating the consequences of the absence of the family member.
“We wanted them to tell us their worries, we gave them information. We invited the rest of the family, the children and the spouse. We acted as a bridge between the IOM and the family and the companies in Spain. They were not alone because we could deal with every situation.”

(Social worker, Usaquen)

“I am their point of reference and they know that they can rely on me. I have contacts with the SILO, with FAS, with the IOM; in all situations I can tell them who to call or I can bring the person in charge [...] and even if this year we are not working, I cannot say no to their requests. I became a friend to all of these people.”

(Social worker, Suba)

“She was an angel for me! When I was sad, I always called her [referring to the social worker]; I was calling her every day! She always made me feel happier.”

(Wife of a temporary worker, Suba)

During the absence of the temporary migrant, the social worker was able to track the development of family dynamics. In several instances, the social worker contacted the teachers of a migrant’s sibling to request more help when the student’s school performance was poor. The social workers were the contact people for every kind of problem or question.

“In this family we could see that in the beginning, right after the departure of the dad, the kids were less enthusiastic; the teachers were informed about the situation. All of a sudden, they improved their grades, they were working hard in order to show the good grades to their dad when he returned.”

“They called me for so many reasons, even when they wanted to send something to Spain, like a camera or a present. I could put them in touch with another worker who was going to travel to the same place. It was a small thing, but it was a relief.”

(Social worker, Suba)

In many cases the departure of the migrant did not lead to difficulties. In many families the internal dynamics changed and led to a redefinition of the roles; this allowed families to continue ‘ordinary life’ efficiently in the absence of the worker. In this sense, the program was also a learning opportunity for the migrant’s family.

“For this family, the experience was incredible. She left behind 3 daughters, but the dad behaved properly; he learned a lot because he became the one who had to cook and manage the family finances.”

“It was the first time she was leaving her siblings, she left her 18 year-old daughter and her 14 year-old son - and they were so organized. They always attended school, they improved their grades, they paid taxes and once they even interrupted a meeting with me because they wanted to wash the clothes before it was too dark.”

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
Even though it was not part of the goals of the support network, the social workers were often invited to see how remittances were used and which goals were achieved.

“Of course we wanted to promote the good use of their savings but we could not access personal information; but they were telling us and showed us that they were using the money in a certain way. They were telling us: ‘Look, I bought this!’”

(Social worker, Usaquèn)

“During my work I could experience the happiness of this family. I remember the atmosphere of the day when they used their new washing machine.”

(Social worker, Suba)

The social workers interviewed agreed in saying that the social impact of the experience is very strong and that an evaluation of the TCLM project should also include that aspect. Migrants not only meet new people from different cultures and with different traditions, but they also learn from others. Social remittances are an important aspect of this opportunity, even though they might not seem directly related to productive processes.

“Here in Colombia we have so much water and we do not care, we waste it! In Spain they have much less, but they use it much better and they also recycle everything […] This is an example of what I learned.”

“Here we should feel more united, we are not united. In Catalonia there were many social events, community parties …and they are important for strengthening a community.”

(Temporary worker, Suba)

Because of a variety of issues, at the moment of my research the local government of Suba had not yet renewed the agreement for financing the support initiatives for the families. Furthermore, because of the economic crisis, no new workers were offered the opportunity to access the TCLM for the summer of 2009. When asked if they had any advice for improving the project, every worker or worker’s partner interviewed reiterated the great importance of providing social and psychological support to families. After a year of interaction and services, all interviewees stated that the social workers were part of their family, that they
were friends, that they were sincere advisors with whom they could share ideas about community projects.

“It is so important that the local government renews the contracts with the social workers; we need them. We have so many good ideas about community projects and they [social workers] can help us in keeping in touch with the donors in Spain.”

(Temporary worker, Suba)

“This year she is not here anymore [referring to the social worker] and I feel so alone.”

(Wife of a temporary worker, Suba)

7.5 Answer to sub-question 5 – Returning migrants are entrepreneurs but they lack sufficient capital and expertise

The returning migrant is an entrepreneur - an innovator; s/he is a person willing to invest resources for improving his/her condition, the condition of his/her family and of those around him/her. When asked what returning migrants will do, interviewees most often said that reducing unemployment and vulnerability in their communities were critical personal goals - reflecting the consciousness of the participants about the social challenges of their communities. One of the urgent issues seemed to be the lack of opportunities for the “mujeres cabezas de hogar,” women in charge of the family and living without the partners.

“If I can go to Spain twice, I think I will manage to buy everything I need for producing fish.”

(Temporary worker, San Cristobal)

“I am waiting for more money so that I can buy a third sewing machine and employ one person.”

(Temporary worker, Suba)

In the communities reached, only one case was reported where the partner of the temporary worker wasted all the money on alcohol. According to the data collected by social workers, most of the remittances were used for improving the house, for education expenses, basic appliances and for the repayment of the debt. The continuous contact with the social workers was a reminder of the opportunity given by to them by the TCLM project to improve their lives and to increase income. Some of the workers underscored the need for professional support once they return in order to start a business. This aspect of helping migrants to

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
develop their business idea seems to be crucial; as will be discussed in the next section, there seems to be a gap between the theoretical plans that migrants have and what they can actually accomplish. A lack of capital lends to a second crucial issue: the lack of expertise in developing business plans.
8. **Policy recommendations and conclusions**¹²

The tools used in qualitative research, such as interviews or focus groups, allow us to better understand the complexity of reality and the actions of various actors in a group. There are a number of aspects related to the TCLM project that cannot be understood with quantitative tools and that depend very much on the local context of implementation. Administrative, political, economic, social, and cultural factors all affect the outcome of a program such as the one under analysis here (Billson, 2007).

During the time in Bogotà, I had the privilege to interview and speak to a variety of people involved, directly or indirectly, in the TCLM project. Even two taxi drivers from the community of Suba, who asked me what I was doing in the city, knew very well the TCLM project. The popularity of the program was an indication of its relative success. The attitude of temporary workers, the commitment of the civil servants, the emotional involvement of the social workers, and the expectations of the rest of the community are a great source of information that cannot be easily conveyed through an interview transcription or through quantitative indicators. The impression I had is that this TCLM project represents an opportunity that is unthinkable for the great majority of the people involved. I was impressed by the commitment of all the people involved which were struggling to make sure that this experience can impact the communities.

### 8.1 The workers that participate in the TCLM feel a responsibility burden

Prior to conducting the interviews, it seemed likely that the private interests of workers coming from income levels 1 and 2 of the population, would prevail over community interests. This was not the case because of the careful selection of the participants. The great majority of the workers approached felt the burden of being privileged and felt pressure by their families and communities. This created a very strong incentive to be loyal to the communities of origin; it strengthened the link with the country of origin and, at the same

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¹² I have to thank Prof. David Roll from the University of Salamanca, Spain and Diana Ramirez Leon, from Alma Mater University, Colombia for their advice and invaluable suggestions. The discussions I had with them were fruitful and allowed me to better understand some crucial aspects of the TCLM project.
time, it acted as a disincentive to leave the TCLM program because doing so would result in social sanctions. This communitarian mechanism allowed the communities to solve many of the critiques raised by scholars concerning workers fleeing the program.

8.2 The funding of income generating initiatives should be more transparent

Local governments understood very clearly the idea of co-development. They decided to invest considerable amounts of resources in the project without the guarantee that the project would really generate productive businesses. The program has had, without any doubt, a multiplier effect (around 1.2 million pesos of public money is spent on every worker; workers return with much greater amounts) but the worker is the only person who can decide how the money is to be spent. Moreover, the overall process of accessing Spanish aid funds for community projects is quite unclear. Is UP/FAS using its funds, as philanthropic or socially responsible practice, for supporting projects or is it just providing help to reach other institutional donors? What are the criteria for selecting one project rather than another? Does FAS prefer to support communitarian projects or also private ones? Is there a follow up of the productive activities? In order to increase program transparency towards stakeholders, the FAS should publish a balance sheet or similar financial statements. Such documents are currently unavailable either on the official website or in the yearly “Activity Report.”

8.3 What does development mean?

Local governments desire development – both to increase employment rates and to improve existing job opportunities. The role of a government is to improve the condition of its people, not just of a few lucky citizens. This requires a greater focus on assisting and managing migrants upon their return home and helping them to develop their job-generating projects. UP/FAS have vast experience in selecting temporary workers, providing them with assistance, providing adequate accommodations and cultural inclusion activities, and in

13 According to UP/FAS, approximately 5% of the workers decide to remain illegally in Spain every year.
offering enriching work opportunities, but it is still unclear if any of this will lead to productive projects in Colombia.

This is not a weakness of the project, it is a challenge and it is an aspect that has not been sufficiently addressed. In order to understand this point, we should define what we mean by “development in the country of origin.” A timeframe for assessing the impact of the TCLM should also be established because returning workers face obstacles that prevent them from immediately investing their money into productive processes (e.g. debts).

If the word “development” means the payment of debts, the improvement of living conditions, access to better education, or the possibility of buying durable appliances such as a TV, a washing machine, a sewing machine, etc. then there is no doubt that the TCLM is successful. Whether such personal or family improvements can benefit other members of the community is still unclear and more time is needed in order to observe if the ideas that workers have can be developed and materialize. It seems clear that the outcomes of the TCLM project will only become visible in the medium to long run.

According to the IOM, more than 30 communities from all over Colombia have been offered the opportunity to send temporary workers to Spain. Such diversity might be a further obstacle in strengthening the TCLM model because every community has its own development priorities and its own peculiarities that might affect, to different extents, the outcome of the program.

8.4 Family support is fundamental and should be provided in the future

The most innovative aspect of the TCLM program is the support given to the workers and their families by the local government, social workers, and FAS. This aspect is what distinguishes the TCLM from any other job offer to temporary migrants. As pointed out by many of the temporary workers, the social support to the families should continue. This recommendation is important for a variety of reasons. First, the social worker can identify and prevent possible episodes of family distress or conflicts; if a problem does occur, s/he has the expertise to intervene. The social worker is also seen as a point of reference and as a trusted
person who knows the community and who can provide information to the families of migrants. Furthermore, the social worker can act as a reminder that the working opportunity is part of the TCLM project; with time, s/he can develop a sincere relationship with the rest of the family and provide advice on how remittances should be used.

8.5 Technical assistance should be provided to implement productive projects

There is no doubt that the worker learns from his/her experience abroad in general and from the specific training s/he receives in particular. However, not all the temporary workers had the opportunity to be involved in such training. As pointed out by the researchers of Alma Mater University and from Salamanca University who, in the past, visited other communities involved, some of the migrant’s projects failed because of the lack of specific expertise. Likewise, several of the temporary workers interviewed requested assistance in dealing with bureaucratic or technical issues once back home. It would be advisable to devote part of the program’s funds to supporting initiatives for returning migrants aimed at making sure their projects can succeed. This could also be a solution to reintegration problems such as difficulties in finding a job.

8.6 Returning workers as trainers for future participants

The migration experience transforms the people who travel and who get to know a different cultural and social context. Such an experience should be used for training new participants; returning workers are the most suitable persons to train others because they come from the same community, they experience the same worries, and they understand the cultural factors that might affect the outcome of the migrants’ experience.

8.7 Political changes should not affect the program

Unfortunately, in Usaquën, political changes interrupted the development of the program and led the government to not renew the TCLM program. It is fundamental that, within every local government, a team of career civil servants can follow all the stages of the program. This is important because the TCLM aims at creating income generating activities that can
respond to the needs of the local community. Such needs must be identified by the local authorities who must understand the concept of co-development and to elaborate strategies to achieve those goals. The TCLM program can work only if those who can follow the various stages are not exposed to political changes.
9. The challenge of guaranteeing the sustainability of community initiatives: a CSR opportunity?

Will it be possible to develop income generating projects without the support of the IOM? How can we make sure that the returning workers have the right expertise to start a business? Who can back their investments if they experience some initial losses? How can access to markets be guaranteed when the communities involved are in remote areas or returning workers lack contacts and networks? What is the value of a good produced by a business that not only aims at making profits, but also at offering employment to vulnerable groups? A successful business must produce goods that satisfy the quality requirements of the market of destination; how can that be achieved? These are many questions to which answers must be found in order to make sure that the income generating activities of migrants are sustainable in the long run.

During the interviews, civil servants and IOM personnel were asked for their opinions on what the future of the program will be with regard to, in particular, the income generating projects. FAS have described the migration opportunity in Spain as a tool for generating prosperity in the country of origin, so that the migrants will not have to migrate again in the future.

One civil servant clearly expressed his concerns about the possibility of losing the focus on community development; the development orientation has somehow been guaranteed by the IOM office in Colombia which is familiar with the Colombian context and with the social and economic needs, in other words, the IOM has been seen as a guarantor. The IOM person declared that the work that has been done is focused on building a broad network of contacts and alliances in order to strengthen the relationship between UP/FAS, local governments, and communities.

“We do not really know what will happen. The IOM was somehow making sure that we do not forget that we are doing this for the people […] without the IOM we might go back to a normal form of contracting in the country of origin, which is not what we need.”

(Civil servant, Suba)
“We are working to build a network of contacts and partners for UP/FAS. For instance, we decided to involve some communities because we knew certain reliable partners there. Unfortunately the funds for our involvement will end soon; international cooperation always works in this way.”

(IOM employee)

The TCLM project aims at generating income for certain target communities; these communities were identified by the IOM or by UP/FAS. There are many problems that affect community members: poverty, unemployment and underemployment, social exclusion, vulnerability because of recurring natural disasters, etc. It is clear then, that a business involving these workers would represent much more than an income generating activity; the product that is the outcome of production would have a social value. The social value, which adds to the economic value, is produced by the important marginal benefit that the economic activity generates for the specific groups mentioned above: the value of one liter of fruit juice produced by a company employing a team of “normal” workers is lower than the value of the same product coming from a company that employs ex-guerrilla members or women with children living without a partner. The added value comes from the fact that in the second case there is a voluntary choice (which goes beyond legal obligations) to give an opportunity to vulnerable people; there is an interest of the company in the impact of the economic activity on the stakeholders: there is a corporate social responsibility (CSR) potential.

9.1 Why should companies embrace CSR?

According to Corporate Social Responsibility Monitor, more and more investors and consumers take into account the social performance of companies when making investment or purchasing decisions. According to their study titled *Global Public Opinion on the Changing Role of Companies*, 25% of US investors consider the social performance of the company they invest in. 42% of North American consumers and 25% of European consumers have ‘punished’ irresponsible companies with their consumption choices (BSD Global, 2009). Another example of the growing interest for “socially responsible” products is given by the fair trade boom; in 2007, fair trade sales increased 35% in Italy, 47% throughout the world, 166% in Sweden, 109% in Norway, 72% in the UK and 46% in the US (Amato, 2008).
Companies which fulfill fair trade requirements are then authorized to label their products with the famous fair trade brand logo. This brand is a visual tool that allows the consumer to understand that that particular product has a special value because workers are treated in fair way, etc. Recently, a great variety of tools have been developed to strengthen CSR practices. One tool is guidelines on how to identify company stakeholders (Figure 2) and on how to communicate the value produced for each of them; such guidelines aim at facilitating and implementing conventions and recommendations and at promoting best practices. The UN Global Compact has, for example, developed 10 principles based on The Universal Declaration of Human Rights, The International Labour Organization's Declaration on Fundamental Principles and Rights at Work, The Rio Declaration on Environment and Development, and The United Nations Convention Against Corruption.\(^\text{14}\)

**Figure 2 – The stakeholder structure (example)**

![Stakeholder structure diagram](source: own elaboration)

\(^{14}\) Website: [www.unglobalcompact.org](http://www.unglobalcompact.org)
Other tools include certifications issued to socially (and environmentally) responsible businesses as a proof of their good conduct; such “certificates of approval” can be used to show that the company is going beyond legal requirements and is concerned about its impact on stakeholders. This incentivizes a company to improve its relationships with its stakeholders and receive the approval of consumers who ‘vote with their wallet.’

A few clarifications, however, must be made. Although several definitions of CSR are currently quite popular and widely accepted (for example, “CSR is a concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with their stakeholders on a voluntary basis”, EU Commission, 200115), CSR is relative in time and space because social and environmental priorities are always shifting. This means that the same “CSR model” does not apply to all contexts; furthermore, it is fundamental that a company focuses on those stakeholders that are directly affected by the company’s core business. The social and environmental priorities must be perceived as such by the stakeholders.

9.2 What is the link between CSR and the development goals of the TCLM project?

Partnerships between communities involved in the productive projects and strong and companies which are already operating in the same economic sector could strengthen the sustainability of the community projects. Some of the interviewees raised the issues of a lack of expertise for developing the business ideas they have; other practical problems such as the need for guaranteeing product quality or reducing costs in order to compete with large-scale producers might also be addressed by community-corporate partnerships. An already existing company can easily involve the community workers as commercial partners or suppliers after providing, if necessary, some specific training. This would have a variety of benefits: the company would improve the value of its brand and would be perceived positively by the communities of origin. Additionally, the corporation’s expertise and ability to compete could guarantee some income for the workers and might help them in creating a market for their

15 Communication titled “Green Paper: Promoting a European framework for Corporate Social Responsibility”
products. An existing company could easily decide to distribute the community products through its existing distributional infrastructure. The process proposed is summarized in the following diagram:

**Figure 3 – Income generating activities: the potential of a CSR partnership**

Source: own elaboration

It is important to understand that such a partnership would benefit both the business developed by the returning migrants and the partner company. For instance, in other communities, returning migrants have started producing melons; the challenge is to guarantee
the quality of these products for the target market (i.e. the EU or USA) and to access these markets without excessive costs, which would make the business not profitable. A partner company with an infrastructure for delivering the melons abroad, could “absorb” the community company or buy its product while realizing that a social value is being produced for the workers involved. This partnership could become a best practice and could be implemented in other contexts.

The IOM and local governments could help communities in identifying the best partners for their community projects and help start a relationship. The CSR guidelines developed by many international and national bodies could be important sources of advice. Once the practice is strong enough, the CSR outcome could be communicated to all stakeholders (in particular, to consumers) through the publication of a social report. In addition, a strategy could be developed for obtaining a CSR/fair trade certification; a specific brand or label could be used to communicate to consumers that the good they are purchasing is produced in a responsible way and has a social value.

It is fundamental to invest more resources in supporting and strengthening community income generating activities in order to ensure the goal of generating co-development in the country of origin is achieved. Every community project, however, requires careful assessment in order to identify the main stakeholders of the business, the strengths and weaknesses of the productive process, and the best possible partner(s) for the project to succeed.
10. The Spanish and Italian contexts - can the program be replicated?

The aim of this section is to make a comparative analysis of the legal and institutional Spanish and Italian frameworks that regulate the temporary work done by foreigners. The TCLM is proposed by the EU Commission as a best practice, therefore, it is necessary to understand whether this model, supported by the EU AENEAS fund with the goal of being replicated, could be implemented in the Italian context taking into account Italian specificities.

This section is divided into the following parts. First, a brief overview of the relevance of temporary workers in the Spanish and Italian economies will be presented, with a particular focus on the agricultural sector. This section is based on figures and estimates made available by national authorities and other institutions such as trade unions and business associations. The second part will focus on the legal framework that regulates temporary workers in both countries and on how annual quotas are established. The main national legislation on the topic of migratory workers will be presented as well as the role of bilateral agreements with third-(non EU) countries. The goal of this section is to evaluate whether there are major differences in the Italian and Spanish legislation. The last part will present the outcome of a qualitative research based on interviews with the heads of the migration offices of the main Italian trade unions (Cisl, Uil, Cgil) and of two agricultural organizations (Confagricoltura and Coldiretti). As will be explained, the interviewees were asked their opinion on the strengths and weaknesses of the current Italian migration law with a specific focus on agricultural temporary workers and on the possibility of implementing a TFWP similar to the TCLM. Due to time constraints, it was not possible to contact and interview Spanish trade unions or agricultural organizations; this would have allowed for a comparison of the positions of the experts from the two countries. For this reason, this last section will focus only on the Italian context and will present some main problems with the legislation and possible solutions. At the end of this chapter, some conclusions will be drawn on the possibility of replicating the TCLM program in Italy.
10.1 Agriculture and tourism sectors rely on temporary workers

Until the 1960s, agriculture was the main sector of the Spanish economy. The economic structure began changing in the 1950s, when industrialization started; later on, an unprecedented economic boom began after the end of Franco’s dictatorship and after the country joined the European Union. The Spanish economy is currently believed to be ranked between the 8th and 10th largest in the world (rankings vary depending on how GDP is measured) (World Bank, 2009). Thanks to industrialization and technological developments, the Spanish agricultural sector has been revolutionized, while entrance into the EU has allowed the country to sell its products to other European countries. In terms of agricultural goods produced, Spain competes with the other Mediterranean countries, in particular with Italy, Greece, and Portugal. According to 2008 estimates, the Spanish agricultural sector represents 3.6% of national GDP and employs 4% of the labor force (CIA, 2009). Another important sector of the Spanish economy is tourism; according to UN World Tourism Organization estimates, Spain ranked 2nd globally for tourism attractiveness in 2004 (World Tourism Organization, 2005). Furthermore, the Spanish Institute of Statistics stated that the tourism sector accounted for 10.7% of the Spanish GDP in 2007 (INE, 2008). These basic statistics on agriculture and tourism show the potential need for migrant workers as these sectors rely heavily on temporary workers.

In Italy the tertiary sector is more developed than in Spain; for this reason the agricultural sector constitutes a smaller part of the national GDP. According to the Italian Institute of Statistics, in 2005 the agricultural sector represented 2.3% of GDP employing 4.2% of the national labor force. Conversely, the Italian tourism association (AICA) wrote that the tourism sector represents 11.4% of GDP (Milano Finanza, 2008). Italian immigration law, as will be presented later, allows temporary foreign workers to be employed only in the agricultural and tourist sectors while Spanish law is more generic with regards to the employment sectors of temporary workers and refers to “trabajos de campaña y de temporada” (temporary or seasonal activities).
As mentioned in section 2, there are few figures on the agricultural and tourism labor market both at national and European levels. According to the estimates of the Italian institute INPS and of the business associations *Federalberghi* and *Fipe*, there are 800,000 full time and part time workers in the tourism industry; this figure might reach 2.5 million if contractors and providers are included (T-Lab, 2007). In the Spanish tourism sector, according to a study published by Mesa del Turismo, there were approximately 3 million workers in 2008; approximately 800,000 of them were self employed (Noticias.com, 2008). It is unclear how many of these workers are temporary since the difference between short term and part-time work is quite unclear. The assessment of the labor market is even more complicated for the agricultural sector. The AGRI-INFO website\(^\text{16}\) estimates that there were 600,000 agricultural workers Italy in 1999 holding contracts for between 150 and 180 days; there were a further 250,000 workers with contracts between 10 and 20 days. By contrast, Spain had 725,000 workers, 100,000-125,000 of whom worked full time, while 600,000 worked part time.\(^\text{17}\)

According to research published by the Italian association Confturismo, 32% of Spanish workers are flexible or seasonal workers compared to 12% in Italy (Confturismo, 2008).
As already mentioned, and as pointed out by the European Economic and Social Committee, more needs to be done in order to fully assess those economic sectors relying on short term contracts or temporary workers. There is no doubt though that agriculture relies heavily on temporary and seasonal workers. As all the Italian interviewees mentioned, it would be impossible to guarantee the current yearly agricultural output of Italy without temporary workers.

“The contribution of temporary workers is very important in, for instance, the tourism, construction and agriculture sectors. There are many jobs that are seasonal and certain demand for labor is not constant [...] In the agricultural sector [temporary workers] are more important than in tourism and construction.”

(CISL)

“The whole agricultural sector is seasonal. Some specific products are produced just for a few days. ISTAT found that 960,000 people work in agriculture. And I have the feeling that, to this figure, we should add 500,000 more because of the black market.”

(CGIL)

“The agricultural sector employs approximately 860,000 people [...] more than 133,000 are legal migrants, most of them seasonal workers [...] but there are no clear figures on irregular migrants [...] We estimate that there are 200,000 clandestine migrants.”

UIL

“The numbers do not really matter, the fact is that we have great difficulties in finding a seasonal labor force, for many reasons [...] salaries are low. [...] During my daily work with agricultural companies, I can see that in certain areas of the country and for certain productions, the importance of seasonal workers is huge [...] and when I speak with my Spanish colleagues we share the same issues.”

(Confagricoltura)

“How can you manage a production that might take 15 or 20 days? You need temporary workers.”

(Coldiretti)

The worrying figures provided by the Italian experts allow us to say that the black market represents a very relevant part of the agricultural sector and that more needs to be done in order to promote legal migration and protect the rights of seasonal workers. From this point of view, as discussed with the interviewees, the TCLM program represents a successful example of migration management.
10.2 Spanish and Italian migration laws – how temporary work is regulated

The main Spanish law regulating migration is the Ley Organica (4/2000), of January 11. This law was reformed in 2000, and twice in 2003 by the Leyes Organicas (8/2000, 11/2003, 14/2003). The main article on foreign workers is article 39, which authorizes the government to establish a yearly quota (contingente) of migrants. The Government establishes the quota taking into account the economic situation; additionally, before the quota is approved, a variety of stakeholders such as the regions (comunidades autónomas), trade unions and business associations, are allowed to make proposals. The worker is not always requested to hold a contract before entering the country; in fact, within the quota, visas can be issued to employment seekers. If at the end of a period of three months, however, the migrant is still unemployed, s/he must leave the country. Article 42 focuses specifically on temporary workers. The article states that the temporary workers quota is mainly reserved for those countries that have signed an agreement with Spain. The temporary workers quota is established in cooperation with the regions and municipalities. The formulation of the text does not seem to exclude the possibility of involving countries without an agreement.

The other legal tool is the regulation approved of by Royal Decree (2393/2004) on December 30 (Reglamento de Desarrollo de la Ley Organica 4/2000). This long law of 165 articles devotes articles 77 to 83 to the quotas of foreign workers, while articles 55, 56 and 57 refer to temporary workers. Article 55 lists the sectors where temporary workers can be employed: seasonal and temporary occupations for a period of a maximum of 9 months (55.2a) (trabajos de campaña y de temporada). Article 56 establishes requirements that must be satisfied in order to allow the entrance of temporary and seasonal workers. According to these requirements, the employer must provide an adequate accommodation that respects the conditions of dignity and hygiene established by the law; moreover, the employer must organize the travel arrangements of the worker and must bear at least 50% of the travel costs. Furthermore, the worker must agree to return to his/her country of origin at the end of his/her working contract. In order to verify the return, the worker must go to the Spanish consular offices within one month after returning home; non-compliance could limit future opportunities of migration to Spain.

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
The procedure for recruitment of temporary workers is explained in article 57. Employers must communicate their employment offers to the Public Service of State Employment (Servicio Publico de Empleo Estatal); vacancies are then published for 15 days in order to verify if there are workers already residing in Spain who are willing to accept the job. Companies, or legal representatives, can then request, at least three months in advance, to employ a foreign worker. Once the request has been approved, the employer is notified but then must wait for the issuance of a temporary work visa and for the actual entry of the worker into Spanish territory. The work contract is received by authorities in Spain and is signed by the worker in the Spanish consulate abroad; once the worker is in the country, the employer can request an extension of the temporary residence permit up to a maximum of 9 months. Furthermore, article 50 of the same regulation introduces a list of jobs of difficult coverage prepared by the Public Service of State Employment. Another interesting aspect of the legislation is that several employers can employ the same worker for short periods but always within the limit of 9 months. The whole application process is managed at a provincial level and the employer applies to the provincial Dependencia de Trabajo e Inmigración or to the Dirección General de Inmigración.

Bilateral agreements between Spain and other countries are another tool to manage migration. Such agreements aim at facilitating the management of migration flows and at implementing accelerated and simplified procedures for the selection and contracting of migrant workers. In general, such agreements not only establish the rights and obligations of the migrants but also include common strategies to discourage illegal migration and to facilitate the return of irregular migrants.

An interesting aspect of the Spanish debate on migration concerns the idea of co-development. The Strategic Plan for Citizenship and Integration 2007-2010 (Plan Estratégico de Ciudadanía e Integración 2007-2010) published by the Ministry of Work and Social Affairs and which aims at promoting equal rights and social participation and respecting the multicultural background of Spanish society. The Plan identified 12 areas of intervention including co-development. The Strategic Plan aims at identifying and promoting development opportunities for the countries of origin while incorporating co-development strategies in the
process of integrating migrants. In the section on co-development, there is great emphasis on the importance of strengthening cooperation among local governments in the country of origin and destination and on channeling remittances towards projects that can have a social and economic impact. The Strategic Plan underlines the role that transnational networks could play in facilitating the exchange of ideas and best practices and in channeling remittances towards productive initiatives. There is no doubt that the introduction of the concept of co-development in the Strategic Plan is an acknowledgment of the positive impact that a model such as the one designed by UP/FAS can have on migrants and temporary workers.

To sum up, every year the Spanish Government can establish, after consulting with a variety of national stakeholders and institutions, a quota of foreign workers who can enter Spain (art. 77 and 79 of the regulation). Employers willing to offer work can directly apply through the provincial office or rely on a legal representative; employers can also participate in the process of selection in the country of origin. The law provides for the possibility of organizing training courses for migrants. The quota can be modified throughout the year according to the needs of the labor market; the quota is divided into 3 sub-groups: permanent workers, workers entering Spain to seek work, and the temporary workers. In general, but not necessarily, the seasonal quota is reserved for those countries that have signed bilateral agreements with Spain (Colombia, Dominican Republic, Ecuador, Romania, Poland and Morocco). Individuals interested in working in Spain can subscribe to specific lists made available in consular offices and regions and municipalities can participate in order to establish the seasonal needs of the labor force.

In Italy, migration is regulated by the Testo Unico sull’Immigrazione approved of by Legislative Decree n. 286, July 25. 1998. Title 1 provides some general principles concerning migration. Article 3 of this Title establishes that every three years the Government, together with the Economic Council for the Economy and Labor, the Regions and Cities, approves a plan that outlines the migration policies for the following three years. In this plan the criteria for calculating immigration quotas are established. Title 3 (articles 21 to 27) of the same law, focuses specifically on labor migration. Labor migration, including seasonal migration and
self employment, can only take place within the quota established every year by the Government (article 3). The quotas are mainly reserved for citizens of those countries that have signed a bilateral agreement with the Italian government aimed at fighting illegal migration and at repatriating irregular migrants. This means that certain countries might face restrictions in accessing the quotas. The quota is established by taking into account the situation of the national economy and the requests presented by the regions and business associations. The bilateral agreements might also establish that foreign workers who are willing to enter Italy to seek work can subscribe to particular employment lists specifying their skills; such lists are organized according to what is established in the bilateral agreement.

Article 24 regulates seasonal work. Those employers or business associations who wish to employ a foreign worker, must apply to the provincial immigration office (article 22 establishes that there must be one immigration office in every province as a reference point for the employer). If the employer does not know the worker, the application must also be sent to the employment center of the area which verifies, within 5 days, if an Italian or EU worker can be employed in that position. In any case, authorization is issued after 10 days and no later than 20 days, and lasts between 20 days and a maximum of 9 months. Article 24.4 introduces an incentive mechanism aiming at guaranteeing that the migrant worker goes back at the end of the season which is a priority policy for re-entering during the following season. However, the seasonal quota is not open to any third country national. The 2009 quota of 80,000 seasonal workers, for instance, is reserved for citizens of Serbia, Montenegro, Bosnia-Herzegovina, Macedonia, Croatia, India, Pakistan, Bangladesh, Sri Lanka and Ukraine, for those countries who signed a cooperation agreement with Italy (Tunisia, Albania, Morocco, Moldova and Egypt) and for those workers who held a seasonal residence permit during the year 2006, 2007 or 2008. This last point refers to the preferential mechanism mentioned above. The application must be submitted on line by the employer from the date established by the Ministry of the Interior; this year, for instance, the seasonal decree was issued by the government on March 30 and the on-line application form was available beginning April 15.
There are a few important differences between the Italian and Spanish legal frameworks that must be mentioned. First, Italian seasonal quotas are reserved exclusively for citizens of certain countries; thus, were a program such as the TCLM to be introduced in Italy, it would have to be preceded by a specific cooperation agreement. As said, these cooperation agreements go beyond the provision of seasonal workers but also aim at regulating migration flows and facilitating the return of irregular migrants. Another important issue that is criticized by Italian employers is that the law does not allow for the seasonal permit extension; this means that it is not possible to employ a person up to 9 months if the person initially entered with a 6 month contract. It is possible for a worker to provide his services to more than one employer within the time period authorized; a “cumulative request” can be presented either before the worker enters the country or when s/he is already in the country. In every case, however, the work done must be of a seasonal nature and the working period must not exceed the period that was initially authorized. Business associations agree that it is extremely complicated to plan the employment of a worker in more than one company before his/her entrance; for this reason they have been requesting a simplified mechanism that allows an employer to request a visa extension for employees. According to the Spanish law, an extension is possible and the employer can keep the worker for longer according to changes in production. Another important difference between the two countries is the economic sectors that can be accessed by temporary workers. As already stated, Spanish legislation allows for work in all ‘temporary’ sectors (“trabajos de campaña o de temporada”), the Italians limit temporary work to the tourism and agricultural sectors. Last but not least, the Plan Estratégico de Ciudadanía e Integración represents an official strategy to link migration with development policies; Italy lacks a similar strategy.

10.3 Experts opinion on the Italian legal framework regulating seasonal work

In order to have a better understanding of the importance of temporary workers in the agricultural sector and to identify the strengths and weaknesses of the legal framework, five Italian institutions were contacted. These institutions are the three major Italian trade unions.
(CGIL,\textsuperscript{18} CISL,\textsuperscript{19} UIL\textsuperscript{20}) and the two largest organizations representing the companies operating in agriculture (CONFAGRICOLTURA\textsuperscript{21} and COLDIRETTI\textsuperscript{22}). All these institutions have offices that specifically focus on migration and monitor migration-related issues. After submitting a brief explanation of the research purposes, interviews were requested of people in charge of the migration offices. All the organizations were very keen to share their views on the topic of seasonal work and willing to debate the issues, which they said must be tackled in order to promote more efficient and less complex practices in the interests of all. The only person who did not reply was the head of the migration area of CGIL; in this case another CGIL employee was interviewed who has been studying and following the problems faced by temporary migrants particularly in southern Italy.

The interviews were all conducted by phone and lasted, on average, 30 minutes. The interviewees were informed about the academic purposes of the work and about evaluating the possibility of implementing a TFWP based on the TCLM model. In order to focus on aspects that were relevant for my academic work, an interview guide was prepared (see Appendix D). The interviewees were also given the opportunity to add any remarks on the issue and present their personal opinion on implementing a TFWP.

The interview guide can be divided into three parts. The first part (questions 1 to 5) concerned the importance of temporary workers in the agricultural sector and the problem of irregular migration. The second part (question 6 to 9) aimed at understanding the opinion of the institutions reached on these problems affecting temporary migrants; in this part, the interviewees were asked to make some proposals on how the circumvention of circularity could be avoided (e.g. incentive/disincentive mechanisms). The last part (question 10 to 13) focused on the possibility of improving circular migration programs through bilateral

\textsuperscript{18} Confederazione Generale Italiana del Lavoro: \url{www.cgil.it}
\textsuperscript{19} Confederazione Italiana Sindacati Lavoratori: \url{www.cisl.it}
\textsuperscript{20} Unione Italiana del Lavoro: \url{www.uil.it}
\textsuperscript{21} Confederazione Generale dell’Agricoltura Italiana: \url{www.confagricoltura.it}
\textsuperscript{22} Coldiretti: \url{www.coldiretti.it}
agreements with third countries and on the possibility of implementing a TFWP similar to the TCLM.

10.3.1 Strategies for controlling irregular migration

There are many estimates of the number of irregular workers in the agricultural sector; certain institutions believe that the number of irregular workers is higher than the regular ones.

“*We estimate that there are 200,000 clandestine migrants in agriculture [...] they are more than the foreign workers who are legally employed who are, as said, 133,000.*”

(UIL)

“Yes, the phenomenon exists. And there is also, somehow a geographical division of the country. In the South very few employers request to have access to the quotas while in the north it is the opposite. This definitely means that in the south there are more irregular workers and there is no need to invite other foreigners legally.”

(Confagricoltura)

“In certain areas of the South we reach the peak of 80% of black market employment [...] and these people are mainly foreigners [...] there are conditions that are similar to slavery.”

(CGIL)

“The problem of black market employment is common to many sectors; yes, probably in agriculture the situation is worse. We estimate that there are at least 3 million black market workers, 1 million of whom are migrants. We do not really know how many of these occupations concern agriculture.”

(CISL)

The phenomenon of irregular migration in agriculture is due to a variety of factors. First, agricultural production is seasonal and it seems difficult to design a legal mechanism that is flexible enough for the needs of the sector, which might vary even from month to month (e.g. because of weather changes). Second, there are many agricultural producers, from farms with two employees to big multinationals with hundreds of workers; this makes it difficult to control all of the companies and all of the work contracts. Third, given the fact that public offices lack the capacity to implement controls, the employment of irregular workers has become an ordinary way of cutting costs of production. Not only do irregular workers lack even basic social protection, but they also are not in a position to denounce their employers because of fears of sanctions or repatriation.
“First of all, there is no education; we need campaigns to explain how serious the issue is; to explain that this is bad. Controls are lacking and certain companies just prefer to compete in a criminal way; they care about the costs, not about the people.”

(CISL)

“At least 25% of the Italian economy is in the black market. If you want to compete within this 25%, you must lower your costs even more; and this is why you need irregular migrants who have no rights, who are treated as slaves, who work for 14 hours a day, etc.”

(UIL)

“There are so many companies. We need a revolution in the control strategy because it is just very difficult to control everything when you have working contracts of 3 or 4 days.”

(CGIL)

“The State is also partially responsible for the phenomenon; the migration law is perfect on the paper but is extremely difficult to apply and even public offices do not manage to respect the deadlines established by the law. Of course, black market employment is a criminal thing but we should not be surprised when we see that it exists.”

(Confagricoltura)

There seems to be a gap between what can be implemented and what the law says. The simplification of public procedure often does not occur. Often, a regime of very strict sanctions is perceived as a superficial response to the issue of irregular employment of migrants if it cannot be fully implemented throughout the whole country.

“We are not against controls at all; but we are against useless controls. There is a sticker on the door that says “migration office” but then you discover that behind that door there are four public authorities requesting so many forms and they do not communicate with each other. If a company was inspected one year and was allowed to employ seasonal workers, why should all the same controls be carried on again just six months later? This mechanism is costly.”

(Coldiretti)

“There are sanctions. And every government increases them […] Many times we read about things that sound like movie scenes, the police suddenly inspect a big farm, they arrive with helicopters. But this does not make sense if they can control only 3 or 4% of them; it just does not solve the problems. We want to develop a structural response to the issue.”

(Confagricoltura)

Some of the proposals made by the European Economic and Social Committee (opinion No. 1699) seem very appropriate in order to face some of the challenges in the agriculture sector.
The EESC proposes promoting best practices and supporting campaigns that address the importance of legal employment for foreign workers. Furthermore, consumers often do not know the process behind the production of agricultural goods and they are unable to assess if a company complies with migration laws. The EESC proposes developing specific “employment principles” and labeling agricultural products adhering to such principles. This would allow consumers to recognize which products come from companies that employ workers legally and who treat workers in a fair way. It is important to understand that this initiative is something different from CSR; a company is socially responsible when it voluntarily goes beyond legal requirements. In this case, the challenge is to encourage producers, through market incentives, to reach the legal requirements; this does not exclude, however, the possibility of implementing CSR initiatives.

10.3.2 Quotas and incentives

A variety of proposals concerning incentives and disincentives were made. The complexity of the procedure for legally employing a seasonal worker seems to be the main obstacle even though the on-line application has reduced tremendously the delays. An inefficient procedure turns into an incentive to rely on irregular migrants who are already in the country. Another important aspect is to guarantee some kind of mobility to the worker for the next working season and to make sure that the worker can sustain him/herself in the country of origin while s/he is not working in Italy; if this is not the case there is no incentive for the worker to go home.

“The quotas established this year are sufficient. Last year, for instance, the government authorized 80,000 seasonal workers but only 72,000 requests were made. The government, during the last year, always accepted our requests and the requests of our colleagues. Moreover, we wanted to have a surplus of permits in order to avoid a company’s employee working illegally […] There are crazy cases; in certain regions we help our members and we can deal with the application process very quickly. But in other regions, especially in the south, the process is impossible; we receive the authorization with unacceptable delays and the reason is that they do not have enough personnel […] The Testo Unico established that past seasonal workers can receive a multi-year permit; even when they have that they have to go through the VISA application and they often get stopped for weeks by a consulate.”

(Confagricoltura)
“What do these workers do at the end of the season? We have to make sure that they have employment back home; this is the only way of guaranteeing circularity. If they are desperate they will just remain, it doesn’t matter what the risks are.”

(CGIL)

The impossibility of extending the seasonal permit for the worker is seen as a very negative aspect of the current law; the agricultural sector is exposed to sudden changes in production because of several factors and requires the maximum legal flexibility in order to respond to changes in the demand for labor. In certain regions or provinces, public offices have proved to be efficient and responsive to the employers’ requests within the current legal framework. The gap between different regions or provinces, however, is an indicator of the need to reassess the organizational capabilities of public offices; more transparency of the public administration, fewer delays and more efficiency means less costs for the employer and a greater incentive to be legal.

10.3.3 Is TFWP based on the TCLM model in Italy possible?

All the interviewees expressed their interest in implementing and supporting a TFWP based on the TCLM model. Some issues, however, were raised.

“We are very interested in starting a project like this; we want to promote positive practices. Unfortunately, we have no special relation with any specific country and Italian is not spoken in other countries; possible partners could be Argentina or Albania [...] we have to make sure that the training provided is useful; it is better to train them here because we can make sure they learn something useful for future productive processes.”

(Confagricoltura)

The main issue concerns the feasibility of the program at a national level because, as said, a variety of provinces are facing great difficulties in processing the requests for seasonal workers. A model such as the TCLM requires intricate coordination and interaction of the different stakeholders and public offices. This implies that it is advisable to implement the TCLM starting with a pilot project limited to a specific virtuous region.

“It is important to employ the workers in a province that is able to follow the project; there are places where the delays are just unbelievable and it would not make sense to start from such places.”

Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication
Another issue concerns bilateral agreements; two interviewees referred to the fact that such agreements are often led by political goals and are difficult to implement. The example of Egypt was mentioned, saying that the recruitment of seasonal workers from Egypt was often delayed because of episodes of corruption in public offices or misunderstandings between Italian and Egyptian authorities who could not communicate in a common language.

“It is fundamental to cooperate more and develop more agreements with the countries of origin so that we can combine migration management with development projects.”

(UIL)

“Yes, but we need specific agreements to target this goal [...] and it would be useful to develop such agreements at the EU level. I know that Spain also has our difficulties in managing migration flows; because we have so many kilometers of coast, etc. [...] and these agreements should include a very simple mechanism: if you return to the country of origin, you have automatic permission to come back to Italy during the following season.”

(Confagricoltura)

Another relevant aspect mentioned by the interviewees concerns the costs of a program such as the TCLM given the fact that the goal is not only to provide labor and manage migration but also to boost development. The costs should be carefully assessed and shared among a variety of stakeholders both in the country of origin and destination; if this is not done, the program will become unsustainable.

“I can imagine that such projects are very expensive; and the project should be carried on for several years, otherwise it has no impact.”

(Confagricoltura)

Another aspect raised concerns the fact that the training given to seasonal workers in the country of origin might not be useful at all. Past experiences of intensive courses in Italian before departure turned out to be a waste of money. The training that is important, they said, is on-the-ground training because it allows for a transfer of knowledge that can be applied in the country of origin.
10.4 Can the TCLM project be implemented in Italy?

The aim of this chapter was to briefly evaluate whether a project based on the TCLM model could be implemented in Italy. Spain and Italy have similar agricultural sectors that rely on the contribution of temporary workers. Both countries, every year, establish a quota of seasonal workers. Italy, however, has a less flexible law and has not yet developed migration policies aimed at generating co-development in the origin countries. Moreover, Italy faces many difficulties in dealing with irregular migration and in sanctioning employers who do not respect the law.

The TCLM project was presented by the EU Commission as a best practice for managing migration; having said this, the implementation of a similar project in the Italian context could be seen as an opportunity to tackle and, hopefully, solve, some of the difficulties related to migration there. Italy, like Spain, has been experiencing massive immigration from Northern Africa and any effort to promote legal migration and generate development in the countries of origin should be welcomed. As suggested by the experts interviewed, the implementation of such a program could open a debate among stakeholders on how to make the visa process faster and more flexible and on which incentives/disincentives should be introduced to fight illegal employment. In any case, a continuous communication and coordination of public authorities is fundamental in order to guarantee a correct assessment of the difficulties and the provision of solutions.
11. Conclusion

The aim of this work was to understand whether a TFWP such as the TCLM has the potential to generate co-development in the country of origin. The main goal was to make sure that the migration phenomenon can lead to a Win-Win-Win solution: for the country of destination, the country of origin, and for the migrant him/herself. Based on the outcome of the qualitative research which involved many of the stakeholders who have been participating in the TCLM program from the communities of Suba, San Cristobal and Usaquèn, the following conclusions can be drawn.

The TCLM has been offering an invaluable opportunity for participant workers to increase their income and gain skills; the challenge has been to channel at least part of this income generated in Spain towards productive activities and to make sure that the skills gained can be applied in the country of origin. The TCLM involves a limited number of people and this means that the working opportunity in Spain cannot be considered as a solution to Colombian unemployment. In order to avoid the risk of wasting capital saved in Spain, local governments, in charge of the pre-selection of applicants, have been targeting workers who have demonstrated their involvement in and commitment to community services and initiatives or who attended training courses for productive purposes. The great majority of the participants interviewed demonstrated to be very committed to helping their communities in order to allow others to benefit from the TCLM. Additionally, while in Spain, the workers have been offered the opportunity to present to UP/FAS business or community initiatives in order to obtain support for fundraising. While the social, emotional and cultural impact of the TCLM is immediate, it is necessary to wait before the expected impact on the community and co-development generated through higher income can materialize. This is because the very first savings from Spain are used by the returning workers to pay down debts, improve their homes or to buy durable appliances. This time gap must be understood by local governments; in one case the focus of the local administration was on the immediate implementation of productive projects which did not occur; several years are, in fact, needed in order to see the impact of the TCLM program on the community of origin. While the process, starting from the selection of the applicant to his/her return from Spain, has proved to be very efficient.
thanks to the extensive experience of UP/FAS, the challenge is to guarantee that productive projects can be implemented and can become sustainable. The TCLM conceives of the migration experience as a tool to create opportunities back home; it is necessary, however, to make sure that initiatives do expand and offer employment to others.

The TCLM has the potential to generate co-development, however, some specific conditions are needed for it to take place. First, workers should be helped in obtaining the amount of capital needed for implementing their income generating ideas. It is important, moreover, to make sure that the training received can be applied in the community of origin, which often lacks the infrastructure that are available in Spain. Local governments, or the IOM, should use their expertise and contacts to identify partners that could be involved in the development of community income generating activities. Such partnerships could generate not only an economic value, but also a social value because of the impact on stakeholders. This social value could then be communicated to consumers who can ‘vote with their wallets;’ current trends in the US and EU markets show a booming interest towards practices that are socially responsible.

Further research is needed to understand if the TCLM program has developed favorable conditions for income generating initiatives. Last but not least, an impact evaluation should be carried on after the returning workers have managed to pay their debts and satisfy their most urgent consumption needs which, as we now, drain resources from investment projects.
12. References


Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication


**EU documents**

- **Commission**


*Temporary Circular Labor Migration between Colombia and Spain: A model for consolidation and replication*

- EU Council

EU Council in Tampere, 1999, Presidency Conclusions;

EU Council of December 15-16, 2005, Presidency Conclusions

- Council

Directive n.17426/08 adopted on March 18, 2009 by act 9057/09 of the Council

- European Economic and Social Committee

Opinion n. 1699 dated December 13, 2007 of the European Economic and Social Committee on the Agricultural employment situation
## 13. Appendices

### Appendix A - TFWP: Criticisms and possible solutions

<table>
<thead>
<tr>
<th>CRITICAL ASPECTS</th>
<th>CRITICISMS</th>
<th>POSSIBLE SOLUTIONS</th>
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</table>
| Concerning temporary migrant workers and their families: | - Fewer rights than permanent residents or citizens  
- Often not possible to change visa status, invite family to the country of destination, access some public services, etc. | - Inform migrants of their rights and obligations in advance of arrival  
- Countries should ratify ILO Convention 97 (Migration of Employment Convention) and 143 (Migrant Workers Convention) and other international conventions aimed at protecting migrants |
| Migrants’ rights | - Migrants are away from a familiar context; they often do not speak the language and lack legal protection. There is little that the country of origin can do to help its citizens in the country of destination. | - Consult all stakeholders involved in TFWP  
- Employers should inform potential migrants of all work and living conditions prior to hiring them  
- Countries of origin should develop initiatives to support Diaspora communities.  
- Provide migrants with relevant/necessary information in their native language; migrants should be trained on the tools available for keeping in touch with their family and home community. |
| Vulnerability of Migrants workers | - Migrants may obtain a regularization.  
- Employers may offer permanent jobs, thereby halting job circularity | - Destination countries can alter their legal framework to prevent bloating  
- Inform migrants of the consequence of such actions.  
- Create incentives both for the employer (e.g. the “fair seasonal work” label) and for the migrant (e.g. future priority given to migrants who legally return home after the season, etc.) to reduce circumvention |
| Bloating phenomenon | - It is difficult to ensure that a migrant will return home at the end of their program; leads to irregular immigrants | - TFWP procedures must be simple, transparent and fast  
- The migrant should be given incentives to report smugglers or abusers. |
| Circumvention of the program | - If costs of hiring workers legally (for employers) or of working legally (for migrants) are too high, there is an incentive to hire/work illegally | - Inform migrants of the consequences of remaining in a country illegally  
- Employers’ associations should promote legal and best practices in their business communities |
| Overall cost of the TFWP opportunity | - Liberal democracies do not enforce sanctions either against workers or employers sufficiently | - Inform the migrant and his/her family about living and working conditions in the country of destination; train both on communicating via Internet  
- Verify that the migrant’s household members have an adequate support structure in place or can access professional psychological support |
| Incentive / sanction mechanism to guarantee circularity | - Migrants and their family members may experience emotional and social distress, particularly if support structures are lacking. | - Inform migrants of the consequences of remaining in a country illegally  
- Employers’ associations should promote legal and best practices in their business communities |
| Social and psychological consequence on the migrant’s family and on the migrant him/herself | - A lack of integration into the host culture may lead to conflicts and difficulties in managing a TFWP | - Facilitate integration by providing information on the |
Concerning the labor market in the country of destination:

| Effect on salaries | - TFWPs threaten domestic workers because migrants are willing to accept lower wages  
- Certain economic sectors, especially 3D jobs, suffer from a shortage of labor supply and it is unlikely that seasonal migrants can worsen the condition of native workers who are unwilling to accept certain jobs  
- An adequate control mechanism is needed in order to verify that minimum standards are satisfied.  
- Educational and information campaigns can inform trade unions, business associations and public authorities about the importance of legal migrant workers |
| Difficulties in assessing labor market shortages and difficulties in managing the demand for migrant labor | - The possibility of employing foreign workers might be seen as a solution to circumvent legal requirements and to achieve lower operating costs  
- The risk of permanent settlement should be avoided by carefully assessing which economic sectors migrants can access  
- In case an economic sector relies on temporary workers throughout the year, the TFWP should be flexible enough to facilitate rotating employment rosters, and respecting temporary permits |
| Work offered to TFW are not temporary in nature and this increases the risk of permanent settlement | - It is not appropriate to employ seasonal workers in economic sectors with structural shortages  
- The risk of permanent settlement should be avoided by carefully assessing which economic sectors migrants can access  
- In case an economic sector relies on temporary workers throughout the year, the TFWP should be flexible enough to facilitate rotating employment rosters, and respecting temporary permits |

Concerning the labor market in the country of origin:

| Risk of brain drain | - If migrants are highly skilled, the country of origin might suffer from brain drain  
- Temporary workers involved in TFWP are usually low skilled workers. TFWP should involve unemployed people and should represent an “on the job” training opportunity so that the temporary worker can develop economic initiatives back home. |
| Risk of criminal organizations managing the recruitment of temporary workers | - In contexts characterized by corruption or lack of state supervision, intermediary agencies have been undertaking illegal practices. There are cases of migrants paying for accessing the legal procedure.  
- Local governments or representatives of the employers should supervise the recruitment, selection and contracting of migrants or rely on certified agencies to do this |

Concerning the policy itself:

| Feasibility of the policy | - There are too many parties involved in a TFWP; it is impossible to guarantee good coordination of such actors. There will always be problems  
- TFWPs require careful design and involvement of many different stakeholders. Good governance is needed for the successful implementation of a TFWP.  
- Inspections and the sanctions should be designed according to the economic sectors. Business organizations should cooperate with the government in order to identify mechanisms to solve some of the structural issues.  
- Costs of TFWPs should be weighed against potential benefits and then compared with other policy possibilities. In certain cases, costs may outweigh benefits and a different policy may be desired. |
| Feasibility of sanctions for the employers | - It is difficult to enforce the law against employers. Heavily sanctioning one company does not solve the issue  
- Inspections and the sanctions should be designed according to the economic sectors. Business organizations should cooperate with the government in order to identify mechanisms to solve some of the structural issues.  
- Costs of TFWPs should be weighed against potential benefits and then compared with other policy possibilities. In certain cases, costs may outweigh benefits and a different policy may be desired. |
| Overall costs of the policy | - A temporary circular migration project is expensive  
- Costs of TFWPs should be weighed against potential benefits and then compared with other policy possibilities. In certain cases, costs may outweigh benefits and a different policy may be desired. |
| Implementation of bilateral agreements on TFWP is difficult | - Bilateral agreements are often political, made to satisfy the voters and not to respond to the real economic needs  
- All stakeholders should identify the strengths and weaknesses of implementing TFWPs.  
- A mobility partnership should include mechanisms for improving the readmission of citizens to the country of origin. |
| Expelling an irregular temporary worker is difficult | - It is expensive and practically impossible to expel those workers who stay illegally  
- A mobility partnership should include mechanisms for improving the readmission of citizens to the country of origin. |
<table>
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<th>Ethical debate</th>
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<td>after the completion of a TFWP</td>
<td>origin.</td>
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<tr>
<td>- Most of the temporary migrants are not committed to go home</td>
<td>- Migrants should be discouraged from remaining illegally by informing them of the consequences of such actions and by offering incentives to return home</td>
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<tr>
<td>- Importing labor is unethical</td>
<td>- Importing the labor force and not people is wrong. A TFWP must be voluntary. Emotional and psychological distress or other unacceptable living and/or working conditions must be addressed in order to protect the worker and his/her rights.</td>
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<tr>
<td>- Separating families is unethical</td>
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<td>- The asymmetry of power between the ’importing country’ and the migrant is unacceptable</td>
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Appendix B – Interview guide for temporary migrants and their families

1. Why did you decide to join the TCLM?

2. Do you think that this experience can benefit your community?

3. Do you want to start any business/economic activity?

4. If possible, would you like to participate again in the project? Why?

5. What should the local government do to facilitate this TCLM experience and make it more successful?

6. Did you face any problem related to the local government?

7. Are you planning to share what you learned with other people of the community? How?

8. Do you think that this experience can generate change and co-development at community level? How?

9. If you could, what would you change of the TCLM project?

10. Is there anything else you would like to add?
Appendix C – Interview guide for local government staff

1. What is the meaning of “codevelopment” in your opinion?

2. Why did your Community and your local government decide to join the TCLM project?

3. What are the benefits of the project for the community?

4. The project has the goal, among others, of empowering the workers and making them agents of change. How can a temporary worker be an agent of change?

5. If the worker participates in the project, is not there the risk that he is the only beneficiary? How can we avoid that?

6. Can the local community or the local government help avoiding this risk?

7. What should be done in order to make sure that the worker is committed and can help the community of origin?

8. Should the community and the local government keep in touch with the worker?

9. As institutional actor, what difficulties did you have to face?

10. What are the causes of these difficulties?

11. Do you think that the pre-selection of workers, which is done at local level, is done at an adequate level? Why not national level?

12. Did you face difficulties related to the pre-selection of migrants?

13. And concerning the IOM?

14. Tha IOM has been working in the TCLM project as facilitator thanks to the support of the EU, do you think that the TCLM project can continue or can be replicated without the support of the IOM?

15. Is there anything else you would like to add concerning the TCLM project?
Appendix D – Interview guide for trade unions and business associations

1. How important is the contribution of temporary workers to the Italian economy?

2. And for the agricultural sector in particular? Are there any estimates about the number of irregular workers?

3. Are the quotas, which are established every year by the Italian Government, adequate in order to satisfy the demand of the sector?

4. How big is the phenomenon of illegal employment in the seasonal sector?

5. Why does this problem keep existing?

6. What are the changes proposed by your institution to the current immigrant law? Is the immigration law flexible and clear enough?

7. How can we regularize irregular workers without making the regularization an incentive to further irregular migrations?

8. Do you think it is necessary, possible, feasible and realistic to implement an incentive mechanism so that the seasonal worker goes back to the country of origin?

9. What incentives can work?

10. Certain countries, such as Spain for instance, promote co-development projects in order to train the temporary worker, empower him, and make him an agent of change in the community of origin; are there similar projects in Italy?

11. Do you think that the temporary workers mechanism should be improved through bilateral agreements in order to create fast tracks?

12. Would your institution be interested in investing resources and promoting circular migration projects which are not only a form of contracting in the country of origin but also a development strategy?

13. Is there anything else you would like to add concerning circular migrations?